

# COUNCIL MEETING

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

CITY OF ST. PETERSBURG

October 15, 2015  
3:00 PM

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

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

## GENERAL AGENDA INFORMATION

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

If you are deaf/hard of hearing and require the services of an interpreter, please call our TDD number, 892-5259, or the Florida Relay Service at 711 as soon as possible. The City requests at least 72 hours advance notice, prior to the scheduled meeting, and every effort will be made to provide that service for you. If you are a person with a disability who needs an accommodation in order to participate in this/these proceedings or have any questions, please contact the City Clerk's Office at 893-7448.

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

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

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

**Open Forum**

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

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

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

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

Setting November 12, 2015 as the public hearing date for the following proposed Ordinance(s):

1. [Ordinance of the City of St. Petersburg, revising Chapter 28 Vehicles for Hire; adding, deleting, and revising definitions; revising article and section titles; clarifying language related to low speed vehicles to conform with changes in State law; adding requirements for transportation network companies, transportation network vehicles and transportation network drivers; adding requirements for vessels; amending the Subsection relating to Pedal Buses; reorganization of Subsections to enhance readability; streamlining the existing Public Vehicle Certificate Program into a business tax receipt sticker process; changing proof of insurance requirements for various public vehicles; revising public vehicle driver requirements based on type of services provided; changing public vehicle drivers permits to permits required for instant service providers only; creating a new Section 28-29, pre-arranged service drivers, and providing criteria and requirements for such drivers.](#)
2. [Ordinance in accordance with Section 1.02\(c\)\(5\)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement \(“JPA”\) for the Hangar #2 Project \(Project #14679\), to be executed by the City, as a requirement for receipt of Florida Department of Transportation \(“FDOT”\) funds \(“Grant”\) including but not limited to the Aviation Program Assurances \(“Grant Assurances”\), which, inter alia, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the](#)

Grant in an amount not to exceed \$1,600,000; authorizing a project scope and name change by the merging of the Airport Hangar #2 Project (Project #14679) into the Southwest Hangar Redevelopment Project (#14168); authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; and providing for expiration.

3. Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement (“JPA”) for the Runway 7/25 Extension Feasibility Study (Project #TBD), to be executed by the City, as a requirement for receipt of Florida Department of Transportation (“FDOT”) funds (“Grant”), including but not limited to the Aviation Program Assurances (“Grant Assurances”), which, inter alia, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed \$40,000; approving a supplemental appropriation in the amount of \$40,000 from the increase in the unappropriated balance of the Airport Capital Projects Fund (4033) resulting from the Grant; approving a supplemental appropriation for the 20% match of \$10,000 from the unappropriated fund balance of the Airport Capital Projects Fund (4033) to the Runway 7/25 Extension Feasibility Study (Project #TBD); authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; and providing for expiration.

#### **E. Reports**

1. Homeless Leadership Board. (Oral) (Vice-Chair Foster)
2. Museum of Fine Arts Update. (Councilmember Rice)
3. University of South Florida St. Petersburg Update. (Chair Gerdes)
4. Firestone Grand Prix of St. Petersburg Update. [DELETE]
5. Approving the purchase of additional refuse trucks from McNeilus Financial, Inc. for the Sanitation Department at a total cost of \$1,104,760.
6. Authorizing the Mayor or his designee to execute an Agreement for Sale and Purchase with Micheal T. Brawley for the purchase of the fee simple interest in an improved property located at 4001 – 14th Lane Northeast, St. Petersburg, for the sum of \$264,000, for the future expansion of the City-owned Shore Acres Park; and to pay closing related costs not to exceed \$2,500.
7. Agreement to Terminate Property Disposition Agreement dated December 8, 2004 related to the Progress Energy - Kessler/Grand Bohemian site.
8. The City's Water Treatment System. (Councilmember Kornell)
9. Approval of a resolution requesting the Florida Department of Environmental Protection and the United States Environmental Protection Agency to review the information provided to the City Council by concerned members of the public and media regarding possible environmental contamination on and adjacent to the Skyway Skeet and Trap Club and the alleged failure of the Skyway Trap and Skeet Club, Inc. to install a shot barrier

and further requesting that such agencies pursue appropriate action in accordance with their respective authority.

**F. New Business**

1. Referring to the Public Services & Infrastructure Committee to discuss ways to streamline the process for lot clearing of chronic offenders. (Councilmember Newton)

**G. Council Committee Reports**

1. Budget, Finance & Taxation Committee. (10/08/15)
2. Youth Services Committee. (10/08/15)

**H. Legal**

1. Approving an amendment to the City Council Policy and Procedures Manual related to the deferral of agenda items.

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

**Public Hearings**

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

1. Confirming the preliminary assessment for Lot Clearing Number 1555.
2. Confirming the preliminary assessment for Building Securing Number 1204.
3. Confirming the preliminary assessment for Building Demolition Number 431.
4. Ordinance 198-H providing for the sale and consumption of alcoholic beverages in Seminole Park on April 3, 2016.

**First Reading and First Public Hearings**

Setting December 17, 2015 as the public hearing date for the following proposed Ordinance(s):

5. City-initiated Comprehensive Plan text amendments. (City File LGCP-2015-03)
  - (a) Ordinance amending Chapter 1, General Introduction, Chapter 3, Future Land Use Element, Chapter 4, Conservation Element and Chapter 5, Coastal Management Element.
  - (b) Resolution transmitting the proposed Comprehensive Plan text amendments for expedited state, regional and county review, in accordance with Chapter 163, Florida Statutes.

**Quasi-Judicial Proceedings**

Swearing in of witnesses. *Representatives of City Administration, the applicant/appellant, opponents, and members of the public who wish to speak at the public hearing must declare*

that he or she will testify truthfully by taking an oath or affirmation in the following form:

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

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

6. [Amending the Future Land Use and Zoning Map designations of a 0.27 acre subject property generally located approximately 175-feet west of 4th Street North, at 424 and 436 – 22nd Avenue North. \(City File FLUM-29\)](#)
  - (a) Ordinance 714-L amending the Future Land Use Map designation from Planned Redevelopment-Residential to Planned Redevelopment-Mixed Use.
  - (b) Ordinance 746-Z amending the Official Zoning Map designation from NT-2 (Neighborhood Traditional-2) to CRT-1 (Corridor Residential Traditional-1), or other less intensive use.
  - (c) Resolution requesting an amendment to the Countywide Plan Map, as described above, to comply with the requirements of the Pinellas Planning Council and Pinellas County Board of County Commissioners.

**First Reading/First Quasi-Judicial Public Hearing - Setting December 17, 2015 as the Second Reading/Second Quasi-Judicial Public Hearing date for the following proposed Ordinance(s):**

7. [City-initiated amendments to the Future Land Use Map and the Official Zoning Map for property commonly known as a portion of the Allendale neighborhood and described more specifically as Subject Areas A, B, and C. \(City File FLUM-30-A\)](#)
  - (a) Ordinance amending the Official Zoning Map designation of properties located in Subject Area A from NT-3 (Neighborhood Traditional-3) to NS-1 (Neighborhood Suburban-1).
  - (b) Ordinance amending the Future Land Use Map designation of properties located in Subject Area B from PR-R (Planned Redevelopment-Residential) to RU (Residential Urban).
  - (c) Ordinance amending the Official Zoning Map designation of properties located in Subject Area B from NT-2 (Neighborhood Traditional-2) to NS-1 (Neighborhood Suburban-1).
  - (d) Ordinance amending the Future Land Use Map designation of properties located in Subject Area C from RU (Residential Urban) to PR-R (Planned Redevelopment-Residential).
  - (e) Ordinance amending the Official Zoning Map designation of properties located in Subject Area C from NT-3 (Neighborhood Traditional-3) to NT-2 (Neighborhood Traditional-2).

- (f) Resolution requesting amendment to the Countywide Plan Map, as described above, to comply with the requirements of the Pinellas Planning Council and Pinellas County Board of County Commissioners.

**J. Open Forum**

**K. Adjournment**

**St. Petersburg  
Community Redevelopment Agency (CRA)  
October 15, 2015**

1. City Council Convenes as Community Redevelopment Agency.
2. Authorizing the Executive Director or his designee to execute an Agreement to Terminate Property Disposition Agreement dated December 8, 2004 by and among The City of St. Petersburg, The Community Redevelopment Agency of the City of St. Petersburg, PEF St. Petersburg FL, LLC, as assignee of Florida Power Corporation, d/b/a Progress Energy Florida, Inc., and Grand Bohemian SP, LLC, as assignee of The Kessler Enterprise, Inc.; and to execute all documents necessary to effectuate same.
3. Adjourn Community Redevelopment Agency.

# CONSENT



# AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

**Consent Agenda A  
October 15, 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. Approving the purchase of additional refuse trucks from McNeilus Financial, Inc. for the Sanitation Department at a total cost of \$1,104,760. [Moved to Reports as E-5]

**(Public Works)**

2. [Resolution ratifying and approving Change Order No. 2 in the amount of \\$74,615.35 to the contract with LEMA Construction and Developers, Inc. for the construction of the North Shore Aquatic Pool Restroom Additions and Renovations Project for a total contract amount of \\$1,284,650.35; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction. \(Engineering Project No. 14221-117, Oracle No. 14145 and 15097\)](#)

# CONSENT



# AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

## Consent Agenda B October 15, 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. [Awarding a contract to Dell Marketing Limited Partnership for desktops, laptops, servers and computer peripherals in an amount not to exceed \\$450,000 annually.](#)
2. [Approving the purchase of an evidence collection vehicle from Sirchie Acquisition Company, LLC for the Police Department at a total cost of \\$173,865.61; and approving a supplemental appropriation of \\$173,865.61 from the unappropriated balance of the Law Enforcement Fund \(1023\) to the Police Department Local Law Enforcement State Trust \(140-2857\); and authorizing the Mayor or his designee to execute all documents necessary.](#)
3. [Awarding a contract to L7 Construction, Inc. in the amount of \\$168,497 for the Rehabilitation of Clarifier No. 3 at the SWWRF FY15 project \(Oracle Project No. 14820\).](#)
4. [Renewing a blanket purchase agreement with Johnson Controls, Inc. for an HVAC service agreement for the Real Estate and Property Management Department at an estimated cost of \\$135,440.](#)
5. [Renewing a blanket purchase agreement with Ameron International Corporation for street lighting poles for the Public Works Administration at an estimated annual cost of \\$125,000.](#)
6. [Renewing an agreement with Community Champions Corporation, f/k/a Federal Property Registration Corp., to provide foreclosure registry services for the Codes Compliance Assistance Department.](#)

### (City Development)

7. [Authorizing the Mayor or his designee to execute a Parking License Agreement with Birchwood Inn Partners, LLLP, a Florida limited partnership, for valet parking within the City-owned parking lot commonly referred to as the Beach Drive Lot.](#)
8. [Authorizing the Mayor or his designee to execute License Agreement with Carolyn M. Wilson, Trustee, to use and fence a portion of the City's Cosme Spur Line Property located at the northeast corner of Gunn Highway \(S.R. 587\) and Copeland Road in Hillsborough County for a period of five \(5\) years at an aggregate fee of \\$250.00.](#)
9. [Authorizing the Mayor or his designee to execute a License Agreement with TFTSP Youth Golf Council St. Petersburg, Inc., a Florida not-for-profit corporation, for use of](#)

unimproved land in a portion of City-owned Twin Brooks Golf Course located at 3800 – 22nd Avenue South, St. Petersburg, to construct and operate a mentoring center, for a period of three (3) years, at an aggregate rent of \$300.00; and waiving the reserve for replacement requirement. (Requires an affirmative vote of at least six (6) members of City Council.)

10. Authorizing the Mayor or his designee to execute an Agreement for Sale and Purchase with Micheal T. Brawley for the purchase of the fee simple interest in an improved property located at 4001 – 14th Lane Northeast, St. Petersburg, for the sum of \$264,000, for the future expansion of the City-owned Shore Acres Park; and to pay closing related costs not to exceed \$2,500. [Moved to Reports as E-6]

**(Leisure Services)**

11. Approving the three year use agreement between the City of St. Petersburg, Florida and TFTSP Youth Golf Council St. Petersburg, Inc. to use portions of Mangrove Bay Golf Course, Cypress Links Golf Course and Twin Brooks Golf Course for the First Tee Program; and authorizing the Mayor or his designee to execute the Use Agreement and all other related documents.

**(Public Works)**

12. Resolution acknowledging the selection of Bayside Engineering, Inc., Cumbey & Fair, Inc., Florida Design Consultants, Inc., George F. Young, Inc., and Southeastern Surveying to provide architect/engineering services for Surveying Service(s) Projects for the City of St. Petersburg (“City); and authorizing the Mayor or his designee to execute the City’s form architect/engineering agreement.

**(Appointments)**

13. Appointment of Daniel E. (Evan) Mory to the Board of Trustees of the Fire Pension Fund.
14. Confirming the appointment of Lena Wilfalk as a regular member to the Commission on Aging to fill an unexpired three-year term ending December 31, 2017.

**(Miscellaneous)**

15. Resolution recognizing a donation of \$5,500 from National Insurance Crime Bureau for the purchase of “The Club” automobile theft deterrent devices in support of the Police Department’s automobile theft public awareness program (“Program”); and approving a supplemental appropriation in the amount of \$5,500 from the increase in the unappropriated balance of the General Fund (0001) resulting from this donation to the Police Department, Community Awareness (140-1381), Project (TBD).
16. Authorizing the Mayor or his designee to sign the Local Government Verification of Contribution loan form for the amount of \$90,000 from either HOME Investment Partnership (“HOME”) or State Housing Initiatives Partnership (“SHIP”) Program funding for each of the seven developments requesting local contributions as part of their application under the Florida Housing Finance Corporation (“FHFC”) Request For Application number 2015-107; providing that the loan closing will be subject to the developer(s) obtaining the recommendation for approval of FHFC administered 9% Low Income Housing Tax Credit funding and submitting a copy of the final credit underwriting report, receipt of final site plan approval, receipt of an approved HUD environmental review if applicable, and closing on the financing of the development by December 31,

2016; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction.

17. Approving the minutes of the City Council meetings held on June 4 and June 11, 2015.
18. Approving minor revisions to the Fourth Amendment to the April 21, 2005, Intown Redevelopment Plan Interlocal Agreement, which was approved by City Council on September 3, 2015.
19. Approval of a resolution requesting the Florida Department of Environmental Protection and the United States Environmental Protection Agency to review the information provided to the City Council by concerned members of the public and media regarding possible environmental contamination on and adjacent to the Skyway Skeet and Trap Club and the alleged failure of the Skyway Trap and Skeet Club, Inc. to install a shot barrier and further requesting that such agencies pursue appropriate action in accordance with their respective authority. [Moved reports as E-9]

# MEETING



# AGENDA

CITY OF ST. PETERSBURG

Note: An abbreviated listing of upcoming City Council meetings.

**Committee of the Whole**

*Thursday, October 15, 2015, 8:30 a.m., Room 100*

**Energy, Natural Resources & Sustainability Committee**

*Thursday, October 15, 2015, 1:00 p.m., Room 100*

**Budget, Finance & Taxation Committee [CANCELED]**

*Thursday, October 22, 2015, 8:00 a.m., Room 100*

**Public Services & Infrastructure Committee [CANCELED]**

*Thursday, October 22, 2015, 9:15 a.m., Room 100*

**Housing Services Committee [CANCELED]**

*Thursday, October 22, 2015, 10:30 a.m., Room 100*

**Legislative Affairs & Intergovernmental Relations Committee [CANCELED]**

*Thursday, October 22, 2015, 1:30 p.m., Room 100*

**Budget, Finance & Taxation Committee COMBINED with Public Services & Infrastructure Committee**

*Thursday, October 22, 2015, 8:00 a.m., Room 100*

**The New St. Petersburg Pier Update (All Council Invited)**

*Thursday, October 22, 2015, 11:00 a.m.-1:00 p.m., Room 100*

**Special City Council meeting**

*Thursday, October 22, 2015, 2:00 p.m., Council Chamber*

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CITY OF ST. PETERSBURG  
**Board and Commission Vacancies**

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**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.

## ST. PERERSBURG CITY COUNCIL

Meeting of October 15, 2015

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

**SUBJECT:** AN ORDINANCE, REVISING CHAPTER 28 VEHICLES FOR HIRE; AND PROVIDING AN EFFECTIVE DATE.

In 2014, what are commonly referred to as Transportation Network Companies (TNCs) began operating in the City of St. Petersburg. The TNCs currently operating in our area include Uber and Lyft. While TNCs were covered under our present City Code, staff was asked to look for ways to revise our code to clarify the regulations which would govern TNC operation in the City, similar to the efforts to regulate Pedal Buses a few years ago. After months of input from stakeholders, including the Chamber, representatives of taxi and transportation network companies and a City Council Workshop in February of this year, the attached draft was developed. As work continued on the draft the decision was made to re-categorize our vehicle for hire types, including TNCs, into two distinct categories: those providing service to street hailing passengers and those that operate strictly on a pre-arranged basis.

The current Vehicle for Hire Certificate (the sticker that is placed on the vehicle, \$200 regulatory fee) is being replaced with the Business Tax Receipt sticker (\$65). The sticker will remain affixed on all vehicles for hire, including TNCs, and will be renewable yearly. Each vehicle for hire which has paid their business tax and satisfies the requirements of the code will receive such a sticker.

A Transportation Network Company will be required to purchase city business tax receipt stickers in bulk to distribute to its drivers, and the actual number of drivers will be audited each year with a true up of business tax payment for any overage.

As is standard when a new type of vehicle for hire enters the market, TNCs are now defined and given their own subsections of requirements in the Code. The proposed revisions require Transportation Network Companies who wish to operate within St. Petersburg to provide the City with an annual affidavit attesting that all drivers have been background checked to the level provided in the ordinance, and that vehicles have passed an inspection by a certified mechanic. The Ordinance also details the insurance required of drivers and the company. A similar subsection for boats and vessels was also created to address potential future water taxi services.

Taxi drivers and any other vehicle types that accept street hail passengers will be required to obtain an Instant Service Driver's Permit which will enable them to accept street hails. The Instant Service Driver's Permit will replace the Vehicle for Hire Driver's Permit. TNC drivers are prohibited from accepting street hails or any ride arranged outside of the company's operating app.

The ordinance also amends the Code with respect to taxis and taxi drivers by permitting taxi companies to provide a recent background check of drivers in lieu of the Police Department background check service. No fingerprints will be required for any vehicle for hire drivers or operators.

Changes relating to the Pedal Bus subsections of the Chapter approved by the Public Services and Infrastructure Committee are also included in this draft.

**Cost/Funding Section:** Currently, Vehicles for Hire operating in St. Petersburg are required to pay the following: \$200 for a Public Vehicle Certificate, \$65 for a Business Tax Receipt and \$90 for a Drivers Permit. The total General Fund revenue generated from the collection of these fees has averaged \$250,000 annually over the last two years, based on approximately 650 taxicabs and limousines and 950 drivers that operate within the city.

Under the proposed ordinance change the \$200 Public Vehicle Certificate and \$90 Drivers Permit will no longer be required. All vehicles for hire will continue to pay the \$65 for the Business Tax Receipt and will receive a vehicle sticker. Transportation Network Companies will be required purchase these Business Tax stickers for their operations with an initial minimum order of 250 stickers. The estimated annual revenue to the General Fund as a result of this change is \$58,500.

Additionally, a \$90 Instant Service Driver Permit will be required for taxicab drivers and drivers of other vehicles that accept street hail passengers generating approximately \$64,000.

In total, the General Fund revenue, under the new ordinance should be approximately \$122,500 opposed to the \$250,000 we currently collect resulting in a reduction of annual General Fund revenue of \$127,500. This analysis does not include any revenue generated by the proposed end of year true up payments that may apply to the TNCs.

Administration recommends approval of the ordinance.

**ATTACHMENT:** Ordinance

**APPROVALS:** Administration:

Budget:



AN ORDINANCE OF THE CITY OF ST. PETERSBURG, REVISING CHAPTER 28 VEHICLES FOR HIRE; ADDING, DELETING, AND REVISING DEFINITIONS; REVISING ARTICLE AND SECTION TITLES; CLARIFYING LANGUAGE RELATED TO LOW SPEED VEHICLES TO CONFORM WITH CHANGES IN STATE LAW; ADDING REQUIREMENTS FOR TRANSPORTATION NETWORK COMPANIES, TRANSPORTATION NETWORK VEHICLES AND TRANSPORTATION NETWORK DRIVERS; ADDING REQUIREMENTS FOR VESSELS; AMENDING THE SUBSECTION RELATING TO PEDAL BUSES; REORGANIZATION OF SUBSECTIONS TO ENHANCE READABILITY; STREAMLINING THE EXISTING PUBLIC VEHICLE CERTIFICATE PROGRAM INTO A BUSINESS TAX RECEIPT STICKER PROCESS; CHANGING PROOF OF INSURANCE REQUIREMENTS FOR VARIOUS PUBLIC VEHICLES; REVISING PUBLIC VEHICLE DRIVER REQUIREMENTS BASED ON TYPE OF SERVICES PROVIDED; CHANGING PUBLIC VEHICLE DRIVERS PERMITS TO PERMITS REQUIRED FOR INSTANT SERVICE PROVIDERS ONLY; CREATING A NEW SECTION 28-29, PRE-ARRANGED SERVICE DRIVERS, AND PROVIDING CRITERIA AND REQUIREMENTS FOR SUCH DRIVERS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section 1. Chapter 28 of the St. Petersburg City Code is hereby amended to read as follows:

Chapter 28 - VEHICLES FOR HIRE

ARTICLE I. - IN GENERAL

Sec. 28-1. - Definitions.

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

*Driver* means an individual who operates or is in actual physical control of a public vehicle.

*Exempt vehicles* means one of the following:

(1) Motor vehicles used exclusively in transporting children to and from schools.

- (2) Hearses and ambulances when operated by licensed embalmers, morticians, or ambulance service companies or their agents or employees in this State.
- (3) Handicab means a vehicle designed, constructed, reconstructed or operated for the transportation of persons with nonemergency conditions where no medical assistance is needed or anticipated en route; or for persons who are unable to comfortably use a standard means of conveyance; or for persons who cannot enter, occupy or exit a vehicle without extensive assistance; or where specialized equipment is used for wheelchair or stretcher service; and where the driver serves as both a driver and attendant to assist in door-to-door or bed-to-bed service. No emergency equipment other than a fire extinguisher may be carried. The use of the term "ambulance" or "ambulatory service" may not be used and no representations may be made that any medical service is available.
- (4) Motor vehicles operated by a governmental agency.
- (5) Public sector buses which are used for the transportation of persons for compensation and which are owned, leased, operated or controlled by a municipal, county or state government, school board or a governmentally owned or managed nonprofit corporation.
- (6) Exclusive ride-sharing vehicles as defined in F.S. § 341.031.
- (7) Shuttle services owned and operated directly by a hotel or motel for transportation limited to registered guests thereof.
- (8) Vehicles used exclusively in transporting persons in a sight-seeing capacity with its primary purpose for tours of landmarks.

*Limousine/Car Service* means any motor vehicle not equipped with a taximeter, which provides seating accommodations for not more than 29 passengers, including the driver, not including exempt vehicles.

*Low speed vehicle* means a vehicle as defined under Florida Statutes, as amended, governing motor vehicle licenses.

*Manifest* means a daily trip sheet completed by each driver listing the information required by the POD.

*Motor vehicle* means a vehicle that is motorized or self-propelled by power other than muscular power or by animals. The term "motor vehicle" does not include traction engines, road rollers, bicycles, mopeds, or motorcycles.

~~*Motorized non-gasoline powered vehicles* means vehicles which have an engine or motor which is directly powered by a source other than gasoline, such as a battery, often similar in appearance to a golf cart, which does not have a taximeter, and only have the capability to travel on streets designated with a 40 miles per hour or less traffic speed limit zone.~~

*New fares* means picking up any passenger from a location within the City.

*Non-motorized vehicle* means vehicles for hire designed to be propelled by humans or animals and which do not may or may not also have helper engines or motors installed so long as the helper engines or motors do not exceed the non-motorized vehicle speed of over 20 miles per hour on level ground.

*Non-public sector bus* means any motor vehicle with a capacity for no more than 29 passengers, including the driver but does not include public sector buses, school buses, and buses that transport passengers between a common carrier terminal station, or other exempt vehicles.

*Operator* means any person owning, leasing or controlling a taxicab, van, transportation network vehicle, or limousine/car service. An operator may or may not be a driver.

*Pedal bus* means a non-motorized vehicle for hire with a seating configuration similar to that of a dinner table, seating on each side, and solely powered by humans using pedals.

*Pre-arranged service* means transportation for a passenger or group of passengers that is arranged by some form of agreement whether telephonic, digital or written, and specifically excludes the acceptance of street hail passengers.

*Public street* means any of the public streets, boulevards, avenues, drives, or alleys within the City.

*Public vehicle* means non-public sector buses, taxicabs, transportation network vehicles, vans, limousines/car services, and any other motorized and non-motorized vehicles, including vessels, for the transportation for hire of passengers where new fares begin within the City and includes ~~motorized non-gasoline powered~~ low speed vehicles which operate in the same manner as transportation for hire a taxicab but may or may not charge a fee to new fares.

~~*Public vehicle certificate* means the written authority issued pursuant to this article which grants the privilege to operate one public vehicle within the City.~~

~~*Public vehicle Instant service driver's permit* means a permit issued pursuant to this article which entitles a person to drive or operate a public vehicle which is allowed to accept street hailing passengers within the City.~~

~~*Street hail passenger* means a passenger that the public vehicle may pick up directly from the street without any prearrangement or booking, either telephonic or digital.~~

*Taxicab* means any motor-driven vehicle, regardless of its power source, with a capacity for no more than nine passengers, including the driver, which is operated for compensation based upon rates reflected on a taximeter, not including exempt vehicles or transportation network vehicles, and which accepts street hail passengers.

*Taxicab meter* means any mechanical, digital or electronic device which serves to monitor the distance, time, mileage to determine the fare to be charged a passenger of a taxicab.

*Transportation network company* means an entity providing digital dispatch services through a digital network or software application which connects passengers to Transportation network vehicles which are independent contractors of the transportation network company.

*Transportation network service* means a transportation service which is a pre-arranged service using an internet enabled application or digital platform to send or transmit an electronic, radio, or telephonic communication, through the use of a portable handheld device, including smartphones or other electronic devices or units which indicates the location of the passenger and the destination of the trip. Compensation for such services is set by and collected through the portable handheld device.

*Transportation network vehicle* means any private passenger motor vehicle used to provide transportation network service. Specifically excluded from this definition are exempt vehicles, taxicabs, limousines/car services, low speed vehicles, non-motorized vehicles, and pedal buses.

*Van* means any motor-driven vehicle with a capacity of not more than 29 passengers including the driver, not including exempt vehicles.

*Vessel* means any boat or watercraft designed for water travel, including, but not limited to, any kayak, canoe, boat, motorboat, air boat, or watercraft being propelled or powered by machinery, air or human power and designed for water travel and includes personal watercraft such as, but not limited to, jet skis, waverunners, wavejammers and other similar vessels being propelled or powered by machinery, air or human power which transports passengers for compensation similar to a taxicab or other public vehicles. This definition does not include seaplanes or vessels rented for recreational purposes.

Sec. 28-2. – Penalty for violation.

Every officer, agent, or employee of any corporation, and every other person who violates or fails to comply with or who procures, aids, or abets in the violation of any provision of this article shall be guilty of a municipal ordinance violation and may have a penalty enforced upon said person.

## ARTICLE II. – REGULATIONS AND REQUIREMENTS FOR OBTAINING PUBLIC VEHICLES CERTIFICATE

Sec. 28-14. – Regulations and standards for public vehicles.

- (a) All public vehicles which are regulated by this chapter except nonmotorized vehicles and ~~motorized non-gasoline-powered~~ low speed vehicles shall be equipped with the following:
- (1) A rear view mirror and a side view mirror on the driver's side;
  - (2) A speedometer properly installed, in good working order;
  - (3) Clean, sanitary interior, free from torn upholstery or floor covering and from damaged or broken seats;
  - (4) Door hinges and latches in good mechanical working order and doors which operate easily and close securely;
  - (5) Body, fenders, doors, trim and grill reasonably free from cracks, breaks, and dents that would impair the safety or appearance of the public vehicle;
  - (6) Glass in the windshield and windows that shall be approved safety non-shatterable glass;
  - (7) Tires of the size appropriate for the public vehicle and with no mismatched "sized" tires. There shall be no cuts into the tire cord or sidewall area or localized worn spots that expose the ply;
  - (8) An operational horn with the activating button mounted in the location designated by the vehicle designed and assembled by the vehicle manufacturer;
  - (9) Seat belts that are available for passengers in all seats except jump seats, spaces designed to accommodate wheelchairs or where the seat belts are not required by law. Seat belts in

operating condition and easily accessible by all passengers. For the purpose of this section, seat belts which are placed under the seat or between the lower and upper portions of the seat are deemed not easily accessible;

- (10) Standard, operational windshield wipers for the entire front windshield which shall be controlled electronically or by vacuum and operated from the interior of the public vehicle. The wiper blades shall be in such a condition as to make firm contact with the windshield when operational, and shall not be torn or badly worn;
  - (11) An operational parking brake and an operational primary brake system which acts on all of the vehicle's axles; and
  - (12) An adequately operating air conditioning/heating system and windshield defrost or defogging system, which controls the temperature of the interior of the vehicle between 68 degrees Fahrenheit to 78 degrees Fahrenheit.
- (b) The public vehicle shall be structurally sound and operate with a minimum of noise and vibration, and the driver's vision shall be unobstructed on all four sides of the public vehicle.
- ~~(c) There shall be a place provided for the driver's permit and the driver's appropriate valid State driver's license to be prominently displayed.~~
- ~~(c)(4)~~ Additionally, for taxicabs, the items listed below shall be required:
- (1) The operator's trade name, monogram or insignia, taxicab number and telephone number shall be permanently affixed upon the metal portion of the outside of each side of the taxicab in letters at least three inches high, painted in a color contrasting to that of the taxicab. The color scheme and insignia shall be provided to the City and must be uniform through each fleet of vehicles. If there are any changes in color scheme, insignia, or cruise light design the City shall be notified.
  - (2) A two-way radio or its equivalent shall be installed and operating properly with access to or affiliated with a central dispatch facility.
  - (3) A taximeter shall be installed and illuminated so as to be easily seen by a passenger sitting in any part of the taxicab.
    - a. The taximeter will be of such a type and design as will properly and accurately compute and display on its face the charge for distance traveled or the charge for waiting time.
    - b. The operation of any taxicab with a taximeter which is defective or which does not properly and accurately compute and display on its face the charge for distance traveled or the charge for waiting time shall constitute a violation of this article.
    - c. The taximeter shall be inspected each time a periodic inspection is made. The taximeter shall be inspected annually by the department of agriculture bureau of weights and measures and their seal affixed to the meter.
    - d. No taximeter shall be used between sunset and sunrise unless the face thereof shall be illuminated by a light so arranged as to give continuous light upon the taximeter.
    - e. The taximeter shall be one approved by the State department of agriculture bureau of weights and measures or such other enforcing department of the State.

- f. There shall be a signal or other device affixed to the taximeter which indicates whether the taxicab is in use.
- ~~(4)~~ The color scheme, insignia, and cruising light design shall be unique and readily distinguishable from other taxicab companies' color schemes and insignia. If there are any changes in color scheme, insignia, or cruise light design the City shall be notified.
- ~~(4)~~(5) Each operator shall have posted inside of each taxicab, in a conspicuous place, the detailed tariff charged or to be charged for transportation. This tariff shall be printed in such a size as to allow it to be easily readable by persons sitting in the rear seat of the taxicab. This tariff shall conform to and be an exact duplicate of the tariff filed with the POD as required by this article.
- ~~(5)~~(6) The name of the driver shall be plainly posted on the inside of the taxicab and it shall also state whether the driver is the owner or lessee of the taxicab. There shall be a place provided for the instant service driver's permit and the driver's appropriate valid State driver's license to be prominently displayed.
- ~~(6)~~(7) The taxicab may have a roof identification device or a dashboard mounted identification device visible from the exterior indicating that the vehicle is a taxicab which may include a device to indicate whether the taxicab is available for hire or is vacant.
- ~~(7)~~ In addition to any vehicle signs allowed by the sign section of the land development regulations, taxicabs shall be allowed one triangular or one two-sided sign on the roof of the taxicab which shall not exceed two feet in height (as measured from the roof) or one one-sided sign which shall be attached to the trunk or bumper and directed toward vehicles following the taxicab. No sign face shall extend beyond any side of the vehicle and no sign face shall exceed four feet in length. If vehicle or window wraps are used, the trade dress insignia must still be readily visible to the public.
- ~~(de)~~ Exempt vehicles are not required to comply with this section.
- ~~(ef)~~ Non-motorized vehicles are required to comply with the following:
- (1) Non-motorized vehicles shall be equipped with:
    - a. All safety equipment required for vehicles including horn, lights, reflectors and seatbelts, where applicable;
    - b. A signaling device, which may be human powered such as a whistle;
    - c. A clean, sanitary interior, free from torn upholstery or floor covering and from damaged or broken seats;
    - d. Doors which operate easily and close securely and door hinges and latches in good mechanical working order, if the vehicle is designed to have doors; and
    - e. Tires of the size appropriate for the vehicle, with no mismatched "sized" tires.
  - (2) Non-motorized vehicles may not be operated on any City sidewalk;
  - (3) Non-motorized vehicles shall comply with posted regulations for stopping and standing. Non-motorized vehicles may not stop or stand in on-street spaces reserved for bus stops and trolley stops;

- (4) Non-motorized vehicles may use available public parking spaces for stopping or standing but shall comply with posted time requirements and are subject to ticketing for failure to comply with such requirement;
- (5) There shall be a place provided in the vehicle for the public vehicle driver's permit to be displayed;
- (6) Non-motorized vehicles with passengers, except for pedal buses, may only operate between 9th Avenue South and 9th Avenue North and between 32nd Street and Tampa Bay;
- (7) Non-motorized vehicles shall enter into a license agreement with the City prior to transporting passengers;
- (8) A non-motorized vehicle shall have not more than one sign on each side of the vehicle, each not more than two square feet and one sign on the rear of the vehicle not more than four square feet.
- (98) For pedal buses, the following additional requirements shall be met:
  - a. A ~~public vehicle certificate~~business tax receipt sticker shall be issued provided the applicant meets all the requirements set forth in this chapter and provides a copy of a current, valid license agreement with the City. The ~~public vehicle certificate~~sticker shall be visible from the exterior of the pedal bus on the rear of the vehicle. Failure to have a current, valid license agreement shall result in immediate revocation of the ~~sticker~~public vehicle certificate.
  - b. A public vehicle certificate holder shall operate the pedal bus within 30 days of obtaining a ~~public vehicle certificate~~business tax receipt sticker.
  - c. No alcoholic beverages other than beer, wine, hard cider or malt based beverages below 19 percent alcohol may be consumed by passengers on the pedal bus. No persons under the age of 21 are allowed on the pedal bus during a ride where alcohol is or is planned on being consumed.
  - d. All ~~public vehicle certificate holders~~ pedal buses shall require passengers to execute a waiver, approved by the City, prior to boarding the pedal bus. Licensee shall make available for inspection such executed waivers upon the City's request.
  - e. A ~~public vehicle certificate holder~~ pedal buses shall require all passengers under age 16 to wear helmets and offer helmets for all other passengers, regardless of age, at no cost.
  - f. All pedal buses may only be used on public streets designated with a speed limit of ~~35~~0 miles per hour or less subject to the following exceptions:
    1. *Special events.* Pedal buses shall not operate within half a mile of any boundary of any event declared to be a special event by a resolution adopted by the City Council during the event and for two hours prior to and two hours after the event. The resolution shall delineate the boundaries within which the special event declaration is to be effective.
    2. ~~*Co-sponsored and City-sponsored events.* The pedal bus shall not operate within half a mile of any boundary of an outdoor event co-sponsored by the City under its co-sponsorship procedures or any boundary of a City-sponsored event that is specifically listed in the license agreement and shall not operate two hours prior to and two hours after the event. The POD may increase or decrease the distance and time limitations as~~

~~determined necessary based upon the size of the event and may add outdoor events to this list if such event is anticipated to generate more than 10,000 attendees. In such a case the POD shall notify the public vehicle certificate holder in writing, at least ten days in advance of such restriction. Notwithstanding the foregoing, July 4<sup>th</sup>. The~~ pedal bus shall not operate on December 31 and July 4 between and including 5th Avenue North to 5th Avenue South from Tampa Bay to Interstate I-275 after 5:00 p.m. The POD may increase or decrease the distance and time limitations as determined necessary to have unobstructed pedestrian and vehicular access.

3. *Tropicana Field Events.* Pedal buses shall not operate between and including 6th Street and 20th Street and 5th Central Avenue North to 5th Avenue South ~~during an event held at Tropicana Field and~~ for 1.50 hours prior to and 1.50 hours after an event held at Tropicana Field.
  4. *Crossing streets.* Pedal buses are allowed on streets designated with a speed limit of over 305 miles per hour for the sole purpose of crossing such portion where a 305 miles per hour or less speed zone is designated on both sides of the street. The pedal bus shall obey all State laws with regards to road crossings and travelling upon State and county roads.
  5. *Street closures.* Pedal buses are not allowed on streets which have been closed except that if such closure is in association with a parade permit and the pedal bus is an authorized participant in such parade.
- g. ~~A Pedal bus Public vehicle certificate holders~~ shall carry the following insurance at its own expense:
1. Commercial general liability insurance in an amount of at least \$5,000,000.00 per occurrence, with \$5,000,000.00 aggregate, and \$5,000.00 medical payments coverage. This policy shall include coverage for (i) personal injury or death or property damage or destruction; (ii) participant and passenger liability; (iii) contractual liability under this agreement, and (iv) customers who bring alcohol on the pedal bus.
  2. Automobile liability insurance of \$1,000,000.00 combined single limit.
  3. Workers' compensation insurance as required by Florida law and employers' liability insurance in an amount of at least \$100,000.00 each accident, \$100,000.00 per employee, and \$500,000.00 for all diseases.
- h. Pedal buses shall obey all traffic laws and shall not obstruct pedestrian traffic.
- i. No glassware of any kind shall be allowed on the serving area of a pedal bus including but not limited to bottles, receptacles or drinking glasses. Glassware may be allowed to be stored on a pedal bus as long as the glassware is empty, securely stored so as to be inaccessible while the vehicle is in motion, and wrapped in paper, padding, or some other covering to prevent breakage.
- j. A violation of the requirements in this section shall constitute a violation of this Code pursuant to Section 1-7 and may be grounds to revoke a sticker public vehicle certificate.

(fg) ~~Motorized non-gasoline powered~~ Low speed vehicles are required to comply with the following:

- (1) ~~Motorized non-gasoline powered Low speed vehicles shall conform to all Federal and State regulations (currently Title CFR Part 571.500 and Chapter 316, Florida Statutes).~~ be equipped with:
- a. ~~Mirrors, horn, headlights, taillights, turn signal lights, windshield wipers, hand brake and primary brake system which acts on all axles, all of which shall be in good working condition;~~
  - b. ~~Seatbelts for all occupants;~~
- (2)e. Low speed vehicles shall have a clean, sanitary interior, free from torn upholstery or floor covering and from damaged or broken seats;
- (3)d. ~~All low speed vehicles shall have the exterior parts of the vehicle shall be free from cracks, breaks and dents; and~~
- e. ~~Tires of the size appropriate for the vehicle, with no mismatched "sized" tires. There shall be no cuts into the tire cord or sidewall area or localized worn spots that expose the ply.~~
- (24) ~~Motorized non-gasoline powered Low speed vehicles shall be structurally sound and operate with a minimum of noise and vibration;~~
- (35) ~~Motorized non-gasoline powered Low speed vehicles shall comply with posted regulations for stopping and standing and shall not stop or stand in on-street spaces reserved for, or marked as, bus stops and trolley stops, but may use on-street spaces reserved for taxicabs;~~
- (46) ~~Motorized non-gasoline powered Low speed vehicles may use available public parking spaces for stopping or standing but shall comply with posted time requirements and meter charges and are subject to ticketing for failure to comply with such requirements;~~
- (57) ~~There shall be a place provided in the vehicle for the public vehicle driver's permit to be displayed which shall be readily visible to occupants;~~
- (68) ~~Examples of (The color scheme and insignia shall be unique and readily distinguishable from all motorized non-gasoline powered vehicles and taxicab color schemes and insignias approved for operation in provided to the City and must be uniform through each fleet of vehicles. In addition to any vehicle signs allowed by the sign section of the land development regulations, low speed vehicles are allowed to have both of the signs allowed for taxicabs and any sign on the roof of the vehicle may have sign faces up to five feet in length.~~
- (79) ~~Motorized non-gasoline powered Low speed vehicles shall comply with all traffic regulations and shall not be allowed on any sidewalk;~~
- (810) ~~Motorized non-gasoline powered Low speed vehicles which may charge a fee shall be regulated as a taxicab but shall not be required to have 24 hour dispatch service, or a minimum number of public vehicle certificates, or a taxicab meter.~~
- (11) Notwithstanding the foregoing, City employees shall be allowed to operate low speed vehicles on any sidewalk or in any park provided such operation is necessary in carrying out their official duties.
- (h) ~~In addition to any vehicle signs allowed by the sign section of the land development regulations, taxicabs shall be allowed one triangular or one two-sided sign on the roof of the taxicab which shall~~

~~not exceed two feet in height (as measured from the roof) or one one-sided sign which shall be attached to the trunk or bumper and directed toward vehicles following the taxicab. No sign face shall extend beyond any side of the vehicle and no sign face shall exceed four feet in length. In addition to any vehicle signs allowed by the sign section of the land development regulations, motorized non-gasoline-powered vehicles are allowed to have both of the signs allowed for taxicabs and any sign on the roof of the vehicle may have sign faces up to five feet in length. A non-motorized vehicle shall have not more than one sign on each side of the vehicle, each not more than two square feet and one sign on the rear of the vehicle not more than four square feet.~~

(h) Additionally, for transportation network vehicles the following shall be required:

- (1) A dash or other stabilized mount for the portable handheld device or smartphone, which must be docked during transportation of passengers.
- (2) Each driver shall have either a paper or digital copy of their Transportation Network Service driver's agreement and company insurance coverage in addition to proof of private vehicle insurance and must present such proof for inspection upon request.
  - a. The following vehicle liability insurance requirements shall apply during the time that a driver is logged into a transportation network company's application or digital dispatch service:
    1. Liability insurance that meets at least the minimum coverage requirements per F.S. §324.021(7)(a)-(c). Liability insurance in the amounts required by state statute shall be maintained by a transportation network company and provide coverage in the event of a participating transportation network vehicle driver's personal automobile liability policy excludes coverage according to the policy terms or does not provide coverage of at least the limits required by law.
  - b. The transportation network company shall provide the following automobile liability insurance coverage over a transportation network vehicle while a transportation network vehicle is providing transportation network services:
    1. Primary liability insurance of at least \$1,000,000 for death or bodily injury, and at least 25,000 for property damage.
  - c. In every instance where insurance maintained by a transportation network vehicle driver to fulfill the insurance requirements of this chapter have lapsed, failed to provide the required coverage, denied a claim for the required coverage or otherwise ceased to exist, insurance maintained by a transportation network company shall provide the coverage required by this chapter beginning with the first dollar of a claim.
- (3) Transportation network vehicles may use available public parking spaces for stopping or standing but shall comply with posted time requirements and are subject to ticketing for failure to comply with such requirements, but shall not park or use the dedicated taxi stands.
- (4) Each operator shall have posted inside of each transportation network vehicle in a conspicuous place, or upon the software application, digital platform, or website, the base rates for any

transportation network service the operator is driving for, including disclosure of possible "surge pricing" or other such price increase factors.

(5) The transportation network company's software application or website shall display a picture of the driver and the license plate number of the transportation network vehicle being utilized for transportation network services before the passenger enters the vehicle.

(i) Additionally for vessels the following shall be required:

(1) Each vessel must display a registration number, and be registered as a commercial vessel if required to be so registered by the Florida Department of Highway Safety and Motor Vehicles.

(2) All operators must be at least 18 years old.

(3) Shall carry and maintain all safety equipment required by the United States Coast Guard safety requirements.

(4) All vessels under 26 feet in length shall require all passengers under the age of 6 to wear a Coast Guard approved personal flotation device.

(5) All vessels over 14 feet in length must carry a life ring or other equivalent floatation device.

(6) All vessels are required to have working navigation lighting.

(j) Non-public sector buses, limousines/car service, transportation network vehicles, and vans shall operate as a pre-arranged service and shall not solicit "walk-up" street hail passengers unless operating pursuant to a written agreement with the ownership or management of the location of the solicitation. Transportation network vehicles are prohibited from soliciting or accepting cash payments and may only accept payment through the enabled application or digital platform provided by a transportation network company.

(k) Only a vehicle marked in compliance with this chapter as a taxicab may use the taxi stands.

Sec. 28-15. – Public vehicle certificate insurance and business tax requirements.

(a) It shall be unlawful to operate any public vehicle which picks up a new fare within the City limits without a valid business tax receipt sticker which is affixed on the left side of the rear of the vehicle so that it is plainly visible to the public. certificate affixed to the public vehicle.

(b) There shall be a rebuttable presumption that a public vehicle which does not have a valid certificate affixed to the vehicle business tax receipt sticker is violating this provision.

(c) Each public vehicle shall have permanently affixed to the public vehicle a valid public vehicle certificate prior to each public vehicle beginning a new fare within the City limits. The public vehicle certificate shall be located on the driver's side of the vehicle on the lateral face of the bumper, trunk lid, or rear window and shall be visible from the exterior of the vehicle.

- (d) Each ~~certificate sticker~~ shall expire on September 30 and may be renewed upon payment of the prescribed ~~fee-business tax~~ prior to expiration.
- (c) All public vehicle ~~certificates-fees~~ business taxes for renewals shall be paid on or before September 30 of each fiscal year. If September 30 falls on a weekend or holiday, the renewal fee is due and payable on or before the first business day following September 30.
- (f) For each new public vehicle ~~certificate~~ business tax receipt sticker issued between October 1 and March 31, the full amount of the ~~certificate business tax~~ shall be paid. ~~For each new public vehicle certificate issued on~~ On or after April 1, one-half of the total amount of the ~~public vehicle certificate business tax~~ shall be paid. This section does not apply to temporary 14-day ~~certificates stickers~~ as set forth in this chapter or any stickers purchased by transportation network companies purchased subsequent to the year-end audit required by this chapter.
- ~~(g) Upon the cancellation or lapse of any policy of insurance as required by this article, the certificate issued pursuant to this article shall be immediately revoked unless, before the expiration date of the policy of insurance, another policy of insurance containing all the requirements of the original policy of insurance is obtained. However, any holder of a certificate may make application to the POD for a voluntary suspension of the certificate for a term not to exceed six months and not to extend beyond the certificate term. The POD, in granting a voluntary suspension of a certificate, shall require the holder of the certificate to surrender possession of the certificate to the POD, but the surrender of possession of the certificate shall not be construed to be a cancellation thereof unless the holder of the certificate shall fail to file with the POD a policy of insurance before the expiration date of the suspension period. During the time of the voluntary suspension of the certificate, the operator shall not be required to maintain the policy of insurance as required by this article. A public vehicle certificate may be transferred during the voluntary suspension period.~~
- ~~(g)(h)~~ The holder of any public vehicle ~~certificate~~ business tax receipt sticker may assign the ~~certificate sticker~~ to any person or any vehicle otherwise qualified under this article, however, a transfer fee of \$25.00 must be paid to the City and the appropriate transfer application must be filed with the City before each ~~certificate sticker~~ may be transferred. The person or vehicle that the ~~certificate sticker~~ is to be transferred to must meet all the requirements for ~~the issuance of a public vehicles certificate, including an instant service driver's permit, if required.~~ The holder shall not transfer the ~~certificate sticker~~ to any other vehicle without filing a transfer application and making payment of the transfer fee of \$25.00 per certificate transferred. ~~Each vehicle receiving a transferred certificate must meet all the requirements for the issuance of public vehicle certification.~~
- (i) The applicant for ~~a certificate~~ the business tax receipt and sticker required by this section shall make a notarized application therefore to the POD upon application blanks to be furnished by the POD, which application shall contain, but not be limited to, the following information:
- (1) The owner of the vehicle and, if not owned by the applicant, from whom the vehicle is leased or rented;
  - (2) The make and model of the vehicle and the year of its manufacture, together with the serial or VIN number of the vehicle and the seating capacity thereof;
  - (3) The State license plate number of the motor vehicle;
  - (4) If the owner of the vehicle is a corporation, the officers thereof;
  - (5) If the owner of the vehicle is a partnership, the name and residence of each partner;

- (6) The principal business location of the owner of the vehicle;
- (7) A detailed rate and fare schedule to be charged for the vehicle, if applicable;
- (8) Whether the vehicle is to be operated as a ~~taxicab, van, limousine, non-gasoline-powered vehicle or non-motorized vehicle~~ pre-arranged service only or will be accepting street hails at any point; and
- (9) If the vehicle is a taxicab, taxicab parent company information:
  - a. Name, address, and phone number;
  - b. Color scheme;
  - c. Insignia design; and
  - d. Cruising light design.
- (10) If the vehicle is a transportation network vehicle, the following transportation network service company information shall be provided:
  - a. Name, address, and phone number;
  - b. Local representative or registered agent name, address and phone number;
  - c. Company logo, identification, decoration, or trade dress, if applicable.
- (j) In addition to the above required application information, the applicant shall:
  - (1) State, declare and agree that the applicant will comply with all of the laws of the City requirements of this chapter and that for a violation of any of the provisions of this chapter, the POD shall be at liberty to cancel and withdraw the certificate and terminate the right of the person to use the streets of the City to operate a public vehicle, upon notice and a reasonable opportunity to be heard regarding such proposed action applicant will be guilty of a municipal ordinance violation which carries a penalty of up to \$500 or 60 days in jail;
  - (2) Agree to maintain and keep in workable condition one vehicle for each ~~certificate~~ business tax sticker;
  - (3) Include an attached notarized statement from the applicant's ~~mechanic or from a licensed automotive garage or a mechanic accepted by the City~~, certifying that the vehicle meets the minimum standards contained within this chapter and any applicable State law. Low speed vehicles shall provide to the POD a copy of the certificate of title and registration from the State and any other document deemed necessary by the POD to show that the vehicle is a low speed vehicle including but not limited to a State approved inspection sheet.
  - (4) State, declare and agree that the applicant and all employees will service all areas of the City. Non-motorized vehicles, transportation network vehicles, limousines/car service, pedal buses, and motorized non-gasoline-powered low speed vehicles are not required to comply with this provision; and
  - (5) If a taxicab, include an attached notarized statement from the owner of the taxicab that the owner will provide 24-hour radio dispatch service, or its equivalent.

- (k) ~~Before a certificate required by this article shall be issued by the POD, the applicant for a certificate of the public vehicle shall conform to the following requirements: Each public vehicle must carry insurance as required by this section and must:~~
- ~~(1)~~ Pay to the City the administrative certificate fee for each public vehicle certificate as set forth in Chapter 12
  - ~~(1)(2)~~ File with the POD satisfactory evidence of holding a motor vehicle liability insurance policy insuring against loss from liability for bodily injury, death, and property damage, with coverage limits not less than the minimum amounts specified by F.S. § 324.032 or such greater minimum amounts as may be required by other provisions of F.S. ch. 324, applicable to the applicant. Notwithstanding the foregoing, non-motorized vehicles, except for pedal buses, shall be required to obtain general liability insurance in the amount of \$300,000.00 per occurrence, pedal buses shall provide the insurance limits as set forth in this chapter (currently 28-14(f)), and the City shall be named as an additional insured on the insurance certificate. The policy of insurance shall provide that notice for the cancellation thereof shall be given not less than ten days in advance of the effective date of such cancellation to the POD. The insurance policy shall provide that the City shall receive all notices of any kind (termination, cancellation, renewal, nonrenewal, rate increase, etc.) which shall be sent to the POD. Insurance required by this section must be placed with an insurer authorized to do business in the State of Florida.
    - a. If the holder of public vehicle business tax receipt stickers ~~certificates~~ has more than one insurance policy for the holder's public vehicles, the policies shall have the same expiration date. Any exceptions must be approved in writing by the POD.
    - b. The holder of a public vehicle business tax receipt sticker ~~certificate~~ shall provide a schedule issued by the insurance carrier of all vehicles covered by the certificate of insurance. A change of the certificate of insurance shall be provided to the POD from the authorized insurance representative when public vehicles are added or deleted from the policy. The City shall be named as a certificate holder on the insurance certificate of all insurance policies maintained to satisfy the requirements of this section.
    - c. For transportation network vehicles, the transportation network company must provide one copy of its insurance liability policy, which complies with the specific insurance requirements for transportation network companies and vehicles, to the POD to keep on file. Updates to the policy as they become available must be provided to the POD.
  - ~~(23)~~ Provide evidence that the operator shall have at least three public vehicle ~~certificates~~ business tax receipt stickers to operate three taxicabs for public transportation in the City as part of his taxicab business. This provision shall only apply to taxicabs.
  - (l) Non-motorized vehicles ~~Motorized non-gasoline powered and low speed~~ vehicles are required to comply with this section unless otherwise specifically exempted from a particular provision. All exempt vehicles are not required to comply with this section.
  - (m) A person who makes application for a public vehicle ~~certificate~~ business tax receipt sticker shall be issued such a ~~certificate~~ upon a showing to the City, in the manner prescribed in this chapter of the Code that the person has met all the requirements for issuance of such business tax receipt sticker ~~certificate~~.
  - (n) The public vehicle ~~certificate~~ business tax is delinquent if not renewed by September 30 of each year. Any public vehicle ~~certificate~~ business tax receipt sticker not renewed is deemed

~~revoked~~expired. Delinquent fees are subject to a delinquency penalty of ten percent for the month of October plus an additional five percent penalty for each month or portion thereof of delinquency thereafter until paid. The total delinquency penalty shall not exceed 25 percent of the fee due. The payment of this delinquency penalty is not in lieu of other penalties provided by this article. It is no defense of nonpayment of any public vehicle certificate that the business or person was not notified that payment was due to the City. Any holder of a public vehicle ~~certificate~~ business tax receipt sticker for a previous year who does not renew by September 30 of the current year is subject to the delinquency penalty as set forth in this paragraph regardless of the subtraction or addition of new vehicles to their fleet. If a delinquent ~~certificate~~ sticker holder adds or subtracts new vehicles to their fleet, a delinquency penalty shall be assessed on the total vehicles within their fleet at the time of reinstatement.

(o) The holder of any public vehicle ~~certificate~~ business tax receipt sticker may purchase a temporary 14-day ~~certificate~~ sticker for a replacement vehicle should an event occur rendering a vehicle assigned a public vehicle ~~certificate~~ sticker to be disabled. A temporary 14-day ~~certificate~~ fee of \$15.00 shall be paid to the POD. The temporary public vehicle ~~certificate~~ sticker application must be filed with the City before a ~~certificate~~ temporary sticker may be issued. The person and/or vehicle that the ~~certificate~~ sticker is to be issued to must meet all the requirements for the issuance of a public vehicle ~~certificate~~ business tax receipt sticker. Proof of the disabled vehicle is required to be provided to the POD. Failure to obtain a public vehicle ~~certificate~~ business tax receipt sticker for the replacement vehicle after the expiration of the 14 days, or failure to obtain an additional temporary sticker, or failure to reinstate the original vehicle assigned a public vehicle business tax receipt sticker ~~certificate~~ shall be a violation of this article. No more than two consecutive, temporary 14-day stickers may be issued for any single public vehicle.

~~(p) Any holder of a revoked public vehicle certificate must file a new application and pay all applicable fees for reinstatement of the public vehicle certificate.~~

(p) Transportation network companies who wish to obtain a business tax receipt sticker on behalf of their drivers are required to place an initial order for 250 stickers for the first year of operation. Such stickers will only be issued if all other requirements of this chapter are met. At renewal the transportation network company shall provide the POD with a notarized audit from a Certified Public Accountant showing the actual number of drivers who operated within the city during the previous year. The transportation network company shall be required to pay the difference for any vehicle over the initial 250 at the full annual business tax amount. This audit number shall also be the number of stickers that shall be issued to the transportation network company at renewal. For all years after the initial year, an audit performed by a Certified Public Accountant must be provided to the POD showing actual number of vehicles operating, and all overages shall be paid to the POD prior to the transportation network company obtaining a renewal of its business tax receipt stickers.

### ARTICLE III. – PUBLIC VEHICLE DRIVER REQUIREMENTS

Sec. 28-27. – Prohibited conduct of public vehicle drivers.

(a) It shall be unlawful for any driver of a public vehicle to:

- (1) Violate any of the terms, provisions or directions of this article;
- (2) Fail to keep a written or digital manifest of all trips, which documents information as to the time of each trip, the starting and ending point of each trip, together with the number of persons carried. Every driver shall maintain a daily manifest upon which they shall promptly and legibly record the following information: name of driver, vehicle number, year, month, date, and the starting time, place of origin and destination of each trip during a driver's operating period. All manifests shall be subject to inspection by the POD and law enforcement officials. The manifest shall be available for inspection at all times and shall be kept available for a period of not less than six months.
- (3) Fail to report promptly all accidents to the Police Department;
- ~~(4) Fail to report to the Mayor or his designee any change of residence within five working days;~~
- ~~(4)(5) Operate any public vehicle when the individual's driver's permit required by this article or State driver's license require by State law has been revoked or during the time when the individual's driver's permit or State driver's license is suspended;~~
- ~~(5)(6) Fail to give a written or digital receipt for fares when requested by passengers. Such digital receipts must be provided within 24 hours of the end of the fare; or~~
- ~~(6)(7) Operate a vehicle for more than 12 hours of any continuous 24-hour period.~~
- ~~(7)(8) It shall be unlawful for a driver of a public vehicle as defined herein to have located within the interior of that public vehicle any:
 
  - a. Two-way or similar scanners;
  - b. Two-way radio frequency monitors; or
  - c. A radar detector.~~
- (b) It shall be unlawful for any person to drive or operate a public vehicle for hire which solicits street hail passengers within the City unless that person has a valid, current ~~public vehicle~~instant service driver's permit. It shall be unlawful for any ~~taxicab~~ vehicle for hire parent company to allow a person to drive or operate a public vehicle for hire which at any time accepts street hail passengers within the City, and which is owned, ~~or leased, or contracted~~ by the ~~taxicab~~ parent company, ~~within the City~~ unless that person has a valid, current ~~public vehicle~~ instant service driver's permit.
- (c) It shall be unlawful for any person to drive a ~~handicap, a Motorized non-gasoline powered low speed~~ vehicle or non-motorized vehicle for hire which at any time accepts street hail passengers within the City unless that individual has obtained from the City a ~~public vehicle~~ an instant service driver's permit.
- (d) If ~~the~~ a taxicab parent company fails to provide 24-hour ~~radio~~ dispatch service, or the equivalent thereof, or to keep a minimum of three valid business tax receipt stickers ~~certificates~~ to operate three taxicabs for public transportation in the City, then all ~~stickers-certificate~~ issued under that parent company will be revoked.
- (e) All public vehicle trips dispatched by the public vehicle dispatch service holder shall be immediately recorded on a dispatch ticket indicating the time, date and origin of each trip dispatched. All dispatch tickets shall be maintained by the public vehicle certificate holder for at least 30 days from the date of the dispatch ticket and shall be available for inspection at all times within that period. All dispatch

tickets shall be subject to inspection by the POD and law enforcement officials. Such dispatch tickets may be kept and provided as digital records.

- (f) All public vehicle drivers permit holders shall comply with all applicable laws regarding non-discrimination against passengers or potential passengers on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity.
- (g) All public vehicle drivers shall comply with all applicable laws relating to accommodation of service animals.
- (h) There shall be no additional charges for providing services to persons with physical disabilities because of those disabilities.
- (i) Public vehicle drivers shall provide passengers an opportunity to indicate whether they require a wheelchair-accessible vehicle. If a driver cannot arrange a wheelchair-accessible service, it shall direct the passenger to an alternate provider of wheelchair-accessible public vehicle services.

Sec. 28-28. - ~~Public vehicle~~ Instant service driver's permit.

- (a) Application for the ~~public vehicle~~ instant service driver's permit shall be made in person to the Police Department.
  - (1) *Required information under oath.* Applications shall provide the required information under oath, on forms supplied by the Police Department and shall include the following:
    - a. *Copies of drivers licenses.* A copy of a valid State driver's license, and a list of every state where the applicant held a driver's license during the preceding three years and including, if available, the driver's license number;
    - b. *Addresses of residence.* The addresses of each and every place of residence or domicile of the applicant during the preceding three years, including the current residence address;
    - c. *Traffic record for three years previous to the application.* Only pleas of nolo contendere, convictions and forfeitures of collateral need be reported. Parking citations need not be reported;
    - d. *Criminal record.* Only pleas of nolo contendere, convictions, or forfeitures of collateral need be reported.
  - (2) ~~Fingerprinting.~~ ~~The Police Department shall make a record of the applicant's fingerprints.~~
  - (2)(3) *Permit fee.* Each applicant shall submit the public vehicle driver's permit fee as set forth in Chapter 12 along with the application.
  - (3)(4) *Release and consent form.* A completed release and consent form in which the applicant designates and allows the Chief of Police to contact and obtain from the FBI, FDLE and/or department of motor vehicles, for every state in which the applicant has lived for the past three years, all records regarding the applicant.
  - (4)(5) *Required to furnish all information.* Each applicant shall furnish all the information required by the application. However, if evidence of a background check having been performed in the prior six weeks to the date of application is provided to the Police Department and such background

check covered FDLE, FBI, DMV records and a sex offender registry search, the prior background check may substitute for a check provided through the Police Department and such costs shall be deducted from the cost of the permit.

- (b) The City Police Department shall conduct an investigation made of the facts stated in the application for a public vehicle driver's permit and other relevant data. The file shall be available to the applicant or his agent upon request.
- ~~(c)~~ The Police Department shall conduct an investigation made of the facts stated in the application for the permit and other relevant data. The file shall be available to the applicant or his agent upon request.
- ~~(d)~~(c) If the Police Department finds that the applicant meets the requirements of this chapter, it shall issue a permit to the applicant. The Police Department shall refuse to issue or may revoke a permit to an applicant or permittee for any of the following reasons:
  - (1) The applicant or permittee has ~~repeated and persistent violations of the motor vehicle laws more than three moving violation in the prior three-year period, or one major violation in the prior three year period (such major violations including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license).~~
  - (2) The applicant or permittee has been convicted of any offense involving commission of a felony within the past five years or a misdemeanor within the last three years. Date of conviction means the date of adjudication and imposition of sentence.
  - (3) The applicant's or permittee is on parole or probation for a felony or misdemeanor, is covered by diplomatic immunity, has less than six months driving experience, does not have a valid State driver's license or is less than 18 years of age.
  - (4) The applicant or permittee has been designated as a sexual predator.
  - (5) The applicant or permittee has submitted false or materially misleading statements in the application.
  - (6) If an applicant or permittee has been arrested prior to or subsequent to the submission of his initial application or application for renewal, said application or permit shall be held in abeyance until a prosecutorial decision or a judicial determination has been rendered.
  - ~~(7) For the purpose of the investigation of the applicant for a public vehicle driver's permit, the Police Department may require the applicant to submit to an examination as to the applicant's knowledge of the traffic regulations, the geography of the City and the applicant's skill and ability to drive a public vehicle. If the results of this stated examination are unsatisfactory, the application may be denied.~~
- ~~(e)~~(d) The permit shall be valid until the end of the fiscal year of the City and shall expire on September 30 following the issuance; however, permits issued or renewed during the months of August and September shall expire on the last day of September of the year next following their issuance or renewal. The permit must be renewed each year.
- ~~(f)~~(e) A public vehicle driver's employer or the public vehicle driver or owner of the public vehicle shall obtain and file a surety bond or evidence of insurance as required by this chapter.
- ~~(g)~~(f) Upon the issuance of the permit, the public vehicle driver shall obtain a photo identification permit card from the Police Department. It shall be unlawful for a driver of a public vehicle who solicits

street hail passengers to begins a new fare in the City limits ~~to operate any public vehicle~~ unless that driver has at all times, in full and plain view of the fare, the photo identification instant service permit card.

- (h)(g) Permits may be renewed for a one-year period, provided that the Police Department's authorized investigation of the driver's traffic and criminal record reveals no criminal or traffic violations during the period of his expiring permit. If the investigation reveals such violations, the permit shall not be valid.
- (h)(h) The permit is the property of the City and is not transferable to any other driver. It shall be surrendered to the Police Department by the driver upon such driver's ceasing to drive a public vehicle.
- (h)(i) A license holder shall make application for a renewal of the permit at least 30 days but not more than 60 days prior to the expiration of the permit.
- (h)(j) The applicant or the permittee shall have a right to appeal a decision to deny or revoke a permit. The appeal shall be on a form provided by the City Clerk and must be filed with the City Clerk within ten days of the decision. The appeal shall be heard by the City Administrator or by a Department Director or other Senior Management Official who has been designated by the City Administrator for the purpose of conducting the hearing. The hearing shall be conducted at a reasonable time and place, following notice of the hearing to the appellant. The hearing shall be informal and the strict rules of evidence shall not be applicable, but the minimal requirements of due process shall be observed. The objective of the hearing shall be to determine whether the denial or revocation complies with the requirements of the Code. At the hearing, the POD and the applicant may introduce such evidence as is deemed necessary. The decision of the City Administrator or the City Administrator's designee shall be final and the applicant shall be deemed to have exhausted all administrative remedies.

#### Sec. 28-29. – Pre-Arranged Service Drivers.

- (a) Pre-Arranged Service drivers are those drivers or operators authorized to drive or operate public vehicles which solely provide pre-arranged transportation services. Pre-arranged service drivers are not permitted to accept street hail passengers and therefore are not required to obtain an instant service drivers permit.
- (b) Pre-Arranged Service drivers must undergo a background check prior to driving or operating a public vehicle within the City.
- (c) All pre-arranged service drivers must submit to the POD an affidavit attesting to the fact that the driver has undergone a background check, and such background check covered FDLE, FBI, DHSMV records and a sex offender registry search. This affidavit may be submitted by the employer, contractor, or a transportation network company that the individual is employed by or provides independent contractor services on behalf of. All affidavits, regardless of submission by individual, employer or contractor must be renewed, re-attested, and resubmitted to the POD annually.
- (d) A driver may not serve as a public vehicle driver or operator and provide pre-arranged transportation services within the City, and an employer, contractor, or a transportation network

company may not employ or contract with a driver to provide pre-arranged transportation services within the City if the driver has:

- (1) More than three moving violation in the prior three-year period, or one major violation in the prior three year period (such major violations including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license).
  - (2) The driver has been convicted of any offense involving commission of a felony within the past five years or a misdemeanor within the last three years. Date of conviction means the date of adjudication and imposition of sentence.
  - (3) The driver is on parole or probation for a felony or misdemeanor, is covered by diplomatic immunity, has less than six months driving experience, does not have a valid State driver's license or is less than 18 years old.
  - (4) The driver has been designated a sexual predator.
  - (5) If a driver is arrested or is found to be in violation of this section subsequent to the submission of the affidavit, then such driver shall no longer be allowed to provide vehicle for hire services within the City. Such employer, contractor, or transportation network company who allows a driver employee or independent contractor to continue to provide public vehicle for hire services after such driver no longer qualifies to provide such services under this subsection shall be in violation of this chapter and subject to a fine up to \$500 for each violation and may be subject to non-renewal or revocation of business tax receipt stickers for all vehicles.
- (e) All transportation network companies, and any other company or contract service that submits yearly affidavits of background checks on behalf of its drivers must also submit a 10% sample of background checks performed on drivers to the Police Department for a quality control check to ensure that the requirements of this section are being met in the first year that a transportation network company or any other company or contract service that submits yearly affidavits of background checks on behalf of its drivers who apply to be public vehicle for hire drivers. Such 10% samples for audit purposes are only required if requested by the Police Department for every year of service after the initial first year.
- (f) All transportation network companies and any other company or contract service that submits yearly affidavits of background checks on behalf of its drivers must keep on file for a minimum of 12 months the record of the background check performed on each of its drivers. If a driver no longer is employed or contracted with the company then the company must keep on file the driver's records for 12 months after the date of termination of employment or contract.
- (g) All transportation network companies and any other company or contract service that submits yearly affidavits of background checks on behalf of its drivers must submit a copy of an individual driver's report upon request of the Police Department.

Section 2. 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 3. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is determined unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

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

Approved as to form and content:

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City Attorney or Designee

# PROPOSED ORDINANCE GOVERNING

## TAXICABS



**Taxicab** means any motor-driven vehicle, regardless of its power source, with a capacity for no more than nine passengers, including the driver, which is operated for compensation based upon rates reflected on a taximeter, not including exempt vehicles or transportation network vehicles, and which accepts street hail passengers.

### Vehicle inspection

- By licensed mechanic

### Driver Background Check

- Company provided<sup>1</sup>
- OR - Conducted by SPPD
- No fingerprinting

### Request for Service

- Instant Service permit issued by SPPD
- May conduct street hails
- May utilize taxi stands

### Customer Payment Options

- Cash or credit card, if available

### Insurance

- Minimum requirements required by F.S. 324.032

### May have:

- Roof identification
- Roof advertising signs

Of note: The current Vehicle for Hire Certificate, the sticker that is placed on the vehicle (\$200 regulatory fee), is being eliminated and will be replaced with the Business Tax Receipt sticker (\$65 fee).

<sup>1</sup> A background provided in lieu of SPPD performed check must be performed within previous 6 weeks of application.

## UBER/LYFT/Other TNV

A **Transportation network vehicle** means any private passenger motor vehicle used to provide transportation network service. Specifically excluded from this definition are exempt vehicles, taxicabs, limousines/car services, low speed vehicles, non-motorized vehicles, and pedal buses.



### Vehicle Inspection

- By licensed mechanic through TNC (Transportation Network Company)

### Driver Background Check

- Company's internal check<sup>2</sup>
- No fingerprinting
- Available to city upon request
- 10% sample audited by police

### Request for Service

- Prearranged service
- No Instant Service permit required
- Shall not conduct street hails or utilize taxi stands

### Customer Payment Options

- Payment through TNC online app only

### Insurance

- Minimum requirements of F.S. 324.02 (7)(a)-(c)
- \$1 million liability for death and bodily injury

### Must have:

- Stabilized mount for handheld device or smartphone
- Paper or digital copy of TNS agreement

<sup>2</sup> Company will provide the City of St. Petersburg with annual sworn affidavit that background checks are conducted on each contracted driver, meeting our ordinance requirements.

MEMORANDUM  
CITY OF ST. PETERSBURG

City Council Meeting of October 15, 2015

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

FROM: Clay Smith, Director, Downtown Enterprise Facilities Department 

SUBJECT: An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") for the Hangar #2 Project (Project #14679), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds ("Grant") including but not limited to the Aviation Program Assurances ("Grant Assurances"), which, *inter alia*, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed \$1,600,000; authorizing a project scope and name change by the merging of the Airport Hangar #2 Project (Project #14679) into the Southwest Hangar Redevelopment Project (#14168); authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

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

Encumbrances or restrictions of up to twenty years for that property or portions of that property generally known as Albert Whitted Airport which would restrict the use of that property, or portions of that property, to airport uses each time such a restriction is executed. The Albert Whitted property is generally described as:

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

The Airport has multiple grant funding opportunities through the Florida Department of Transportation ("FDOT") that will be available within the next few years to complete major improvements to the airport including bulk hangars (e.g. Hangar # 2), t-hangars and aircraft ramp improvements. The majority of the improvements will include the replacement of existing, older facilities, such as Hangar #2 and T-Hangars #5, 6, 7, & 8, which have well outlived their life-cycles. However, when all phases are completed, there should be a net increase of bulk hangar storage capacity on the airport by ±25,000 sq/ft. Some of the existing aircraft ramp areas will also be improved as part of this project to correct design deficiencies, handle aircraft displacement and increase overall surface parking capacity.

Originally, the grants planned for this project were set-up as individual projects. The grant associated with this Council request is currently identified as a separate project called "Airport Hangar #2" (#14679). When the first grant for this project was received, it was determined it would be more efficient to complete the design for all phases on the front end, and because multiple phases will be bid out together, it was recommended that the individual grants be merged under the single, Southwest Hangar Redevelopment Project (#14169). Accordingly it is recommended that this grant would follow suit and be merged into Project #14169.

The specific grant that is the subject of this Council request is the third (3<sup>rd</sup>) grant for these improvements in the amount of \$1,600,000 which will fund up to eighty percent (80%) for both design and construction costs. The Grant funding and the City's twenty percent (20%) match of \$400,000 was approved during the FY15 CIP budget and is available in the Airport Capital Fund (4033) which provides a total of \$2,000,000 in additional funds for this project.

The site layout, phasing plan and design for all of the facilities within the Southwest Hangar Redevelopment Project is currently underway. It is expected that the first phasing of construction will be put out in bid in late FY16/early FY17 with construction starting shortly thereafter. Exhibit "A", which is attached to this memorandum, provides a conceptual depiction of the primary project area and the various phases.

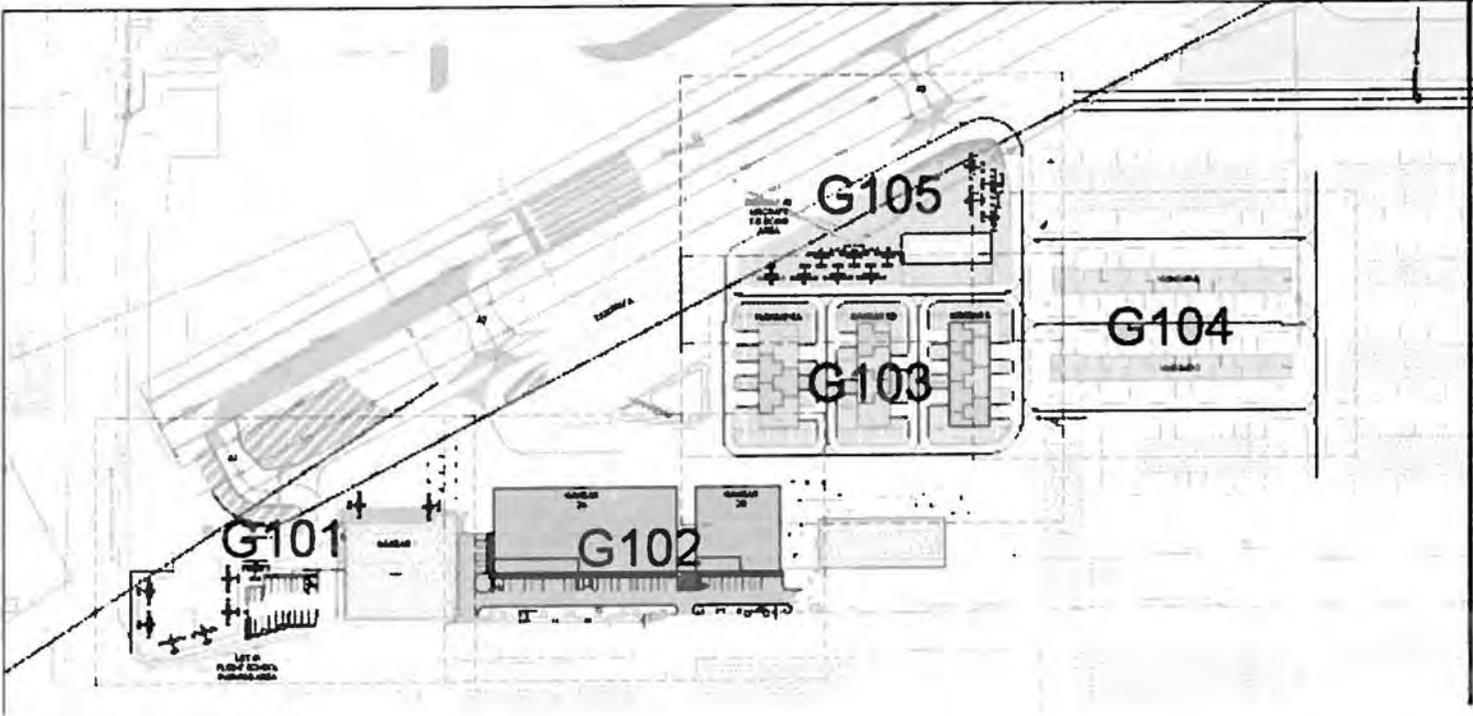
Additional grant opportunities will become available within FY16 - FY18 to provide the final funding to complete all the construction phases. The City's match for the next (4<sup>th</sup>) grant was already identified and approved as part of the FY16 CIP Budget for the airport. A separate Ordinance will be brought for Council approval when awarded by FDOT. Administration continues to explore opportunities to identify match funding for the final, future grants to complete all phases of this project.

This is a first Reading of the Ordinance.

**RECOMMENDATION:** The Administration recommends that City Council adopt the attached Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter,



**EXHIBIT "A": SOUTHWEST HANGAR REDEVELOPMENT  
PROJECT AREA**



Ordinance No. \_\_\_\_\_

An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") for the Hangar #2 Project (Project #14679), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds ("Grant") including but not limited to the Aviation Program Assurances ("Grant Assurances"), which, *inter alia*, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed \$1,600,000; authorizing a project scope and name change by the merging of the Airport Hangar #2 Project (Project #14679) into the Southwest Hangar Redevelopment Project (#14168); authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

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

Section Two. The Florida Department of Transportation ("FDOT") has offered the City a grant an amount not to exceed \$1,600,000 ("Grant") which will be available for the following project on the Airport: Airport Hangar #2 (Project #14679) ("Project"). The Grant provides an eighty percent (80%) match toward the total cost of the Project.

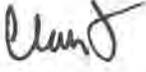
Section Three. The restrictions which are set forth in the Joint Participation Agreement ("JPA"), to be executed by the City, as a requirement for receipt of the Grant including but not limited to the Aviation Program Assurances ("Grant Assurances") which, *inter alia*, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20



MEMORANDUM  
CITY OF ST. PETERSBURG

City Council Meeting of October 15, 2015

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

FROM: Clay Smith, Director, Downtown Enterprise Facilities Department 

SUBJECT: An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") for the Runway 7/25 Extension Feasibility Study (Project #TBD), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds ("Grant"), including but not limited to the Aviation Program Assurances ("Grant Assurances"), which, *inter alia*, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed \$40,000; approving a supplemental appropriation in the amount of \$40,000 from the increase in the unappropriated balance of the Airport Capital Projects Fund (4033) resulting from the Grant; approving a supplemental appropriation for the 20% match of \$10,000 from the unappropriated fund balance of the Airport Capital Projects Fund (4033) to the Runway 7/25 Extension Feasibility Study (Project #TBD); authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

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

Encumbrances or restrictions of up to twenty years for that property or portions of that property generally known as Albert Whitted Airport which would restrict the use of that property, or portions of that property, to airport uses each time such a restriction is executed. The Albert Whitted property is generally described as:

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

There has been increasing interest in accomplishing a modest extension of Runway 7/25 (up to

an additional ±1,300 ft). This extension would allow the airport to expand more into the business and executive class of the aviation market (i.e. more small and medium-sized corporate aircraft). This segment of the aviation fleet usually generates higher revenue as it requires more full-service amenities and expends more on the operational requirements of the aircraft (i.e. fuel, maintenance, hangar storage, personnel, etc.). In addition, the downtown St. Petersburg area would be more appealing as a place to locate/relocate major corporations as corporate and business executives are some of the main users of this segment of the aviation fleet. To have the airport and a company's aircraft within blocks of the company headquarters is a real convenience and benefit. Expansion into this market would also provide opportunities and future demand for corporate hangar facilities.

The extension of the runway could provide benefits beyond just aeronautical and economic. An extension out into Tampa Bay, while serving as a runway, would also act as an additional break wall (i.e. storm protection) for the new Pier Park and boat channel for Demens Landing. Finally it may be possible to displace the landing threshold for Runway 7 farther to the east which would shift the aircraft flight path to higher altitudes over the properties to the immediate west of the airport, such as USF-St. Petersburg.

The Florida Department of Transportation ("FDOT") has offered the City a grant in the amount not to exceed \$40,000 ("Grant") which will be available for the Runway 7/25 Extension Feasibility Study (Project #TBD) ("Project"). The Grant provides an eighty percent (80%) match toward the total cost of the Project. Acceptance of the Grant requires the City to meet certain grant assurances, including a 20-year commitment to keep the Albert Whitted Airport property as an operating airport.

This is a first Reading of the Ordinance.

**RECOMMENDATION:** The Administration recommends that City Council adopt the attached Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") including but not limited to the Aviation Program Assurances ("Grant Assurances"), to be executed by the City, as a requirement for receipt of the Florida Department of Transportation ("FDOT") funds in an amount not to exceed \$40,000 ("Grant") for the Runway 7/25 Extension Feasibility Study (Project #TBD), approving a supplemental appropriation in the amount of \$40,000 from the increase in the unappropriated balance of the Airport Capital projects Fund (4003) resulting from these additional revenues which, *inter alia*, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed \$40,000; authorizing a supplemental appropriation for the 20% match of \$10,000 from the unappropriated fund balance of the Airport Capital Projects Fund (4033) to the Runway 7/25 Extension Feasibility Study (Project #TBD); authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.



Ordinance No. \_\_\_\_\_

An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") for the Runway 7/25 Extension Feasibility Study (Project #TBD, to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds ("Grant"), including but not limited to the Aviation Program Assurances ("Grant Assurances"), which, *inter alia*, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed \$40,000; approving a supplemental appropriation in the amount of \$40,000 from the increase in the unappropriated balance of the Airport Capital Projects Fund (4033) resulting from the Grant; approving a supplemental appropriation for the 20% match of \$10,000 from the unappropriated fund balance of the Airport Capital Projects Fund (4033) to the Runway 7/25 Extension Feasibility Study (Project #TBD); authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

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

Section Two. The Florida Department of Transportation ("FDOT") has offered the City a grant in the amount not to exceed \$40,000 ("Grant") which will be available for the following project on the Airport: Runway 7/25 Extension Feasibility Study (Project #TBD) ("Project"). The Grant provides an eighty percent (80%) match toward the total cost of the Project.

