

COUNCIL MEETING

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

CITY OF ST. PETERSBURG

September 8, 2016
3:00 PM

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

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

GENERAL AGENDA INFORMATION

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

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

A. Meeting Called to Order and Roll Call.

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

B. Approval of Agenda with Additions and Deletions.

C. Consent Agenda (see attached)

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.

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

Setting August 5, 2010 as the public hearing date for the following proposed Ordinance(s):

1. [A private application requesting amendments to the Future Land Use Map and Official Zoning Map designations for the 0.91-acre subject property generally located on the northeast corner of Dr. Martin Luther King Jr. Street South and 6th Avenue South, at 556 Dr. Martin Luther King Jr. Street South. \(City File FLUM-42\)](#)
 - (a) Ordinance amending the Future Land Use Map designation from Institutional/Activity Center to Planned Redevelopment-Mixed Use/Activity Center.
 - (b) Ordinance amending the Official Zoning Map designation from IC/I (Institutional Center/Institutional) to CRT-1 (Corridor Residential Traditional-1), or other less intensive use.
2. [Utility Rates for FY2017 \[MOVED TO NEW ORDINANCES AS D-2\]](#)
 - (a) An Ordinance relating to Utility Rates; amending Chapter 27, Subsections 27-405 (b) (1) amending the Stormwater Utility Fee; providing for severability of provisions; providing an explanation of words struck through and underlined; establishing a date to begin calculating new rates for billing purposes.
 - (b) An Ordinance relating to Utility Rates and charges; amending Chapter 27, Subsections 27-141 (a), 27-142 (a), 27-144 (c), 27-177 (a), 27-283 (a), and Subsections 27-284 (a) and 27-284 (d) of the St. Petersburg City Code; amending volume charges for water

service; amending wholesale water service charges for the City of Gulfport and providing for a 25% out of City surcharge upon expiration of Gulfport's existing agreement; amending volume charges for irrigation only accounts; amending reclaimed water rates and charges; amending base and volume charges for wastewater service; amending wastewater service charges for wholesale customers; providing for severability of provisions; providing an explanation of words struck through and underlined; establishing a date to begin calculating new rates for billing purposes.

E. Reports

1. Land Use & Transportation - (Oral) (Councilmember Kennedy)
 - (a) Forward Pinellas
 - (b) Tampa Bay Transportation Management Area (TBTMA)
 - (c) MPO Action Committee
 - (d) PSTA - (Vice-Chair Rice)
 - (e) Tampa Bay Area Regional Transportation Authority (TBARTA) - (Vice-Chair Rice)
2. Public Arts Commission - (Oral) (Councilmember Kornell)
3. [Authorizing the Mayor or his designee to execute Task Order No. 12-12-KCA/GC to the Architect/Engineering Agreement between the City of St. Petersburg and Kisinger Campo and Associates, Corp. for planning services to develop an action plan for the Warehouse Arts District and Deuces Live.](#)

F. New Business

1. [Referring to the Public Services & Infrastructure Committee \(PSI\) a presentation from the Pinellas County Cooperative Extension in regard to the Best Management Practices \(BMP\) concerning reduction of nitrogen loading to Tampa Bay from community gardening activities. \(Councilmember Kornell\)](#)
2. [Referring to the Public Services & Infrastructure Committee \(PSI\) a discussion of the first quarterly report in regard to the diversion program for several misdemeanor crimes which is being implemented by the Sheriffs department. \(Councilmember Kornell\)](#)
3. [Referring to the Public Services & Infrastructure Committee for a presentation by the Claybaker Foundation and the Parks and Recreation Department on implementation and installation of a proposed Brittany Gordon Veterans Memorial at Dell Holmes Park. \(Councilmember Gerdes\)](#)

G. Council Committee Reports

1. [Budget, Finance & Taxation Committee \(8/25/16\)](#)
 - (a) Resolution of the City Council of the City of St. Petersburg, Florida establishing its intent to reimburse certain capital expenditures incurred in connection with acquisition, construction and equipping of a police headquarters facility, a pistol shooting range and training center, and an attendant parking garage, with proceeds of a future tax-exempt financing; providing certain other matters in connection therewith.