Section Three. The restrictions which are set forth in the Joint Participation Agreement ("JPA"), to be executed by the City, as a requirement for receipt of the Grant including but not limited to the Aviation Program Assurances ("Grant Assurances") which, *inter alia*, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA,) for the Project described in Section Two of this ordinance, are authorized.

Section Four. The Mayor or his designee is authorized to accept the Grant from the FDOT in the amount of \$40,000.

Section Five. There is hereby approved the following supplemental appropriation from the increase in the unappropriated balance of the Airport Capital Projects Fund (4033) resulting from the Grant for Fiscal Year 2016:

Airport Capital Projects Fund (4033)  
Runway 7/25 Extension Feasibility Study (Project #TBD) \$40,000

Section Six. There is hereby approved the following supplemental appropriation from the unappropriated balance of the Airport Capital Projects Fund (4033) for Fiscal Year 2016:

Airport Capital Projects Fund (4033)  
Runway 7/25 Extension Feasibility Study (Project #TBD) \$10,000

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

Section Eight. Severability. The provisions of this ordinance shall be deemed to be severable. If any portion of this ordinance is deemed unconstitutional, it shall not affect the constitutionality of any other portion of this ordinance.

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

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

Approvals:

Legal: Robt Administration: Clay

Budget: [Signature]

Legal: 00246706.doc V. 1

# **CITY COUNCIL AGENDA**

## **Report Item**

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

**DATE:** September 15, 2015

**COUNCIL  
DATE:** **October 15, 2015**

**RE:** Museum of Fine Arts Update

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**ACTION DESIRED:**

Report from Dr. Kent Lydecker, Museum Director of Museum of Fine Arts highlighting upcoming exhibits and community events

Darden Rice  
Council Member, District 4

# **CITY COUNCIL AGENDA**

## **Report Item**

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

**DATE:** August 28, 2015

**COUNCIL  
DATE:** **October 15, 2015**

**RE:** University of South Florida St. Pete Update

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**ACTION DESIRED:**

Report from Sophia Wisniewska, Regional Chancellor, University of South Florida St. Pete.

Charlie Gerdes  
City Council Chair

**ST. PETERSBURG CITY COUNCIL  
Consent Agenda  
Meeting of October 15, 2015**

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

**Subject:** Approving the purchase of four additional refuse trucks from McNeilus Financial, Inc. for the Sanitation Department at a total cost of \$1,104,760.

**Explanation:** The four rear end loader refuse trucks will allow recycling pickups in city alleys. The program is scheduled to begin in January 2016.

This purchase is being made directly from McNeilus Financial, Inc. Purchasing these trucks from the Sheriff's Association Bid 14-12-0904, at a cost of \$311,736 each, would require a six-to-eight month manufacturing lead time, too late for the January beginning date. In other words, there is not enough time to go through a normal competitive procurement process.

McNeilus Financial, Inc. has four trucks that are immediately available because a customer cancelled delivery. The company has offered to sell the vehicles to the City at a cost of \$276,190. The City will save \$35,546 per vehicle, or 12 percent.

The vendor will furnish and deliver four rear-end loaders. The rear end loader bodies will be mounted on 66,000 lbs GVWR, have 4x6 tandem axle cabs and chassis and double-frame rails. They will be powered by Cummins ISX-G minimum 300 HP, have compressed natural gas (CNG) engines and 4500 RDS automatic transmissions.

The four rear end loaders will be equipped with rear mounted tippers that will allow the pick up of 95-gallon containers issued to residents for depositing recyclable material. The new refuse trucks will have a life expectancy of eight years. The addition of the four vehicles from McNeilus will increase the City's current fleet of CNG-powered refuse vehicles to a total of 29.

The Procurement Department, in cooperation with the Sanitation Department, recommends award to:

McNeilus Financial, Inc. (Dodge Center, MN) .....			\$1,104,760
Cab and Chassis, 2015 Autocar ACX (Base)	4 ea.	\$159,644	\$638,576
Body, Rear Loader, McNeilus Model 3213, 32yd	4 ea.	75,989	303,956
CNG Package	4 ea.	28,719	114,876
Options	4 ea.	<u>11,838</u>	<u>47,352</u>
		\$276,190	\$1,104,760

To ensure on-time delivery of the four refuse trucks, the Administration recommends that City Council waive formal competition for this transaction.

St. Petersburg City Code Sec. 2-259 provides that City Council may waive any provision of the Procurement Code by a resolution receiving at least five affirmative votes.

This request is being made for the following reasons: (1) Purchasing these refuse trucks directly from McNeilus Financial, Inc. will allow the alley pickup program to start on schedule (2) To cut the long lead time for the manufacture of refuse trucks, (3) To allow the trucks to be in service within 60 days from receipt of the purchase order.

In addition, the City has an opportunity to save \$142,184 on the transaction. If the City Council foregoes this process, the vehicles are likely to be sold to another customer.

**Cost/Funding/Assessment Information:** The 2016 Budget includes \$1,212,400 for the purchase of 4 residential side loaders for solid waste collection. These will not be needed. Instead, 4 of the side loaders that were purchased for curbside recycling can be used for solid waste collection. This allows for the \$1,212,400 to be available in the Sanitation Equipment Replacement Fund (4027) Residential Support (4502277) for the four additional rear end loader refuse trucks in this item.

**Attachments:** Price History  
Resolution

**Approvals:**

M. R. Dove  
Administrative

DEVIRIS L. KELLER FOR ANGELA RAMIREZ  
Budget 10-15-15

**Price History**  
**065-75 Refuse Trucks, Rear Loaders**

<u>Item No.</u>	<u>Description</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
1.	Cab and Chassis for Rear Loader, 66,000 GVWR with Body					\$254,650	
2.	Cab and Chassis for Rear Loader, 66,000 GVWR with narrow Body						\$276,190

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

A RESOLUTION WAIVING CITY ST. PETERSBURG CODE SECTION 2-244; APPROVING THE PURCHASE OF FOUR REFUSE TRUCKS FROM MCNEILUS FINANCIAL, INC. IN AN AMOUNT NOT TO EXCEED \$1,104,760; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, McNeilus Financial, Inc. ("McNeilus") has four refuse trucks that are immediately available because a customer cancelled delivery of such trucks; and

WHEREAS, McNeilus has offered to sell the four refuse trucks to the City of St. Petersburg ("City") at a cost of \$276,190 per truck, which will save the City \$35,546 per truck (or 12 percent); and

WHEREAS, a waiver of St. Petersburg City Code Section 2-244 is required in order to approve the purchase of four refuse trucks from McNeilus without a competitive sealed bidding process; and

WHEREAS, Section 2-259 of the St. Petersburg City Code provides that City Council may waive any provision of the procurement code by a resolution receiving at least five (5) affirmative votes; and

WHEREAS, the Administration recommends that City Council waive St. Petersburg City Code Section 2-244 and approve the purchase of the four refuse trucks from McNeilus.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that St. Petersburg City Code Section 2-244 is hereby waived to allow the purchase of four refuse trucks from McNeilus Financial, Inc. without a competitive sealed bidding process.

BE IT FURTHER RESOLVED that the purchase of four refuse trucks from McNeilus Financial, Inc. in a total amount not to exceed \$1,104,760 is hereby approved and the Mayor or his designee is hereby 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)  
Oct 15 CC Meeting

**ST. PETERSBURG CITY COUNCIL**

**Consent Agenda**

**Meeting of October 15, 2015**

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

**SUBJECT:** A resolution authorizing the Mayor, or his Designee, to execute an Agreement for Sale and Purchase with Micheal T. Brawley for the purchase of the fee simple interest in an improved property located at 4001 – 14<sup>th</sup> Lane Northeast, St. Petersburg, for the sum of \$264,000, for the future expansion of the City-owned Shore Acres Park; to pay closing related costs not to exceed \$2,500; and to execute all documents necessary to effectuate same.

The funding for the purchase will be provided either by 1) providing a transfer of \$266,500 from the unappropriated balance of the General Fund (0001) to the General Capital Improvement Fund (3001); authorizing a supplemental appropriation in the amount of \$266,500 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, to Project (#TBD); or 2) providing a supplemental appropriation from the unappropriated balance of the Shore Acres Recreation Center assignment within the Recreation and Culture Capital Improvement Fund (3029) to Project (#TBD).

**EXPLANATION:** The Real Estate and Property Management Department ("REPM") received a request from the Parks & Recreation Department ("Parks & Recreation") to negotiate the acquisition of real property at 4001 – 14<sup>th</sup> Lane Northeast, St. Petersburg which is contiguous to City-owned Shore Acres Park ("Park") located at approximately 4230 Shore Acres Boulevard Northeast, St. Petersburg. The property owner and subject property legal description ("Property") are as follows:

Property Owner:	Micheal T. Brawley ("Seller")
Legal Description:	Lot 1 and the South 4 feet of Lot 2, Block B, PATRICIAN POINT UNIT 2 TRACT B REPLAT, according to the Plat thereof, as recorded in Plat Book 60, at Page 89, of the Public Records of Pinellas County, Florida.
Pinellas County I.D. No.:	04/31/17/67860/002/0010
Street Address:	4001 – 14 <sup>th</sup> Lane Northeast, St. Petersburg

Subsequent to the request from Parks & Recreation, REPM negotiated an Agreement for Sale and Purchase ("Agreement") with the Seller subject to an environmental audit, two (2) appraisals and City Council approval. In accordance with City policy, the Property was appraised by McCormick, Braun and Seaman, Scott Seaman, SRA, on September 14, 2015 and by Earle & Associates, James T. Earle II, State Certified Residential Appraiser, on September 16, 2015. The appraisals indicated a value of \$250,000 and \$278,000, respectively, for an average value of \$264,000.

On September 17, 2015, Greenfield Environmental, Inc., conducted a Phase I Environmental Site Assessment at the Property, which revealed no evidence or indication of Recognized Environmental Conditions being identified and that no further investigation at the subject site was necessary.

On September 25, 2015, the Seller agreed to a modified Agreement reflecting a purchase price of \$264,000, subject to City Council approval. The Seller will pay for the title insurance and State documentary stamps on the deed and other necessary fees, while the City will pay for the recording fees on the deed, environmental audit and appraisals.

The acquisition of the Property allows Parks & Recreation to expand the limited footprint of the existing Park and incorporate the additional space into the planning and design of the upcoming renovation of the Shore Acres Recreation Center.

**RECOMMENDATION:** Administration recommends that City Council adopt either Resolution A or Resolution B which are attached, authorizing the Mayor, or his Designee, to execute an Agreement for Sale and Purchase with Micheal T. Brawley for the purchase of the fee simple interest in an improved property located at 4001 – 14<sup>th</sup> Lane Northeast, St. Petersburg, for the sum of \$264,000, for the future expansion of the City-owned Shore Acres Park; to pay closing related costs not to exceed \$2,500; and to execute all documents necessary to effectuate same. The Administration’s preference is option A.

The difference between the two resolutions is the funding mechanism to be used. The choices are:

Resolution A - providing a transfer of \$266,500 from the unappropriated balance of the General Fund (0001) (BP Settlement resources) to the General Capital Improvement Fund (3001); authorizing a supplemental appropriation in the amount of \$266,500 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, to Project (#TBD);

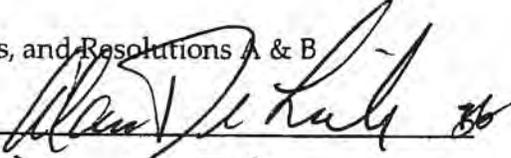
or

Resolution B - a supplemental appropriation from the unappropriated balance of the Shore Acres Recreation Center assignment within the Recreation and Culture Capital Improvement Fund (3029) to Project (#TBD); and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** Funding for the purchase of the Property in the amount of \$266,500 will be available 1) in the General Capital Improvement Fund after a transfer of \$266,500 from the unappropriated balance of the General Fund (0001) (BP Settlement resources) to the General Capital Improvement Fund (3001) and a supplemental appropriation in the amount of \$266,500 from the increase in the unappropriated balance of the General Capital Improvement Fund to Acquisition Project (#TBD) if Resolution A is adopted OR 2) pursuant to a supplemental appropriation from the unappropriated balance of Shore Acres Recreation Center assignment within the Recreation and Cultural Capital Improvement Fund (3029) to Acquisition Project (#TBD) if Resolution B is adopted.

**ATTACHMENTS:** Illustration, Appraisals, and Resolutions A & B

**APPROVALS:** Administration:



Budget:

DENNIS C. Fuller 10-1-15

Legal:

RB

(As to consistency w/attached legal documents)  
Legal: 00247267.doc V. 3

# ILLUSTRATION



4001 - 14<sup>th</sup> Lane Northeast, St. Petersburg



**APPRAISAL OF REAL PROPERTY**

**LOCATED AT:**

4001 14TH LANE NE  
ST PETERSBURG, FL 33703

**FOR:**

CITY OF ST. PETERSBURG  
P.O. BOX 2842, ST. PETERSBURG, FLORIDA 33733-2842

PROJECT P.O. #186139

**AS OF:**

SEPTEMBER 14, 2015

**BY:**

SCOTT W. SEAMAN, SRA  
STATE - CERTIFIED GENERAL  
REAL ESTATE APPRAISER  
RZ1758  
LICENSED REAL ESTATE BROKER

# Uniform Residential Appraisal Report

File # 15351

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

**Property Address** 4001 14TH LANE NE **City** ST PETERSBURG **State** FL **Zip Code** 33703

**Borrower** N/A **Owner of Public Record** MICHEAL T. BRAWLEY **County** PINELLAS

**Legal Description** PATRICIAN POINT, UNIT 2 TRACT B, REPLAT, BLK. B, LOT 1 & S 4FT OF LOT 2, PB 060, PG 069

**Assessor's Parcel #** 04-31-17-67860-002-0010 **Tax Year** 2014 **R.E. Taxes \$** 1,974.22

**Neighborhood Name** SHORE ACRES AREA **Map Reference** 04-31-17 **Census Tract** 240 05

**Occupant**  Owner  Tenant  Vacant **Special Assessments \$** N/A  PUD **HOA \$** N/A  per year  per month

**Property Rights Appraised**  Fee Simple  Leasehold  Other (describe)

**Assignment Type**  Purchase Transaction  Refinance Transaction  Other (describe) FEMA PURPOSES

**Lender/Client** CITY OF ST. PETERSBURG **Address** P.O. BOX 2842, ST. PETERSBURG, FLORIDA 33733-2842

Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal?  Yes  No

Report data source(s) used, offering price(s), and date(s). THE SUBJECT IS LISTED IN MLS FOR \$284,900.

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**CONTRACT**

I did  did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed. N/A

**Contract Price \$** N/A **Date of Contract** N/A **Is the property seller the owner of public record?**  Yes  No **Data Source(s)** N/A

Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower?  Yes  No

If Yes, report the total dollar amount and describe the items to be paid. N/A

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**NEIGHBORHOOD**

**Note: Race and the racial composition of the neighborhood are not appraisal factors.**

Neighborhood Characteristics			One-Unit Housing Trends			One-Unit Housing		Present Land Use %	
Location	<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Property Values	<input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining	PRICE	AGE	One-Unit	100 %		
Built-Up	<input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%	Demand/Supply	<input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply	\$ (000)	(yrs)	2-4 Unit	%		
Growth	<input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow	Marketing Time	<input type="checkbox"/> Under 3 mths <input checked="" type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths	50	Low	5	Multi-Family	%	
Neighborhood Boundaries	1ST STREET NORTH TO THE WEST, TAMPA BAY TO THE EAST, 40TH AVENUE NE TO THE SOUTH AND 62ND AVENUE NORTH TO THE NORTH.			300	High	65	Commercial	%	
Neighborhood Description	THE SUBJECT IS LOCATED ON THE NE COR. OF 14TH LANE NE & 40TH AVE NE, IN ST. PETERSBURG, FLORIDA. THIS IS AN AREA OF MOSTLY WATER & NON-WATERFRONT HOMES IN THE MODERATE TO UPPER VALUE RANGE. GENERAL MAINTENANCE IN THE AREA APPEARS TO BE AVERAGE AND ALL SUPPORTING FACILITIES ARE WITHIN A 2 MILE RADIUS			150	Prod.	40	Other	%	

Market Conditions (including support for the above conclusions) CONDITIONS IN THE AREA APPEAR TO BE STABLE. MARKETING TIME FRAMES RANGE FROM THREE TO SIX MONTHS. FINANCING NOTED WAS CONVENTIONAL AND SOME CASH TRANSACTIONS WITH UP TO 95% LOAN TO VALUE RATIOS FOR OWNER OCCUPIED HOMES. NO CONCESSIONS WERE NOTED.

**Dimensions** 84 X 100 **Area** 8,400 Sq.Ft. **Shape** SLIGHTLY IRRG **View** RES.

**Specific Zoning Classification** NS-1/LAND USE RU **Zoning Description** RESIDENTIAL

**Zoning Compliance**  Legal  Legal Nonconforming (Grandfathered Use)  No Zoning  Illegal (describe)

Is the highest and best use of subject property as improved (or as proposed per plans and specifications) the present use?  Yes  No If No, describe

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**SITE**

Utilities	Public	Other (describe)	Public	Other (describe)	Off-site Improvements - Type	Public	Private
Electricity	<input checked="" type="checkbox"/>		Water	<input checked="" type="checkbox"/>	Street	ASPHALT	<input checked="" type="checkbox"/>
Gas	<input type="checkbox"/>	PRIVATE	Sanitary Sewer	<input checked="" type="checkbox"/>	Alley	NO	<input type="checkbox"/>

FEMA Special Flood Hazard Area  Yes  No FEMA Flood Zone AE FEMA Map # 12103C0236G FEMA Map Date 9/3/03

Are the utilities and off-site improvements typical for the market area?  Yes  No If No, describe

Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)?  Yes  No If Yes, describe

NO ADVERSE ITEMS WERE NOTED UTILITY AND ACCESS ARE AVERAGE FOR THE AREA

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**IMPROVEMENTS**

General Description	Foundation	Exterior Description	materials/condition	Interior	materials/condition
Units <input checked="" type="checkbox"/> One <input type="checkbox"/> One with Accessory Unit	<input checked="" type="checkbox"/> Concrete Slab <input type="checkbox"/> Crawl Space	Foundation Walls	SLAB	Floors	TILE/WDI/AVG
# of Stories ONE	<input type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement	Exterior Walls	BLOCK	Walls	D-WALL/AVG
Type <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/> S-Det./End Unit	Basement Area sq.ft.	Roof Surface	SHINGLES	Trim/Finish	WOOD/AVG
<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const	Basement Finish %	Gutters & Downspouts	N/A	Bath Floor	TILE/AVG
Design (Style) RANCH/AVG	<input type="checkbox"/> Outside Entry/Exit <input type="checkbox"/> Sump Pump	Window Type	S/H ALUM	Bath Wainscot	TILE/AVG
Year Built 1988	Evidence of <input type="checkbox"/> Infestation N/NOTED	Storm Sash/Insulated	N/A	Car Storage	<input type="checkbox"/> None
Effective Age (Yrs) 20	Dampness <input type="checkbox"/> Settlement	Screens	SCREENS	<input checked="" type="checkbox"/> Driveway	# of Cars 2
Attic <input type="checkbox"/> None	Heating <input type="checkbox"/> FWA <input type="checkbox"/> HWBB <input type="checkbox"/> Radiant	Amenities		Driveway Surface	CONC
<input checked="" type="checkbox"/> Drop Stair <input type="checkbox"/> Stairs <input type="checkbox"/> Other	<input type="checkbox"/> Other	Fireplace(s) #		Garage	# of Cars 2
<input type="checkbox"/> Floor <input checked="" type="checkbox"/> Scuttle	Cooling <input checked="" type="checkbox"/> Central Air Conditioning	<input checked="" type="checkbox"/> Patio/Deck 1	<input checked="" type="checkbox"/> Porch OPEN	Carport	# of Cars
<input type="checkbox"/> Finished <input type="checkbox"/> Heated	Individual <input type="checkbox"/> Other	Pool		Att.	<input type="checkbox"/> Det. <input type="checkbox"/> Built-in

**Appliances**  Refrigerator  Range/Oven  Dishwasher  Disposal  Microwave  Washer/Dryer  Other (describe)

Finished area above grade contains: N/A Rooms 3 Bedrooms 2 Bath(s) 2,280 Square Feet of Gross Living Area Above Grade

Additional features (special energy efficient items, etc.) OPEN PORCH 110 SF, FENCE

Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.). BASED ON OUR PHYSICAL INSPECTION THE SUBJECT APPEARS TO BE IN OVERALL ABOVE AVERAGE CONDITION WITH AN EFFECTIVE AGE OF 20 YEARS. THE INTERIOR HAS BEEN MAINTAINED NO FUNCTIONAL OR EXTERNAL ITEMS WERE NOTED.

Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property?  Yes  No If Yes, describe

Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)?  Yes  No If No, describe

# Uniform Residential Appraisal Report

File # 15351

There are <u>N/A</u> comparable properties currently offered for sale in the subject neighborhood ranging in price from \$ <u>N/A</u> to \$ <u>N/A</u>							
There are <u>N/A</u> comparable sales in the subject neighborhood within the past twelve months ranging in sale price from \$ <u>N/A</u> to \$ <u>N/A</u>							
FEATURE	SUBJECT	COMPARABLE SALE # 1	COMPARABLE SALE # 2	COMPARABLE SALE # 3			
Address	4001 14TH LANE NE ST. PETERSBURG, FL 33703	5249 VENETIAN BLD. NE ST PETE, FL.	718 44TH AVENUE NE ST PETE, FL.	3511 OVERLOOK DR. NE ST PETE, FL.			
Proximity to Subject		1 MILE N	1.1 MILES WEST	3/4 MILE N			
Sale Price	\$ <u>N/A</u>	\$ 275,000	\$ 285,000	\$ 229,000			
Sale Price/Gross Liv. Area	\$ <u>sq.ft.</u>	\$ 121.90 <u>sq.ft.</u>	\$ 135.07 <u>sq.ft.</u>	\$ 113.87 <u>sq.ft.</u>			
Data Source(s)		MLS# U7742511	MLS# U7724365	MLS# U7723792			
Verification Source(s)							
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) \$ Adjustment	DESCRIPTION	+(-) \$ Adjustment	DESCRIPTION	+(-) \$ Adjustment
Sales or Financing Concessions		CASH		CASH		FHA	
Date of Sale/Time		8-15		8-15		3-15	
Location	GOOD	GOOD		GOOD		GOOD	
Leasehold/Fee Simple	Fee Simple	FEE		FEE		FEE	
Site	8,400 Sq Ft.	10,718 SF		8,514 SF		8,278 SF	
View	RES.	RES.		RES.		RES.	
Design (Style)	RANCH/AVG	RANCH/AVG		RANCH/AVG		RANCH/AVG	
Quality of Construction	BLOCK	BLOCK		BLOCK		BLOCK	
Actual Age	47	49A/20E		56A/15E	-2,500	58A/20E	
Condition	AVERAGE	AVERAGE		ABV AVG	-20,000	AVERAGE	
Above Grade	Total Bdrms. Baths	Total Bdrms. Baths		Total Bdrms. Baths		Total Bdrms. Baths	
Room Count	N/A 3 2	n/a 4 2		N/A 4 2		N/A 3 3	-5,000
Gross Living Area	2,280 sq.ft.	2,256 sq.ft.		2,110 sq.ft.		2,011 sq.ft.	+13,500
Basement & Finished Rooms Below Grade	NONE	NONE		NONE		NONE	
Functional Utility	AVERAGE	AVERAGE		AVERAGE		AVERAGE	
Heating/Cooling	CENTRAL	CENTRAL		CENTRAL		CENTRAL	
Energy Efficient Items	AVERAGE	AVERAGE		AVERAGE		AVERAGE	
Garage/Carport	2 CAR GR	2 CAR GR		2 CAR GR		1 CAR CP	+7,500
Porch/Patio/Deck	OPEN POR	SIMILAR/POOL	-15,000	SIMILAR/POOL	-15,000	SIMILAR/POOL	-15,000
DOMTC	N/A	6		94		29	
FLOOD ZONE	AE	AE		AE		AE	
Net Adjustment (Total)		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -15,000		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -37,500		<input type="checkbox"/> + <input type="checkbox"/> - \$ 1,000	
Adjusted Sale Price		Net Adj. 5.5 % Gross Adj. 5.5 % \$ 260,000		Net Adj. 13.2 % Gross Adj. 13.2 % \$ 247,500		Net Adj. 0.4 % Gross Adj. 17.9 % \$ 230,000	
<input type="checkbox"/> did <input type="checkbox"/> did not research the sale or transfer history of the subject property and comparable sales. If not, explain.							
NONE IN 3 YEARS							
My research: <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.							
Data Source(s) PUBLIC RECORDS							
My research: <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.							
Data Source(s) PUBLIC RECORDS, MLS							
Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).							
ITEM	SUBJECT	COMPARABLE SALE #1	COMPARABLE SALE #2	COMPARABLE SALE #3			
Date of Prior Sale/Transfer	NONE IN 3 YRS	8-15 \$275,000	8-15 \$285,000	3-15 \$229,000			
Price of Prior Sale/Transfer							
Data Source(s)	PUBLIC RECORDS	PUBLIC RECORDS	PUBLIC RECORDS	PUBLIC RECORDS			
Effective Date of Data Source(s)	9-15	9-15	9-15	9-15			
Analysis of prior sale or transfer history of the subject property and comparable sales <u>N/A</u>							
Summary of Sales Comparison Approach ADJUSTMENTS WERE REQUIRED FOR LOT SIZE, EFFECTIVE AGE, BATHS, SIZE AND OVERALL AMENITIES. EQUAL WEIGHT HAS BEEN PLACED ON THE THREE ADJUSTED SALES.							
Indicated Value by Sales Comparison Approach \$ 250,000							
Indicated Value by: Sales Comparison Approach \$ 250,000 Cost Approach (if developed) \$ Income Approach (if developed) \$							
THE SALES COMPARISON OR MARKET APPROACH HAS BEEN UTILIZED TO VALUE THE SUBJECT. THE COST APPROACH WAS ALSO NOT USED. THE INCOME APPROACH WAS NOT UTILIZED DUE TO TYPICAL OWNER OCCUPANCY.							
This appraisal is made <input checked="" type="checkbox"/> "as is", <input type="checkbox"/> subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or <input type="checkbox"/> subject to the following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair. NONE							
Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is \$ 250,000, as of 9-14-15, which is the date of inspection and the effective date of this appraisal.							



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This report form is designed to report an appraisal of a one-unit property or a one-unit property with an accessory unit; including a unit in a planned unit development (PUD). This report form is not designed to report an appraisal of a manufactured home or a unit in a condominium or cooperative project.

This appraisal report is subject to the following scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. Modifications, additions, or deletions to the intended use, intended user, definition of market value, or assumptions and limiting conditions are not permitted. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment. Modifications or deletions to the certifications are also not permitted. However, additional certifications that do not constitute material alterations to this appraisal report, such as those required by law or those related to the appraiser's continuing education or membership in an appraisal organization, are permitted.

**SCOPE OF WORK:** The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the interior and exterior areas of the subject property, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify, and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions, and conclusions in this appraisal report.

**INTENDED USE:** The intended use of this appraisal report is for the lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction.

**INTENDED USER:** The intended user of this appraisal report is the lender/client.

**DEFINITION OF MARKET VALUE:** The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions\* granted by anyone associated with the sale.

\*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area, these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

**STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS:** The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.
2. The appraiser has provided a sketch in this appraisal report to show the approximate dimensions of the improvements. The sketch is included only to assist the reader in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
5. The appraiser has noted in this appraisal report any adverse conditions (such as needed repairs, deterioration, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing the appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.
6. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that the completion, repairs, or alterations of the subject property will be performed in a professional manner.

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**APPRAISER'S CERTIFICATION:** The Appraiser certifies and agrees that:

1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.
2. I performed a complete visual inspection of the interior and exterior areas of the subject property. I reported the condition of the improvements in factual, specific terms. I identified and reported the physical deficiencies that could affect the livability, soundness, or structural integrity of the property.
3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment. I further certify that I considered the cost and income approaches to value but did not develop them, unless otherwise indicated in this report.
5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.
6. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.
7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.
8. I have not used comparable sales that were the result of combining a land sale with the contract purchase price of a home that has been built or will be built on the land.
9. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.
10. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale or financing of the subject property.
11. I have knowledge and experience in appraising this type of property in this market area.
12. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.
13. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.
14. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.
15. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
16. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
17. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
18. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending mortgage loan application).
19. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.
20. I identified the lender/client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.

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21. The lender/client may disclose or distribute this appraisal report to: the borrower; another lender at the request of the borrower; the mortgagee or its successors and assigns; mortgage insurers; government sponsored enterprises; other secondary market participants; data collection or reporting services; professional appraisal organizations; any department, agency, or instrumentality of the United States; and any state, the District of Columbia, or other jurisdictions; without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).

22. I am aware that any disclosure or distribution of this appraisal report by me or the lender/client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.

23. The borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, and other secondary market participants may rely on this appraisal report as part of any mortgage finance transaction that involves any one or more of these parties.

24. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

25. Any intentional or negligent misrepresentation(s) contained in this appraisal report may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 18, United States Code, Section 1001, et seq., or similar state laws.

**SUPERVISORY APPRAISER'S CERTIFICATION:** The Supervisory Appraiser certifies and agrees that

- I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
- I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
- The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
- This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
- If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

## APPRAISER

Signature   
 Name SCOTT W. SEAMAN, SRA  
 Company Name McCORMICK, BRAUN & SEAMAN  
 Company Address \_\_\_\_\_  
 Telephone Number 727-821-6601 EXT 125  
 Email Address MBSAPPRAISAL@MINDSPRING.COM  
 Date of Signature and Report September 21, 2015  
 Effective Date of Appraisal 9-14-15  
 State Certification # CERT GEN RZ1758  
 or State License # \_\_\_\_\_  
 or Other (describe) \_\_\_\_\_ State # \_\_\_\_\_  
 State FL  
 Expiration Date of Certification or License 11/16

## ADDRESS OF PROPERTY APPRAISED

4001 14TH LANE NE  
 ST. PETERSBURG, FL 33703  
 APPRAISED VALUE OF SUBJECT PROPERTY \$ 250,000

## LENDER/CLIENT

Name \_\_\_\_\_  
 Company Name CITY OF ST. PETERSBURG  
 Company Address P.O. BOX 2842, ST. PETERSBURG, FLORIDA  
 33733-2842  
 Email Address \_\_\_\_\_

## SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature \_\_\_\_\_  
 Name \_\_\_\_\_  
 Company Name \_\_\_\_\_  
 Company Address \_\_\_\_\_  
 Telephone Number \_\_\_\_\_  
 Email Address \_\_\_\_\_  
 Date of Signature \_\_\_\_\_  
 State Certification # \_\_\_\_\_  
 or State License # \_\_\_\_\_  
 State \_\_\_\_\_  
 Expiration Date of Certification or License \_\_\_\_\_

## SUBJECT PROPERTY

- Did not inspect subject property  
 Did inspect exterior of subject property from street  
 Date of Inspection \_\_\_\_\_  
 Did inspect interior and exterior of subject property  
 Date of Inspection \_\_\_\_\_

## COMPARABLE SALES

- Did not inspect exterior of comparable sales from street  
 Did inspect exterior of comparable sales from street  
 Date of Inspection \_\_\_\_\_

### Subject Photo Page

Borrower/Client	N/A				
Property Address	4001 14TH LANE NE				
City	ST PETERSBURG	County	PINELLAS	State	FL Zip Code 33703
Lender	CITY OF ST. PETERSBURG				



#### Subject Front

4001 14TH LANE NE  
N/A  
2,280  
N/A  
3  
2  
GOOD  
RES  
8,400 Sq.Ft  
BLOCK  
47



#### Subject Rear



#### Street Scene

### Subject Photos

Borrower/Client	N/A				
Property Address	4001 14TH LANE NE				
City	ST. PETERSBURG	County	PINELLAS	State	FL Zip Code 33703
Lender	CITY OF ST. PETERSBURG				



### INTERIOR

4001 14TH LANE NE



### INTERIOR

**Comparable Photo Page**

Borrower/Client	N/A		
Property Address	4001 14TH LANE NE		
City	ST. PETERSBURG	County	PINELLAS
Lender	CITY OF ST. PETERSBURG	State	FL
		Zip Code	33703

**Comparable 1**

5249 VENETIAN BLD NE  
 Prox. to Subject 1 MILE N  
 Sale Price 275,000  
 Gross Living Area 2,256  
 Total Rooms n/A  
 Total Bedrooms 4  
 Total Bathrooms 2  
 Location GOOD  
 View RES.  
 Site 10,718 SF  
 Quality BLOCK  
 Age 49A/20E

**Comparable 2**

718 44TH AVENUE NE  
 Prox. to Subject 1.1 MILES WEST  
 Sale Price 285,000  
 Gross Living Area 2,110  
 Total Rooms N/A  
 Total Bedrooms 4  
 Total Bathrooms 2  
 Location GOOD  
 View RES.  
 Site 8,514 SF  
 Quality BLOCK  
 Age 56A/15E

**Comparable 3**

3511 OVERLOOK DR. NE  
 Prox. to Subject 3/4 MILE N  
 Sale Price 229,000  
 Gross Living Area 2,011  
 Total Rooms N/A  
 Total Bedrooms 3  
 Total Bathrooms 3  
 Location GOOD  
 View RES.  
 Site 8,276 SF  
 Quality BLOCK  
 Age 58A/20E

# SUBJECT PLAT MAP

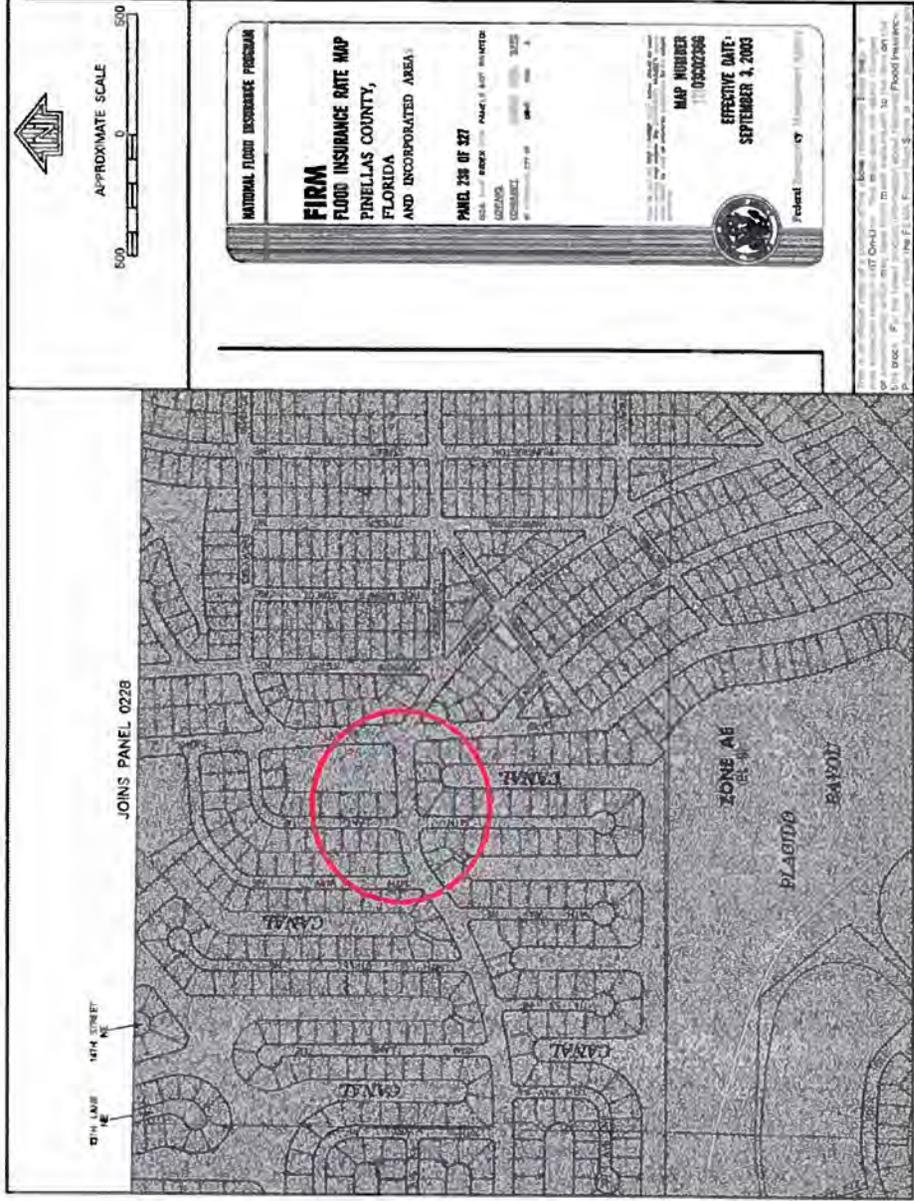


**Parcel ID #: 04-31-17-67860-002-0010**

**4001 14<sup>th</sup> Lane NE**

**St. Petersburg, Florida 33703**

# SUBJECT FLOOD MAP



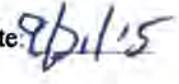


## CERTIFICATION

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

- \* The statements of fact contained in this report are true and correct.
- \* The reported analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial and unbiased professional analyses, opinions, and conclusions.
- \* We have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- \* We have no bias with respect to the property that is the subject of this appraisal report or to the parties involved with this assignment.
- \* Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
- \* Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- \* We have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceding acceptance of this assignment.
- \* The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute.
- \* The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- \* The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- \* No one provided significant real property appraisal assistance to the person signing this certification.
- \* Scott W. Seaman, SRA inspected the subject property, analyzed the data and prepared the value conclusion.
- \* As of the date of this report, Scott W. Seaman, SRA has completed the continuing education program of the Appraisal Institute.

  
\_\_\_\_\_  
Scott W. Seaman, SRA  
Cert Gen RZ1758  
Licensed Real Estate Broker

Date: 

**EXHIBIT "A"**

**APPRAISER QUALIFICATIONS**

## APPRAISER QUALIFICATIONS

SCOTT W. SEAMAN

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

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

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

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

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

**EMPLOYMENT:** McCormick, Braun & Seaman  
January 1996 to Present  
  
Glenn E. McCormick Company, Inc.  
Vice President/May 1985 - December 1995  
Appraisal and Consulting Firm, St. Petersburg, Florida  
  
City of St. Petersburg  
Acquisition Agent/January 1983 - April 1985  
Real Estate Department, St. Petersburg, Florida  
  
L.J. Parham, MAI  
Staff Appraiser/November 1983 - May 1984  
St. Petersburg, Florida

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



LICENSE NUMBER	
RZ1758	

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

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



ISSUED: 11/04/2014

DISPLAY AS REQUIRED BY LAW

SEQ # L1411040002916

EARLE & ASSOCIATES  
Real Estate Appraisers

File No. 0915002

September 18, 2015

City of St. Petersburg  
P.O. Box 2842  
St. Petersburg, FL 33731

File Number: 0915002

To whom it may concern:

In accordance with your request, I have appraised the real property at:

4001 14th Lane NE  
St. Petersburg, FL 33703

The purpose of this appraisal is to develop an opinion of the defined value of the subject property, as improved. The property rights appraised are the fee simple interest in the site and improvements.

In my opinion, the defined value of the property as of September 16, 2015 is:

\$278,000  
Two Hundred Seventy-Eight Thousand Dollars

The attached report contains the description, analysis and supportive data for the conclusions, final opinion of value, descriptive photographs, assignment conditions and appropriate certifications.

Respectfully submitted,



James T. Earle II  
Cert Res RD624

# Summary Residential Appraisal Report

File No. 0915002

The purpose of this appraisal report is to provide the client with a credible opinion of the defined value of the subject property, given the intended use of the appraisal.

**PURPOSE**  
 Client Name/Intended User: **City of St. Petersburg** E-mail: **diane.bozich@stpete.org**  
 Client Address: **P.O. Box 2842** City: **St. Petersburg** State: **FL** Zip: **33731**  
 Additional Intended User(s): **Any assigns of client.**  
 Intended Use: **Estimate current market value.**

**PROPERTY**  
 Property Address: **4001 14th Lane NE** City: **St. Petersburg** State: **FL** Zip: **33703**  
 Owner of Public Record: **Micheal T Brawley** County: **Pinellas**  
 Legal Description: **Patrican Point Unit 2 Tract B Replat Blockk B, Lot 1 & South 4ft of Lot 2**  
 Assessor's Parcel #: **04 31 17 67860 002 0010** Tax Year: **2014** R.E. Taxes \$: **1,974.22**  
 Neighborhood Name: **Patrican Point** Map Reference: **31 17 04** Census Tract: **240.05**  
 Property Rights Appraised:  Fee Simple  Leasehold  Other (describe)

**MARKET**  
 My research  did  did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.  
 Prior Sale/Transfer Date Price Source(s) **MLS/Public records**  
 Analysis of prior sale or transfer history of the subject property (and comparable sales, if applicable): **The subject property is currently listed for sale at \$284,900.**

**NEIGHBORHOOD**  
 Offerings, options and contracts as of the effective date of the appraisal: **N/A**

Neighborhood Characteristics			One-Unit Housing Trends			One-Unit Housing					
Location	<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Suburban	<input type="checkbox"/> Rural	Property Values	<input checked="" type="checkbox"/> Increasing	<input type="checkbox"/> Stable	<input type="checkbox"/> Declining	PRICE	AGE	One-Unit	85 %
Built-Up	<input checked="" type="checkbox"/> Over 75%	<input type="checkbox"/> 25-75%	<input type="checkbox"/> Under 25%	Demand/Supply	<input type="checkbox"/> Shortage	<input checked="" type="checkbox"/> In Balance	<input type="checkbox"/> Over Supply	\$(000)	(yrs)	2-4 Unit	5 %
Growth	<input type="checkbox"/> Rapid	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Slow	Marketing Time	<input checked="" type="checkbox"/> Under 3 mths	<input type="checkbox"/> 3-6 mths	<input type="checkbox"/> Over 6 mths	75 Low	0	Multi-Family	5 %
Neighborhood Boundaries	The neighborhood is bounded by Snell Isles to the South, 62 Avenue NE to the North, Tampa Bay to the East and Fourth Street N to the West.						1000+ High	95	Commercial		5 %
Neighborhood Description	Shopping and supportive services are located along 4th Street and 38th Avenue with North East Park Shopping Center within the neighborhood, schools and recreational centers are close by. Employment centers are numerous throughout Pinellas county with downtown St. Petersburg 3 miles southwest. Property maintenance ranges from average to good with no adverse conditions noted.						250 Pred.	50	Other		%

Market Conditions (including support for the above conclusions): **See Attached Addendum**

**SITE**  
 Dimensions: **84 X 100** Area: **8,400 Sq.Ft. +/-** Shape: **Rectangular** View: **Res/Traffic/Rec Center**  
 Specific Zoning Classification: **NS-1** Zoning Description: **Neighborhood Suburban Single Family Residential District**  
 Zoning Compliance:  Legal  Legal Nonconforming (Grandfathered Use)  No Zoning  Illegal (describe)  
 Is the highest and best use of the subject property as improved (or as proposed per plans and specifications) the present use?  Yes  No If No, describe:

Utilities	Public	Other (describe)	Public	Other (describe)	Off-site Improvements—Type	Public	Private
Electricity	<input checked="" type="checkbox"/>		Water	<input checked="" type="checkbox"/>	Street	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gas	<input type="checkbox"/>		Sanitary Sewer	<input checked="" type="checkbox"/>	Alley	<input type="checkbox"/>	<input type="checkbox"/>

Site Comments: **There are no adverse easements, encroachments or other adverse conditions noted. The property sides a busy street and backs to a recreation center and municipal pool presenting factors of external obsolescence.**

GENERAL DESCRIPTION		FOUNDATION		EXTERIOR DESCRIPTION materials		INTERIOR materials	
Units	<input checked="" type="checkbox"/> One <input type="checkbox"/> One w/Acc. unit <input type="checkbox"/>	<input checked="" type="checkbox"/> Concrete Slab <input type="checkbox"/> Crawl Space		Foundation Walls	<b>Concrete</b>	Floors	<b>Laminate/CerTile</b>
# of Stories	<b>One</b>	<input type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement		Exterior Walls	<b>CBS</b>	Walls	<b>Drywall</b>
Type	<input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/> S-Det/End Unit	Basement Area	<b>N/A sq. ft.</b>	Roof Surface	<b>Asphalt Shingle</b>	Trim/Finish	<b>Average/Average</b>
	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const.	Basement Finish	<b>N/A %</b>	Gutters & Downspouts	<b>Metal</b>	Bath Floor	<b>Ceramic Tile</b>
Design (Style)	<b>Ranch</b>	<input type="checkbox"/> Outside Entry/Exit <input type="checkbox"/> Sump Pump		Window Type	<b>Sng Hung/Sliders</b>	Bath Wainscot	<b>Ceramic Tile</b>
Year Built	<b>1968</b>			Storm Sash/Insulated	<b>Insulated</b>	Car Storage	<input type="checkbox"/> None
Effective Age (Yrs)	<b>20 Years</b>			Screens	<b>Yes</b>	<input checked="" type="checkbox"/> Driveway	# of Cars <b>3 Car</b>
Attic	<input type="checkbox"/> None	Heating	<input checked="" type="checkbox"/> FWA <input type="checkbox"/> HW <input type="checkbox"/> Radiant	Amenities	<input type="checkbox"/> Wood Stove(s) #	Driveway Surface	<b>Pavers</b>
<input type="checkbox"/> Drop Stair	<input type="checkbox"/> Stairs	<input type="checkbox"/> Other	<input type="checkbox"/> Fuel Electric	Fireplace(s) #	<input checked="" type="checkbox"/> Fence Wd & C/L	<input checked="" type="checkbox"/> Garage	# of Cars <b>2</b>
<input type="checkbox"/> Floor	<input checked="" type="checkbox"/> Scutele	Cooling	<input checked="" type="checkbox"/> Central Air Conditioning	<input checked="" type="checkbox"/> Patio/Deck	<b>Deck</b>	<input checked="" type="checkbox"/> Carport	# of Cars
<input type="checkbox"/> Finished	<input type="checkbox"/> Heated	<input type="checkbox"/> Individual	<input type="checkbox"/> Other	<input type="checkbox"/> Pool	<input type="checkbox"/> Other	<input checked="" type="checkbox"/> Att.	<input type="checkbox"/> Det. <input type="checkbox"/> Built-in

Appliances:  Refrigerator  Range/Oven  Dishwasher  Disposal  Microwave  Washer/Dryer  Other (describe)

Finished area above grade contains: **7 Rooms** **3 Bedrooms** **2 Bath(s)** **2,303 Square Feet of Gross Living Area Above Grade**

Additional Features: **Covered entry, wood deck, wood and chainlink fence.**

Comments on the Improvements: **The subject has been updated over the years and is considered to be in overall average/good condition with no deferred maintenance and no repairs needed. There is no functional obsolescence noted. External obsolescence is charged due to the subject siding a busy street and backing to a recreation center with a municipal pool.**



**Summary  
Residential Appraisal Report**

File No. 0915002

FEATURE	SUBJECT	COMPARABLE SALE NO. 1	COMPARABLE SALE NO. 2	COMPARABLE SALE NO. 3
4001 14th Lane NE Address: St. Petersburg, FL 33703	5249 Venetian Blvd. NE St. Petersburg, FL 33703	1900 62nd Avenue NE St. Petersburg, FL 33703	4174 14th Lane NE St. Petersburg, FL 33703	
Proximity to Subject	.8 miles North	1.7 miles North	.1 mile North	
Sale Price	\$ 275,000	\$ 298,000	\$ 305,000	
Sale Price/Gross Liv. Area	\$ 121.90 sq. ft.	\$ 184.98 sq. ft.	\$ 168.98 sq. ft.	
Data Source(s)	Public Rec/MLS	Public Records/MLS/Inspected	Public Records/MLS/Inspected	Public Records/MLS/Inspected
Verification Source(s)	OR BkPg 18892-2134	OR BkPg 18766-1734	OR BkPg 18775-2333	
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION
Sale or Financing		Cash	FHA Mortgage	Conv Mortgage \$244,000.
Concessions				
Date of Sale/Time	09/16/2015	08/2015	05/2015	05/2015
Location	Patrican Point	Shore Acres	Shore Acres	Patrican Point
Leasehold/Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Site	8,400 SF +/-	11,273 SF +/-	8,190 SF +/-	7,500 SF +/-
View	Rec Center/Traffic	Residential	Res/School/Traff	Residential
Design (Style)	Ranch	Ranch	Ranch	Ranch
Quality of Construction	CBS/AS	CBS/AS	CBS/AS	CBS/AS
Actual Age	47 Years/Eff 20	49 Years/Eff 35	41 Years/Eff 10	46 Years/Eff 25
Condition	Average/Good	Below Average	Good	Good
Above Grade	Total Baths	Total Baths	Total Baths	Total Baths
Room Count	7 3 2	7 4 2	5 3 2	7 3 2
Gross Living Area	2,303 sq. ft.	2,256 sq. ft.	1,611 sq. ft.	1,805 sq. ft.
Basement & Finished Rooms Below Grade	None	None	None	None
Functional Utility	Average	Average	Average	Average
Heating/Cooling	Central H/A	Central H/A	Central H/A	Central H/A
Energy Efficient Items	Typical	Typical	Typical	Typical
Garage/Carport	2 Car Garage	2 Car Garage	2 Car Garage	2 Car Garage
Porch/Patio/Deck	Covered entry	Covered entry	Covered entry	Covered entry
Extras	Deck	Screened Porch	Lanai/Pavers	Lanai
Extras	None	Pool/Fireplace	None	None
Kitchen Equipment	Standard Kitchen	Standard Kitchen	Custom Kitchen	Remodeled Kitch
Net Adjustment (Total)		\$ 100	\$ 15,800	\$ 28,000
Adjusted Sale Price of Comparables		Net Adj. 0.0% Gross Adj. 34.1%	Net Adj. -5.3% Gross Adj. 27.2%	Net Adj. -9.2% Gross Adj. 25.6%
		\$ 274,900	\$ 282,200	\$ 277,000

**Summary of Sales Comparison Approach:** A comprehensive search was made throughout the subject's and competing neighborhoods for recent sales of homes similar to the subject. The four comparable sales used are the most recent and similar available. Since values have been increasing in the area, date of sale adjustments were necessary for comparable sales 2, 3, & 4. Condition and effective age adjustments were made based on MLS comments and visual inspection. Comparable sale 2 was the only sale found with similar external obsolescence. The indicated range of value is between \$274,900 and \$282,200 with an indicated value of \$278,000. Adjustments were made to the comparable sales as needed and equal weight was given to each in arriving at the estimated value for the subject.

**COST APPROACH TO VALUE**

Site Value Comments: **N/A**

ESTIMATED	REPRODUCTION OR	REPLACEMENT COST NEW	OPINION OF SITE VALUE
Source of cost data			Dwelling Sq. Ft. @ \$ = \$
Quality rating from cost service		Effective date of cost data	Sq. Ft. @ \$ = \$
Comments on Cost Approach (gross living area calculations, depreciation, etc.):			
The cost approach is not applicable as buyers and sellers do not use it as a determinant of value. Estimated remaining economic life is approximately 45 years.			
			Garage/Carport Sq. Ft. @ \$ = \$
Total Estimate of Cost New = \$			
	Less Physical	Functional External	
	Depreciation		= \$ ( )
Depreciated Cost of Improvements = \$			
"As is" Value of Site Improvements = \$			
INDICATED VALUE BY COST APPROACH = \$			

**INCOME APPROACH TO VALUE**

Estimated Monthly Market Rent \$	N/A	X Gross Rent Multiplier	N/A	= \$	N/A	Indicated Value by Income Approach
Summary of Income Approach (including support for market rent and GRM): <b>N/A</b>						

Indicated Value by Sales Comparison Approach: **\$278,000** Cost Approach (if developed): **N/A** Income Approach (if developed): **N/A**  
 Final valuation gives greatest weight to the Sales Comparison Approach which reflects buyer-seller interaction. The Cost Approach is not applicable. The Income Approach is not considered applicable to single family owner occupied homes in this area.

This appraisal is made  "as is,"  subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed,  subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed  subject to the following:  
**All electrical and mechanical equipment are assumed to be in working condition. No personal property was included in the appraised value.**

Based on the scope of work, assumptions, limiting conditions and appraiser's certification, my (our) opinion of the defined value of the real property that is the subject of this report is **\$ 278,000** as of **September 16, 2015**, which is the effective date of this appraisal.



**Neighborhood Market Conditions**

Property values have been increasing in this neighborhood over the past several years. Financing is readily available at rates considered attractive and there is no known adverse impact from financing concessions or loan discounts in the subject area at this time. Market conditions constitute a balance between listings and sales with a marketing time which appears to be stable at under 3 months.

I have considered relevant competitive listings and/or contract offerings in the performance of this appraisal and in the trending information reported in this section. If a trend is indicated, I have attached an addendum providing relevant competitive listing/contract offering data.

### Scope of Work, Assumptions and Limiting Conditions

Scope of work is defined in the Uniform Standards of Professional Appraisal Practice as "the type and extent of research and analyses in an assignment." In short, scope of work is simply what the appraiser did and did not do during the course of the assignment. It includes, but is not limited to: the extent to which the property is identified and inspected, the type and extent of data researched, the type and extent of analyses applied to arrive at opinions or conclusions.

The scope of this appraisal and ensuing discussion in this report are specific to the needs of the client, other identified intended users and to the intended use of the report. This report was prepared for the sole and exclusive use of the client and other identified intended users for the identified intended use and its use by any other parties is prohibited. The appraiser is not responsible for unauthorized use of the report.

The appraiser's certification appearing in this appraisal report is subject to the following conditions and to such other specific conditions as are set forth by the appraiser in the report. All extraordinary assumptions and hypothetical conditions are stated in the report and might have affected the assignment results.

1. The appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or title thereto, nor does the appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.
  2. Any sketch in this report may show approximate dimensions and is included only to assist the reader in visualizing the property. The appraiser has made no survey of the property.
  3. The appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made thereto.
  4. Neither all, nor any part of the content of this report, copy or other media thereof (including conclusions as to the property value, the identity of the appraiser, professional designations, or the firm with which the appraiser is connected), shall be used for any purposes by anyone but the client and other intended users as identified in this report, nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the written consent of the appraiser.
  5. The appraiser will not disclose the contents of this appraisal report unless required by applicable law or as specified in the Uniform Standards of Professional Appraisal Practice.
  6. Information, estimates, and opinions furnished to the appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished to the appraiser is assumed by the appraiser.
  7. The appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The appraiser assumes no responsibility for such conditions, or for engineering or testing, which might be required to discover such factors. This appraisal is not an environmental assessment of the property and should not be considered as such.
  8. The appraiser specializes in the valuation of real property and is not a home inspector, building contractor, structural engineer, or similar expert, unless otherwise noted. The appraiser did not conduct the intensive type of field observations of the kind intended to seek and discover property defects. The viewing of the property and any improvements is for purposes of developing an opinion of the defined value of the property, given the intended use of this assignment. Statements regarding condition are based on surface observations only. The appraiser claims no special expertise regarding issues including, but not limited to: foundation settlement, basement moisture problems, wood destroying (or other) insects, pest infestation, radon gas, lead based paint, mold or environmental issues. Unless otherwise indicated, mechanical systems were not activated or tested.
- This appraisal report should not be used to disclose the condition of the property as it relates to the presence/absence of defects. The client is invited and encouraged to employ qualified experts to inspect and address areas of concern. If negative conditions are discovered, the opinion of value may be affected.
- Unless otherwise noted, the appraiser assumes the components that constitute the subject property improvement(s) are fundamentally sound and in working order.
- Any viewing of the property by the appraiser was limited to readily observable areas. Unless otherwise noted, attics and crawl space areas were not accessed. The appraiser did not move furniture, floor coverings or other items that may restrict the viewing of the property.
9. Appraisals involving hypothetical conditions related to completion of new construction, repairs or alteration are based on the assumption that such completion, alteration or repairs will be competently performed.
  10. Unless the intended use of this appraisal specifically includes issues of property insurance coverage, this appraisal should not be used for such purposes. Reproduction or Replacement cost figures used in the cost approach are for valuation purposes only, given the intended use of the assignment. The Definition of Value used in this assignment is unlikely to be consistent with the definition of Insurable Value for property insurance coverage use.
  11. The ACI General Purpose Appraisal Report (GPAR™) is not intended for use in transactions that require a Fannie Mae 1004/Freddie Mac 70 form, also known as the Uniform Residential Appraisal Report (URAR).

### Additional Comments Related To Scope Of Work, Assumptions and Limiting Conditions

**Appraiser's Certification**

The appraiser(s) certifies that, to the best of the appraiser's knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are the appraiser's personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. Unless otherwise stated, the appraiser has no present or prospective interest in the property that is the subject of this report and has no personal interest with respect to the parties involved.
4. The appraiser has no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. The appraiser's engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. The appraiser's compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. The appraiser's analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
8. Unless otherwise noted, the appraiser has made a personal inspection of the property that is the subject of this report.
9. Unless noted below, no one provided significant real property appraisal assistance to the appraiser signing this certification. Significant real property appraisal assistance provided by

Additional Certifications:

Definition of Value:  Market Value  Other Value: \_\_\_\_\_

Source of Definition: \_\_\_\_\_

This appraisal represents the fair market value of the property described, which is assumed to be the price at which the property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of relevant facts. It is not the price that would be determined by a forced sale.

ADDRESS OF THE PROPERTY APPRAISED:

4001 14th Lane NE

St. Petersburg, FL 33703

EFFECTIVE DATE OF THE APPRAISAL: September 16, 2015

APPRAISED VALUE OF THE SUBJECT PROPERTY \$ 278,000

APPRAISER

Signature: James T. Earle II

Name: James T. Earle II

State Certification # Cert Res RD624

or License # \_\_\_\_\_

or Other (describe): \_\_\_\_\_ State #: \_\_\_\_\_

State: FL

Expiration Date of Certification or License: 11/30/2016

Date of Signature and Report: 09/23/2015

Date of Property Viewing: September 16, 2015

Degree of property viewing:

Interior and Exterior  Exterior Only  Did not personally view

SUPERVISORY APPRAISER

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

State Certification # \_\_\_\_\_

or License # \_\_\_\_\_

State: \_\_\_\_\_

Expiration Date of Certification or License: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Date of Property Viewing: \_\_\_\_\_

Degree of property viewing:

Interior and Exterior  Exterior Only  Did not personally view

Summary

Market Conditions Addendum to the Appraisal Report File No. 0915002

The purpose of this addendum is to provide the lender/client with a clear and accurate understanding of the market trends and conditions prevalent in the subject neighborhood. This is a required addendum for all appraisal reports with an effective date on or after April 1, 2009.

Property Address: 4001 14th Lane NE City: St. Petersburg State: FL Zip Code: 33703

Borrower: N/A

Instructions: The appraiser must use the information required on this form as the basis for his/her conclusions, and must provide support for those conclusions, regarding housing trends and overall market conditions as reported in the Neighborhood section of the appraisal report form. The appraiser must fill in all the information to the extent it is available and reliable and must provide analysis as indicated below. If any required data is unavailable or is considered unreliable, the appraiser must provide an explanation. It is recognized that not all data sources will be able to provide data for the shaded areas below, if it is available, however, the appraiser must include the data in the analysis. If data sources provide the required information as an average instead of the median, the appraiser should report the available figure and identify it as an average. Sales and listings must be properties that compete with the subject property, determined by applying the criteria that would be used by a prospective buyer of the subject property. The appraiser must explain any anomalies in the data, such as seasonal markets, new construction, foreclosures, etc.

Inventory Analysis	Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend		
Total # of Comparable Sales (Settled)	70	66	55	<input checked="" type="checkbox"/> Increasing	<input type="checkbox"/> Stable	<input type="checkbox"/> Declining
Absorption Rate (Total Sales/Months)	11.67	22.00	18.33	<input checked="" type="checkbox"/> Increasing	<input type="checkbox"/> Stable	<input type="checkbox"/> Declining
Total # of Comparable Active Listings	90	86	83	<input checked="" type="checkbox"/> Declining	<input type="checkbox"/> Stable	<input type="checkbox"/> Increasing
Months of Housing Supply (Total Listings/Ab. Rate)	7.71	3.91	4.53	<input checked="" type="checkbox"/> Declining	<input type="checkbox"/> Stable	<input type="checkbox"/> Increasing
Median Sale & List Price, DOM, Sale/List %	Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend		
Median Comparable Sale Price	158,500	168,950	170,000	<input checked="" type="checkbox"/> Increasing	<input type="checkbox"/> Stable	<input type="checkbox"/> Declining
Median Comparable Sales Days on Market	49	33	35	<input checked="" type="checkbox"/> Declining	<input type="checkbox"/> Stable	<input type="checkbox"/> Increasing
Median Comparable List Price	175,000	175,000	160,000	<input type="checkbox"/> Increasing	<input type="checkbox"/> Stable	<input checked="" type="checkbox"/> Declining
Median Comparable Listings Days on Market	75	85	121	<input type="checkbox"/> Declining	<input type="checkbox"/> Stable	<input checked="" type="checkbox"/> Increasing
Median Sale Price as % of List Price	99.00%	95.00%	97.00%	<input type="checkbox"/> Increasing	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Declining
Seller (developer, builder, etc.) paid financial assistance prevalent?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Declining	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Increasing

Explain in detail the seller concessions trends for the past 12 months (e.g., seller contributions increased from 3% to 5%, increasing use of buydowns, closing costs, condo fees, options, etc.).  
 Reviews of purchase agreements supplied to the appraiser over the past 12 months indicates seller concessions have typically been between 3% & 6% and this trend appears to be stable. Concessions are used primarily for buyers closing costs, prepaids items, and insurance.

Are foreclosure sales (REO sales) a factor in the market?  Yes  No If yes, explain (including the trends in listings and sales of foreclosed properties).  
 There is an average percentage of REO and short sales in the area and they have been a factor in the overall decline of values over the past several years although values have increased in the past 18 months. The lowest end of these REO sales are currently being absorbed rapidly as it appears the bottom of market values may have been reached.

Cite data sources for above information. Local MLS (pro.mixtempo.com) search result

Summarize the above information as support for your conclusions in the Neighborhood section of the appraisal report form. If you used any additional information, such as an analysis of pending sales and/or expired and withdrawn listings, to formulate your conclusions, provide both an explanation and support for your conclusions.  
 Sales are continuing at an average pace with an average number of available listings with a 4.53 month housing supply. The median comparable sale price has increased in the last 18 months with the days on market declining. The listing price to sale price ratio has been mostly stable over the past year.

If the subject is a unit in a condominium or cooperative project, complete the following: Project Name:

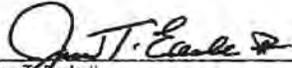
Subject Project Data	Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend		
Total # of Comparable Sales (Settled)				<input type="checkbox"/> Increasing	<input type="checkbox"/> Stable	<input type="checkbox"/> Declining
Absorption Rate (Total Sales/Months)				<input type="checkbox"/> Increasing	<input type="checkbox"/> Stable	<input type="checkbox"/> Declining
Total # of Active Comparable Listings				<input type="checkbox"/> Declining	<input type="checkbox"/> Stable	<input type="checkbox"/> Increasing
Months of Unit Supply (Total Listings/Ab. Rate)				<input type="checkbox"/> Declining	<input type="checkbox"/> Stable	<input type="checkbox"/> Increasing

Are foreclosure sales (REO sales) a factor in the project?  Yes  No If yes, indicate the number of REO listings and explain the trends in listings and sales of foreclosed properties.

Summarize the above trends and address the impact on the subject unit and project.

APPRAISER

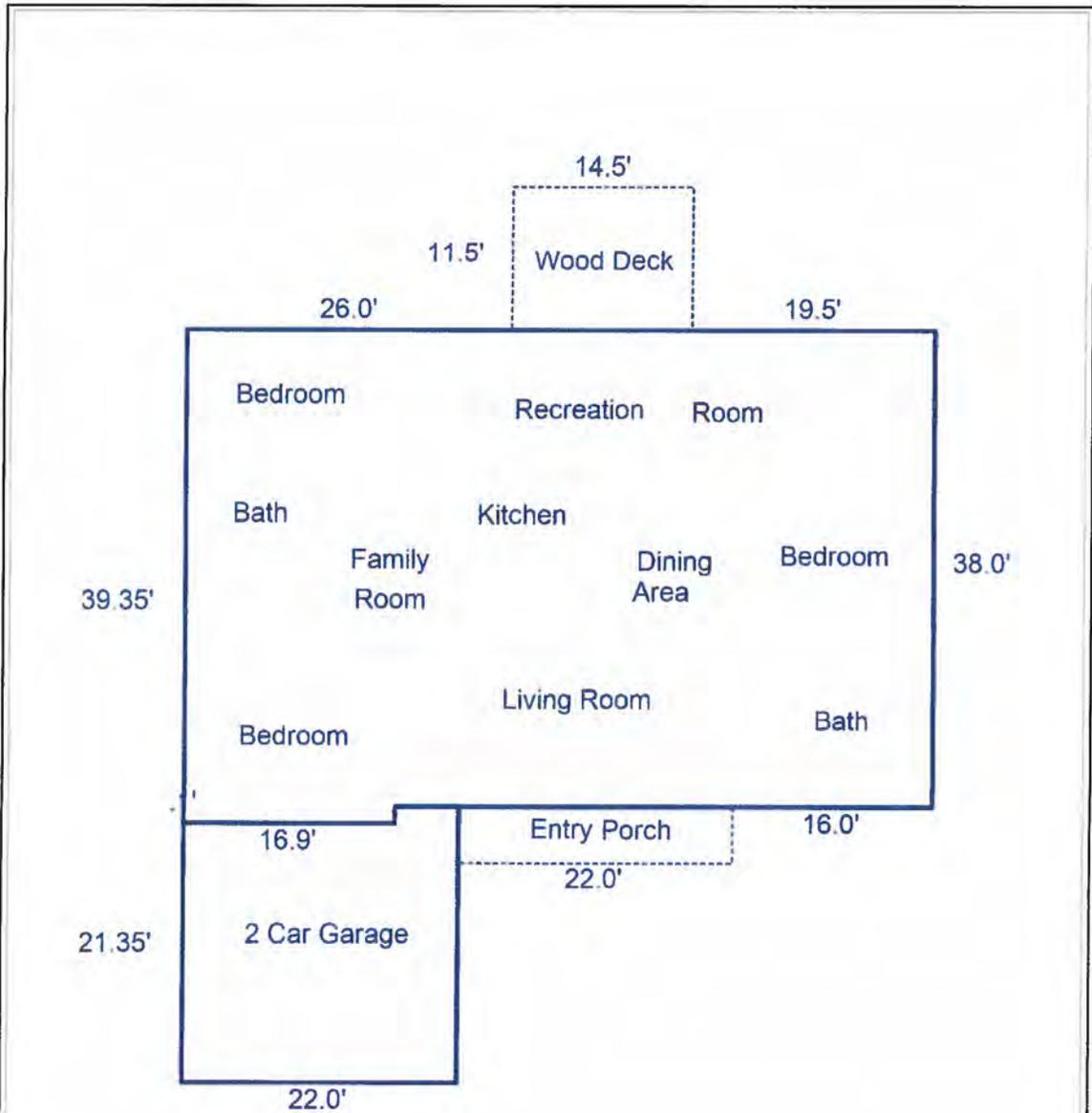
SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature:   
 Name: James Y. Earle II  
 Company Name: Earle & Associates  
 Company Address: 4130 16th Street North, Suite A  
 St. Petersburg, FL 33703  
 State License/Certification #: Cert Res RD624 State FL  
 Email Address: jim@earleassoc.com

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Company Name: \_\_\_\_\_  
 Company Address: \_\_\_\_\_  
 State License/Certification #: \_\_\_\_\_ State: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

FLOORPLAN SKETCH

File No. 0915002



Sketch by ADRA Sketch

AREA CALCULATIONS SUMMARY					AREA CALCULATIONS BREAKDOWN					
Code	Description	Factor	Net Size	Perimeter	Net Totals	Name	Base x	Height x	Width =	Area
GLA1	First Floor	1.0	2302.8	198.7	2302.8	First Floor	60.0 x		38.0 =	2280.0
GAR	Garage	1.0	461.2	88.0	461.2		16.9 x		1.4 =	22.8
P/P	Porch	1.0	99.0	53.0	99.0					
P/P	Wood Deck	1.0	166.8	52.0	166.8					
<b>Net LIVABLE</b>			<b>(rounded)</b>	<b>2,303</b>	<b>2 total items (rounded) 2,303</b>					

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SUBJECT PROPERTY PHOTO ADDENDUM

File No. 0915002



FRONT VIEW OF  
SUBJECT PROPERTY

Appraised Date: September 16, 2015  
Appraised Value: \$ 278,000



REAR VIEW OF  
SUBJECT PROPERTY



STREET SCENE



VIEW OF LIVING ROOM



VIEW OF KITCHEN



VIEW OF FAMILY ROOM



VIEW OF RECREATION ROOM



VIEW OF BEDROOM



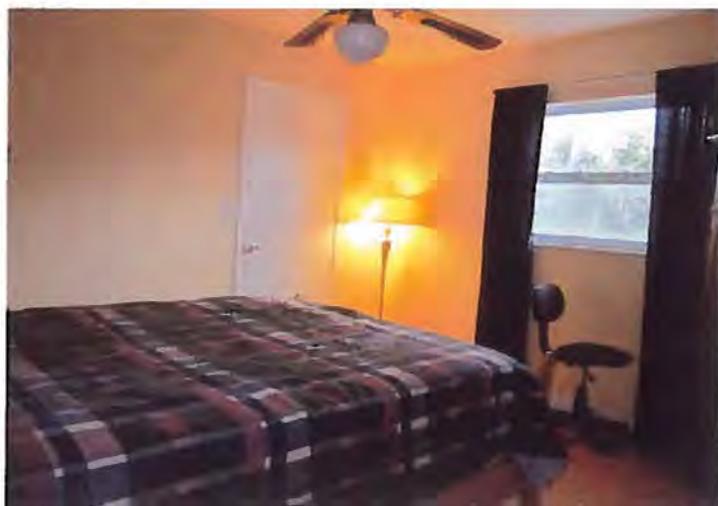
VIEW OF BATHROOM



VIEW OF BEDROOM



VIEW OF BATHROOM



VIEW OF BEDROOM

COMPARABLE PROPERTY PHOTO ADDENDUM

File No. 0915002



COMPARABLE SALE #1

5249 Venetian Blvd. NE  
St. Petersburg, FL 33703  
Sale Date: 08/2015  
Sale Price: \$ 275,000



COMPARABLE SALE #2

1900 62nd Avenue NE  
St. Petersburg, FL 33703  
Sale Date: 05/2015  
Sale Price: \$ 298,000



COMPARABLE SALE #3

4174 14th Lane NE  
St. Petersburg, FL 33703  
Sale Date: 05/2015  
Sale Price: \$ 305,000

COMPARABLE PROPERTY PHOTO ADDENDUM

File No. 0915002

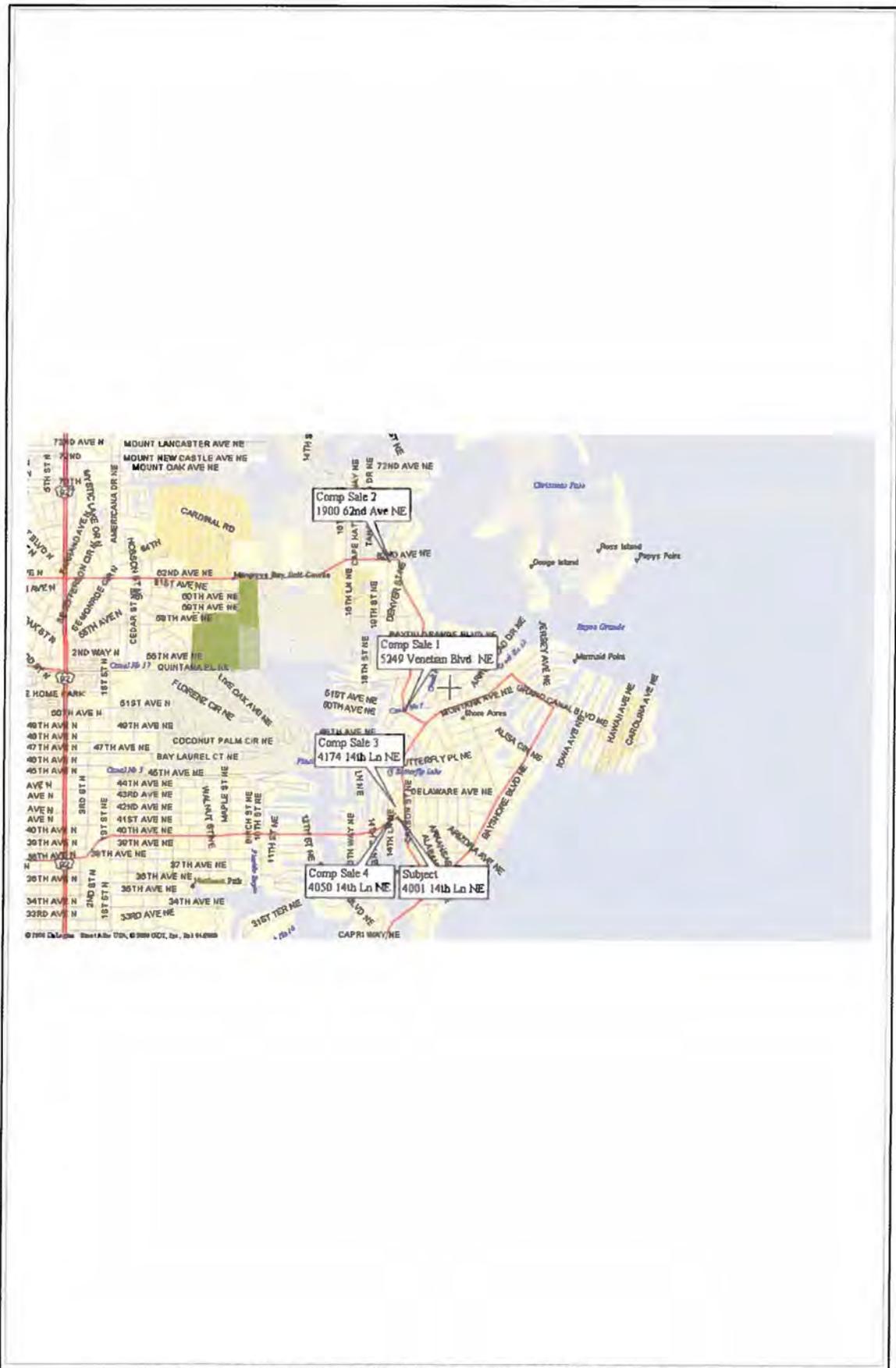


COMPARABLE SALE #4

4050 14th Lane NE  
St. Petersburg, FL 33703  
Sale Date: 06/2015  
Sale Price: \$ 298,500

LOCATION MAP

File No. 0915002



RICK SCOTT, GOVERNOR

KEN LAWSON, SECRETARY

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

LICENSE NUMBER	
RD624	

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



EARLE JAMES III  
4130 16TH STREET NORTH  
ST PETERSBURG FL 33703



ISSUED 11/25/2014

DISPLAY AS REQUIRED BY LAW

SEQ # L1411250001037

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

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT FOR SALE AND PURCHASE WITH MICHEAL T. BRAWLEY FOR THE PURCHASE OF THE FEE SIMPLE INTEREST IN AN IMPROVED PROPERTY LOCATED AT 4001 – 14<sup>TH</sup> LANE NORTHEAST, ST. PETERSBURG, FOR \$264,000, FOR THE FUTURE EXPANSION OF THE CITY-OWNED SHORE ACRES PARK; TO PAY CLOSING RELATED COSTS NOT TO EXCEED \$2,500; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; APPROVING THE TRANSFER OF \$266,500 FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND (0001) (BP SETTLEMENT RESOURCES) TO THE GENERAL CAPITAL IMPROVEMENT FUND (3001) ("TRANSFER"); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$266,500 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), RESULTING FROM THE TRANSFER, TO ACQUISITION PROJECT (#TBD); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management ("Real Estate") was requested by Parks & Recreation Department ("Parks & Recreation") to negotiate the acquisition of real property at 4001 – 14<sup>th</sup> Lane Northeast, St. Petersburg which is contiguous to City-owned Shore Acres Park ("Park") located at approximately 4230 Shore Acres Boulevard Northeast, St. Petersburg; and

WHEREAS, the property owner and parcel legal description are as follows:

Property Owner: Micheal T. Brawley ("Seller")

Legal Description: Lot 1 and the South 4 feet of Lot 2, in Block B, of PATRICIAN POINT UNIT 2 TRACT B REPLAT, according to the Plat thereof, as recorded in Plat Book 60, at Page 89, of the Public Records of Pinellas County, Florida.

Pinellas County I.D. No.: 04/31/17/67860/002/0010

Street Address: 4001 – 14<sup>th</sup> Lane Northeast, St. Petersburg; and

**Resolution A**

WHEREAS, an Agreement for Sale and Purchase ("Agreement") was negotiated with the Seller, subject to an environmental audit, two (2) appraisals, and City Council approval; and

WHEREAS, Greenfield Environmental, Inc., conducted a Phase I Environmental Site Assessment at the Property on September 17, 2015, which noted no evidence or indication of Recognized Environmental Conditions being identified and that no further investigation at the subject site was necessary; and

WHEREAS, the Property was appraised by McCormick, Braun and Seaman, Scott Seaman, SRA State Certified Residential Appraiser, on September 14, 2015 and by Earle & Associates, James T. Earle II, State Certified Residential Appraiser, on September 16, 2015 ("Appraisals"); and

WHEREAS, the Appraisals indicated a value of \$250,000 and \$278,000, respectively, for an average of \$264,000; and

WHEREAS, upon presentation of the Appraisals, the Seller has accepted a modified Agreement with a purchase price of \$264,000; and

WHEREAS, the acquisition of the Property allows Parks & Recreation to expand the limited footprint of the existing Park and incorporate the additional space into the planning and design of the upcoming renovation of the Shore Acres Recreation Center; and

WHEREAS, in order to fund this purchase, a transfer from the General Fund (0001) (BP Settlement Resources) to the General Capital Improvement Fund (3001) ("Transfer") and a supplemental appropriation from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from the Transfer to Acquisition Project (#TBD) will be necessary.

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 an Agreement for Sale and Purchase with Micheal T. Brawley for the purchase of the fee simple interest in an improved property located at 4001 – 14<sup>th</sup> Lane Northeast, St. Petersburg, as legally described above, for \$264,000, for the future expansion of the City-owned Shore Acres Park; and to pay closing related costs not to exceed \$2,500; and to execute all documents necessary to effectuate same; and

BE IT FURTHER RESOLVED that there are hereby approved the following supplemental appropriations from the unappropriated balances of their respective funds for Fiscal Year 2016:

<u>General Fund (0001) (BP Settlement Resources)</u>	
Transfer to: General Capital Improvement Fund (3001)	\$266,500
<u>General Capital Improvement Fund (3001)</u>	
Acquisition Project (#TBD)	\$266,500

**Resolution A**

This Resolution shall become effective immediately upon its adoption.

**LEGAL:**

  
\_\_\_\_\_  
City Attorney (Designee)  
Legal: 00247267.doc V. 3

**BUDGET:**

  
\_\_\_\_\_  
Tom Greene, Budget  
Budget & Management

**APPROVED BY:**

  
\_\_\_\_\_  
Michael J. Jefferis, Director  
Parks and Recreation

**APPROVED BY:**

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

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

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT FOR SALE AND PURCHASE WITH MICHEAL T. BRAWLEY FOR THE PURCHASE OF THE FEE SIMPLE INTEREST IN AN IMPROVED PROPERTY LOCATED AT 4001 – 14<sup>TH</sup> LANE NORTHEAST, ST. PETERSBURG, FOR \$264,000, FOR THE FUTURE EXPANSION OF THE CITY-OWNED SHORE ACRES PARK; TO PAY CLOSING RELATED COSTS NOT TO EXCEED \$2,500; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; APPROVING A SUPPLEMENTAL APPROPRIATION FROM THE UNAPPROPRIATED BALANCE OF THE SHORE ACRES RECREATION CENTER ASSIGNMENT WITHIN THE RECREATION AND CULTURE CAPITAL IMPROVEMENT FUND (3029) TO ACQUISITION PROJECT (#TBD); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management ("Real Estate") was requested by Parks & Recreation Department ("Parks & Recreation") to negotiate the acquisition of real property at 4001 – 14<sup>th</sup> Lane Northeast, St. Petersburg which is contiguous to City-owned Shore Acres Park ("Park") located at approximately 4230 Shore Acres Boulevard Northeast, St. Petersburg; and

WHEREAS, the property owner and parcel legal description are as follows:

Property Owner: Micheal T. Brawley ("Seller")

Legal Description: Lot 1 and the South 4 feet of Lot 2, in Block B, of PATRICIAN POINT UNIT 2 TRACT B REPLAT, according to the Plat thereof, as recorded in Plat Book 60, at Page 89, of the Public Records of Pinellas County, Florida.

Pinellas County I.D. No.: 04/31/17/67860/002/0010

Street Address: 4001 – 14<sup>th</sup> Lane Northeast, St. Petersburg; and

WHEREAS, an Agreement for Sale and Purchase ("Agreement") was negotiated with the Seller, subject to an environmental audit, two (2) appraisals, and City Council approval; and

**Resolution B**

WHEREAS, Greenfield Environmental, Inc., conducted a Phase I Environmental Site Assessment at the Property on September 17, 2015, which noted no evidence or indication of Recognized Environmental Conditions being identified and that no further investigation at the subject site was necessary; and

WHEREAS, the Property was appraised by McCormick, Braun and Seaman, Scott Seaman, SRA State Certified Residential Appraiser, on September 14, 2015 and by Earle & Associates, James T. Earle II, State Certified Residential Appraiser, on September 16, 2015 ("Appraisals"); and

WHEREAS, the Appraisals indicated a value of \$250,000 and \$278,000, respectively, for an average of \$264,000; and

WHEREAS, upon presentation of the Appraisals, the Seller has accepted a modified Agreement with a purchase price of \$264,000; and

WHEREAS, the acquisition of the Property allows Parks & Recreation to expand the limited footprint of the existing Park and incorporate the additional space into the planning and design of the upcoming renovation of the Shore Acres Recreation Center; and

WHEREAS, in order to fund this purchase, a supplemental appropriation from the unappropriated balance of the Shore Acres Recreation Center assignment within the Recreation and Culture Capital Improvement Fund (3029) to Acquisition Project (#TBD) will be necessary.

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 an Agreement for Sale and Purchase with Micheal T. Brawley for the purchase of the fee simple interest in an improved property located at 4001 – 14<sup>th</sup> Lane Northeast, St. Petersburg, as legally described above, for \$264,000, for the future expansion of the City-owned Shore Acres Park; and to pay closing related costs not to exceed \$2,500; and to execute all documents necessary to effectuate same; and

BE IT FURTHER RESOLVED that there is hereby approved the following supplemental appropriation from the unappropriated balance of the Shore Acres Recreation Center assignment within the Recreation and Culture Capital Improvement Fund (3029) for fiscal year 2016:

Shore Acres Recreation Center assignment within Recreation and Culture Capital Improvement Fund (3029)

Acquisition Project (#TBD)	\$266,500
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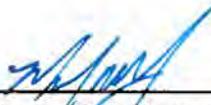
**Resolution B**

This Resolution shall become effective immediately upon its adoption.

LEGAL:

  
\_\_\_\_\_  
City Attorney (Designee)  
Legal: 00247267.doc V. 3

APPROVED BY:

  
\_\_\_\_\_  
Michael J. Jefferis, Director  
Parks and Recreation

BUDGET:

  
\_\_\_\_\_  
Tom Greene, Budget  
Budget & Management

APPROVED BY:

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

## ST. PETERSBURG CITY COUNCIL

Meeting of October 15, 2015

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

**SUBJECT:** Agreement to Terminate Property Disposition Agreement dated December 8, 2004 related to the Progress Energy - Kessler / Grand Bohemian site

**OBJECTIVE::** To adopt a resolution authorizing the Mayor, or his Designee, to execute an Agreement to Terminate the Property Disposition Agreement dated December 8, 2004 by and among The City of St. Petersburg, The Community Redevelopment Agency of the City of St. Petersburg, PEF St. Petersburg FL, LLC, as assignee of Florida Power Corporation, d/b/a Progress Energy Florida, Inc., and Grand Bohemian SP, LLC, as assignee of The Kessler Enterprise, Inc.

**BACKGROUND:** Real Estate & Property Management received a request from The Kessler Enterprise, Inc. on September 22, 2015 requesting the City to take whatever steps are necessary to terminate the PDA and/or to release any continuing rights the City and Kessler may have thereunder as soon as possible. The December 8, 2004, Property Disposition Agreement, as amended ("PDA") is by and among The City of St. Petersburg ("City"), The Community Redevelopment Agency of the City of St. Petersburg ("CRA"), PEF St. Petersburg FL, LLC, as assignee of Florida Power Corporation, d/b/a Progress Energy Florida, Inc. ("Progress"), and Grand Bohemian SP, LLC, as assignee of The Kessler Enterprise, Inc. ("Kessler") (collectively "Parties").

The Parties amended the PDA on five separate occasions: First Amendment dated January 27, 2005, Second Amendment dated December 21, 2005, Third Amendment dated November 29, 2006, Fourth Amendment dated August 7, 2008, and Fifth Amendment dated April 2, 2009.

At this time Kessler advises that it is in the process of selling the property that is encumbered by the PDA ("Kessler Property") and requested that the City waive certain rights in the PDA in order to be able to close on the sale of the property. The rights Kessler specifically requested the City to waive relate to: 1) the City's right to the profits from the sale of the Kessler Property, and 2) the City's right to purchase the Kessler Property. Kessler was advised that City Administration could not waive any rights the City has in the PDA as such rights can only be waived by City Council.

Those referenced rights are set forth in the PDA as follows:

Section 9.1 (b) (iii as amended by Fifth Amendment)

"If Progress does not purchase the Kessler Property, then Kessler, in coordination with the City, shall seek to sell the Kessler Property to a third-party developer qualified and competent to execute and develop the Kessler Property in substantial conformity with the original development plan. Kessler shall remit to the City, on the sale of the Kessler

Property, including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress, any profits over and above the total of (i) the Kessler Purchase Price, including the purchase price for the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress; and (ii) all external development costs incurred by Kessler with respect to the Kessler Development, including but not limited to, (if paid), its share of any excess costs to the Demolition (the "Development Costs")."

(iv Amended by Fifth Amendment)

"If Kessler fails to find a substitute developer to acquire the Kessler Property, including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler by April 30, 2013, then the City shall have the right to acquire the Kessler Property, including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress at the lower of (i) the amount of the Kessler Purchase Price plus its Development Costs, including both the purchase price of the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress; or (ii) the appraised value of the Kessler Property including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress."

After review of the entire PDA and due to the fact that the PDA contains various rights and duties of all the parties ("Rights & Duties") it is Administration's position that since the new buyer does not intend to carry out the development as envisioned in the PDA as amended, the Rights & Duties are no longer applicable. Therefore, because of the new buyer's new development approach, Administration concluded that the City should not waive any rights unilaterally and that the PDA should be terminated in order that all Rights & Duties of the Parties are extinguished simultaneously, provided staff could reasonably substantiate that there were no profits on the sale to Kessler. Accordingly, documentation was requested from Kessler to demonstrate that there was no profit on the pending sale transaction.

Kessler provided to the City a summary of costs totaling in excess of \$17 million supported by 137 electronic files containing a total of ±1,749 pages of documentation to substantiate the seller realizing no profits upon the sale of the property. City staff reviewed the information provided including: a summary of costs incurred by Kessler for the project; a cost control detail summary of the project costs; multiple check register schedules identifying development payments made copies of checks and supporting invoices tied to the Check Register schedules. Additionally, the review of these documents was discussed briefly with Brad Scott, City Auditor to ensure the review methodology was reasonable, and with the Kessler Company (Brian Py and Dennis Montague) to ensure the understanding of their cost accounting system and the provided documentation was correct. Based upon this review, the supporting documentation confirms that the documentation supplied adequately demonstrates that the Development Costs, as defined in the PDA, exceeds the \$8.75 million sales price that Kessler represented to the City by providing a copy of select pages from its "Contract for Sale and Purchase" dated May 15, 2015.

With the Progress portion of the development having been completed in 2007 (now the Duke Energy building), and with Kessler selling its property to a non-hotel developer, the PDA, which is unrecorded has served its function. Further, there is a recorded Declaration of Covenants and Restrictions dated July 14, 2005 (Official Records BK 14479 PG 2472-2515) ("Covenants") incorporating the development commitments and restrictions set forth in the PDA, including an approved site plan that will require the cooperation of the owners of the Kessler and Progress property in order to make future modifications to the Covenants. Any modification of the site plan will require compliance with City regulations and City regulatory approval. Accordingly the PDA no longer serves an effective purpose and should be terminated to eliminate any potential confusion in the future as to its intent or rights.

The City has long awaited the completion of the development of this important downtown block and looks forward to the new owner bringing forth its plans for its new development.

**RECOMMENDATION:** Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute an Agreement to Terminate Property Disposition Agreement dated December 8, 2004 by and among The City of St. Petersburg, The Community Redevelopment Agency of the City of St. Petersburg, PEF St. Petersburg FL, LLC, as assignee of Florida Power Corporation, d/b/a Progress Energy Florida, Inc., and Grand Bohemian SP, LLC, as assignee of The Kessler Enterprise, Inc.; and to execute all documents necessary to effectuate same; and providing an effective date.

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

**ATTACHMENTS:** Kessler Request, Resolution

**From:** [Brian A. Py](#)  
**To:** [Bruce E. Grimes](#)  
**Cc:** [Hester, Laura](#); [Rick Badgley](#)  
**Subject:** Property Disposition Agreement - Termination and/or Release of Continuing Rights  
**Date:** Tuesday, September 22, 2015 2:09:51 PM  
**Attachments:** corp signature logo367c.png

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Dear Bruce:

As you may know, Grand Bohemian SP, LLC is the current owner of the Kessler Property, as defined in and encumbered by that certain Property Disposition Agreement among The City of St. Petersburg, The Community Redevelopment Agency of the City of St. Petersburg, Florida Power Corporation, d/b/a Progress Energy Florida, Inc. and The Kessler Enterprise, Inc., dated as of December 8, 2004, as amended (the "PDA"). Please accept this request to take whatever steps are necessary to terminate the PDA and/or to release any continuing rights the City and Kessler may have thereunder as soon as possible.

Thank you

Best regards,

---

**Brian A. Py**  
Senior Vice President of Development and Finance  
D. 407 996 9941  
4901 Vineland Rd, Ste 650  
Orlando, FL 32811

 THE *Kessler* COLLECTION

<http://www.kesslercollection.com>

The Kessler Collection proudly  
welcomes its newest work of art  
**GRAND BOHEMIAN HOTEL**  
CHARLESTON  
[grandbohemiancharleston.com](http://grandbohemiancharleston.com)

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

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT TO TERMINATE PROPERTY DISPOSITION AGREEMENT DATED DECEMBER 8, 2004 BY AND AMONG THE CITY OF ST. PETERSBURG, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF ST. PETERSBURG, PEF ST. PETERSBURG FL, LLC, AS ASSIGNEE OF FLORIDA POWER CORPORATION, D/B/A PROGRESS ENERGY FLORIDA, INC., AND GRAND BOHEMIAN SP, LLC, AS ASSIGNEE OF THE KESSLER ENTERPRISE, INC.; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate & Property Management received a request from The Kessler Enterprise, Inc. on September 22, 2015 requesting the City to take whatever steps are necessary to terminate the PDA and/or to release any continuing rights the City and Kessler may have thereunder as soon as possible; and

WHEREAS, the December 8, 2004, Property Disposition Agreement, as amended ("PDA") is by and among The City of St. Petersburg ("City"), The Community Redevelopment Agency of the City of St. Petersburg ("CRA"), PEF St. Petersburg FL, LLC, as assignee of Florida Power Corporation, d/b/a Progress Energy Florida, Inc. ("Progress"), and Grand Bohemian SP, LLC, as assignee of The Kessler Enterprise, Inc. ("Kessler") (collectively "Parties"); and

WHEREAS, the Parties amended the PDA on five separate occasions: First Amendment dated January 27, 2005, Second Amendment dated December 21, 2005, Third Amendment dated November 29, 2006, Fourth Amendment dated August 7, 2008, and Fifth Amendment dated April 2, 2009; and

WHEREAS, Kessler advises that it is in the process of selling the property that is encumbered by the PDA ("Kessler Property") and requested that the City waive certain rights in the PDA in order to be able to close on the sale of the property; and

WHEREAS, the rights Kessler specifically requested the City to waive relate to: 1) the City's right to the profits from the sale of the Kessler Property and 2) the City's right to purchase the Kessler Property. Kessler was advised that City Administration could not waive any rights the City has in the PDA as such rights can only be waived by City Council; and

WHEREAS; those referenced rights are set forth in the PDA as follows:

Section 9.1 (b) (iii as amended by Fifth Amendment)

*"If Progress does not purchase the Kessler Property, then Kessler, in coordination with the City, shall seek to sell the Kessler Property to a third-party developer qualified and competent to execute and develop the Kessler Property in substantial conformity with the original development plan. Kessler shall remit to the City, on the sale of the Kessler Property, including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress, any profits over and above the total of (i) the Kessler Purchase Price, including the purchase price for the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress; and (ii) all external development costs incurred by Kessler with respect to the Kessler Development, including but not limited to, (if paid), its share of any excess costs to the Demolition (the "Development Costs")."*

(iv Amended by Fifth Amendment)

*"If Kessler fails to find a substitute developer to acquire the Kessler Property, including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler by April 30, 2013, then the City shall have the right to acquire the Kessler Property, including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress at the lower of (i) the amount of the Kessler Purchase Price plus its Development Costs, including both the purchase price of the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress; or (ii) the appraised value of the Kessler Property including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress.";* and

WHEREAS, after review of the entire PDA and due to the fact that the PDA contains various rights and duties of all the parties ("Rights & Duties") it is Administration's position that since the new buyer does not intend to carry out the development as envisioned in the PDA as amended, the Rights & Duties are no longer applicable; and

WHEREAS, in order to agree to this new development approach, administration concluded that the City should not waive any rights unilaterally and that the PDA should be terminated in order that all Rights & Duties of the Parties are extinguished simultaneously, provided staff could reasonably substantiate that there were no profits on the sale to Kessler; and

WHEREAS, documentation was requested from Kessler to demonstrate that there was no profit on the pending sale transaction; and

WHEREAS, Kessler provided to the City a summary of costs totaling in excess of \$17 million supported by 137 electronic files containing a total of ±1,749 pages of documentation to substantiate the seller realizing no profits upon the sale of the property; and

WHEREAS, City staff reviewed the information provided including: a summary of costs incurred by Kessler for the project; a cost control detail summary of the project costs; multiple check register schedules identifying development payments made copies of checks and supporting invoices tied to the Check Register schedules; and

WHEREAS, additionally, the review of these documents was discussed briefly with Brad Scott, City Auditor to ensure the review methodology was reasonable, and with the Kessler Company (Brian Py and Dennis Montague) to ensure the understanding of their cost accounting system and the provided documentation was correct; and

WHEREAS, based upon this review, the supporting documentation confirms that the documentation supplied adequately demonstrates that the Development Costs, as defined in the PDA, exceeds the \$8.75 million sales price that Kessler represented to the City by providing a copy of select pages from its "Contract for Sale and Purchase" dated May 15, 2015; and

WHEREAS, with the Progress portion of the development having been completed in 2007 (now the Duke Energy building), and with Kessler selling its property to a non-hotel developer, the PDA, which is unrecorded has served its function; and

WHEREAS, there is a recorded Declaration of Covenants and Restrictions dated July 14, 2005 (Official Records BK 14479 PG 2472-2515) ("Covenants") incorporating the development commitments and restrictions set forth in the PDA, including an approved site plan that will require the cooperation of the owners of the Kessler and Progress property in order to make future modifications to the Covenants; and

WHEREAS, any modification of the site plan will require compliance with City regulations and City regulatory approval; and

WHEREAS, accordingly, the PDA no longer serves an effective purpose and should be terminated to eliminate any potential confusion in the future as to its intent or rights; and

WHEREAS, the City has long awaited the completion of the development of this important downtown block and looks forward to the new owner bringing forth its plans for its new development.

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 an Agreement to Terminate Property Disposition Agreement dated December 8, 2004 by and among The City of St. Petersburg, The Community Redevelopment Agency of the City of St. Petersburg, PEF St. Petersburg FL, LLC, as assignee of Florida Power Corporation, d/b/a Progress Energy Florida, Inc., and Grand Bohemian SP, LLC, as assignee of The Kessler Enterprise, Inc.; and to execute all documents necessary to effectuate same; and providing an effective date.

This Resolution shall become effective immediately upon its adoption.

LEGAL:



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

Legal: 00247392.doc v. 1

APPROVED BY:



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

APPROVED BY:



\_\_\_\_\_  
David S. Goodwin, Director  
Planning & Economic Development

# CITY COUNCIL AGENDA REPORT ITEM

**October 8, 2015**

**TO:** The Honorable Members of City Council

**SUBJECT:** City's Water Treatment System

**PRESENTER:** Walter Donnelly, Principal, Alliance for Bayway Communities

**SCHEDULE FOR COUNCIL ON:**  
Agenda of October 15, 2015

Steve Kornell, Council Member  
District 7

E-6

**ST. PETERSBURG CITY COUNCIL**

**Consent Agenda**

**Meeting of October 15, 2015**

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

**SUBJECT:** Approval of a resolution requesting the Florida Department of Environmental Protection and the United States Environmental Protection Agency to review the information provided to the City Council by concerned members of the public and media regarding possible environmental contamination on and adjacent to the Skyway Skeet and Trap Club and the alleged failure of the Skyway Trap and Skeet Club, Inc. to install a shot barrier and further requesting that such agencies pursue appropriate action in accordance with their respective authority.

**EXPLANATION:** City Council requested that the City Attorney's office prepare a resolution requesting the Florida Department of Environmental Protection and the United States Environmental Protection Agency to review the information provided to the City Council of the City of St. Petersburg by concerned members of the public and media regarding possible environmental contamination of soil and water on and adjacent to the Skyway Trap and Skeet Club and the alleged failure of the Skyway Trap and Skeet Club, Inc. to install a shot barrier and further requesting that such agencies pursue such action as deemed appropriate in accordance with their respective authority. Taking into account the protections afforded sport shooting and training ranges in Section 790.333 Florida Statutes, the attached resolution has been prepared for City Council's consideration.

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

**ATTACHMENTS:** Resolution

**APPROVALS:**

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

cc: Mayor Kriseman  
Jacqueline Kovilaritch, City Attorney  
Gary Cornwell, City Administrator  
Chandrasa Srinivasa, City Clerk

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

A RESOLUTION REQUESTING THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO REVIEW INFORMATION PROVIDED TO CITY COUNCIL BY CONCERNED MEMBERS OF THE PUBLIC AND MEDIA REGARDING POSSIBLE ENVIRONMENTAL CONTAMINATION OF SOIL AND WATER ON AND ADJACENT TO THE SKYWAY TRAP AND SKEET CLUB, INC. IN PINELLAS COUNTY FLORIDA AND TO PURSUE SUCH ACTION AS DEEMED APPROPRIATE PURSUANT TO THEIR RESPECTIVE REGULATORY AUTHORITY; INSTRUCTING THE CITY CLERK TO TRANSMIT THIS RESOLUTION ALONG WITH CERTAIN INFORMATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of St. Petersburg ("City Council") has been contacted by concerned members of the public and media regarding possible environmental contamination of soil and water on and adjacent to the Skyway Trap and Skeet Club, Inc. ("Skyway") located in Pinellas County, Florida outside of the St. Petersburg City limits; and

WHEREAS, the information provided to the City Council raises concerns of possible environmental contamination caused by the accumulation of lead and possibly other contaminants caused by Skyway's operations; and

WHEREAS, the City Council has been made aware of pending legal action between the Southwest Florida Water Management District and Skyway relating in part to an allegation that Skyway is required to install a shot barrier and has failed to do so; and

WHEREAS, City Council has been provided with certain information that appears to suggest that the Florida Department of Environmental Protection may also have authority to require Skyway to install a shot barrier; and

WHEREAS, the protection of Florida's natural resources from environmental contamination which is potentially harmful to the public is of significant concern to the City Council; and

WHEREAS, the City Council for the City of St. Petersburg has no regulatory authority over Skyway and acknowledges the protections afforded sport shooting and training ranges pursuant to Section 790.333 Florida Statutes; and

WHEREAS, nothing in this resolution shall be construed as a request by the City or any of its officials, agents or employees for any action to be pursued in violation of the provisions of Section 790.333 Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the City Council respectfully requests that the Florida Department of Environmental Protection and the United States Environmental Protection Agency review the information provided to the City Council of the City of St. Petersburg by concerned members of the public and media regarding possible environmental contamination of soil and water on and adjacent to the Skyway Trap and Skeet Club, Inc. and pursue such action as deemed appropriate in accordance with their respective authority, including, but not limited to, enforcing the construction of a shot barrier.

BE IT FURTHER RESOLVED that this Council hereby instructs the City Clerk to transmit a copy of this resolution to the Florida Department of Environmental Protection and the United States Environmental Protection Agency along with a copy of the information received by the City Council from members of the public and media concerning possible environmental contamination of soil and water on and adjacent to the Skyway Trap and Skeet Club, Inc.

This resolution shall take effect immediately upon its adoption.

APPROVED AS TO FORM:

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

**COUNCIL AGENDA  
NEW BUSINESS ITEM**

**TO:**                   **Members of City Council**

**DATE:**               **October 9, 2015**

**COUNCIL DATE:**   **October 15, 2015**

**RE:**                   ***Referral to the Public Services & Infrastructure Committee***

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**ACTION DESIRED:**

Respectfully request a referral to the Public Services & Infrastructure Committee to discuss ways to streamline the process for lot clearing of chronic offenders.

**RATIONAL:**

Would like to discuss a process to streamline the length of time to clear a lot for chronic offenders; those that the city cuts on a regular basis. Creating a process to cut the lot by default so the surrounding constituents will not have to undergo our due diligence process.

Wengay Newton, Council Member  
District 7

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

**COMMITTEE REPORT**

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

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

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

- A. Call to Order**
- B. Approval of Agenda-** Approved unanimously
- C. Approval of Minutes - None**
- D. New/Deferred Business**

**1. October 8, 2015**

- a. Public Art Ordinance that requires developers of private construction projects to include a public art component equal to 2% of total projects (Atherholt)**

Wayne Atherholt, Cultural Affairs Director, provided to the Committee recommendations from the Public Art Commission. Mr. Atherholt introduced Cliff Smith with the City of Sarasota to provide a presentation on the Public Art Ordinance for the City of Sarasota. Mr. Smith indicated there are three options available for construction projects to choose from on the Public Art Contribution application. The three options are as follows- make a contribution to the public art fund, provide public art on development site, or provide public art off development site. Mr. Smith also mentioned the contribution to the public art fund is one half of one percent (.005) of the construction value, with a maximum contribution of \$250,000 for buildings more than \$1 million total construction value. Additionally, the option to provide public art, subject to approval by the Public Art Committee, on the development site or in a place off site, of a value of one half one percent (.005) of the total construction value with maximum required value \$250,000.

Mr. Smith highlighted Economic Development is thriving in Sarasota with many real estate development projects under construction and in the pipeline. He stated there are projects with a construction value of over \$500,000 each, which are taking place within the Downtown Community Redevelopment Authority (CRA) boundary and are subject to the Public Art requirements. Mr. Smith also stated projects through the City of Sarasota or through the county are not exempt from the Public Art requirements. The only exemptions are buildings or portions of buildings which include attainable housing units as defined by the City Commission; shall not be required to conform to these requirements or building permits for individual condominium units shall not be required to conform to these requirements. The City of Sarasota Public Art Requirements are applicable to any property owner or developer who applies to the City for a Building Permit to construct or make improvements that exceed \$250,000 in a construction value to a multi-family, mixed-use or commercial building or non-residential portion of a mixed-use building located in the, Downtown Edge(DTE), Downtown Core (DTC), Downtown Bayfront (DTB), Commercial-Central Business District (C-CBD) zone or the Theater & Arts District (TAD) zone, or public building on Governmental Use (G) zoned property located in the Community Redevelopment Area as depicted in the Community Redevelopment Plan adopted September 22, 1986, shall be required to make a public art contribution.

After some further discussion, a motion was made and approved for City Council to hold a workshop consisting of administration, developers, Public Art Commission (PAC), and City Council to discuss Public Art Ordinance requirements. Motion passed unanimously.

**b. Management Evaluation Discussion (Scott)**

Brad Scott, City Auditor, provided to the Committee the process to conduct a Management Evaluation study. Mr. Scott stated Section 4.05(b) (1) of the City Charter states that "City Council, at any time, shall be permitted to conduct a management evaluation, by a professional consultant, of the administrative activities of the City, or any portion thereof, under the direction of City Council. At least once every two years the City Council shall discuss and make a decision as to whether or not any such an audit is needed. The management evaluation and all reports and recommendations shall be directed to the Council." He also stated in FY99, City Council delegated the responsibility of evaluation alternative areas for this study to the Budget Finance & Taxation Committee so they may make recommendations to City Council for their consideration and approval.

Mr. Scott mentioned CR 2012-02 requires the Budget, Finance and Taxation Committee to discuss potential Management Evaluations at the first Budget, Finance and Taxation Committee meeting of each fiscal year.

There was some discussion in regards to having a Management Study to be conducted relative to the Public Works Department on the Sanitary Sewer Lines. After further discussion, a motion was made and approved for a joint BF&T and PS&I Committee Meeting to be held October 22, 2015 with a presentation from administration intending to provide information to help define the scope of the proposed study. Motion passed unanimously.

**E. Continued Business**

**F. Upcoming Meetings Agenda Tentative Issues**

**1. October 22, 2015**

- a. Amend resolution of bank loan for purchase of recycling equipment (Fritz)**
- b. Joint BF&T & PS&I Committee Meeting**

**2. November 16, 2015**

- a. 2015 Budget Clean Up (Green/Fritz)**

**3. November 23, 2015**

- a. 2015 4th Quarter Financial Report (Fritz)**
- b. Investment Oversight Report (Fritz)**
- c. Banking RFP recommendation-JP Morgan Chase (Fritz)**

**4. December 10, 2015**

- a. Quarterly Grant Reports (Ojah-Maharaj)**
- b. Discussion for use of tourist development tax (Zeoli)**

**G. New Business Item Referrals**

**H. Adjournment-** Meeting was adjourned at approximately 9:32 a.m.

City of St. Petersburg  
Youth Services Committee Report  
Thursday, October 8, 2015  
10:30 a.m.

**Room 100**

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

Support Staff: Mike Jefferis, Parks and Recreation Director

- A. Call to Order and Roll Call – Councilmember Amy Foster, Committee Chair  
The meeting was called to order by Chair Foster. Councilmembers in attendance were Bill Dudley, Charlie Gerdes, Steve Kornell, Karl Nurse, and Wengay Newton
- B. Approval of minutes for Youth Services Committee – May 21, 2015  
The minutes for the meeting of May 21, 2015 were approved as submitted.
- C. Agenda Items

Today’s meeting began with a general discussion regarding future agenda items, namely two topics that continue to concern committee members—youth summer employment opportunities and education. The need to identify local businesses that would be willing to employ youth and the importance of a greater connectivity to education among youth were emphasized.

Next, Ms. Trenae Gayle, founder of Secrets Shouldn’t Hurt, Inc., spoke passionately of her desire to help children victimized by sexual abuse and assault. Her short-term objectives include bringing awareness to the rise in such crimes, noting the failures of the systems meant to protect, and connecting with those in need of help and healing. Her long-term objective is to establish a residential home for exploited youth. Trenae is determined to be a voice for the helpless and address the difficult problems that are often ignored. Committee members commended Trenae for her fortitude and vision, presented suggestions for establishing a nonprofit organization, and offered their help in whatever way possible.

- D. Next Meeting Date – Monday, November 16, 2015
- E. Adjournment – Meeting was adjourned at 11:40 a.m.

## MEMORANDUM

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

**FROM:** Jacqueline M. Kovilaritch, City Attorney

**DATE:** October 7, 2015

**RE:** Resolution Amending City Council Policy and Procedures Manual

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Per your request in connection with New Business Item F.1. considered during your October 1, 2015 City Council meeting, attached is a resolution amending the City Council Policy and Procedures Manual. The amendment adds a new Section VII to Chapter 2 entitled Deferral of Agenda Items.

Please feel free to contact me with any questions.

(legal)  
H-1

A RESOLUTION APPROVING AN AMENDMENT TO  
THE CITY COUNCIL POLICY AND PROCEDURES  
MANUAL RELATED TO THE DEFERRAL OF  
AGENDA ITEMS; AND PROVIDING AN EFFECTIVE  
DATE.

WHEREAS, City Council previously adopted the City Council Policy and Procedures Manual ("Manual"); and

WHEREAS, the Manual provides that City Council shall have the authority to amend or modify the policies and procedures established in the Manual by resolution unless the policy or procedure is required by law or the Charter; and

WHEREAS, City Council wishes to amend the Manual to provide for the deferral of agenda items under certain circumstances.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the City Council Policy and Procedures Manual is hereby amended by adding Section VII to Chapter 2 of the Manual, as attached hereto.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content:

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City Attorney (Designee)  
00247984

VII. Deferral of Agenda Items.

- A. Unless otherwise required by law or the Charter, an item appearing on a City Council meeting agenda shall not be heard at such meeting unless City Council has commenced the agenda item prior to 11:00 p.m. Any Council member may move to suspend this policy for one or more agenda items. The motion must be seconded and a majority vote of the quorum present is required for passage.
  
- B. Agenda items not heard pursuant to subsection A. above shall be automatically deferred to the next regular meeting of City Council, or if the item may not be heard at the next regular meeting due to the time period necessary to publish required legal notices, to the first regular meeting following the required notice period. This is an exception to the procedure for deferrals established in Section IV, E, 1, d, of this chapter. Items deferred pursuant to this subsection shall be listed first under the appropriate agenda heading.

**ST. PETERSBURG CITY COUNCIL**

**MEETING OF: October 15, 2015**

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

**SUBJECT:** Confirming Preliminary Assessment for  
Lot Clearing Number(s) LCA 1555

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

<b>LCA:</b>	<u>1555</u>
<b>NUMBER OF STRUCTURES:</b>	<u>162</u>
<b>ASSESSABLE AMOUNT:</b>	<u>\$30,677.23</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 \$30,677.23 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  
 10-15-2015

ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1555 69474	SCOTT, LEROY E 430 W 32ND ST RIVIERA BEACH FL 334043722	36 31 16 01152 000 0130 ANNHURST LOT 13	2703 18TH ST S	184.38
LCA 1555 69475	GROSSMAN, JENNIFER NICOLE 13225 108TH AVE LARGO FL 337744646	27 31 16 01746 000 0010 AUSTIN'S SUB LOT 1	3851 15TH AVE S	204.43
LCA 1555 69476	SHORE, CRAIG R 1291 87TH AVE N SAINT PETERSBURG FL 337022927	24 30 16 02700 006 0120 BARCLEY ESTATES 3RD ADD BLK 6, LOT 12	1291 87TH AVE N	184.38
LCA 1555 69477	PUZZANGHERA, PAUL 1234 DR ML KING JR ST N SAINT PETERSBURG FL 337051001	13 31 16 02916 001 0040 BARTLETT'S ORANGE PARK BLK 1, LOT 4 & THAT PT OF LOT 3 DESC BEG SE COR OF LOT 3 TH W 60FT TH N 9.51n	1236 DR. ML KING JR ST N	184.38
LCA 1555 69478	L H B HOLDINGS LLC 1740 SUNSET DR CLEARWATER FL 337551759	30 31 17 03294 043 0140 BAYBORO BLK 43, LOT 14	1544 BAY ST SE	224.47
LCA 1555 69479	GOLDRING, ERIK SEBASTIAN 525 11TH AVE NE SAINT PETERSBURG FL 337012021	17 31 17 03435 005 0090 BAY FRONT SUB BLK E, LOT 9	525 11TH AVE NE	184.38
LCA 1555 69480	KLIEGER, GERALD E 4151 SUNRISE DR S SAINT PETERSBURG FL 337053932	06 32 17 03708 005 0110 BAYOU BONITA BLK 5, LOTS 11 & 12 & THAT PT OF "PARK" AREA ADJ ON W TO COMMON REAR LOT LINE	4151 SUNRISE DR S	184.38

\*\*\*\* City of St. Petersburg \*\*\*\*  
 Special Assessments Division  
 FINAL ASSESSMENT ROLL  
 10-15-2015

ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1555 69481	KADOUGH, RICHARD 7800 3RD AVE S  SAINT PETERSBURG FL 337071026	31 31 17 03960 001 0270 BAYOU VISTA REV MAP BLK A, LOT 27	744 36TH AVE S	184.38
LCA 1555 69482	TARPON IV LLC 18305 BISCAYNE BLVD STE 400  NORTH MIAMI BEACH FL 331602172	31 31 17 03960 002 0280 BAYOU VISTA REV MAP BLK B, LOT 28 AND S 3/4 OF LOT 26	731 36TH AVE S	184.38
LCA 1555 69483	ISRA DEVELOPMENT LLC 3501 1ST AVE S  SAINT PETERSBURG FL 337111303	17 31 17 04842 003 0011 BAY SHORE REV BLK 3, N 67FT OF LOT 1 & E 15FT OF N 67FT OF LOT 2	840 BAY ST NE	184.38
LCA 1555 69484	WELLS FARGO BANK N A TRE 7105 CORPORATE DR  PLANO TX 750244100	21 31 16 07182 011 0030 BELLECREST HEIGHTS BLK 11, LOT 3	5016 4TH AVE S	184.38
LCA 1555 69485	BALABAN, HENRY K 206 BATHURST ST  TORONTO ON CN M5Y2R9	18 31 17 09504 000 0081 BOBBITT'S SUB W 36.5FT OF LOT 8	862 12TH AVE N	184.38
LCA 1555 69486	GOROON, HAYWARD 11206 GATE HOUSE DR  TAMPA FL 336254973	25 31 16 10206 000 0180 BONNIVISTA SUB LOT 18	1636 13TH ST S	184.38
LCA 1555 69487	PERRIN, WARD E EST 5202 S KIMBARK AVE  CHICAGO IL 606154010	09 31 16 10998 001 0030 BRENTWOOD HEIGHTS 2ND ADD BLK 1, LOT 3	3325 55TH ST N	184.38

\*\*\*\* City of St. Petersburg \*\*\*\*  
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 10-15-2015

ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1555 69488	MC DONALD, MARVETTA EST 4530 23RD AVE S SAINT PETERSBURG FL 337113302	33 31 16 11394 013 0080 BRIDWELL'S SHADOW LAWN PARK BLK M, LOT 8	4815 YARMOUTH AVE S	184.38
LCA 1555 69489	BLACK, SHAUN APT 2 846 W ROSCOE ST CHICAGO IL 606578435	27 31 16 12474 000 2010 BRUNSON-DOWELL SUB NO. 1 LOT 201 (SEE N34-31-16)	2317 44TH ST S	184.38
LCA 1555 69490	CRISWELL, MARGARET 2020 OAK ST NE SAINT PETERSBURG FL 337043552	27 31 16 12474 000 2160 BRUNSON-DOWELL SUB NO. 1 LOT 216 & N 0.22FT OF LOT 215	2035 44TH ST S	184.38
LCA 1555 69491	CWALT INC ALTERNATIVE LOAN TRU 200 SW 1ST AVE 12TH FLR INVALID ZIP CODE	13 31 16 12528 000 0890 BRUNSON'S NO. 4 LOTS 89 AND 90	1739 20TH AVE N	184.38
LCA 1555 69492	LATTIMORE, ESSIE M 7290 HUNTERS RIDGE DR DOUGLASVILLE GA 301344000	26 31 16 12636 000 0520 BRYN MAWR NO. 2 LOT 52 & W 8FT OF LOT 51	2498 14TH AVE S	184.38
LCA 1555 69493	ROJAS, JOSE M JR 13908 HAYWARD PL TAMPA FL 336188413	30 31 17 12708 000 0410 BUENA VISTA LOT 41	712 14TH AVE S	184.38
LCA 1555 69494	827 NEWTON AVE LAND TRUST 1040 BAYVIEW DR STE 610 FORT LAUDERDALE FL 333042506	30 31 17 12708 000 0640 BUENA VISTA LOT 64	827 NEWTON AVE S	184.38

\*\*\*\* City of St. Petersburg \*\*\*\*  
 Special Assessments Division  
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LCA 1555 69495	5257 TRUST PO BOX 1206  PINELLAS PARK FL 337801206	21 31 16 14454 004 0100 CENTRAL AVENUE HOMES BLK 4, LOT 10	5253 1ST AVE S	184.38
LCA 1555 69496	MENZLI, MOHAMED 2338 26TH ST S  SAINT PETERSBURG FL 337123434	21 31 16 14562 005 0150 CENTRAL PARK REV BLK 5, LOT 15	4711 1ST AVE N	184.38
LCA 1555 69497	MERCURY 1 LLC 18305 BISCAYNE BLVD STE 400  NORTH MIAMI BEACH FL 331602172	25 31 16 15012 000 0440 CHEROKEE SUB N 1/2 OF LOT 44	954 12TH AVE S	184.38
LCA 1555 69498	TAX CERTIFICATE REDEMPTIONS IN 925 ARTHUR GODFREY RD STE 102  MIAMI BCH FL 331403337	27 31 16 15408 005 0030 CHILDS PARK BLK 5, S 1/2 OF LOT 3	3519 20TH AVE S	184.38
LCA 1555 69499	BYRD, MATTHIAS 3528 19TH AVE S  SAINT PETERSBURG FL 337113209	27 31 16 15408 005 0041 CHILDS PARK BLK 5, S 80FT OF LOT 4	3527 20TH AVE S	184.38
LCA 1555 69500	D & D INVESTORS LLC 9102 BEDFORD DR  BOCA RATON FL 33434	25 31 16 15516 000 0060 CITRUS HEIGHTS LOTS 6 AND 7	805 14TH ST S	184.38
LCA 1555 69501	LOTHIAN, HITTE M 2507 3RD AVE S  SAINT PETERSBURG FL 337121604	23 31 16 17442 006 0150 COLONIAL PLACE REV BLK 6, LOTS 15 & 16	2507 3RD AVE S	374.81

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LCA 1555 69502	L J I PROPERTIES LLC 10396 YOSEMITE LN INDIANAPOLIS IN 462349825	23 31 16 17442 007 0010 COLONIAL PLACE REV BLK 7, LOT 1	2500 3RD AVE S	100.00
LCA 1555 69503	TAX CERTIFICATE REDEMPTIONS IN 925 ARTHUR GODFREY RD STE 102 MIAMI BCH FL 331403337	23 31 16 17442 011 0070 COLONIAL PLACE REV BLK 11, LOT 7	2650 4TH AVE S	184.38
LCA 1555 69504	O B L E 3 LLC PO BOX 926 SAINT PETERSBURG FL 337310926	23 31 16 17442 011 0080 COLONIAL PLACE REV BLK 11, LOT 8	2662 4TH AVE S	184.38
LCA 1555 69505	BROWN, KATHY L 3775 MANATEE DR SE SAINT PETERSBURG FL 337054015	32 31 17 18036 023 0140 COQUINA KEY SEC 1 BLK 23, LOT 14	3775 MANATEE DR SE	184.38
LCA 1555 69506	CROMWELL HEIGHTS 20TH AVE S LA PO BOX 923 SAINT PETERSBURG FL 337310923	25 31 16 19350 005 0040 CROMWELL HEIGHTS BLK E, LOT 4	920 20TH AVE S	184.38
LCA 1555 69507	SUNCOAST PROPERTY PARTNERS LLC 1075 59TH AVE S SAINT PETERSBURG FL 337055051	30 31 17 19782 001 0120 CROXTON SUB BLK 1, LOT 12	1449 5TH ST S	184.38
LCA 1555 69508	SUNSHINE LENDERS LLC 5801 SW 185TH WAY FT LAUDERDALE FL 333321475	25 31 16 20232 003 0030 DALY'S SUB REVISED BLK 3, LOTS 3,4 AND 5	1820 12TH AVE S	184.38

\*\*\*\* City of St. Petersburg \*\*\*\*  
 Special Assessments Division  
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 10-15-2015

ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1555 69509	VERONA V LLC 18305 BISCAYNE BLVD STE 400 NORTH MIAMI BEACH FL 331602172	25 31 16 20232 003 0060 DALY'S SUB REVISED BLK 3, LOT 6	1812 12TH AVE S	184.38
LCA 1555 69510	MIZELL, BERNARD 3636 10TH AVE N SAINT PETERSBURG FL 337136528	27 31 16 20610 002 0040 DEARMINS SUB NO. 4 BLK 2, LOT 4	3946 9TH AVE S	204.43
LCA 1555 69511	IN, JIMMYKHAN 5034 32ND AVE N SAINT PETERSBURG FL 337102720	09 31 16 21258 005 0030 DISSTON GARDENS BLK E, LOT 3	5034 32ND AVE N	184.38
LCA 1555 69512	VERONA V LLC 18305 BISCAYNE BLVD STE 400 NORTH MIAMI BEACH FL 331602172	25 31 16 22320 000 0400 DOUGLAS PARK LOT 40	1200 UPTON CT S	224.47
LCA 1555 69513	NERO, JOE W SR 5206 CAESAR WAY S SAINT PETERSBURG FL 337124257	25 31 16 22320 000 0490 DOUGLAS PARK LOTS 49,50,51 AND 52	1223 21ST ST S	184.38
LCA 1555 69514	MAPLES, JOHN E 851 12TH AVE N SAINT PETERSBURG FL 337011003	18 31 17 24174 000 0231 EAST VIEW ADDITION S 72FT OF LOT 23	851 12TH AVE N	184.38
LCA 1555 69515	DONOVAN, MARC 1320 OAK VALLEY DR SEFFNER FL 335844918	31 30 17 24822 026 0070 EDGEWOOD ESTATES BLK 26, LOT 7	6014 CEDAR ST NE	184.38

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 10-15-2015

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LCA 1555 69516	LONGANECKER, JULIE J EST 6091 102ND AVE N  PINELLAS PARK FL 337823104	27 31 16 28890 000 0860 FOREST HEIGHTS REV PLAT LOT 86	1530 44TH ST S	184.38
LCA 1555 69517	M S I CONSULTING INC 1464 S 50 W  PAYSON UT 846513044	25 31 16 28908 000 0100 FOREST HILL LOT 10	2027 13TH AVE S	184.38
LCA 1555 69518	NOBIS SUBSIDIO 12 LLC PO BOX 483  PALM CITY FL 349910483	25 31 16 28908 000 0270 FOREST HILL LOT 27	2010 13TH AVE S	184.38
LCA 1555 69519	J & R PROPERTIES OF BRANDON IN 614 VINTAGE WAY  BRANDON FL 335116366	21 31 16 28926 003 0040 FOREST HILLS SUB BLK 3, LOTS 4 AND 5	5130 5TH AVE S	184.38
LCA 1555 69520	SEGARS, RONALD 5000 EMERSON AVE S  SAINT PETERSBURG FL 337072649	21 31 16 28926 005 0010 FOREST HILLS SUB BLK 5, LOTS 1 AND 2	5000 EMERSON AVE S	214.45
LCA 1555 69521	JOHNSON, EDWARD A L EST 4930 EMERSON AVE S  SAINT PETERSBURG FL 337072647	21 31 16 28926 006 0180 FOREST HILLS SUB BLK 6, LOT 18	4930 EMERSON AVE S	184.38
LCA 1555 69522	MERCURY 1 LLC 18305 BISCAYNE BLVD STE 400  NORTH MIAMI BEACH FL 331602172	25 31 16 28944 000 0020 FORREST HILL NELLIE M DAVIS N 1/2 OF LOT 2	1216 19TH ST S	184.38

\*\*\*\* City of St. Petersburg \*\*\*\*  
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 FINAL ASSESSMENT ROLL  
 10-15-2015

ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1555 69523	MARSHALL, ROSA 1760 QUEEN ST S SAINT PETERSBURG FL 337122862	25 31 16 29682 009 0190 FRUITLAND HEIGHTS PLAT B BLK I, LOT 19	1743 19TH AVE S	184.38
LCA 1555 69524	CHRIST GOSPEL CH SP 2512 22ND AVE S SAINT PETERSBURG FL 337123024	25 31 16 29682 010 0010 FRUITLAND HEIGHTS PLAT B BLK J, LOT 1	1700 19TH AVE S	184.38
LCA 1555 69525	WISSOTA INVESTMENTS LLC 7715 189TH ST CHIPPLE FALLS WI 547296456	25 31 16 29682 010 0060 FRUITLAND HEIGHTS PLAT B BLK J, LOT 6	1717 20TH AVE S	184.38
LCA 1555 69526	DANLEY, LEVOTA F 543 PLEASANT ST SE GRAND RAPIDS MI 495035440	25 31 16 29682 010 0190 FRUITLAND HEIGHTS PLAT B BLK J, LOT 19	1810 19TH AVE S	184.38
LCA 1555 69527	ANAE JADE LLC 7500 NW 25TH ST STE 257 MIAMI FL 33122	30 31 17 30078 000 0320 GARDEN CITY SUB LOT 32	657 15TH AVE S	184.38
LCA 1555 69528	MC CORMACK, KEVIN 15351 ROOSEVELT BLVD CLEARWATER FL 337603534	30 31 17 30744 005 0110 GIBB'S ADD TO ENGLSIDE BLK 5, LOTS 11 AND 12	601 12TH AVE S	184.38
LCA 1555 69529	RENT TO OWN LAND TRUST 1112 WESTON RD # 221 FORT LAUDERDALE FL 333261915	28 31 16 31536 004 0040 GOLDEN GLOW GROVE ESTATES 1ST ADD BLK D, E 29FT OF LOT 4 & W 32FT OF LOT 5	4670 21ST AVE S	184.38

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LCA 1555 69530	THINN, MAXINE 1511 NEWARK ST S SAINT PETERSBURG FL 337112747	25 31 16 33516 000 0080 GREENWOOD PARK E 42.50 FT OF LOT 8 LESS S 7FT FOR ST	935 12TH AVE S	184.38
LCA 1555 69531	8TH AVENUE RESIDENTIAL LAND TR 1314 8TH AVE S SAINT PETERSBURG FL 337051921	25 31 16 33786 000 0280 GROVE HEIGHTS ANNEX LOT 28	1314 8TH AVE S	184.38
LCA 1555 69532	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	184.38
LCA 1555 69533	TEEMER, JANICE PO BOX 249 PUTNEY GA 317820249	25 31 16 33804 000 0200 GROVE HEIGHTS REV LOT 20	1107 9TH AVE S	184.38
LCA 1555 69534	MORAND, SYLTICO 4112 YARDLEY AVE N SAINT PETERSBURG FL 337133353	25 31 16 33924 000 0170 GROVE PARK REPLAT LOT 17	927 8TH AVE S	184.38
LCA 1555 69535	FITZGERALD, CHRISTOPHER J 4050 2ND AVE S SAINT PETERSBURG FL 337111211	21 31 16 35244 003 0070 HALL'S CENTRAL AVE NO. 3 BLK 3, LOT 7 (SEE S 1/2 22-31-16)	4050 2ND AVE S	184.38
LCA 1555 69536	BALABANOVIC, MILIJA 4351 TAHITIAN GARDENS CIR APT HOLIDAY FL 346913735	21 31 16 35244 010 0110 HALL'S CENTRAL AVE NO. 3 BLK 10, LOT 11 SEE S 1/2 22-31-16	4141 5TH AVE S	184.38

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LCA 1555 69537	HART, PAULA 16545 NE 141ST TER FORT MC COY FL 321347423	17 31 16 35424 002 0120 HAMPTON DEVELOPMENT BLK 2, LOT 12 LESS ST	1717 TYRONE BLVD N	184.38
LCA 1555 69538	MARI, WAIL PO BOX 16916 ST PETERSBURG FL 337336916	30 31 17 35460 000 0020 HANKIN SUB LOT 2 & E 10FT OF LOT "A" TOGETHER WITH 10 X 110FT UNPLATTED TRACT W OF LOT 2	631 12TH AVE S	204.43
LCA 1555 69539	WARD, SCOTT M 5695 KIWANIS PL NE SAINT PETERSBURG FL 337032525	31 31 17 36684 000 0950 HARBORDALE SUB E 40FT OF LOT 95	676 25TH AVE S	184.38
LCA 1555 69540	TRUST NO 4350 11125 PARK BLVD STE 104-157 SEMINOLE FL 337724757	01 31 16 37098 002 0490 HARRIS SCHOOL PARK BLK B, LOTS 49 AND 50	4350 19TH ST N	184.38
LCA 1555 69541	ELPHIS LLC 33 4TH ST N STE 201 SAINT PETERSBURG FL 337013806	25 31 16 37152 000 0120 HARRIS', T.C. & A.H. SUB LOT 12	1675 15TH AVE S	224.47
LCA 1555 69542	BOLDEN, JULIOUS LEE EST 719 19TH ST S SAINT PETERSBURG FL 337122334	25 31 16 37170 000 0030 HARRIS', W.D. SUB REV LOT 3	719 19TH ST S	184.38
LCA 1555 69543	JOHNSON, RON 9412 LAUREL LEDGE DR RIVERVIEW FL 335695581	25 31 16 37170 000 0040 HARRIS', W.D. SUB REV LOT 4	727 19TH ST S	184.38

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LCA 1555 69544	BARRY, TODD 261 15TH ST N SAINT PETERSBURG FL 337052013	24 31 16 37512 011 0230 HARVEY'S BLK K, LOT 23	261 15TH ST N	184.38
LCA 1555 69545	BRIDEGO INVEST CORP 1201 N ORANGE ST STE 7190 WILMINGTON DE 198011155	24 31 16 37530 007 0080 HARVEY'S ADD BLK G, LOT 8 AND S 20FT OF LOT 9	349 14TH ST N	184.38
LCA 1555 69546	MIZELLE, JULYE B 5525 SIMMONS DR GARNER NC 275297463	26 31 16 37872 000 0020 HAWK AND HILEY SUB LOT 2	2715 18TH AVE S	204.43
LCA 1555 69547	HIGHSMITH, TWANTA 4055 1ST AVE N SAINT PETERSBURG FL 337138301	22 31 16 43108 002 0020 INTER BAY BLK 2, LOT 2	4055 1ST AVE N	184.38
LCA 1555 69548	TRUST NO 2304 HIGHLAND ST S 2304 HIGHLAND ST S SAINT PETERSBURG FL 337053043	31 31 17 43830 001 0220 JAMIN & JERKINS' LAKEVIEW SUB BLK A, LOT 22	2304 HIGHLAND ST S	184.38
LCA 1555 69549	MAZZA, ANA MARGARITA PO BOX 15923 SAINT PETERSBURG FL 337335923	15 31 16 45648 004 0120 KELLHURST REPLAT BLK D, LOT 12	730 35TH ST N	184.38
LCA 1555 69550	STALLION HOMES LLC PO BOX 151528 TAMPA FL 336841528	30 31 17 46404 003 0090 KERR ADD BLK 3, LOT 9	666 15TH AVE S	184.38

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LCA 1555 69551	642 PRESTON AVE S LAND TRUST PO BOX 3323 JAMESTOWN NY 14702	30 31 17 46404 008 0060 KERR ADD BLK 8, LOT 6	642 PARIS AVE S	184.38
LCA 1555 69552	LUKE, JAMES M 21 ANNAS HOPE CHRISTIANSTED VI 00821	36 31 16 48618 000 0190 LAKEVIEW SUB LOT 19	1509 28TH AVE S	184.38
LCA 1555 69553	VERO ATLANTIC 2 LLC 1401 HWY A1A STE 202 VERO BEACH FL 329635339	36 31 16 48942 000 0140 LAKEVIEW GROVE LOT 14	2415 19TH ST S	184.38
LCA 1555 69554	MOONSTONE LIEN INVESTMENTS LLC PO BOX 645191 CINCINNATI OH 452642312	25 31 16 48960 000 0820 LAKEVIEW HEIGHTS LOTS 80 THRU 83	967 22ND AVE S	234.49
LCA 1555 69555	JOHNSON, LOUIS 2217 QUEENS ST S SAINT PETERSBURG FL 337123652	36 31 16 49068 000 0010 LAKEVIEW TERRACE LOT 1	2217 QUEEN ST S	184.38
LCA 1555 69556	CRESCENZO LAND HOLDINGS INC 3101 N NEBRASKA AVE TAMPA FL 336036029	25 31 16 50022 000 0070 LA PLAZA LDT 7	1750 19TH ST S	184.38
LCA 1555 69557	BARTON, KELLY 3530 1ST AVE N # 108 SAINT PETERSBURG FL 337138422	25 31 16 50022 000 0080 LA PLAZA LOT 8	1740 19TH ST S	184.38

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LCA 1555 69558	DREWS, LAURENCE A 3600 17TH AVE N SAINT PETERSBURG FL 337134804	30 31 17 50400 009 0170 LAUGHNER'S EXTENSION OF KERR ADD BLK 9, LOT 17	1747 6TH ST S	184.38
LCA 1555 69559	ROLFE, LAKEYCIA S PO BOX 17452 TAMPA FL 336827452	30 31 17 50400 010 0100 LAUGHNER'S EXTENSION OF KERR ADD BLK 10, LOT 10	1742 7TH ST S	184.38
LCA 1555 69560	BORDONES, ORLANDO PO BOX 611856 MIAMI FL 332611856	25 31 16 51138 000 0100 LENEVES SUB LOT 10	1515 14TH ST S	184.38
LCA 1555 69561	MONDELLO, DANIEL ANDREW 11323 102ND AVE LARGO FL 337783919	28 31 16 51282 000 0271 LEVERICH'S, J.J. ADD TO TOURIST PARK N 44FT OF LOTS 27 & 28	4734 15TH AVE S	184.38
LCA 1555 69562	WEAVER, CARRIE 1714 OAKCREST DR SOUTHPORT FL 324093574	06 32 17 51444 002 0040 LEWIS ISLAND SEC 1 BLK 2, LOT 4	4359 NEPTUNE DR SE	184.38
LCA 1555 69563	LOVETT, JOSEPH 1740 15TH AVE S SAINT PETERSBURG FL 337122434	25 31 16 52002 001 0010 LINDENWOOD REPLAT BLK A, LOT 1	1740 15TH AVE S	184.38
LCA 1555 69564	LUCAYA LANDINGS CONDO ASSN INC 13924 7TH ST DADE CITY FL 335254904	19 31 17 53160 000 0001 LUCAYA LANDINGS CONDO COMMON ELEMENTS	620 4TH AVE S	184.38

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LCA 1555 69565	EVANS, TOMMY 952 7TH AVE S  SAINT PETERSBURG FL 337051902	25 31 16 53334 000 0031 LUPTON'S COURT S 58FT OF LOT 3	1746 PRESCOTT ST S	184.38
LCA 1555 69566	FLORIDA ASSETS & CO LLC PO BOX 340485  TAMPA FL 336940485	15 31 16 53820 004 0110 MCLEOD'S ADD BLK D, LOT 11	3826 6TH AVE N	184.38
LCA 1555 69567	PERLMAN, ARTHUR 6171 BATHURST ST 1007  NORTH YDRK DN M2R 1Z CN @@@000061	02 31 16 55404 001 0130 MAR-MIC SUB BLK 1, LOT 13	2340 43RD AVE N	184.38
LCA 1555 69568	TABER, MARK 2190 TANGLEWOOD WAY NE  SAINT PETERSBURG FL 337024754	18 31 17 55980 000 0020 MATHIS' LOT 2	721 9TH AVE N	184.38
LCA 1555 69569	BORG FARLING PROP LLC 28 RED OAK LN  CORTLANDT MANOR NY 105676139	18 31 17 55980 000 0190 MATHIS' LOT 19 & PT OF LOT 10 OF RAILSBACK'S SUB & THAT  UNPLATTED LAND ADJ DESC	1032 GRANVILLE CT N	184.38
LCA 1555 69570	JASSAL BROTHERZ LLC 4620 BAY BLVD STE 1141  PORT RICHEY FL 346686150	02 32 16 56156 001 0010 MAXIMO MOORINGS I-275 FIRST ADDITION BLK 1, LOT 1	4920 34TH ST S	214.45
LCA 1555 69571	BANC OF AMERICA FUNDING CORP 2 8950 CYPRESS WATERS BLVD  COPPELL TX 750194620	25 30 16 56646 018 0090 MEADOW LAWN 2ND ADD BLK 18, LOT 9	7217 ORPINE DR N	184.38

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LCA 1555 69572	WRIGHT, KENNETH L 227 63RD AVE S  SAINT PETERSBURG FL 337055425	25 30 16 56664 000 0040 MEADOW LAWN 3RD ADD LOT 4	7110 DR. ML KING JR ST N	184.38
LCA 1555 69573	WEST, GEORGE H 6595 17TH ST N  SAINT PETERSBURG FL 337027215	25 30 16 56772 044 0190 MEADOW LAWN 9TH ADD BLK 44, LOT 19	6595 17TH ST N	184.38
LCA 1555 69574	ALEXANDER, BARRY F 6696 16TH ST N  SAINT PETERSBURG FL 337027210	25 30 16 56772 045 0340 MEADOW LAWN 9TH ADD BLK 45, LOT 34	6696 16TH ST N	184.38
LCA 1555 69575	JACKSON, NANCY C 7201 18TH ST N  SAINT PETERSBURG FL 337024923	25 30 16 56808 056 0200 MEADOW LAWN 11TH ADD BLK 56, LOT 20	7201 18TH ST N	184.38
LCA 1555 69576	ALLEN, CAROLYN E EST 7497 18TH WAY N  SAINT PETERSBURG FL 337024801	25 30 16 56808 059 0260 MEADOW LAWN 11TH ADD BLK 59, LOT 26	7497 18TH WAY N	184.38
LCA 1555 69577	JONES, LANETTE R 118611 NW 8TH CT  MIAMI FL 33169	25 31 16 57114 000 0060 MELLOR'S RESUB LOT 6	1340 MELROSE AVE S	184.38
LCA 1555 69578	GOLDEN, JESSIE M 1901 7TH AVE S  SAINT PETERSBURG FL 337122303	24 31 16 59454 001 0010 MURPHY'S, H.A. BLK A, E 60FT OF S 1/2 OF LOT 1	1901 7TH AVE S	184.38

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LCA 1555 69579	VERA, FERNANDO J 8207 SPLIT RAIL LN HUDSON FL 346672608	24 31 16 59454 001 0180 MURPHY'S, H.A. BLK A, S 1/2 OF LOT 18 LESS PT FOR I-275	1921 FAIRFIELD AVE S	184.38
LCA 1555 69580	ORTIZ, JOSE BERNARDO 2107 W FLORA ST TAMPA FL 336045337	25 31 16 59670 001 0091 NEBRASKA PLACE SUB BLK A, S 60FT OF LOT 9	1271 13TH AVE S	224.47
LCA 1555 69581	1028 56TH AVE N TRUST PO BOX 76160 SAINT PETERSBURG FL 337346160	36 30 16 60696 008 0040 NORTH EUCLID EXTENSION NO. 1 BLK 8, LOT 4	1028 56TH AVE N	184.38
LCA 1555 69582	MEYER, ANGELIKA 4638 4TH AVE N SAINT PETERSBURG FL 337137208	21 31 16 63090 006 0070 OAK RIDGE BLK F, LOT 7	4638 4TH AVE N	184.38
LCA 1555 69583	SMILEY, BARBARA A PO BOX 11534 SAINT PETERSBURG FL 337331534	36 31 16 65358 006 0040 PALLANZA PARK REV MAP BLK 6, 12FT TRIANGLE IN NE COR OF LOT 4 & LOT 5 LESS 12FT TRIANGLE IN SW COR &	784 27TH AVE S	184.38
LCA 1555 69584	ATSI, LUCA ANGELUCCI 5073 CENTRAL AVE UNIT 907 BONITA CA 919083036	36 31 16 65358 012 0040 PALLANZA PARK REV MAP BLK 12, LOT 4 & 15FT X 110 FT TRIANGLE OF LOT 5 ON NE SIDE	923 IVANHOE WAY S	184.38
LCA 1555 69585	O'DELL, JEROME J 1271 W SKYVIEW CROSSING DR HERNANDO FL 344426195	04 31 17 67860 001 0010 PATRICIAN POINT UNIT 2 TRACT B REPLAT BLK A, LOT 1 AND S 28FT OF LOT 2	1457 40TH AVE NE	234.49

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LCA 1555 69586	ZINCK, RONALD L TRE 120 HOLLY DR  WOODBURY NJ 080963324	26 31 16 68004 002 0080 PAUL SUB REVISED MAP BLK 2, W 50FT OF LOT 8	2917 16TH AVE S	184.38
LCA 1555 69587	ST PETERSBURG PROPERTIES INC 300 31ST ST N # 120  SAINT PETERSBURG FL 337137622	25 31 16 68040 003 0030 PAYNE-HANSEN SUB BLK C, LOT 3	1521 PRESTON ST S	184.38
LCA 1555 69588	MUSTO, CHRISTOPHER 1275 66TH ST N # 8191  ST PETERSBURG FL 337439676	14 31 16 68184 004 0050 PELHAM MANOR NO. 1 BLK 4, LOT 5	1600 28TH ST N	204.43
LCA 1555 69589	SALTER-WILLIAMS, MAXINE E 546 50TH AVE S  SAINT PETERSBURG FL 337054934	25 31 16 68778 000 0150 PHOENIX PARK REPLAT LOT 15	1720 QUEEN ST S	184.38
LCA 1555 69590	TAMPA VALUE PROPERTIES INC 4376 LAIRD CIR  SANTA CLARA CA 950544198	12 31 16 69102 014 0120 PINE CITY SUB REPLAT BLK 14, LOT 12	2011 27TH AVE N	184.38
LCA 1555 69591	O C P GREEN STREET LLC 142 W PLATT ST STE 1118  TAMPA FL 336062315	18 31 17 72288 000 0091 PLUNKETT'S S 40FT OF LOTS 9 AND 10	616 7TH ST N	184.38
LCA 1555 69592	MILLER, CHARLES L JR 14275 HIGHWAY 7 # 123  SAN ROBERT MO 65584	12 32 16 72450 003 0070 POINT TERRACE SUB BLK 3, LOT 7	2137 67TH AVE S	184.38

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LCA 1555 69593	WELLS FARGO BANK 3476 STATEVIEW BLVD FORT MILL SC 297157203	22 31 16 72756 004 0030 POWERS CENTRAL PARK SUB BLK 4, LOT 3	3620 DARTMOUTH AVE N	184.38
LCA 1555 69594	SMILEY, EUGENE 3387 CRESCENT OAKS BLVD TARPON SPRINGS FL 346887637	26 31 16 72900 000 0160 PRATHER'S THIRD ROYAL LOT 16	2586 8TH AVE S	184.38
LCA 1555 69595	CAPO, CARLOS 11210 SIGMOND CIR FISHERS IN 460384640	26 31 16 72954 000 0470 PRATHER'S SIXTH ROYAL LOT 47	2417 10TH AVE S	184.38
LCA 1555 69596	COCCO, ANTHONY REV TRUST 4914 STATE RDAD 54 NEW PORT RICHEY FL 346525903	28 31 16 75024 000 0120 RIDGEWAY NO. 2 LOT 12 LESS N 5FT FOR ST	4690 15TH AVE S	184.38
LCA 1555 69597	WEST COAST INVESTMENT INC PO BOX 4488 DEERFIELD FL 33442	27 31 16 75402 000 1640 RIDGEWOOD TERRACE LOT 164	3420 15TH AVE S	244.52
LCA 1555 69598	QUALITY 1ST ENTERPRISES LLC PO BOX 13201 SAINT PETERSBURG FL 337333201	27 31 16 75402 000 1650 RIDGEWOOD TERRACE LOT 165	3426 15TH AVE S	184.38
LCA 1555 69599	MAC DONALD, CARL J EST 169 80TH AVE N SAINT PETERSBURG FL 337024431	30 30 17 75528 003 0210 RIO VISTA BLK 3, LOT 21	169 80TH AVE N	184.38

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LCA 1555 69600	4 JOYCE LLC 424 JONES ST APT 501 SAN FRANCISCO CA 941022023	18 31 17 76140 000 0060 ROBINSON SUB LOT 6	444 JOYCE TERR N	184.38
LCA 1555 69601	MERCADO, JOSE W 4918 19TH ST N SAINT PETERSBURG FL 337143308	01 31 16 76716 004 0270 ROSEDALE SUB REPLAT BLK D, LOT 27	4918 19TH ST N	184.38
LCA 1555 69602	ATTEBERRY, JUDITH L 2772 COUNTRY WOODS LN PALM HARBOR FL 346836413	30 31 17 77400 000 1360 ROYAL POINCIANA LOT 136	667 14TH AVE S	184.38
LCA 1555 69603	RICH PROPERTIES LLC 4376 LAIRD CIR SANTA CLARA CA 950544198	23 31 16 78390 018 0140 ST PETERSBURG INVESTMENT CO SUB BLK 18, LOTS 14, 15 & 16	2201 1ST AVE N	184.38
LCA 1555 69604	ST PETERSBURG PROPERTIES INC 300 31ST ST N STE 101 SAINT PETERSBURG FL 337137650	23 31 16 78390 033 0070 ST PETERSBURG INVESTMENT CO SUB BLK 33, LOT 7	2448 3RD AVE S	184.38
LCA 1555 69605	G G H 47 LLC 18305 BISCAYNE BLVD STE 400 NORTH MIAMI BEACH FL 331602172	25 31 16 79722 000 0410 SEMINOLE HEIGHTS REV SUB LOT 41	1900 21ST ST S	184.38
LCA 1555 69606	30 DAYS REAL ESTATE CORP TRE 15 S NEPTUNE AVE CLEARWATER FL 337653622	25 31 16 79722 000 0430 SEMINOLE HEIGHTS REV SUB S 1/2 LOT 43 & N 17.5FT OF LOT 44	1916 21ST ST S	184.38

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LCA 1555 69607	30 DAYS REAL ESTATE CORP TRE 15 S NEPTUNE AVE CLEARWATER FL 337653622	25 31 16 79722 000 0440 SEMINOLE HEIGHTS REV SUB S 32.5FT OF LOT 44 & VAC 10FT ALLEY ADJ ON S	1926 21ST ST S	184.38
LCA 1555 69608	LEFEBVRE, EILEEN M 601 64TH AVE S SAINT PETERSBURG FL 337055919	07 32 17 80316 002 0160 SETCHELL'S PINELLAS POINT SUB BLK 2, LOT 16	601 64TH AVE S	184.38
LCA 1555 69609	JAMIESON, DAVID 203 SHERATON CT OAKVILLE ON CN L7L5N3	04 31 17 81432 003 0030 SHORE ACRES BUTTERFLY LAKE REPLAT UNIT 7 BLK 3, N'LY 51.24FT OF LOT 3 & SW'LY 25.52FT OF LOT 4	4891 SHORE ACRES BLVD NE	204.43
LCA 1555 69610	PERRY, ALICE K EST 1332 26TH AVE S SAINT PETERSBURG FL 337053432	36 31 16 82944 000 0090 SMITH'S REPLAT, E.A. LOT 9	1332 26TH AVE S	184.38
LCA 1555 69611	THDMPSON ENTERPRISES INC 8624 RIDGE RD SEMINOLE FL 337723527	25 31 16 83142 000 0060 SMITH'S, S.V. REVISED LOTS 6 & 7	740 21ST ST S	184.38
LCA 1555 69612	MILLER, HENRY 1112 FAIRGROUND CT KINGSTON TN 377632657	05 31 17 83754 013 0140 SNELL SHORES UNIT 1 BLK 13, LOT 14 & W 10.6FT OF LOT 15 (SEE S06 MAP)	117 40TH AVE NE	184.38
LCA 1555 69613	PIZZA, JUSTIN 149 40TH AVE NE SAINT PETERSBURG FL 337035821	05 31 17 83754 013 0180 SNELL SHORES UNIT 1 BLK 13, E 25.4FT OF LOT 17 & W 39.6FT OF LOT 18  (SEE S06 MAP)	149 40TH AVE NE	184.38

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LCA 1555 69614	STERN, RAYMOND UTD 2391 66TH TER S SAINT PETERSBURG FL 337125320	11 32 16 85248 001 0150 STEPHENSON'S SUB NO. 2 BLK A, LOT 15	2391 66TH TERR S	184.38
LCA 1555 69615	BAYFORCE ENTERPRISES INC 5227 5TH ST S SAINT PETERSBURG FL 337054908	25 31 16 85392 000 0160 STEVEN'S SUB LOT 16	2000 MELROSE AVE S	184.38
LCA 1555 69616	NOORANI, AKBAR 160 STATON CIR OLDSMAR FL 34677	25 31 16 89604 000 0090 TANGERINE CENTRAL LOT 9	2155 17TH AVE S	184.38
LCA 1555 69617	R S PETRO INC 380 COMMERCE PKWY ROCKLEDGE FL 329554208	26 31 16 89676 001 0240 TANGERINE TERRACE BLK 1, LOTS 24, 25 & 26 LESS W 40FT OF LOT 26 FOR RD R/W	3334 15TH AVE S	184.38
LCA 1555 69618	TARPON IV LLC 18305 BISCAYNE BLVD STE 400 NORTH MIAMI BEACH FL 331602172	26 31 16 89712 003 0120 TANGERINE TERRACE NO. 2 BLK C, S 50FT OF LOT 12	1911 31ST ST S	184.38
LCA 1555 69619	GLOVER, RICHARD T 6711 30TH AVE N SAINT PETERSBURG FL 337103103	07 31 16 90162 000 1500 TERESA GARDENS LOT 150	6711 30TH AVE N	244.52
LCA 1555 69620	YOMANS, ERNEST M 2324 SUNRISE DR SE SAINT PETERSBURG FL 337053337	32 31 17 92232 003 0060 TROPICAL SHORES BLK C, LOT 6	2324 SUNRISE DR SE	184.38

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LCA 1555 69621	WOODS, JACQUELINE D 6000 TOPKE PL NE APT 104 ALBUQUERQUE NM 871092675	25 31 16 92682 000 0040 TUSCAWILLA HEIGHTS LOT 4	2024 21ST ST S	184.38
LCA 1555 69622	FINTAK, PAUL J 2401 72ND ST N SAINT PETERSBURG FL 337103832	07 31 16 93168 002 0030 TYRONE PLANNED INDUSTRIAL DISTRICT BLK 2, LOT 3	2401 72ND ST N	304.65
LCA 1555 69623	O'NEIL, KATHLEEN 1119 TYRONE CT N SAINT PETERSBURG FL 337106206	17 31 16 93744 002 0170 VARIETY VILLAGE REPLAT BLK 2, LOT 17	1119 TYRONE CT N	204.43
LCA 1555 69624	BEVERLY, RICO JOSE 6120 30TH CT S SAINT PETERSBURG FL 337124577	11 32 16 93898 001 0050 VERA MANOR 1ST ADD BLK 1, LOT 5	6120 30TH CT S	184.38
LCA 1555 69625	A B F C 2006-HE1 TRUST 4828 LOOP CENTRAL DR HOUSTON TX 770812212	28 31 16 94248 004 0020 VINSETTA PARK ADD REV BLK 4, LOT 2	4650 8TH AVE S	184.38
LCA 1555 69626	MURPHY, RANDY D 6310 N NEBRASKA AVE TAMPA FL 336046259	22 31 16 96174 007 0070 WEST CENTRAL AVENUE BLK 7, LOT 7	3440 3RD AVE S	184.38
LCA 1555 69627	3516 3RD AVE S TRUST 3460 COUNTRYSIDE BLVD APT 24 CLEARWATER FL 337611338	22 31 16 96174 008 0030 WEST CENTRAL AVENUE BLK 8, LOT 3 & E 1/2 OF LOT 4	3516 3RD AVE S	184.38

\*\*\*\* 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
LCA 1555 69628	ATHENS LAB LLC 4001 BENEVA RD APT 123 SARASOTA FL 342331039	22 31 16 96174 012 0080 WEST CENTRAL AVENUE BLK 12, LOT 8	3460 4TH AVE S	184.38
LCA 1555 69629	HRISTOPOULOS, ANDREAS 48 W PARK ST TARPON SPRINGS FL 346893232	22 31 16 96228 001 0090 WEST CENTRAL AVE RESUB BLK 1, LOTS 9 & 10 AND W 14FT OF LOT 11	3463 2ND AVE S	184.38
LCA 1555 69630	CERES HOLDINGS INC 3101 N NEBRASKA AVE TAMPA FL 336036029	22 31 16 96228 005 0060 WEST CENTRAL AVE RESUB BLK 5, LOT 6	3530 2ND AVE S	184.38
LCA 1555 69631	GREEN, EDDIE 501 SW SELDMEN AVE PT ST LUCIE FL 34953	22 31 16 96228 005 0140 WEST CENTRAL AVE RESUB BLK 5, LOT 14	3519 3RD AVE S	184.38
LCA 1555 69632	KAYE, ANN S 2207 LAUREN DR LARGO FL 337741504	21 31 16 96588 009 0080 WESTMINSTER PLACE BLK 9, LOT 8	5456 3RD AVE S	184.38
LCA 1555 69633	IGBAL, SAJIDA 6A 170 THE DONWAY WEST STE 140 TORONTO ON CN M3C2E8	16 31 16 97290 000 0080 WHITE'S LAKE 4TH ADD LOT 8	5649 13TH AVE N	184.38
LCA 1555 69634	BOWMAN, CHAMERA D 1390 62ND AVE S SAINT PETERSBURG FL 337055622	26 31 16 97560 000 0590 WILDWOOD SUB LOT 59	2580 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 1555 69635	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: 162

TOTAL ASSESSMENT AMOUNT: 30,677.23

SAS805R

A RESOLUTION CONFIRMING AND APPROVING PRELIMINARY ASSESSMENT ROLLS FOR LOT CLEARING NO. 1555; PROVIDING FOR AN INTEREST RATE ON UNPAID ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, preliminary assessment rolls for Lot Clearing No. 1555 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. 1555 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: October 15, 2015**

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

**SUBJECT:** Confirming Preliminary Assessment for  
Building Securing Number SEC 1204

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

<b>SEC:</b>	<u>1204</u>
<b>NUMBER OF STRUCTURES</b>	<u>17</u>
<b>ASSESSABLE AMOUNT:</b>	<u>\$2,710.55</u>

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

**COST/FUNDING/ASSESSMENT INFORMATION:**

The total assessable amount of \$2,710.55 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  
 10-15-2015

ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
SEC 1204 07431	WHITE, MELODY LOVE 4026 34TH AVE S  SAINT PETERSBURG FL 337113905	25 31 16 00648 000 0130 ALMA HEIGHTS REV LOT 13	958 10TH AVE S	90.86
SEC 1204 07432	HARDY, ALERIC C 16821 S 25TH PL  PHOENIX AZ 850488216	25 31 16 14220 000 0220 CASLER HEIGHTS LOT 22 & S 26.5 FT OF LOT 21	2026 UNION ST S	178.26
SEC 1204 07433	ONEWEST BANK FSB 2900 ESPERANZA XING  AUSTIN TX 787583658	25 31 16 29682 010 0200 FRUITLAND HEIGHTS PLAT B BLK J, LOTS 20 & 21	1740 19TH AVE S	112.24
SEC 1204 07434	HOLISTIC ASSETS LLC KORIANDERLAAN 62  AMSTELVEEN NH 1187EE NL @@@000048	31 31 17 32796 000 0260 GRAND VIEW PARK LOT 26	3625 6TH ST S	76.96
SEC 1204 07435	MORTGAGE EQUITY CONVERSION ASS 1 FEDERAL ST 3RD FLR  BOSTON MA 02110	25 31 16 33912 000 0270 GROVE PARK LOT 27	976 8TH AVE S	102.24
SEC 1204 07436	J P MORGAN CHASE BANK 1615 SOUTH CONGRESS AVE STE 20  DELRAY BEACH FL 334456326	18 31 17 46836 002 0070 KINYON & WOODS ADD BLK B, LOT 7	726 GROVE ST N	572.46
SEC 1204 07437	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	119.97

\*\*\*\* 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
SEC 1204 07438	FLORIDA ASSETS & CO LLC PO BOX 340485 TAMPA FL 336940485	15 31 16 53820 004 0110 MCLEOD'S ADD BLK D, LOT 11	3826 6TH AVE N	79.74
SEC 1204 07439	GOLDEN, JESSIE M 1901 7TH AVE S SAINT PETERSBURG FL 337122303	24 31 16 59454 001 0010 MURPHY'S, H.A. BLK A, E 60FT OF S 1/2 OF LOT 1	1901 7TH AVE S	110.47
SEC 1204 07440	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	306.26
SEC 1204 07441	DEUTSCHE BANK NATL TRUST CO TR 1661 WOTHINGTON RD STE 100 WEST PALM BEACH FL 33409	12 31 16 71802 000 0050 PINEWOOD LOT 5	921 22ND AVE N	94.74
SEC 1204 07442	RUCH, THOMAS W 5810 DENVER ST NE SAINT PETERSBURG FL 337031847	33 30 17 81306 005 0090 SHORE ACRES DENVER ST REP BAYOU GRANDE SEC BLK E, S 53.5FT OF LOT 9 & N 18.5FT OF LOT 8	5810 DENVER ST NE	76.96
SEC 1204 07443	AVIS RICHARD T 4039 BAYSHORE BLVD NE SAINT PETERSBURG FL 337035521	04 31 17 81504 002 0030 SHORE ACRES OVERLOOK SEC BLK 2, LOTS 3 AND 4 & RIP RTS	4039 BAYSHORE BLVD NE	76.96
SEC 1204 07444	STERN, RAYMOND UTD 2391 66TH TER S SAINT PETERSBURG FL 337125320	11 32 16 85248 001 0150 STEPHENSON'S SUB NO. 2 BLK A, LOT 15	2391 66TH TERR S	346.96

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\*\*\*\* 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
SEC 1204 07445	T B W MORTGAGE BACKED TRUST 1661 WORTHINGTON RD STE 100  WEST PALM BEACH FL 334096493	11 32 16 85344 005 0210 STEPHENSON MANOR UNIT 2 4TH ADD BLK E, LOT 21	2540 61ST AVE S	104.97
SEC 1204 07446	AKTHER, FARJANA 6780 35TH TER N  SAINT PETERSBURG FL 337101525	07 31 16 86904 005 0020 SUNNY MEAD HEIGHTS BLK 5, LOT 2	6780 35TH TERR N	136.24
SEC 1204 07447	FAMILY FIRST HOMES FLORIDA LLC 3018 MONA LISA BLVD  NAPLES FL 34119	27 31 16 92448 000 0011 TUCKASEIGEE SUB NO. 1 W 1/2 OF LOTS 1,2 AND 3	4395 10TH AVE S	124.26

TOTAL NUMBER OF ASSESSMENTS: 17

TOTAL ASSESSMENT AMOUNT: 2,710.55

SAS805R

**BUILDING SECURING NUMBER SEC 1204**

**COST/FUNDING/ASSESSMENT INFORMATION**

**CATEGORY**

**AMOUNT TO BE ASSESSED**

SECURING COST	\$ 1,265.00
MATERIAL COST	\$ 363.50
LEGAL AD	\$ 317.05
ADMIN. FEE	\$ <u>765.00</u>
<b>TOTAL:</b>	<b>\$ 2,710.55</b>

A RESOLUTION ASSESSING THE COSTS OF SECURING LISTED ON SECURING BUILDING NO. 1204 ("SEC 1204") 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. 1204 ("SEC 1204"); 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 October 15, 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. 1204 ("SEC 1204") 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: October 15, 2015**

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

**SUBJECT:** Confirming Preliminary Assessment for Building Demolition Number **DMO 431**

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

<b>DMO:</b>	<b><u>431</u></b>
<b>NUMBER OF STRUCTURES:</b>	<b><u>5</u></b>
<b>ASSESSABLE AMOUNT:</b>	<b><u>\$71,499.86</u></b>

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

**COST/FUNDING/ASSESSMENT INFORMATION:**

The total assessable amount of **\$71,499.86** will be fully assessable to the property owners.

**ATTACHMENTS:**

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

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

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

**BUILDING DEMOLITION NUMBER DMO 431**  
**COST/FUNDING/ASSESSMENT INFORMATION**

<b><u>CATEGORY</u></b>	<b><u>AMOUNT TO BE ASSESSED</u></b>
Demolition Cost	\$ 51,103.90
Asbestos Cost	\$ 17,267.79
Legal Ad	\$ 965.12
Engineer's Chg	\$ 437.50
Administrative Fee	\$ <u>1,725.55</u>
<b>TOTAL:</b>	<b>\$ 71,499.86</b>

\*\*\*\* City of St. Petersburg \*\*\*\*  
 Special Assessments Division  
 FINAL ASSESSMENT ROLL  
 10-15-2015

ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
DMD 0431 03140	W T H OAKMONT MTG POOL 285 LP PO BOX 703395 DALLAS TX 753703395	21 31 16 07182 012 0090 BELLECREST HEIGHTS BLK 12, LOT 9	4927 5TH AVE S	55,252.73
DMD 0431 03141	ZYANYA INVEST INC 9251 98TH AVE SEMINOLE FL 337771725	23 31 16 24138 006 0180 EAST ROSELAWN BLK 6, LDT 18 & E 1/2 OF LOT 17	549 28TH ST S	457.38
DMD 0431 03142	ISON, BRIAN J EST 3235 KINGSTON ST N SAINT PETERSBURG FL 337132343	10 31 16 31410 000 0500 GOLDEN CREST N 44.29FT OF LOT 50 & S 9.42FT OF LOT 51, & W 8FT OF VAC ALLEY ADJ TO E	3235 KINGSTON ST N	14,464.05
DMD 0431 03143	TRAN, QUYNH 3114 44TH AVE N SAINT PETERSBURG FL 33714	22 31 16 77562 007 0040 RUSSELL PARK BLK 7, LOT 4	4042 4TH AVE N	1,069.18
DMD 0431 03144	CENTURY BANK FSB 5310 SR 64 EAST BRADENTON FL 342085500	25 31 16 85410 000 0330 STEVEN'S SECDND SUB, J.W. LOT 33	2021 14TH AVE S	256.52

TOTAL NUMBER OF ASSESSMENTS: 5

TOTAL ASSESSMENT AMOUNT: 71,499.86

A RESOLUTION ASSESSING THE COSTS OF DEMOLITION LISTED ON BUILDING DEMOLITION NO. 431 ("DMO NO. 431") 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. 431 ("DMO No. 431"); 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 October 15, 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. 431 ("DMO No. 431") 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)

Ordinance No. \_\_\_\_\_

AN ORDINANCE PROVIDING FOR THE SALE  
AND CONSUMPTION OF ALCOHOLIC  
BEVERAGES IN SEMINOLE PARK ON APRIL 3,  
2016 AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Notwithstanding any other Ordinance of the City of St. Petersburg, the sale and consumption of alcoholic beverages shall be permissible on April 3, 2016 in Seminole Park.

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

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

SECTION 4. Section 21-31(e)(11) of the St. Petersburg City Code shall not apply to permits issued pursuant to Section 21-31 of the St. Petersburg City Code for the event entitled Historic Kenwood Pinot in the Park to be held on April 3, 2016 in Seminole Park and

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

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

Approved as to form and content:

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

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**ST. PETERSBURG CITY COUNCIL**

**Meeting of October 15, 2015**

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

**SUBJECT:** **City File LGCP-2015-03:** City-initiated Comprehensive Plan text amendments.

A detailed analysis of the request is provided in Staff Report LGCP-2015-03, attached.

**REQUEST:**

- (A) ORDINANCE\_\_\_\_-H amending Chapter 1, General Introduction, Chapter 3, Future Land Use Element, Chapter 4, Conservation Element and Chapter 5, Coastal Management Element.
- (B) RESOLUTION \_\_\_\_\_ transmitting the proposed Comprehensive Plan text amendments for expedited state, regional and county review, in accordance with Chapter 163, Florida Statutes.

**RECOMMENDATION:**

Administration: The Administration recommends APPROVAL.

Public Input: No visitors, phone calls or correspondence have been received, to date.