2. [Public Services & Infrastructure Committee \(8/25/16\)](#)
3. [Housing Services Committee \(8/25/16\)](#)
 - (a) Confirming the Mayors appointment of Dr. Basha P. Jordan, Jr. as a member of the St. Petersburg Housing Authority Board of Commissioners.
 - (b) A resolution establishing the policy that the term of all existing past Community Development Block Grant (“CDBG”) loans in the City’s Public Facilities and Improvement Loan Portfolio that have liens attached to the loan recipient’s real property set forth in Exhibit “A” to this resolution (“Non-Conforming CDBG Loans”), conform to the City’s Current Policy for the Housing and Community Development Department Consolidated Plan Programs which currently requires that the loan recipient provide one (1) year of service for every \$25,000 of loan proceeds (“Current Policy”); authorizing the Mayor or his designee to forgive Non-Conforming CDBG Loans that would have expired under the Current Policy and satisfy the associated liens; and to forgive other Non-Conforming CDBG Loans that reach the threshold of the Current Policy and satisfy the associated liens; establishing a new policy for loan terms of future CDBG loans and liens of five (5) years of service for loan proceeds of \$125,000 or less and one year of service for every \$25,000 of loan proceeds for loan proceeds exceeding \$125,000 with a maximum of twenty (20) years of service and establishing that the term of any lien attached to loan recipient’s property to secure the loan proceeds shall be the same length as the years of service to be provided by loan recipient (“Revised Policy”); authorizing the Mayor or his designee to apply the Revised Policy to all older existing CDBG loans currently exceeding the Revised Policy; authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.
4. Committee of the Whole: Update re: Homelessness (8/25/16) [DELETED]

H. Legal

1. An Attorney-Client Session, to be heard at 4:00 p.m., or soon thereafter, pursuant to Florida Statue 286.011(8), in conjunction with the lawsuit styled Bradley Westphal v. City of St. Petersburg, Case No: 1D12-3563 (Fla 1st DCA), L.T. No.: 10-019508SLR (OJCC).

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

Quasi-Judicial Proceedings

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

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

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

1. [A private application pertaining to St. Petersburg Commerce Park, requesting an amendment to the Future Land Use Map and Official Zoning Map designations for an estimated 3.69 acre area, generally located south of 6th Avenue South and north of 8th](#)

[Avenue South and I-275, between 22nd Street South and 23rd Street South. \(City File FLUM-40\)](#)

- (a) Ordinance 723-L amending the Future Land Use Map designation from Industrial General/Target Employment Center Overlay to Planned Redevelopment-Mixed Use/Target Employment Center Overlay.
- (b) Ordinance 753-Z amending the Official Zoning Map designation from IT (Industrial Traditional) to CCT-1 (Corridor Commercial Traditional-1), 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.

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.*

- 2. [Ordinance 1085-V approving a vacation of a portion of unimproved rights-of-way of Country Club Way South and Miranda Way South adjacent to Boyd Hill Nature Park and St. Petersburg Country Club. \(City File No. 16-3300009\)](#)
- 3. [Ordinance 238-H of the City of St. Petersburg, Florida amending Chapter Three of the Municipal Code of Ordinances; creating the EDGE District Specialty Center; creating the process for designating EDGE District Special Events during which certain exemptions to alcoholic beverage regulation may be granted.](#)
- 4. [Ordinance 239-H amending St. Petersburg City Code, Chapter 27 Article V relating to bond requirement and the timing for remittance of fees paid by private haulers operating within the city limits of St. Petersburg.](#)

First Reading and First Public Hearings - 6:30 or soon thereafter

Setting September 22, 2016 as the second reading and second public hearing date for the following proposed Ordinance(s).

- 5. Utility Rates for FY2017 [MOVED TO NEW ORDINANCES AS D-2]
 - (a) An Ordinance relating to Utility Rates; amending Chapter 27, Subsections 27-405 (b) (1) amending the Stormwater Utility Fee; providing for severability of provisions; providing an explanation of words struck through and underlined; establishing a date to begin calculating new rates for billing purposes.
 - (b) An Ordinance relating to Utility Rates and charges; amending Chapter 27, Subsections 27-141 (a), 27-142 (a), 27-144 (c), 27-177 (a), 27-283 (a), and Subsections 27-284 (a) and 27-284 (d) of the St. Petersburg City Code; amending volume charges for water service; amending wholesale water service charges for the City of Gulfport and providing for a 25% out of City surcharge upon expiration of Gulfport's existing agreement; amending volume charges for irrigation only

accounts; amending reclaimed water rates and charges; amending base and volume charges for wastewater service; amending wastewater service charges for wholesale customers; providing for severability of provisions; providing an explanation of words struck through and underlined; establishing a date to begin calculating new rates for billing purposes.