Community Planning & Preservation Commission (CPPC): On September 8, 2015 the CPPC held a public hearing regarding these proposed text amendments to the Comprehensive Plan, and recommended APPROVAL by a unanimous vote of 5 to 0.

Recommended City Council Action: 1) CONDUCT the first reading and public hearing for the attached proposed ordinance; 2) APPROVE the attached transmittal resolution; AND 3) SET the second reading and adoption public hearing for December 17, 2015.

Attachments: Ordinance, Resolution, Draft CPPC Minutes, Staff Report

ORDINANCE NO. \_\_\_-H

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF ST. PETERSBURG, FLORIDA; AMENDING CHAPTER 1, GENERAL INTRODUCTION, CHAPTER 3, FUTURE LAND USE ELEMENT, CHAPTER 4, CONSERVATION ELEMENT AND CHAPTER 5, COASTAL MANAGEMENT ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, consistent with the requirements of Chapter 163, Florida Statutes, the City of St. Petersburg has adopted a Comprehensive Plan to establish goals, objectives and policies to guide the development and redevelopment of the City; and

WHEREAS, the City Administration has initiated amendments to several Comprehensive Plan objectives and policies; and

WHEREAS, the Community Planning & Preservation Commission of the City has reviewed these proposed amendments to the Comprehensive Plan at a public hearing held on September 8, 2015 and has recommended approval; and

WHEREAS, the City Council, after taking into consideration the recommendations of the Community Planning & Preservation Commission and the City Administration, as well as the comments received during the public hearing conducted on this matter, finds that the proposed amendments to the City of St. Petersburg Comprehensive Plan are appropriate;

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

Section 1. Section 1.6 in Chapter 1, General Introduction, is hereby amended by adding the following acronyms:

<u>CRS</u>	<u>Community Rating System</u>
<u>LMS</u>	<u>Pinellas County Local Mitigation Strategy</u>
<u>NFIP</u>	<u>National Flood Insurance Program</u>

Section 2. Section 1.7 in Chapter 1, General Introduction, is hereby amended by adding the following terms and definitions:

Community Rating System (CRS) – The National Flood Insurance Program's (NFIP) Community Rating System is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. Property owners within a community that participates in CRS receive discounted flood insurance premium rates that reflect the reduced flood risk resulting from program participation.

National Flood Insurance Program (NFIP) – A Federal program aimed at reducing the impact of flooding on private and public structures. The program provides insurance for property owners and encourages communities to adopt and enforce floodplain management regulations. Overall, the program reduces the socio-economic impact of disasters by promoting the purchase and retention of Risk Insurance in general, and National Flood Insurance in particular.

Pinellas County Local Mitigation Strategy (LMS) – The Pinellas County Local Mitigation Strategy, originally adopted in 1998 and subsequently updated in 2004, 2009 and 2014, is a plan that serves as a bridge between local governments’ comprehensive growth management plans, the county comprehensive emergency management plan, land development regulations, and relevant ordinances and codes such as those for floodplain management. This strategy integrates mitigation initiatives established through various policies, programs, and regulations into a single stand-alone working document.

Section 3. New Policy LU3.1(E)(8) in Chapter 3, the Future Land Use Element, is hereby added to read as follows:

Target Employment Center (TEC) Overlay – Overlaying the future land use designations of those areas, not less than 100 acres in size, that are now developed or appropriate to be developed in a concentrated and cohesive pattern to facilitate employment uses of countywide significance. Permitted uses and density/intensity standards shall be as per the underlying future land use categories, with a 100 percent intensity bonus for manufacturing, office and research/development uses.

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Section 4. New Policy LU3.1(G) in Chapter 3, the Future Land Use Element, is hereby added to read as follows:

Table Showing Countywide Plan Map Categories and Corresponding Future Land Use Map Categories

<u>Countywide Plan Map Categories</u>	<u>Corresponding Future Land Use Map Categories</u>
<u>Residential Very Low</u>	<u>None.</u>
<u>Residential Low Medium</u>	<u>Residential Low, Residential Urban, Residential Low Medium</u>
<u>Residential Medium</u>	<u>Residential Medium, Planned Redevelopment-Residential</u>
<u>Residential High</u>	<u>Residential High</u>
<u>Office</u>	<u>Residential/Office General</u>
<u>Resort</u>	<u>Resort Facilities Overlay</u>
<u>Retail &amp; Services</u>	<u>Commercial General</u>
<u>Employment</u>	<u>Industrial Limited</u>
<u>Industrial</u>	<u>Industrial General</u>
<u>Activity Center</u>	<u>Activity Center Overlay (includes the underlying categories of Central Business District, Community Redevelopment District, Planned Redevelopment-Commercial, Planned Redevelopment-Mixed Use, Planned Redevelopment-Residential, Residential High, Residential Medium, Residential/ Office General, Recreation/Open Space, Transportation/Utility, Institutional, Industrial Limited and Industrial General)</u>
<u>Multimodal Corridor</u>	<u>Planned Redevelopment-Mixed Use</u>
<u>Public/Semi-Public</u>	<u>Institutional, Transportation/Utility</u>
<u>Recreation/Open Space</u>	<u>Recreation/Open Space</u>
<u>Preservation</u>	<u>Preservation</u>
<u>Target Employment Center</u>	<u>Target Employment Center Overlay (includes the underlying categories of Planned Redevelopment-Commercial, Planned Redevelopment-Mixed Use, Residential/Office General, Transportation/Utility, Institutional, Industrial Limited and Industrial General)</u>
<u>Scenic/Non-Commercial Corridor Overlay</u>	<u>Scenic/Non-Commercial Corridor Overlay</u>

Section 5. Objective LU7 in Chapter 3, Future Land Use Element, is hereby amended to read as follows:

Development activities of all kinds within the coastal hazard areas shall be consistent with the goals, objectives and policies of the Coastal Management Element of the Comprehensive Plan ~~and any interagency hazard mitigation report recommendations deemed appropriate by the City.~~

Section 6. Policy LU7.7 in Chapter 3, Future Land Use Element, is hereby deleted as follows:

~~The City will encourage the mitigation, reduction or elimination of uses that are inconsistent with any interagency hazard mitigation report recommendations that the City determines appropriate.~~

Section 7. Policy LU8.1 in Chapter 3, Future Land Use Element, is hereby amended to read as follows:

Pursuant to the requirements of Section 163.3202, F.S. ~~and Chapter 9J-5 F.A.C.~~ the land development regulations (Chapter 16, City Code of Ordinances) will be amended, as necessary, to ensure consistency with the goals, objectives and policies of the Comprehensive Plan. ~~The development regulations include:~~

- ~~1. Sign Ordinance;~~
- ~~2. Subdivision Ordinance;~~
- ~~3. Zoning Ordinance;~~
- ~~4. Historic Preservation Ordinance;~~
- ~~5. Drainage and Surface Water Management Ordinance;~~
- ~~6. Landscaping for Vehicular Use Areas Ordinance;~~
- ~~7. Flood Damage Prevention Ordinance;~~
- ~~8. Vegetation Ordinances;~~
- ~~9. Concurrency Ordinance;~~

Section 8. Objective LU9 in Chapter 3, Future Land Use Element, is hereby amended to read as follows:

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.~~

Section 9. Policy LU9.3 in Chapter 3, Future Land Use Element, is hereby deleted as follows:

~~The City will continue to monitor the Nonconforming and Grandfathered Situations section of the Land Development Regulations to implement provisions that encourage the elimination or reduction of uses inconsistent with interagency hazard mitigation report recommendations that the City deems appropriate.~~

Section 10. The following issue in Chapter 3, Future Land Use Element, is hereby amended to read as follows:

ISSUE: Existing Community Redevelopment Areas

The City has ~~seven~~ four existing community redevelopment areas that were adopted under the provisions of Florida's Community Redevelopment Act (Section 163.330 *et seq.*, F.S.): Intown, Intown West, Bayboro Harbor, ~~Dome Industrial Park Pilot Project, Tangerine Avenue, Dome Industrial Park and 16th Street South~~ and South St. Petersburg. Each area has an adopted redevelopment plan that specifies long range redevelopment objectives. Each redevelopment plan addresses the unique needs and potentials of the areas. Implementation of the redevelopment plans has in every case stimulated positive actions toward reaching the redevelopment goals objectives and policies. Continued implementation of these plans is essential to revitalization of blighted and underutilized areas of the City.

Section 11. Policy LUI3.1 in Chapter 3, Future Land Use Element, is hereby amended to read as follows:

Development proposals in community redevelopment areas shall be reviewed for compliance with the goals, objectives and policies of the Comprehensive Plan and the goals, objectives and policies of the applicable adopted redevelopment plan including:

1. Intown Redevelopment Plan;
2. Bayboro Harbor Redevelopment Plan;
3. ~~16th Street South Revitalization Plan;~~
4. ~~Tangerine Avenue Redevelopment Plan;~~
3. Intown West Redevelopment Plan; and
6. ~~Dome Industrial Park Pilot Project Redevelopment Plan; and~~
7. ~~Dome Industrial Park Redevelopment Plan.~~
4. South St. Petersburg Redevelopment Plan

Section 12. Policy C1.1 in Chapter 4, Conservation Element, is hereby amended to read as follows:

The City will actively enforce minimum building standards identified in the ~~adopted Flood Damage Prevention Ordinance~~ Florida Building Code and Land Development Regulations for construction within the 100-year flood plain.

Section 13. The following issue in Chapter 5, Coastal Management Element, is hereby amended to read as follows:

ISSUE: Hazard Mitigation

In St. Petersburg's development process, natural hazard mitigation focuses on construction that is built to survive the effects of a 100-year storm. ~~Present ordinances do not adequately address natural hazard mitigation or land use in flood prone areas.~~ With the adoption of the two feet of freeboard requirement (Florida Building Code, Chapter 8 of the City Code), and focus on Community Rating System (CRS) activities, the City now more fully addresses mitigation in flood prone areas. According to ~~1996~~ 2015 data provided by FEMA, St. Petersburg is ranked the #46 in Florida with regard to repetitive losses community in Florida, which is a significant an improvement from being ranked #1 in 1996.

Section 14. Objective CM11 in Chapter 5, Coastal Management Element, is hereby amended to read as follows:

The City will reduce natural hazard impacts through compliance with FEMA regulations, participation in NFIP's Community Rating System (CRS) and by targeting repetitive flood loss and vulnerable properties for mitigation.

Section 15. Policy CM11.9 in Chapter 5, Coastal Management Element, is hereby deleted as follows:

~~The City will encourage mitigation, reduction or elimination of uses that are inconsistent with any interagency hazard mitigation report recommendations that the City deems appropriate.~~

Section 16. Renumbered Policy CM11.9 in Chapter 5, Coastal Management Element, is hereby amended to read as follows:

The City shall continue to participate in the Federal Emergency Management Agency's National Flood Insurance Program and Community Rating System in order to achieve higher flood insurance premium discounts.

Section 17. Renumbered Policy CM11.12 in Chapter 5, Coastal Management Element, is hereby amended to read as follows:

~~After adoption of the Pinellas County Local Hazard Mitigation Strategies by Pinellas County, the City will consider amendments to its comprehensive plan and land development regulations based upon any new or revised the recommendations therein. of in the Pinellas County Local Mitigation Strategy.~~

Section 18. Renumbered Policy CM11.13 in Chapter 5, Coastal Management Element, is hereby amended to read as follows:

The City will continue to attend ~~the continuing~~ meetings of the Pinellas County Local Hazard Mitigation Strategy Work Group Committee to ensure that the strategies are implemented and updated as necessary.

Section 19. New Policy CM11.14 in Chapter 5, Coastal Management Element, is hereby added to to read as follows:

In order to reduce flood risk, the City shall continue to promote the use of the development and redevelopment principles, strategies and engineering solutions contained in the Florida Building Code and the Land Development Regulations.

Section 20. New Policy CM11.15 in Chapter 5, Coastal Management Element, is hereby added to read as follows:

Through implementation of the Land Development Regulations, the City will continue to be consistent with, and in some instances more stringent than, the flood-resistant construction requirements in the Florida Building Code and federal flood plain management regulations.

Section 21. Policy CM12.4 in Chapter 5, Coastal Management Element, is hereby deleted as follows:

~~The City shall maintain records consistent with the Federal Insurance Administration's listing of community selection factors for assistance in purchasing properties under Section 1362 of the National Flood Insurance Act.~~

Section 22. Severability. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is deemed unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provision of this ordinance.

Section 23. Coding. Words in struck-through type shall be deleted. Underlined words constitute new language that shall be added. Provisions not specifically amended shall continue in full force and effect.

Section 24. Effective date. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, the effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by

adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

REVIEWED AND APPROVED AS TO  
FORM AND CONTENT:

  
\_\_\_\_\_  
Asst. City Attorney (or Designee)

9/11/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Planning & Economic Development Dept.

9-10-15  
\_\_\_\_\_  
Date

RESOLUTION NO. 2015-\_\_\_

A RESOLUTION TRANSMITTING PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENTS FOR STATE, REGIONAL AND COUNTY REVIEW AS REQUIRED BY THE COMMUNITY PLANNING ACT (CHAPTER 163, PART II, FLORIDA STATUTES); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Community Planning Act requires that all text amendments to the Comprehensive Plan be forwarded for state, regional and county review and comment in compliance with statutory requirements; and

WHEREAS, the St. Petersburg Community Planning & Preservation Commission, acting as the Local Planning Agency, has reviewed and acted on a series of Comprehensive Plan text amendments as required by Section 163.3174, F.S.

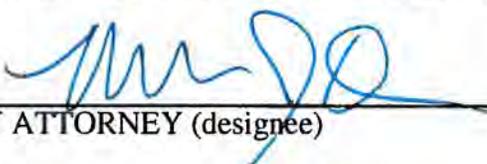
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida:

That the Comprehensive Plan text amendments acted on by the City of St. Petersburg Community Planning & Preservation Commission on September 8, 2015 attached to this resolution, be transmitted for state, regional and county review pursuant to Section 163.3184(3), Florida Statutes (Expedited State Review Process).

This Resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:

City File LGCP-2015-03

	9-10-15
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT	DATE
	9/11/15
CITY ATTORNEY (designee)	DATE



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CITY OF ST. PETERSBURG

COMMUNITY PLANNING & PRESERVATION COMMISSION

PUBLIC HEARING

September 8, 2015

## PUBLIC HEARING

City File LGCP-2015-03

Contact Person: Rick MacAulay, 551-3386

**Request:** City-initiated amendments to the Comprehensive Plan pertaining to (1) the General Introduction, the Future Land Use Element, Conservation Element, and Coastal Management Element to address Senate Bill 1094 (“Peril of Flood”) which became law on July 1, 2015; and (2) the Future Land Use Element to address the new Countywide Plan, administered by the Pinellas Planning Council (PPC), and the recently adopted South St. Petersburg Redevelopment Plan.

### Staff Presentation

Cate Lee began a PowerPoint presentation based on the staff report with Rick MacAulay concluding.

Commissioner Whiteman asked what “freeboard” is on a building. Scott Crawford explained that freeboard is the extra height that is required to build a building that would be over and above the base flood elevation. FEMA had developed flood maps for the City with established elevations for building floor heights.

Commission Vice-Chair Wolf asked if the City’s recently adopted two feet (2’) of freeboard is applied to all areas within the City or for specific areas. Mr. Crawford stated that the now required two feet (2’) of freeboard will be applied to special flood hazard and velocity areas (basically A Zones, AE Zones, V Zones or VE Zones).

Commissioner Michaels stated that he is glad to see that the City had gone from #1 with the largest number of repeat flood losses to #6 as well as getting the 20% discount for homeowners participating in the National Flood Insurance Program (NFIP). He then asked about the Target Employment Center overlay. Mr. MacAulay stated this is brand new to the Countywide Plan Rules, and was deemed an important tool in identifying industrially-zoned areas within the county and allowing for an incentive to get more office, manufacturing, and research and development jobs to relocate to those areas.

### Public Hearing

No speakers present.

### Executive Session

**MOTION:** *Commissioner Whiteman moved and Commissioner Michaels seconded approving the approval of the Comprehensive Plan amendments addressed in the staff report including the updated table in LU3.1 (G).*

**VOTE:** *YES – Wolf, Burke, Michaels, Reese, Whiteman  
NO - None*

*Motion passed by a vote of 5 to 0.*



**Staff Report to the St. Petersburg Community Planning & Preservation Commission**  
Prepared by the Planning & Economic Development Department,  
Urban Planning and Historic Preservation Division

For Public Hearing and Executive Action on September 8, 2015  
at **3:00 p.m.**, in the City Council Chambers, City Hall,  
175 Fifth Street North, St. Petersburg, Florida.

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**City File #LGCP-2015-03**  
Agenda Item V.

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**Request:** City Administration requests that the Comprehensive Plan be amended as follows:

1. Proposed text amendments to Chapter 1, General Introduction, Chapter 3, Future Land Use Element, Chapter 4, Conservation Element and Chapter 5, Coastal Management Element to address Senate Bill 1094 (“Peril of Flood”) which became law on July 1, 2015.
2. Proposed text amendments to Chapter 3, Future Land Use Element, to address the new Countywide Plan, administered by the Pinellas Planning Council (PPC), and the recently adopted South St. Petersburg Redevelopment Plan.

**Staff Analysis:** The following analysis addresses the above-described proposed Comprehensive Plan amendments in greater detail.

**1. Comprehensive Plan Text Amendments Related to Senate Bill 1094: Peril of Flood.**

Senate Bill 1094, known as Peril of Flood, became effective on July 1, 2015. The bill requires the coastal management element in a local government’s comprehensive plan to include the reduction of flood risks and losses, creates new requirements related to flood elevation certificates, and revises requirements related to flood insurance. In regards to the City’s Comprehensive Plan specifically, the bill requires local governments to include development and redevelopment principles, strategies, and engineering solutions that reduce flood risks and losses within coastal areas to be included in the coastal management element.

The City currently makes use of a suite of solutions in response to the issue of flood risk. These include regulatory tools such as the Florida Building Code and the City's Land Development Regulations, as well as participation in the National Flood Insurance Program's (NFIP) voluntary program called the Community Rating System (CRS). The City is currently a CRS Class 6 community, which means that property owners within City boundaries receive a 20 percent discount on flood insurance. The proposed text amendments reinforce and highlight the proactive approach the City has taken to reduce flood risk and increase affordability of flood insurance to residents.

- a. It is proposed that Chapter 1, General Introduction, Section 1.6 List of Abbreviations be amended by adding the following terms:

<u>CRS</u>	<u>Community Rating System</u>
<u>LMS</u>	<u>Pinellas County Local Mitigation Strategy</u>
<u>NFIP</u>	<u>National Flood Insurance Program</u>

- b. It is proposed that Chapter 1, General Introduction, Section 1.7 Definitions be amended by adding definitions for the following terms:

Community Rating System (CRS) – The National Flood Insurance Program's (NFIP) Community Rating System is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. Property owners within a community that participates in CRS receive discounted flood insurance premium rates that reflect the reduced flood risk resulting from program participation.

National Flood Insurance Program (NFIP) – A Federal program aimed at reducing the impact of flooding on private and public structures. The program provides insurance for property owners and encourages communities to adopt and enforce floodplain management regulations. Overall, the program reduces the socio-economic impact of disasters by promoting the purchase and retention of Risk Insurance in general, and National Flood Insurance in particular.

Pinellas County Local Mitigation Strategy (LMS) – The Pinellas County Local Mitigation Strategy, originally adopted in 1998 and subsequently updated in 2004, 2009 and 2014, is a plan that serves as a bridge between local governments' comprehensive growth management plans, the county comprehensive emergency management plan, land development regulations, and relevant ordinances and codes such as those for floodplain management. This strategy integrates mitigation initiatives established through various policies, programs, and regulations into a single stand-alone working document.

*Explanation for a and b:* These terms and definitions are being added since they are already used in the Comprehensive Plan (NFIP) or will be used if the other text amendments related to Senate Bill 1094 are adopted (CRS and LMS).

- c. It is proposed that Objectives 7 and 9 and Policies 7.7 and 9.3 in Chapter 3, Future Land Use Element be amended as follows:

**OBJECTIVE LU7:**

Development activities of all kinds within the coastal hazard areas shall be consistent with the goals, objectives and policies of the Coastal Management Element of the Comprehensive Plan ~~and any interagency hazard mitigation report recommendations deemed appropriate by the City.~~

~~LU7.7 — The City will encourage the mitigation, reduction or elimination of uses that are inconsistent with any interagency hazard mitigation report recommendations that the City determines appropriate.~~

**OBJECTIVE LU9:**

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.~~

~~LU9.3 — The City will continue to monitor the Nonconforming and Grandfathered Situations section of the Land Development Regulations to implement provisions that encourage the elimination or reduction of uses inconsistent with interagency hazard mitigation report recommendations that the City deems appropriate.~~

*Explanation:* The term “interagency hazard mitigation report(s)” is an obsolete reference related to a former FEMA requirement related to hazard mitigation funding, therefore it should be removed from the Comprehensive Plan in light of the Senate Bill 1094 updates being proposed within this text amendment package.

- d. It is proposed that Policy 8.1 in Chapter 3, Future Land Use element be amended as follows:

LU8.1 Pursuant to the requirements of Section 163.3202 F.S. ~~and Chapter 9J-5 F.A.C.~~ the land development regulations (Chapter 16 of the City’s Code of Ordinances) will be amended, as necessary, to ensure consistency with the goals, objectives and policies of the Comprehensive Plan. ~~The development regulations include:~~

- ~~1. Sign Ordinance;~~
- ~~2. Subdivision Ordinance;~~
- ~~3. Zoning Ordinance;~~
- ~~4. Historic Preservation Ordinance;~~

- ~~5. Drainage and Surface Water Management Ordinance;~~
- ~~6. Landscaping for Vehicular Use Areas Ordinance;~~
- ~~7. Flood Damage Prevention Ordinance;~~
- ~~8. Vegetation Ordinances;~~
- ~~9. Concurrency Ordinance,~~

*Explanation:* Chapter 9J-5, F.A.C. was repealed in 2011 so the reference should be deleted, and it is not necessary to list the various sections of the land development regulations.

e. It is proposed that Policy I.1 in Chapter 4, Conservation Element be amended as follows:

CI.1 The City will actively enforce minimum building standards identified in the ~~adopted Flood Damage Prevention Ordinance~~ Florida Building Code and Land Development Regulations for construction within the 100-year flood plain.

*Explanation:* Instead of keeping outdated verbiage (“Flood Damage Prevention Ordinance”), the policy is being updated to refer to the Florida Building Code (Chapter 8 of the City Code) and the Land Development Regulations (Chapter 16 of the City Code), which regulate building in the flood plain.

f. It is proposed that Chapter 5, Coastal Management Element be amended as follows:

ISSUE: Hazard Mitigation

In St. Petersburg's development process, natural hazard mitigation focuses on construction that is built to survive the effects of a 100-year storm. ~~Present ordinances do not adequately address natural hazard mitigation or land use in flood-prone areas. With the adoption of the two feet of freeboard requirement (Florida Building Code, Chapter 8 of the City Code), and focus on Community Rating System (CRS) activities, the City now more fully addresses mitigation in flood prone areas.~~ According to ~~1996~~ 2015 data provided by FEMA, St. Petersburg is ranked the #16 in Florida with regard to repetitive losses community in Florida, which is a significant an improvement from being ranked #1 in 1996.

OBJECTIVE CM11:

The City will reduce natural hazard impacts through compliance with FEMA regulations, participation in NFIP's Community Rating System (CRS) and by targeting repetitive flood loss and vulnerable properties for mitigation.

Policies:

~~CM11.9 The City will encourage mitigation, reduction or elimination of uses that are inconsistent with any interagency hazard mitigation report recommendations that the City deems appropriate.~~

- CM11.409 The City shall continue to participate in the Federal Emergency Management Agency's National Flood Insurance Program and Community Rating System in order to achieve higher flood insurance premium discounts.
- ~~CM11.4312~~ ~~After adoption of the Pinellas County Local Hazard Mitigation Strategies by Pinellas County,~~ The City will consider amendments to its comprehensive plan and land development regulations based upon any new or revised ~~the~~ recommendations ~~therein~~ of in the Pinellas County Local Mitigation Strategy.
- CM11.413 The City will continue to attend ~~the continuing~~ meetings of the Pinellas County Local Hazard Mitigation Strategy Work Group Committee to ensure that the strategies are implemented and updated as necessary.
- CM11.14 In order to reduce flood risk, the City shall continue to promote the use of the development and redevelopment principles, strategies and engineering solutions contained in the Florida Building Code and the Land Development Regulations.
- CM11.15 Through implementation of the Land Development Regulations, the City will continue to be consistent with, and in some instances more stringent than, the flood-resistant construction requirements in the Florida Building Code and federal flood plain management regulations.
- CM12.4 ~~The City shall maintain records consistent with the Federal Insurance Administration's listing of community selection factors for assistance in purchasing properties under Section 1362 of the National Flood Insurance Act.~~

*Explanation:* In August 2015 the City adopted the standard that two feet of freeboard be required for new construction in Special Flood Hazard Areas (Ordinance 191-H). This is *more stringent* than the Florida Building Code requirement of one foot of freeboard. In December 2013 the City repealed and replaced the Floodplain Management section of the LDRs with new building and engineering requirements that reduce flood risk. In 2008 the City achieved a CRS Class of "6" for the first time, earning City residents a 20 percent discount on flood insurance. The City maintained the Class 6 ranking during its 2013 audit process. In June 2014 the City hired a full-time staff person focused on flood plain mitigation, specifically coordinating CRS activities that should result in a Class 5 ranking during the next audit cycle. Based on these efforts, the City is ahead of most communities in Florida in terms of adopting more stringent regulations and increasing participation in the CRS program, which are all aimed at reducing flood risk. These efforts by the City are congruent with the new requirements of Senate Bill 1094.

2. **Comprehensive Plan Text Amendments Related to the New Countywide Plan and the Recently Adopted South St. Petersburg Redevelopment Plan.**

On August 4, 2015 the Pinellas County Board of County Commissioners, acting in their capacity as the Countywide Planning Authority (CPA), adopted the new Countywide Plan, in accordance with the Special Act (Chapter 2012-245, Laws of Florida). The Countywide Plan, which is administered by the Pinellas Planning Council (PPC), is comprised of the Countywide Plan Map, Countywide Plan Rules and Countywide Plan Strategies. All 25 Pinellas County local government comprehensive plans must be consistent with the new Countywide Plan, although a local government may choose to be more restrictive. Specifically, pursuant to Division 4.1 of the Rules, all local government future land use plans and land development regulations must be consistent with the criteria and standards set forth in the Rules, including nomenclature, Plan categories, density/intensity standards, uses and locational characteristics, map delineation, acreage thresholds and other standards.

The first two amendments to Chapter 3, Future Land Use Element presented below have been prepared to take advantage of new Countywide Plan rules that will benefit St. Petersburg, as well as address consistency requirements.

- a) It is proposed that Policy LU3.1(E)(8) be added, as follows:

**Target Employment Center (TEC) Overlay** – Overlaying the future land use designations of those areas, not less than 100 acres in size, that are now developed or appropriate to be developed in a concentrated and cohesive pattern to facilitate employment uses of countywide significance. Permitted uses and density/intensity standards shall be as per the underlying future land use categories, with a 100 percent intensity bonus for manufacturing, office and research/development uses.

*Explanation:* Section 2.3.3.13 of the Countywide Plan Rules addresses the Target Employment Center (TEC) category, and the updated Countywide Plan Map designates four industrially-zoned areas in the City with TEC:

- Tyrone Industrial Park area, generally located along the west side of 71<sup>st</sup> Street North (Pinellas Trail), between 13<sup>th</sup> Avenue North and Tyrone Blvd.
- CSX rail line, generally between 5<sup>th</sup> Avenue North and 40<sup>th</sup> Avenue North
- Dome Industrial Park area and along the Pinellas Trail (former CSX rail line), generally between I-275 and 40<sup>th</sup> Street South
- Gateway Activity Center area, generally located north of 94<sup>th</sup> Avenue North and Gandy Blvd. and south of Ulmerton Road, between Dr. ML King Jr. Street and 28<sup>th</sup> Street North.

It is to the City's benefit to adopt this overlay category in order to take advantage of the 100% intensity bonus that will likely attract more manufacturing, office and research & development employers who tend to create higher skill/higher wage jobs. The City's land development regulations will also be amended to make use of this opportunity.

- b) It is proposed that Policy LU3.1(G) be added, titled Table Showing Countywide Plan Map Categories and Corresponding Future Land Use Map Categories:

<u>Countywide Plan Map Categories</u>	<u>Corresponding Future Land Use Map Categories</u>
<u>Residential Very Low</u>	<u>None.</u>
<u>Residential Low Medium</u>	<u>Residential Low, Residential Urban, Residential Low Medium</u>
<u>Residential Medium</u>	<u>Residential Medium, Planned Redevelopment-Residential</u>
<u>Residential High</u>	<u>Residential High</u>
<u>Office</u>	<u>Residential/Office General</u>
<u>Resort</u>	<u>Resort Facilities Overlay</u>
<u>Retail &amp; Services</u>	<u>Commercial General</u>
<u>Employment</u>	<u>Industrial Limited</u>
<u>Industrial</u>	<u>Industrial General</u>
<u>Activity Center</u>	<u>Activity Center Overlay (includes the underlying categories of Central Business District, Community Redevelopment District, Planned Redevelopment-Commercial, Planned Redevelopment-Mixed Use, Planned Redevelopment-Residential, Residential High, Residential Medium, Residential/ Office General, Recreation/Open Space, Transportation/Utility, Institutional, Industrial Limited and Industrial General)</u>
<u>Multimodal Corridor</u>	<u>Planned Redevelopment-Mixed Use</u>
<u>Public/Semi-Public</u>	<u>Institutional, Transportation/Utility</u>
<u>Recreation/Open Space</u>	<u>Recreation/Open Space</u>
<u>Preservation</u>	<u>Preservation</u>
<u>Target Employment Center</u>	<u>Target Employment Center Overlay (includes the underlying categories of Planned Redevelopment-Commercial, Planned Redevelopment-Mixed Use, Residential/Office General, Transportation/Utility, Institutional, Industrial Limited and Industrial General)</u>
<u>Scenic/Non-Commercial Corridor Overlay</u>	<u>Scenic/Non-Commercial Corridor Overlay</u>

*Explanation:* Section 4.2.2.1 of the Countywide Plan Rules states that each jurisdiction within Pinellas County must include a table (or matrix) in the Future Land Use Element of its Comprehensive Plan that shows each local future land use category corresponding to one of the new Countywide Plan Map categories.

City File: LGCP-2015-03

- c. It is proposed that the following Issue Area and Policy LU13.1 be amended pertaining to the recently adopted South St. Petersburg Redevelopment Plan:

ISSUE: Existing Community Redevelopment Areas

The City has ~~seven~~ four existing community redevelopment areas that were adopted under the provisions of Florida's Community Redevelopment Act (Section 163.330 *et seq.*, F.S.): Intown, Intown West, Bayboro Harbor, ~~Dome Industrial Park Pilot Project, Tangerine Avenue, Dome Industrial Park and 16th Street South~~ and South St. Petersburg. Each area has an adopted redevelopment plan that specifies long range redevelopment objectives. Each redevelopment plan addresses the unique needs and potentials of the areas. Implementation of the redevelopment plans has in every case stimulated positive actions toward reaching the redevelopment goals objectives and policies. Continued implementation of these plans is essential to revitalization of blighted and underutilized areas of the City.

LU13.1 Development proposals in community redevelopment areas shall be reviewed for compliance with the goals, objectives and policies of the Comprehensive Plan and the goals, objectives and policies of the applicable adopted redevelopment plan including:

1. Intown Redevelopment Plan;
2. Bayboro Harbor Redevelopment Plan;
- ~~3. 16th Street South Revitalization Plan;~~
- ~~4. Tangerine Avenue Redevelopment Plan;~~
3. Intown West Redevelopment Plan; and
- ~~6. Dome Industrial Park Pilot Project Redevelopment Plan; and~~
- ~~7. Dome Industrial Park Redevelopment Plan.~~
4. South St. Petersburg Redevelopment Plan

*Explanation:* On May 21, 2015 the City Council adopted the South St. Petersburg Community Redevelopment Plan (Ordinance 169-H). This action simultaneously sunsetted and superseded the four community redevelopment areas and redevelopment plans within the boundaries of the South St. Petersburg redevelopment area.

**Consistency with the Comprehensive Plan**

The proposed Comprehensive Plan text changes presented in this staff report are consistent with the following objectives and policies:

- LU2.2 The City shall concentrate growth in the designated Activity Centers and prioritize infrastructure improvements to service demand in those areas.
- LU2.3 To attract large scale quality development and assure the proper coordination, programming and timing of City services in the activity centers the City shall continue to develop, evaluate and implement appropriate activity center development incentives.

- LU3.24 The City shall encourage non-polluting industrial and research facility uses, through the use of incentives that may include land assembly assistance, areawide DRI approval and provision of infrastructure and amenities.
- LU4 The following future land use needs are identified by this Future Land Use Element:
3. Industrial - the City shall provide opportunities for additional industrial and employment related development where appropriate.
- LU13 All development proposals in community redevelopment areas shall be consistent with the Comprehensive Plan's adopted goals, objectives, and policies and the goals, objectives and policies of the adopted redevelopment plan.
- LU20 Coordinate growth and development with the Pinellas Planning Council, Pinellas County School Board and neighboring governments in order to promote and to protect inter-jurisdictional interests consistent with the goals, objectives and policies of the Intergovernmental Coordination Element of the St. Petersburg Comprehensive Plan and by complying with Chapter 2012-245, Laws of Florida, the special legislative act that led to the 2015 update to the Countywide Map, Rules and Strategies.
- 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.
- C1 The City of St. Petersburg shall attempt to reduce the potential for property damage and safety hazards caused by storm flooding through complying with or exceeding of minimum FEMA regulations.

**Recommended Action:**

City Administration requests that the Community Planning & Preservation Commission (CPPC) APPROVE the Comprehensive Plan amendments addressed in this staff report, and recommend that the City Council approve and adopt the amendments.

## ST. PETERSBURG CITY COUNCIL

Meeting of October 15, 2015

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

**SUBJECT:** **City File: FLUM-29:** A private application requesting amendments to the Future Land Use Map and Official Zoning Map designations for the 0.27 acre subject property, located approximately 175-feet west of 4th Street North, at 424 and 436 22<sup>nd</sup> Avenue North.

A detailed analysis of the request is provided in Staff Report FLUM-29, attached.

- REQUEST:**
- (A) ORDINANCE \_\_\_\_-L amending the Future Land Use Map designation from Planned Redevelopment-Residential to Planned Redevelopment-Mixed Use.
  - (B) ORDINANCE \_\_\_\_-Z amending the Official Zoning Map designation from NT-2 (Neighborhood Traditional) to CRT-1 (Corridor Residential Traditional), or other less intensive use.
  - (C) RESOLUTION \_\_\_\_\_ requesting an amendment to the Countywide Future Land Use Plan Map, as described above, to comply with the requirements of the Pinellas Planning Council and Pinellas County Board of County Commissioners.

### RECOMMENDATION:

Administration: The Administration recommends APPROVAL.

Public Input: No phone calls or correspondence have been received to date.

Neighborhood Input: The subject property is located within the boundaries of the Crescent Lake Neighborhood Association. The Planning & Economic Development Department has received no phone calls or correspondence to date.

Community Planning & Preservation Commission (CPPC): On September 8, 2015 the CPPC held a public hearing regarding these amendments, and voted unanimously (5 to 0) to recommend APPROVAL.

City Council Action: On October 1, 2015 the City Council conducted the first reading of the proposed ordinances and set the second reading and adoption public hearing for October 15, 2015.

Recommended City Council Action: 1) CONDUCT the second reading of the proposed ordinances; 2) CONDUCT the public hearing; AND 3) ADOPT the ordinances and associated resolution.

Attachments: Ordinances (2), Resolution, Draft CPPC Minutes and Staff Report.

ORDINANCE NO. \_\_\_-L

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN FOR THE CITY OF ST. PETERSBURG, FLORIDA; CHANGING THE LAND USE DESIGNATION OF PROPERTY GENERALLY LOCATED 175-FEET WEST OF 4<sup>TH</sup> STREET NORTH, AT 424 AND 436 22<sup>ND</sup> AVENUE NORTH, FROM PLANNED REDEVELOPMENT-RESIDENTIAL TO PLANNED REDEVELOPMENT-MIXED USE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, established the Community Planning Act; and

WHEREAS, the City of St. Petersburg Comprehensive Plan and Future Land Use Map are required by law to be consistent with the Countywide Comprehensive Plan and Future Land Use Map and the Pinellas Planning Council is authorized to develop rules to implement the Countywide Future Land Use Map; and

WHEREAS, the St. Petersburg City Council has considered and approved the proposed St. Petersburg land use amendment provided herein as being consistent with the proposed amendment to the Countywide Future Land Use Map which has been initiated by the City; now, therefore

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Pursuant to the provisions of the Community Planning Act, as amended, and pursuant to all applicable provisions of law, the Future Land Use Map of the City of St. Petersburg Comprehensive Plan is amended by placing the hereinafter described property in the land use category as follows:

Property

LOTS 5 AND 6, BLOCK 1 OF REPLAT, BLOCKS 1 AND 18 SNELL AND HAMLETT'S CRESCENT LAKE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 20 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

Land Use Category

From: Planned Redevelopment-Residential

To: Planned Redevelopment Mixed-Use

SECTION 2. All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 3. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon approval of the required Land Use Plan change by the Pinellas County Board of County Commissioners (acting in their capacity as the Countywide Planning Authority) and upon issuance of a final order determining this amendment to be in compliance by the Department of Economic Opportunity (DOE) or until the Administration Commission issues a final order determining this amendment to be in compliance, pursuant to Section 163.3187, F.S. 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 as set forth above.

APPROVED AS TO FORM AND SUBSTANCE:

FLUM-29  
(Land Use)

  
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

9-4-15  
DATE

  
ASSISTANT CITY ATTORNEY

9/9/15  
DATE

ORDINANCE NO. \_\_\_-Z

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ST. PETERSBURG, FLORIDA: BY CHANGING THE ZONING OF PROPERTY GENERALLY LOCATED 175-FEET WEST OF 4<sup>TH</sup> STREET NORTH, AT 424 AND 436 22<sup>ND</sup> AVENUE NORTH, FROM NT-2 (NEIGHBORHOOD TRADITIONAL-2) TO CRT-1 (CORRIDOR RESIDENTIAL TRADITIONAL-1); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The Official Zoning Map of the City of St. Petersburg is amended by placing the hereinafter described property in a Zoning District as follows:

Property

LOTS 5 AND 6, BLOCK 1 OF REPLAT, BLOCKS 1 AND 18 SNELL AND HAMLETT'S CRESCENT LAKE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 20 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

District

From: NT-2 (Neighborhood Traditional-2)

To: CRT-1 (Corridor Residential Traditional-1)

SECTION 2. All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 3. This ordinance shall become effective upon the date the ordinance adopting the required amendment to the City of St. Petersburg Comprehensive Plan's Future Land Use Map becomes effective (Ordinance \_\_\_-L).

APPROVED AS TO FORM AND SUBSTANCE:

FLUM-29  
(Zoning)

  
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

9-4-15

  
ASSISTANT CITY ATTORNEY

DATE  
9/9/15  
DATE

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

A RESOLUTION TRANSMITTING A PROPOSED AMENDMENT TO THE CITY OF ST. PETERSBURG LOCAL GOVERNMENT COMPREHENSIVE PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the St. Petersburg City Council has held the requisite public hearing in consideration of a request to amend the Local Government Comprehensive Plan; and

WHEREAS, the St. Petersburg City Council has considered and approved the proposed St. Petersburg Comprehensive Plan amendment, and determined it to be consistent with the Countywide Plan.

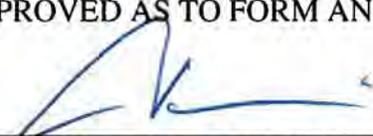
NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida:

That the City Council of St. Petersburg does hereby transmit the proposed amendment to the Local Government Comprehensive Plan to the Pinellas Planning Council (PPC) for a consistency review with the Countywide Plan.

This Resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND SUBSTANCE:

City File FLUM-29

  
\_\_\_\_\_  
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

9-4-15  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
ASSISTANT CITY ATTORNEY

9/9/15  
\_\_\_\_\_  
DATE



CITY OF ST. PETERSBURG  
COMMUNITY PLANNING & PRESERVATION COMMISSION  
PUBLIC HEARING  
September 8, 2015

**QUASI-JUDICIAL PUBLIC HEARING**

**B. City File FLUM-29**

**Contact Person: Cate Lee, 892-5255**

**Location:** The subject property is an estimated 0.27 acres comprised of two parcels of land, located approximately 175-feet west of 4<sup>th</sup> Street North at 424 & 436 – 22<sup>nd</sup> Avenue North.

**Request:** To amend the Future Land Use Map designation from Planned Redevelopment-Residential to Planned Redevelopment-Mixed Use, and the Official Zoning Map designation from NT-2 (Neighborhood Traditional-2) to CRT-1 (Corridor Residential Traditional-1), or other less intensive use.

**Staff Presentation**

Cate Lee gave a PowerPoint presentation based on the staff report.

Commissioner Michaels asked if any input from the Neighborhood Association had been received. Ms. Lee stated that the Neighborhood Association was contacted and staff has not received any official correspondence. Ms. Lee went on to say that she understands that the Neighborhood Association meets quarterly and have not had an opportunity to discuss it in a meeting.

**Applicant Presentation**

The owners, Monica & Garth Vernon, gave a brief presentation in support of the request. Ms. Vernon stated that Drew Glazier, President of the Crescent Lake Neighborhood Association was contacted several times asking if there were any questions, concerns or issues without receiving any responses.

Commissioner Burke asked about the owners' intent at 436 – 22<sup>nd</sup> Ave S where there is work already in progress. Mr. Vernon stated that this property was acquired right after tax season to help control and clean it up; the owner was a hoarder and the structure was in terrible shape; had to have the entire backyard stump ground due to not taking care of the bamboo; gutted the house, removed asbestos siding, etc. They are in the process of completely restoring it and making it look like the house next door. The ultimate goal is one location with two buildings because room for expansion is needed. The intent is to restore and renovate the structure.

**Public Hearing**

No speakers present.

**Executive Session**

**MOTION:**                    *Commissioner Whiteman moved and Commissioner Michaels seconded a motion approving the request in accordance with the staff report.*

Commission Vice-Chair Wolf stated that this area is a corridor use, a fairly intensive use and does not see any significant issues with making this change, and agrees with the staff's recommendation.

**VOTE:**                    *YES – Wolf, Burke, Michaels, Reese, Whiteman*  
                                 *NO - None*

*Motion passed by a vote of 5 to 0.*

DRAFT



**Staff Report to the St. Petersburg Community Planning & Preservation Commission**

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

For Public Hearing and Executive Action on September 8, 2015  
at **3:00 p.m.**, in City Council Chambers, City Hall,  
175 Fifth Street North, St. Petersburg, Florida.

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**City File: FLUM-29**  
Agenda Item IV.B

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According to Planning & Economic Development Department records, no Community Planning & Preservation Commission member owns property located within 2,000 feet of the subject property. All other possible conflicts should be declared upon announcement of the item.

**APPLICANT/**

**PROPERTY OWNER:**

Monica and Garth Vernon  
424 22<sup>nd</sup> Avenue North  
St. Petersburg, FL 33704

**REPRESENTATIVE:**

Cathleen E. O'Dowd  
Shumaker, Loop & Kendrick, LLP  
Bank of America Plaza, Suite 2800  
101 East Kennedy Boulevard  
Tampa, Florida 33602

**SUBJECT PROPERTY:**

The subject property is comprised of two parcels of land located approximately 175-feet west of 4<sup>th</sup> Street North, at 424 and 436 22<sup>nd</sup> Avenue North. Each parcel is 50' x 118' in size, thus the subject property is estimated to be 11,800 sq. ft. or 0.27 acres in size.

**PIN/LEGAL:**

The parcel identification numbers (PINs) for the subject property are 18-31-17-18792-001-0050 and 18-31-17-18792-001-0060. The subject property is legally described as Lots 5 and 6, Block 1 of Replat, Blocks 1 and 18 Snell and Hamlett's Crescent Lake Subdivision, according to the

Plat thereof as recorded in Plat Book 5, Page 20 of the Public Records of Pinellas County, Florida.

**REQUEST:**

As depicted on the attached map series, the request is to amend the Future Land Use Map designation from Planned Redevelopment-Residential (PR-R) to Planned Redevelopment-Mixed Use (PR-MU), and the Official Zoning Map designation from NT-2 (Neighborhood Traditional-2) to CRT-1 (Corridor Residential Traditional-1), or other less intensive use.

**PURPOSE:**

The applicant's desire is to continue to operate an accounting office (presently a grandfathered use) in the single family home located at 424 22<sup>nd</sup> Avenue North and to begin to use the single family home located at 436 22<sup>nd</sup> Avenue North for the same purpose. However, it should be noted that if the applicant's request is approved, the subject property can be redeveloped with multifamily or other types of professional office uses.

**EXISTING USE:**

The structure located at 424 22<sup>nd</sup> Avenue North has been used as an accounting office since the current owners purchased the property in 2002. The single family home located at 436 22<sup>nd</sup> Avenue North was constructed (or possibly moved to the site) in 1933.

**SURROUNDING USES:**

The surrounding uses are as follows:

- North: TD Bank building, offices and associated parking lot, commercial development along 4<sup>th</sup> Street North and single family homes
- South: Single family and multifamily homes, separated by an alley
- East: SunTrust Bank and other commercial development along 4<sup>th</sup> Street North
- West: Single family homes and Crescent Lake Park

**NEIGHBORHOOD ASSOCIATION:**

The subject property is located within the boundaries of the Crescent Lake Neighborhood Association. The Crescent Lake Neighborhood Plan was approved by City Council on January 26, 1995 (Resolution 95-83). The Crescent Lake Neighborhood Plan recommends limiting office/commercial intrusion along 4<sup>th</sup> Street to the 150 foot depth established by the Fourth Street Corridor Plan, which is a chapter in the North Shore Neighborhood Plan (August 1990). However, the subject property is oriented towards 22<sup>nd</sup> Avenue North and not 4<sup>th</sup> Street. In 2009 the North Shore Neighborhood Plan was replaced by the Historic Old Northeast Neighborhood Plan. The Historic Old Northeast Neighborhood Plan does not address the commercial depth of properties along 4<sup>th</sup> Street North, but rather contains general land use and zoning recommendations, such as evaluating assisted living facilities and preserving mature trees. As

required by the Comprehensive Plan, the applicant notified the Crescent Lake Neighborhood Association.

### **ZONING HISTORY:**

The present NT-2 zoning designation has been in place since September 2007, following the implementation of the City's Vision 2020 Plan, the Citywide rezoning and update of the land development regulations (LDRs).

### **APPLICABLE REGULATIONS:**

The 436 22<sup>nd</sup> Avenue North lot conforms to the present NT-2 zoning regulations, while the 424 22<sup>nd</sup> Avenue North lot is substandard in terms of required minimum lot width for nonresidential uses in the NT-2 zoning district (200 feet is required; 50 feet is provided).

Development potential under the existing NT-2 zoning designation, providing all other district regulations are met, is as follows: two (2) single-family units, each with an accessory dwelling unit (for a total of four (4) dwelling units), calculated at a density of 15 units per acre; or 5,900 sq. ft. of non-residential space, based on a floor-area-ratio (FAR) of 0.50.

Development potential under the requested CRT-1 zoning designation, providing all other district regulations are met, is as follows: six (6) multifamily units, calculated at a density of 24 units per acre; 11,800 sq. ft. of non-residential space, based on a floor-area-ratio (FAR) of 1.0; or a mix of these uses.

If the requested amendments are approved, the applicant's proposed general office use will conform to the CRT-1 zoning regulations, and both lots will exceed the minimum lot area requirement of 4,500 sq. ft.

### **STAFF ANALYSIS:**

The primary issues associated with this private application are consistency and compatibility of the requested designations with the established land use and zoning patterns; residential corridor redevelopment opportunities; and level of service considerations.

### **Background**

The applicant has indicated that the 424 22<sup>nd</sup> Avenue North property will continue to operate as an accounting office (Vernon & Vernon Certified Public Accountants) and that the desire is to begin using the 436 22<sup>nd</sup> Avenue North property as part of the same accounting business, while maintaining the individual bungalow structures on each property.

As previously noted, the 424 22<sup>nd</sup> Avenue North property has been used as the Vernon & Vernon accounting office since 2002. From 1989 to 2002, it was used as a medical office by Dr. Mariano Cibran, and prior to 1989 it was used as a single family home since its construction in 1922. Both medical office and general office are grandfathered uses in the NT-2 zoning district.

### Consistency and Compatibility

The requested PR-MU Plan designation is consistent with the designations to the north and immediately abutting to the east, and the requested CRT-1 designation is compatible with the CCT-1 designations to the north and to the east, and the NT-2 designations immediately abutting to the south and west. The property to the north, across 22<sup>nd</sup> Avenue, includes frontage on 4<sup>th</sup> Street with a commercial depth of 260 feet. If approved, the requested PR-MU designation will have a depth from 4<sup>th</sup> Street of 275 feet, nearly matching the commercial depth to the north. Thus, the request is consistent with Policy LU3.4 of the Comprehensive Plan, which states that *the Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of physical and natural separators*. The subject area is separated from the single family homes to the south by a 15-foot paved alley and the requested CRT-1 zoning district would serve as transition zoning between the more intense commercial development allowed on the CCT-1 properties to the east that front on 4<sup>th</sup> Street, and the single family homes to the west with NT-2 zoning that front on 22<sup>nd</sup> Avenue North. Throughout the City, CRT-1 zoned land is frequently found adjacent to single-family residential areas.

Both the requested PR-MU future land use and CRT-1 zoning designations permit mixed use (office and residential) development. Objective LU4 of the Comprehensive Plan states that *the following future land use needs are identified by this Future Land Use Element: Mixed-use - developments are encouraged in appropriate locations to foster a land use pattern that results in fewer and shorter trips and vibrant walkable communities (LU4.4)*. Staff finds that the subject property is in an appropriate location to permit mixed use development considering the established commercial uses to the north and east and the residential uses to the south (single-family across the alley, multifamily two blocks away) and west (single-family).

The requested designations are also consistent with Policy LU3.6 which states that *land use planning decisions shall weigh heavily the established character of predominantly developed areas where changes of use or intensity of development are contemplated*. The established character of the surrounding area is a mix of uses. While predominantly single family to the west, south and northwest, the surrounding area includes multifamily to the southwest, commercial uses to the east, northeast and southeast along the 4th Street corridor and Crescent Lake Park to the west. The uses permitted under the proposed designations (e.g., residential and office uses) would be consistent with existing uses to the north, east, northeast and southeast.

Policy LU3.8 of the City's Comprehensive Plan *seeks to protect existing residential uses from incompatible uses and other intrusions that may detract from an area's long-term desirability*. If approved, the requested designations will arguably not result in a detrimental intrusion into the single family neighborhood to the west and south. City staff believes that the use of the subject property for an office will not significantly detract from the immediate area's long-term (residential) desirability, as the commercial parking area will be required to meet current City Code design standards, including the number of on-site parking spaces, buffering requirements, landscaping and lighting. Moreover, when parking areas abut property used for a one- or two-unit residence, a solid masonry wall or decorative wood or vinyl fence, at least five-feet in height, is required.

### **Residential Corridor Redevelopment Opportunities**

As defined in the City's Land Development Regulations, *the purpose of the CRT district is to encourage development of townhomes, condominiums, apartment buildings and mixed-use buildings that are appropriately scaled to the context of the corridor and to facilitate conversion of remaining single-family homes to offices or limited retail uses.* If approved, the proposed land use and zoning will continue to allow single family residential uses on the subject property, as well as multifamily uses, professional office uses and personal service establishments, which are not incompatible with the existing surrounding uses found to the north, east, northeast and southeast.

If approved, the applicants' request will result in new investment and redevelopment opportunities within an existing heavily traveled corridor, which is consistent with the following objectives and policies from the Comprehensive Plan: Policy LU3.17, which states that *future expansion of commercial uses is encouraged when infilling into existing commercial areas and activity centers, or where a need can be clearly identified, and where otherwise consistent with the Comprehensive Plan;* Objective LU4(2), which states that *...the City shall provide opportunities for additional commercial development where appropriate;* and Policy LU11.2, which states that *the need for redevelopment should be assessed based on potential for private investment.*

### **Level of Service (LOS) Impact**

The Level of Service (LOS) impact section of this report concludes that the requested Plan change and rezoning will not have a significant impact on the City's adopted LOS standards for public services and facilities including potable water, sanitary sewer, solid waste, traffic, mass transit, recreation, and stormwater management.

Furthermore, in light of the subject property's location on the south side of 22<sup>nd</sup> Avenue North with alley access from 4<sup>th</sup> Street (a Minor Arterial State Road), the request is consistent with Policy LU3.18 which states that *all retail and office activities shall be located, designed and regulated so as to benefit from the access afforded by major streets without impairing the efficiency of operation of these streets or lowering the LOS below adopted standards, and with proper facilities for pedestrian convenience and safety.* Based on the Pinellas County Metropolitan Planning Organization's (MPO's) 2014 Level of Service Report, the level of service (LOS) for 4th Street from 5th Avenue North to 30th Avenue North is "D." This is consistent with Policy T3.1 which states, in part, that *all major city, county and state streets, not including those identified as constrained in the City's most current concurrency annual monitoring report shall operate at LOS D or better in the peak hour of vehicular traffic.*

**SPECIAL NOTE ON CONCURRENCY:**

Levels of Service impacts are addressed further in this report. Approval of this land use change and rezoning request does not guarantee that the subject property will meet the requirements of Concurrency at the time development permits are requested. **Completion of this land use map change and rezoning does not guarantee the right to develop on the subject property.** Upon application for site plan review, or development permits, a full concurrency review will be completed to determine whether or not the proposed development may proceed. The property owner must comply with all laws and ordinances in effect at the time development permits are requested.

**SPECIAL NOTE ON CONVERSION TO COMMERCIAL USE:**

The applicant has indicated their intent to convert the existing single family home located at 436 22<sup>nd</sup> Avenue North to an office use. At the time of conversion, the subject site and building must meet all requirements of the Building Code and the LDRs. **Completion of this land use map change and rezoning does not guarantee the right to use the subject property for commercial purposes.** The property owner must comply with all laws and ordinances in effect at the time development permits are requested.

**RECOMMENDATION:**

City staff recommends **APPROVAL** of the applicant's request to amend the Future Land Use Map designation from Planned Redevelopment-Residential to Planned Redevelopment-Mixed Use, and the Official Zoning Map designation from NT-2 (Neighborhood Traditional-2) to CRT-1 (Corridor Residential Traditional-1), or other less intensive use, on the basis that the request is consistent with the goals, objectives and policies of the City's Comprehensive Plan.

**RESPONSES TO RELEVANT  
CONSIDERATIONS ON AMENDMENTS  
TO THE LAND USE PLAN:**

**a. Compliance of probable use with goals, objectives, policies and guidelines of the City's Comprehensive Plan.**

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

- LU2.4           The City may permit an increase in land use intensity or density outside of activity centers where available infrastructure exists and surrounding uses are compatible.
- LU3.1.(F)(2) Planned Redevelopment – Mixed Use (MU) - allowing mixed use retail, office, service and medium density residential uses not to exceed a floor area ratio of 1.25 and a net residential density of 24 dwelling units per acre.
- LU3.4           The Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of physical and natural separators.
- LU3.6           Land use planning decisions shall weigh heavily the established character of predominately developed areas where changes of use or intensity of development are contemplated.
- LU3.7           Land use planning decisions shall include a review to determine whether existing Land Use Plan boundaries are logically drawn in relation to existing conditions and expected future conditions.
- LU3.8           The City shall protect existing and future residential uses from incompatible uses, noise, traffic and other intrusions that detract from the long term desirability of an area through appropriate land development regulations.
- LU3.17          Future expansion of commercial uses is encouraged when infilling into existing commercial areas and activity centers, or where a need can be clearly identified, and where otherwise consistent with the Comprehensive Plan.
- LU3.18          All retail and office activities shall be located, designed and regulated so as to benefit from the access afforded by major streets without impairing the efficiency of operation of these streets or lowering the LOS below adopted standards, and with proper facilities for pedestrian convenience and safety.

- LU4(2) The following future land use needs are identified by this Future Land Use Element:
- Commercial - the City shall provide opportunities for additional commercial development where appropriate.
- LU4(4) Mixed-use - developments are encouraged in appropriate locations to foster a land use pattern that results in fewer and shorter automobile trips and vibrant walkable communities.
- LU5.3 The Concurrency Management System shall continue to be implemented to ensure proposed development to be considered for approval shall be in conformance with existing and planned support facilities and that such facilities and services be available, at the adopted level of service standards, concurrent with the impacts of development.
- LU11.2 The need for redevelopment should be assessed based on the following factors; 1) building conditions, 2) socio/economic characteristics, 3) land to improvement value ratios, 4) non-conforming uses and 5) potential for private investment.
- LU18 Commercial development along the City's major corridors shall be limited to infilling and redevelopment of existing commercially designated frontages.
- LU18.1 Requests to amend the Land Use Plan and Land Development Regulations to permit retail/office development in the North Sector on corridors other than 4th Street North should be recommended for denial by Staff, except at appropriate intersections of major streets or in designated mixed use settings.
- T1.3 The City shall review the impact of all rezoning proposals and requests to amend the FLUM on the City's transportation system. FLUM amendment requests that increase traffic generation potential shall demonstrate that transportation capacity is available to accommodate the additional demand.
- T3.1 All major city, county and state streets, not including those identified as constrained in the City's most current concurrency annual monitoring report shall operate at LOS D or better in the peak hour of vehicular traffic. Roadway facilities on the State Highway System, Strategic Intermodal System and Florida Intrastate Highway System and roadway facilities funded by Florida's Transportation Regional Incentive Program shall operate at a LOS that is consistent with Rule 14-94, FAC.

T14.2 The City shall include criteria in the FLUM amendment process in the Land Development Regulations to give additional weight to amendments that increase densities for projects that are located in close proximity to Activity Centers or along corridors where transit or facilities for high occupant vehicles exist, where compatible with the policies established in the Land Use Element.

- b. Whether the proposed amendment would impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.**

The proposed amendment will not impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.

- c. Whether the proposed change would alter population or the population density pattern and thereby impact residential dwelling units and or public schools.**

While unlikely, if the land were to be assembled under the proposed CRT-1 zoning, a total of six (6) multifamily dwelling units could be developed. The Pinellas County School District estimates that there are 0.32 school age persons per household. If the subject property is redeveloped with the maximum of six (6) units, it is estimated that the resident population will include 2 persons (6 units x 0.32 students per unit) of school age. Therefore, the potential impact of anticipated students on this type of development is minimal. The proposed change will not alter population or the population density pattern and thereby impact residential dwelling units and/or public schools.

- d. Impact of the proposed amendment upon the following adopted levels of service (LOS) for public services and facilities including but not limited to: water, sewer, sanitation, traffic, mass transit, recreation, stormwater management.**

The following analysis indicates that the proposed change *will not* have a significant impact on the City's adopted levels of service for potable water, sanitary sewer, solid waste, traffic, mass transit, stormwater management and recreation. Should the requested land use change and rezoning for the subject property be approved the City has sufficient capacity to meet all demands.

## **WATER**

Under the existing interlocal agreement with Tampa Bay Water (TBW), the region's local governments are required to project and submit, on or before February 1 of each year, the anticipated water demand for the following water year (October 1 through September 30). TBW is contractually obligated to meet the City's and other member governments' water supply needs. The City's current potable water demand is 27.7 million gallons per day.

The City's adopted level of service (LOS) standard for potable water is 125 gallons per capita per day, while the actual usage is estimated to be 78 gallons per capita per day. Therefore, there is excess water capacity to serve the amendment area.

## **WASTEWATER**

The subject property is served by the Northeast Water Reclamation Facility, which presently has excess capacity estimated to be 8.14 million gallons per day. Therefore, there is excess sanitary sewer capacity to serve the amendment area.

## **SOLID WASTE**

All solid waste disposal is the responsibility of Pinellas County. The County currently receives and disposes of municipal solid waste, and construction and demolition debris, generated throughout Pinellas County. The Pinellas County Waste-to-Energy Plant and the Bridgeway Acres Sanitary Landfill are the responsibility of Pinellas County Utilities, Department of Solid Waste Operations; however, they are operated and maintained under contract by two private companies. The Waste-to-Energy Plant continues to operate below its design capacity of incinerating 985,500 tons of solid waste per year. The continuation of successful recycling efforts and the efficient operation of the Waste-to-Energy Plant have helped to extend the life span of Bridgeway Acres. The landfill has approximately 30 years remaining, based on current grading and disposal plans.

There is excess solid waste capacity to serve the amendment area.

## **TRAFFIC**

Summary of traffic impact (p.m. peak hour trips):

Existing Planned Redevelopment-Residential Plan Category	2
Requested Planned Redevelopment Mixed-Use Plan Category	9
<hr/>	<hr/>
New p.m. peak hour trips	7

### Existing Conditions

There are two major roads with geographic proximity to the subject property, which are 4th Street North and 22nd Avenue North. Fourth Street is classified as a minor arterial and is maintained by the Florida Department of Transportation. Twenty-second Avenue North is classified as a minor arterial and is maintained by the City of St. Petersburg.

Based on the Pinellas County Metropolitan Planning Organization's (MPO's) 2014 Level of Service Report, the level of service (LOS) for 4th Street from 5th Avenue North to 30th Avenue North is "D." This LOS determination is based on the 2013 average annual daily traffic (AADT) volume of 28,004. The volume-to-capacity ratio for this four-lane divided facility is 0.78. The LOS for 22nd Avenue North from I-275 to 1st Street is "C,"

which is based on the 2013 AADT volume of 21,532. The volume-to-capacity ratio for this four-lane undivided facility is 0.70.

The entire City is designated as a Transportation Concurrency Exception Area (TCEA). Regardless of this fact, the proposed amendments are not expected to degrade existing levels of service on 4th Street North and 22nd Avenue North due to the excess roadway capacity that is available to accommodate new trips.

*Source: City of St. Petersburg, Transportation and Parking Management Department.*

## **MASS TRANSIT**

The Citywide LOS for mass transit will not be affected. The PSTA has two routes that provide local transit service along 4th Street North and 22nd Avenue North. Route 4, which serves 4<sup>th</sup> Street, has a peak hour service frequency of 15 minutes. Route 1, which will be renamed to Route 22 beginning October 11, 2015, serves 22<sup>nd</sup> Avenue North and will have a service frequency of 50 minutes. The LOS standard for mass transit is headways less than one hour.

## **RECREATION**

The City's adopted LOS for recreational acreage, which is 9 acres per 1,000 population, will not be impacted by this proposed rezoning. Under both the existing and proposed zoning, the LOS citywide will remain at 21.9 acres per 1,000 population.

## **STORMWATER MANAGEMENT**

Should the subject property be redeveloped site plan approval will be required. At that time, the stormwater management system for the site will be required to meet all City and SWFWMD stormwater management criteria.

- e. Appropriate and adequate land area sufficient for the use and reasonably anticipated operations and expansion.**

The land area is both appropriate and adequate for the anticipated use of the subject property.

- f. The amount and availability of vacant land or land suitable for redevelopment shown for similar uses in the City or in contiguous areas.**

There are approximately 28 acres of vacant land in the City designated with CRT-1 zoning.

- g. Whether the proposed change is consistent with the established land use pattern.**

The proposed Planned Redevelopment-Mixed Use land use designation is consistent with the established land use pattern to the north and east.

- h. Whether the existing district boundaries are logically drawn in relation to existing conditions on the property proposed for change.**

The existing NT-2 zoning district boundary is not illogically drawn in relation to existing conditions including the grandfathered status of the office use located at 424 22<sup>nd</sup> Avenue North.

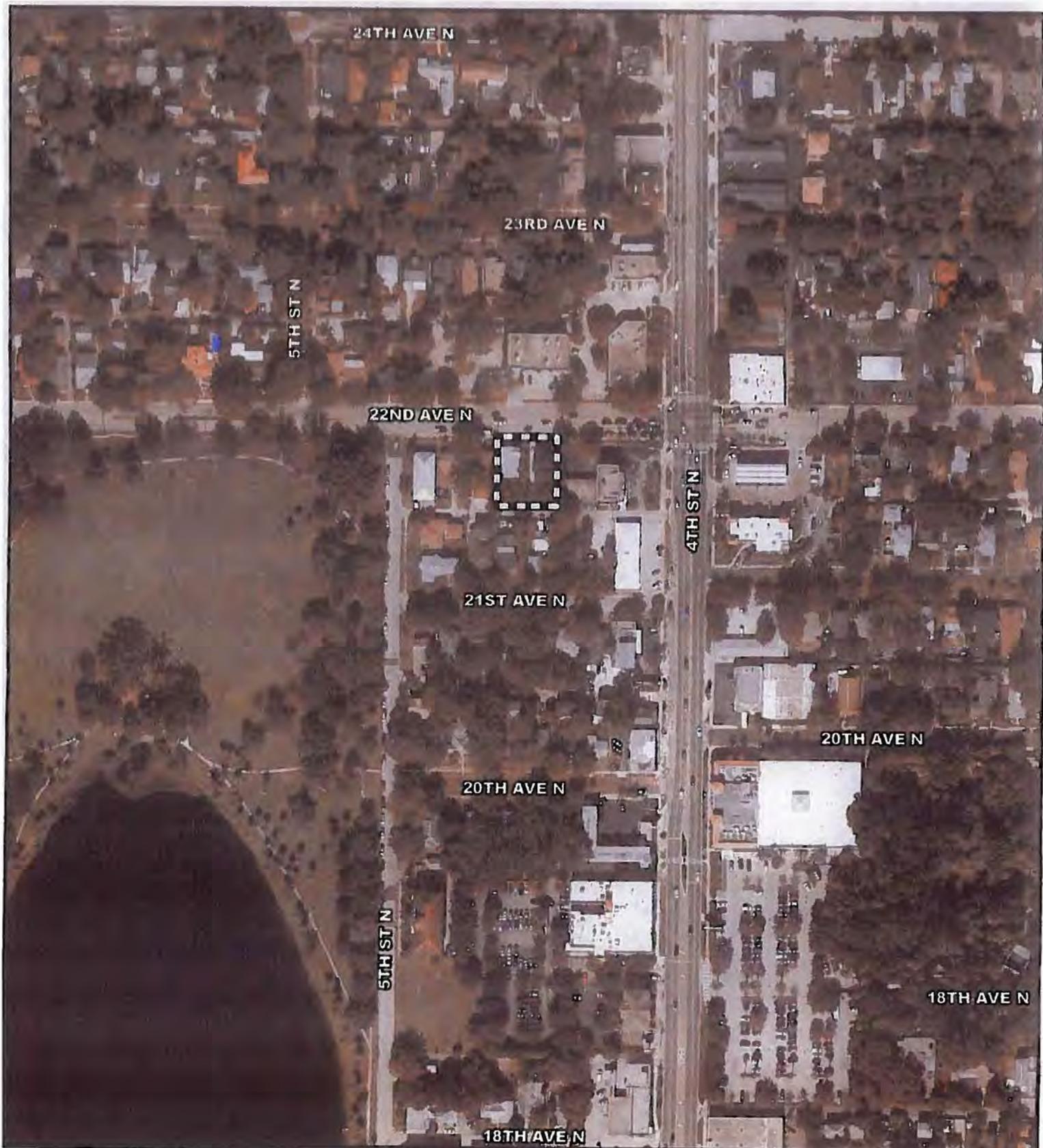
- i. If the proposed amendment involves a change from a residential to a nonresidential use, whether more nonresidential land is needed in the proposed location to provide services or employment to the residents of the City.**

If approved, the proposed amendment will result in only an additional 0.27 acres of land designated PR-MU and zoned CRT-1. The addition of 0.27 acres will not significantly affect the mix of land uses within the City. There is no data or research to indicate that additional nonresidential land is needed in the proposed location to provide services or employment to the residents of the City.

- j. Whether the subject property is located within the 100-year flood plain or Coastal High Hazard Area as identified in the Coastal Management Element of the Comprehensive Plan.**

According to the FEMA Flood Insurance Rate Map (FIRM), the subject property is not located within the 100-year flood plain. The property is not located within the CHHA (Coastal High Hazard Area).

- k. Other pertinent information.**           None



**AERIAL**

CITY FILE

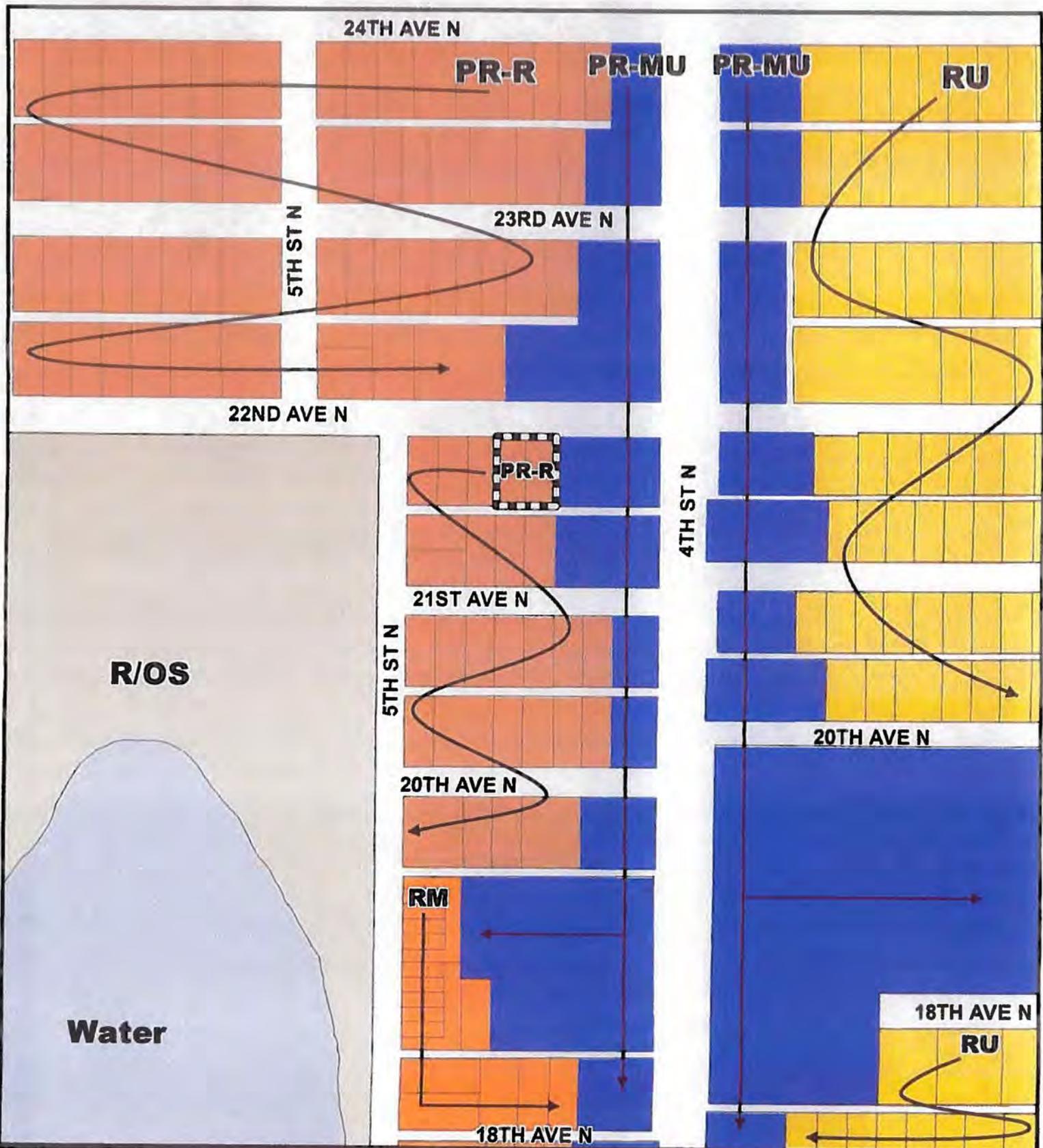
**FLUM-29**

SCALE: 1" = 210'



SUBJECT AREA





## FUTURE LAND USE PLAN DESIGNATION

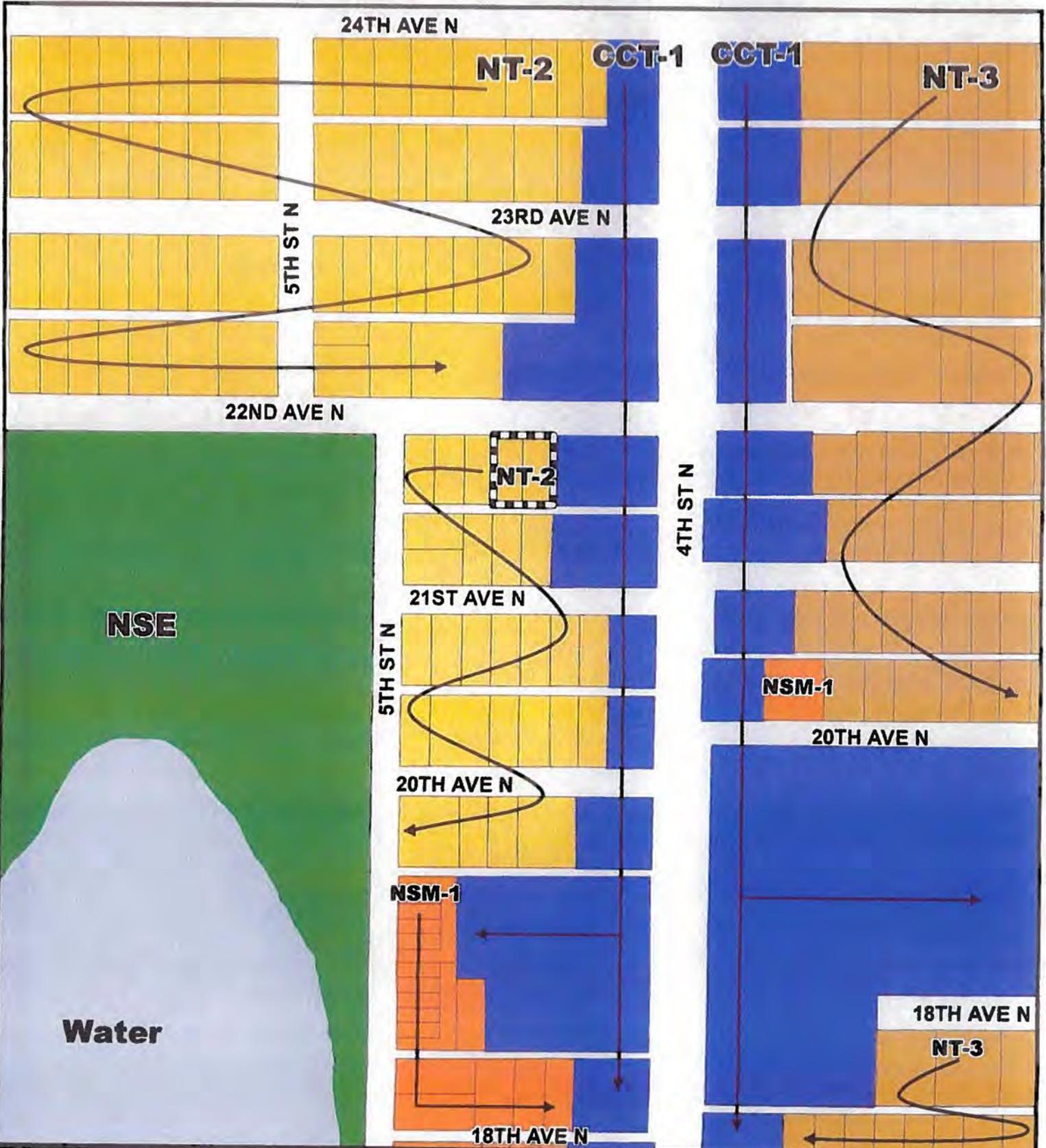
CITY FILE  
**FLUM-29**  
 SCALE: 1" = 210'

**From: PR-R**  
 (Planned Redevelopment  
 -Residential)

**To: PR-MU**  
 (Planned Redevelopment  
 -Mixed Use)

 SUBJECT AREA





**EXISTING ZONING**

CITY FILE  
**FLUM-29**  
 SCALE: 1" = 210'

**From: NT-2**  
 (Neighborhood Traditional-2)

**To: CRT-1**  
 (Corridor Residential Traditional-1)

 SUBJECT AREA





**ST. PETERSBURG CITY COUNCIL**

**Meeting of October 15, 2015**

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

**SUBJECT:** **City File: FLUM-30:** A city-initiated application requesting amendments to the Future Land Use Map and Official Zoning Map for property commonly known as a portion of the Allendale neighborhood and generally bounded by 42<sup>nd</sup> Avenue North, Dr. Martin Luther King Jr. Street North, Foster Hills Drive North and Haines Road North. The total subject area is estimated to be 45.0 acres in total size.

**REQUEST:**

- (A) ORDINANCE \_\_\_\_-Z: *Subject Area A* amending the Official Zoning Map designation from NT-3 (Neighborhood Traditional) to NS-1 (Neighborhood Suburban)
- (B) ORDINANCE \_\_\_\_-L: *Subject Area B* amending the Future Land Use Map designation from PR-R (Planned Redevelopment-Residential) to RU (Residential Urban);
- (C) ORDINANCE \_\_\_\_-Z: *Subject Area B* amending the Official Zoning Map designation from NT-2 (Neighborhood Traditional) to NS-1 (Neighborhood Suburban);
- (D) ORDINANCE \_\_\_\_-L: *Subject Area C* amending the Future Land Use Map designation from RU (Residential Urban) to PR-R (Planned Redevelopment-Residential).
- (E) ORDINANCE \_\_\_\_-Z: *Subject Area C* amending the Official Zoning Map designation from NT-3 (Neighborhood Traditional) to NT-2 (Neighborhood Traditional);
- (F) RESOLUTION \_\_\_\_: requesting amendment to the Countywide Plan Map, as described above, to comply with the requirements of the Pinellas Planning Council and Pinellas County Board of County Commissioners.

**RECOMMENDATION:**

Administration: The Administration recommends:

- **APPROVE** - *Subject Area A* amending the Official Zoning Map designation from NT-3 (Neighborhood Traditional) to NS-1 (Neighborhood Suburban);
- **DENY** - *Subject Area B:* amending the Future Land Use Map designation from PR-R (Planned Redevelopment-Residential) to RU (Residential

Urban) and Official Zoning Map designation from NT-2 (Neighborhood Traditional) to NS-1 (Neighborhood Suburban);

- **APPROVE** - *Subject Area C* amending the Future Land Use Map designation from RU (Residential Urban) to PR-R (Planned Redevelopment-Residential) and Official Zoning Map designation from NT-3 (Neighborhood Traditional) to NT-2 (Neighborhood Traditional).

Public Input:

- General meetings with various affected property owners included a combination of in-office and on-site visits
- *Public Information Meeting* conducted on Aug. 26, 2015 – More than 40 attendees
- 17 contacts through the notification letter: 14 for, one (1) against, and one (1) supporting the proposal in *Subject Area A*, but opposed to the proposal in *Subject Area C*
- 34 submissions by email: 32 for, 2 against (See attached)
- One (1) petition opposing the proposal (See attached)

Neighborhood Input: The subject property is not located within the boundaries of an official neighborhood association; however, it is located within the jurisdiction of the Allendale Neighborhood Crime Watch Association.

Community Planning & Preservation Commission (CPPC): On September 8, 2015 the CPPC held a public hearing regarding these amendments, and voted as follows:

- *Subject Area A* - **Motion PASSED 5-0** to approve amending the Official Zoning Map designation from NT-3 (Neighborhood Traditional) to NS-1 (Neighborhood Suburban);
- *Subject Area B* - **Motion DENIED 5-0** to approve amending the Future Land Use Map designation from PR-R (Planned Redevelopment-Residential) to RU (Residential Urban) and Official Zoning Map designation from NT-2 (Neighborhood Traditional) to NS-1 (Neighborhood Suburban);
- *Subject Area C* - **Motion PASSED 5-0** to approve amending the Future Land Use Map designation from RU (Residential Urban) to PR-R (Planned Redevelopment-Residential) and Official Zoning Map designation from NT-3 (Neighborhood Traditional) to NT-2 (Neighborhood Traditional).

Recommended City Council Action:

- 1) CONDUCT the first reading and first public hearing for Subject Areas A, B, and C, and SET the second reading and adoption public hearing for December 17, 2015.
- 2) APPROVE the attached transmittal resolution.

Attachments: Ordinances (5), Resolution, CPPC Draft Minutes, and Staff Report.

**ORDINANCES**  
**SUBJECT AREA - A**

ORDINANCE NO. \_\_\_-Z

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ST. PETERSBURG, FLORIDA; BY CHANGING THE ZONING OF PROPERTIES IN THE ATTACHED "EXHIBIT A," GENERALLY BOUNDED BY DR. MARTIN LUTHER KING JR. STREET NORTH AND 38<sup>TH</sup> AVENUE NORTH AND HAINES ROAD NORTH AND 42<sup>ND</sup> AVENUE NORTH, FROM NT-3 (NEIGHBORHOOD TRADITIONAL-3) TO NS-1 (NEIGHBORHOOD SUBURBAN-1); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The Official Zoning Map of the City of St. Petersburg is amended by placing the hereinafter described properties in a Zoning District as follows:

Property

The properties described in "Exhibit A," generally bounded from a point of beginning at Dr. Martin Luther King Jr. Street North, thence west along 38<sup>th</sup> Avenue North, thence north along 12<sup>th</sup> Street North, thence northwest along the service alley parallel to Haines Road North, thence along 42<sup>nd</sup> Avenue North, thence south along Dr. Martin Luther King Jr. Street North to the point of beginning.

District

From: NT-3 (Neighborhood Traditional-3)

To: NS-1 (Neighborhood Suburban-1)

SECTION 2. All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 3. This ordinance shall become effective upon adoption.