6. Fiscal Year 2017 Tentative Budget and Proposed Millage Rate

- (a) Resolution adopting a proposed millage rate for the Fiscal Year ending September 30, 2017.
- (b) Ordinance (number to come) making appropriations for the fiscal year ending September 30, 2017; making appropriations for the payment of the operating expenses of the City of St. Petersburg, Florida, including its utilities, and for the payment of principal and interest of revenue bonds, and other obligations of the City of St. Petersburg, Florida; making appropriations for the Capital Improvement Program of the City of St. Petersburg, Florida; making appropriations for the dependent special districts of the City of St. Petersburg, Florida; adopting this appropriation ordinance as the budget for the City of St. Petersburg, Florida for fiscal year ending September 30, 2017; and providing for related matters.
- (c) Resolution adopting the tentative budget for the Fiscal Year ending September 30, 2017.

Second Reading and Second Public Hearings

J. Open Forum

K. Adjournment

- 1. On Thursday, September 8, 2016 in City Council Chambers, at 4:00 p.m. or as soon thereafter as the same may be heard, an attorney-client session, pursuant to Florida Statute 286.011(8), will be held in conjunction with the lawsuit styled Bradley Westphal v. City of St. Petersburg, Case No: 1D12-3563 (Fla 1st DCA), L.T. No.: 10-019508SLR (OJCC). Any or all of the following persons will be attending: Charles Gerdes; Jim Kennedy; Ed Montanari; Darden Rice, Vice Chair; Steve Kornell; Karl Nurse; Lisa Wheeler-Bowman; Amy Foster, Chair; Mayor Rick Kriseman; Jacqueline M. Kovilaritch, City Attorney; Jeannine Williams, Chief Assistant City Attorney, Joseph Patner, Assistant City Attorney, Ken MacCollom, Assistant City Attorney; and Danielle Martin, Assistant City Attorney. The open City Council meeting will begin at 3:00 p.m. in City Council Chambers, 175 Fifth Street North, St. Petersburg, Florida. During the public meeting, the session will be closed at 4:00 p.m. or as soon thereafter as the closed session may be heard, and only those persons described above together with a certified court reporter will be allowed to be present. The subject matter of the meeting shall be confined to settlement negotiations and/or strategy related to litigation expenditures. At the conclusion of the closed session the meeting will be re-opened to the public and the closed session will be terminated.

CONSENT



AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

**Consent Agenda A
September 8, 2016**

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.

CONSENT



AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

Consent Agenda B September 8, 2016

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.

(City Development)

1. [Authorizing the Mayor, or his Designee, to execute a License Agreement with the Police Athletic League of St. Petersburg, Inc., a Florida not-for-profit corporation, for the use of the Main Building located at 1450 - 16th Street North within a portion of the City-owned Woodlawn Park for a period of three \(3\) years at an aggregate rent of \\$36.00; and waiving the reserve for replacement requirement of City Council Resolution No. 79-740A. Requires an affirmative vote of at least six \(6\) members of City Council.](#)
2. [Authorizing the Mayor, or his Designee, to execute a License Agreement with Family Resources, Inc., a Florida not-for-profit corporation, for the use of the Arts Wing within a portion of the City-owned Thomas "Jet" Jackson Recreation Center, formerly known as the Wildwood Recreation Center, located at 1000 - 28th Street South, for a period of three \(3\) years at an aggregate rent of \\$36.00; and to execute all documents necessary to effectuate same; waiving the reserve for replacement requirement of City Council Resolution No. 79-740A. Requires an affirmative vote of at least six \(6\) members of City Council.](#)

(Appointments)

3. [Confirming the reappointment and appointment of regular and alternate members to the Development Review Commission.](#)

(Miscellaneous)

4. [Authorizing the Mayor, or his designee, to execute a one \(1\) year agreement with the Pinellas Suncoast Transit Authority in an amount not to exceed \\$75,000 to operate a daily fixed route trolley service program from St. Pete Beach to the eastern terminus of Second Avenue N.E. in downtown St. Petersburg including service to the Pier Parking Lots; and providing an effective date.](#)
5. [Authorizing the Mayor, or his designee, to rescind in the amount of \\$180,000 from the 4th Street/I-175 Interchange Ramp Project to the unappropriated balance of the TIF Capital Improvement Funds and rescind in the amount of \\$95,000 from the same project to the unappropriated balance of the General Fund and to execute all other documents necessary to effectuate this resolution; and providing an effective date.](#)