APPROVED AS TO FORM AND SUBSTANCE:

FLUM-30A  
(Zoning)

  
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

9-29-15

DATE

  
ASSISTANT CITY ATTORNEY

9/30/15

DATE

**FLUM 30-A: SUBJECT AREA A**

<b>PARCELID</b>	<b>AREA</b>	<b>ZONING</b>	<b>TOZONING</b>	<b>ACRES</b>
013116004860000150	A	NT-3	NS-1	0.19
013116005760040130	A	NT-3	NS-1	1.04
013116005580070320	A	NT-3	NS-1	0.74
013116004860000060	A	NT-3	NS-1	0.25
013116005580030020	A	NT-3	NS-1	0.28
013116005760040280	A	NT-3	NS-1	0.40
013116004860000090	A	NT-3	NS-1	0.30
013116006120000010	A	NT-3	NS-1	0.28
013116005580050050	A	NT-3	NS-1	0.29
013116005580070220	A	NT-3	NS-1	0.28
013116005580050100	A	NT-3	NS-1	1.17
013116005760040180	A	NT-3	NS-1	0.24
013116004860000140	A	NT-3	NS-1	0.20
013116004860000190	A	NT-3	NS-1	0.20
013116005760040030	A	NT-3	NS-1	0.25
013116005760040200	A	NT-3	NS-1	0.25
013116005580050300	A	NT-3	NS-1	0.29
013116005580030110	A	NT-3	NS-1	0.25
013116005580060220	A	NT-3	NS-1	0.46
013116005580060100	A	NT-3	NS-1	0.30
013116005760040060	A	NT-3	NS-1	0.39
013116005760040100	A	NT-3	NS-1	0.27
013116004860000210	A	NT-3	NS-1	0.24
013116005580050090	A	NT-3	NS-1	0.28
013116005760040050	A	NT-3	NS-1	0.24
013116004860000030	A	NT-3	NS-1	0.25
013116005580030160	A	NT-3	NS-1	0.35
013116005580060120	A	NT-3	NS-1	0.52
013116005580070140	A	NT-3	NS-1	0.59
013116005580030040	A	NT-3	NS-1	0.15
013116005580050030	A	NT-3	NS-1	0.32
013116005580070110	A	NT-3	NS-1	0.58
013116005580030140	A	NT-3	NS-1	0.67
013116004860000200	A	NT-3	NS-1	0.20
013116005580060270	A	NT-3	NS-1	1.01
013116005580070190	A	NT-3	NS-1	0.51
013116005580050010	A	NT-3	NS-1	0.35
013116004860000160	A	NT-3	NS-1	0.20
013116005580070300	A	NT-3	NS-1	0.68
013116004860000070	A	NT-3	NS-1	0.38
013116005580060010	A	NT-3	NS-1	0.46
013116004860000100	A	NT-3	NS-1	0.27
013116005580050200	A	NT-3	NS-1	0.39
013116021600000080	A	NT-3	NS-1	0.16

**FLUM 30-A: SUBJECT AREA A**

<b>PARCELID</b>	<b>AREA</b>	<b>ZONING</b>	<b>TOZONING</b>	<b>ACRES</b>
013116005580030180	A	NT-3	NS-1	0.32
013116005580030240	A	NT-3	NS-1	0.25
013116005580050320	A	NT-3	NS-1	0.39
013116005580050240	A	NT-3	NS-1	0.32
013116005580030010	A	NT-3	NS-1	0.20
013116005580030260	A	NT-3	NS-1	0.23
013116004860000020	A	NT-3	NS-1	0.26
013116004860000010	A	NT-3	NS-1	0.27
013116005760040210	A	NT-3	NS-1	0.26
013116005760040170	A	NT-3	NS-1	0.19
013116005580030080	A	NT-3	NS-1	0.38
013116005580050070	A	NT-3	NS-1	0.31
013116005760040080	A	NT-3	NS-1	0.21
013116005760040190	A	NT-3	NS-1	0.18
013116004860000040	A	NT-3	NS-1	0.25
013116004860000110	A	NT-3	NS-1	0.29
013116005580060180	A	NT-3	NS-1	0.92
013116005580060030	A	NT-3	NS-1	0.30
013116005760040230	A	NT-3	NS-1	0.27
013116005580060320	A	NT-3	NS-1	0.32
013116005580070160	A	NT-3	NS-1	0.59
013116004860000170	A	NT-3	NS-1	0.19
013116005580060250	A	NT-3	NS-1	0.50
013116005580050180	A	NT-3	NS-1	0.29
013116004860000120	A	NT-3	NS-1	0.51
013116005580030050	A	NT-3	NS-1	0.38
013116005580070180	A	NT-3	NS-1	0.16
013116005580060230	A	NT-3	NS-1	0.42
013116006120000020	A	NT-3	NS-1	0.36
013116005580050220	A	NT-3	NS-1	0.40
013116005580060080	A	NT-3	NS-1	0.25
013116005580050270	A	NT-3	NS-1	0.61
013116005580050120	A	NT-3	NS-1	0.45
013116005580050250	A	NT-3	NS-1	0.48
013116005580030210	A	NT-3	NS-1	0.45
013116005580030230	A	NT-3	NS-1	0.25
013116005580070010	A	NT-3	NS-1	2.22
013116005580060300	A	NT-3	NS-1	0.42
013116005580030100	A	NT-3	NS-1	0.27
013116005760040010	A	NT-3	NS-1	0.35
013116004860000180	A	NT-3	NS-1	0.19
<b>TOTAL</b>				<b>33</b>

**ORDINANCES**  
**SUBJECT AREA - B**

ORDINANCE NO. \_\_\_-L

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN FOR THE CITY OF ST. PETERSBURG, FLORIDA; CHANGING THE LAND USE DESIGNATION OF PROPERTIES IN THE ATTACHED "EXHIBIT A," GENERALLY BOUNDED BY DR. MARTIN LUTHER KING JR. STREET NORTH AND FOSTER HILL DRIVE NORTH AND 38<sup>TH</sup> AVENUE NORTH, FROM PLANNED REDEVELOPMENT-RESIDENTIAL TO RESIDENTIAL URBAN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, established the Community Planning Act; and

WHEREAS, the City of St. Petersburg Comprehensive Plan and Future Land Use Map are required by law to be consistent with the Countywide Comprehensive Plan and Future Land Use Map and the Pinellas Planning Council is authorized to develop rules to implement the Countywide Future Land Use Map; and

WHEREAS, the St. Petersburg City Council has considered and approved the proposed St. Petersburg land use amendment provided herein as being consistent with the proposed amendment to the Countywide Future Land Use Map which has been initiated by the City; now, therefore

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Pursuant to the provisions of the Community Planning Act, as amended, and pursuant to all applicable provisions of law, the Future Land Use Map of the City of St. Petersburg Comprehensive Plan is amended by placing the hereinafter described property in the land use category as follows:

Property

The properties described in "Exhibit A," generally bounded from a point of beginning at the intersection of Dr. Martin Luther King Jr. Street North and Haines Road, thence northwest along Haines Road, thence northwest along the service alley parallel to Haines Road North and servicing properties fronting Foster Hills Drive North, thence northwest along Haines Road, thence east along 38<sup>th</sup> Avenue North, thence south along Dr. Martin Luther King Jr. Street North to the point of beginning.

Land Use Category

From: Planned Redevelopment-Residential

To: Residential Urban

SECTION 2. All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

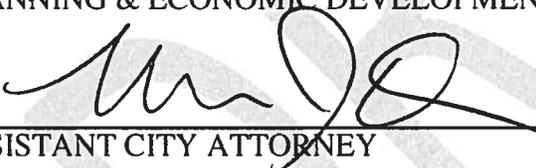
SECTION 3. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon approval of the required Land Use Plan change by the Pinellas County Board of County Commissioners (acting in their capacity as the Countywide Planning Authority) and upon issuance of a final order determining this amendment to be in compliance by the Department of Economic Opportunity (DOE) or until the Administration Commission issues a final order determining this amendment to be in compliance, pursuant to Section 163.3187, F.S. 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 as set forth above.

APPROVED AS TO FORM AND SUBSTANCE:

FLUM-30A  
(Land Use)

  
\_\_\_\_\_  
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

9-29-15  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
ASSISTANT CITY ATTORNEY

9/30/15  
\_\_\_\_\_  
DATE

**EXHIBIT A | FLUM 30-A: SUBJECT AREA B**

<b>PARCELID</b>	<b>AREA</b>	<b>ZONING</b>	<b>TOZONING</b>	<b>FLU</b>	<b>TOFLU</b>	<b>ACRES</b>
073117005220070260	B	NT-2	NS-1	PR-R	RU	0.18
073117005220080030	B	NT-2	NS-1	PR-R	RU	0.32
073117005220070400	B	NT-2	NS-1	PR-R	RU	0.53
073117005220080160	B	NT-2	NS-1	PR-R	RU	0.20
073117005220070360	B	NT-2	NS-1	PR-R	RU	0.18
073117005220080190	B	NT-2	NS-1	PR-R	RU	0.44
073117005220070350	B	NT-2	NS-1	PR-R	RU	0.15
073117005220080170	B	NT-2	NS-1	PR-R	RU	0.32
073117005220080220	B	NT-2	NS-1	PR-R	RU	0.28
073117005220070380	B	NT-2	NS-1	PR-R	RU	0.20
073117005220070390	B	NT-2	NS-1	PR-R	RU	0.13
073117005220070320	B	NT-2	NS-1	PR-R	RU	0.13
073117005220070300	B	NT-2	NS-1	PR-R	RU	0.15
073117005220070240	B	NT-2	NS-1	PR-R	RU	0.34
073117005220080090	B	NT-2	NS-1	PR-R	RU	0.20
073117005220070270	B	NT-2	NS-1	PR-R	RU	0.25
073117005220080110	B	NT-2	NS-1	PR-R	RU	0.32
073117005220070200	B	NT-2	NS-1	PR-R	RU	0.39
073117005220070330	B	NT-2	NS-1	PR-R	RU	0.13
073117005220080210	B	NT-2	NS-1	PR-R	RU	0.18
073117005220080050	B	NT-2	NS-1	PR-R	RU	0.38
073117005220080120	B	NT-2	NS-1	PR-R	RU	0.33
073117005220070370	B	NT-2	NS-1	PR-R	RU	0.17
073117005220070290	B	NT-2	NS-1	PR-R	RU	0.27
073117005220080140	B	NT-2	NS-1	PR-R	RU	0.16
073117005220080180	B	NT-2	NS-1	PR-R	RU	0.26
073117005220070220	B	NT-2	NS-1	PR-R	RU	0.29
073117005220070310	B	NT-2	NS-1	PR-R	RU	0.13
073117005220080070	B	NT-2	NS-1	PR-R	RU	0.43
073117005220080020	B	NT-2	NS-1	PR-R	RU	0.13
073117005220080010	B	NT-2	NS-1	PR-R	RU	0.37
073117005220080150	B	NT-2	NS-1	PR-R	RU	0.20
073117005220070340	B	NT-2	NS-1	PR-R	RU	0.14

**TOTAL 8.28**

ORDINANCE NO. \_\_\_-Z

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ST. PETERSBURG, FLORIDA; BY CHANGING THE ZONING OF PROPERTIES IN THE ATTACHED "EXHIBIT A," GENERALLY BOUNDED BY DR. MARTIN LUTHER KING JR. STREET NORTH AND FOSTER HILL DRIVE NORTH AND 38<sup>TH</sup> AVENUE NORTH, FROM NT-2 (NEIGHBORHOOD TRADITIONAL-2) TO NS-1 (NEIGHBORHOOD SUBURBAN-1); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The Official Zoning Map of the City of St. Petersburg is amended by placing the hereinafter described property in a Zoning District as follows:

Property

The properties described in "Exhibit A," generally bounded from a point of beginning at the intersection of Dr. Martin Luther King Jr. Street North and Haines Road, thence northwest along Haines Road, thence northwest along the service alley parallel to Haines Road North and servicing properties fronting Foster Hills Drive North, thence northwest along Haines Road, thence east along 38<sup>th</sup> Avenue North, thence south along Dr. Martin Luther King Jr. Street North to the point of beginning.

District

From: NT-2 (Neighborhood Traditional-2)

To: NS-1 (Neighborhood Suburban-1)

SECTION 2. All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 3. This ordinance shall become effective upon the date the ordinance adopting the required amendment to the City of St. Petersburg Comprehensive Plan's Future Land Use Map becomes effective (Ordinance \_\_\_-L).

APPROVED AS TO FORM AND SUBSTANCE:

FLUM-30A  
(Zoning)

  
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

9-29-15

DATE

  
ASSISTANT CITY ATTORNEY

9/30/15

DATE

**EXHIBIT A | FLUM 30-A: SUBJECT AREA B**

<b>PARCELID</b>	<b>AREA</b>	<b>ZONING</b>	<b>TOZONING</b>	<b>FLU</b>	<b>TOFLU</b>	<b>ACRES</b>
073117005220070260	B	NT-2	NS-1	PR-R	RU	0.18
073117005220080030	B	NT-2	NS-1	PR-R	RU	0.32
073117005220070400	B	NT-2	NS-1	PR-R	RU	0.53
073117005220080160	B	NT-2	NS-1	PR-R	RU	0.20
073117005220070360	B	NT-2	NS-1	PR-R	RU	0.18
073117005220080190	B	NT-2	NS-1	PR-R	RU	0.44
073117005220070350	B	NT-2	NS-1	PR-R	RU	0.15
073117005220080170	B	NT-2	NS-1	PR-R	RU	0.32
073117005220080220	B	NT-2	NS-1	PR-R	RU	0.28
073117005220070380	B	NT-2	NS-1	PR-R	RU	0.20
073117005220070390	B	NT-2	NS-1	PR-R	RU	0.13
073117005220070320	B	NT-2	NS-1	PR-R	RU	0.13
073117005220070300	B	NT-2	NS-1	PR-R	RU	0.15
073117005220070240	B	NT-2	NS-1	PR-R	RU	0.34
073117005220080090	B	NT-2	NS-1	PR-R	RU	0.20
073117005220070270	B	NT-2	NS-1	PR-R	RU	0.25
073117005220080110	B	NT-2	NS-1	PR-R	RU	0.32
073117005220070200	B	NT-2	NS-1	PR-R	RU	0.39
073117005220070330	B	NT-2	NS-1	PR-R	RU	0.13
073117005220080210	B	NT-2	NS-1	PR-R	RU	0.18
073117005220080050	B	NT-2	NS-1	PR-R	RU	0.38
073117005220080120	B	NT-2	NS-1	PR-R	RU	0.33
073117005220070370	B	NT-2	NS-1	PR-R	RU	0.17
073117005220070290	B	NT-2	NS-1	PR-R	RU	0.27
073117005220080140	B	NT-2	NS-1	PR-R	RU	0.16
073117005220080180	B	NT-2	NS-1	PR-R	RU	0.26
073117005220070220	B	NT-2	NS-1	PR-R	RU	0.29
073117005220070310	B	NT-2	NS-1	PR-R	RU	0.13
073117005220080070	B	NT-2	NS-1	PR-R	RU	0.43
073117005220080020	B	NT-2	NS-1	PR-R	RU	0.13
073117005220080010	B	NT-2	NS-1	PR-R	RU	0.37
073117005220080150	B	NT-2	NS-1	PR-R	RU	0.20
073117005220070340	B	NT-2	NS-1	PR-R	RU	0.14
<b>TOTAL</b>						<b>8.28</b>

**ORDINANCES**  
**SUBJECT AREA - C**

ORDINANCE NO. \_\_\_-L

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN FOR THE CITY OF ST. PETERSBURG, FLORIDA; CHANGING THE LAND USE DESIGNATION OF PROPERTIES IN THE ATTACHED "EXHIBIT A," GENERALLY BOUNDED BY HAINES ROAD NORTH AND THE ASSOCIATED SERVICE ALLEY AND 12<sup>TH</sup> STREET NORTH AND 42<sup>ND</sup> AVENUE NORTH, FROM RESIDENTIAL URBAN TO PLANNED REDEVELOPMENT-RESIDENTIAL; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, established the Community Planning Act; and

WHEREAS, the City of St. Petersburg Comprehensive Plan and Future Land Use Map are required by law to be consistent with the Countywide Comprehensive Plan and Future Land Use Map and the Pinellas Planning Council is authorized to develop rules to implement the Countywide Future Land Use Map; and

WHEREAS, the St. Petersburg City Council has considered and approved the proposed St. Petersburg land use amendment provided herein as being consistent with the proposed amendment to the Countywide Future Land Use Map which has been initiated by the City; now, therefore

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Pursuant to the provisions of the Community Planning Act, as amended, and pursuant to all applicable provisions of law, the Future Land Use Map of the City of St. Petersburg Comprehensive Plan is amended by placing the hereinafter described property in the land use category as follows:

Property

The properties described in "Exhibit A," generally bounded from a point of beginning at the intersection of Haines Road and 12<sup>th</sup> Street North, thence north along 12<sup>th</sup> Street North, thence northwest along the service alley parallel to Haines Road North, thence south along 42<sup>nd</sup> Avenue North, thence southwest along Haines Road North, to the point of beginning.

Land Use Category

From: Residential Urban

To: Planned Redevelopment-Residential

SECTION 2. All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 3. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon approval of the required Land Use Plan change by the Pinellas County Board of County Commissioners (acting in their capacity as the Countywide Planning Authority) and upon issuance of a final order determining this amendment to be in compliance by the Department of Economic Opportunity (DOE) or until the Administration Commission issues a final order determining this amendment to be in compliance, pursuant to Section 163.3187, F.S. 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 as set forth above.

APPROVED AS TO FORM AND SUBSTANCE:

FLUM-30A  
(Land Use)

  
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

9-29-15

DATE

  
ASSISTANT CITY ATTORNEY

9/30/15

DATE

**EXHIBIT A | FLUM 30-A: SUBJECT AREA C**

<b>PARCELID</b>	<b>AREA</b>	<b>ZONING</b>	<b>TOZONING</b>	<b>FLU</b>	<b>TOFLU</b>	<b>ACRES</b>
013116021420030110	C	NT-3	NT-2	RU	PR-R	0.16
013116021420020150	C	NT-3	NT-2	RU	PR-R	0.32
013116021420020170	C	NT-3	NT-2	RU	PR-R	0.16
013116021420030080	C	NT-3	NT-2	RU	PR-R	0.16
013116021420030070	C	NT-3	NT-2	RU	PR-R	0.16
013116021420020140	C	NT-3	NT-2	RU	PR-R	0.16
013116021600000020	C	NT-3	NT-2	RU	PR-R	0.12
013116021420020180	C	NT-3	NT-2	RU	PR-R	0.15
013116021420020130	C	NT-3	NT-2	RU	PR-R	0.17
013116021420030090	C	NT-3	NT-2	RU	PR-R	0.16
013116021600000010	C	NT-3	NT-2	RU	PR-R	0.12
013116021600000040	C	NT-3	NT-2	RU	PR-R	0.39
013116021420020190	C	NT-3	NT-2	RU	PR-R	0.15
013116021420020110	C	NT-3	NT-2	RU	PR-R	0.31
013116021420030100	C	NT-3	NT-2	RU	PR-R	0.15
013116021600000030	C	NT-3	NT-2	RU	PR-R	0.11
					<b>TOTAL</b>	<b>2.95</b>

ORDINANCE NO. \_\_\_-Z

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ST. PETERSBURG, FLORIDA; BY CHANGING THE ZONING OF PROPERTIES IN THE ATTACHED "EXHIBIT A," GENERALLY BOUNDED BY HAINES ROAD NORTH AND THE ASSOCIATED SERVICE ALLEY AND 12<sup>TH</sup> STREET NORTH AND 42<sup>ND</sup> AVENUE NORTH, FROM NT-3 (NEIGHBORHOOD TRADITIONAL-3) TO NT-2 (NEIGHBORHOOD TRADITIONAL-2); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The Official Zoning Map of the City of St. Petersburg is amended by placing the hereinafter described property in a Zoning District as follows:

Property

The properties described in "Exhibit A," generally bounded from a point of beginning at the intersection of Haines Road and 12<sup>th</sup> Street North, thence north along 12<sup>th</sup> Street North, thence northwest along the service alley parallel to Haines Road North, thence south along 42<sup>nd</sup> Avenue North, thence southwest along Haines Road North, to the point of beginning.

District

From: NT-3 (Neighborhood Traditional-2)

To: NT-2 (Neighborhood Traditional-2)

SECTION 2. All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 3. This ordinance shall become effective upon the date the ordinance adopting the required amendment to the City of St. Petersburg Comprehensive Plan's Future Land Use Map becomes effective (Ordinance \_\_\_-L).

APPROVED AS TO FORM AND SUBSTANCE:

FLUM-30A  
(Zoning)

	9-29-15
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT	DATE
	9/30/15
ASSISTANT CITY ATTORNEY	DATE

**EXHIBIT A | FLUM 30-A: SUBJECT AREA C**

<b>PARCELID</b>	<b>AREA</b>	<b>ZONING</b>	<b>TOZONING</b>	<b>FLU</b>	<b>TOFLU</b>	<b>ACRES</b>
013116021420030110	C	NT-3	NT-2	RU	PR-R	0.16
013116021420020150	C	NT-3	NT-2	RU	PR-R	0.32
013116021420020170	C	NT-3	NT-2	RU	PR-R	0.16
013116021420030080	C	NT-3	NT-2	RU	PR-R	0.16
013116021420030070	C	NT-3	NT-2	RU	PR-R	0.16
013116021420020140	C	NT-3	NT-2	RU	PR-R	0.16
013116021600000020	C	NT-3	NT-2	RU	PR-R	0.12
013116021420020180	C	NT-3	NT-2	RU	PR-R	0.15
013116021420020130	C	NT-3	NT-2	RU	PR-R	0.17
013116021420030090	C	NT-3	NT-2	RU	PR-R	0.16
013116021600000010	C	NT-3	NT-2	RU	PR-R	0.12
013116021600000040	C	NT-3	NT-2	RU	PR-R	0.39
013116021420020190	C	NT-3	NT-2	RU	PR-R	0.15
013116021420020110	C	NT-3	NT-2	RU	PR-R	0.31
013116021420030100	C	NT-3	NT-2	RU	PR-R	0.15
013116021600000030	C	NT-3	NT-2	RU	PR-R	0.11
					<b>TOTAL</b>	<b>2.95</b>

# **TRANSMITTAL RESOLUTION**

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

A RESOLUTION TRANSMITTING A PROPOSED AMENDMENT TO THE CITY OF ST. PETERSBURG LOCAL GOVERNMENT COMPREHENSIVE PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the St. Petersburg City Council has held the requisite public hearing in consideration of a request to amend the Local Government Comprehensive Plan; and

WHEREAS, the St. Petersburg City Council has considered and approved the proposed St. Petersburg Comprehensive Plan amendment, and determined it to be consistent with the Countywide Plan.

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

That the City Council of St. Petersburg does hereby transmit the proposed amendment to the Local Government Comprehensive Plan to the Pinellas Planning Council (PPC) for a consistency review with the Countywide Plan.

This Resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND SUBSTANCE:

City File FLUM-30-A

  
\_\_\_\_\_  
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT 9-18-15  
DATE

  
\_\_\_\_\_  
ASSISTANT CITY ATTORNEY 9/30/15  
DATE

# **CPPC DRAFT MINUTES**



CITY OF ST. PETERSBURG  
COMMUNITY PLANNING & PRESERVATION COMMISSION  
PUBLIC HEARING  
September 8, 2015

QUASI-JUDICIAL PUBLIC HEARING

C. City File FLUM-30-A

Contact Person: Derek Kilborn, 893-7872

**Location:** The estimated 45 acre subject property is comprised of three separate areas located within the Allendale neighborhood, generally bounded by 42<sup>nd</sup> Avenue North, Dr. Martin Luther King Jr. Street North, Foster Hills Drive North, and Haines Road North.

**Request:** Subject Area A: For this estimated 33.8 acre area, amend the Official Zoning Map designation from NT-3 (Neighborhood Traditional-3) to NS-1 (Neighborhood Suburban-1), or other less intensive use.

Subject Area B: For this estimated 8.3 acre area, amend the Future Land Use Map designation from Planned Redevelopment-Residential to Residential Urban and amend the Official Zoning Map designation from NT-2 (Neighborhood Traditional-2) to NS-1 (Neighborhood Suburban-1), or other less intensive use.

Subject Area C: For this estimated 2.9 acre area, amend the Future Land Use Map designation from Residential Urban to Planned Redevelopment-Residential and amend the Official Zoning Map designation from NT-3 (Neighborhood Traditional-3) to NT-2 (Neighborhood Traditional-2), or other less intensive use.

**Staff Presentation**

Derek Kilborn gave a PowerPoint presentation based on the staff report.

Commissioner Michaels asked if other factors should be considered for the proposed zoning changes other than the nonconforming properties and the ancillary dwelling units. Mr. Kilborn stated that those are two critical factors; the creation of nonconforming lots and also the compatibility of the physical development in the field with the zoning requirement in the code. The 2020 Plan describes a traditional neighborhood and how it is different from a suburban neighborhood, and this has been one of the challenges with this application in determining which zoning designation is more compatible for this neighborhood because Allendale has a great demonstration of both descriptions. At the time of the 2020 Plan process, the existing Future Land Use Map category for Subject Areas A and C was Residential Urban and when applying new zoning of a particular area, they try to maintain consistency with the Future Land Use Map category. Subject Area A would have no change to the Future Land Use Map category with the proposed NS-1 zoning designation. Overall, they are looking at what zoning category is most consistent with the physical development pattern in the area being considered.

Commissioner Michaels asked if the 1951 covenant was created with the intent of building larger homes in this neighborhood. Mr. Kilborn stated for clarification that the City cannot enforce the language in the covenant even though it has very specific language pertaining to setbacks, type of construction, and the required 2-story element.

Commission Vice-Chair Wolf asked that if the proposed zoning is approved, would those houses built on more than one 60-foot lot be re-platted as one parcel. Mr. Kilborn stated that this is a discussion about non-conforming lots and whether or not those can be individually developed. In the code today there is a separate section that allows for the individual development of platted lots even though they are substandard in width required by the zoning category. Rezoning this neighborhood today does not do anything to that other section of the code and technically those individual substandard lots could still be developed. There is a separate conversation that is taking place about that section of the code and there is a separate text amendment application that is moving through the process. Where someone has developed over multiple platted lots and with the proposed zoning of a minimum lot width of 75-feet (under NS-1), and assuming this other section of the code gets amended, they would still be able to divide their parcel but not in a way that would create parcels less than 75-feet in width. If the other section of the code is not amended, they could still subdivide their parcel provided it is in accordance with the original subdivision plat which is in most cases is 60-feet.

### **Registered Opponent Presentation**

A Brief in Opposition was submitted David McKalip, M.D., 1078 – 42<sup>nd</sup> Avenue North and copies were distributed to the Commission Members at the beginning of the meeting.

Prior to beginning his presentation, Dr. McKalip, asked Legal the following procedural questions:

- (1) Does the current procedure allows the same amount of time given to the applicant be given to the opponent under the quasi-judicial procedure? Mr. Dema concurred. Dr. McKalip pointed out that staff took an additional 5 ½ minutes with their presentation.
- (2) Is the 5-minute cross examination time per witness or 5 minutes total? Mr. Dema replied total.
- (3) Can members of the Commission be cross-examined? Mr. Dema replied no.
- (4) Is this meeting being recorded? Mr. Dema replied yes.
- (5) Will the recording be publically available? Mr. Dema replied yes.

The time was set at 15:35, at Dr. McKalip's request, in accordance with the regulation time used.

Dr. McKalip then gave a presentation in opposition of the request. Highlights are as follows:

Burden of proof was not met (City's claim that rezoning from NT-3 to NS-1 will improve compatibility with existing development.); the City had not submitted competent, substantial evidence supporting their claim.

The responsibility of the Commission is to look only at the evidence provided by the City for their determination and not at the number of people attending the meeting and how passionate their testimonies are.

The law currently in place has ample regulations to ensure that the Allendale development is compatible with existing development. He wants to keep the option available to be able to divide his multi-lot parcel in the future, if he so chooses, and with the creation of 75-foot lots would limit his option for buyers. The property value of the neighborhood would have the potential to greatly increase if the zoning remains the same.

The City has asserted incorrectly that the Allendale Crime Watch (who initiated concerns resulting in this proposal) acts in a similar capacity as a neighborhood association; they have not acted that way. They made sure that people who are opposed to this were not invited to a large neighborhood meeting at the end of June. They have a secret committee called their Action Committee that would not allow him to sit with them in person to discuss things and they said they scheduled a conference call telling me what they thought should happen. Any input the Allendale Crime Watch had should be taken in that light.

In regards to a statement on page 7 of the staff report (*When zoning was later established (referring to 1977 creating the 80-foot lots) and subsequently modified, minimum lot width and area requirements were based on the physical development pattern rather than the underlying subdivision plat.*) he asked Mr. Kilborn to provide documents or similar evidence to show that was how the process was carried out in 1977 and stated that Mr. Kilborn admitted that that was a presumption on his part; not based on competent, substantial evidence.

Does not agree that the proposed rezoning would make things more consistent with the Comprehensive Plan: (1) VI.1 – Ways to integrate with the Vision Element (diversity, neighborhood identity, historic preservation, and celebration of community). How can they have diversity if somewhat smaller homes are not allowed to be interspersed with homes somewhat bigger in Allendale? How can they expect for people to be upwardly mobile if they are excluded from a neighborhood because of large lot sizes? How can historic preservation be respected if homes that are of a lower standard based on the NS-1 building standards be allowed? (2) LU3.5 – Tax base will be maintained. In fact the tax base is currently being improved with smaller lot sizes. Changing back to larger lot sizes would slow down development, slow down redevelopment and make less tax dollars flow into the City as older homes continue to stagnate are hard to sell and harder to divide. (3) LU3.6 – Character of predominately developed areas; the character will change. (4) LU3.7 – Planning decisions shall determine whether existing Land Use Plan boundaries are logically drawn. Logic would dictate that the lots should be 100-feet or greater requiring a zoning designation of NS-2 which would make 45% of the lots nonconforming and the City could not support. Logic would dictate that they stay at the 60-foot platted lots developed by Mr. Allendale where natural development has occurred across those lots with very little to no intervention by any authority. The NS-1 zoning designation is incompatible with existing development (flat windows; not recessed, no window sills or trim requirement; no walkways to the road, garages that encroach pass the setback) and is not supported by the majority of the neighborhood.

### **Public Hearing**

The following people spoke in **opposition** of the request:

Dr. Pamela Settlegoode, 3741 Foster Hill Dr N  
Thomas Burgess, 960 – 40<sup>th</sup> Ave N  
Alan McKeithen, 3712 Foster Hill Dr N  
Greg Tappon, 3650 Foster Hill Dr N

The following people spoke in **support** of the request:

James M. King, 1401 – 42<sup>nd</sup> Ave N  
Ed Wilson, 955 – 40<sup>th</sup> Ave N  
Bill Foster, 515 – 1<sup>st</sup> Ave N  
Nina Light, 940 – 42<sup>nd</sup> Ave N and representing Allendale Crime Watch Association  
Gary Weaver, 956 – 42<sup>nd</sup> Ave N

Ken Leynse, 950 – 41<sup>st</sup> Ave N  
Pam Smith, 941 Montrose Blvd N  
Brian Smith, 935 – 41<sup>st</sup> Ave N (PowerPoint presentation)  
Adam Erickson, 945 – 40<sup>th</sup> Ave N  
Lindsey Porter, 716 – 14<sup>th</sup> Ave NE and representing her mother, Eleanor Porter, a resident of Allendale  
Martin Banspach, 4140 – 14<sup>th</sup> St N  
Kenton D. Wilson, 1045 – 39<sup>th</sup> Ave N (submitted photos)  
Kent Malone, 915 – 41<sup>st</sup> Ave N (PowerPoint presentation)  
Sue Fishalow, 4041 – 11<sup>th</sup> St N  
Tom Nelson, 1015 – 41<sup>st</sup> Ave N  
Jim Stitt, 1000 – 40<sup>th</sup> Ave N (PowerPoint presentation)  
Mark Foster, 1045 – 43<sup>rd</sup> Ave N (declined to speak, wanted his support placed into the record)

### Cross Examination

#### **By Registered Opponent**

To Derek Kilborn:

Question: Was City Council considering rezoning Allendale before the neighbors came to you?

Response: Not that I'm aware of.

Question: How many other large neighborhoods since 2007 have been rezoned in this fashion?

Response: Large neighborhoods on this scale, the answer is none.

Question: Will you be willing to identify in your rebuttal what evidence you may have to support the proposed rezoning?

Response: In rebuttal, yes.

Bill Foster was called but was not present.

To: Nina Light:

Question: Is the Allendale Crime Watch Association registered officially with the City as a neighborhood association?

Response: We are registered as a neighborhood crime watch.

Question: Are you registered as a neighborhood association? Yes or No.

Response: No.

Question: Did you hire Mr. Foster to obtain his services as an attorney to represent the Crime Watch in the matter at any time?

Response: The neighborhood Action Committee hired Mr. Foster as their attorney.

Question: Was money exchanged?

Response: We have a legal fund established from the neighbors who pay no dues to the Crime Watch.

Question: Did you pay Mr. Foster for his services?

Response: Yes we have. We have only donations.

Question: How many trees were torn down on the 40<sup>th</sup> Avenue North lot? How many trees were torn down?

Response: Nine.

Question: Nine trees on that half of that lot?

Response: Half of that lot.

Question: Now you said that there was a mistake made in creating 60-foot plats. Can you provide what evidence you have that there was a mistake made in developing 60-foot lots? What evidence do you have?

Response: The mistake was done by the Council that looked over the parceling of the lots on the aerial parcel.

Question: Do you have any evidence to support that?

Response: Yes Sir. Mr. Foster was on that group that did it.

Question: Can you tell me why you did not invite me to the neighborhood meeting at the end of June where this matter was discussed.

Response: I called your home and left a message, and you called me back and I started to explain. We were going to ask you to be on the committee but you told me that they had the right to build whatever they wanted, however big they wanted, that you were not interested in this, do not bother you or not contact you anymore, so you were not invited.

Asked if Mr. Foster was back; he was not.

To Tom Nelson:

Question: Have you engaged in a real estate development outside of your property in the past?

Response: I'm sorry, you said in the past week?

Question: In your life?

Response: No.

Question: You never done real estate work?

Response: I never done real estate development and that was your question.

Question: Bought and sold real estate though, right?

Response: No. Actually I just bought and sold homes. I leased offices and warehouses; that is my primary business.

Question: Are you willing to enter into a contract with the Neighborhood Crime Watch stating that you will never subdivide your lots to allow more homes to be built there?

Response: Nope but I'll tell you what I will do McKalip; is I'll deed it. I'll deed all my lots so when I sell them that they cannot be divided, and I'll do that next week. Why don't you do it too?

To Mr. James King:

Question: You live outside of the area under consideration. Is that correct?

Response: That is correct.

Question: The lots where you live can be 50-foot lots to have homes built on them?

Response: They are platted 50-foot; however, lots, I can give you the dimensions starting at 12<sup>th</sup> Street, are 100-feet, 100-feet, 100-feet, 85-feet, 75-feet, 75-feet and 75-feet.

**By City Administration**

Waived.

## **Rebuttal**

### **Registered Opponent**

Dr. McKalip believes competent, substantial evidence has not been heard to demonstrate that the rezoning is necessary to allow compatibility of the area with existing neighborhood. A lot of testimony was heard which was highly subjective complaining that houses do not fit in. He noted that the Hess house on 12<sup>th</sup> Street between 40<sup>th</sup> and 41<sup>st</sup> Avenues was torn down and is not being subdivided into three lots, so naturally, with no intervention of any rezoning process, people have bought those lots, kept them together to build homes in a neighborhood that have like homes. The comment made earlier that these are corporations who are asserting their will on to our neighborhood is not true. Any trees that have been torn down will be subject to the tree code, to be replaced in a timely fashion. He bought his home as a chief investment strategy for himself as a physician subject to liability and lawsuits as a neurosurgeon; prime measure of protecting his estate and his value. He would like to have the option, if needed to, to divide it and sell it off if he should get into financial trouble. Removing that would harm him and it is a taking of his property that violates the constitution, he suggests. The majority of the neighborhood is not represented by the Crime Watch Association in this matter.

### **City Administration**

Mr. Kilborn explained the competent and substantial evidence that went into their analysis. When processing one of these applications, what staff looks at and what the Commission needs to consider is the City's Comprehensive Plan; specifically the goals, objectives, policies and guidelines. These have been cited in the City's staff report beginning on page 13. Two critical items to this application are the Vision Element reference 1.1 and the Land Use Element reference 3.6. The Vision Element describes the very specific and deliberate process that went into the Vision 2020 Plan starting in 2001; identifies the citizens' goals and objectives, describing and distinguishing the different character of defining features of the traditional zoning categories from the suburban zoning categories. The Allendale neighborhood demonstrates and exhibits a number of characteristics from both traditional and suburban. The other factor looked at in making a determination is the Land Use Element 3.6 which states that the City should weigh heavily the established character of predominately developed areas where changes of use or intensity of development are contemplated. Staff has walked the Commission through (by the staff report and from today's presentation) the comparative analysis of the Neighborhood Traditional with the Neighborhood Suburban zoning showing the variation of lot widths, lot areas, setbacks and design standards. Based on staff's evaluation against that Land Use Element and then considering the number of non-conformities that a change would create, a split recommendation is being given (approval for subject Areas A and C and not recommending approval for subject Area B). A final thing that it looked at when doing an analysis is Level of Service impacts which have been detailed in the staff report. Testimony and conversation on a number of subjects have been heard today that staff does not consider in their evaluation including the legal status of the Allendale Crime Watch Association, the impact of trees in the neighborhood and the written material provided earlier to the Commission regarding resale property values. Between those Comprehensive Plan elements and the Level of Service impacts, City staff believes they have provided competent and substantial evidence to make a complete and comprehensive evaluation of the application before the Commission.

### **Executive Session**

Commissioner Michaels stated his support of the staff's recommendations. He recognizes that good, quality housing can be built on small lots but to him the major question in this case is what is the appropriate zoning

and was the current zoning a mistake. On the basis of the information and testimony presented, he thinks that is the case. In particular, he noted Mr. King's testimony regarding his engineering experience related to the Allendale community along with his comment that Cade Allen's intent was to build large residences in that particular neighborhood as well as Mr. Foster's testimony that the current zoning was an error on the part of the City Council when the rezoning of the City occurred. It has been established that (1) many of the original homes were built on two or more of the small parcels; (2) the previous zoning called for larger lots on at least part of the site; and (3) the average lot width in Area A, which is one of the largest part of the site, are 111-feet. He also suggested that the community may want to consider the possibility of designating the neighborhood as a local historic district to help increase protection with preserving the character and quality of the neighborhood.

Commission Vice-Chair Wolf stated his belief that the City's zoning ordinances are designed to protect the neighborhoods and to promote the general welfare in the City; not necessarily to maximize the land value in every single neighborhood in the City. He feels that the City has established that the current zoning does not protect the neighborhood to the degree that it could. He participated in the Vision 2020 creation of the new zoning ordinances (Land Development Regulations); it was a massive undertaking and not surprising that some of the neighborhoods were mismatched. He stated his support of the staff's recommendations.

**MOTION:** *Commissioner Whiteman moved and Commissioner Michaels seconded a motion approving the request for Subject Area A, amending the Official Zoning Map designation from NT-3 (Neighborhood Traditional-3) to NS-1 (Neighborhood Suburban-1).*

**VOTE:** *YES – Wolf, Burke, Michaels, Reese, Whiteman  
NO - None*

*Motion passed by a vote of 5 to 0.*

**MOTION:** *Commissioner Whiteman moved and Commissioner Michaels seconded a motion approving the request for Subject Area B, amending the Future Land Use Map designation from Planned Redevelopment-Residential to Residential Urban and the Official Zoning Map designation from NT-2 (Neighborhood Traditional-2) to NS-1 (Neighborhood Suburban-1).*

**VOTE:** *YES – None  
NO - Wolf, Burke, Michaels, Reese, Whiteman*

*Motion was denied by a vote of 5 to 0.*

**MOTION:** *Commissioner Whiteman moved and Commissioner Michaels seconded a motion approving the request for Subject Area C, amending the Future Land Use Map designation from Residential Urban to Planned Redevelopment-Residential and the Official Zoning Map designation from NT-3 (Neighborhood Traditional-3) to NT-2 (Neighborhood Traditional-2).*

**VOTE:**                    *YES – Wolf, Burke, Michaels, Reese, Whiteman*  
                                  *NO - None*

*Motion passed by a vote of 5 to 0.*

DRAFT

# **STAFF REPORT**



**Staff Report to the St. Petersburg Community Planning and Preservation Commission**  
Prepared by the Planning & Economic Development Department,  
Urban Planning and Historic Preservation Division

For Public Hearing and Executive Action on September 8, 2015  
3:00 p.m., City Council Chambers, City Hall  
175 Fifth Street North, St. Petersburg, Florida

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**City File: FLUM-30A**

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According to Planning and Economic Development Department records, no member of the Community Planning and Preservation Commission owns property within 2,000 feet of the subject area. All other possible conflicts should be declared upon announcement of the item.

**APPLICANT:** City of St. Petersburg  
175 – 5<sup>th</sup> Street North  
St. Petersburg, Florida 33701

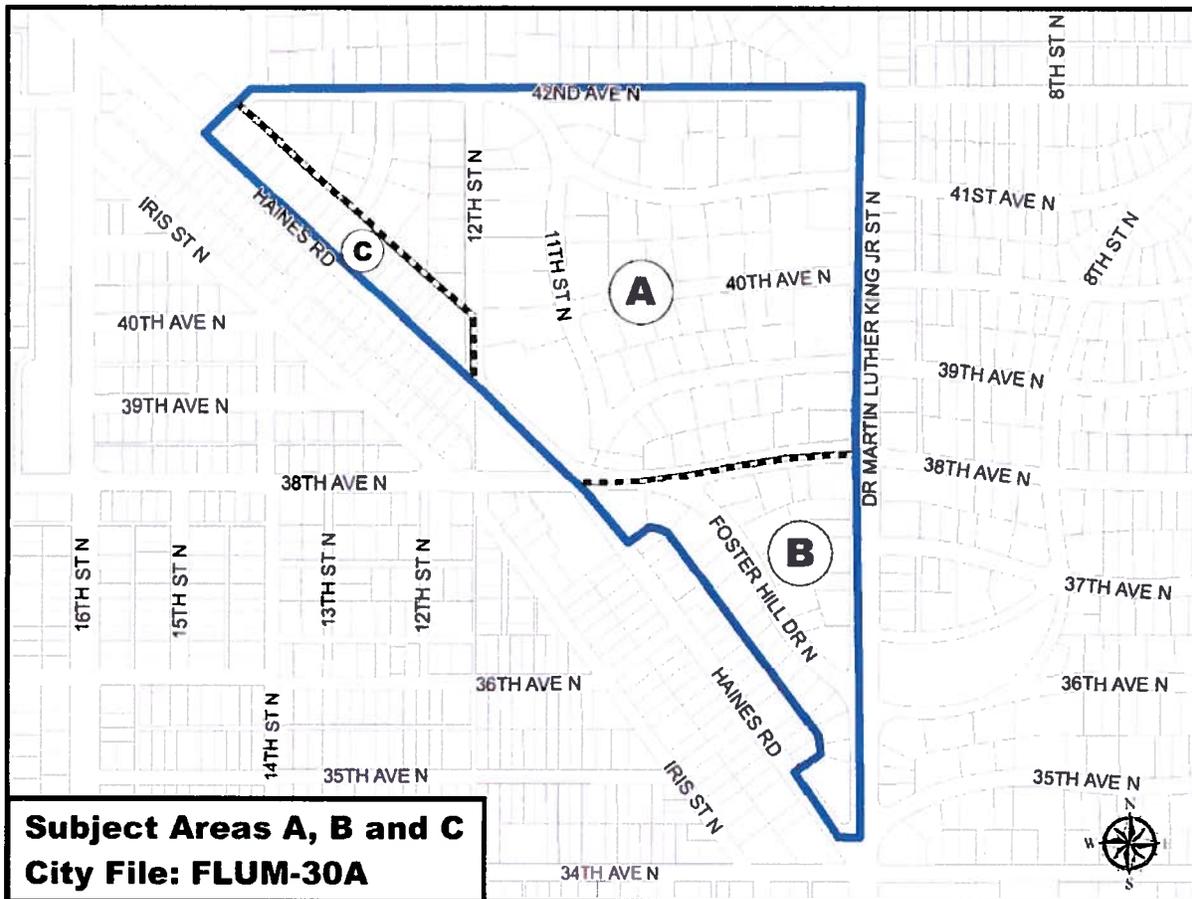
**SUBJECT AREA:** The subject area is commonly known as a portion of the Allendale neighborhood and generally bounded by 42<sup>nd</sup> Avenue North, Dr. Martin Luther King Jr. Street North, Foster Hills Drive North and Haines Road North. The total subject area is estimated to be 45.0 acres in total size.

**PARCEL IDENTIFICATION NUMBERS:**

The parcel identification numbers (“PIN”) are attached. The PINs are distributed among three (3) distinct requests that are generally bounded by 42<sup>nd</sup> Avenue North, Dr. Martin Luther King Jr. Street North, Foster Hills Drive North, and Haines Road North.

**REQUEST:**

This is a City-initiated application including three (3) distinct requests illustrated on the following map and described more specifically as subject areas A, B, and C:



- **Subject Area A:** Rezone from NT-3 (Neighborhood Traditional) to NS-1 (Neighborhood Suburban) – 33.8 Acres;
- **Subject Area B:** Amend Future Land Use Map category from PR-R (Planned Redevelopment-Residential) to RU (Residential Urban) and rezone from NT-2 (Neighborhood Traditional) to NS-1 (Neighborhood Suburban) – 8.3 Acres;
- **Subject Area C:** Amend the Future Land Use Map category from RU (Residential Urban) to PR-R (Planned Redevelopment-Residential) and rezone from NT-3 (Neighborhood Traditional) to NT-2 (Neighborhood Traditional) – 2.9 Acres.

**PURPOSE:**

The purpose of this application is to improve compatibility between the zoning regulations and existing development in the subject area, which generally features wide parcels, residential buildings with large setbacks, parking and garages that are accessed from the street over driveways in the front yard, and the lack of pedestrian sidewalks.

### **EXISTING USES:**

The subject area was originally developed for residential purposes only and memorialized in a neighborhood covenant that was later recorded in 1951. The existing zoning, and proposed request, preserves the original intent for single-family residential development.

### **ZONING HISTORY:**

The existing zoning has been in place since September 2007, following implementation of the City's Vision 2020 Plan, the citywide rezoning, and update of the land development regulations (LDRs), Chapter 16, City Code. From 1977 to 2007, the subject area largely located east of 12<sup>th</sup> Street North was designated RS-100 (Residential Single Family); the subject area located west of 12<sup>th</sup> Street North was designated RS-75. Distinctions among these zoning categories and their relevance to the current proposal are outlined in the following sections.

### **NEIGHBORHOOD ASSOCIATIONS:**

The subject area is not located within the boundary of an official neighborhood association; however, the *Allendale Terrace Neighborhood Association Crime Watch* has been acting in a similar capacity. There is no neighborhood plan for the subject area.

**STAFF RECOMMENDATION:** After detailed consideration of the request, City staff recommends the following:

- **APPROVE** - *Subject Area A:* Rezone from NT-3 (Neighborhood Traditional) to NS-1 (Neighborhood Suburban);
- **DENY** - *Subject Area B:* Amend Future Land Use Map category from PR-R (Planned Redevelopment-Residential) to RU (Residential Urban) and rezone from NT-2 (Neighborhood Traditional) to NS-1 (Neighborhood Suburban);
- **APPROVE** - *Subject Area C:* Amend the Future Land Use Map category from RU (Residential Urban) to PR-R (Planned Redevelopment-Residential) and rezone from NT-3 (Neighborhood Traditional) to NT-2 (Neighborhood Traditional).

### **STAFF ANALYSIS:**

The primary issue associated with this city-initiated application is consistency and compatibility of the requested designations with the established development pattern and the existing land use and zoning designations.

### **Background**

#### *Original Development*

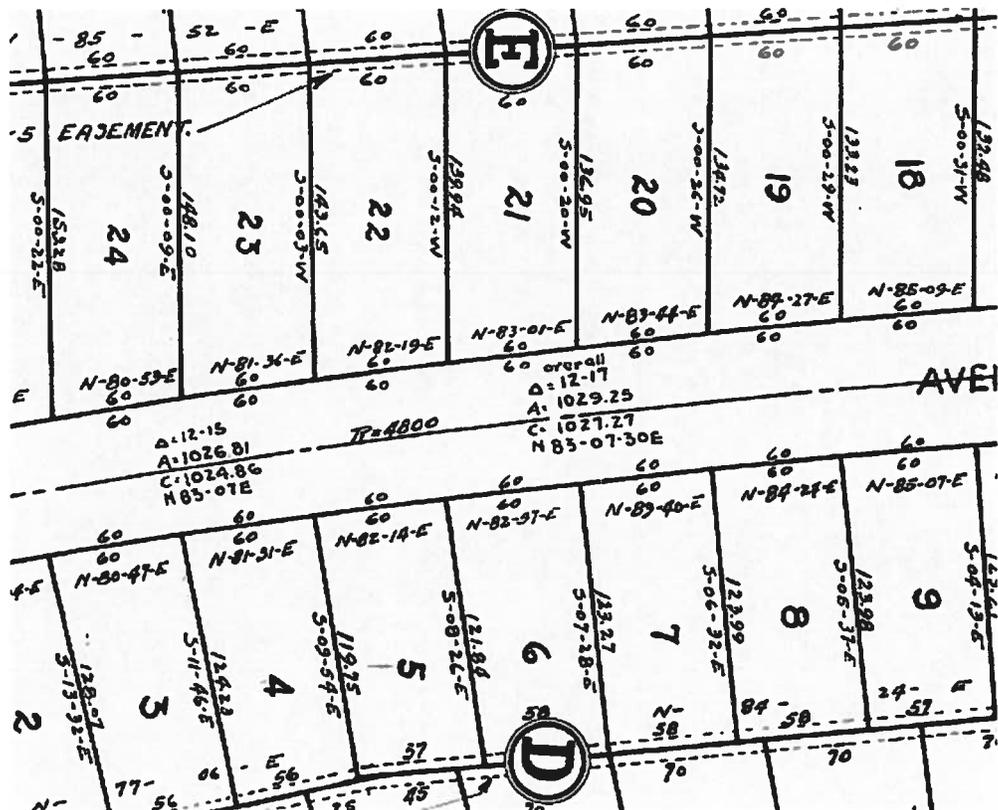
Portions of the Allendale neighborhood that are the subject of this application, were first surveyed and platted in 1923 at the direction of pioneer developer Cade Allen. The original plat extended from present-day 34<sup>th</sup> Avenue North to 38<sup>th</sup> Avenue North and 7<sup>th</sup> Street North to Haines Road and soon featured brick streets, granite curbs, and hexagon block sidewalks. The

following year, a new Allendale Terrace plat was filed for the area north of the original plat extending from 7<sup>th</sup> Street North to Euclid Boulevard and from 38<sup>th</sup> Avenue North to 42<sup>nd</sup> Avenue North. Two years later, in 1926, the final plat, designated as the Northwest Quarter of Allendale Terrace, was filed covering the area from Dr. Martin Luther King Jr. Street North (then identified as Euclid Boulevard) to Haines Road North and from 38<sup>th</sup> Avenue North (then identified as Clearview Avenue North) to 42<sup>nd</sup> Avenue North.

A neighborhood covenant recorded in March 1951, limited development to one (1) residence that shall face in conformity with the plot and survey, and be constructed in the "Spanish, Grecian, Moorish, Mission, Italian, Colonial or English types of architecture." Houses had to be built of masonry materials with at least one (1) room on the second floor or a high ceiling to give the appearance of a second story. While the legal applicability of the neighborhood covenant is currently in question, it was an important pretext for the zoning classifications that would follow.

*Platted Lots vs Developed Parcels*

The original plat and two (2) subsequent expansions for the subject area established a predominance of platted lots measuring 60 feet in width. Development of much of the Subject Area traditionally occurred over two (2) or more platted lots. Today, the average lot width for parcels in *Subject Area A* measures 111 feet, and the average lot width for parcels in *Subject Area B* measures 88 feet. Recent proposals for development within the subject area have highlighted this discrepancy and represent the challenges in assigning an appropriate zoning category that honors both the traditional characteristics of the neighborhood and its suburban lot dimensions and orientation.



### *History of Zoning Categories*

Starting in 1977 and continuing through 2007, a small portion of the subject area located west of 12<sup>th</sup> Street North was zoned RS-75 (Residential, Single-Family), and the remaining balance of the subject area located east of 12<sup>th</sup> Street North was zoned RS-100 (Residential, Single-Family). Both zoning categories were intended for single-family residential uses and the RS-100 zoning district was intended for larger parcels with lower population densities. The current zoning designations have been in place since September 2007, following implementation of the City's Vision 2020 Plan, the citywide rezoning, and update of the land development regulations ("LDRs").

### *Public Request for Review and Consideration*

Responding to recent land acquisitions, development proposals, and the compatibility of new construction within the subject area, a number of residents from within *Subject Area A* contacted the City's Urban Planning and Historic Preservation Division in June 2015, to discuss available tools for ensuring compatibility with existing development. Residents inquired about the designation of a Local Historic District ("LHD"), modification of City Code requirements regulating conforming and non-conforming platted lots and parcels, and rezoning the subject area from NT to NS. This application is limited in its scope to only rezoning the subject area.

### *City Council Review and Request for Application*

Following a preliminary review, the residents' request merited further study and deliberation. On July 9, 2015, the St. Petersburg City Council considered a Resolution initiating an amendment to the Official Zoning Map designation for property located within *Subject Area A*. Specifically, the Resolution proposed to initiate an application amending the Official Zoning Map from NT-3 to NS-1. The proposal did not require an amendment to the Future Land Use Map as the designation would remain RU (Residential Urban).

Prior to voting on the Resolution, City Council amended the study area to include *Subject Area B*, which is bounded by 38<sup>th</sup> Avenue North, Foster Hills Drive North, and Dr. Martin Luther King Jr. Street North. City Council further requested City staff to carefully consider whether *Subject Area C* should be rezoned to NS-1, as presented at the time, or NT-2 based on its physical characteristics. The Resolution was unanimously approved, as amended. In accordance with the adopted Resolution, City staff prepared this City-initiated application by dividing the subject area into three (3) distinct requests.

### *Public Information Meeting*

On August 26, 2015, a public information meeting was hosted by City staff at the Roberts Recreation Center, 1246 50<sup>th</sup> Avenue North, St. Petersburg, Florida, 33703. The meeting was attended by approximately 40 residents of the subject area and lasted for nearly 2.5 hours. City staff began with a presentation, including a background, comparative analysis, and next steps, described hereafter. The comparative analysis included a detailed evaluation contrasting the existing NT-3 with the proposed NS-1. Discussion also included consideration of rezoning from NT-3 to NS-2.

## **Consistency/Compatibility of the Proposed Land Use and Zoning Designations.**

St. Petersburg features two (2) distinct types of residential neighborhoods – *traditional* and *suburban*. Each type offers unique features and amenities that make them highly desirable. The Allendale neighborhood, and especially properties located within the subject area, features a unique combination of character-defining elements from both the traditional and suburban descriptions. According to the City of St. Petersburg's Comprehensive Plan:

*Traditional Neighborhoods:* Traditional neighborhoods were typically developed prior to World War II. Platted lots and required yards were narrow and sidewalks and front porches were pre-eminent features to the homes. Several modes of transportation, including pedestrian travel and trolley, supplemented the newly developed personal automobile. The street was the focus of the home, which provided a communal setting in where neighbors spent time socializing and communicating. Single-family homes make up most traditional neighborhoods. However, the house size and type were more varied allowing diverse housing opportunities for persons in different stages of life and at different levels of income to enjoy the same neighborhood. Single-family homes with garage apartments and small apartment buildings, in keeping with the scale of the neighborhood, were common. The alley system provided limited access for parking and utility functions to the rear of the site. Schools, corner stores serving the daily needs of the neighborhoods, parks and other amenities were located within the neighborhoods.

*Suburban Neighborhoods:* Suburban neighborhoods were typically developed after World War II. At that time, neighborhoods were adjusting to a great shift in technological advances that occurred at the turn of the century and placed into mass production by the 1950s. Between 1946 and 1973, the American economy was growing at levels unseen in the twentieth century, creating a nation of prosperous consumers who could afford both the automobile and the American dream of home ownership. These changes gave rise to a new kind of neighborhood. No longer constrained by pedestrian or trolley travel, the automobile allowed neighborhoods to expand outward creating more spacious yards. Alleyways were replaced with wider streets and garages became a prominent feature of the front facade. Houses were pushed further back on the lot and porches and sidewalks were no longer incorporated. Neighborhoods became more homogeneous relative to income levels, age groups and family types. The focus of neighborhood life was less on the public realm and more on family life within the home and rear yard. Neighborhoods became strictly residential. Stores, schools and other daily needs were pushed outward to major roadways which connected suburban neighborhoods with other neighborhoods and the downtown.

The challenge in this instance is assigning an appropriate zoning category that acknowledges both the complimentary and conflicting features of this unique neighborhood, protects and reinforces the neighborhood's established character, and is sensitive to the legal rights and expectations that come with property ownership. For this analysis, City staff thoughtfully considered these challenges and carefully evaluated the various consequences associated with the proposed amendments to the Official Zoning Map and Future Land Use Map.

The Allendale neighborhood was platted prior to adoption of the City’s first zoning ordinance in 1933. As noted earlier in this report, the original plat and two (2) subsequent expansions for the subject area established a predominance of platted lots measuring 60 feet in width. Development of Allendale’s single-family residences however, traditionally occurred over two (2) or more platted lots. When zoning was later established and subsequently modified, minimum lot width and area requirements were based on the physical development pattern, rather than the underlying subdivision plat. Consequently, many platted lots of record did not conform to the minimum zoning requirements for lot width and area and were thenceforth considered to be substandard lots.

From 1977 to 2007, most of *Subject Area A* and *Subject Area B* was zoned RS-100 and required a minimum lot width of 80 feet. This regulation pertaining to lot width properly acknowledged the existing development pattern in the neighborhood, despite the fact that many platted lots were only 60 feet in width making them substandard. Starting in September 2007, following implementation of the City’s Vision 2020 Plan, many of these same properties were rezoned to NT-3, thereby reducing the minimum lot width requirement from 80 feet to 60 feet.

Today, the average lot width for parcels in *Subject Area A* is 111 feet, and the average lot width for parcels in *Subject Area B* is 88 feet. The physical characteristics historically demonstrated throughout the subject area, and exhibited partially through these average lot widths, are being stressed by new development proposals, and the compatibility of recent construction within the established development pattern.

While this request is focused on preserving a more compatible minimum lot width requirement, it should be understood that any rezoning will also include changes to building setbacks and other building design and site orientation considerations. These must be carefully considered and are highlighted in the following table series:

*Table: Subject Area A*

	<b>RS-100 (1977 to 2007)</b>	<b>NT-3 Existing</b>	<b>NS-1 Proposed</b>	<b>Existing Averages</b>
<b>Lot Width</b>	80’	60’	75’	111’
<b>Lot Area</b>	10,000 SF	7,640 SF	5,800 SF	15,961 SF
<b>Front (Building)</b>	25’	30’	25’	
<b>Front (Porch)</b>	25’	23’	20’	
<b>Side (Interior)</b>	10’	7.5’	7.5’	
<b>Side (Street)</b>	15’	15’	12’	
<b>Rear</b>	20’	10’	20’	

Table: Subject Area B

	<b>RS-100 (1977 to 2007)</b>	<b>NT-2 Existing</b>	<b>NS-1 Proposed</b>	<b>Existing Averages</b>
<b>Lot Width</b>	80'	50'	75'	88'
<b>Lot Area</b>	10,000 SF	5,800 SF	5,800 SF	10,900 SF
<b>Front (Building)</b>	25'	23'	25'	
<b>Front (Porch)</b>	25'	18'	20'	
<b>Side (Interior)</b>	10'	6'	7.5'	
<b>Side (Street)</b>	15'	12'	12'	
<b>Rear</b>	20'	10'	20'	

Table: Subject Areas A and B

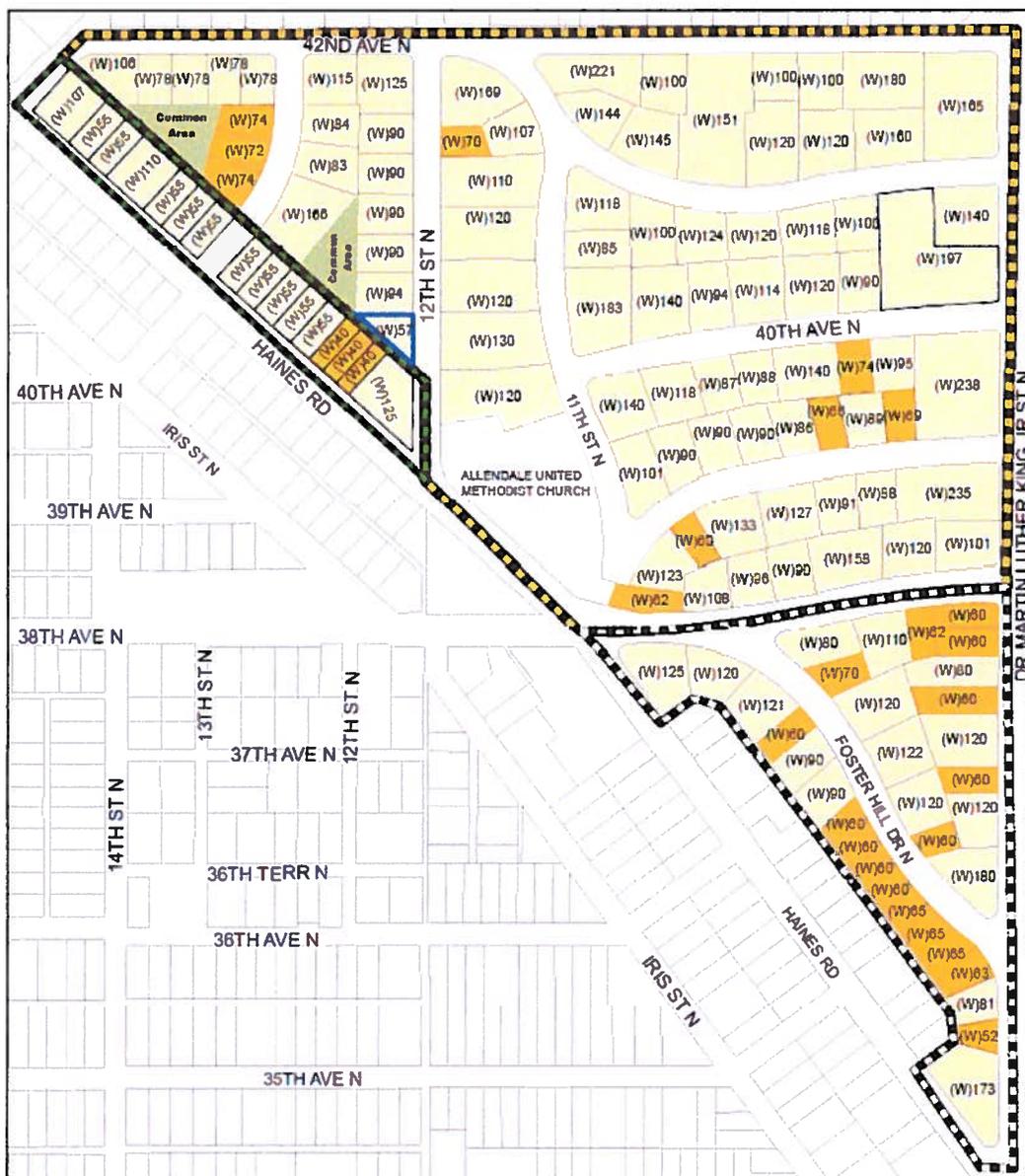
	<b>NT-2 and NT-3</b>	<b>NS-1</b>
<b>Building Form</b>	Elevated base floor 16"	Not required
	Front porch / stoop required	Not required
<b>Wall Composition</b>	No blank facades allowed	No blank facades allowed
	No blank wall greater than 16'	No blank wall greater than 16'
	30% fenestration street	Not required
	20% fenestration interior/ rear	Not required
	2/3 fenestration shall be glass	Not required glass
	Corner lot treatment all sides	Corner lot treatment all sides
<b>Windows</b>	Recessed with sill and trim	Not required
<b>Curb Cut</b>	One curb cut per property	More than one allowed
<b>Driveways</b>	Single lane width (10-ft)	Double lane width (20-ft)
	Located on rear or side of structure	Circular driveways allowed
<b>Garage Doors</b>	10-ft behind front façade	May project forward of front façade
	Max 40% of linear frontage	Max 60% of linear frontage
	Decorative doors	Decorative doors only if projecting
<b>Garage Setbacks</b>	No encroachment allowed	Front s/b 20-ft (front-loaded)
		Front s/b 17-ft (side-loaded)
		Interior s/b 5.5-ft
		Street-side s/b 9-ft (front-loaded)
		Street-side s/b 7-ft (side-loaded)
<b>Carports</b>	No encroachment allowed	Front s/b 20-ft, Rear and side 3-ft
<b>Walkway</b>	Required to curb	Not required

During the public information meeting on August 26, 2015, these changes were highlighted for attendees and the potential impacts were illustrated through various graphics and pictorial representations.

### Creation of Nonconforming Lots

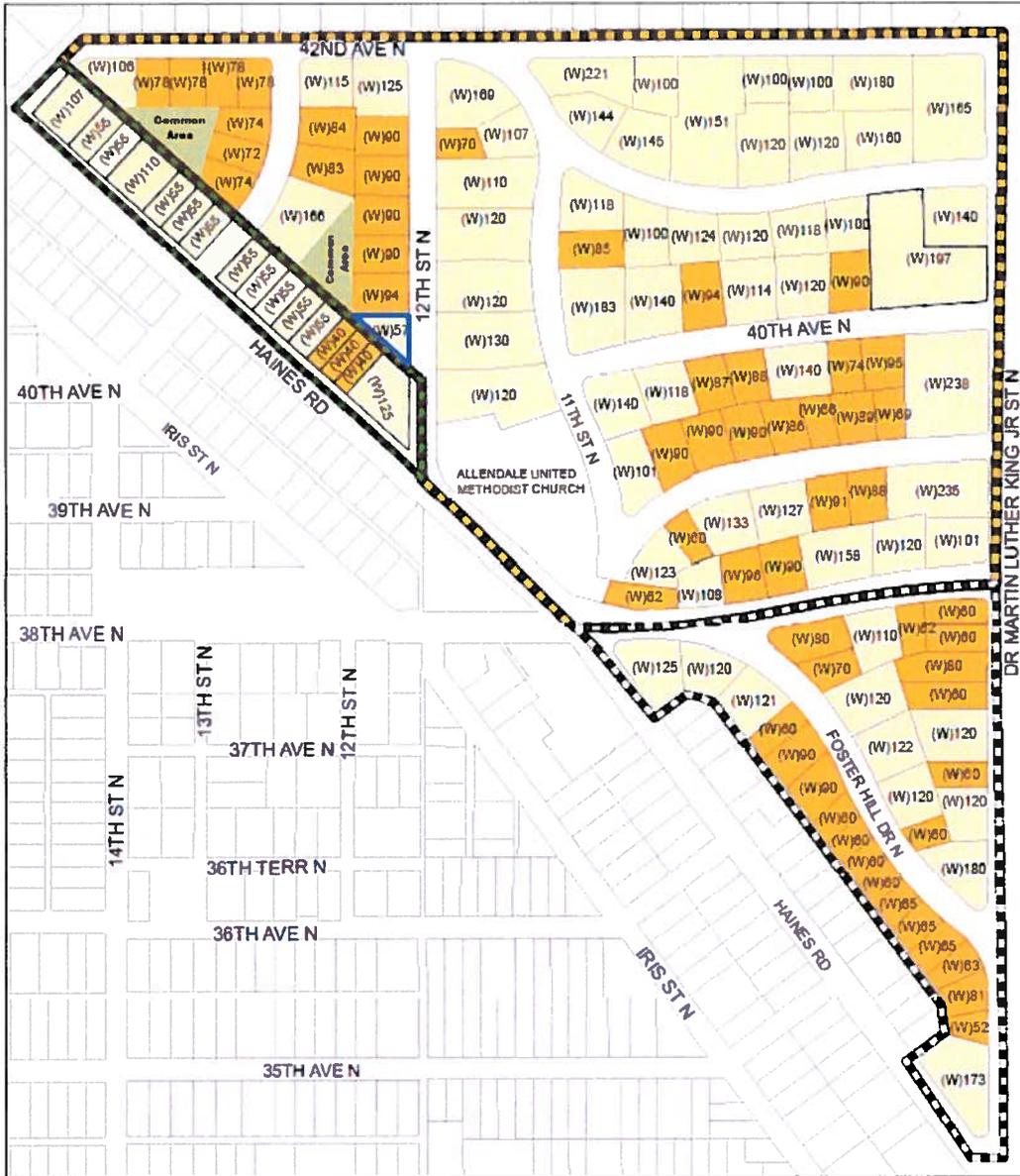
City staff evaluated the potential for rezoning to NS-2, which would increase the required minimum lot width to 100 feet and minimum lot area to 10,000 square feet. Since the creation of non-conforming lots is an important consideration when evaluating the rezoning of property, City staff produced the following map series to show the number of non-conforming lots that would be created by the proposed rezoning to NS-1 and conceptual rezoning to NS-2.

*Rezoning to NS-1 for Subject Areas A and B and NT-2 for Subject Area C*



The preceding map represents the creation of nonconforming lots (orange shading) that would result from the proposed rezoning to NS-1 in *Subject Areas A and B*. Since the number of non-conforming lots created in *Subject Area B* constitutes more than 50% of the total number of lots, City staff is recommending against amending the Future Land Use Map category from PR-R (Planned Redevelopment-Residential) to RU (Residential Urban) and rezoning from NT-2 (Neighborhood Traditional) to NS-1 (Neighborhood Suburban).

*Rezoning to NS-2 for Subject Areas A and B and NT-2 for Subject Area C*



The preceding map represents the creation of nonconforming lots (orange shading) that would result from a conceptual rezoning to NS-2. Since the number of non-conforming lots constitutes nearly 45% of the total number of lots in *Subject Areas A and B*, City staff is recommending against rezoning to NS-2.

## **Accessory Dwelling Units**

### *Subject Area A*

Accessory dwelling units are prohibited within the existing NT-3 zoning category, except where they may be allowed as a grandfathered use. Accessory dwelling units will continue to be prohibited within the proposed NS-1.

### *Subject Area B*

Accessory dwelling units are currently allowed as an accessory use within the existing NT-2 zoning category. Accessory dwelling units are required to comply with the use-specific development standards outlined in Section 16.50.010 of the City's LDRs. Rezoning this subject area from NT-2 to NS-1 would reclassify existing, accessory dwellings units as grandfathered uses. Further, the rezoning would prohibit installation of any new accessory dwelling units by right. For this reason, combined with other non-conformities to the required minimum lot width outlined in the preceding section, City staff is recommending denial of the proposed request for *Subject Area B*.

### *Subject Area C*

Accessory dwelling units are currently prohibited within the existing NT-3 zoning category. The proposed rezoning to NT-2 would allow accessory dwelling units as an accessory use. Accessory dwelling units are required to comply with the use-specific development standards outlined in Section 16.50.010 of the City's LDRs, including the pre-requisite that any subject property measure a minimum 5,800 square feet in lot area. The properties located within this subject area are accessed by a rear, service alley, which is consistent with accessory dwelling units elsewhere in the City's traditional zoning categories. Further, it is consistent with the City of St. Petersburg's Comprehensive Plan Policy LU 3.1, which states that dense, residential uses totaling more than 7.5 units per acre should be located along Future Major Streets. Haines Road is a classified *Collector, City Road* on Map 20, Future Major Streets Map.

## **Level of Service (LOS) Impact**

The Level of Service ("LOS") impact section of this report concludes that the requested Plan change and rezoning will not significantly impact the City's adopted LOS standards for public services and facilities including potable water, sanitary sewer, solid waste, traffic, mass transit, recreation, and stormwater management.

### **SPECIAL NOTE ON CONCURRENCY:**

Level of Service impacts are addressed further in this report. Approval of this land use change and rezoning request does not guarantee that individual re/developments within the subject area will meet the requirements of concurrency at the time development permits are requested. Completion of this land use plan change and rezoning does not guarantee the right to develop on property within the subject area. Upon application for site plan review, or development permits, a full concurrency review will be completed to determine whether or not the proposed development may proceed. The property owner will have to comply with all laws and ordinances in effect at the time development permits are requested.

**PUBLIC COMMENTS:**

Public engagement and input regarding this application includes the following:

- General meetings with various affected property owners included a combination of in-office and on-site visits
- *Public Information Meeting* conducted on Aug. 26, 2015 – More than 40 attendees
- 17 contacts through the notification letter: 14 for, one (1) against, and one (1) supporting the proposal in *Subject Area A*, but opposed to the proposal in *Subject Area C*
- 34 submissions by email: 32 for, 2 against (See attached)
- One (1) petition opposing the proposal (See attached)

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**RESPONSES TO RELEVANT  
CONSIDERATIONS ON AMENDMENTS  
TO THE LAND USE PLAN:**

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**a. Compliance of probable use with goals, objectives, policies and guidelines of the City's Comprehensive Plan.**

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

- VI.1 Development decisions and strategies shall integrate the guiding principles found in the Vision Element with sound planning principles followed in the formal planning process.
- LU3.4 The Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of physical and natural separators.
- LU3.1 (A)(2) Residential Urban (RU) - ...allowing low density residential uses not to exceed 7.5 dwelling units per net acre.
- LU3.1 (F)(1) Planned Redevelopment-Residential (PR-R) - ...allowing low to medium density residential uses where either single-family residential or single-family with accessory residential development may co-exist not to exceed 15 dwelling units per net acre.
- LU3.5 The tax base will be maintained and improved by encouraging the appropriate use of properties based on their locational characteristics and the goals, objectives and policies within this Comprehensive Plan.
- LU3.6 Land planning should weigh heavily the established character of predominantly developed areas where changes of use or intensity of development are contemplated.
- LU3.7 Land use planning decisions shall include a review to determine whether existing Land Use Plan boundaries are logically drawn in relation to existing conditions and expected future conditions.
- LU 3.11 More dense residential uses (more than 7.5 units per acre) may be located along: 1) passenger rail lines and designated major streets; or 2) in close proximity to activity centers where compatible.
- T1.3 The City shall review the impact of all rezoning proposals and requests to amend the FLUM on the City's transportation system. FLUM amendment requests that increase traffic generation potential shall demonstrate that

transportation capacity is available to accommodate the additional demand.

T3.1 All major city, county and state streets, not including those identified as constrained in the City's most current concurrency annual monitoring report shall operate at LOS D or better in the peak hour of vehicular traffic. Roadway facilities on the State Highway System, Strategic Intermodal System and Florida Intrastate Highway System and roadway facilities funded by Florida's Transportation Regional Incentive Program shall operate at a LOS that is consistent with Rule 14-94, FAC.

**b. Whether the proposed amendment would impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.**

The proposed amendment will not impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan. Two (2) parcels located within *Subject Area A* and west of 12<sup>th</sup> Street North are currently zoned NSE (Neighborhood Suburban Estate) with a R/OS (Recreation/Open Space) Future Land Use Map designation. According to the public records, these parcels are controlled by the Allen's Badger Park Replat Homeowners Association.

**c. Whether the proposed change would alter population or the population density pattern and thereby impact residential dwelling units and or public schools.**

The proposed changes will have no negligible impact on the population or the population density pattern. Moreover, approved site plans involving a residential component are transmitted to the Pinellas County School Board, and their designee.

**d. Impact of the proposed amendment upon the following adopted levels of service (LOS) for public services and facilities including but not limited to: water, sewer, sanitation, traffic, mass transit, recreation, stormwater management.**

The following analysis indicates that the proposed change *will not* have a significant impact on the City's adopted levels of service for potable water, sanitary sewer, solid waste, mass transit, stormwater management and recreation. Should the requested land use and zoning change be approved, the City has sufficient capacity to serve the subject property.

## **WATER**

Under the existing inter-local agreement with Tampa Bay Water (TBW), the region's local governments are required to project and submit, on or before February 1 of each year, the anticipated water demand for the following water year (October 1 through September 30). TBW is contractually obligated to meet the City's and other member

governments' water supply needs. The City's current potable water demand is 28.3 million gallons per day (mgd).

The City's adopted LOS standard for potable water is 125 gallons per capita per day, while the actual usage is estimated to be 79 gallons per capita per day. Should the proposed amendments be approved, there will be no impact on the adopted LOS standard for water.

## **WASTEWATER**

The subject area is currently served by the Northeast Water Reclamation Facility (WRF). The average day demand is approximately 7.86 million gallons at the Northeast WRF. The facility has a capacity of 16.0 million gallons per day, leaving an average day surplus of approximately 8.14 million gallons per day. If approved, there will be no impact on the adopted LOS standard for wastewater.

## **SOLID WASTE**

All solid waste *disposal* is the responsibility of Pinellas County. The County currently receives and disposes of municipal solid waste, and construction and demolition debris, generated throughout Pinellas County. The Pinellas County Waste-to-Energy Plant and the Bridgeway Acres Sanitary Landfill are the responsibility of Pinellas County Utilities, Department of Solid Waste Operations, however, they are operated and maintained under contract by two private companies. The Waste-to-Energy Plant continues to operate below its design capacity of incinerating 985,500 tons of solid waste per year. The continuation of successful recycling efforts and the efficient operation of the Waste-to-Energy Plant have helped to extend the life span of Bridgeway Acres. The landfill has approximately 30 years remaining, based on current grading and disposal plans. If approved, there will be no impact on the adopted LOS standard for wastewater.

## **TRAFFIC**

The proposed rezoning is bordered by Dr. Martin Luther King Jr. Street North to the east and Haines Road to the west; the subject area is also bifurcated by 38<sup>th</sup> Avenue North.

- Dr. Martin Luther King Jr. Street North is classified as a signalized (minor) arterial. The portion of roadway extending from 22<sup>nd</sup> Avenue North to 38<sup>th</sup> Avenue North, operates at a LOS "C" and has a volume-to-capacity ratio of 0.412. The portion of roadway extending from 38<sup>th</sup> Avenue North to 62<sup>nd</sup> Avenue North, operates at a LOS "B" and has a volume-to-capacity ratio of 0.443.
- Haines Road North is classified as a signalized (major) collector. The roadway operates at a LOS "C" and has a volume-to-capacity ratio of 0.760.
- 38<sup>th</sup> Avenue North is classified as a signalized (minor) arterial. The roadway operates at a LOS "D" and has a volume-to-capacity ratio of 0.746.

## **MASS TRANSIT**

The Citywide LOS for mass transit will not be affected. PSTA provides local transit service along Dr. Martin Luther King Jr. Street North (Route 59) and 38<sup>th</sup> Avenue North (Route 38). Route 59 has a service frequency of approximately 20-30 minutes depending on the time of day. Route 38 has a service frequency of approximately 60 minutes. If approved, there will be no impact on the adopted LOS standard for mass transit.

## **RECREATION**

The City's adopted LOS for recreation and open space is 9 acres per 1,000 population, the actual LOS City-wide is estimated to be 21.9 acres per 1,000 population. If approved, there will be no impact on the adopted LOS standard for recreation and open space.

## **STORMWATER MANAGEMENT**

Prior to any re/development within the subject area, site plan approval shall be required. At that time, the stormwater management system for the site will be required to meet all City and SWFWMD stormwater management criteria.

- e. Appropriate and adequate land area sufficient for the use and reasonably anticipated operations and expansion.**

Not applicable.

- f. The amount and availability of vacant land or land suitable for redevelopment shown for similar uses in the City or in contiguous areas.**

Not applicable.

- g. Whether the proposed change is consistent with the established land use pattern.**

The proposed rezoning is consistent with the established land use pattern.

- h. Whether the existing district boundaries are logically drawn in relation to existing conditions on the property proposed for change.**

The proposed boundaries are logically drawn in relation to existing conditions.

- i. If the proposed amendment involves a change from a residential to a nonresidential use, whether more nonresidential land is needed in the proposed location to provide services or employment to the residents of the City.**

Not applicable.

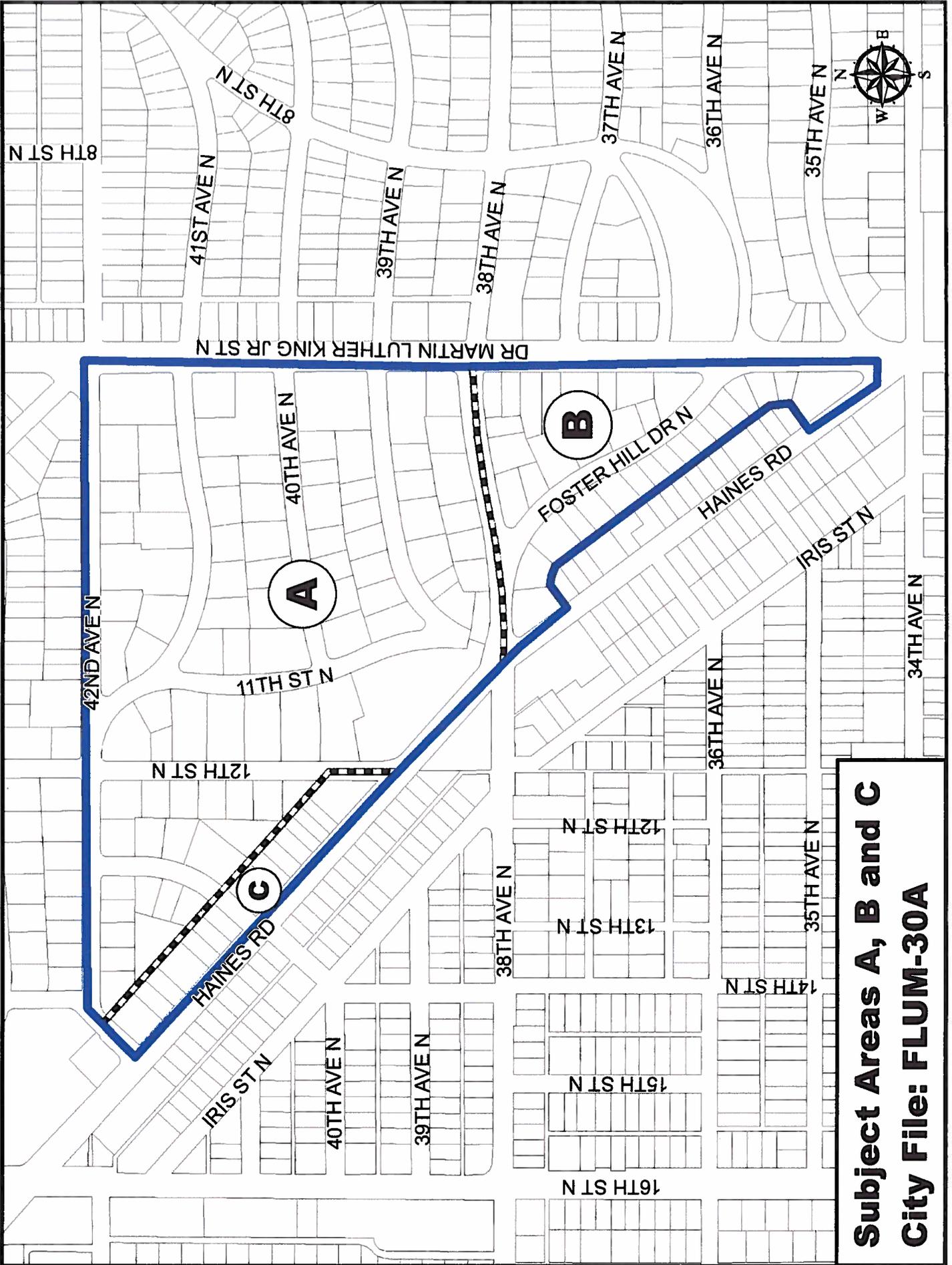
- j. **Whether the subject property is located within the 100-year flood plain or Coastal High Hazard Area as identified in the Coastal Management Element of the Comprehensive Plan.**

According to the FEMA Flood Insurance Rate Map (“FIRM”), the subject property is not located within a designated flood zone, Coastal High Hazard Area (“CHHA”), or hurricane evacuation zone.