6. Approving the plat of Arlington & 8th Townhomes, Phase II, generally located on the north side of Arlington Avenue North between 8th Street North and Dr. Martin Luther King Jr. Street North. (City File 15-20000008)
7. Authorizing the Mayor, or his designee, to accept a Federal Emergency Management Agency, Department of Homeland Security Staffing for Adequate Fire and Emergency Response (SAFER) federally funded grant in the amount of \$1,614,457 for the specific purpose of increasing staffing within the Fire Rescue Department; to execute all documents necessary to effectuate this transaction.
8. Authorizing the Mayor, or his designee, to execute a First Amendment to the Construction Agreement between Frederick Derr & Co. and the City of St. Petersburg, Florida dated August 2, 2016, to increase the contract price in an amount not to exceed \$97,565 for the replacement of tree lighting conduit and junction boxes and ten additional irrigation valve boxes for relocated clay pot planter irrigation; approving a rescission in the amount of \$10,000 from the unencumbered appropriation of the Grand Central Project (CP31145) and a transfer to the Central Avenue Improvement Project (14009) in the amount of \$10,000 resulting from this rescission; authorizing a supplemental appropriation in the amount of \$87,565 from the unappropriated fund balance of Neighborhood and Citywide Infrastructure Capital Improvement Fund (3027) to the Central Avenue Improvement Project (Engineering Project Nos. 14064-119 and 16030-111; Oracle Project No. 14009); and providing an effective date.

MEETING AGENDA

CITY OF ST. PETERSBURG

Note: An abbreviated listing of upcoming City Council meetings.

Budget, Finance & Taxation Committee

Thursday, September 8, 2016, 8:00 a.m., Room 100

Public Services & Infrastructure Committee

Thursday, September 8, 2016, 9:15 a.m., Room 100

Youth Services Committee [CANCELED]

Thursday, September 8, 2016, 10:30 a.m., Room 100

Committee of the Whole: Tropicana Field Conceptual Master Plan

Thursday, September 8, 2016, 1:00 p.m., Room 100

Committee of the Whole: Short Term Rentals

Thursday, September 15, 2016, 8:00 a.m., Room 100

Energy, Natural Resources & Sustainability Committee

Thursday, September 15, 2016, 10:00 a.m., Room 100

CRA / Agenda Review

Thursday, September 15, 2016, 1:30 p.m., Room 100

City Council Meeting

Thursday, September 15, 2016, 3:00 p.m., Council Chamber

CITY OF ST. PETERSBURG

Board and Commission Vacancies



Civil Service Board

1 Alternate Member
(Term expires 6/30/17)

City Beautiful Commission

4 Regular Members
(Terms expire 12/31/16 and 12/31/18)

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 rezoning and land use cases, the Property Owner or Applicant bears the burden of proof except in cases initiated by the City, in which event the City Administration bears the burden of proof; for all other applications, the Applicant 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 followed by the Appellant, if different. If Appellant and Applicant are different entities then each is allowed the allotted time for each part of these procedures. If the Property Owner is neither the Applicant nor the Appellant (e.g., land use and zoning applications which the City initiates, historic designation applications which a third party initiates, etc.), they shall also be allowed the allotted time for each part of these procedures and shall have the opportunity to speak last.
 - 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. If there is an Appellant who is not the Applicant or Property Owner, then no Opponent is allowed.
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 appropriate witness. 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, followed by Property Owner, 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, followed by Property Owner, if different.

ST. PETERSBURG CITY COUNCIL

Meeting of September 8, 2016

TO: The Honorable Amy Foster, Chair, and Members of City Council

SUBJECT: City File: FLUM-42: A private application requesting amendments to the Future Land Use Map and Official Zoning Map designations for the 0.91-acre subject property generally located on the northeast corner of Dr. Martin Luther King Jr. Street South and 6th Avenue South, at 556 Dr. Martin Luther King Jr. Street South.

A detailed analysis of the request is provided in Staff Report FLUM-42, attached.

- REQUEST:**
- (A) ORDINANCE ____-L amending the Future Land Use Map designation from Institutional/Activity Center to Planned Redevelopment Mixed-Use/Activity Center.
 - (B) ORDINANCE ____-Z amending the Official Zoning Map designation from IC/I (Institutional Center/Institutional) to CRT-1 (Corridor Residential Traditional-1), or other less intensive use.

RECOMMENDATION:

Administration: The Administration recommends APPROVAL.

Public Input: The subject property is not located within the boundaries of a formal neighborhood association, however, is located within the boundaries of the Downtown Residents Civic Association. To date the Planning & Economic Development Department has received one email requesting more information and one phone call in opposition.

Community Planning & Preservation Commission (CPPC): On August 9, 2016 the CPPC held a public hearing regarding these amendments, and voted 5 to 2 to recommend APPROVAL.

Recommended City Council Action: 1) CONDUCT the first reading of the attached proposed ordinances; AND 2) SET the second reading and adoption public hearing for October 20, 2016.

Attachments: Ordinances (2), 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 ON THE NORTHEAST CORNER OF DR. MARTIN LUTHER KING JR. STREET SOUTH AND 6TH AVENUE SOUTH, AT 556 DR. MARTIN LUTHER KING JR. STREET SOUTH, FROM INSTITUTIONAL/ACTIVITY CENTER TO PLANNED REDEVELOPMENT MIXED-USE/ACTIVITY CENTER; 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 Plan Map and Forward Pinellas, in its role as the Pinellas Planning Council, is authorized to develop rules to implement the Countywide Plan 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 Plan 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 11, 12, 13 AND 14, BLOCK 84 OF REVISED MAP OF ST. PETERSBURG, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 49, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS WAS FORMERLY A PART OF.

Land Use Category

From: Institutional/Activity Center

To: Planned Redevelopment Mixed-Use/Activity Center

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-42
(Land Use)


PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
DATE 8-11-16


ASSISTANT CITY ATTORNEY
DATE 8/15/16

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 ON THE NORTHEAST CORNER OF DR. MARTIN LUTHER KING JR. STREET SOUTH AND 6TH AVENUE SOUTH, AT 556 DR. MARTIN LUTHER KING JR. STREET SOUTH, FROM IC/I (INSTITUTIONAL CENTER/INSTITUTIONAL) 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 11, 12, 13 AND 14, BLOCK 84 OF REVISED MAP OF ST. PETERSBURG, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 49, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS WAS FORMERLY A PART OF.

District

From: IC/I (Institutional Center/Institutional)

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-42
(Zoning)

	8-11-16
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT	DATE
	8/15/16
ASSISTANT CITY ATTORNEY	DATE



CITY OF ST. PETERSBURG
COMMUNITY PLANNING & PRESERVATION COMMISSION
PUBLIC HEARING
August 9, 2016

QUASI-JUDICIAL PUBLIC HEARING

B. City File FLUM-42

Contact Person: Cate Lee, 892-5255

Location: The subject property, estimated to be 0.91 acre in size, is generally located on the northeast corner of Dr. Martin Luther King Jr. Street South and 6th Avenue South at 556 Dr. Martin Luther King Jr. Street South.

Request: To amend the Future Land Use Map designation from Institutional/Activity Center to Planned Redevelopment-Mixed Use/Activity Center and the Official Zoning Map designation from IC/I (Institutional Center/Institutional) to CRT-1 (Corridor Residential Traditional-1), or other less intensive use.

Administration Presentation

Cate Lee gave a PowerPoint presentation based on the staff report.

Commissioner Michaels asked what would happen if the developer fails to develop the site. Ms. Lee stated that this is a policy-level decision, changing from an Institutional Activity Center category to more of a Mixed-Use Activity Center category and this does not obligate the property owner to develop a specific use on the site.

Commissioner Michaels asked if it would be a more orderly way of accomplishing this by looking at the entire district, identifying all properties that merit changing rather than on a piece by piece basis. Ms. Lee stated that this is something they are considering through the Innovation District planning process that they are currently undergoing. However, the applicant came to them with this proposal which supports the broad vision of the Innovation District and staff felt it was important enough to bring forward now in order not to hold up development in an area that is gaining momentum.