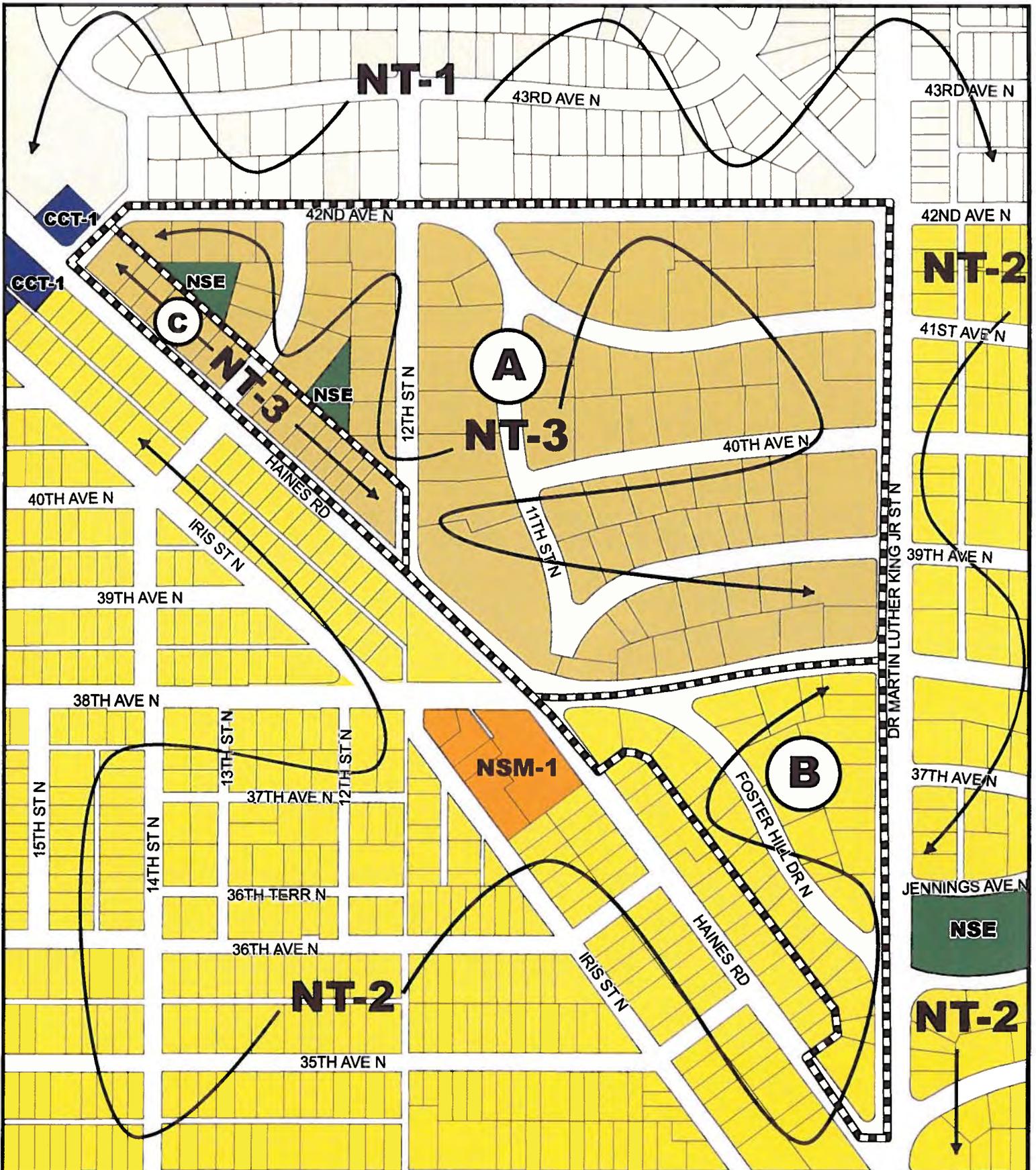
- k. **Other pertinent information.**

None.

# MAPS



**Subject Areas A, B and C**  
**City File: FLUM-30A**



**EXISTING ZONING**



**SUBJECT AREA**

**(A)**

From: NT-3  
(Neighborhood Traditional  
Single-Family-3)

To: NS-1  
(Neighborhood Suburban  
Single-Family-1)

**(B)**

From: NT-2  
(Neighborhood Traditional  
Single-Family-2)

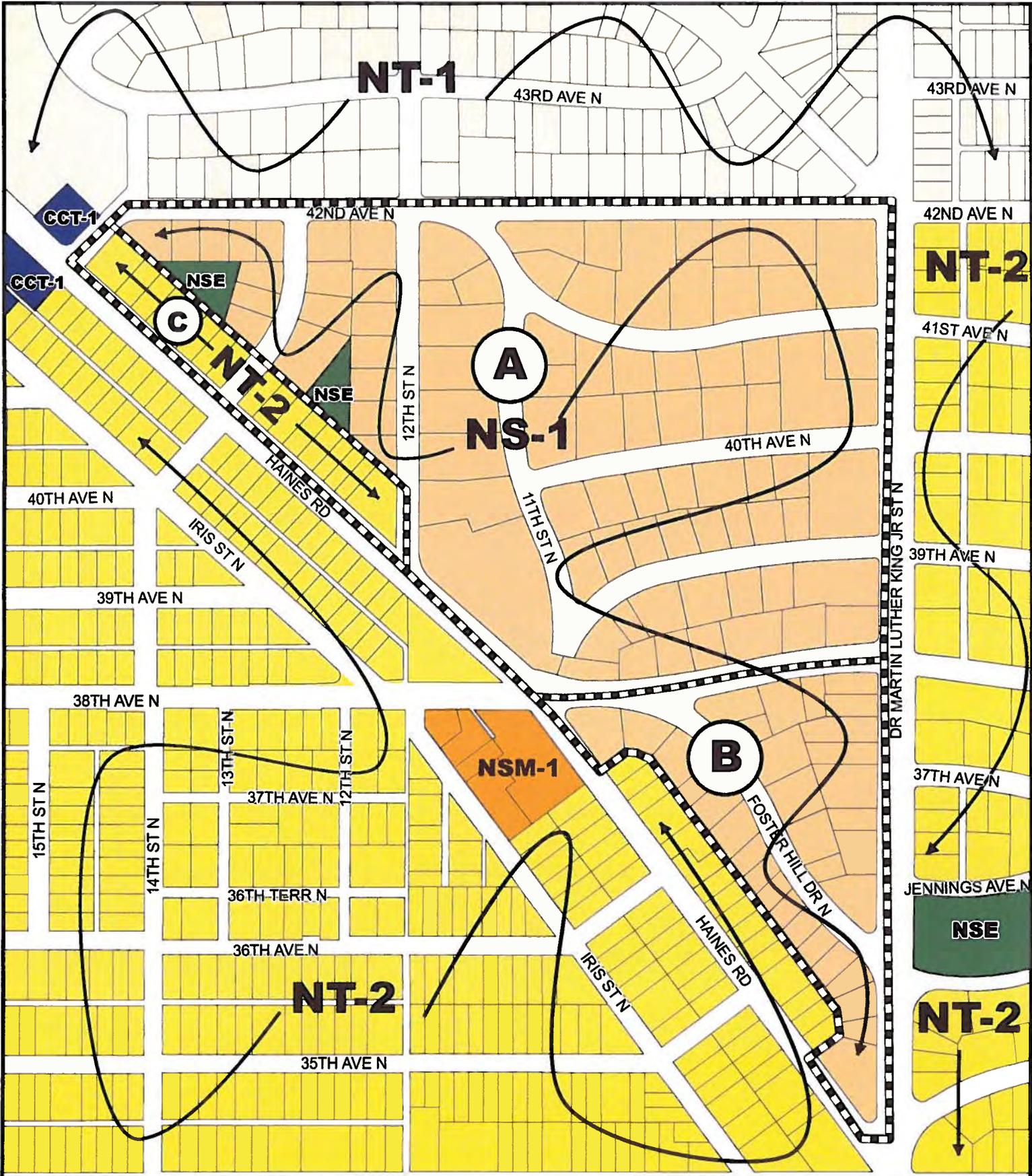
To: NS-1  
(Neighborhood Suburban  
Single-Family-1)

**(C)**

From: NT-3  
(Neighborhood Traditional  
Single-Family-3)

From: NT-2  
(Neighborhood Traditional  
Single-Family-2)





**PROPOSED ZONING**

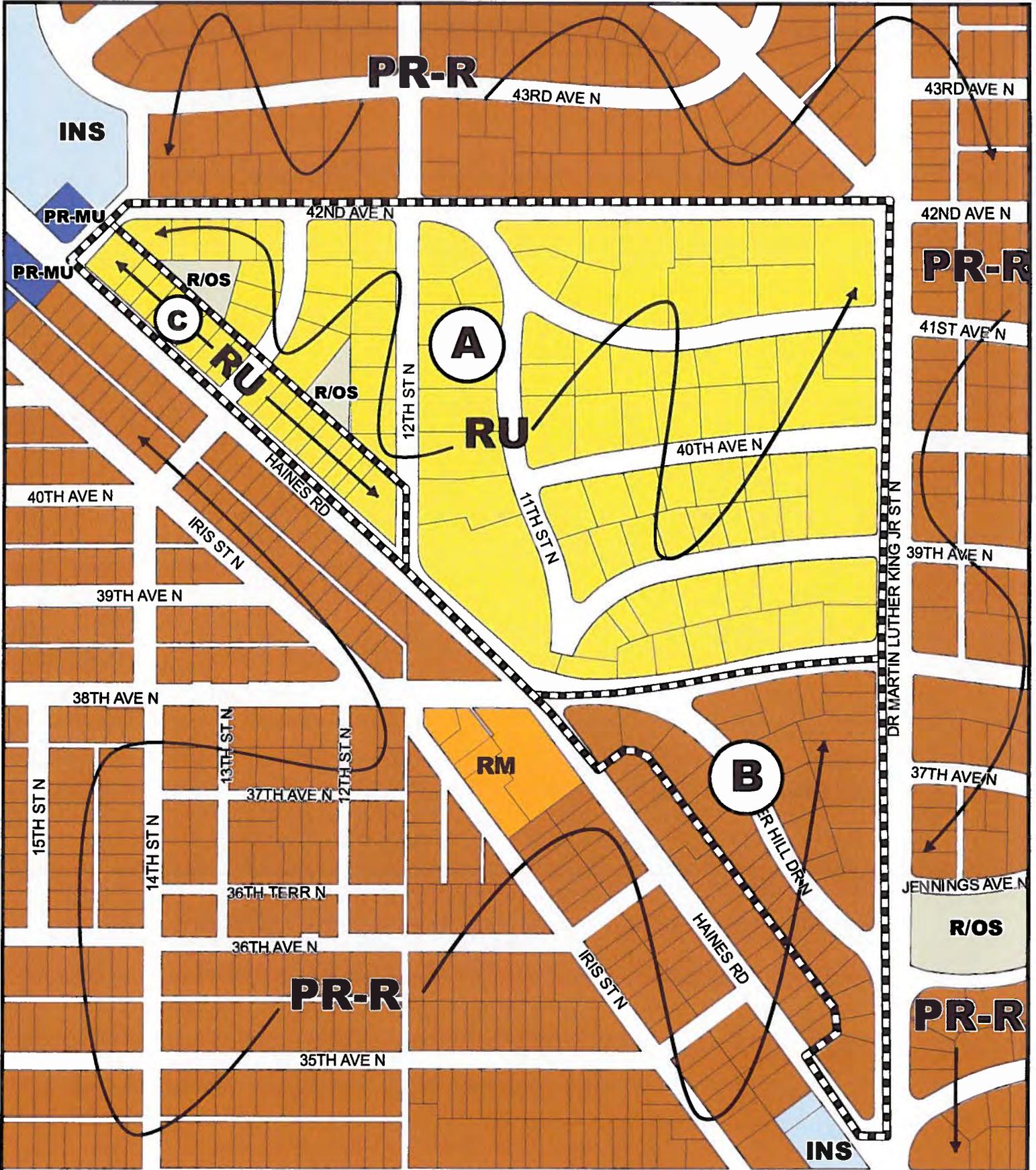
 SUBJECT AREA

**(A)** From: NT-3  
(Neighborhood Traditional Single-Family-3)  
  
To: NS-1  
(Neighborhood Suburban Single-Family-1)

**(B)** From: NT-2  
(Neighborhood Traditional Single-Family-2)  
  
To: NS-1  
(Neighborhood Suburban Single-Family-1)

**(C)** From: NT-3  
(Neighborhood Traditional Single-Family-3)  
  
From: NT-2  
(Neighborhood Traditional Single-Family-2)





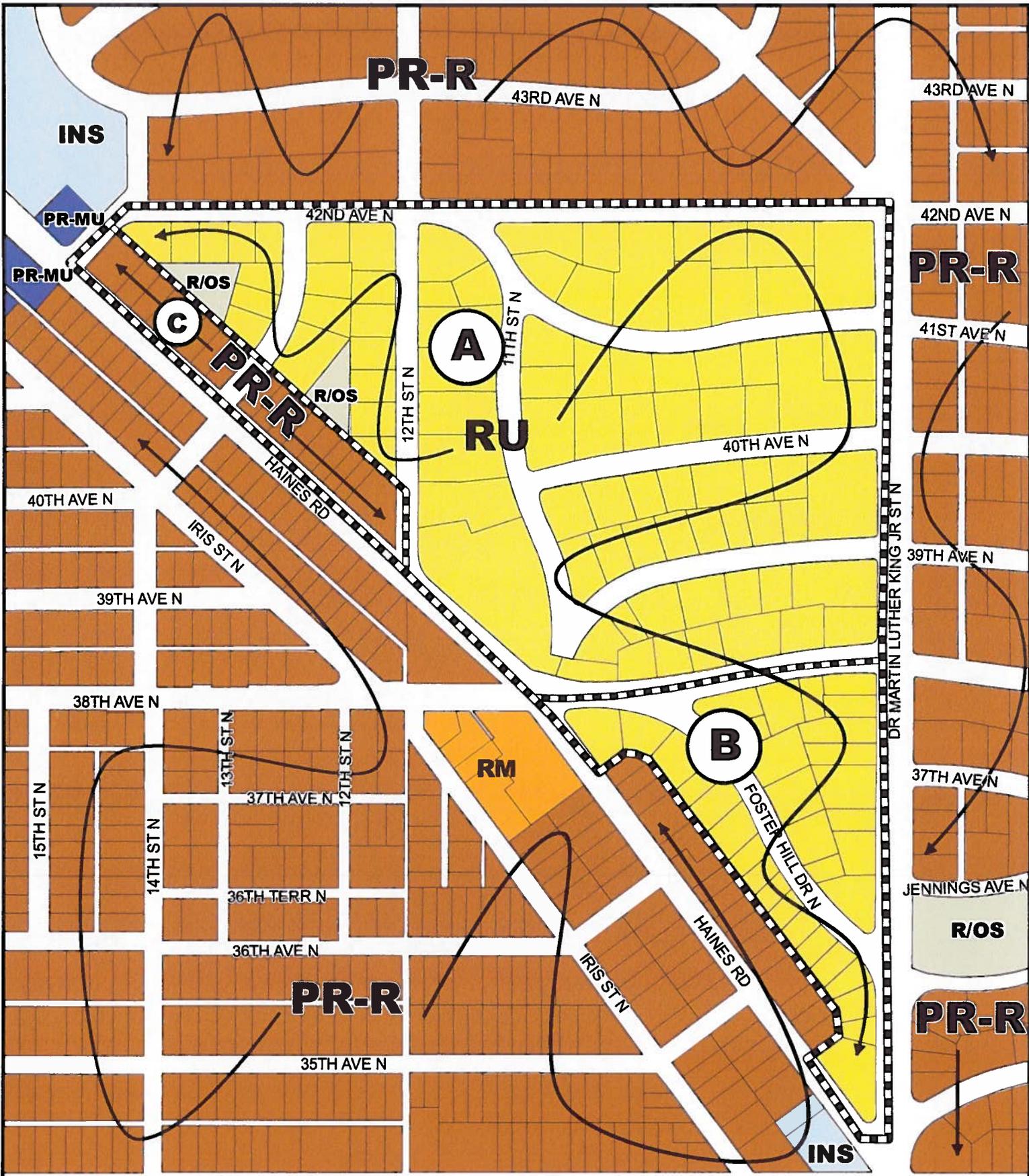
**EXISTING FLU**

 **SUBJECT AREA**

**(B)** From: PR-R  
(Planned Redevelopment  
-Residential)  
  
From: RU  
(Residential Urban)

**(C)** From: RU  
(Residential Urban)  
  
From: PR-R  
(Planned Redevelopment  
-Residential)





**PROPOSED FLU**

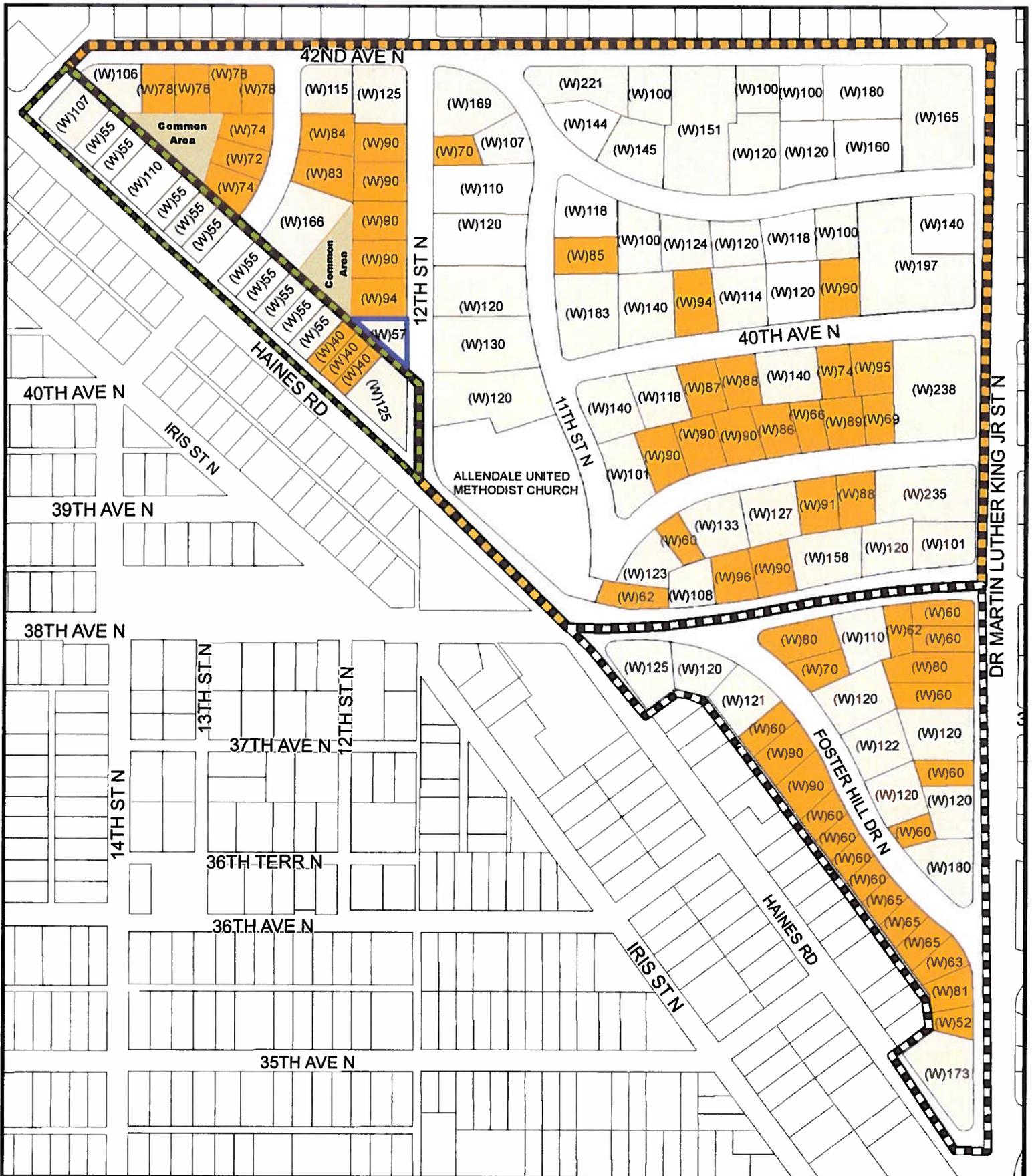
 SUBJECT AREA

**(B)** From: PR-R  
(Planned Redevelopment  
-Residential)  
  
From: RU  
(Residential Urban)

**(C)** From: RU  
(Residential Urban)  
  
From: PR-R  
(Planned Redevelopment  
-Residential)

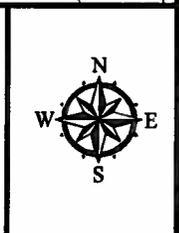






 **AREA "A" (NT-3 TO NS-2)**
 **AREA "C" (NT-3 TO NT-2)**  
 **AREA "B" (NT-2 TO NS-2)**
 **EXISTING NON-CONFORMING LOT WIDTH**

	NUMBER	PERCENT	TYPE
	73	55%	CONFORMING
	60	45%	NON-CONFORMING
<b>TOTAL</b>	<b>133</b>	<b>100%</b>	



# **LETTERS OF SUPPORT**

**Derek Kilborn**

---

**From:** lporter@verizon.net  
**Sent:** Wednesday, September 02, 2015 5:06 PM  
**To:** Derek Kilborn  
**Cc:** lporter@verizon.net  
**Subject:** Allendale rezoning; City File FLUM-30-A  
**Attachments:** 2015\_09\_02\_16\_58\_11.pdf

Mr. Kilborn,

Please see my attached letter in support of the Allendale rezoning.

Sincerely,

Lindsey Porter

September 2, 2015

Re: Allendale Land Use Map Change and Related Rezonings;  
City File FLUM-30-A

To whom it may concern:

My name is Lindsey Porter. I am a life-long St. Petersburg resident. Born in 1959, I grew up in Allendale in my family's home at 4000 11th Street North. My mother, Eleanor Porter, still owns and resides in that home.

I have attended a city-sponsored meeting on the proposed rezoning of Allendale. Additionally I have studied the proposed changes and discussed them with a number of my mother's Allendale neighbors. With the overarching goals of protecting the character of Allendale and of helping prevent haphazard, short-sighted redevelopment, I **support** the proposed rezoning changes.

With regard to Subject Area A, none of the various zoning options, NT-3, NS-1 and NS-2, is, in my opinion, an ideal fit for Allendale. I believe the ideal zoning would include the traditional design elements of NT-3, with the larger frontage requirement of NS-2. Because we do not have the option of an ideal fit, for Subject Area A I support the change to NS-1 as a temporary bridge to NS-2.

I understand that the Allendale neighborhood association intends to promptly pursue redesignation of Subject Area A to NS-2 and I support that as well.

I have discussed this issue with my mother, age 90. She agrees my opinion in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lindsey M. Porter', with a stylized flourish at the end.

Lindsey M. Porter  
716 14th Ave NE

---

**Derek Kilborn**

**From:** Hilary Watson <HilaryTW@aol.com>  
**Sent:** Wednesday, September 02, 2015 11:56 AM  
**To:** Derek Kilborn  
**Subject:** Allendale Terrace Rezoning

**Importance:** High

Dear Mr. Kilborn,

I joined the Allendale Neighborhood Crime Watch program several months ago as a way of becoming more involved in my immediate community. The Allendale Terrace Rezoning issue quickly rose to a highlight of my awareness. Thank you for the recent presentation at the Roberts Recreation Center that helped to clarify the issues and identify individual concerns.

**The St. Petersburg Police Department representatives begin each meeting of an Allendale Crime Watch group by congratulating the Neighborhood Crime Watch Leadership and resident participants for their history of efficacy. This neighborhood's Crime Watch Leadership and participants understand the importance of crime reduction elements. Those concerns deserve serious consideration in this decision.**

**I am in support of rezoning Allendale Terrace and the adjoining areas, with estate lots and homes and encourage the decision makers to choose in favor of rezoning those lots from NT-3 (60 feet) to NS-1 (75 feet).**

Although my designated neighborhood is 1 block north of Allendale Terrace, I believe from my experience in the Crime Watch program that surrounding neighborhood residents will be affected by the Allendale Terrace decision.

**Thank you for taking our comments. Please continue your neighborhood level education efforts regardless of the outcome of this process. I believe either outcome will necessitate follow-up with affected residents.**

Sincerely,

*Hilary T. Watson*

Mrs. Hilary T. Watson  
1066 43<sup>rd</sup> Avenue North

St. Petersburg, FL 33703  
Cell Phone: (727) 641-5140

## **Derek Kilborn**

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**From:** Kent Malone <drkentmalone@gmail.com>  
**Sent:** Wednesday, September 02, 2015 11:36 AM  
**To:** Derek Kilborn  
**Subject:** Rezoning of Allendale Terrace from NT-3 (60 feet) to NS-1 (75 feet)

Mr. Kilborn, et al.:

I am writing this letter as a long-term resident and current owner in Allendale Terrace (915 41st Avenue North). A number of years ago a rezoning effort was initiated and passed that blanketed St. Petersburg. This zoning initiative permitted singular development of small platted lots, but in some areas, neglected to account for the fact that the current "as-built" parcels actually traversed multiple lots. Allendale Terrace is one of those areas. Due to this inadvertent oversight, a technicality has been created in favor of demolishing current homes on "estate-sized" parcels and building multiple homes on the actual 60 foot (mol) platted lots that lie beneath. From the inception of Allendale, the developer Cade Allen, as evidenced by deed restrictions imposed when the home sites and homes were originally parceled and built, wanted to create a neighborhood of houses of a certain size, architectural style, minimum number of floors, home site, etc. While the plat map clearly shows lots of 60 foot-frontage, on average, Mr. Allen parceled home sites to be comprised of multiple lots, such that the average frontage of a home site is approximately 130 feet. The blanket zoning change that occurred allowing for development of small lots overlooked the "character and nature" of the home sites originally assembled in Allendale Terrace (and a few other areas of St. Petersburg.)

It is from this perspective that I join my Allendale Terrace neighbors and other interested residents in St. Petersburg respectfully request correction in this oversight in the blanket zoning change made some years ago, in favor of changing the zoning to a more restrictive zoning, requiring a larger frontage for future homes being built in Allendale Terrace. This "correction" from NT-3 to NS-1 (or even more restrictive) will help ensure that the original developer's vision, and the current and future residents of Allendale Terrace that larger, "estate-sized" parcels will be maintained and preserved, versus being carved up into small home sites, and summarily and irreparably changing the context and character of this historic neighborhood.

Regards,

Kent Malone

## **Derek Kilborn**

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**From:** Gloria McEwen <gmmcewen@gmail.com>  
**Sent:** Wednesday, September 02, 2015 10:49 AM  
**To:** Derek Kilborn  
**Subject:** Allendale rezoning

I am in favor of rezoning from NT-3 to NS-1, and hopefully to NS-2 in the future. I know some folks are in favor of change in a neighborhood, but I believe they miss an important point. When there is an established neighborhood of many decades in a city that also bears some of the city's history. That uniqueness is what draws most people to want to live there and be a part of it. That neighborhood says, "This is St. Petersburg! You don't find this neighborhood in Tampa or Clearwater or Orlando or anywhere else. We are distinctly different." When new styles of architecture come in and lot size is reduced, when developers from outside our city see a way to build multiple homes where once there was only one, the character and uniqueness is lost. And then these developers make their money and leave us with the damage wrought by their own self-interest.

Please consider what makes St. Petersburg unique when you look at all the neighborhoods in the city. The irony is not lost on me that I live in a relatively new house on 40th Avenue, built in 1979. I have been told neighbors were upset when this house was built. But I will say that the builder of my house was very conscious of the trees, and situated the home a little further back from the street and turned slightly, because he protected the trees. My husband and I and our children moved here in 1995 because of the many trees, and now the home next to us has been torn down, the property split into two lots, and practically all the trees cut down. Why would someone want to move here and take down all the trees? Allendale is known for its trees. But when they are squeezing a large home on a 60-foot lot, I guess there's no longer any room for trees, is there.

Please change the zoning to NS-1, and let's continue to get it to NS-2. We cannot allow developers, who care not for the City and its neighborhoods. to use us to make a buck and then move on to the next vulnerable area.

--  
**Gloria**

## **Derek Kilborn**

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**From:** Lion67 <lion67@aol.com>  
**Sent:** Tuesday, September 01, 2015 8:53 PM  
**To:** Derek Kilborn; Elizabeth Abernethy  
**Subject:** Allendale rezoning

Dear Mr. Kilborn:

I was one of the concerned neighbors who attended the meeting at Roberts Youth Center last week. I heartily support the efforts to correct the inadvertent downzoning of our historic neighborhood. Unfortunately the meeting was dominated by a few individuals whose agenda is clearly at odds with the vast majority, who only wish to preserve the integrity of our area. One of those speaking, Mr Gilbert, referred to the expensive house he is building on one of the newly created undersized lots. The next evening, I happened to walk by his property and had the opportunity to speak with his neighbors. I was horrified to find that Mr Gilbert's first act was to raze all the beautiful old trees on his lot in order to build his house. As our newest neighbor stated, it is the classic appearance of Allendale, with its comfortably sized lots and stately old trees which has endeared us to the neighborhood. And for those of us who have lived and plan to live here for many years, it is this elegance which gives Allendale homes their real value. My wife and I have enjoyed living here for almost 35 years and are dismayed at the prospect of houses crowded together at the cost of the natural beauty which defines our neighborhood. We are not outside developers or house flippers trying to make a quick buck. We are the long-time homeowners who see the value of our homes, not just in dollar values, but in the elegance and natural beauty which defines Allendale. We urge you to support the reclassification of our neighborhood to NS-1 now, with the the goal of moving to NS-2 as soon as possible.

Bernard D. Fishalow, MD  
4041 11th Street North

**Derek Kilborn**

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**From:** Ryan, Pat J <pat.j.ryan@baml.com>  
**Sent:** Tuesday, September 01, 2015 4:07 PM  
**To:** Derek Kilborn  
**Cc:** allendalealert100@yahoo.com  
**Subject:** lot rezoning within Allendale

**Dear Derek, This letter is to advise I am NOT in FAVOR of changing our historic Allendale area and estate lots. I am in agreement of rezoning back to NS-1 status and then soon or eventually to NS-2. My wife and I are NOT in Favor of splitting up the large Estate lots within our historic Allendale area.**

*Patrick and Amy Ryan  
1015 Montrose Blvd., N.*

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## **Derek Kilborn**

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**From:** Carl <spcentsp@knology.net>  
**Sent:** Tuesday, September 01, 2015 3:46 PM  
**To:** Derek Kilborn  
**Subject:** Allendale Terrace rezoning

To whom it may concern:

Having been alerted to the apparent attempt to rezone (or whatever you might call "downsizing" the deed restricted lot size for Allendale Terrace, we are deeply troubled as 30+ year homeowners in this neighborhood (and personally, a lifelong 3rd generation resident of St. Petersburg), who bought here specifically in early 1985 because I was moving from another home in the Pasadena Estates area of St. Pete, where we lived for over 16 years on a large, heavily wooded lot (170' frontage x over 300' deep) and I liked all of the Allendale Terrace deed restrictions ( except those which were obviously discriminatory and totally objectionable to me). The deed restrictions in Allendale Terrace at that time, specified a *minimum street frontage of 100 feet, and that at least the first floor of any residence must be of masonry construction*, which we felt would protect our investment and provide somewhat of a "buffer" from neighbors being in close proximity to our home, so we bought, closed, and completely remodeled our then 33 year old new home and moved in the night of hurricane Elena's arrival in the Gulf. We have now been residents for 30 years this week and would hate to see this neighborhood become just another "cookie cutter" neighborhood of homes crowded onto undersized lots.

How the City of St. Petersburg came to change the zoning in Allendale Terrace to allow home sites to have as little as 60 feet of frontage without any notice to then current residents is beyond my comprehension, but the lame excuses for doing so do not make it right. Until we might get the deed restrictions returned to what they were in 1985, I wholeheartedly support the application to rezone our lots from NT-3 (60 feet frontage) to **NS-1 (75 feet frontage) as a minimum requirement.**

Sincerely,

G. Carl and Barbara H. Plaskett



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[www.avast.com](http://www.avast.com)

## **Derek Kilborn**

---

**From:** Dave Markwood <substance1@tampabay.rr.com>  
**Sent:** Tuesday, September 01, 2015 3:44 PM  
**To:** Derek Kilborn  
**Subject:** Rezoning in the Allendale Terrace and adjoining areas

Mr. Kilborn:

I won't be leaguer my point of this email. We have lived in this area for 15 years and it has been a wonderful area in which to raise a family and keep a nice home. This entire neighborhood is composed of larger homes and substantial investments of time and effort to maintain a solid safe environment for children and adults. It took all the resources we had to move here from a smaller home. All of my working life I have had two to three jobs to afford our home. It has been our major investment in our future as we move into the future. Rezoning/downsizing and the situations these moves always bring are not something I can agree with. It would give the area a mixed-use look and lower our property values.

Allendale and the surrounding areas were designed and built with a specific goal in mind and it has up to now reflected better standards. The resetting of the zoning years back without really taking into account of these standards needs to be rectified in a positive manner and the properties should be left as they were intended to be – larger and more estate-like. That was the vision of the original developers. Please honor those standards with an appropriate restating of original land use – from the current NT-3 to NS-1.

Thank you.

David Markwood  
1435 42nd Ave. N  
St. Petersburg, FL

## Derek Kilborn

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**From:** Gregory Matthews <ge.montana@me.com>  
**Sent:** Tuesday, September 01, 2015 3:28 PM  
**To:** Derek Kilborn  
**Cc:** Nina Light; Holidays in United States  
**Subject:** Rezoning of Allendale Terrace (1020 41 Avenue North )- change from NT-3 (60 feet) to NS-1 (75 feet)

I am writing this email in support of a zoning change to Allendale Terrace, where i live with my family.

It is my understanding that an unintended consequence of the city's rezoning several years ago, permits individuals to replace Allendale Terrace's current large lot format with smaller lots. That change in zoning apparently allows for the building of multiple homes where a single current home exists. One neighborhood home could be replaced with up to 8 individual homes on 60 foot lot lines (each with a private driveway). That has the potential for changing the character of our entire neighborhood. It also impacts our usage of the home and our safety. It will result in increased density and traffic flow. And, finally the current value of our home will be impacted in a negative way if the type of homes shown below are built, next to my home.

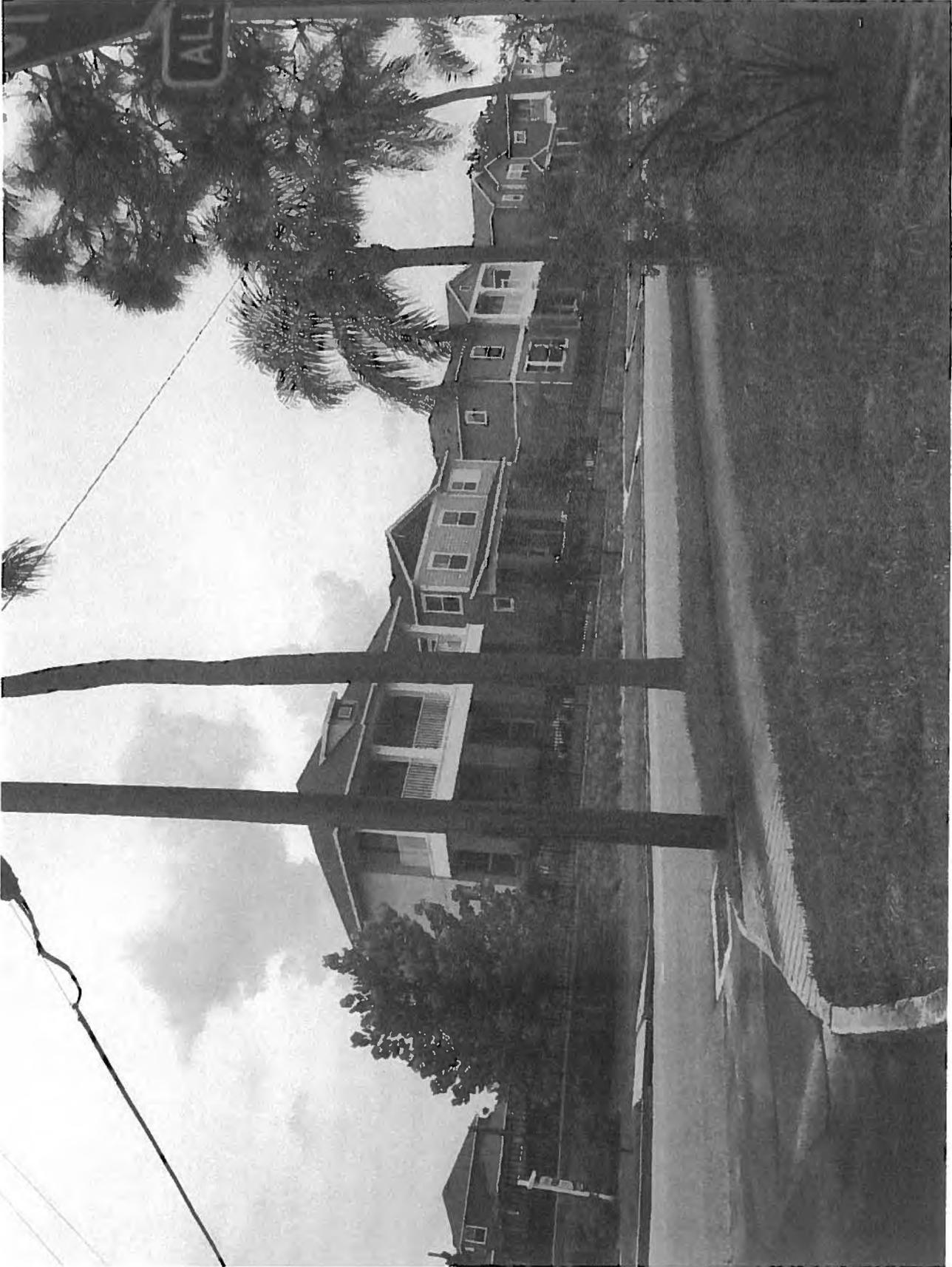
Changes in density and traffic flow are an important issue in Allendale Terrace and the surrounding area. Unlike adjoining neighborhoods, there is only one through east west street, and it is on the subdivision's border. That, and the closure of one north south access street greatly restricts access and exit from the area. The line of sight limitations arising from our curved and hilly roadway way work now without impact because of the limited on-street parking (all homes have driveway access). This roadway may not be suitable to an increased density or on-street parking.

Had we been given the right to review the rezoning change allowing for the smaller lots, before it occurred i can assure you that we would not have supported it. I see the change from the current zoning NT-3 (60 feet) to NS-1 (75 feet) as a key step in protecting the unique nature of our neighborhood.

I am writing this while reading a 1970s story in the St Petersburg Times about this neighbor hood. The article starts, "As He stood in a citrus grove in 1922. Cade Allen envisioned a community of majestic masonry homes." He built and now we need this zoning change to maintain that vision.

PS: I enclose a photo of nearby development that represents the type of development that could sit square in the middle of the Allendale neighborhood is the zoning is changed.

Greg Matthews



**Derek Kilborn**

---

**From:** Andrew Lee <andrew@roundhousecreative.com>  
**Sent:** Tuesday, September 01, 2015 3:11 PM  
**To:** Derek Kilborn  
**Subject:** I support Allendale NS-1

To whom it may concern,

Please accept this email of my support for the proposed rezoning of the Allendale neighborhood to NS-1.

Andrew Lee  
4700 10th Ave N  
St. Petersburg, FL 33713

September 1, 2015

City of St. Petersburg  
Elizabeth Abernethy  
175 Fifth Street North  
St. Petersburg, FL 33701

Re: Allendale Terrace Rezoning

Dear Ms. Abernethy,

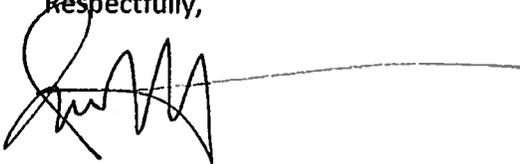
I am writing to you to voice my support in the re-zoning effort of Allendale Terrace and adjoining areas from NT-3 to NS-1; because of my concern to the potential redevelopment and the property re-parceling of existing parcels. The current city platting of homes on 60 foot parcels challenges the history of restrictions and building set-backs, the natural beauty, privacy and the single family character that is unique to the historic Allendale area. Any development that imposes a higher housing density will impact our area, and areas close by, in a negative manner.

My main concern is the potential for overbuilding similar to what has recently been permitted and completed at the south-west corner of 34<sup>th</sup> Avenue North and 6<sup>th</sup> Street North. The development and its density is clearly out of scale with its surrounding neighbors.

I moved to the Allendale area in 2007, the area is comforting with its majestic Oaks, brick paved streets, walkability and a great area to raise a family. The older homes and grand estates root the area to a sense of place within the history of Saint Petersburg, not unlike that of Snell Isle and the Coffee Pot Bayou area. In keeping with the density of the neighborhood, I would think that the city would be interested in keeping and protecting the character of the area and consider it a valuable asset.

Should you have any questions about my concerns, I may be reached at 727-421-3060.

Respectfully,

A handwritten signature in black ink, appearing to read 'Paul G. Lauber', with a long horizontal line extending to the right.

Paul G. Lauber  
Architect + LEED AP  
4100 12<sup>th</sup> Street North  
Saint Petersburg, FL 33703  
plauber312@gmail.com

## Derek Kilborn

---

**From:** Elizabeth Abernethy  
**Sent:** Tuesday, September 01, 2015 1:12 PM  
**To:** Derek Kilborn  
**Subject:** FW: Rezoning

Thanks!  
--Liz

**From:** John Weatherell [mailto:johnw.eod@gmail.com]  
**Sent:** Tuesday, September 01, 2015 1:04 PM  
**To:** Elizabeth Abernethy  
**Subject:** Rezoning

Dear Ms Abernethy,

I understand the City is considering correcting the zoning of Allendale Terrace. I believe this needs to be done. Sixty foot fronts is not compatible with the design of the neighborhood. I think St. Petersburg needs to protect it's established neighborhoods. The City has a few enough of them. Since St Petersburg has gone thru a revival in downtown it is seeing a growth in building and development. Let's try to preserve a balance.

Regards,

John Weatherell

## **Derek Kilborn**

---

**From:** Meredith Gaunce <meredithgaunce@gmail.com>  
**Sent:** Tuesday, September 01, 2015 1:00 PM  
**To:** Derek Kilborn  
**Subject:** Proposed rezoning for Central Allendale

Good afternoon, Mr. Kilborn.

I am a St. Pete resident and wanted to take a moment to reach out regarding the proposed rezoning of the Allendale neighborhood from a 60 foot minimum parcel width to a 75 foot minimum parcel width (from NT-3 zoning to NS-1 zoning). While I do not live in Allendale, I have family and friends who do and truly believe that the integrity of the neighborhood will be compromised if this rezoning does not pass. The subdividing of areas like this by developers that is currently plaguing our historic neighborhoods is eroding what we love about St. Pete.

Please know that it is not just the neighborhood residents who feel passionate about this issue, and I would urge you to support this rezoning effort which is designed simply to preserve the beauty residents have worked so hard and long to create.

This petition is critical in preserving this neighborhood and our community.

Thank you in advance for your consideration and support.

Sincerely,

Meredith Gaunce

## **Derek Kilborn**

---

**From:** anguilla8@aol.com  
**Sent:** Tuesday, September 01, 2015 11:50 AM  
**To:** Derek Kilborn  
**Subject:** Rezoning of Allendale

Dear Derek,  
My husband and I purchased our home at 930 40th Ave. N. a little over 3 years ago. We were attracted to the uniqueness of Allendale, with its stately trees, lush lawns and large lots. We hope to enjoy that character for years to come.  
For this reason, we wholeheartedly, support the zoning change from 60 ft. lot lines to 75 ft. lot lines in hopes of preserving the integrity of our unique neighborhood.

Warm wishes,  
Shelley Shultz

## **Derek Kilborn**

---

**From:** Elizabeth Abernethy  
**Sent:** Tuesday, September 01, 2015 11:47 AM  
**To:** Derek Kilborn  
**Subject:** FW: Allendale area rezoning

Thanks!  
--Liz

**From:** Bob Horn [mailto:Bob@bobhornrealtor.com]  
**Sent:** Tuesday, September 01, 2015 11:43 AM  
**To:** Elizabeth Abernethy  
**Subject:** Allendale area rezoning

Good Morning, Ms. Abernethy

Just a brief email to add my support to that of my neighbors in encouraging the rezoning of Allendale Terrace and the surrounding areas to NS-1 zoning instead of the current NT-3.

Although I was born in Ohio, my family moved here in 1954, when I was four years old. For my entire life, the Allendale and Monticello Park areas have been magical to me and to my sisters. As kids, we loved it when my parents would drive us through these neighborhoods, and we looked in loving awe at the huge lots and grand old homes. And, of course, during the holiday season, we loved driving through to see the Christmas lights!

There are only a few of these neighborhoods in our city. If the great old homes and big lots are split into small parcels and smaller houses are built, the very thing that makes our neighborhood attractive will vanish. No one gains if that happens.

If you (and anyone involved in the decision-making process) have not looked through the wonderful book that was put together by Burton Allen, the son of Cade Allen, who developed Allendale, I encourage you and the others to look through it. It will provide a wonderful sense of the history of this place to you. And I can only hope that it will impact the decision to change the zoning. It can be viewed at the link below.

[http://www.stpete.org/stpete/Cade\\_B\\_Allen...\\_A\\_Life\\_Remembered.pdf](http://www.stpete.org/stpete/Cade_B_Allen..._A_Life_Remembered.pdf)

Thank you (and the others in the zoning decision-making process) for your consideration, and if you have not driven through our neighborhood, in recent times, please do consider it.

I appreciate your efforts.

Bob

**Bob Horn, Realtor**

Charles Rutenberg Realty, Inc.

1004 Central Avenue

St. Petersburg, FL 33705

Cell (727) 480-2679

Fax (727) 498-5776

**Derek Kilborn**

---

**From:** Jill Smith <jamminbean@msn.com>  
**Sent:** Tuesday, September 01, 2015 11:35 AM  
**To:** Derek Kilborn  
**Subject:** Rezoning of Allendale

Dear Mr. Kilborn:

"I support the proposed rezoning of the Allendale neighborhood to NS-1."

Kind regards,

Jill Smith

Century 21 Executive Team

Jill Smith, Realtor  
727-455-5850

Chris Smith, Realtor  
CDPE, CIAS, GREEN  
727-656-4241

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**Derek Kilborn**

**From:** Chavez, Jessica HHHH <Jessica.Chavez@Cigna.com>  
**Sent:** Tuesday, September 01, 2015 11:09 AM  
**To:** Derek Kilborn  
**Subject:** Re-zoning Allendale Neighborhood

Mr. Kilborn,

I wanted to outreach to you to express my extreme disappointment in the current zoning of the Allendale neighborhood. It is one of the few remaining beautiful old neighborhoods that hasn't been overtaken by extreme crowding and over-developing and I would think this would be of value and importance to our lawmakers. Unfortunately, the latest rezoning a few years ago has resulted in many of these beautiful estates being chopped up into small lots with plans of cookie cutter homes that disrupt the current beauty of the neighborhood. Please take interest in this issue and help to ensure that it is rezoned properly so that we can retain what is left of its beauty. I only wish this had been done in my neighborhood before this very thing happened here.

Thank-you,

Jessica Chavez  
1205 11<sup>th</sup> St N  
St. Petersburg, FL 33705

**Jessica Chavez**  
Federal Marketplace Lead  
Individual and Family Plans  
PH: 860.902.4418  
FAX: 860.697.7859  
[Jessica.Chavez@cigna.com](mailto:Jessica.Chavez@cigna.com)

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## Derek Kilborn

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**From:** Brooke | Roundhouse <brooke@roundhousecreative.com>  
**Sent:** Tuesday, September 01, 2015 11:06 AM  
**To:** Derek Kilborn  
**Subject:** Proposed rezoning of the Allendale neighborhood

Hi Derek,

As a resident and business owner in St. Petersburg, I am writing to you in support of the proposed rezoning of the Allendale Neighborhood. It is my understanding that rezoning the Allendale neighborhood to NS-1 is urgently needed to preserve the unique character of this area, which is vital to the quality of our city.

Sincerely,  
Brooke Webster Lee



**Brooke Webster** | Art Director  
1980 Central Avenue, St. Petersburg FL 33712  
727-954-8880 roundhousecreative.com



## Derek Kilborn

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**From:** Morgan Albaum <morgan@bigseadesign.com>  
**Sent:** Tuesday, September 01, 2015 10:13 AM  
**To:** Derek Kilborn  
**Subject:** Rezoning of Allendale neighborhood

Hi Derek,

My name is Morgan Albaum and I support the proposed rezoning of the Allendale neighborhood to NS-1. I currently live at 300 34th AVE N in St. Petersburg.

Thank you for your consideration.

Morgan



**MORGAN ALBAUM** / Inbound Marketing Specialist  
Big Sea Design + Development  
1970 Central Avenue, St. Petersburg, FL 33712  
727.386.8031 x7006

[Web](#) / [Facebook](#) / [Twitter](#)

## **Derek Kilborn**

---

**From:** Maria M <maria.anne.m@gmail.com>  
**Sent:** Tuesday, September 01, 2015 10:11 AM  
**To:** Derek Kilborn  
**Subject:** support for the proposed rezoning of Allendale

I've been a resident of St. Pete my entire life. My grandparents met here at St. Pete High. Allendale is a historic gem in our city.

**I support the proposed rezoning of the Allendale neighborhood to NS-1.**

It would be a catastrophe to break up the lots in that neighborhood.

**Maria Mora**  
Wordsmith & Content Strategist  
[mariamora.info](mailto:mariamora.info)

## Derek Kilborn

---

**From:** Peter Wells <wells@whspa.com>  
**Sent:** Tuesday, September 01, 2015 9:48 AM  
**To:** Elizabeth Abernethy; Derek Kilborn  
**Subject:** Proposed Allendale Rezoning

Ms. Abernethy and Mr. Kilborn:

I am writing to you in connection with the rezoning of Allendale from NT-3 to NS-1. I strongly support the efforts for this rezoning.

I'm a 3<sup>rd</sup> generation St. Petersburg native and have a strong family connection to the Allendale neighborhood. My grandparents, Reuben and Bertie Wells bought in 1941 an original home built by the Allen family. It's the 2-story yellow brick home on the south side of 39<sup>th</sup> Avenue in the 1000-1100 block. They lived there 30 years until they downsized and built another home a few blocks away on 42<sup>nd</sup> Avenue around 14<sup>th</sup> Street. One of the great things about the house on 39<sup>th</sup> Avenue was the lot size. Just a year or so ago a house was built on one of the lots next door and it just doesn't look or feel the same on that street. My aunt, Cresel Zipse who lived in the 39<sup>th</sup> Avenue house for several years, built her home in 1955 on the corner of 12<sup>th</sup> Street and Monticello Boulevard and still lives there. She tells me it makes her sick to see the change to her childhood home on 39<sup>th</sup> Avenue. In 1956, her sister (and my other aunt Sylvia) who is now deceased built her home on 43<sup>rd</sup> Avenue in the 1300 block. Her daughter ( my cousin) still owns the home. In 1958 when I was 4 years old, my parents Harold and Ann Wells, built their home at 1246 45<sup>th</sup> Avenue. So starting almost 75 years ago and lasting many years, my father's family lived together in Allendale--Reuben and Bertie Wells and their three children and their families. In 1993 I bought and remodeled our home at 1311 Monticello Boulevard—the home of one of my closest childhood friends.

As you know, the Allendale neighborhood and including Monticello Heights area where I live is known for its larger lots, trees and its unique character and beauty. This is why many people want to live in this neighborhood and what attracts others to move here. My wife Lisa is from Atlanta and her neighborhood where she grew up is known for its very large lot sizes and old historic homes. Over the past 20 years or so, that beautiful Atlanta neighborhood has changed for the worse--developers carving up the lots and squeezing homes next to each other. It is ruining the neighborhood. She has always said Allendale reminds her of her Atlanta neighborhood and her family says the same. We don't want to see Allendale ruined and we fear without this rezoning, a similar downgrade to our unique neighborhood will occur.

So again, my wife and I strongly support the rezoning of Allendale from NT-3 to NS-1 and your efforts are much appreciated.

Peter and Lisa Wells  
1311 Monticello Boulevard North  
St. Petersburg, Florida

Peter B. Wells

Certified Public Accountant  
Wells, Houser & Schatzel, P.A.  
500 94th Avenue North  
St. Petersburg, FL 33702

Phone: (727)578-1040 ext. 118  
Fax: (727)578-1041

[wells@whspa.com](mailto:wells@whspa.com)

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**Derek Kilborn**

**From:** Sue Fishalow <sfishalow@gmail.com>  
**Sent:** Monday, August 31, 2015 9:26 PM  
**To:** Derek Kilborn  
**Subject:** Allaendale Terrace Rezoning

Dear Mr. Kilborn and Ms. Abernethy,

Thank you both for your attendance at our neighborhood meeting to explain and illustrate the proposed zoning change for parts of the Allendale Terrace area. Your well-prepared presentation was of great help for those of us in the affected homes. I have lived in Allendale for thirty-five years in one of the original Cade Allen houses. My husband and I moved here with our children in great part because of the large lot size, the beautiful trees, and the stately homes. The lots on which the David Weekly homes are being built have been stripped of trees, have very little green space, and are totally out of character with the homes already established. Moreover, the rezoning in 2007 was in error — there was no overlay of the types of homes already in place or how many lots each occupied. While we appreciate greatly the efforts of the city to correct the error, it would be egregious to leave the lots at sixty feet. A minimum of 75 feet is essential to preserve the current and future development of a gracious and lovely neighborhood.

Within the area in question there are 32 of Cade Allen's original 33 homes. As one woman so eloquently stated toward the end of the meeting, she moved here precisely **because** of the character of the neighborhood. That unique character was not evident in any of the pictures shown. In order to make a fair decision, I feel that the city needs to take a very close look at the homes already here. We have made available photographs of several of these, yet none were used at the presentation. By your own statistics it is obvious that the average lot width here is more than 100 feet. My own lot is 118 feet and is not even the largest.

David McKalip has long tried to take over the neighborhood association for his own purposes — namely to propound his deeply felt personal belief that all government is bad, and that **no one** has the right to tell him what he can and cannot do on his own property. However, he and Mr. Ekonomou seem to have developed a self-serving alliance and to have attempted not only to take over the meeting, but to have made slanderous comments to more than one of those who have opposing viewpoints. Nevertheless, they were being called upon by their first names, while the rest of us were identified by our clothing or seating positions. This cannot help but raise doubts as to the fairness of the proceedings and to give the impression that McKalip and Ekonomou have an “in” with the city.

McKalip is circulating his misinformation about property values far and wide in an attempt to sabotage an honest effort by concerned citizens to retain the beauty and serenity of a long-established neighborhood. Moreover, as I mentioned at the meeting, many sales prices were artificially low because of the amount of work that needed to be done on properties that hadn't been updated in more than half a century. The results are lovely, modern, and totally in keeping with the character of Allendale Terrace — and are worth far more now than those changes have been made. David McKalip's projections are not only erroneous; they are intended as a scare tactic to win support for his libertarian and financial aspirations.

I urge that the city council agree to a compromise by adopting the NS-2 zoning, irregardless of the necessity to involve Pinellas County. If only NS-1 can be considered at this juncture, I respectfully ask that a formal promise be made to leave the issue open to reexamining a move to NS-2 in the foreseeable future. Please do not allow the selfish efforts of one or two individuals who hope only for financial gain derail your obvious dedication and commitment to serving your constituencies.

Again, thank you for your time, effort, and presence at our meeting.

Sincerely,

Sue Ellen Fishalow

4041 11th Street North

St. Petersburg 33703

## **Derek Kilborn**

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**From:** Adam C. Erickson <adame@tampabay.rr.com>  
**Sent:** Monday, August 31, 2015 8:29 PM  
**To:** Derek Kilborn  
**Cc:** Elizabeth Abernethy  
**Subject:** Allendale Rezoning support

This letter is to formally voice our support for the proposed rezoning to the Allendale neighborhood to NS-1. We believe the NS zoning will encourage responsible redevelopment within the neighborhood. It will help maintain the predominant character of the neighborhood which is it's large lots, horizontal orientation of the homes and large spaces between the homes.

Regards,

**Adam and Erin Erickson**  
945 40th Ave N

## Derek Kilborn

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**From:** Karen Simpson <terka83@aol.com>  
**Sent:** Monday, August 31, 2015 7:47 PM  
**To:** Derek Kilborn  
**Subject:** Allendale terrace

Dear Mr. Kilborn,

This letter is to make known my position on the rezoning of our lovely neighborhood.. I am very much in favor of this action. I bought my home after the death of Mr. Simpson. I wanted to return to Pinellas county. I have been happy in this wonderful atmosphere, however I have been very distraught with the recent developments ie. out-of-town developers coming in and attempting to make a quick buck at the expense of an old established neighborhood.

Please seriously consider my feelings on this important issue.

Very sincerely,

Karen Simpson

terka83@aol.com

945 40th Avenue, North  
St. Petersburg, FL 33703

## **Derek Kilborn**

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**From:** ToniTrimbl@aol.com  
**Sent:** Monday, August 31, 2015 1:04 PM  
**To:** Derek Kilborn  
**Subject:** Re: Allendale Terrace Rezoning

Mr. Kilborn; It is heartening to both my husband and myself to see a possible rezoning of our classic neighborhood of Allendale Terrace from 60' frontage NS-2 zoning to 75' NS-1. It does sadden me to realize that success in a city's real estate progress is defined by pillaging existing structures and cramming as much re-development into a single spot as is technically legal with the ultimate purpose of "making a profit". Architectural uniqueness and style of a neighborhood plays no part in this decision to pillage. As "gatekeepers" and conservators of our beautiful city, the city leaders should understand the qualities and cultures of each and every neighborhood. Once these historical structures are torn down they can never be replaced. As evidenced by the homeowners' responses in the meeting last week, people buy into Allendale for the unique quality of the architecture, the established landscape, the larger lots and the quiet family home atmosphere. Unfortunately, developers/builders/speculators et al only look at the bottom dollar and the zoning loopholes. We as residents of this city must remain vigilant as to possible exploitation of the character of our much loved neighborhoods. It is imperative that Allendale remains the "go to" neighborhood for like-minded people who want what we all here have and so desperately want to hang on to.

I thank you for your time.

Regards,

Toni C. Trimble /Arnold M. Lawner  
1038 41st Avenue North  
St. Petersburg, Florida 33703

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**Derek Kilborn**

**From:** Jim Grobmyer <jgrobmyer@jackriceinsurance.com>  
**Sent:** Monday, August 31, 2015 11:18 AM  
**To:** Elizabeth Abernethy; Derek Kilborn; Bill Dudley; Mayor  
**Subject:** Proposed Allendale Rezoning

Good morning, this email is to register my support for rezoning of Allendale from NT3 to NS1.

To give you a brief history of myself, I have been a lifelong resident of St Petersburg. My first residence was in Allendale Terrace where I resided for eight years. It was here that I truly fell in love with the Allendale experience. As my family grew I purchased two contiguous lots once owned by the Greene family off of Monticello Boulevard. Six years ago, I was able to build the home my family and I would enjoy for many years to come.

During the planning stages of designing our home, it became very apparent the home I would build, needed to fit in. By this I mean, it needed to look like an older home that was of similar architecture to those in and around our home. After some time and effort we were able to accomplish this.

To have the entrance of this historic neighborhood developed with homes built on sixty foot wide lots that do not look like they fit in, makes absolutely no sense. I urge you to strongly consider the position of me, as well as the numerous other residents of Allendale that oppose the development of such a historic neighborhood.

I trust you will make the right decision.

**Best regards,**

**Jimmy Grobmyer**  
1240 Monticello Blvd North

Executive Vice President  
[jgrobmyer@jackriceinsurance.com](mailto:jgrobmyer@jackriceinsurance.com)  
727-530-0684 Extension 129  
Cell 727-687-6585

VISIT [WWW.JACKRICEINSURANCE.COM](http://WWW.JACKRICEINSURANCE.COM) FOR ALL YOUR COMMERCIAL, EMPLOYEE BENEFIT AND PERSONAL INSURANCE NEEDS OR CONTACT ME DIRECTLY



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P: 877-469-4942  
F: 727-532-9602

**Derek Kilborn**

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**From:** Joseph Lettelleir <jjtll@aol.com>  
**Sent:** Sunday, August 30, 2015 2:44 PM  
**To:** Derek Kilborn  
**Subject:** Allendale rezoning

Thank you for the opportunity to express my opinion on the proposed Allendale rezoning. Having been a resident of Allendale for 37 years, I totally support the action!

Joe Lettelleir

## **Derek Kilborn**

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**From:** Brian Smith <briansmith935@gmail.com>  
**Sent:** Saturday, August 29, 2015 4:23 PM  
**To:** Elizabeth Abernethy; Derek Kilborn  
**Subject:** Proposed Allendale Rezoning

Ms. Abernethy and Mr. Kilborn:

Thank you for your efforts to rezone Allendale from NT3 to NS1. This action is desperately needed in order to protect the character of our beautiful neighborhood. Without approval of this zoning change, the future of our neighborhood will be the development of inferior homes on small lots. This will benefit out of town developers at the expense of those of us who have invested in Allendale for the long run. The inevitable result of development on sixty foot lots will be the degradation of our property values. The character of our neighborhood which attracted us to Allendale will be lost forever. We are counting on the elected officials and committee members of the City of St. Petersburg to protect our interests.

I have resided at 935 41<sup>st</sup> Avenue North for over 35 years. The thought of as many as eight homes on sixty foot lots being built directly to the South of my property sickens me.

I attended the informational meeting the other night at the Roberts Community Center. Thank you for taking the time to answer our questions and to explain the pros and cons of the proposed change. My only disappointment, however, was the selection of pictures which were displayed in order to show potential development in the NS1 zoning classification. I would suggest either replacement of those photos with more appropriate examples or using the sketches found in the zoning ordinance.

Thank you for your efforts in this matter.

Sincerely,

Brian and Connie Smith  
935 41<sup>st</sup> Avenue North

## **Derek Kilborn**

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**From:** Howard Finberg <howard@finberg.com>  
**Sent:** Saturday, August 29, 2015 3:12 PM  
**To:** Derek Kilborn; Elizabeth Abernethy  
**Cc:** Bill Dudley; Darden Rice; Kate Finberg  
**Subject:** Allendale Rezoning Information Meeting: Support for Zoning Change

Dear Mr. Kilborn and Ms. Abernethy,

I'm writing you in support of the efforts to rezone parts of the Allendale Terrace neighborhood from NT-3 to NS-2 [with NS-1, perhaps, as an interim step in the process]. I want to make sure you receive this letter of support from a resident who has lived in the neighborhood for 10 years. We appreciate the efforts of the city to correct an unintentional error in the 2007 rezoning process. I know this is hard work.

I've increasingly become concerned about the 'random' re-building of homes in the neighborhood by developers. We first noticed the efforts of the David Weekley Homes, which is based in Houston, TX. As noted in earlier letters, Weekley Homes routinely builds smaller, tightly clustered, nearly identical houses. In fact, they were allowed to tear down one home on two plats and put up for sale two building sites. This is out of character with the other homes on that block [40<sup>th</sup> Avenue N] and the neighborhood in general.

I echo the thoughts of others at the recent information meeting held at the Roberts Center: The opposition voices were allowed to run over the 'information/question' process and make general speeches and spread misinformation and personal slander. I was disappointed that there seems to be a "first name" basis between your department and the developer, Mr. Ekonomou. Even if there isn't a personal relationship, calling on him as "Nick" while the rest of us where relegated to "clothing colors" seems to put the department's impartiality at risk.

We also were concerned that the sign-in sheet was being co-mingled with the "opposition" petition at the front table. Why wasn't that being manned by a city employee to insure that the attendees signed the proper sheet.

I was also dismayed that photos of NS-1 houses shown that DID NOT reflect our neighborhood. On a walk this morning, we found several NS-1 style suburban homes on Monticello that could have been used as appropriate examples. I urge that staff members use photos that reflect the homes with a neighborhood.

In summary:

This rezoning is VITAL to the future of the neighborhood.

We urge that the city council support efforts to have zoning reflective of the neighborhood. As your own data shows, the average lot width more than 100 feet. That calls for the adoption of NS-2 zoning, regardless of the difficulties of having to work with the county. However, if you decide the NS-1 is the first step, then we would like a commitment that NS-2 would be explored.

Thank you for your efforts so far. I hope my neighbors will add their voices and support.

Sincerely,  
Howard Finberg  
4114 11th Street North  
St. Petersburg, FL 33703

## Derek Kilborn

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**From:** Kate Finberg <kate.finberg@gmail.com>  
**Sent:** Thursday, August 27, 2015 12:40 PM  
**To:** Derek Kilborn; Elizabeth Abernethy  
**Cc:** howard@finberg.com; Adam Erickson; Brain Smith; Kate Finberg; Ken Lynse; Kent Wilson; Martin Banspach; Nina Light  
**Subject:** Allendale Rezoning Information meeting

Dear Mr. Kilborn and Ms. Abernethy,

Thank you for coming to our neighborhood to explain the pending rezoning proposal for parts of Allendale Terrace. You gave us a lot of comparable information about the specifics of NT-3 and NS-1 zoning.

After listening to you I am still in support of the rezoning, in large part because the affected area contains 32 of Allendale Terrace's 33 Cade Allen homes. I hope that the change to NS-1 can be followed up to a change to the NS-2 zoning, which would be more in keeping with the historic development of the residential parcels up here. As you know, Allendale Terrace neighbors are concerned about developers changing the character of the neighborhood by buying the homes on large parcels, dozing our old but sturdy and possibly historic houses, dividing the land into smaller parcels, and in-filling with smaller, tightly clustered, nearly identical houses. Such redevelopment would be out of character with our 90-year-old neighborhood.

If Allendale Terrace's NS-1 change is approved by the City Council, I hope you will consider similar changes for 2 other north side areas. These contain houses that also were developed on multiple-plotted lots between the 1950s to the 1980s. They have a character similar to Allendale Terrace, and one contains at least 1 Cade Allen house.

- o One is the Allen's Badgers Park, bounded by 12th Street North on the east, an alleyway parallel to Haines Road on the south, 15th Street North on the west, and the south side of 42nd Avenue North. It has about 16 houses and 3 vacant lots, plus 2 large non-street-abutting areas of open space. The average frontage of the residential parcels here is roughly 85.6 feet and the average lot area is 11,896 square feet.

- o The second is the part of Monticello Park bounded by 12 Street North on the east, 15th Street North on the west, both sides of 45 Avenue North on the north, and 42nd Avenue North on the south. There are some 60 houses in this area with an average parcel frontage of slightly more than 86 linear feet and an average lot size of 11,050 Square feet. This area has the Cade Allen house.

My one disappointment for the meeting is I thought the question-and-answer session went off topic too soon and too much. It is unfortunate that the first neighbor to speak was David McKalip. McKalip is well known in the neighborhood, not for his alleged community leadership, but for his long, unbroken history of attending our annual Crime Watch meetings to give voice to his Libertarian-leaning displeasure of all levels of government. To him our award-winning Allendale Crime Watch Association, which also functions as our neighborhood association, is just another government unit to oppose. That is why some of the neighbors were opposed to him continuing to talk when he went off topic. This was the point at which I wish either of you had told him to focus on the purpose of the meeting. I don't know how you avoid this at your meetings and what city policy is, but the meeting really went off topic, possibly because of this. Things hit a real low when Mr. Ekonomou called Mr. Erickson "a liar" and referred to our award-winning neighborhood crime watch association as a "criminal association." This is a neighborhood that needs healing and the Q and A session just fed the fires of division.

Incidentally, you might remember me from the meeting. I was the woman who asked you to explain how the smaller lot area size for NS-1 came about and how the timing of an NS-2 change would go. I also admit to shaming Mr. Ekonomou for calling Mr. Erikson a liar and correcting Mr. McKalip on his unfounded claim of starting the crime watch association. In the past I have accompanied members of the Allendale Action Committee to your office to learn about historic districts. And I have constructed a database for the committee on properties within the crime watch area and the rezoning area south of 38 Avenue North. My database is why I can quote stats about frontages and parcel areas. Because of my database work I get invited to the action committee's meetings and I sometimes attend. However, I don't consider myself a member of it; I just help out occasionally.

I wish you good progress in rezoning Allendale Terrace. And I hope the effort can be expanded to our neighbors in Allen's Badgers Park and part of Monticello Park. I also hope that rezoning can eventually make it to the NS-2 category. But I don't know if this would raise too many non-compliance issues for the city. By my calculations, if Allendale Terrace were to advance to RS-2, north of 38th Avenue north, 63 of the homes would be in compliance while 21 would be not. South of 38th Avenue, some 20 homes would be non-compliant and 11 would be complaint. I don't know if NS-2 would work well south of 38th but it might in my area of the Terrace.

Again, thank you for your informative session, your rezoning research, and your historic district efforts.

Sincerely,

Kate Finberg

4114 11th Street North

St. Petersburg, FL 33703

## **Derek Kilborn**

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**From:** markf@tampabay.rr.com  
**Sent:** Wednesday, September 02, 2015 7:31 PM  
**To:** Derek Kilborn  
**Subject:** Allendale Rezoning

Dear Mr. Kilborn,  
I wanted to write to you regarding the new zoning being considered for the Allendale area here in St Petersburg. I am very much in favor of this change to increase the minimum lot size for houses to be built to at least 75 foot frontage if not more! This would allow any new home to better blend in with existing properties. Over the past year builders have jammed a few homes onto small property spaces just to turn a quick profit and they just look out of character and out of place. I don't want this desirable neighborhood to be degraded any further!  
Thanks for your consideration,  
Mark Foster  
1045-43rd Ave N.

## Derek Kilborn

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**From:** Wilson, Edmund <edmund.wilson@lpl.com>  
**Sent:** Wednesday, September 02, 2015 5:37 PM  
**To:** Derek Kilborn  
**Subject:** rezoning of part of Allen Dale

Edmund and Louise Wilson at 955 40<sup>th</sup> Avenue North are in favor of the proposed new zoning for our neighborhood. We think that going from 60 ft. to a 75 ft. minimum lot will go a long way in preserving the character of the Allen Dale area. Actually the minimum lot size should be 100 ft. minimum to truly keep our beautiful neighborhood as it was originally designed by Cade Allen.

Thank you,

**Edmund D. Wilson**  
Registered Principal, Financial Advisor  
LPL Financial, LLC  
Wilson, Wilson & Company Retirement and Estate Planning  
112 44th Avenue North | Saint Petersburg, FL 33703  
O: (727) 550.9589  
F: (727) 827.0955  
C: (727) 424.8582  
E: Edmund.wilson@lpl.com



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# **LETTERS OF OPPOSITION**

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**Derek Kilborn**

**From:** David McKalip, M.D. <dmckalip@neuro3.net>  
**Sent:** Monday, August 17, 2015 5:43 PM  
**To:** Catherine Lee  
**Cc:** Derek Kilborn  
**Subject:** RE: Opposed to FLUM-30-A rezoning

Thank you.

Sent with AquaMail for Android  
<http://www.aqua-mail.com>

On August 17, 2015 4:31:21 PM Catherine Lee <Catherine.Lee@stpete.org> wrote:

Receipt of your official notice of opposition is confirmed. I've forwarded your email to the Clerk of the CPPC meeting that you would like register as an opponent.

Catherine "Cate" Lee, AICP  
Planner II, Planning & Economic Development Department  
City of St. Petersburg  
727.892.5255  
[catherine.lee@stpete.org](mailto:catherine.lee@stpete.org)

Please note all emails are subject to public records law.

**From:** David McKalip, M.D. [mailto:dmckalip@neuro3.net]  
**Sent:** Monday, August 17, 2015 4:15 PM  
**To:** Catherine Lee  
**Subject:** Opposed to FLUM-30-A rezoning

Please register me as opposed to re-zoning of Allendale and associated neighborhoods referred to in city file FLUM-30-A  
Please confirm receipt of this official notice of my opposition.

**REGISTER AS OPPOSED to Rezoning to Larger Lots by 9/1/15.**

**Email [Catherine.Lee@stpete.org](mailto:Catherine.Lee@stpete.org) and refer to FLUM-30-A**

**OR SIGN IN OPPOSITION (see sheet)**

**PRORERTY VALUES GO UP with 60 foot lots! (44-350% gain, annual gain 4-350%)**

Recent examples include : (HIGHER GAINS WHEN MORE OPTIONS for SALE/<75ft lots)

- **70 foot lot - 350% GAIN IN VALUE ( 350%/Yr)-** 1033 40TH AVE N Two 70 foot lots were sold for \$400,000 (\$200,000 a piece) (10/21/14)
  - One lot has already sold with a new home for \$900,000
  - The other lot is for sale and will now have a similar re-sale value
- **211% Gain 65 foot lot (211%/yr) -** 1034 39TH AVE N sold \$206,000 (11/6/13) rebuilt, resold at \$640,000 2014
- **84% gain (minimum) (42%/yr)- 50 foot lot across street from Allendale -** 1121 42ND AVE N \$176,000 for empty lot – new two story home \$324,500 2015 sales estimate 2015 (PCPAO)
- **44% gain (4%gain/yr) (yr built 1965)- (eight, 60 foot lots)** 901 40<sup>th</sup> Ave. N. \$990,000 (6/21/2004) – Under contract for \$1.425 million

**Old Homes and Allendale Homes don't sell Quickly or Well (9-47% gain, annual gain 0.7-3.36%)** Recent examples include :

- **2012 - 9% gain (0.69%/yr) (yr built 1953)** 4046 11TH ST N \$575,000 5/3/1999 sold for \$625,000 in 2012
- **2012 -9% gain (0.9%/yr) (yr built 1936)** 930 40TH AVE N \$389,000 (3/14/02), sold for \$425,500 6/5/12
- **2014 – 21% gain (2.1%/yr) (yr built 1929)** 1016 39TH AVE N \$495,000 (9/8/04), sold for \$600,000 (4/25/14)
- **2014 – 47% (3.36%/yr)** (yr built 1949) 955 38TH AVE N 9/4/02 \$202,000, sold for \$297,500 11/24/14

**Prior homes have been built on divided lot's -the the neighborhoods benefited and none of the horror stories of a "degraded" neighborhood, ugly homes or declining property values came true.**

1. Nina and Jim Light - **early to mid 70's** 940 42nd Ave N
2. Benjamin and Csilla Gilbert – **2015** 1033 40th Ave N
3. CCP REI LLC – **2014** 0 39th Ave N (previously part of Gross property 933 39th Ave N)
4. David and Ann Mckalip – **1993** 1078 42nd Ave N
5. David and Gloria McEwen - **1979** 1019 40th Ave N
6. Maggie McQueen - **1981** 950 39th Ave N
7. James and Tammy Meyer – **2014** 1034 39th Ave N
8. Bob and Pat Miller – **1979** 4031 11th St N
9. Richard Winning – **1983** 935 42nd Ave N
10. Barry Flaherty and Elizabeth Allen – **1987** 4111 12th St N
11. Lynn and Caroline Feaster - **1997** 1225 42nd Ave N
12. Joseph and Ginger Reichl - **1981** 945 42nd Ave N

**REGISTER AS OPPOSED to Rezoning to Larger Lots by 9/1/15.**

Email [Catherine.Lee@stpete.org](mailto:Catherine.Lee@stpete.org) and refer to FLUM-30-A

**OR SIGN IN OPPOSITION (see sheet)**

### Why keep 60 foot lots?

**Current Lot sizes (60 foot) increases the number of potential buyers for your home – improves resale value and property value.**

- **Home Values Appreciate FASTER/HIGHER on newer homes and with 60 foot lots** (see data other side)
  - PROPERTY VALUES GO UP with 60 foot lots and with new construction.
    - (44-350% gain, **annual gain 4-350%**)
  - Old Allendale Homes generally don't sell quickly or well.
    - (9-47% gain, **annual gain 0.7-3.36%**)
- **Prior homes have been built on divided lots - the neighborhood benefited** (see data other side)
  - There were some complaints in past about "dividing lots" and "Rutenburg" and "new homes" causing damage to home values.
  - The prior concerns of de-valuation and out of character homes were also proven false.
- **Crime will not go up**
  - People that buy homes ranging from \$324,500 to \$9000 are not likely to be "transients" with crime motivation.
- **Misinformation abounds – here are facts.**
  - Nick Economou, owner of the old home at 3900 Dr. MLK st. **is REFURBISHING the Old home, not demolishing.**
  - Rezoning the lots Mr. Economou will purchase in January 2015 to 75 feet, **will still allow 7 houses to be built there.** However, there driveways will empty onto 9<sup>th</sup> ST, **creating traffic hazards.**
  - Leaving the lots at 60 feet and re-orienting to the side-streets is safer and will increase values overall in the neighborhood.
  - Mr. Economou does not plan to build condos, apartments or townhomes. He plans to sell to buyers that will develop in ways consistent with our current neighborhood.
- **A small group of neighbors are using the neighborhood crime watch to push their personal agenda. They are intentionally hiding both sides of the story.**
  - The crime watch is trying to declare someone else's house a historic landmark – over the objection of homeowner Nick Economou- on his home at 3900 MLK. This will increase his cost of ownership and decrease his resale value (per the Pinellas Realtors Organization and 20 property appraisers in Pinellas County). **Would you want people to declare your home "historic" over your objections?**
  - On 6/28 the neighbors intentionally did not invite opponents to lot re-facing/rezoning neighborhood meeting (Nina Light confirmed this to Dr. McKalip personally).
  - A handpicked "Action committee" has been secretly meeting in private sessions to map out political strategies to rezone the neighborhood.
  - The "Action Committee" states there is no relevant different alternative viewpoint to theirs!
  - The committee and our Crime watch President refused to allow the neighborhood email list to be used to announce 1) a neighborhood meet-and-greet with Nick Economou for fact finding, 2) a "pro-con" essay on both sides of the issues of re-zoning.
  - The action committee refused to allow a dues-paying member of the crimewatch to make a 5 minute personal presentation – insisting a conference call only (to which they also objected).
  - Our Crime watch team has morphed from patrolling the streets to controlling other people's property in our neighborhood.

**Derek Kilborn**

---

**From:** Nick Schriver <nick@decoratingelves.com>  
**Sent:** Tuesday, September 01, 2015 3:12 PM  
**To:** Derek Kilborn  
**Subject:** I do not support the Allendale rezoning

I Do Not Support the Allendale rezoning

Nick Schriver

**COMMUNITY REDEVELOPMENT AGENCY  
OF THE CITY OF ST. PETERSBURG**

**Meeting of October 15, 2015**

**SUBJECT:** Authorizing the Executive Director, or his designee, to execute an Agreement to Terminate Property Disposition Agreement dated December 8, 2004 by and among The City of St. Petersburg, The Community Redevelopment Agency of the City of St. Petersburg, PEF St. Petersburg FL, LLC, as assignee of Florida Power Corporation, d/b/a Progress Energy Florida, Inc., and Grand Bohemian SP, LLC, as assignee of The Kessler Enterprise, Inc.; and to execute all documents necessary to effectuate same; and providing an effective date.

**EXPLANATION:** Real Estate & Property Management received a request from The Kessler Enterprise, Inc. on September 22, 2015 requesting the City to take whatever steps are necessary to terminate the PDA and/or to release any continuing rights the City and Kessler may have thereunder as soon as possible. The December 8, 2004, Property Disposition Agreement, as amended ("PDA") is by and among The City of St. Petersburg ("City"), The Community Redevelopment Agency of the City of St. Petersburg ("CRA"), PEF St. Petersburg FL, LLC, as assignee of Florida Power Corporation, d/b/a Progress Energy Florida, Inc. ("Progress"), and Grand Bohemian SP, LLC, as assignee of The Kessler Enterprise, Inc. ("Kessler") (collectively "Parties").

The Parties amended the PDA on five separate occasions: First Amendment dated January 27, 2005, Second Amendment dated December 21, 2005, Third Amendment dated November 29, 2006, Fourth Amendment dated August 7, 2008, and Fifth Amendment dated April 2, 2009.

At this time Kessler advises that it is in the process of selling the property that is encumbered by the PDA ("Kessler Property") and requested that the City waive certain rights in the PDA in order to be able to close on the sale of the property. The rights Kessler specifically requested the City to waive relate to: 1) the City's right to the profits from the sale of the Kessler Property and 2) the City's right to purchase the Kessler Property. Kessler was advised that City Administration could not waive any rights the City has in the PDA as such rights can only be waived by City Council.

Those referenced rights are set forth in the PDA as follows:

Section 9.1 (b) (iii as amended by Fifth Amendment)

*"If Progress does not purchase the Kessler Property, then Kessler, in coordination with the City, shall seek to sell the Kessler Property to a third-party developer qualified and competent to execute and develop the Kessler Property in substantial conformity with the original development plan. Kessler shall remit to the City, on the sale of the Kessler Property, including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress, any profits over and above the total of (i) the Kessler Purchase Price, including the purchase price for the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress; and (ii) all external development costs incurred by Kessler with respect to the*

*Kessler Development, including but not limited to, (if paid), its share of any excess costs to the Demolition (the "Development Costs")."*

(iv Amended by Fifth Amendment)

*"If Kessler fails to find a substitute developer to acquire the Kessler Property, including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler by April 30, 2013, then the City shall have the right to acquire the Kessler Property, including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress at the lower of (i) the amount of the Kessler Purchase Price plus its Development Costs, including both the purchase price of the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress; or (ii) the appraised value of the Kessler Property including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress."*

After review of the entire PDA and due to the fact that the PDA contains various rights and duties of all the parties ("Rights & Duties") it is Administration's position that since the new buyer does not intend to carry out the development as envisioned in the PDA as amended, the Rights & Duties are no longer applicable. Therefore, because of the new buyer's new development approach, Administration concluded that the City should not waive any rights unilaterally and that the PDA should be terminated in order that all Rights & Duties of the Parties are extinguished simultaneously, provided staff could reasonably substantiate that there were no profits on the sale to Kessler. Accordingly, documentation was requested from Kessler to demonstrate that there was no profit on the pending sale transaction.

Kessler provided to the City a summary of costs totaling in excess of \$17 million supported by 137 electronic files containing a total of ±1749 pages of documentation to substantiate the seller realizing no profits upon the sale of the property. City staff reviewed the information provided including: a summary of costs incurred by Kessler for the project; a cost control detail summary of the project costs; multiple check register schedules identifying development payments made copies of checks and supporting invoices tied to the Check Register schedules. Additionally, the review of these documents was discussed briefly with Brad Scott, City Auditor to ensure the review methodology was reasonable, and with the Kessler Company (Brian Py and Dennis Montague) to ensure the understanding of their cost accounting system and the provided documentation was correct. Based upon this review, the supporting documentation confirms that the documentation supplied adequately demonstrates that the Development Costs, as defined in the PDA, exceeds the \$8.75 million sales price that Kessler represented to the City by providing a copy of select pages from its "Contract for Sale and Purchase" dated May 15, 2015.

With the Progress portion of the development having been completed in 2007 (now the Duke Energy building), and with Kessler selling its property to a non-hotel developer, the PDA, which is unrecorded has served its function. Further, there is a recorded Declaration of Covenants and Restrictions dated July 14, 2005 (Official Records BK 14479 PG 2472-2515) ("Covenants") incorporating the development commitments and restrictions set forth in the PDA, including an approved site plan that will require the cooperation of the owners of the Kessler and Progress property in order to make future modifications to the Covenants. Any modification of the site

plan will require compliance with City regulations and City regulatory approval. Accordingly the PDA no longer serves an effective purpose and should be terminated to eliminate any potential confusion in the future as to its intent or rights.

The City has long awaited the completion of the development of this important downtown block and looks forward to the new owner bringing forth its plans for its new development.

**RECOMMENDATION:** CRA Staff recommends that The Community Redevelopment Agency of the City of St. Petersburg approve the attached resolution authorizing the Executive Director, or his Designee, to execute an Agreement to Terminate Property Disposition Agreement dated December 8, 2004 by and among The City of St. Petersburg, The Community Redevelopment Agency of the City of St. Petersburg, PEF St. Petersburg FL, LLC, as assignee of Florida Power Corporation, d/b/a Progress Energy Florida, Inc., and Grand Bohemian SP, LLC, as assignee of The Kessler Enterprise, Inc.; and to execute all documents necessary to effectuate same; and providing an effective date.

**From:** [Brian A. Py](#)  
**To:** [Bruce E. Grimes](#)  
**Cc:** [Hester, Laura](#); [Rick Baddeley](#)  
**Subject:** Property Disposition Agreement - Termination and/or Release of Continuing Rights  
**Date:** Tuesday, September 22, 2015 2:09:51 PM  
**Attachments:** corp signature loap367c.png

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Dear Bruce

As you may know, Grand Bohemian SP, LLC is the current owner of the Kessler Property, as defined in and encumbered by that certain Property Disposition Agreement among The City of St. Petersburg, The Community Redevelopment Agency of the City of St. Petersburg, Florida Power Corporation, d/b/a Progress Energy Florida, Inc. and The Kessler Enterprise, Inc., dated as of December 8, 2004, as amended (the "PDA"). Please accept this request to take whatever steps are necessary to terminate the PDA and/or to release any continuing rights the City and Kessler may have thereunder as soon as possible.

Thank you

Best regards,

---

**Brian A. Py**  
Senior Vice President of Development and Finance  
D: 407.996.9941  
4901 Vineland Rd, Ste 650  
Orlando, FL 32811

 THE *Kessler* COLLECTION

<http://www.kesslercollection.com>

The Kessler Collection proudly  
welcomes its newest work of art  
**GRAND BOHEMIAN HOTEL**  
CHARLESTON  
[grandbohemiancharleston.com](http://grandbohemiancharleston.com)

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CRA RESOLUTION NO. 2015 - \_\_\_\_\_

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE EXECUTIVE DIRECTOR, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT TO TERMINATE PROPERTY DISPOSITION AGREEMENT DATED DECEMBER 8, 2004 BY AND AMONG THE CITY OF ST. PETERSBURG, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF ST. PETERSBURG, PEF ST. PETERSBURG FL, LLC, AS ASSIGNEE OF FLORIDA POWER CORPORATION, D/B/A PROGRESS ENERGY FLORIDA, INC., AND GRAND BOHEMIAN SP, LLC, AS ASSIGNEE OF THE KESSLER ENTERPRISE, INC; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate & Property Management received a request from The Kessler Enterprise, Inc. on September 22, 2015 requesting the City to take whatever steps are necessary to terminate the PDA and/or to release any continuing rights the City and Kessler may have thereunder as soon as possible; and

WHEREAS, the December 8, 2004, Property Disposition Agreement, as amended ("PDA") is by and among The City of St. Petersburg ("City"), The Community Redevelopment Agency of the City of St. Petersburg ("CRA"), PEF St. Petersburg FL, LLC, as assignee of Florida Power Corporation, d/b/a Progress Energy Florida, Inc. ("Progress"), and Grand Bohemian SP, LLC, as assignee of The Kessler Enterprise, Inc. ("Kessler") (collectively "Parties"); and

WHEREAS, the Parties amended the PDA on five separate occasions: First Amendment dated January 27, 2005, Second Amendment dated December 21, 2005, Third Amendment dated November 29, 2006, Fourth Amendment dated August 7, 2008, and Fifth Amendment dated April 2, 2009; and

WHEREAS, Kessler advises that it is in the process of selling the property that is encumbered by the PDA ("Kessler Property") and requested that the City waive certain rights in the PDA in order to be able to close on the sale of the property; and

WHEREAS, the rights Kessler specifically requested the City to waive relate to: 1) the City's right to the profits from the sale of the Kessler Property, and 2) the City's right to purchase the Kessler Property. Kessler was advised that City Administration could not waive any rights the City has in the PDA as such rights can only be waived by City Council; and

WHEREAS; those referenced rights are set forth in the PDA as follows:

Section 9.1 (b) (iii as amended by Fifth Amendment)

*"If Progress does not purchase the Kessler Property, then Kessler, in coordination with the City, shall seek to sell the Kessler Property to a third-party developer qualified and competent to execute and develop the Kessler Property in substantial conformity with the original development plan. Kessler shall remit to the City, on the sale of the Kessler Property, including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress, any profits over and above the total of (i) the Kessler Purchase Price, including the purchase price for the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress; and (ii) all external development costs incurred by Kessler with respect to the Kessler Development, including but not limited to, (if paid), its share of any excess costs to the Demolition (the "Development Costs")."*

(iv Amended by Fifth Amendment)

*"If Kessler fails to find a substitute developer to acquire the Kessler Property, including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler by April 30, 2013, then the City shall have the right to acquire the Kessler Property, including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress at the lower of (i) the amount of the Kessler Purchase Price plus its Development Costs, including both the purchase price of the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress; or (ii) the appraised value of the Kessler Property including both the 50,044 square feet purchased by Kessler from the City and the 4,834 square feet purchased by Kessler from Progress.";* and

WHEREAS, after review of the entire PDA and due to the fact that the PDA contains various rights and duties of all the parties ("Rights & Duties") it is Administration's position that since the new buyer does not intend to carry out the development as envisioned in the PDA as amended, the Rights & Duties are no longer applicable; and

WHEREAS, in order to agree to this new development approach, administration concluded that the City should not waive any rights unilaterally and that the PDA should be terminated in order that all Rights & Duties of the Parties are extinguished simultaneously, provided staff could reasonably substantiate that there were no profits on the sale to Kessler; and

WHEREAS, documentation was requested from Kessler to demonstrate that there was no profit on the pending sale transaction; and

WHEREAS, Kessler provided to the City a summary of costs totaling in excess of \$17 million supported by 137 electronic files containing a total of ±1,749 pages of documentation to substantiate the seller realizing no profits upon the sale of the property; and

WHEREAS, City staff reviewed the information provided including: a summary of costs incurred by Kessler for the project; a cost control detail summary of the project costs; multiple check register schedules identifying development payments made copies of checks and supporting invoices tied to the Check Register schedules; and

WHEREAS, additionally, the review of these documents was discussed briefly with Brad Scott, City Auditor to ensure the review methodology was reasonable, and with the Kessler Company (Brian Py and Dennis Montague) to ensure the understanding of their cost accounting system and the provided documentation was correct; and

WHEREAS, based upon this review, the supporting documentation confirms that the documentation supplied adequately demonstrates that the Development Costs, as defined in the PDA, exceeds the \$8.75 million sales price that Kessler represented to the City by providing a copy of select pages from its "Contract for Sale and Purchase" dated May 15, 2015; and

WHEREAS, with the Progress portion of the development having been completed in 2007 (now the Duke Energy building), and with Kessler selling its property to a non-hotel developer, the PDA, which is unrecorded has served its function; and

WHEREAS, there is a recorded Declaration of Covenants and Restrictions dated July 14, 2005 (Official Records BK 14479 PG 2472-2515) ("Covenants") incorporating the development commitments and restrictions set forth in the PDA, including an approved site plan that will require the cooperation of the owners of the Kessler and Progress property in order to make future modifications to the Covenants; and

WHEREAS, any modification of the site plan will require compliance with City regulations and City regulatory approval; and

WHEREAS, accordingly, the PDA no longer serves an effective purpose and should be terminated to eliminate any potential confusion in the future as to its intent or rights; and

WHEREAS, the City has long awaited the completion of the development of this important downtown block and looks forward to the new owner bringing forth its plans for its new development.

NOW, THEREFORE BE IT RESOLVED by The Community Redevelopment Agency of the City of St. Petersburg, Florida, that the Executive Director, or his Designee, is authorized to execute an Agreement to Terminate Property Disposition Agreement dated December 8, 2004 by and among The City of St. Petersburg, The Community Redevelopment Agency of the City of St. Petersburg, PEF St. Petersburg FL, LLC, as assignee of Florida Power Corporation, d/b/a Progress Energy Florida, Inc., and Grand Bohemian SP, LLC, as assignee of The Kessler Enterprise, Inc.; 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: 00247407.doc V. 1

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

APPROVED BY:

  
\_\_\_\_\_  
David S. Goodwin, Director  
Planning & Economic Development

# ST. PETERSBURG CITY COUNCIL

## Consent Agenda

Meeting of October 15, 2015

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

**Subject:** A resolution ratifying and approving Change Order No. 2 in the amount of \$74,615.35 to the contract with LEMA Construction and Developers, Inc. for the construction of the North Shore Aquatic Pool Restroom Additions and Renovations Project for a total contract amount of \$1,284,650.35; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; providing an effective date. (Engineering Project No. 14221-117, Oracle No. 14145 and 15097).

**Explanation:** On December 4, 2014, City Council approved the award of a contract with LEMA Construction & Developers, Inc. in the amount of \$1,185,085 for the North Shore Pool Restrooms Additions and Renovations Project. The work consists of furnishing all labor, materials, equipment and services necessary to renovate the existing 7,947 SF restroom and locker room building. Work includes removal of the existing concrete slab to allow installation of all new plumbing and replacement of all restroom fixtures, provide new electrical wiring, selective demolition to remove the west wall of the restrooms, modify the structure and expand the locker rooms to the west, and construct eighteen (18) individual family style unisex restrooms along the perimeter of the building. The work also consists of a full roof replacement and installation of new HVAC system in the restrooms and locker rooms. Finishes will include new fluid applied seamless flooring, wall tile and epoxy paint.

Exterior upgrades include a new sidewalk that wraps around the building on the west side to connect swimmers with either the competition or training pools. The restroom building was built in 1964 and had not been renovated previously. The facility serves more than 200,000 swimmers annually and user fees generated over \$111,000 in rental revenue in FY15.

The project required a constrained construction schedule of 130 days, in order to keep the facility open for previously scheduled revenue producing events in early January 2015, and in late May 2015. The project was substantially completed in May 2015 in time for planned revenue producing events.

Change Order No. 1 was administratively approved in the amount of \$24,950, and provided for additional unforeseen repairs to masonry wall surfaces after old tile was removed; additional unforeseen framing and drywall to replace deteriorated existing bathroom walls and around twelve existing toilet room headers; framing, drywall, and finishes at sixteen locations where new plumbing piping was exposed and facility managers requested the new piping be concealed to enhance appearances and prohibit unauthorized access to piping systems.

Change Order No. 2 includes necessary work to address unforeseen conditions and owner requested enhancements, including plumbing and bathroom fixture changes in the amount of \$3,388; ventilation ductwork, rooftop exhaust fan, and HVAC condensate drain modifications in the amount of \$19,984.36; electrical power supply and fire alarm modifications in the amount of \$16,361.11; window and door hardware changes in the amount of \$11,359.48; bathroom and locker room modifications in the amount of \$2,282.06; roof deck, interior wall and floor modifications in the amount of \$4,301.55; and sidewalk and ADA ramp modifications in the amount of \$16,938.79. The total amount of Change Order No. 2 is \$74,615.35.

Administration directed the contractor to proceed with these changes prior to obtaining City Council approval in order to mitigate contractor delays and to maintain required project and event schedules.

The current agreement is in the amount of \$1,210,035. Change Order No. 2 in the amount of \$74,615.35 will increase the final contract amount 6.2%, to a total of \$1,284,650.35.

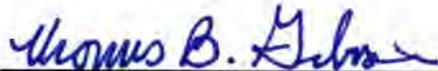
**Recommendation:** Administration requests that City Council ratify and approve Change Order No. 2 in the amount of \$74,615.35 to the contract with LEMA Construction and Developers, Inc. for the construction of the North Shore Aquatic Pool Restroom Additions and Renovations Project for a total contract amount of \$1,284,650.35; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; providing an effective date. (Engineering Project No. 14221-117, Oracle No. 14145 and 15097).

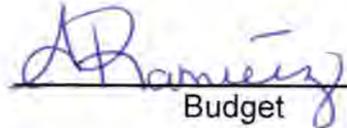
**Cost/Funding/Assessment Information:** Funds are available in the Recreation & Culture Capital Improvement Fund (3029), the NS Aquatics Complex Restroom Project (14145) and the Swimming Pool Imp FY16 Project (15097).

**Attachment:** Resolution

APPROVALS:

tbg

  
Administrative

  
Budget

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

A RESOLUTION RATIFYING AND APPROVING CHANGE ORDER NO. 2 IN THE AMOUNT OF \$74,615.35 TO THE CONTRACT WITH LEMA CONSTRUCTION AND DEVELOPERS, INC. FOR THE CONSTRUCTION OF THE NORTH SHORE AQUATIC POOL RESTROOM ADDITIONS AND RENOVATIONS PROJECT FOR A TOTAL CONTRACT AMOUNT OF \$1,284,650.35; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; PROVIDING AN EFFECTIVE DATE (ENGINEERING PROJECT NO. 14221-117, ORACLE NO. 14145 AND 15097).

WHEREAS, on December 4, 2014, City Council approved the award of a contract with LEMA Construction & Developers, Inc. ("LEMA") in the amount of \$1,185,085 for the North Shore Pool Restrooms Additions and Renovations Project; and

WHEREAS, Change Order No. 1 in the amount of \$24,950 for unforeseen repairs was administratively approved on May 22, 2015; and

WHEREAS, administration directed LEMA to proceed with additional building modifications resulting in Change Order No. 2, in order to mitigate delays and to maintain required project and event schedules; and

WHEREAS, Administration requests that City Council ratify and approve Change Order No. 2 for work approved by administration in the amount of \$74,615.35 for a final contract amount of \$1,284,650.35.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that Change Order No. 2 in the amount of \$74,615.35 to the contract with LEMA Construction and Developers, Inc. for the construction of the North Shore Aquatic Pool Restroom Additions and Renovations Project for a total contract amount of \$1,284,650.35 is hereby ratified and approved. (Engineering Project No. 14221-117, Oracle No. 14145 and 15097).

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

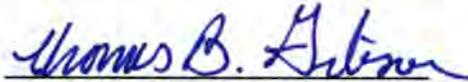
This resolution shall become effective immediately upon its adoption.

Approved by:



\_\_\_\_\_  
Legal Department  
By: (City Attorney or Designee)

Approved by:



\_\_\_\_\_  
Thomas B. Gibson, P.E.  
Engineering Director

**ST. PETERSBURG CITY COUNCIL**

**Consent Agenda**

**Meeting of October 15, 2015**

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

**Subject:** Awarding a contract to Dell Marketing Limited Partnership for desktops, laptops, servers and computer peripherals in an amount not to exceed \$450,000 annually.

**Explanation:** This purchase is being made from State of Florida Contract No. 43211500-WSCA-15 ACS. The vendor furnish and deliver desktops, laptops, server computers and peripherals configured to City's hardware and software as specified by Department of Technology Services (formerly ICS). The City will replace servers and peripherals, as well as desktops and laptops that are inoperable and beyond repair. The old equipment is disassembled and all functional components are stored for use in repairs.

The Procurement Department recommends for award:

Dell Marketing Limited Partnership.....\$450,000

Dell Marketing Limited Partnership has met the specifications, terms and conditions of State of Florida Contract No. 43211500-WSCA-15 ACS dated October 1, 2015. This purchase is made in accordance with Section 2-256(2) of the Procurement Code which authorizes the Mayor or his designee to utilize competitively bid contracts of other governmental entities. The agreement will be effective through March 31, 2017. A contract purchase agreement will be issued and will be binding only for actual equipment ordered.

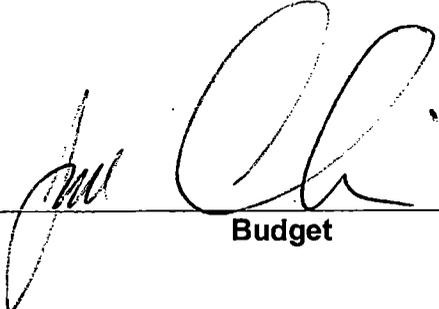
Dell Marketing Limited Partnership complies with the city's conflict mineral ordinance.

**Cost/Funding/Assessment Information:** Funds have been appropriated in the Technology & Infrastructure Fund (5019) various Department of Technology accounts (850) [\$45,000]; Water Resources Capital Projects Fund (4003) Computer Resources (4202069) [\$125,000]; General Fund (0001) Police Information and Technology Services (1401401) [\$55,000]; Parks and Recreation Administration (1901573) [\$60,000].

**Attachments:** Resolution

**Approvals:**

  
\_\_\_\_\_  
**Administrative**

  
\_\_\_\_\_  
**Budget**

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT (BLANKET AGREEMENT) TO DELL MARKETING LIMITED PARTNERSHIP FOR DESKTOPS, LAPTOPS, SERVERS AND COMPUTER PERIPHERALS IN AN AMOUNT NOT TO EXCEED \$450,000 UTILIZING STATE OF FLORIDA CONTRACT NO. 43211500-WSCA-15 ACS; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has a need to replace desktops, laptops, server computers and peripherals that are inoperable and beyond repair; and

WHEREAS, pursuant to Section 2-256(2) of the Procurement Code the City is permitted to utilize competitively bid contracts of other governmental entities; and

WHEREAS, Dell Marketing Limited Partnership has met the terms and conditions of State of Florida Contract No. 43211500-WSCA-15 ACS; and

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

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the award of an agreement (Blanket Agreement) to Dell Marketing Limited Partnership for desktops, laptops, servers and computer peripherals in an amount not to exceed \$450,000 utilizing State of Florida Contract No. 43211500-WSCA-15 ACS is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that this agreement will be effective through March 31, 2017.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

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

**ST. PETERSBURG CITY COUNCIL**  
**Consent Agenda**  
**Meeting of October 15, 2015**

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

**Subject:** Approving the purchase of an evidence collection vehicle from Sirchie Acquisition Company, LLC for the Police Department at a total cost of \$173,865.61; and approving a supplemental appropriation of \$173,865.61 from the unappropriated balance of the Law Enforcement Fund (1023) to the Police Department Local Law Enforcement State Trust (140-2857); authorizing the Mayor or his designee to execute all documents necessary and providing an effective date.

**Explanation:** This purchase is being made from City of Bristol, Connecticut Bid No. 2015-119.

The vendor will furnish one evidence collection vehicle that functions as a mobile crime lab (MCL) for onsite processing of a crime scenes. The MCL is mounted on a Ford E 450 cab and chassis and will be used to transport a technician and all required technical and laboratory equipment to a crime scene to enable immediate onsite processing. The vehicle incorporates field kits, portable lighting, a built-in generator, general tools, and a collection and processing work area. This vehicle, the first of its kind in the Police Department fleet, has a life expectancy of 15 years.

The Procurement Department recommends:

Sirchie Acquisition Company, LLC .....					\$173,865.61
Vehicle, Evidence Collection, Ford E 450 – Model MCL900/14	1	EACH	@	134,115.00	134,115.00
Light Tower, Night Scan Remote Control	1	EACH	@	11,843.93	11,843.93
Lights, LED Nomad 360	4	EACH	@	2,100.00	8,400.00
Vehicle Length, Upgrade to 16'	1	EACH	@	4,640.81	4,640.81
Barrier System, premier SRN1000	2	EACH	@	2,250.00	4,500.00
Forensic MF1000 ALS	2	EACH	@	1,750.00	3,500.00
Work Station, Air Clean Forensic	1	EACH	@	3,154.78	3,154.78
Generator, upgrade to 7kW unit	1	EACH	@	2,957.28	2,957.28
Opaque vinyl lettering @ stripe	1	EACH	@	2,364.84	2,364.84
Larger exterior storage box	1	EACH	@	1,969.87	1,969.87
Crime Scene Monitor and DVD	1	EACH	@	1,357.68	1,357.68
Monitor, Wall Mounted, 32", LED 1080p	1	EACH	@	1,179.95	1,179.95
Handgun Locker, 8-compartment	1	EACH	@	1,021.96	1,021.96
Upgrade to Reflective Graphics	1	EACH	@	483.83	483.83
Flashlight System, E-Spot C4 LED Rechargeable	1	EACH	@	390.03	390.03
Power Awning, upgrade, from 12' to 14' long unit	1	EACH	@	227.10	227.10
Versa Cones, yellow #1-20	1	EACH	@	80.00	80.00
Versa Cones, yellow #21-40	1	EACH	@	80.00	80.00
Versa Cones, yellow #41-60	1	EACH	@	80.00	80.00
Versa Cones, yellow #61-80	1	EACH	@	80.00	80.00
Versa Cones, yellow #81-100	1	EACH	@	80.00	80.00
Over Cab Attic	1	EACH	@	(3,653.06)	(3,653.06)
Set of Telescoping Floodlights	2	EACH	@	(1,133.05)	(2,266.10)
Air Conditioner, Roof Mounted, 13,500BTU	1	EACH	@	(1,604.53)	(1,604.53)
Space Heater, 1500W	1	EACH	@	(567.76)	(567.76)
Delivery to City of Bristol	1	EACH	@	(550.00)	(550.00)

Back-Up Alarm	1	Included	Included
Field Kits	1	Included	Included

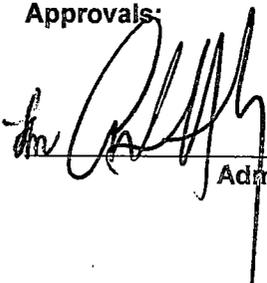
The vendor has met the specifications, terms and conditions of the City of Bristol, Connecticut Bid No. 2015-119 dated June 8, 2015. This purchase is made in accordance with Section 2-256 (2) of the Procurement Code which authorizes the Mayor or his designee to utilize competitively bid contracts of other governmental entities.

**Recommendation:** Administration recommends awarding this contract to Sirchie Acquisition Company, LLC in the amount of \$173,865.61.

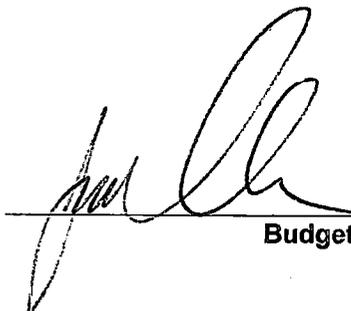
**Cost/Funding/Assessment Information:** Funds will be available from the supplemental appropriated from the unappropriated balance of the Law Enforcement Fund (1023) to the Police Department Local Law Enforcement State Trust (140-2857); authorizing the Mayor or his designee to execute all documents necessary and providing an effective date.

**Attachments:** Resolution

**Approvals:**



Administrative



Budget

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT FOR THE PURCHASE OF AN EVIDENCE COLLECTION VEHICLE FROM SIRCHIE ACQUISITION COMPANY, LLC FOR THE POLICE DEPARTMENT AT A TOTAL COST NOT TO EXCEED \$173,865.61 UTILIZING CITY OF BRISTOL, CONNECTICUT BID NO. 2015-119; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; APPROVING A SUPPLEMENTAL APPROPRIATION OF \$173,865.61 FROM THE UNAPPROPRIATED BALANCE OF THE LAW ENFORCEMENT FUND (1023) TO THE POLICE DEPARTMENT LOCAL LAW ENFORCEMENT STATE TRUST (140-2857); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to purchase a mobile crime lab for onsite processing of crime scenes; and

WHEREAS, pursuant to Section 2-256(2) of the Procurement Code the City is permitted to utilize competitively bid contracts of other governmental entities; and

WHEREAS, Sirchie Acquisition Company, LLC has met the terms and conditions of City of Bristol, Connecticut Bid No. 2015-119; and

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

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the award of an agreement for the purchase an evidence collection vehicle from Sirchie Acquisition Company, LLC for the Police Department at a total cost not to exceed \$173,865.61 utilizing City of Bristol, Connecticut Bid No. 2015-119 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 following supplemental appropriation in the amount of \$173,865.61 from the unappropriated balance of the Law Enforcement Fund (1023)

to the Police Department Local Law Enforcement State Trust (140-2857) is hereby approved for FY 2016:

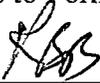
Law Enforcement Fund (1023)00246219

Police Department Local Law Enforcement  
State Trust (140-2857)

\$173,865.61

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



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



\_\_\_\_\_  
Budget Department

ST. PETERSBURG CITY COUNCIL  
Consent Agenda  
Meeting of October 15, 2015

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

**Subject:** Awarding a contract to L7 Construction, Inc. in the amount of \$168,497 for the Rehabilitation of Clarifier No. 3 at the SWWRF FY15 project (Oracle Project No. 14820).

**Explanation:** The Procurement Department received eight bids for the clarifier rehabilitation project (see below). The work is located at the Southwest Water Reclamation Facility. The work consists of furnishing all labor, materials, equipment and services necessary to rebuild the drive unit, replace the rake blade squeegees, sludge collection box seal, sludge collection piping and valves and assembly fasteners.

The clarifier was constructed in 1996 and all wear components of the sludge collection mechanism have exceeded their service life.

The contractor will begin work approximately 10 days from Notice to Proceed and is scheduled to complete the work within 120 consecutive calendar days thereafter. Bids were opened on September 15, 2015, and are tabulated as follows:

<u>Bidder</u>	<u>Total Bid</u>
L7 Construction, Inc. (Sanford, FL)	\$168,497
E&D Contracting Services, Inc. (Savannah, GA)	\$219,190
Osprey Constructors, LLC (Newberry, FL)	\$233,440
Mader Electric, Inc. (Sarasota, FL)	\$236,178
Wharton Smith, Inc. (Tampa, FL)	\$241,200
Poole & Kent Company of Florida (Tampa, FL)	\$272,000
Westra Construction Corp. (Palmetto, FL)	\$315,100
Vogel Bros. Building Co. (Lakeland, FL)	\$325,000

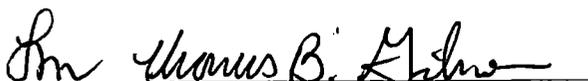
L7 Construction, Inc., the lowest responsible and responsive bidder, has met the specifications, terms and conditions of RFQ No. 5848 dated September 15, 2015. They have satisfactorily performed similar work for the cities of Cocoa, Ocala, Winter Haven, Titusville and Brevard County. The Principals of the firm are Brett M. Lefever, President and Traci R. Lefever, Secretary.

**Recommendation:** Administration recommends awarding this contract to L7 Construction, Inc. in the amount of \$168,497 for the WRF SW Clarifier No. 3 Rehabilitation FY15 project (Oracle No. 14820).

**Cost/Funding/Assessment Information:** Funds are available in the Water Resources Capital Projects Fund (4003), WRF SW Clarifier No. 3 Rehabilitation FY15 project (14820).

**Attachments:** Resolution

**Approvals:**

  
Administrative

  
Budget

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO L7 CONSTRUCTION, INC. FOR THE REHABILITATION OF CLARIFIER NO. 3 AT THE SWWRF FY15 PROJECT (ORACLE PROJECT NO. 14820) AT AN ESTIMATED TOTAL COST NOT TO EXCEED \$168,497; 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 bids for Rehabilitation of Clarifier No. 3 at the SWWRF FY15 Project (Oracle Project No. 14820) pursuant to RFQ No. 5848 dated September 15, 2015; and

WHEREAS, L7 Construction, Inc. has met the specifications, terms and conditions of RFQ No. 5848; and

WHEREAS, the Administration recommends approval of this award.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the bid and award of an agreement to L7 Construction, Inc. for the rehabilitation of Clarifier No. 3 at the SWWRF FY15 Project (Oracle Project No. 14820) at an estimated total cost not to exceed \$168,497 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction, and

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 October 15, 2015**

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

**Subject:** Renewing a blanket purchase agreement with Johnson Controls, Inc. for an HVAC service agreement for the Real Estate and Property Management Department at an estimated cost of \$135,440.

**Explanation:** On October 18, 2012 City Council approved a three-year agreement for full coverage HVAC services through October 31, 2015. The agreement has two one-year renewal options. This is the first renewal.

The vendor provides full coverage operation and maintenance service that includes comprehensive preventive maintenance, repair and emergency services, centrifugal chiller and water treatment services, annual cleaning of grilles, coils and cooling towers, replacement of parts, and warranty service. The vendor will also provide spot cooler rentals in the event of a system failure. The HVACs are located at City Hall, City Hall Annex and the Municipal Services Center

The Procurement Department, in Cooperation with the Real Estate and Property Management Department, recommends for renewal:

Johnson Controls, Inc.....	\$135,440
Municipal Services Center	\$94,845 per year
City Hall	39,164 per year
City Hall Annex	<u>1,431 per year</u>
	\$135,440 per year

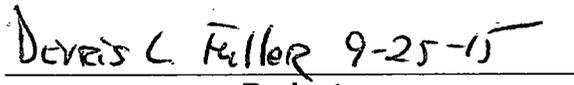
The contractor has agreed to maintain the terms and conditions of Bid No. 7304 dated June 1, 2012. Administration recommends renewal of the agreement based upon the vendor's past satisfactory performance and demonstrated ability to comply with the terms and conditions of the contract. The renewal will be effective from date of approval through October 31, 2016 will be binding only for services rendered.

**Cost/Funding/Assessment Information:** Funds are available in the Municipal Office Building Fund 5005, Real Estate & Property Management Department 360.

**Attachments:** Price History  
Resolution

**Approvals:**

  
Administrative

 9-25-15  
Budget

**History of Monthly Fee  
910-36 HVAC Maintenance & Repairs**

Item No.	Description	2012	2013	2014	2015	2016	% Change
1.	Municipal Services Center	\$7,185	\$7,185	\$7,185	\$7,185	\$7,343	2.2%
2.	City Hall	2,967	2,967	2,967	2,967	3,032	2.2%
3.	City Hall Annex	108	108	108	108	110	1.9%

A RESOLUTION APPROVING THE FIRST ONE-YEAR RENEWAL OPTION OF THE AGREEMENT (BLANKET AGREEMENT) WITH JOHNSON CONTROLS, INC. FOR AN HVAC SERVICE AGREEMENT FOR THE REAL ESTATE AND PROPERTY MANAGEMENT DEPARTMENT AT AN ESTIMATED COST NOT TO EXCEED \$135,440; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, On October 18, 2013 City Council approved a three-year agreement (Blanket Agreement) with two one-year renewal options to Johnson Controls, Inc. for an HVAC service agreement for the Real Estate and Property Management Department pursuant to Bid No. 7304 dated June 1, 2012; and

WHEREAS, the City desires to exercise the first one-year renewal option of the Agreement; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Real Estate and Property Management Department, recommends approval of the first one-year renewal option of the Agreement; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the first one-year renewal option of the Agreement (Blanket Agreement) with Johnson Controls, Inc. for an HVAC service agreement for the Real Estate and Property Management Department at an estimated cost not to exceed \$135,440 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

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

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

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

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of October 15, 2015

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

Subject: Renewing a blanket purchase agreement with Ameron International Corporation for street lighting poles for the Public Works Administration at an estimated annual cost of \$125,000.

Explanation: On September 19, 2013 City Council approved a one-year agreement with Ameron International Corporation with three one-year renewal periods. On July 10, 2014, City Council approved the first one-year renewal option. This is the second renewal option.

The vendor furnishes and delivers a variety of concrete aggregate poles ranging from 15' to 42'. These poles are used for new city facilities and street lighting installations and repairs to existing fixtures on roadways and city facilities. These poles are stocked at the Consolidated Warehouse.

The Procurement Department, in cooperation with the Public Works Administration recommends renewal:

Ameron International Corporation (Houston, TX)..... \$125,000

Pole, 42'8"	\$2,388.75
Pole, 35'	1,662.35
Pole, 19'3"	1,594.95
Pole, 17'3"	1,619.80
Pole, 15'	1,733.50
Pole, 22'	1,814.80

This purchase is made in accordance with Section 2-249, Sole Source Procurement of the Procurement Code, which authorizes City Council to approve the purchase of a supply or service over \$100,000 without competitive bidding if it has been determined that the supply or service is available from only one source. The renewal will be effective from date of approval through October 31, 2016.

Cost/Funding/Assessment Information: Funds have been previously appropriated in various capital projects in the Recreation and Culture Capital Improvement Fund (3029) and in the General Fund (0001), Public Works Administration Department, Street Lighting & Support (040-1027).

Attachments: Resolution

Approvals:

Thomas B. Gilbre  
Administrative

DeVries L. Fuller for Angela Ramirez  
Budget 10-1-15

A RESOLUTION APPROVING THE SECOND ONE-YEAR RENEWAL OPTION OF AN AGREEMENT (BLANKET AGREEMENT) WITH AMERON INTERNATIONAL CORPORATION FOR STREET LIGHTING POLES AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$125,000 FOR THE PUBLIC WORKS ADMINISTRATION; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, On September 19, 2013 City Council declared Ameron International Corporation to be a sole source provider of street lighting poles pursuant to Section 2-241(d) of the City Code and approved the award of a one-year agreement (Blanket Agreement) with three one-year renewal options to Ameron International Corporation for the Public Works Administration for street lighting poles pursuant to IFB No. 7529 dated July 12, 2013; and

WHEREAS, on July 10, 2014 City Council approved the first one-year renewal option of the Agreement; and

WHEREAS, the City desires to exercise the second one-year renewal option of the Agreement; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Public Works Administration, recommends approval of the second renewal option of the Agreement; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the second one-year renewal of the Agreement (Blanket Agreement) with Ameron International Corporation for street lighting poles for the Public Works Administration at an estimated annual cost not to exceed \$125,000 for the Public Works Administration is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

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

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

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

**ST. PETERSBURG CITY COUNCIL  
Consent Agenda  
Meeting of October 15, 2015**

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

**Subject:** Renewing an agreement with Community Champions Corporation, f/k/a Federal Property Registration Corp., to provide foreclosure registry services for the Codes Compliance Assistance Department.

**Explanation:** On February 7, 2013 City Council approved an agreement with Federal Property Registration Corp., effective through October 31, 2014. On October 16, 2014, City Council approved the first renewal option. This is the final renewal option.

The vendor provides a custom web-based electronic registry system that affords lenders the opportunity to go on-line and register, modify, update, and request delistings of foreclosed, vacant/abandoned properties. The vendor, assisted by the Codes Compliance Assistance Department, identifies vacant and abandoned properties and notifies the lender of the requirement to register the property within 10 days after the mortgagee is declared to be in default. In addition, the vendor provides instructions, training and support for the lender or vacant property owner to electronically register the information. The vendor also provides website and reporting tools support to the city.

Additionally, the vendor collects a registration fee of \$230.00 per property from the lender, retains \$100.00 and remits the remaining amount to the City. The vendor also provides the financial accounting of property registrations identifying those that are in compliance with the ordinance as well as those that have not met its financial obligations. To date, the vendor has processed 8,325 registrations.

The Procurement Department, in cooperation with the Codes Compliance Assistance Department, recommends for renewal:

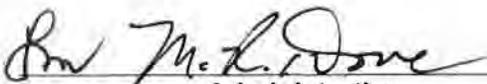
Community Champions Corporation.....		\$1,610,000
Registrations (7,000)	\$230.00	\$ 1,610,000
Vendor Fee	100.00	700,000
City Amount	130.00	910,000

The vendor has agreed to hold rates firm under the terms and conditions of RFP No. 7416 dated December 20, 2012. 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 rate share. The renewal will be effective through October 31, 2016 and will be binding only for actual services rendered.

**Cost/Funding/Assessment Information:** Funding for this program is generated through revenues received from registration fees.

**Attachment:** Resolution

**Approvals:**

  
\_\_\_\_\_  
Administrative

  
\_\_\_\_\_  
Budget

A RESOLUTION APPROVING THE SECOND AND FINAL ONE-YEAR RENEWAL OPTION OF THE AGREEMENT WITH COMMUNITY CHAMPIONS CORPORATION, F/K/A FEDERAL PROPERTY REGISTRATION CORP TO PROVIDE FORECLOSURE REGISTRY SERVICES FOR THE CODES COMPLIANCE ASSISTANCE DEPARTMENT; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 7, 2013, City Council approved the award of a one-year agreement with two one-year renewal options to Federal Property Registration Corp, whose name has been changed to Community Champions Corporation ("Vendor"), to provide foreclosure registry services for the Codes Compliance Assistance Department pursuant to RFP No. 7416 dated December 20, 2012; and

WHEREAS, on October 16, 2014 City Council approved the first one-year renewal option of the Agreement; and

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

WHEREAS, the Vendor has agreed to hold its rates firm under the terms and conditions of RFP No. 7416; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Codes Compliance Assistance Department, recommends approval of the second and final 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 second and final one-year renewal option of the Agreement with Community Champions Corporation, f/k/a Federal Property Registration Corp to provide foreclosure registry services for the Codes Compliance Assistance Department is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

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

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

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

**ST. PETERSBURG CITY COUNCIL**

**Consent Agenda**

**Meeting of October 15, 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 Parking License Agreement with Birchwood Inn Partners, LLLP, a Florida limited partnership, for valet parking within the City-owned parking lot commonly referred to as the Beach Drive Lot; and to execute all documents necessary to effectuate same; and providing an effective date.

**EXPLANATION:** The Real Estate & Property Management Department received a request from the Transportation and Parking Management Department ("Parking Management") to initiate a license agreement between the City of St. Petersburg ("City") and Birchwood Inn Partners, LLLP, a Florida limited partnership ("Licensee"), for its right to use reserved and overflow parking spaces ("Parking Spaces") in the City-owned parking lot commonly referred to as the Beach Drive Lot (formerly known as the Dolphin Parking Lot) located along the north side of the Pier approach and due east of the St. Petersburg Museum of History, Monday through Sunday between 10 AM and 3 AM local time ("Parking Time").

The Licensee has executed a Parking License Agreement ("Agreement") with the following substantive business points, subject to approval by City Council. Please refer to the attached exhibit to identify the specific areas.

1. Forty-seven (47) Parking Spaces ("Minimum Reserved")
2. One hundred five (105) Parking Spaces ("Additional Reserved") - The Additional Reserved may be available upon written request to Parking Management not less than thirty (30) days prior to the month in which Licensee wishes to utilize them and must be reserved as a complete aisle of parking.
3. Overflow Parking - In the event that all of the Minimum Reserved and Additional Reserved parking have been committed or assigned, additional parking spaces that are not assigned to another party may be available on a first-come first-serve basis within the remainder of the Beach Drive Lot that Licensee may use during the Parking Time.
4. Parking Fees:
  - 4.1 Minimum Reserved (Aisle 1) - One thousand eight hundred forty dollars (\$1,840.00), plus applicable taxes paid monthly.
  - 4.2 Additional Reserved (Aisle 2 and Aisle 3) - One thousand eight hundred forty dollars (\$1,840.00), plus applicable taxes, for each additional aisle or portion of an aisle thereof for the month.

- 4.3 Additional Reserved (Aisle 4) - Five hundred sixty dollars (\$560.00), plus applicable taxes for the month.
- 4.4 Overflow Parking - Two dollars (\$2.00) per car, payable in arrears not more than sixty (60) days after the month the Overflow Parking was used.
- 5. Term – 3 years
- 6. Termination - Either Party is entitled to terminate this Agreement for any reason with not less than thirty (30) days written notification.
- 7. City has use of the parking spaces outside of the Parking Time.
- 8. Licensee may provide valet services to its customers by engaging a licensed and insured company to operate a business as a valet parking company ("Valet Subcontractor"). Valet Subcontractor may provide valet services in not more than three (3) valet loading/unloading zones located along Beach Drive for the Licensee's use of the reserved and overflow parking.

**RECOMMENDATION:** Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute a Parking License Agreement with Birchwood Inn Partners, LLLP, a Florida limited partnership, for valet parking within the City-owned parking lot commonly referred to as the Beach Drive Lot; and to execute all documents necessary to effectuate same; and providing an effective date.

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

**ATTACHMENTS:** Exhibit, Resolution

**APPROVALS:** Administration:

*Alan [Signature]* *EGM 9-22-15*  
*BB*

Budget:

\_\_\_\_\_ N/A \_\_\_\_\_

Legal:

\_\_\_\_\_ *[Signature]* \_\_\_\_\_

(As to consistency w/attached legal documents)  
 Legal: 00246157.doc V. 2

**EXHIBIT**



A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A PARKING LICENSE AGREEMENT WITH BIRCHWOOD INN PARTNERS, LLLP, A FLORIDA LIMITED PARTNERSHIP, FOR VALET PARKING WITHIN THE CITY-OWNED PARKING LOT COMMONLY REFERRED TO AS THE BEACH DRIVE LOT; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Real Estate & Property Management Department received a request from the Transportation and Parking Management Department ("Parking Management") to initiate a license agreement between the City of St. Petersburg ("City") and Birchwood Inn Partners, LLLP, a Florida limited partnership ("Licensee") for its right to use reserved and overflow parking spaces ("Parking Spaces") in the City-owned parking lot commonly referred to as the Beach Drive Lot (formerly known as the Dolphin Parking Lot) located along the north side of the Pier approach and due east of the St. Petersburg Museum of History, Monday through Sunday between 10 AM and 3 AM local time ("Parking Time"); and

WHEREAS, the Licensee has executed a Parking License Agreement ("Agreement") with the following substantive business points, subject to approval by City Council:

1. Forty-seven (47) Parking Spaces ("Minimum Reserved")
2. One hundred five (105) Parking Spaces ("Additional Reserved") - The Additional Reserved may be available upon written request to Parking Management not less than thirty (30) days prior to the month in which Licensee wishes to utilize them and must be reserved as a complete aisle of parking.
3. Overflow Parking - In the event that all of the Minimum Reserved and Additional Reserved parking have been committed or assigned, additional parking spaces that are not assigned to another party may be available on a first-come first-serve basis within the remainder of the Beach Drive Lot that Licensee may use during the Parking Time.
4. Parking Fees:
  - 4.1 Minimum Reserved (Aisle 1) - One thousand eight hundred forty dollars (\$1,840.00), plus applicable taxes paid monthly.
  - 4.2 Additional Reserved (Aisle 2, and Aisle 3) - One thousand eight hundred forty dollars (\$1,840.00), plus applicable taxes, for each additional aisle or portion of an aisle thereof for the month.

4.3 Additional Reserved (Aisle 4) - Five hundred sixty dollars (\$560.00), plus applicable taxes for the month.

4.4 Overflow Parking - Two Dollars (\$2.00) per car payable in arrears not more than sixty (60) days after the month the Overflow Parking was used.

5. Term – 3 years

6. Termination - Either Party is entitled to terminate this Agreement for any reason with not less than thirty (30) days written notification.

7. City has use of the parking spaces outside of the Parking Time.

8. Licensee may provide valet services to its customers by engaging a licensed and insured company to operate a business as a valet parking company ("Valet Subcontractor"). Valet Subcontractor may provide valet services in not more than three (3) valet loading/unloading zones located along Beach Drive for the Licensee's use of the reserved and overflow parking.

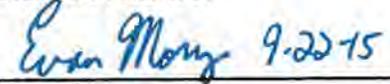
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his designee, is authorized to execute a Parking License Agreement with Birchwood Inn Partners, LLLP, a Florida limited partnership, for valet parking within the City-owned parking lot commonly referred to as the Beach Drive Lot; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

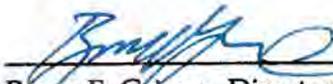
LEGAL:

  
\_\_\_\_\_  
City Attorney (designee)  
Legal: 00246157.doc V. 2

APPROVED BY:

  
\_\_\_\_\_  
Evan Mory, Director  
Transportation and Parking Management

APPROVED BY:

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

**ST. PETERSBURG CITY COUNCIL**

**Consent Agenda**

**Meeting of October 15, 2015**

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

**SUBJECT:** A resolution authorizing the Mayor, or his Designee, to execute License Agreement with Carolyn M. Wilson, Trustee, to use and fence a portion of the City's Cosme Spur Line Property located at the northeast corner of Gunn Highway (S.R. 587) and Copeland Road in Hillsborough County for a period of five (5) years at an aggregate fee of \$250.00; to execute all documents necessary to effectuate same; and providing an effective date.

**EXPLANATION:** Real Estate and Property Management received a request from Carolyn M. Wilson ("Licensee") to renew the five (5) year License Agreement to continue to allow the use and fencing of a portion of the City's Cosme Spur Line south of Lake Twitt ("Property") located in Hillsborough County adjacent to the Licensee's property. The License Agreement ("License") allows for a fence with gates limiting access to the City's Property that bisects the Licensee's property in an effort to reduce security issues on both properties.

Due to the fact that the City previously granted easements across the Property to Tampa Bay Water and Tampa Electric Company, the License is subject to these easements. Water Resources believes that fencing is beneficial to the City, as it restricts access to the public and reduces liability issues related to the City's Property.

The Property is legally described as follows:

That part of the NW 1/4, of the NE 1/4, of the NW 1/4 of Section 35, Township 27 South, Range 17 East, lying on each side of and with 25 feet of the following described center line; from the NW corner of said NW 1/4 run South 0°23'30" East along the West line of said NW 1/4 a distance of 271.37 feet to the Point of Beginning of said center line; thence South 60°00'50" East 564.39 feet; thence by a curve to the right, having a radius of 763.94 feet, Central Angle 9°48'30", Chord South 55°06'35" East 130.62 feet to the intersection with the south line of said NW 1/4 for a terminal point of said center line. The terminal point is further described as being North 89°47'58" West 80.96 feet from the SE corner of said NW 1/4, lying and being in Hillsborough County, Florida.

The Licensee has executed a new License Agreement ("Agreement") for a term of five (5) years, subject to City Council approval. The Agreement provides that the Licensee shall be responsible for all applicable costs associated with the Licensee's use of the Property. The Licensee shall pay an aggregate fee of \$250.00, including applicable taxes, to the City for the





A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH CAROL M. WILSON, TRUSTEE, TO USE AND FENCE A PORTION OF THE CITY'S COSME SPUR LINE PROPERTY LOCATED AT THE NORTHEAST CORNER OF GUNN HIGHWAY (S.R. 587) AND COPELAND ROAD IN HILLSBOROUGH COUNTY FOR A PERIOD OF FIVE (5) YEARS AT AN AGGREGATE FEE OF \$250.00; TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management received a request from Carolyn M. Wilson ("Licensee") to renew the five (5) year License Agreement to continue to allow the use and fencing of a portion of the City's Cosme Spur Line south of Lake Twitt ("Property") located in Hillsborough County adjacent to the Licensee's property; and

WHEREAS, the License Agreement ("License") allows for a fence with gates limiting access to the City's Property that bisects the Licensee's property in an effort to reduce security issues on both properties; and

WHEREAS, due to the fact that the City previously granted easements across the Property to Tampa Bay Water and Tampa Electric Company, the License is subject to these easements; and

WHEREAS, Water Resources believes that fencing is beneficial to the City, as it restricts access to the public and reduces liability issues related to the City's Property; and

WHEREAS, the Property is legally described as follows:

That part of the NW 1/4, of the NE 1/4, of the NW 1/4 of Section 35, Township 27 South, Range 17 East, lying on each side of and with 25 feet of the following described center line; from the NW corner of said NW 1/4 run South 0°23'30" East along the West line of said NW 1/4 a distance of 271.37 feet to the Point of Beginning of said center line; thence South 60°00'50" East 564.39 feet; thence by a curve to the right, having a radius of 763.94 feet, Central Angle 9°48'30", Chord South 55°06'35" East 130.62 feet to the intersection with the south line of said NW 1/4 for a terminal point of said center line. The terminal point is further described as being North 89°47'58" West 80.96 feet from the SE corner of said NW 1/4, lying and being in Hillsborough County, Florida.

WHEREAS, the Licensee has executed a new License Agreement ("Agreement"), subject to City Council approval; and

WHEREAS, the Agreement provides that the Licensee shall be responsible for all applicable costs associated with the Licensee's use of the Property; and

WHEREAS, the Licensee shall pay an aggregate fee of \$250.00, including applicable taxes, to the City for the entire term; and

WHEREAS, the Agreement can be terminated without cause by the City by providing thirty (30) days written notice; and

WHEREAS, the Licensee shall maintain a \$500,000 Premises Liability policy, protecting the City against all claims which may arise or be claimed on account of the Licensee's use of the Property; and

WHEREAS, the Licensee shall maintain the Property at its own cost and expense, remove the fence and gates and deliver up the Property in good condition upon expiration of this Agreement.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor, or his Designee, is authorized to execute a License Agreement with Carol M. Wilson, Trustee, to use and fence a portion of the City's Cosme Spur Line Property located at the northeast corner of Gunn Highway (S.R. 587) and Copeland Road in Hillsborough County, as legally described above, for a period of five (5) years at an aggregate fee of \$250.00; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

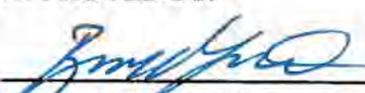
LEGAL:

  
\_\_\_\_\_  
City Attorney (Designee)  
Legal: 00246234.doc V.1

APPROVED BY:

  
\_\_\_\_\_  
Steven Leavitt, Director  
Water Resources

APPROVED BY:

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

## ST. PETERSBURG CITY COUNCIL

### Consent Agenda

Meeting of October 15, 2015

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

**SUBJECT:** A resolution authorizing the Mayor, or his Designee, to execute a License Agreement with TFTSP Youth Golf Council St. Petersburg, Inc., a Florida not-for-profit corporation, for use of unimproved land in a portion of City-owned Twin Brooks Golf Course located at 3800 – 22<sup>nd</sup> Avenue South, St. Petersburg, to construct and operate a mentoring center, for a period of three (3) years, at an aggregate rent of \$300.00; and to execute all documents necessary to effectuate same; waiving the reserve for replacement requirement; and providing an effective date. *(Requires an affirmative vote of at least six (6) members of City Council.)*

**EXPLANATION:** Subsequent to City Council and the U.S. Housing and Urban Development ("HUD") approvals of the City's FY2014/15 Annual Action Plan ("Annual Action Plan") on July 24, 2014, the Administration requested that City Council approve a mid-year Substantial Amendment ("Amendment") to the Annual Action Plan to provide funding to TFTSP Youth Golf Council St. Petersburg, Inc. ("First Tee") for construction of a Mentoring Center ("Center"). On May 7, 2015, the Amendment was approved by City Council for the First Tee to receive Community Development Block Grant (CDBG) funding in the amount of \$250,000 ("City Contribution") to support the construction cost of the Center at the City's Twin Brooks Golf Course ("TBGC") located at 3800 – 22<sup>nd</sup> Avenue South, which is designated as a HUD approved Neighborhood Revitalization Strategy Area. The First Tee will construct the Center to create, implement and administer programs that will allow its participants to become fine upstanding citizens of the St. Petersburg community. Programs will be provided to low- and moderate-income children to learn the game of golf and receive after school educational tutoring and other opportunities to include an After School Study and Play program, a mentoring program to help improve the graduation rate and lower the crime rate; the First Tee National School Program, Community Outreach Program; Academy Prep Center for Learning Life-Skills Program; and a Half- and Full-Day Life Skills Golf Camp Program, among others.

The First Tee currently holds a license to utilize ±64 sq. ft. of space for the storage of equipment within the TBGC Club House, since November 2009. As a result of the approval of the Amendment to the Annual Action Plan, the Golf Course Department requested that the Real Estate and Property Management Department initiate a new license agreement with the First Tee to utilize an unimproved parcel of land, which is part of the TBGC property, after renovation of the TBGC, for the construction of the Center. Upon the completion of the Center, the First Tee will discontinue its use of the storage space within the TBGC Club House.

The First Tee ("Licensee") has executed a License Agreement ("Agreement") for a period of three (3) years ("Term") for the use of an unimproved parcel of land within the TBGC to construct a ±4,500 sq. ft. 2-story structure and related improvements ("Premises") to house and operate its programs mentioned above, subject to City Council approval. After receipt of the City Contribution, the Licensee is required to secure the balance of funds needed to complete the construction of the Center. The Term of the Agreement will commence upon receipt of the site

plan approval and the Licensee will be permitted to begin construction of the Center. The Licensee will pay an aggregate fee of \$300.00 for the Term. The Licensee is responsible for all interior and exterior maintenance of the Center and utilities including, but not limited to, water, electric, sewer, gas, trash collection and stormwater fees, in addition to any applicable taxes and insurance associated with Licensee's use of the Premises. Additionally, the Licensee will pay for personal property and real estate taxes associated with the Licensee's use of the Premises. The Licensee will maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Licensee's use of the Premises. The Agreement may be terminated without cause by either party with ninety (90) days written notice prior to the expiration of the Term.

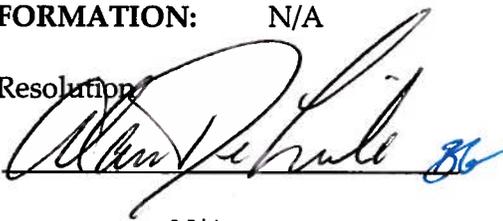
City Council Resolution No. 79-740A, dated October 4, 1979, establishes policies for the sale and leasing of City-owned park and waterfront property. This resolution requires that when leasing City property to a non-profit, private organization ". . . the organization pays operating costs plus a reserve for replacement." Due to the limited financial resources of the organization and the fact that the Licensee will be constructing and maintaining the Center 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 Agreement, "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 TBGC property is zoned (NS-E) Neighborhood Suburban Estate.

**RECOMMENDATION:** Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a License Agreement with TFTSP Youth Golf Council St. Petersburg, Inc., a Florida not-for-profit corporation, for use of unimproved land in a portion of City-owned Twin Brooks Golf Course located at 3800 – 22<sup>nd</sup> Avenue South, St. Petersburg, to construct and operate a mentoring center, for a period of three (3) years, at an aggregate rent of \$300.00; and to execute all documents necessary to effectuate same; waiving the reserve for replacement requirement; and providing an effective date.

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

**ATTACHMENTS:** Illustration and Resolution

**APPROVALS:** Administration: 

Budget: N/A

Legal: RHS

(As to consistency w/attached legal documents)

Legal: 00247276.doc v. 1

**ILLUSTRATION**  
*(Premises & Legal Description)*



**Legal Description:** A building site to accommodate space to construct a two-story structure consisting of  $\pm 4,500$  sq. ft. within the City-owned facility referred to as the Twin Brook Golf Course located at 3800 – 22<sup>nd</sup> Avenue South, St. Petersburg, Florida 33711, within property boundaries being more particularly described as follows:

W. 638 FEET OF N.W. 1/4 OF N.E. 1/4 & E. 335 FEET OF N.E. 1/4 OF N.W. 1/4 LESS STREET ON N., A/K/A LOTS 9 & 24 CONTINUING 29.18 AC

This parcel is zoned Neighborhood Suburban Estate (NS-E)

Pinellas County Parcel I.D. No.: 34/31/16/00000/120/0100

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH TFTSP YOUTH GOLF COUNCIL ST. PETERSBURG, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR USE OF UNIMPROVED LAND IN A PORTION OF CITY-OWNED TWIN BROOKS GOLF COURSE LOCATED AT 3800 – 22<sup>ND</sup> AVENUE SOUTH, ST. PETERSBURG, TO CONSTRUCT AND OPERATE A MENTORING CENTER, FOR A PERIOD OF THREE (3) YEARS, AT AN AGGREGATE RENT OF \$300.00; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; WAIVING THE RESERVE FOR REPLACEMENT REQUIREMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, subsequent to City Council and the U.S. Housing and Urban Development ("HUD") approvals of the City's FY2014/15 Annual Action Plan ("Annual Action Plan") on July 24, 2014, the Administration requested that City Council approve a mid-year Substantial Amendment ("Amendment") to the Annual Action Plan to provide funding to TFTSP Youth Golf Council St. Petersburg, Inc. ("First Tee") for construction of a Mentoring Center ("Center"); and

WHEREAS, on May 7, 2015, the Amendment was approved by City Council for the First Tee to receive Community Development Block Grant (CDBG) funding in the amount of \$250,000 ("City Contribution") to support the construction cost of the Center at the City's Twin Brooks Golf Course ("TBGC") located at 3800 – 22<sup>nd</sup> Avenue South, which is designated as a HUD approved Neighborhood Revitalization Strategy Area; and

WHEREAS, the First Tee will construct the Center to create, implement and administer programs that will allow its participants to become fine upstanding citizens of the St. Petersburg community; and

WHEREAS, the First Tee currently holds a license to utilize ±64 sq. ft. of space for the storage of equipment within the TBGC Club House, since November 2009; and

WHEREAS, as a result of the approval of the Amendment to the Annual Action Plan, the Golf Course Department requested that the Real Estate and Property Management Department initiate a new license agreement with the First Tee to utilize an unimproved parcel of land, which is part of the TBGC property, after renovation of the TBGC, for the construction of the Center; and

WHEREAS, upon the completion of the Center, the First Tee will discontinue its use of the storage space within the TBCG Club House; and

WHEREAS, the First Tee ("Licensee") has executed a License Agreement ("Agreement") for a period of three (3) years ("Term") for the use of an unimproved parcel of land within the TBGC to construct a ±4,500 sq. ft. 2-story structure and related improvements ("Premises") to house and operate its programs, subject to City Council approval; and

WHEREAS, after receipt of the City Contribution, the Licensee is required to secure the balance of funds needed to complete the construction of the Center; and

WHEREAS, the Term of the Agreement will commence upon receipt of the site plan approval and the Licensee will be permitted to begin construction of the Center; and

WHEREAS, the Licensee will pay an aggregate fee of \$300.00 for the Term; and

WHEREAS, the Licensee is responsible for all interior and exterior maintenance of the Center and utilities including, but not limited to, water, electric, sewer, gas, trash collection and stormwater fees, in addition to any applicable taxes and insurance associated with Licensee's use of the Premises; and

WHEREAS, the Licensee will pay for personal property and real estate taxes associated with the Licensee's use of the Premises; and

WHEREAS, the Licensee will maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Licensee's use of the Premises; and

WHEREAS, the Agreement may be terminated without cause by either party with ninety (90) days written notice prior to the expiration of the Term; and

WHEREAS, due to the limited financial resources of the organization and the fact that the Licensee will be constructing and maintaining the Center at its sole cost and expense, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived; and

WHEREAS, the Agreement is in accordance with the policies established in Resolution No. 79-740A with the exception that the reserve for replacement requirement is being waived to reduce the organization's operating costs; and

WHEREAS, these terms and conditions are consistent with prior leases with this and other non-profit organizations; and

WHEREAS, under the terms of the Agreement, 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 (NS-E) Neighborhood Suburban Estate.

NOW THEREFORE, BE IT RESOLVED BY the City Council of the City of St. Petersburg, Florida, that the Mayor, or his Designee, is authorized to execute a License Agreement with TFTSP Youth Golf Council St. Petersburg, Inc., a Florida not-for-profit corporation, for use of unimproved land in a portion of City-owned Twin Brooks Golf Course located at 3800 – 22<sup>nd</sup> Avenue South, St. Petersburg, to construct and operate a mentoring center, for a period of three (3) years, at an aggregate rent of \$300.00; and to execute all documents necessary to effectuate same; and

BE IT FURTHER RESOLVED that the reserve for replacement requirement is waived.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

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

Legal: 00247276.doc v. 1

APPROVED BY:

\_\_\_\_\_  
Jeffery G. Hollis, Director  
Golf Courses

APPROVED BY:

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

# ST. PETERSBURG CITY COUNCIL

## Consent Agenda

Meeting of October 15, 2015

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

**SUBJECT:** A resolution approving a three year use agreement between the City of St. Petersburg and TFTSP Youth Golf Council St. Petersburg, Inc. to use portions of Mangrove Bay Golf Course, Cypress Links Golf Course and Twin Brooks Golf Course for The First Tee program; authorizing the Mayor or his designee to execute the Use Agreement and all other related documents; and providing an effective date.

**EXPLANATION:** The City's youth golf programs are operated through The First Tee of St. Petersburg ("TFTSP") which was created in 2005 as a chapter of The First Tee national organization. TFTSP's purpose is to operate the youth golf development and life skills program as an affiliate of The First Tee to positively impact the youth of St. Petersburg and to promote youth development through junior golf programs that instill life enhancing core values such as honesty, integrity, sportsmanship, respect, confidence, responsibility, perseverance, courtesy and judgment. TFTSP serves approximately 1,400 participants in St. Petersburg and surrounding communities and provides a year-round schedule of fee- based and non fee-based after school, weekend and summer programming, a school program, golf instruction, The First Tee Life Skills curriculum and tournaments are on an on-going basis for community-based organizations at the three (3) City owned golf course locations (Mangrove Bay, Cypress Links and Twin Brooks).

An application for use is attached to the Use Agreement. TFTSP is required to submit an application(s) to Golf Courses Management to request use of a portion of the City owned golf courses for a specific program, on dates, times and frequencies, as not to adversely affect the daily operation of the three (3) City golf facilities. Any approved application(s) (by Golf Courses Management) are attached to the Use Agreement and subject to the terms and conditions of the Use Agreement.

**RECOMMENDATION:** Administration recommends that City Council adopt the attached resolution approving a three year use agreement between the City of St. Petersburg, Florida and TFTSP Youth Golf Council St. Petersburg, Inc. to use portions of Mangrove Bay Golf Course, Cypress Links Golf Course and Twin Brooks Golf Course for The First Tee program; authorizing the Mayor or his designee to execute the Use Agreement and all other related documents; and providing an effective date.

**COST/FUNDING/INFORMATION:** TFTSP shall pay the City the fees and cost set forth in any approved application. The City shall invoice TFTSP on a monthly basis and TFTSP shall pay the City fees and costs set forth in the monthly invoice within fifteen (15) days of receipt of such invoice. Revenues will be deposited in the Golf Courses fund 4061, Mangrove Bay – 6302481, 6302477 and 6302489, Cypress Links – 6302493 and Twin Brooks – 6302497.

*Shay K. Mober*  
Administration

*Shay K. Mober*  
Budget

RESOLUTION NO. 2015-\_\_\_

A RESOLUTION APPROVING THE THREE YEAR USE AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND TFTSP YOUTH GOLF COUNCIL ST. PETERSBURG, INC. TO USE PORTIONS OF MANGROVE BAY GOLF COURSE, CYPRESS LINKS GOLF COURSE AND TWIN BROOKS GOLF COURSE FOR THE FIRST TEE PROGRAM; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE USE AGREEMENT AND ALL OTHER RELATED DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") is the owner of three municipal golf courses known as Twin Brooks Golf Course, Cypress Links Golf Course and Mangrove Bay Golf Course (collectively, the "Golf Courses"); and

WHEREAS, TFTSP Youth Golf Council St. Petersburg, Inc. ("TFTSP") desires to use portions of the Golf Courses for the permitted uses set forth in the Use Agreement (via approved applications for use); and

WHEREAS, the Use Agreement (and any approved application for use) sets forth the respective duties, responsibilities and obligations of the TFTSP and the City with respect to use of those portions of the Golf Courses approved by the City; and

WHEREAS, TFTSP has agreed to the terms and conditions set forth in the Use Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the three year Use Agreement between the City of St. Petersburg, Florida and TFTSP Youth Golf Council St. Petersburg, Inc. to use portions of Mangrove Bay Golf Course, Cypress Links Golf Course and Twin Brooks Golf Course for the First Tee Program is hereby approved.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the Use Agreement and all other related documents.

APPROVED BY:

  
\_\_\_\_\_  
City Attorney (Designee)  
10-15-15 CC Meeting 246591

**ST. PETERSBURG CITY COUNCIL**

**Consent Agenda**

Meeting of October 15, 2015

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

**SUBJECT:** A resolution acknowledging the selection of Bayside Engineering, Inc., Cumbey & Fair, Inc., Florida Design Consultants, Inc., George F. Young, Inc., and Southeastern Surveying to provide miscellaneous professional architect/engineering services for Surveying Service(s) Projects for the City of St. Petersburg ("City"); authorizing the Mayor or his designee to execute the City's standard form architect/engineering agreement; and providing an effective date.

**EXPLANATION:** On August 21, 2015, the Consultant Selection Committee selected the firms of Bayside Engineering, Inc., Cumbey & Fair, Inc., Florida Design Consultants, Inc., George F. Young, Inc., and Southeastern Surveying to provide miscellaneous professional architect/engineering services for Surveying Service(s) Projects for the City.

Professional A/E services for projects may include boundary; GPS data collection; designation of existing subsurface utilities; deed research, preparation of acquisition maps for land purchase and/or legal description and other related services as required.

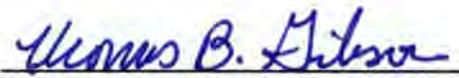
The consultants' services under the A/E Agreements will be described in task orders. Each task order, after Council Approval (if required) and execution, shall become a supplement to and a part of the A/E Agreement with the firm. The A/E Agreement is for one (1) year and shall automatically renew for three (3) additional one (1) year periods unless otherwise terminated by either party, or until each authorized task order has been completed.

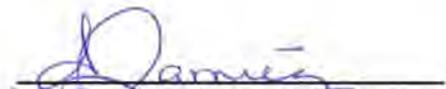
**RECOMMENDATION:** Administration recommends acknowledging the selection of Bayside Engineering, Inc., Cumbey & Fair, Inc., Florida Design Consultants, Inc., George F. Young, Inc., and Southeastern Surveying to provide miscellaneous professional architect/engineering services for Surveying Service(s) Projects for the City of St. Petersburg ("City"); and authorizing the Mayor or his designee to execute the City's standard form architect/engineering agreement; and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** Funds for these services are generated from funded projects, programs, and user agencies, or will be appropriated at the time the task order is approved by City Council.

**ATTACHMENTS:** Resolution

**APPROVALS:**  
hpk/rp

  
Administrative

  
Budget

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

A RESOLUTION ACKNOWLEDGING THE SELECTION OF BAYSIDE ENGINEERING, INC., CUMBey & FAIR, INC., FLORIDA DESIGN CONSULTANTS, INC., GEORGE F. YOUNG, INC., AND SOUTHEASTERN SURVEYING TO PROVIDE MISCELLANEOUS PROFESSIONAL ARCHITECT/ENGINEERING SERVICES FOR SURVEYING SERVICE(S) PROJECTS FOR THE CITY OF ST. PETERSBURG ("CITY"); AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE CITY'S STANDARD FORM ARCHITECT/ENGINEERING AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Engineering and Capital Improvements Department issued a request for qualifications ("RFQ") in accordance with the requirements set forth in Florida Statute §287.055 (the Consultant's Competitive Negotiation Act) to engage the most qualified firms to provide miscellaneous professional architect/engineering services for Surveying Services Projects for the City of St. Petersburg ("City"); and

WHEREAS, the Selection Committee selected Bayside Engineering, Inc., Cumbey & Fair, Inc., Florida Design Consultants, Inc., George F. Young, Inc., and Southeastern Surveying, as the most qualified firms; and

WHEREAS, the most qualified firms selected pursuant to the RFQ process are required to execute the City's standard form architect/engineering agreement ("A/E Agreement"); and

WHEREAS, the A/E Agreement is for one (1) year and shall automatically renew for three (3) additional one (1) year period unless otherwise terminated by either party; and

WHEREAS, firms Bayside Engineering, Inc., Cumbey & Fair, Inc., Florida Design Consultants, Inc., George F. Young, Inc., and Southeastern Surveying, have agreed to the terms and conditions set forth in the A/E Agreement; and

WHEREAS, from time to time the City issues task orders to such firms to perform miscellaneous professional architect/engineering services in accordance with the terms and conditions of the A/E Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the selection of Bayside Engineering, Inc., Cumbey & Fair, Inc., Florida Design Consultants, Inc., George F. Young, Inc., and Southeastern Surveying, to provide miscellaneous professional architect/engineering services for Surveying Service(s) Projects is hereby acknowledged.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the City's standard form architect/engineering agreement.

This resolution shall become effective immediately upon its adoption.

Approved by:

Approved by:

*Maull M*  
Legal Department  
By: (City Attorney or Designee)

*Thomas B. Gibson*  
Thomas B. Gibson, P.E.  
Engineering Director

**ST. PETERSBURG CITY COUNCIL**

**Consent Agenda**

**Meeting of October 15, 2015**

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

SUBJECT: Appointment of Daniel E. (Evan) Mory to the Board of Trustees of the Fire Pension Fund

EXPLANATION:

Chapter 175.061, F.S., Section Three, Part I (Ordinance 932-f) of the Prior Fire Plan and Section 22-200 of the Supplemental Firefighter's Retirement System require that the Fire Pension Board be constituted in the following manner:

- Two individuals who are legal residents of the City, appointed by City Council
- Two employee-elected members
- One individual chosen by a majority of the other four members

All Board members serve four-year terms. One of the trustees previously appointed by City Council retired from City employment on August 24, 2015. It is recommended that City Council appoint the following individual for the remainder of that term ending September 30, 2018:

**Fire Pension Board - Council-Appointed**

Daniel E. (Evan) Mory, Transportation and Parking Management, Director

Attachments:

- (1) Resolution of Appointment

APPROVALS:

Administrative:

  
\_\_\_\_\_  
Signature

9-28-15

\_\_\_\_\_  
Date

**CITY OF ST. PETERSBURG  
MEMORANDUM**

TO: Rick Kriseman, Mayor  
FROM: Chris Guella, Human Resources Director  
DATE: September 24, 2015  
SUBJECT: Council Appointments to Fire Pension Board

Chapter 175.061, Florida Statutes, as well as the Firefighter's Pension Plan require that the Pension Board be constituted in the following manner:

Two individuals who are legal residents of the City, appointed by City Council  
Two employee-elected members  
One individual chosen by a majority of the other four members

All Board members serve four-year terms. One of the trustees previously appointed by City Council retired from City employment on August 24, 2015. It is recommended that City Council appoint the following individual for the remainder of that term ending September 30, 2018:

**Fire Pension Board - Council-Appointed**

Daniel E. (Evan) Mory, Transportation and Parking Management, Director

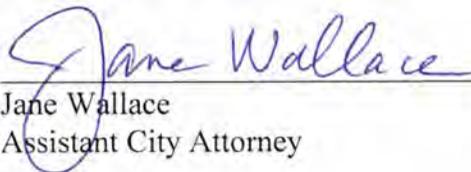
Cc: Chan Srinivasa, City Clerk  
Gary Cornwell, City Administrator

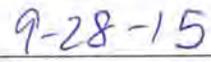
**A RESOLUTION APPOINTING TRUSTEE TO  
THE FIREFIGHTER'S PENSION BOARD; AND  
PROVIDING AN EFFECTIVE DATE**

BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that this Council appoints Daniel E. (Evan) Mory to the Board of Trustees of the Fire Pension Fund to complete a four-year term ending September 30, 2018.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:

  
\_\_\_\_\_  
Jane Wallace  
Assistant City Attorney

  
\_\_\_\_\_  
Date



## MEMORANDUM

Council Meeting October 15, 2015

TO: Members of City Council  
FROM: Mayor Rick Kriseman  
RE: Confirmation of Appointment to the Commission on Aging

I respectfully request that Council confirm the appointment of Lena Wilfalk as a regular member to the Commission on Aging to fill an unexpired three-year term ending December 31, 2017.

A copy of Ms. Wilfalk's resume has been provided to the Council office for your information.

RK/cs

Attachments

cc: M. Jefferis, Parks & Recreation Director  
C. Radin, Commission on Aging Liaison, Office on Aging

A RESOLUTION CONFIRMING THE  
APPOINTMENT OF A REGULAR  
MEMBER TO THE COMMISSION ON  
AGING; 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 Lena Wilfalk as a regular member to the Commission on Aging to fill an unexpired three-year term ending December 31, 2017.

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 October 15, 2015

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

SUBJECT: A resolution recognizing a donation of \$5,500 from National Insurance Crime Bureau for the purchase of "The Club" automobile theft deterrent devices in support of the Police Department's automobile theft public awareness program ("Program"); approving a supplemental appropriation in the amount of \$5,500 from the increase in the unappropriated balance of the General Fund (0001) resulting from this donation to the Police Department, Community Awareness (140-1381), Project (TBD); and providing an effective date.

EXPLANATION: The St. Petersburg Police Department has taken a proactive approach to help lower the auto theft rate in the City. It has launched a media campaign and communicated to members of the community to raise awareness of auto thefts in St. Petersburg. The Crime Prevention officers at the Police Department attend many community events throughout the City. They provide auto theft prevention devices to citizens at high risk for auto theft. In addition, the officers attend anti-auto theft rallies where they provide the devices to the public. The Police Department's supply of the devices is nearly depleted.

NICB has donated \$5,500 to the City of St. Petersburg for the purchase of "The Club" auto theft prevention devices. These funds will be used exclusively for the purchase of the devices. The City will submit expenditure documentation regarding the use of the funds to NICB. NICB does not require any matching or in-kind donation. The funds will be available until expended.

RECOMMENDATION: The Administration recommends that City Council adopt the attached resolution recognizing the donation of \$5,500 from National Insurance Crime Bureau for the purchase of "The Club" automobile theft deterrent devices in support of the Police Department's automobile theft public awareness program ("Program"); approving a supplemental appropriation in the amount of \$5,500 from the increase in the unappropriated balance of the General Fund (0001) resulting from this donation to the Police Department, Community Awareness (140-1381), the Project (TBD); and providing an effective date.

COST/FUNDING INFORMATION: The donation will provide funds in the amount of \$5,500. A supplemental appropriation in the amount of \$5,500 from the increase in the unappropriated

balance of the General Fund (0001) resulting from this donation, to the Police Department, Community Awareness (140-1381), the Project (TBD) is required.

Attachments: Resolution  
Donation Agreement

Approvals:

Administration:

Legal: 00244804.doc V.2



Budget:





## ST. PETERSBURG CITY COUNCIL

### Consent Agenda Meeting of October 15, 2015

TO: The Honorable Chair, and Members of City Council

SUBJECT: A resolution authorizing the Mayor or his designee to sign the Local Government Verification of Contribution loan form for the amount of \$90,000 from either HOME Investment Partnership ("HOME") or State Housing Initiatives Partnership ("SHIP") Program funding for each of the seven developments requesting local contributions as part of their application under the Florida Housing Finance Corporation ("FHFC") Request For Application number 2015-107; providing that the loan closing will be subject to the developer(s) obtaining the recommendation for approval of FHFC administered 9% Low Income Housing Tax Credit funding and submitting a copy of the final credit underwriting report, receipt of final site plan approval, receipt of an approved HUD environmental review if applicable, and closing on the financing of the development by December 31, 2016; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: On September 21, 2015, the Florida Housing Finance Corporation ("FHFC") issued a Request for Applications (RFA 2015-107) for the award of Low Income Housing Tax Credits ("LIHTC") for Developments located within the Counties of Broward, Duval, Hillsborough, Orange, Palm Beach, and Pinellas Counties. RFA 2015-107 indicates that applications are due on November 5, 2015. On August 26, 2015, housing staff requested that proposals from developers interested in applying for the local contribution required for this competition be submitted to the City by September 9, 2015. Housing staff received seven applications and forwarded them to the City's Project Review Team ("PRT"), which is a group of development-related City staffers assembled to provide project review and critique. The PRT reviewed the merits of the proposals and is recommending that all seven be provided with a loan commitment for the purpose of the competition. The loan commitments will be subject to: 1) the developers obtaining recommendation of approval for FHFC administered 9% Low Income Housing Tax Credit funding, and submitting a copy of the final credit underwriting report to the City, 2) receipt of final site plan approval, 3) receipt of an approved HUD environmental review, if applicable, 4) closing on the financing of the development by December 31, 2016 and would be provided to the following developers for the following proposed developments:

1. HTG Lakeview Gardens, LLC for Lakeview Gardens to be located at Burlington Ave. N. and 8<sup>th</sup> Street N.
2. Burlington Post LTD for Burlington Post to be located at the NW corner of Burlington Ave. N. and 32 Street N.
3. Blue Fourth Street, LLC for 10K to be located at 10000 4<sup>th</sup> Street North
4. SP Pinellas II, LLC for Sunset Plaza to be located on the West side of 34<sup>th</sup> St. N. 680 ft. N. of the intersection of 34<sup>th</sup> St. N. and 22<sup>nd</sup> Ave. N.

5. SP Pinellas III, LLC for Fischer Pointe to be located at SW Corner of the intersection of 31<sup>st</sup> St. N. and 3<sup>rd</sup> Ave. N.
6. SP Pinellas I, LLC for Sawgrass Place to be located at 2925 Tyrone Blvd. N.
7. Vistas at Central Limited Partnership for Vistas at Central Senior Apartments to be located at SE corner of 17<sup>th</sup> St. S. and Central Avenue

The FHFC competition requires that an applicant proposing the development of affordable multifamily housing as part of this competition, secure a local contribution toward the financing of the development. However, the FHFC has indicated that funding will be limited to 1 application per county for each of the six counties of Broward, Duval, Hillsborough, Orange, Palm Beach and Pinellas. Therefore the City's exposure for these seven commitments of contribution would not exceed \$90,000.

Representatives from each group have stated that they have the requisite affordable housing developer experience to qualify their development to obtain maximum scoring related to the developer experience requirements of the LIHTC funding. Representatives from each group have also stated that they have identified a site which should qualify their development to obtain scoring sufficient to receive LIHTC funding under RFA 2015-107.

Each group has requested that the City provide a non-recourse 0% interest subordinate loan of \$90,000 structured in a manner to equate to a minimum \$75,000 Net Present Value contribution loan amount as required by the FHFC after using the FHFC published Discount Rate of 5.81%, which in each case will include forgiveness after 35 years of up to \$68,500 of the loan. The City is currently allocated both HOME Investment Partnership ("HOME") and State Housing Initiatives Partnership ("SHIP") funds as sources for affordable multi-family rental housing development and the winning development, if awarded LIHTC funding, would be eligible to be funded by the City from either HOME or SHIP Program funds.

On September 17, 2015, the City's PRT Committee reviewed the merits of signing the forms for each of the applicants and voted that the request should be forwarded to City Council for approval at its October 15, 2015 meeting.

Each of the developers is moving forward with preparation for the FHFC application deadline of November 5, 2015 and is hopeful to secure tax credit financing for their development as a result of this competition. The FHFC schedule indicates that it will request its board to approve the final ranking of LIHTC funding applicants in May of 2016 and requires all applicants to have a local commitment valid through at least June 30, 2016.

**RECOMMENDATION:** The Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to sign the Local Government Verification of Contribution loan form for the amount of \$90,000 from either HOME or SHIP Program funding for each of the seven developments requesting local contributions as part of their application under the Florida Housing Finance Corporation ("FHFC") Request For Application number 2015-107; providing that the loan closing will be subject to the developer(s) obtaining the recommendation for approval of

FHFC administered 9% Low Income Housing Tax Credit funding and submitting a copy of the final credit underwriting report to the City, receipt of final site plan approval, receipt of an approved HUD environmental review if applicable, and closing on the financing of the development by December 31, 2016; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Funds are available in previously allocated HOME Investment Partnership Funds (Fund 1113) and in previously allocated SHIP Funds (Fund 1019).

ATTACHMENTS: Resolution 2015-\_\_\_\_\_

APPROVALS:

Administration: M. R. Done

Budget: Shay McKee

Legal: 00246027.doc V.1

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

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO SIGN THE LOCAL GOVERNMENT VERIFICATION OF CONTRIBUTION LOAN FORM FOR THE AMOUNT OF \$90,000 FROM EITHER HOME INVESTMENT PARTNERSHIP ("HOME") OR STATE HOUSING INITIATIVES PARTNERSHIP ("SHIP") PROGRAM FUNDING FOR EACH OF THE SEVEN DEVELOPMENTS REQUESTING LOCAL CONTRIBUTIONS AS PART OF THEIR APPLICATION UNDER THE FLORIDA HOUSING FINANCE CORPORATION ("FHFC") REQUEST FOR APPLICATION NUMBER 2015-107; PROVIDING THAT THE LOAN CLOSING WILL BE SUBJECT TO THE DEVELOPER(S) OBTAINING THE RECOMMENDATION FOR APPROVAL OF FHFC ADMINISTERED 9% LOW INCOME HOUSING TAX CREDIT FUNDING AND SUBMITTING A COPY OF THE FINAL FHFC UNDERWRITING REPORT TO THE CITY, RECEIPT OF FINAL SITE PLAN APPROVAL, RECEIPT OF AN APPROVED HUD ENVIRONMENTAL REVIEW IF APPLICABLE, AND CLOSING ON THE FINANCING OF THE DEVELOPMENT BY DECEMBER 31, 2016; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") has established the need for additional affordable rental housing units as a priority in its 2011-2016 Consolidated Plan; and

WHEREAS, on September 21, 2015 the Florida Housing Finance Corporation ("FHFC") issued a Request for Applications ("RFA") 2015-107 for the award of Low Income Housing Tax Credits ("LIHTC") indicating that funding would be limited to 1 application per county for each of the six counties of Broward, Duval, Hillsborough, Orange, Palm Beach, and Pinellas; and

WHEREAS, seven developers submitted applications to the City requesting a local contribution for their applications and representing that they have the requisite affordable housing developer experience to qualify their development to obtain sufficient scoring related to the developer experience requirements of the Florida Housing Finance Corporation administered Low Income Housing Tax Credits ("LIHTC") under the FHFC request for applications 2015-107; and

WHEREAS, the developers also represent that they have identified sites which should qualify their development to obtain scoring sufficient to receive LIHTC funding; and

WHEREAS, each developer has requested that the City provide a non-recourse 0% interest subordinate loan of \$90,000 structured in a manner to equate to a \$75,000 Net Present Value minimum contribution loan amount as required by the FHFC after using the FHFC published Discount Rate of 5.61%, which includes forgiveness after 20 years of \$57,000 of the loan; and

WHEREAS, the City of St. Petersburg is currently allocated HOME Investment Partnership ("HOME") funds from the federal government as a source for affordable housing development; and

WHEREAS, the City of St. Petersburg is currently allocated State Housing Initiatives Partnership (SHIP) funds from the State of Florida as a source for financing affordable housing developments; and

WHEREAS, the proposed developments, if awarded LIHTC funding, would be eligible to be funded by the City from either the HOME or SHIP Programs; and

WHEREAS, the units proposed would be reserved for households with incomes at and below 60% of the area median income (AMI) and will be required to remain affordable for the HOME and SHIP program's 20 year compliance period; and

WHEREAS, on September 17, 2015, the City's Project Review Team reviewed the merits of the developments and agreed that the following requests should be forwarded to City Council for approval:

1. HTG Lakeview Gardens, LLC for Lakeview Garden  
Proposed to be located at Burlington Ave. N. and 8<sup>th</sup> Street North.
2. Burlington Post LTD, for Burlington Post,  
Proposed to be located at the NW corner of Burlington Ave N. and 32nd St. N.
3. Blue Fourth Street, LLC for 10K,  
Proposed to be located at 10000 4<sup>th</sup> Street North
4. SP Pinellas II, LLC for Sunset Plaza,  
Proposed to be located on the W side of 34<sup>th</sup> St N, 680 ft. N. of the intersection 34<sup>th</sup> St N and 22<sup>nd</sup> Ave N.
5. SP Pinellas III, LLC for Fischer Pointe  
Proposed to be located at the SW corner of the intersection of 31<sup>st</sup> St. N. and 3<sup>rd</sup> Avenue N., and
6. SP Pinellas I, LLC for Sawgrass Place  
Proposed to be located at 2925 Tyrone Blvd. N.

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 sign the Local Government Verification of Contribution loan form for the amount of \$90,000 from either HOME or SHIP Program funding for each of the seven developments requesting local contributions as part of their application under the Florida Housing Finance Corporation ("FHFC") Request for Application number 2015-107, provided that the loan closing will be subject to the developer(s) obtaining recommendation for approval of FHFC administered 9% Low Income Housing Tax Credit funding and submitting a copy of the final FHFC underwriting report to the City, receipt of final site plan approval, receipt of an approved HUD environmental review if applicable, and closing on the financing of the development by December 31, 2016; and

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

This Resolution shall become effective immediately upon its adoption.

LEGAL:

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

HOUSING & COMMUNITY DEVELOPMENT:

  
\_\_\_\_\_  
Joshua Johnson, Director

Legal: 00245029.doc V. 1

**ST. PETERSBURG CITY COUNCIL**

**Consent Agenda  
Meeting of October 15, 2015**

TO: The Honorable Chair, and Members of City Council

SUBJECT: A resolution authorizing the Mayor or his designee to sign the Local Government Verification of Contribution loan form for the amount of \$90,000 from either HOME Investment Partnership ("HOME") or State Housing Initiatives Partnership ("SHIP") Program funding for each of the seven developments requesting local contributions as part of their application under the Florida Housing Finance Corporation ("FHFC") Request For Application number 2015-107; providing that the loan closing will be subject to the developer(s) obtaining the recommendation for approval of FHFC administered 9% Low Income Housing Tax Credit funding and submitting a copy of the final credit underwriting report, receipt of final site plan approval, receipt of an approved HUD environmental review if applicable, and closing on the financing of the development by December 31, 2016; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

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**RECOMMENDATION:** The Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to sign the Local Government Verification of Contribution loan form for the amount of \$90,000 from either HOME or SHIP Program funding for each of the seven developments requesting local contributions as part of their application under the Florida Housing Finance Corporation ("FHFC") Request For Application number 2015-107; providing that the loan closing will be subject to the developer(s) obtaining the recommendation for approval of

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**COST/FUNDING/ASSESSMENT INFORMATION:** Funds are available in previously allocated HOME Investment Partnership Funds (Fund 1113) and in previously allocated SHIP Funds (Fund 1019).

**ATTACHMENTS:** Resolution 2015-\_\_\_\_\_

**APPROVALS:**

Administration: M. R. Done

Budget: Ally McKee

Legal: 00246027 doc v-1

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

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO SIGN THE LOCAL GOVERNMENT VERIFICATION OF CONTRIBUTION LOAN FORM FOR THE AMOUNT OF \$90,000 FROM EITHER HOME INVESTMENT PARTNERSHIP ("HOME") OR STATE HOUSING INITIATIVES PARTNERSHIP ("SHIP") PROGRAM FUNDING FOR EACH OF THE SEVEN DEVELOPMENTS REQUESTING LOCAL CONTRIBUTIONS AS PART OF THEIR APPLICATION UNDER THE FLORIDA HOUSING FINANCE CORPORATION ("FHFC") REQUEST FOR APPLICATION NUMBER 2015-107; PROVIDING THAT THE LOAN CLOSING WILL BE SUBJECT TO THE DEVELOPER(S) OBTAINING THE RECOMMENDATION FOR APPROVAL OF FHFC ADMINISTERED 9% LOW INCOME HOUSING TAX CREDIT FUNDING AND SUBMITTING A COPY OF THE FINAL FHFC UNDERWRITING REPORT TO THE CITY, RECEIPT OF FINAL SITE PLAN APPROVAL, RECEIPT OF AN APPROVED HUD ENVIRONMENTAL REVIEW IF APPLICABLE, AND CLOSING ON THE FINANCING OF THE DEVELOPMENT BY DECEMBER 31, 2016; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") has established the need for additional affordable rental housing units as a priority in its 2011-2016 Consolidated Plan; and

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WHEREAS, seven developers submitted applications to the City requesting a local contribution for their applications and representing that they have the requisite affordable housing developer experience to qualify their development to obtain sufficient scoring related to the developer experience requirements of the Florida Housing Finance Corporation administered Low Income Housing Tax Credits ("LIHTC") under the FHFC request for applications 2015-107; and

WHEREAS, the developers also represent that they have identified sites which should qualify their development to obtain scoring sufficient to receive LIHTC funding; and

WHEREAS, each developer has requested that the City provide a non-recourse 0% interest subordinate loan of \$90,000 structured in a manner to equate to a \$75,000 Net Present Value minimum contribution loan amount as required by the FHFC after using the FHFC published Discount Rate of 5.61%, which includes forgiveness after 20 years of \$57,000 of the loan; and

WHEREAS, the City of St. Petersburg is currently allocated HOME Investment Partnership ("HOME") funds from the federal government as a source for affordable housing development; and

WHEREAS, the City of St. Petersburg is currently allocated State Housing Initiatives Partnership (SHIP) funds from the State of Florida as a source for financing affordable housing developments; and

WHEREAS, the proposed developments, if awarded LIHTC funding, would be eligible to be funded by the City from either the HOME or SHIP Programs; and

WHEREAS, the units proposed would be reserved for households with incomes at and below 60% of the area median income (AMI) and will be required to remain affordable for the HOME and SHIP program's 20 year compliance period; and

WHEREAS, on September 17, 2015, the City's Project Review Team reviewed the merits of the developments and agreed that the following requests should be forwarded to City Council for approval:

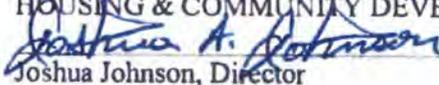
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6. SP Pinellas I, LLC for Sawgrass Place  
Proposed to be located at 2925 Tyrone Blvd. N.

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 sign the Local Government Verification of Contribution loan form for the amount of \$90,000 from either HOME or SHIP Program funding for each of the seven developments requesting local contributions as part of their application under the Florida Housing Finance Corporation ("FHFC") Request for Application number 2015-107, provided that the loan closing will be subject to the developer(s) obtaining recommendation for approval of FHFC administered 9% Low Income Housing Tax Credit funding and submitting a copy of the final FHFC underwriting report to the City, receipt of final site plan approval, receipt of an approved HUD environmental review if applicable, and closing on the financing of the development by December 31, 2016; and

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

This Resolution shall become effective immediately upon its adoption.

LEGAL:   
\_\_\_\_\_  
City Attorney (Designee)

HOUSING & COMMUNITY DEVELOPMENT:  
  
\_\_\_\_\_  
Joshua Johnson, Director

Legal: 00245029 doc V. 1

**ST. PETERSBURG CITY COUNCIL**  
**Consent Agenda**  
**Meeting of October 15, 2015**

**TO:** City Council Chair & Members of City Council

**SUBJECT:** City Council Minutes

**EXPLANATION:** City Council minutes of June 4 and June 11, 2015 City Council meetings.

A RESOLUTION APPROVING THE MINUTES  
OF THE CITY COUNCIL MEETINGS HELD  
ON JUNE 4 AND JUNE 11, 2015; AND  
PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that  
the minutes of the City Council meetings held on June 4 and June 11, 2015 are hereby approved.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM  
AND SUBSTANCE:

---

City Attorney or Designee

# COUNCIL MEETING

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

**CITY OF ST. PETERSBURG**

## **REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL**

**THURSDAY, June 4, 2015, AT 8:30 A.M.**

\*\*\*\*\*

Chair Charles Gerdes called the meeting to order with the following members present: Charles Gerdes, Darden Rice, Steven Kornell, Karl Nurse, Wengay M. Newton, Sr., Bill Dudley and Amy Foster, City Administrator Gary Cornwell, City Attorney John Wolfe, Chief Assistant City Attorney Jacqueline Kovilaritch, City Clerk Chan Srinivasa and Deputy City Clerk Cathy Davis were also in attendance. Absent: None

Councilmember Kornell moved with the second of Councilmember Rice that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda with the following changes as amended:

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nays. None. Absent. None.

In connection with the approval of the Consent Agenda Councilmember Dudley moved with a second by Councilmember Nurse that the following resolutions be adopted approving the attached Consent Agenda.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nays. None. Absent. None.

In connection with the Open Forum portion of the agenda, the following person(s) came forward:

1. Mack Hicks - 288 Beach Dr. N.E. - Spoke regarding the Noise Ordinance.
2. Frank Wells - 3439 40<sup>TH</sup> Way N. - Spoke regarding Venture House.
3. Janet Greenwood - Beach Dr. - Spoke regarding the Noise Ordinance.
4. Ross Previue - Spoke regarding the Downtown Waterfront Master Plan.
5. Gene Smith - Spoke regarding the Downtown Waterfront Master Plan.
6. Paul Carder - Spoke regarding the Downtown Waterfront Master Plan.

7. Scott Seaman – Spoke regarding the Nuisance Ordinance and support of strengthening the ordinance.
8. Nevin Sitler - 266 14<sup>th</sup> Ave. N. – Spoke regarding the Pier.
9. Allen Conner –300 Sunset Dr. S. - Spoke regarding water quality at Sawgrass Lake.
10. Edward Brvenik - Spoke regarding water quality at Sawgrass Lake.

In connection with public hearings, the Clerk read the title of proposed Ordinance 167-H, adopting the City of St. Petersburg's Downtown Waterfront Master Plan. (*Executive action only.*); Planning and Economic Development Director Dave Goodwin gave a PowerPoint presentation and Members of Council engaged in dialog with City staff. Councilmember Newton made a comment that the record should reflect that he is not in support of the vote on the Pier and that he does not support the demolition of the Pier. The Chair asked if there were any persons present wishing to be heard and the following person(s) came forward:

1. Joni James - 145 18<sup>th</sup> Ave. N.E. - Spoke in support of the Downtown Waterfront Master Plan.
2. Justin Bean - Spoke in support of the Downtown Waterfront Master Plan.
3. Dan Harvey - 1425 Central Ave - Spoke regarding the breakwater set-up in connection with the Downtown Waterfront Master Plan.
4. Brooks Wallington - St. Petersburg - Spoke in support of the Downtown Waterfront Master Plan.
5. Phil Graham - 1311 48<sup>th</sup> Ave N.E. - Spoke in support of the Downtown Waterfront Master Plan.
6. Chris Steinocher - 741 18<sup>th</sup> Ave N. - Spoke in support of the Downtown Waterfront Master Plan.
8. Robin Reed - 705 16<sup>th</sup> Ave N.E. - Spoke in support of the Downtown Waterfront Master Plan.

Councilmember Kennedy moved with the second of Councilmember Dudley that the following ordinance be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 167-H, entitled:

**PROPOSED ORDINANCE NO. 167-H**

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA APPROVING AND ADOPTING THE DOWNTOWN WATERFRONT MASTER PLAN IN ACCORDANCE WITH SECTION 1.02(g) OF THE CITY CHARTER AND SECTION 16.08 OF THE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None.

In connection with public hearings, the Clerk read the title of proposed Ordinance 170-H regarding approval of an amendment to the St. Petersburg City Code, Chapter 16, Land Development Regulations (LDRs) related to temporary parking lots associated with Tropicana Field. Urban Design and Historic Preservation Manager Derek Kilborn gave a PowerPoint presentation regarding the

Ordinance. The Chair asked if there were any persons present wishing to be heard and the following person(s) came forward:

1. Leslie Curran - Spoke in favor of the ordinance.
2. Dan Harvey - 1425 Central Ave - Spoke in favor of the ordinance.
3. Barbara Voglewede - 1113 Dr. Martin Luther King Jr. St. N. - Spoke in favor of the ordinance.

Councilmember Newton moved with the second of Councilmember Nurse that the following ordinance be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 170-H, entitled:

**PROPOSED ORDINANCE NO. 170-H**

AN ORDINANCE PROVIDING FOR AMENDMENT OF THE PARKING AND LOADING, DESIGN STANDARDS SECTION OF THE ST. PETERSBURG CITY CODE; AMENDING THE SECTION REGULATING TEMPORARY PARKING LOTS ASSOCIATED WITH TROPICANA FIELD; PROVIDING FOR TEMPORARY COMMERCIAL PARKING ON AN INTERIM BASIS; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with the Bayfront Health Annual Report, Kathy Gillette, CEO and Market President of Bayfront Health provided a PowerPoint presentation. The Chair asked if there was any persons present wishing to be heard and the following person(s) came forward:

1. Theresa Sowell Lassiter – 963 27<sup>th</sup> Ave. S. – Spoke regarding support as well as non-support of this item.

No action was taken in connection with the Bayfront Health Annual Report.

In connection with public hearings, the Clerk read the title of proposed Ordinance 1069-V regarding a vacation of air rights over a portion of 1st Avenue North and 2nd Street North. Deputy Zoning Official Corey Malyszka provided a brief PowerPoint presentation. The Chair asked if there was any persons present wishing to be heard and the following person(s) came forward:

1. Former Mayor Bill Foster – Spoke in favor of the item and offered to answer any questions.

Councilmember Foster moved with the second of Councilmember Kennedy that the following ordinance be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 1069-V, entitled:

**PROPOSED ORDINANCE NO. 1069-V**

AN ORDINANCE APPROVING A VACATION OF AIR RIGHTS OVER A PORTION OF 1<sup>ST</sup> AVENUE NORTH AND 2<sup>ND</sup> STREET NORTH; SETTING FORTH A CONDITION FOR THE VACATION TO BECOME EFFECTIVE, AND PROVIDING FOR AN EFFECTIVE DATE.

be adopted on second and final reading

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with public hearings, the Clerk read the title of proposed Ordinance 1068-V approving a vacation of four public right-of-way corners in the block bound by 2nd Avenue South, 4th Street South, 3rd Avenue South and 5th Street South. Deputy Zoning Official Corey Malyszka provided a PowerPoint presentation. The Chair asked if there were any persons present wishing to be heard and the following person(s) came forward:

1. Kelly Love – 1213 E. 6<sup>th</sup> Ave, Tampa – Representing Clearview Land Design – Spoke in support of the ordinance and on behalf of the applicant.

Councilmember Kennedy moved with the second of Councilmember Dudley that the following ordinance be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 1068-V, entitled:

**PROPOSED ORDINANCE NO. 1068-V**

AN ORDINANCE APPROVING A VACATION OF FOUR PUBLIC RIGHT-OF-WAY CORNERS IN THE BLOCK BOUND BY 2<sup>ND</sup> AVENUE SOUTH, 4<sup>TH</sup> STREET SOUTH, 3<sup>RD</sup> AVENUE SOUTH AND 5<sup>TH</sup> STREET SOUTH; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

be adopted on second and final reading

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with public hearings, the Clerk read the title of proposed Ordinance 171-H related to the Southwest Hangar Redevelopment Project. Albert Whitted Airport Manager Richard Lesniak gave a brief presentation.

Councilmember Newton moved with the second of Councilmember Foster that the following ordinance be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 171-H, entitled:

**PROPOSED ORDINANCE NO. 171-H**

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(C)(5)B., ST. PETERSBURG CITY CHARTER, AUTHORIZING THE RESTRICTIONS CONTAINED IN THE JOINT PARTICIPATION AGREEMENT (“JPA”) INCLUDING BUT NOT LIMITED TO THE AVIATION PROGRAM ASSURANCES (“GRANT ASSURANCES”), TO BE EXECUTED BY THE CITY, AS A REQUIREMENT FOR RECEIPT OF THE FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”) FUNDS IN AN AMOUNT NOT TO EXCEED \$800,000 (“GRANT”) TO BE USED FOR THE SOUTHWEST HANGAR REDEVELOPMENT PROJECT (#14168), REHABILITATION OF THE EXISTING SHADE SHELTER STRUCTURE AND TERMINAL HANGAR PROJECT (#13279) EXCESS COSTS, IF NEEDED, WHICH, *INTER ALIA*, REQUIRE THAT THE CITY MAKE ALBERT WHITTED AIRPORT AVAILABLE AS AN AIRPORT FOR PUBLIC USE ON FAIR AND REASONABLE TERMS, AND MAINTAIN THE PROJECT FACILITIES AND EQUIPMENT IN GOOD WORKING ORDER FOR THE USEFUL LIFE OF SAID FACILITIES OR EQUIPMENT, NOT TO EXCEED 20 YEARS FROM THE EFFECTIVE DATE OF THE JPA; APPROVING A SUPPLEMENTAL APPROPRIATION OF \$50,000 FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT PROGRAM FUND (3001) TO THE SOUTHWEST HANGAR REDEVELOPMENT PROJECT (14168); AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT THE GRANT IN AN AMOUNT NOT TO EXCEED \$800,000 AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR EXPIRATION.

be adopted on second and final reading

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with public hearings, the Clerk read the title of proposed Ordinance 172-H regarding the Runway 7/25 Rehab Project. Albert Whitted Airport Manager Richard Lesniak gave a brief presentation.

Councilmember Newton moved with the second of Councilmember Foster that the following ordinance be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 172-H, entitled:

**PROPOSED ORDINANCE NO. 172-H**

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(C)(5)B., ST. PETERSBURG CITY CHARTER, AUTHORIZING THE RESTRICTIONS CONTAINED IN ASSURANCES ("GRANT ASSURANCES") WHICH ARE SET FORTH IN THE GRANT DOCUMENTS TO BE EXECUTED BY THE CITY, AS A REQUIREMENT FOR RECEIPT OF THE FEDERAL AVIATION ADMINISTRATION ("FAA") GRANT ("GRANT") IN AN AMOUNT NOT TO EXCEED \$2,500,000 FOR THE RUNWAY 7/25 REHAB PROJECT (#14169) WHICH, *INTER ALIA*, REQUIRE THAT THE CITY WILL NOT SELL, LEASE, ENCUMBER OR OTHERWISE TRANSFER OR DISPOSE OF ANY PART OF THE CITY'S RIGHT, TITLE, OR OTHER INTERESTS IN ALBERT WHITTED AIRPORT ("AIRPORT"), NOR CAUSE OR PERMIT ANY ACTIVITY OR ACTION ON THE AIRPORT WHICH WOULD INTERFERE WITH ITS USE FOR AIRPORT PURPOSES, FOR A PERIOD NOT TO EXCEED 20 YEARS FROM THE DATE OF ACCEPTANCE OF THE GRANT; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPLY FOR AND ACCEPT THE GRANT IN AN AMOUNT NOT TO EXCEED \$2,500,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR EXPIRATION.

be adopted on second and final reading

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None.

The Clerk read the title of proposed Ordinance 173-H, amending the St. Petersburg City Code; providing for enhanced penalties for multiple violations of the noise ordinance. Assistant City Attorney Mark Winn provided a brief overview of the ordinance.

Councilmember Nurse moved with the second of Councilmember Rice that the following ordinance be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 173-H, entitled:

**PROPOSED ORDINANCE NO. 173-H**

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE; PROVIDING FOR ENHANCED PENALTIES FOR MULTIPLE VIOLATIONS OF THE NOISE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Naves. Kornell. Absent. None.

In connection with public hearings regarding proposed Resolution 2015-245, Lease and Development Agreement with T2theS, Inc., a Florida corporation, Property Management & Realty Services Director Bruce Grimes gave an overview of the resolution and company, T2theS.

Councilmember Nurse moved with the second of Councilmember Newton that the following resolution be adopted:

2015-245 Resolution finding that 1) the disposition of Lots 1-8 inclusive, Block 31, ST. PETERSBURG INVESTMENT CO. SUBDIVISION, and Lots 14, 15, and 16, Block 31, ST. PETERSBURG INVESTMENT CO. SUBDIVISION ("Property") at less than fair value will enable the construction of an industrial/ manufacturing facility which will further the implementation of the Dome Industrial Park Community Redevelopment Area Plan objectives, which have been substantially included in the South St. Petersburg Community Redevelopment Area Plan ; and 2) a Public Hearing in accordance with Florida Statute 163.380 has been duly noticed and held; approving disposition of the Property to T2theS, Inc., a Florida corporation; authorizing the Mayor or his designee to execute a Lease and Development Agreement and all other documents necessary to effectuate this transaction for development of the Property as an industrial/ manufacturing facility; and providing an effective date.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None.

In connection with a Community Redevelopment Agency item, Chair Gerdes recessed the City of St. Petersburg City Council meeting at 11:46 a.m. and convened as the Community Redevelopment Agency.

In connection with a Community Redevelopment Agency item, Chair Gerdes adjourned the June 4, 2015 Community Redevelopment Agency at 11:59 A.M. and reconvened as the City of St. Petersburg City Council.

The Chair recessed the meeting at 12:00 P.M. for a break.

The Chair reconvened the meeting at 12:37 P.M. and began the meeting with report item E-4, Public meeting announcement regarding designating a new State of Florida Brownfields Area in the City of St. Petersburg, Economic Development Analyst Brian Caper gave a presentation and explained that there will be a public meeting held on June 23, 2015 at 6:30 P.M. at Gladden Park Recreation Center located at 3901 30<sup>th</sup> Avenue North. A representative of the property, Attorney Michael Sznajstajler with Cobb-Cole Law Firm was also present to answer any questions from Council. A brief discussion took place and Council expressed support with regards to environmental awareness and cleanup of the property.

In connection with the Land Use & Transportation report, Transportation Manager Cheryl Stacks spoke regarding the Bike Share Program. Transportation & Parking Director Evan Mory spoke regarding Bus Rapid Transit (BRT), Councilmember Rice provided an oral PSTA report and Councilmember Kennedy gave an oral presentation on the remaining Land Use and Transportation report. Councilmember Kennedy moved with the second of Councilmember Rice that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida that the Council receive and file the Land Use & transportation report presented by Councilmember's Kennedy and Rice.

Roll Call. Ayes. Nurse. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. Newton.

In connection with the Public Arts Commission report, Councilmember Rice moved to defer the item to the July 9, 2015 meeting of the St. Petersburg City Council.

The Clerk read the title of proposed Ordinance 1070-V, approving the vacation of portions of a north-south alley located north of 11th Avenue South between Union Street South and 22nd Street South. (City File 15-33000007) Councilmember Nurse moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting June 11, 2015 as the public hearing date for the following proposed Ordinance(s):

**PROPOSED ORDINANCE NO. 1070-V**

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

Roll Call. Ayes. Nurse. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. Newton.

The Clerk read the title of proposed Ordinance 175-H, establishing a Redevelopment Trust Fund for the South St. Petersburg Community Redevelopment Area. Councilmember Nurse moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting June 11, 2015 as the public hearing date for the following proposed Ordinance(s):

**PROPOSED ORDINANCE NO. 175-H**

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

Roll Call. Ayes. Nurse. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. Newton.

In connection with new ordinances, the Clerk read the title of proposed Ordinance 176-H. Councilmember Foster moved with the second of Councilmember Nurse that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting June 18, 2015 as the public hearing date for the following proposed Ordinance(s):

**PROPOSED ORDINANCE NO. 176-H**

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

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Dudley. Rice. Kornell. Nayas. None. Absent. Kennedy.

In connection with new ordinances, the Clerk read the title of proposed Ordinance 177-H. Councilmember Nurse moved with the second of Councilmember Rice that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting June 18, 2015 as the public hearing date for the following proposed Ordinance(s):

**PROPOSED ORDINANCE NO. 177-H**

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE; AMENDING SECTION 8-201 TO CLARIFY THAT CORRECTION OF CERTAIN CODE VIOLATIONS BY THE CITY MAY BE CHARGED TO THE PROPERTY OWNER AS A SPECIAL ASSESSMENT AND TO CLARIFY NOTICE REQUIREMENTS AND PROVIDE A NEW APPEALS PROCESS; AMENDING SECTION 16.40.060 BY REASSIGNING WHO MAY HEAR LOT CLEARING APPEALS AND TO CLARIFY THAT REMOVAL OF JUNK, RUBBUSH, AND GARBAGE IS INCLUDED IN THE COSTS THAT MAY BE CHARGED AS A SPECIAL ASSESSMENT TO REAL PROPERTY; CORRECTING TYPOS RELATING TO OTHER APPELLATE PROCEDURES AND PROVIDING AN EFFECTIVE DATE.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None

In connection with new ordinances, the Clerk read the title of proposed Ordinance 178-H. Councilmember Kennedy moved with the second of Councilmember Dudley that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting June 18, 2015 as the public hearing date for the following proposed Ordinance(s):

**PROPOSED ORDINANCE NO. 178-H**

AN ORDINANCE AMENDING SECTION 2-122 (a) OF THE ST PETERSBURG CITY CODE TO PROVIDE FOR CHANGE IN THE DATE FOR THE ESTIMATED BUDGET TO BE SUBMITTED BY THE MAYOR TO CITY COUNCIL FROM NO LATER THAN JULY 1 OF EACH YEAR TO NO LATER THAN JULY 15 OF EACH YEAR; PROVIDING THAT THE CITY COUNCIL, BY RESOLUTION, CAN ADJUST THE BUDGET SUBMISSION DATE TO A DATE EARLIER THAN JULY 15; AND PROVIDING AN EFFECTIVE DATE.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Dudley. Rice. Kornell. Nayas. None. Absent. Kennedy.

In connection with new ordinances, the Clerk read the title of proposed Ordinances 179-H and 180-H, which were taken together. Councilmember Foster moved with the second of Councilmember Rice that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting June 18, 2015 as the public hearing date for the following proposed Ordinance(s):

**PROPOSED ORDINANCE NO. 179-H**

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(c)(5)A., ST. PETERSBURG CITY CHARTER, AUTHORIZING THE RESTRICTIONS CONTAINED IN A SITE DEDICATION ("SITE DEDICATION") DEDICATING THE BOAT RAMP PROJECT AREA ("PROJECT AREA") AT DEMENS LANDING PARK TO THE PUBLIC AS A BOATING ACCESS FACILITY FOR THE USE AND BENEFIT OF THE GENERAL PUBLIC FROM THE DATE OF EXECUTION OF THE SITE DEDICATION BY THE CITY TO JUNE 30, 2035, AS A REQUIREMENT FOR RECEIPT OF THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION ("FFWCC") GRANT FROM THE FLORIDA BOATING IMPROVEMENT PROGRAM, BOATING AND WATERWAYS SECTION FOR THE BOAT RAMP IMPROVEMENTS AT DEMENS LANDING PARK; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A SITE DEDICATION FOR THE PROJECT AREA FOR A PERIOD ENDING JUNE 30, 2035, AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

**PROPOSED ORDINANCE NO. 180-H**

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(c)(5)A., ST. PETERSBURG CITY CHARTER, AUTHORIZING THE RESTRICTIONS CONTAINED IN A SITE DEDICATION ("SITE DEDICATION") DEDICATING THE BOAT RAMP PROJECT AREA ("PROJECT AREA") AT BAY VISTA PARK TO THE PUBLIC AS A BOATING ACCESS FACILITY FOR THE USE AND BENEFIT OF THE GENERAL PUBLIC FROM THE DATE OF EXECUTION OF THE SITE DEDICATION BY THE CITY TO JUNE 30, 2035, AS A REQUIREMENT FOR RECEIPT OF THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION ("FFWCC") GRANT FROM THE FLORIDA BOATING IMPROVEMENT PROGRAM, BOATING AND WATERWAYS SECTION FOR THE BOAT RAMP IMPROVEMENTS AT BAY VISTA PARK; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A SITE DEDICATION FOR THE PROJECT AREA FOR A PERIOD ENDING JUNE 30, 2035, AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None.

In connection with new ordinances, the Clerk read the title of proposed Ordinance 744-Z. Councilmember Nurse moved with the second of Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting June 18, 2015 as the public hearing date for the following proposed Ordinance(s):

**PROPOSED ORDINANCE NO. 744-Z**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ST. PETERSBURG, FLORIDA, BY CHANGING THE ZONING OF PROPERTY GENERALLY LOCATED AT 3400 5TH AVENUE NORTH, ON THE SOUTHWEST CORNER OF 5TH AVENUE NORTH AND 34H STREET NORTH, FROM CRT-1 (CORRIDOR RESIDENTIAL TRADITIONAL) TO CCS-1 (CORRIDOR COMMERCIAL SUBURBAN); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None.

In connection with a new business item, Councilmember Rice moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council refer to the Committee of the Whole for consideration to consider funding approximately \$25,000 from Weeki Wachee Funds for due diligence/feasibility study for the Meadowlawn Community Garden Project which is currently on the Weeki Wachee Project list.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None.

In connection with a new business item, Councilmember Nurse moved with the second of Councilmember Foster that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council refer to the Committee of the Whole for consideration to consider funding from Weeki Wachee Funds for the Regional Skateboard Park Project.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None.

In connection with the Budget, Finance and Taxation Committee report, Councilmember Kennedy with a second by Councilmember Dudley that the following resolution be adopted:

2015-246 Approving a new reporting mechanism that alters the monthly and quarterly investment reporting to reflect which holdings are regulated by the Investment Policy and the Alternative Investment Policy.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None.

In connection with the Budget, Finance and Taxation Committee report, Councilmember Kennedy with the second by Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Budget, Finance and Taxation Committee report presented by Councilmember Kennedy.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None.

In connection with the Public Services and Infrastructure Committee report, Councilmember Dudley moved with the second of Councilmember Foster that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting June 11, 2015 as the public hearing date for the following proposed Ordinance(s):

**PROPOSED ORDINANCE NO. 181-H**

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE BY CREATING A NEW ARTICLE TO REGILATE NUISANCE PROPERTIES; MAKING FINDINGS; PROVIDING FOR THE DECLARATION OF NUISANCE PROPERTIES AND CHRONIC NUISANCE PROPERTIES; PROVIDING FOR EXEMPTIONS; PROVIDING FOR NOTICE; REQUIRING A WRITTEN ACTION PLAN; PROVIDING FOR APPEALS; PROVIDING FOR PENALTIES; PROVIDING FOR THE RECOVERY OF POLICE COSTS; PROVIDING A PROCEDURE FOR COLLECTION THROUGHT THE NON AD VALOREM ASSESSMENT METHOD; AND PROVIDING AN EFFECTIVE DATE.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with the Public Services and Infrastructure report, Councilmember Dudley moved with the second by Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Public Services and Infrastructure report presented by Councilmember Dudley.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with the Youth Services Committee report, Councilmember Foster moved with the second by Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Youth Services Committee report presented by Councilmember Foster.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with the Energy, Natural Resources and Sustainability report, Councilmember Rice moved with the second by Councilmember Kennedy that the following resolution be adopted:

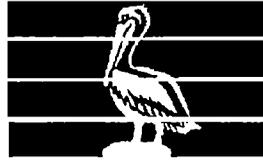
6/4/15

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Energy, Natural Resources and Sustainability report presented by Councilmember Rice.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None.

In connection with the Open Forum portion of the agenda, the Chair asked if any person(s) wished to speak. No one came forward.

# CONSENT



# AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

**Consent Agenda A**  
**June 4, 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)**

- 2015-233 1. Approving an increase to the allocation for pedestrian crosswalk beacons to AGC Electric, Inc. in the amount of \$493,388 which increases the total contract amount to \$688,388.

**(City Development)**

- 2015-234 2. Approving disbursement of up to \$834,000 from the Tropicana Field Capital Repair, Renewal and Replacement Sinking Fund; approving a supplemental appropriation in the amount of \$834,000 from the unappropriated balance of the Tropicana Field Capital Projects Fund (3081) to the Tropicana Field FY15 Improvements Project (TBD).

**(Miscellaneous)**

- 2015-235 3. Awarding a contract to ZeitEnergy, LLC in the amount of \$1,280,653 for the construction of the temporary Sanitation compressed natural gas (CNG) fueling station. (Engineering Project No. 15055-111; Oracle No. 14936; WRF SW CNG Fueling Station FY15); approving the rescission of unencumbered appropriations from the Water Resources Capital Projects Fund (4003), the SAN LS #85 FM Part A FY13 Project (13974) in the amount of \$208,000; the SAN LS #85 Part B FY13 Project (13975) in the amount of \$100,000; and the SAN LS#85 Part C FY13 Project (13976) in the amount of \$109,000; approving a supplemental appropriation in the amount of \$417,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) resulting from these rescissions to the WRF SW CNG Fueling Station FY15 Project (14936); approving a supplemental appropriation of \$128,065 from the unappropriated balance of the Sanitation Equipment Replacement Fund 4027 450 2313 to the WRF SW CNG Fueling Station FY15 Project (14936); and approving an additional supplemental appropriation of \$926,500 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF SW CNG Fueling Station FY15 Project (14936).

# CONSENT



# AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

**Consent Agenda B**  
**June 4, 2015**

**(Procurement)**

- 2015-236 1. Awarding a three-year purchase agreement to Palmdale Oil Company, Inc. for oils and lubricants at an estimated annual cost of \$356,795.
- 2015-237 2. Awarding a contract to Hodge Management, LLC in the amount of \$286,950 for the Water Resources Environmental Compliance Lab HVAC System Replacement (Engineering Project No. 14226-019; Oracle Project No's: 13771, 14236, and 14830); appropriating \$44,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the LAB Improvements FY14 Project (14236).
- 2015-238 3. Renewing cooperative purchase agreements with Wesco Turf, Inc. and Ruckus Investments LC d/b/a Quality Mowers; and awarding an agreement to Choo Choo Lawn Equipment Inc.; for lawn and turf equipment, parts and services in a combined annual amount not to exceed \$200,000.

**(City Development)**

- 2015-239 4. Approving the "2014 Annual Report for the Gateway Areawide Development of Regional Impact" (GADRI).
- 2015-240 5. Authorizing the Mayor or his designee to execute a Lease Agreement with St. Pete Aviation Services, LLC d/b/a St. Pete Air, a Florida limited liability company, for the use of ±3,500 square feet of space in Hangar No. 3, Maintenance Bay "B", located at 341 Eighth Avenue S.E., St. Petersburg ("Premises"), within Albert Whitted Airport for a period of three (3) months at a rental rate of \$1,667.00 per month, with a right to extend its use of the Premises on a month-to-month basis. *(Requires affirmative vote of at least six (6) members of City Council.)*

**(Public Works)**

- 2015-241 6. Authorizing the Mayor or his designee to execute a Reimbursable Utility Work Agreement between the City of St. Petersburg and Condotte/De Moya JV, LLC who is under contract with the Florida Department of Transportation ("FDOT") to design and build the Gandy Boulevard Limited Access Road Improvements (the "Project"), to relocate identified City utilities at the FIRM's expense in conflict with the FDOT's Limited Access roadway, bridge and drainage improvements at Gandy Boulevard (SR 694) and Dr. Martin Luther King Jr. Street North (9th Street North) and at Gandy Boulevard and 16th Street North at an estimated FIRM expense of \$302,622.53. (FPID # 256931-2-52-01) (Engineering Project No. 14069-111; Oracle Nos. 13853, 13854)

- 2015-242      7. Authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 12-04-BV/W, to the agreement between the City of St. Petersburg, Florida and Black & Veatch Corporation, in the amount not to exceed \$91,917, for professional engineering design services related to the Southwest Wastewater Treatment Facility Gas Generator and Electrical Improvements Project (Engineering Project No. 13082-111; Oracle No. 14018).

**(Miscellaneous)**

- 2015-243      8. Approving the Minutes of the City Council meetings held on December 4, December 11 and December 18, 2014.
- 2015-244      9. Approving an agreement with the Pinellas County Supervisor of Elections for support services for the Municipal Primary Election to be held August 25, 2015.

There being no further business the meeting was adjourned at 3:04 p.m.

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Charles Gerdes, Chair-Councilmember  
Presiding Officer of the City Council

ATTEST: \_\_\_\_\_  
Chan Srinivasa, City Clerk

# COUNCIL MEETING

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

**CITY OF ST. PETERSBURG**

## **REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL**

**THURSDAY, JUNE 11, 2015, AT 8:30 A.M.**

\*\*\*\*\*

Chair Charles Gerdes called the meeting to order with the following members present: Charles Gerdes, Darden Rice, Steven Kornell, Karl Nurse, Wengay M. Newton, Sr., Bill Dudley and Amy Foster, City Administrator Gary Cornwell, City Attorney John Wolfe, Chief Assistant City Attorney Jacqueline Kovilaritch, City Clerk Chan Srinivasa and Deputy City Clerk Cathy Davis were also in attendance. Absent: None

In connection with a proclamation recognizing the holy month of Ramadan, Chair Gerdes presented the proclamation to Imam Abdul Karim Ali of the Tampa Bay Muslim Association.

Councilmember Nurse moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda with the following changes as amended:

DEFER F-1 Homeless Leadership Board.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None.

In connection with the approval of the Consent Agenda Councilmember Kennedy moved with a second by Councilmember Kornell that the following resolutions be adopted approving the attached Consent Agenda.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None.

In connection with the Open Forum portion of the agenda, the following person(s) came forward:

1. Scott Mahurin, 2400 80<sup>th</sup> Street North, spoke regarding non-responsiveness of the Mayor's Office in his attempts to request that a Pro-Life flag be raised at City Hall.

2. Bob George, 3144 Central Avenue, spoke regarding a dangerous intersection at 90<sup>th</sup> Avenue North and MLK.
3. Judy Ellis, 1874 Juarez Way South, spoke in support of the proposed Peddling Ordinance.
4. Sharon Russ, 4100 Pompano Drive Southeast, spoke regarding Pro-Life views.
5. Sue Godfirnon, 5340 Alcola Way South, spoke regarding unwanted solicitation in Lakewood Estates.

In connection with Awards and Presentations, Administrative Assistant Carol Radin gave a brief oral presentation regarding the 32<sup>nd</sup> Annual recognition of the inductees of the Senior Hall of Fame. Inductees were awarded Keys to the City. No action was taken.

In connection with awards and presentations, Tampa International Airport CEO Joe Lopano gave a presentation regarding Tampa International Airport Master Plan Expansion. No action was taken.

In connection with awards and presentations, Jane Walker of Daystar Life Center gave a presentation regarding updates on Hunger Initiatives for Families and Children. No action was taken.

In connection with reports, Interim Downtown Enterprise Facilities Director Joe Zeoli gave a presentation regarding St. Pete Pride. The Chair asked if any person(s) wished to speak, the following person(s) came forward:

1. Chico Cromartie, 1261 12<sup>th</sup> Avenue South, spoke in opposition to the resolution.
2. David McKalip, 1955 1<sup>st</sup> Avenue North #101, spoke in opposition to the resolution.
3. Rev. Darrell W. Davis Sr., 2700 5<sup>th</sup> Avenue South, spoke in opposition to the resolution.

Councilmember Nurse moved with the second by Councilmember Rice that the following resolution be adopted:

2015-259      A Resolution approving the agreement between the City of St. Petersburg, Florida, and St. Pete Pride, Inc., that provides for City Support of the St. Pete Pride events to be conducted in 2015 and 2016; authorizing the Mayor or his designee to execute the agreement and all documents necessary to effectuate this transaction; and providing an effective date.

Councilmember Gerdes made a friendly amendment to the motion that the City fund 50% of the Pride event with in-kind services up to \$45,000.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None.

In connection with reports, Public Works Administrator Mike Connors gave a presentation concerning the acquisition of property in support of the City's Bio-Solids to Energy Project. Councilmember Kennedy moved with the second by Councilmember Foster that the following resolution be adopted:

2015-260 A Resolution authorizing the Mayor, or his designee, to purchase one (1) unimproved parcel, subject to easements allowing for the continued maintenance and operation of a billboard, for use as a compressed natural gas station generally located at the Southwest corner of I-275 and 26<sup>th</sup> Avenue South, St. Petersburg, from Clear Channel Outdoor Incorporated for the sum of \$102, 500; to pay closing related costs in an amount not to exceed \$1,000; and to execute all documents necessary to effectuate same; and approving a supplemental appropriation of \$22,150 from the unappropriated balance of the Water Resources Capital Projects fund (4003) to the WRF SW CNG Fueling Station FY15 Project (14936); approving a supplemental appropriation of \$10,350 from the unappropriated balance of the Sanitation Equipment Replacement Fund (4027) to the WRF SW CNG Fueling Station FY15 Project (14936); and providing an effective date.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with reports, Councilmember Rice gave an oral presentation regarding a Universal Curbside Recycling update. The Chair asked if there were any person(s) wishing to speak, and the following person(s) came forward:

1. Tom Lally, 6748 31<sup>st</sup> Way South, spoke in favor of the Universal Curbside Recycling.
2. David McKalip, 1955 1<sup>st</sup> Avenue North, spoke in opposition to the Universal Curbside Recycling.
3. Karen Coale, 111 26<sup>th</sup> Avenue Northeast, spoke in favor of the Universal Curbside Recycling.
4. Marlene Murray, 6418 10<sup>th</sup> Street North, spoke in favor of the Universal Curbside Recycling.
5. Cathy Harrelson, 1527 5<sup>th</sup> Street North #B2, spoke in favor of the Universal Curbside Recycling.
6. Dr. Dale Potter, 2250 6<sup>th</sup> Avenue North, spoke in favor of the Universal Curbside Recycling.
7. Milagros Padilla, 2250 6<sup>th</sup> Avenue North, spoke in favor of the Universal Curbside Recycling.
8. Peter Motzenbecker, 112 10<sup>th</sup> Avenue Northeast, spoke in favor of the Universal Curbside Recycling, and also spoke to concerns about street pick-up.
9. Theresa Lassiter, 963 27<sup>th</sup> Avenue South, spoke in opposition to the Universal Curbside Recycling.

No action was taken.

The chair recessed the meeting at 7:33 p.m. for a break.

The Chair reconvened the meeting at 8:04 p.m. and began the meeting with report items J-1, J-2, and J-3, which were taken together. The Chair asked if any person(s) wished to speak, and there was no response. Councilmember Newton moved with the second by Councilmember Dudley that the following resolution(s) be adopted:

- 2015-261 Resolution confirming and approving preliminary assessment rolls for lot clearing No. 1551; providing for an interest rate on unpaid assessments; and providing an effective date.
- 2015-262 Resolution assessing the costs of securing listed on Securing Building No. 1200 ("SEC 1200") as liens against the respective real property on which the costs were incurred; providing that said liens have a priority as established by City Code Section 8-270; providing for an interest rate on unpaid balances; authorizing the Mayor or his designee to execute and record notice(s) of lien(s) in the public records of the County; and providing an effective date.
- 2015-263 Resolution assessing the costs of demolition listed on building demolition no. 427 ("DMO No. 427") as liens against the respective real property on which the costs were incurred; providing that said liens have a priority as established by City Code Section 8-270; providing for in 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.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Nayas. None. Absent. Kornell.

In connection with second public hearings regarding proposed Ordinance 168-H approving amendments to the Comprehensive Plan pertaining to Section 1.7, Definitions; and Chapter 3, Future Land Use Element, the Clerk read the title of the proposed Ordinance. The Chair asked if there were any person(s) wishing to speak, and the following person(s) came forward:

1. Jackson Bowman, 300 West Platt Street, spoke in opposition to the proposed Ordinance.
2. Don Mastry spoke in favor of the proposed Ordinance.

Councilmember Newton moved with the second by Councilmember Foster that the Following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the proposed Ordinance 168-H, entitled:

**PROPOSED ORDINANCE NO. 168-H**

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF ST. PETERSBURG, FLORIDA; AMENDING SECTION 1.7, DEFINITIONS; AMENDING CHAPTER 3, FUTURE LAND USE ELEMENT; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with public hearings, the Clerk read the title of proposed Ordinance 1070-V approving the vacation of portions of a north-south alley located north of 11<sup>th</sup> Avenue South between Union Street South and 22<sup>nd</sup> Street South. The Chair asked if any person(s) wished to speak, there was no response. Councilmember Nurse moved with the second by Councilmember Dudley that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 11070-V, entitled:

**PROPOSED ORDINANCE NO. 1070-V**

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

be adopted on second and final reading.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None.

In connection with public hearings, the Clerk read the title of proposed Ordinance 175-H establishing a Redevelopment Trust Fund for the South St. Petersburg Community Redevelopment Area. The Chair asked if any person(s) wished to speak, the following person(s) came forward:

1. Theresa Lassiter, 963 27<sup>th</sup> Avenue South, spoke in favor of the Ordinance with the exception of the marketing budget.

Councilmember Nurse moved with the second by Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Proposed Ordinance 175-H, entitled:

**PROPOSED ORDINANCE NO. 175-H**

AN ORDINANCE PROVIDING FOR AND ESTABLISHING A REDEVELOPMENT TRUST FUND FOR THE SOUTH ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA, PURSUANT TO THE PROVISIONS OF SECTION 163-387, FLORIDA STATUTES; PROVIDING FOR CERTAIN CITY TAX FUNDS TO BE APPROPRIATED INTO SAID TRUST FUND; PROVIDING FOR THE REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THE PROVISIONS THEREOF; PROVIDING CERTAIN OTHER MATTERS IN

CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE,

be adopted on second and final reading.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with public hearings, the Clerk read the title of proposed Ordinance 176-H regarding creation of a new Article III of Chapter 9. Codes Operations Manager Robert Gerdes gave a PowerPoint presentation regarding Civil Citations. The Chair asked if there were any person(s) that wished to speak, the following person(s) came forward:

1. Theresa Lassiter, 963 27<sup>th</sup> Avenue South, spoke in opposition to the proposed Ordinance.

Councilmember Kennedy moved with the second by Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the proposed Ordinance 176-H, entitled:

**PROPOSED ORDINANCE NO. 176-H**

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

be adopted on second and final reading.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with public hearings, the Clerk read the title of proposed Ordinance 177-H regarding code violations that may be charged to the property owner as a Special Assessment. The Chair asked if any person(s) wished to speak, there was no response. Councilmember Nurse moved with the second by Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 177-H, entitled:

**PROPOSED ORDINANCE NO. 177-H**

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE; AMENDING SECTION 8-201 TO CLARIFY THAT CORRECTION OF CERTAIN CODE VIOLATIONS BY THE CITY MAY BE CHARGED TO THE PROPERTY OWNER AS A SPECIAL ASSESSMENT AND TO CLARIFY NOTICE REQUIREMENTS AND PROVIDE A NEW APPEALS PROCESS; AMENDING SECTION 16.40.060 BY REASSIGNING WHO MAY HEAR LOT CLEARING APPEALS AND TO CLARIFY THAT REMOVAL OF JUNK, RUBBISH, AND GARBAGE IS INCLUDED IN THE COSTS THAT MAY BE CHARGED AS A SPECIAL ASSESSMENT TO REAL PROPERTY; CORRECTING TYPOS RELATING TO OTHER APPELATE PROCEDURES AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final hearing.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None. Ordinance approved as amended.

In connection with public hearings, the Clerk read the title of proposed Ordinance 178-H regarding the required date for Mayor's submission of an annual estimated budget. The Chair asked if there were any person(s) wishing to speak, there was no response. Councilmember Kennedy moved with the second by Councilmember Kornell that the following resolution be adopted:  
BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 178-H, entitled:

**PROPOSED ORDINANCE NO. 178-H**

AN ORDINANCE AMENDING SECTION 2-122 (a) OF THE ST. PETERSBURG CITY CODE TO PROVIDE FOR A CHANGE IN THE DATE FOR THE ESTIMATED BUDGET TO BE SUBMITTED BY THE MAYOR TO CITY COUNCIL FROM NO LATER THAN JULY 1 OF EACH YEAR TO NO LATER THAN JULY 15 OF EACH YEAR; PROVIDING THAT THE CITY COUNCIL, BY RESOLUTION, CAN ADJUST THE BUDGET SUBMISSION DATE TO A DATE EARLIER THAN JULY 15; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with public hearings, the Clerk read the title of proposed Ordinance 179-H and 180-H, which were taken together. The Chair asked if any person(s) wished to speak, there was no response. Councilmember Nurse moved with the second by Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinances 179-H and 180-H, entitled:

**PROPOSED ORDINANCE NO. 179-H**

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(c)(5)A., ST. PETERSBURG CITY CHARTER, AUTHORIZING THE RESTRICTIONS CONTAINED IN A SITE DEDICATION (“SITE DEDICATION”) DEDICATING THE BOAT RAMP PROJECT AREA (“PROJECT AREA”) AT DEMENS LANDING PARK TO THE PUBLIC AS A BOATING ACCESS FACILITY FOR THE USE AND BENEFIT OF THE GENERAL PUBLIC FROM THE DATE OF EXECUTION OF THE SITE DEDICATION BY THE CITY TO JUNE 30, 2035, AS A REQUIREMENT FOR RECEIPT OF THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION (“FFWCC”) GRANT FROM THE FLORIDA BOATING IMPROVEMENT PROGRAM, BOATING AND WATERWAYS SECTION FOR THE BOAT RAMP IMPROVEMENTS AT DEMENS LANDING PARK; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A SITE DEDICATION FOR THE PROJECT AREA FOR A PERIOD ENDING JUNE 30, 2035, AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

**PROPOSED ORDINANCE NO. 180-H**

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(c)(5)A., ST. PETERSBURG CITY CHARTER, AUTHORIZING THE RESTRICTIONS CONTAINED IN A SITE DEDICATION (“SITE DEDICATION”) DEDICATING THE BOAT RAMP PROJECT AREA (“PROJECT AREA”) AT BAY VISTA PARK TO THE PUBLIC AS A BOATING ACCESS FACILITY FOR THE USE AND BENEFIT OF THE GENERAL PUBLIC FROM THE DATE OF EXECUTION OF THE SITE DEDICATION BY THE CITY TO JUNE 30, 2035, AS A REQUIREMENT FOR RECEIPT OF THE FLORIDA

FISH AND WILDLIFE CONSERVATION COMMISSION (“FFWCC”) GRANT FROM THE FLORIDA BOATING IMPROVEMENT PROGRAM, BOATING AND WATERWAYS SECTION FOR THE BOAT RAMP IMPROVEMENTS AT BAY VISTA PARK; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A SITE DEDICATION FOR THE PROJECT AREA FOR A PERIOD ENDING JUNE 30, 2035, AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with public hearings, The Clerk read the title of proposed Ordinance 181-H regarding regulation of nuisance properties. The Chair asked if there were any person(s) wishing to speak, there was no response. Councilmember Nurse moved with the second by Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 181-H, entitled:

**PROPOSED ORDINANCE NO. 181-H**

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE BY CREATING A NEW ARTICLE TO REGULATE NUISANCE PROPERTIES; MAKING FINDINGS; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE DECLARATION OF NUISANCE PROPERTIES AND CHRONIC NUISANCE PROPERTIES; PROVIDING FOR EXEMPTIONS; PROVIDING FOR NOTICE; REQUIRING A WRITTEN ACTION PLAN; PROVIDING FOR APPEALS; PROVIDING FOR PENALTIES; PROVIDING FOR THE RECOVERY OF POLICE COSTS; PROVIDING A PROCEDURE FOR COLLECTION; AUTHORIZING COLLECTION THROUGH THE NON AD VALOREM ASSESSMENT METHOD; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with Quasi-Judicial Proceedings, the Clerk administered the oath to those present wishing to present testimony. The Chair reviewed the Quasi-Judicial process to be followed. Urban Planning and Historic Preservation Planner Cate Lee gave a presentation regarding an Official Zoning Map Designation amendment. The Chair asked if there were any person(s) present wishing to be heard, the following people came forward:

1. Soumya Chakrabarti, a representative for Circle K, Inc., displayed photographs of past developments on the site, and spoke in favor of the proposed Ordinance.
2. Theresa Lassiter, 963 27<sup>th</sup> Avenue South, spoke concerning jobs for the surrounding community.

Councilmember Kennedy moved with the second by Councilmember Foster that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the proposed Ordinance 744-Z, entitled:

**PROPOSED ORDINANCE NO. 744-Z**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ST. PETERSBURG, FLORIDA, BY CHANGING THE ZONING OF PROPERTY GENERALLY LOCATED AT 3400 5<sup>TH</sup> AVENUE NORTH, ON THE SOUTHWEST CORNER OF 5TH AVENUE NORTH AND 34TH STREET NORTH, FROM CRT-1 (CORRIDOR RESIDENTIAL TRADITIONAL) TO CCS-1 (CORRIDOR COMMERCIAL SUBURBAN); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

The Chair recessed the meeting at 9:43 p.m. for a short break.

The Chair reconvened the meeting at 9:51 p.m. and began the meeting with item G-1 requesting City Council add a Charter Amendment to be placed on the November general election. Councilmember Rice moved with a second by Councilmember Nurse that the following resolution be adopted:

- 2015-264 A Resolution of the City Council of St. Petersburg requesting the City Attorney's Office prepare a Charter Amendment amending Section 5.06 of the City Charter as proposed by Councilmember Nurse to be placed on the November 2015 general election ballot; and providing an effective date.

Roll Call. Ayes. Nurse. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. Newton. Absent. None.

In connection with new business, Councilmember Foster moved with the second by Councilmember Rice that the following Resolution be adopted:

2015-265 A Resolution of the City Council of St. Petersburg supporting the May 19, 2015 Clean Power Plan letter from the Tampa City Council, Oldsmar City Council and the Florida Council of Churches addresses to Governor Scott; and providing an effective date.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with the Budget, Finance and Taxation report, Councilmember Kennedy moved with a second by Councilmember Kornell that the following resolution be adopted:

2015-266 A Resolution authorizing the Mayor or his designee to advertise the City's draft FY 2015/16 Annual Action Plan and to execute all other documents necessary to effectuate this Resolution; and providing an effective date.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

Councilmember Newton moved with the second by Councilmember Rice that the approval of funds to cover the 210 part-time employees for sick leave at the rate of \$93,000 be referred back to Budget, Finance and Taxation.

Roll Call. Ayes. Nurse. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

Councilmember Kennedy moved with the second by Councilmember Rice that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Budget, Finance and Taxation report presented by Councilmember Kennedy.

Roll Call. Ayes. Newton. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. Nurse.

In connection with the Public Services and Infrastructure Committee report, the Clerk read the title of proposed Ordinance 182-H. Councilmember Dudley moved with the second by Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting July 9, 2015 at the public hearing date for the proposed Ordinance, entitled:

**PROPOSED ORDINANCE NO. 182-H**

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

Roll Call. Ayes. Newton. Nurse. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with the Public Services and Infrastructure report, Councilmember Dudley moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Public Services and Infrastructure report presented by Councilmember Kennedy.

Roll Call. Ayes. Newton. Nurse. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with the Housing Services Committee report, Councilmember Nurse moved with the second by Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Housing Services Committee meeting report filed by Councilmember Nurse.

Roll Call. Ayes. Newton. Nurse. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection to the Co-Sponsored Events Subcommittee report, Councilmember Kornell moved with the second by Councilmember Rice that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting July 9, 2015 as the public hearing date for the proposed Ordinance, entitled:

**PROPOSED ORDINANCE NO. 183-H**

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

Roll Call. Ayes. Newton. Nurse. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with the Co-Sponsored Events Committee report, Councilmember Kornell moved with the second by Councilmember Rice that the following resolution be adopted:

2015-268 A Resolution approving events for co-sponsorship in name only by the City for Fiscal Year 2015; waiving the non-profit requirement for Resolution 2000-562(a)8 for the co-sponsored event to be presented by Beach Drive Events, LLC; authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution; and providing an effective date.

Roll Call. Ayes. Newton. Nurse. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with the Co-Sponsored Events Committee report, Councilmember Kennedy moved with the second by Councilmember Foster that the following resolution be adopted:

2015-269 A Resolution approving events for co-sponsorship in name only by the City for Fiscal Year 2016; waiving the non-profit requirement of Resolution No. 2000-562(a)8 for the co-sponsored events to be presented by Generation Food Truck, Inc., Cox Media, LLC, Festivals of Speed, LLC, Times Publishing Company, Paragon Fine Arts Festivals, Inc., iHeart Media + Entertainment, Inc., Authorizing the Mayor of his designee to execute all documents necessary to effectuate this Resolution; and providing an effective date.

Roll Call. Ayes. Newton. Nurse. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

In connection with the Co-Sponsored Events Committee report, Councilmember Kennedy moved with the second by Councilmember Dudley that the following resolution be adopted:

2015-270 A Resolution in accordance with City Code Section 21-38(d) exempting 97X Next Big Thing (Vinoy Park), Ribfest (Vinoy Park), Chillounge Night (North Straub Park), St. Pete Power and Sailboat Show (Albert Whitted Park), 97X BBQ (Vinoy Park), Festivals of Speed (Vinoy Park), Tampa Bay Bluesfest (Vinoy Park), and FIVB St. Pete Grand Slam (Spa Beach Park) from the beer and wine only restrictions in City Code Section 21-368 (d) upon the issuance of a permit for alcoholic beverages (for on premises consumption only) to be sold, served, dispensed, possessed, used and/or consumed at their respective venues, during their events as set forth herein; and providing an effective date.

Roll Call. Ayes. Newton. Nurse. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Nayas. None. Absent. None.

6/11/15

In connection with the Co-Sponsored Events report, Councilmember Dudley moved with the second of Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Public Services and Infrastructure report presented by Councilmember Gerdes.

Roll Call. Ayes. Newton. Nurse. Foster. Gerdes. Kennedy. Dudley. Rice. Kornell. Naves. None. Absent. None.

In connection to the Open Forum portion of the agenda, the following people came forward:

1. Theresa Lassiter, 963 27<sup>th</sup> Avenue South, spoke regarding a neighborhood event taking place.

There being no further business the meeting was adjourned at 10:45 p.m.

6/11/15

CONSENT



AGENDA

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COUNCIL MEETING

CITY OF ST. PETERSBURG

**Consent Agenda A  
June 11, 2015**

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

*[NONE]*

# CONSENT



# AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

**Consent Agenda B  
June 11, 2015**

**(Procurement)**

- 2015-247 1. Approving the purchase of loaders and trailers from Nortrax, Inc. for the Fleet Management Department at a total cost of \$193,656.
- 2015-248 2. Awarding a five-year blanket purchase agreement to Fisher Scientific Company L.L.C. for laboratory, safety supplies and equipment for the Water Resources Department at an estimated annual cost of \$120,000.
- 2015-249 3. Authorizing the Administration to negotiate an agreement with Hodge Management, LLC for the Woodlawn Gym Police Athletic League Facility Fire Protection Upgrade Project.
- 2015-250 4. Accepting a proposal from SCI Distribution LLC, a sole source supplier, for a web-based fuel and fleet management system for the Fleet Management department and RFID readers to record participation rates in the City's Universal Residential Curbside Recycling program at a total cost not to exceed \$195,590; and approving a supplemental appropriation of \$49,655 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF SW CNG Fueling Station FY15 project (14936).

**(City Development)**

- 2015-251 5. Authorizing the Mayor or his Designee to execute a License Agreement with Arts Center Association, Inc. d/b/a Morean Arts Center for a period of five (5) years to continue to maintain ten (10) fence panels for displaying artwork on a portion of the City-owned Pinellas Trail Extension for an annual use fee of \$50.00.
- 2015-252 6. Resolution accepting redevelopment authority from the Pinellas County Board of County Commissioners to establish a redevelopment trust fund for the South St. Petersburg Community Redevelopment Area.

**(Public Works)**

- 2015-253 7. Approving a Traffic Signal Maintenance and Compensation Agreement between the City of St. Petersburg ("City") and the Florida Department of Transportation ("FDOT") to provide for FDOT annual reimbursement of expenses associated with the City's operation and maintenance of traffic signals and traffic signal systems serving state routes within the City limits.

**(Miscellaneous)**

- 2015-254 8. Waiving public construction bonds for American Housing Builders, Inc. and Griffin Contracting, Inc. for the construction of five single family homes.
- 2015-255 9. Confirming the appointment of Samantha Sooknarine as a regular member to the City Beautiful Commission to serve an unexpired three-year term ending December 31, 2016.
- 2015-256 10. Approving the transfer of \$60,000 from the unappropriated balance of the General Capital Improvement Fund (3001) to the Sanitation Operating Fund (4021); approving a supplemental appropriation in the amount of \$60,000 from the increase in the unappropriated balance in Sanitation Operating Fund resulting from this transfer to the Codes Compliance Assistance Department (100-1129), Object Code 5320310 to fund eligible costs associated with demolition and securing; approving the transfer of \$60,000 from the unappropriated balance of the General Capital Improvement Fund (3001) to the General Fund (0001); approving a supplemental appropriation in the amount of \$60,000 from the increase in the unappropriated balance in the General Fund resulting from this transfer to the Planning and Economic Development Department (370-2609) Residential Rehabs Program Project 141000 to fund eligible costs associated with rebates for Residential Rehabs Program; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.
- 2015-257 11. Authorizing the Mayor or his designee to execute a First Amendment to License Agreement with Pinellas Studio of Dance, Inc., a Florida corporation, for use of ±6,140 sq. ft. within the St. Petersburg Shuffleboard Club building located at 559 Mirror Lake Drive North, St. Petersburg, for a period of twelve (12) months at a rental rate of \$300.00 per month, with the right to request an extension for an additional one (1) year term, subject to approval by City Council. ***(Requires affirmative vote of at least six (6) members of City Council.)***
- 2015-258 12. Authorizing the Mayor or his designee to execute a Second Amendment to License Agreement with Beach Drive Banquet, LLC, a Florida limited liability company, to extend its use of the North Yacht Basin and the surrounding areas known as Space No. EX500 to rent and operate vessels for a period of one (1) year for a monthly base rent of \$500.00. ***(Requires affirmative vote of at least six (6) members of City Council.)***

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Charles Gerdes, Chair-Councilmember  
Presiding Officer of the City Council

ATTEST: \_\_\_\_\_  
Chan Srinivasa, City Clerk

**CITY COUNCIL AGENDA ITEMS CHECKLIST  
(Consent Agenda)**

Meeting of October 15, 2015

**Submitting Department:** Planning and Economic Development

**Department Contact:** Rick D. Smith (#7106)

**Agenda Category:** Consent

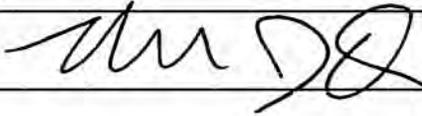
**Agenda Subject Matter:** A Resolution by City Council approving minor revisions to the Fourth Amendment to the April 21, 2005, Intown Redevelopment Plan Interlocal Agreement, which was approved by City Council on September 3, 2015.

**APPROVALS:**

**Administrative:** \_\_\_\_\_ 

**Budget:** \_\_\_\_\_

N/A

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

**Is attached back-up material complete? Yes**

**ST. PETERSBURG CITY COUNCIL**  
Meeting of October 15, 2015

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

**SUBJECT** A Resolution by City Council approving minor revisions to the Fourth Amendment to the April 21, 2005, Intown Redevelopment Plan Interlocal Agreement, which was approved by City Council on September 3, 2015.

**RECOMMENDATION** Administration recommends City Council approve the attached Resolution.

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**OVERVIEW**

On September 3, 2015, City Council approved Resolution 2015-398, which adopted the Fourth Amendment to the April 21, 2005, Intown Redevelopment Plan Interlocal Agreement. The Fourth Amendment included the following principal changes to the IRP Interlocal agreement

- *Reducing Pinellas County's contribution to the IRP Redevelopment Trust Fund from 95 percent to 85 percent of the annual tax increment;*
- *Amending Table 2 to allow \$20 million in tax increment financing revenue to be expended on Downtown Waterfront Master Plan Improvements for the Pier District and limit its total project costs to \$20 million;*
- *Amending Section 4 of the Interlocal Agreement to increase by \$20 million the amount that can be financed using tax increment financing (TIF) without requiring additional approval from the Pinellas County Board of County Commissioners;*

On October 1, 2015, Pinellas County staff provided comments on the Fourth Amendment to the IRP Interlocal and requested minor revisions. The first request amends Paragraph B of Section 5 to extend from January 1<sup>st</sup> to April 1<sup>st</sup> the date by which Pinellas County must make its annual TIF contribution to the Intown Redevelopment Trust Fund. This is consistent with the date of the County's TIF payment obligation in the South St. Petersburg CRA Interlocal Agreement of June 2, 2015. The second request amends Paragraph D of Section 5 describing "County Duties" to increase to \$117.354 million the funding required for the IRP redevelopment program. This revision reflects the \$20 million in additional budgetary authority to implement the Downtown Waterfront Master Plan Improvements for the Pier District.

(Exhibit A to the draft resolution reflects these revisions. All text in red includes the revisions requested by Pinellas County staff. Redlined text [i.e., underline or strikethrough] includes existing language from the Original Interlocal or four prior amendments that is proposed for revision.)

**RECOMMENDATION**

Administration recommends City Council approve the attached Resolution.

Attachment: Resolution with revised Fourth Amendment to the April 21, 2005, Intown Redevelopment Plan Interlocal Agreement as Exhibit A

NO. 2015 - \_\_\_\_

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ST. PETERSBURG APPROVING MINOR REVISIONS TO THE FOURTH AMENDMENT TO THE APRIL 21, 2005, INTOWN REDEVELOPMENT PLAN INTERLOCAL AGREEMENT (SEE RESOLUTON 2015-398) ATTACHED AS EXHIBIT A; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 3, 2015, the St. Petersburg City Council approved Resolution 2015-398, which adopted the Fourth Amendment to the April 21, 2005, Intown Redevelopment Plan (IRP) Interlocal Agreement; and

WHEREAS, the Fourth Amendment to the IRP Interlocal Agreement 1) reduces Pinellas County's contribution to the IRP Redevelopment Trust Fund from 95 percent to 85 percent of the annual tax increment; 2) amends Table 2 to allow \$20 million in tax increment financing revenue to be expended on Downtown Waterfront Master Plan Improvements for the Pier District and limit its total project costs to \$20 million; 3) amends Section 4 of the Interlocal Agreement to increase by \$20 million the amount that can be financed using tax increment financing without requiring additional approval from the Pinellas County Board of County Commissioners; 4) alters Table 2 of the IRP to reflect revised completion dates for two projects and 5) updates references to the Duke Energy Center for the Arts.

WHEREAS, the County reviewed the Fourth Amendment to the IRP Interlocal Agreement and has suggested the following minor revisions:

1. Add Paragraph B of Section 5 (County Duties) from the Original IRP Interlocal and amend it to extend from January 1<sup>st</sup> to April 1<sup>st</sup> the date by which Pinellas County must make its annual TIF contribution to the Intown Redevelopment Trust Fund; and
2. Add Paragraph D of Section 5 (County Duties) from the Original IRP Interlocal Agreement and amend it to increase to \$117.354 million the funding required for the IRP redevelopment program.

WHEREAS, the proposed revisions to the Fourth Amendment to the IRP Interlocal Agreement ensure its internal consistency;

NOW, THEREFORE, BE IT RESOLVED, that the St. Petersburg City Council does hereby approve revisions to the attached "Fourth Amendment to the Interlocal Agreement between the City of St. Petersburg and Pinellas County for the Commitment of Tax Increment Revenues in the Intown Community Redevelopment Area dated April 21, 2005".

This resolution shall become effective immediately upon its adoption.

Passed by St. Petersburg City Council in regular session on the 15<sup>th</sup> day of October, 2015.

APPROVED AS TO FORM AND CONTENT:



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City Attorney (Designee)

APPROVED BY:



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Dave Goodwin, Director  
Planning and Economic  
Development Department

## **Exhibit A**

### **Fourth Amendment to the Intown Interlocal Agreement (April 21, 2005) Intown Community Redevelopment Area**

**FOURTH AMENDMENT TO THE INTERLOCAL AGREEMENT  
BETWEEN  
THE CITY OF ST. PETERSBURG, FLORIDA  
AND  
PINELLAS COUNTY, FLORIDA  
FOR  
THE COMMITMENT OF  
TAX INCREMENT REVENUES IN THE INTOWN COMMUNITY  
REDEVELOPMENT AREA DATED APRIL 21, 2005**

**WHEREAS**, in 2005, the City of St. Petersburg (City) amended its Intown Redevelopment Plan and requested Pinellas County (County) to extend its commitment of Tax Increment Revenues in downtown St. Petersburg (known commonly as the Intown Community Redevelopment Area); and

**WHEREAS**, the County reviewed the projects which the City proposed to construct or redevelop in the Intown Community Redevelopment Area (CRA) using Tax Increment Revenues and approved the City's request; and

**WHEREAS**, the City and County entered into an Interlocal Agreement dated April 21, 2005, authorizing the City to use Tax Increment Revenues to pay for approved projects identified in the Intown Redevelopment Plan through the issuance of bonds or other indebtedness therefore, and subsequently entered into the First Amendment dated March 21, 2006, a Second Amendment dated December 2, 2010, and a Third Amendment dated July 12, 2011; and

**WHEREAS**, the original Interlocal Agreement as amended by the First, Second, and Third Amendments is hereinafter referred to as the "Intown CRA Interlocal Agreement"; and

**WHEREAS**, the City and County have agreed in the "South St. Petersburg Community Redevelopment Area Interlocal Agreement" dated June 2, 2015, to further amend the Intown CRA Interlocal Agreement by reducing the percentage of the County's annual contribution to the Intown CRA Redevelopment Trust Fund and adding \$20 million in projects to the Intown Redevelopment Plan.

**NOW, THEREFORE**, the City of St. Petersburg, Florida (City) and Pinellas County (County) enter into this Fourth Amendment to the Intown CRA Interlocal Agreement, as follows:

*(This space left intentionally blank)*

1. Section 4 of the Intown CRA Interlocal Agreement is hereby amended to read as follows:

**4. City Duties.** The City:

- A. May finance up to ~~\$911~~7.4 million plus costs of issuance and debt service reserve for approved Plan projects provided that the final maturity date of any borrowing is no later than April 5, 2020 (Short-Term Loans). The current proposal is to borrow approximately \$33.4 million plus costs of issuance and a debt service reserve prior to 2012.
- B. May finance approximately ~~\$911~~7.4 million plus costs of issuance and a debt-service reserve for approved Plan projects in 2012 or thereafter (which includes the payment of the Short-Term Loans made pursuant to paragraph 4A) without additional Board approval, provided the conditions in paragraph 5D hereof are met and subject to the limitations in paragraph 5B (Permanent Financing). The current proposal is to pay the Short-Term Loans and fund all remaining approved Projects in a twenty year financing, however, if it is more cost effective not to pay the Short-Term Loans then the City may finance the difference between that borrowed for project costs in the Short-Term Loans and ~~\$911~~7.4 million (estimated at approximately ~~\$684~~ million) plus costs of issuance and debt service reserve for the remaining approved Plan projects. With the exception of the Short-Term Loans reflected in Attachment A, no new sale of bonds or indebtedness supported by tax increment revenues may occur nor may existing indebtedness so supported be refunded without approval of the Board of County Commissioners before 2020, except as otherwise approved as provided in Section 4(b)(5) of the Ordinance and Section 5D herein. Furthermore, there shall be no reimbursement of City payments from any funding source to existing projects made prior to adoption of the Ordinance. In no event shall the contribution of Tax Increment Revenues as provided in Table ~~4B~~ 2 supplant funding otherwise provided by City, State, Federal or Private Sources as set out in the "Other Potential Funding Sources" column to the projects in Table ~~4B~~ 2 to the Intown Redevelopment Plan.
- C. May finance approved Plan projects on a pay-as-you go basis using excess Tax Increment Revenues.

- D. Shall from 2005 through 2012, use Tax Increment Revenues to:
- i. pay annual debt service for the Previously Issued Bonds and the Short-Term Loans; then
  - ii. reimburse the City for any payments made by the City from other revenue sources (“Advances”) after April 7, 2005, on the Previously Issued Bonds and the Short-Term Loans; then
  - iii. retire or redeem the outstanding Short-Term Loans; or
  - iv. pay project costs on a pay-as-you-go basis.
- E. Shall from 2012 through 2035, use Tax Increment Revenues to
- i. pay annual debt service for the Permanent Financing and Short-Term Loans, if any; then
  - ii. reimburse the City for any Advances after April 7, 2005, on the Permanent Financing and Short-Term Loans; then
  - iii. retire or redeem any outstanding approved indebtedness; or
  - iv. pay project costs on a pay-as-you-go basis.
- F. Shall appropriate and pay the City’s portion of the Tax Increment Revenues for the Area to the CRA.
- G. Shall not expend Tax Increment Revenues on any project not in the Plan as approved by the Board.
- H. Shall provide the data and analysis necessary for the County to conduct the 15 year review.

**2. Paragraph B of Section 5 of the Intown CRA Interlocal Agreement is hereby amended to read as follows:**

**B. Shall appropriate and pay to the Intown CRA all Tax Increment Revenues from the Area prior to ~~January 1<sup>st</sup>~~ April 1<sup>st</sup> of each year. The County’s obligation to annually budget and appropriate on or before October 1<sup>st</sup> and pay over to the Fund by ~~January 1<sup>st</sup>~~ April 1<sup>st</sup> of each year shall commence immediately upon the effective date of the Ordinance and continue until all approved loans, advances and indebtedness incurred as the result of the Intown Redevelopment Plan have been paid. The County’s increment contributions are to be accounted for as a separate revenue within the fund but may be combined with other revenues for the purpose of paying debt service. In**

no year shall the County's obligation to the Fund exceed the amount of that year's tax increment as determined in Section 2 of the Ordinance. Beginning in 2016, Pinellas County's contribution to the Intown CRA Redevelopment Trust Fund will be reduced from ninety-five percent (95%) to eighty-five percent (85%).

3. Paragraph D iii of Section 5 Intown CRA Interlocal Agreement is hereby amended to read as follows:

iii. The County's obligation to appropriate tax increment revenues under the Ordinance, subject to the foregoing conditions being met, shall terminate the earlier of (i) April 7, 2032, or (ii) as such time as the \$9117.354 million dollars of funding required for the Projects, plus related financing costs, has been repaid, and no refunding thereof shall extend the maturity beyond April 7, 2032, without Board approval.

~~2. Beginning in 2016, Pinellas County's contribution to the Intown CRA Redevelopment Trust Fund will be reduced from 95 percent to 85 percent of the annual tax increment created each year in the Intown CRA.~~

34. Table 2 (TIF Funding Required for New Public Improvement Projects, 2005-2035) of the Intown Redevelopment Plan is hereby amended in the following manner and attached as Exhibit 1:

- a. Add "Downtown Waterfront Master Plan Improvements" to be located in the Pier District with \$20 million in TIF Funds Required, \$20 million in Total Costs, and expected completion year of 2020.
- b. Increase the "Maximum TIF Funds Required" from \$97.354 million to \$117.354 million.
- c. Extend the end date of the "Municipal Pier Project" from "2016" to "2018".
- d. Extend the end date of the "Mixed Use Transportation Facility" project from "2016" to "2018."

45. Except as specifically amended, supplemented or modified by this Fourth Amendment, all of the terms, covenants and conditions of the Intown CRA Interlocal Agreement remain in full force and effect.

*(Signature Page Follows)*

**IN WITNESS WHEREOF**, the Parties have executed this Fourth Amendment effective as of \_\_\_\_\_, 2015.

**PINELLAS COUNTY, FLORIDA,**  
by and through its Board of County  
Commissioners

**CITY OF ST. PETERSBURG**

By: \_\_\_\_\_  
Chairman

By: \_\_\_\_\_  
Mayor

ATTEST:  
**KEN BURKE**, Clerk

ATTEST:  
**CHANDRAHASA SRINIVASA**, City Clerk

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Deputy City Clerk

APPROVED AS TO FORM

APPROVED AS TO FORM

By: \_\_\_\_\_  
Office of the County Attorney

By: \_\_\_\_\_  
Office of the City Attorney

## **Exhibit 1**

Table 2 of the Intown Redevelopment Plan

**TABLE 2**  
**Intown Redevelopment Plan**  
**TIF Funding Required for New Public Improvement Projects - 2005-2035\***

<b>Designated Projects</b>	<b>FY</b>	<b>Location</b>	<b>TIF Funds Required (in \$Millions)</b>	<b>Other Potential Funding Sources</b>	<b>Total Cost</b>
<b>Municipal Pier Project (1)</b>	2008-2016 <del>8</del>	Downtown Waterfront at 2 <sup>nd</sup> Avenue NE	\$50M	To be Determined	\$50M
<i>See Note (1)</i>					
<b><u>Downtown Waterfront Master Plan Improvements – Pier District</u></b>	<u>2016-2020</u>	<u>Pier Approach</u>	<u>\$20M</u>	<u>No other public funding identified.</u>	<u>\$20M</u>
<b>Progress <u>Duke Energy Center for the Arts</u></b>		NE Corner of 1 <sup>st</sup> St/5 <sup>th</sup> Ave S			<u>\$31.286M</u>
Mahaffey Theater	2005-2011		\$25.854M	City (\$2.932M)	
Salvador Dali Museum	2010-2011		\$2.5M		
<b>Mixed Use Transportation Facility</b>	2006-2016 <del>8</del>	TBD	\$14M	No other public funding identified; however, mixed use project would leverage private investment	\$14M
<b>Pedestrian System/Streetscape Improvements</b>	2006-2035	Throughout IRP District	\$2.5M	City	\$2.5M
<b>Park Improvements</b>	2006-2035	Waterfront Park System	\$2.5M	City	\$2.5M

\* TIF expenditures may only be utilized for those Designated Projects in Table 2 where TIF funds are required as noted herein; provided, however, that no TIF expenditures may occur for Projects other than Designated Projects with TIF funds required as noted herein, without prior approval of the St. Petersburg City Council and the Pinellas County Board of County Commissioners.

**TABLE 2**  
**Intown Redevelopment Plan**  
**TIF Funding Required for New Public Improvement Projects - 2005-2035\***

<b>Designated Projects</b>	<b>FY</b>	<b>Location</b>	<b>TIF Funds Required (in \$Millions)</b>	<b>Other Potential Funding Sources</b>	<b>Total Cost</b>
<b>Utility Improvements</b>	2005-2035	Throughout IRP District	\$0	City and Private Developers	TBD
<b>Signage</b>	2005-2035	Throughout IRP District	\$0	City	TBD
<b>Bicycle Trails</b>	2005-2035	Throughout IRP District	\$0	City, State and Federal	TBD
<b>City Marina Improvements</b>	2005-2035	Throughout IRP District	\$0	City, State and Federal	TBD

**Maximum TIF Funds Required: \$9117.354**

\* TIF expenditures may only be utilized for those Designated Projects in Table 2 where TIF funds are required as noted herein; provided, however, that no TIF expenditures may occur for Projects other than Designated Projects with TIF funds required as noted herein, without prior approval of the St. Petersburg City Council and the Pinellas County Board of County Commissioners.

Note (1) Because of the size of the project, the timing and/or amounts necessary for the Municipal Pier Project may need to be revised in the future. Such changes shall only occur in an amendment to the Interlocal Agreement between the City and County.