Commissioner Michaels asked if affordable housing is being considered on this site or anywhere in the District. Mr. Lee deferred to the applicant or to Brian Caper, the Project Manager to answer. Brian Caper stated that City staff is considering changing the land use for the entire District, with timing being part of the issue. They are trying to align the District's overall land use change with the expiration (in a few years) of the CRD designation associated with the Bayboro Harbor CRA Plan, which the Innovation District overlaps, and that is why this request was brought forward today. The Innovation District has requested affordable housing and is a concern of the institutions, themselves, that make up the District; however, no consideration has been given to specific requirements.

Applicant Presentation

Christian Yepes with Belleair Development Group and authorized agent, gave a presentation in support of the request.

Public Hearing

Dave Grice, 861 5th Terrace S, spoke in opposition of the request.

Executive Session

Commissioner Michaels asked staff to address the medical gateway concern mentioned during the public hearing and what coordination has occurred with the hospital regarding their plans of future development. Mr. Caper stated that both hospitals (John Hopkins All Children's and Bayfront) are part of the Innovation District and members of the Innovation District Board; they participated in the visioning summary that concluded September 2015, with the need for mixed-use was the Board's first conclusion (a need for additional uses than what is currently there). They have not heard of any concerns from the hospitals regarding the scarcity of land or the inability for them to implement their master plans of the future.

Commissioner Wannemacher pointed out that Mr. Yepes stated that they are considering a mixed-use development which could possibly encompass a medical office on the ground floor with residential above. She feels the mixed-use is very compatible for the area and will support the application.

Commissioner Rogo made a motion inadvertently stating approval for the wrong City file. This motion was seconded by Commissioner Wannemacher, and passed by a vote of 5 to 2.

After Commissioner Rogo realized his mistake, a motion to reconsider the previous motion was moved by Commissioner Rogo, seconded by Commissioner Wannemacher, and passed by a vote of 7 to 0.

A new motion was then made:

MOTION: *Commissioner Rogo moved and Commissioner Wannemacher seconded a motion approving to amend the Future Land Use Map designation from Institutional/Activity Center to Planned Redevelopment-Mixed Use/Activity Center and the Official Zoning Map designation from IC/1 (Institutional Center/Institutional) to CRT-1 (Corridor Residential Traditional-1), or other less intensive use.*

VOTE: *YES – Burke, Michaels, Rogo, Wannemacher, Wolf*
NO – Bell, Reese

Motion passed by a vote of 5 to 2.



CITY OF ST. PETERSBURG, FLORIDA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
URBAN PLANNING AND HISTORIC PRESERVATION DIVISION

STAFF REPORT

COMMUNITY PLANNING AND PRESERVATION COMMISSION FUTURE LAND USE MAP AND ZONING MAP AMENDMENT

For Public Hearing and Executive Action on August 9, 2016 beginning at **3:00 p.m.**,
Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

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

CITY FILE NO.:	FLUM-42
OWNERS:	Desai Real Estate Investments, LLC 9404 Pebble Beach Court W. Seminole, FL 33777 Operation Hope of Pinellas, Inc. 463 30 th Street North St. Petersburg, FL 33713
APPLICANT/ AUTHORIZED AGENT:	Carlos A. Yepes Belleair Development Group 6644 78 th Avenue North Pinellas Park, FL 33781
SUBJECT PROPERTY:	The estimated 0.91 acre subject property is generally located on the northeast corner of Dr. Martin Luther King Jr. Street South and 6 th Avenue South. The property is comprised of four parcels, legally described as Revised Map of St. Petersburg, Block 84, Lots 11 through 14. The parcel numbers are 19-31-17-74466-084-0130, -0110, -0111 and -0112.
REQUEST:	The request is to amend the Future Land Use Map designation from Institutional/Activity Center to Planned Redevelopment Mixed-Use/Activity Center and the Official Zoning Map designation from IC/I (Institutional Center/Institutional) to CRT-1 (Corridor Residential Traditional-1).
PURPOSE:	It is the applicant's desire to construct multifamily residential units on site (likely apartments). If the applicant's request is approved, approximately 55 apartments could be constructed.

EXISTING USES

A vacant, one-story office building, owned by Desai Real Estate Investments, LLC, is located on the northeast corner of Dr. Martin Luther King Jr. Street South and 6th Avenue South (Lots 11 and 12). Operation Hope of Pinellas, Inc. owns the adjacent property abutting to the east, comprised of two vacant, one-story office buildings (Lots 13 and 14).

SURROUNDING USES

North: Across 5th Terrace South, multifamily apartments, a single-family home, vacant land, Interstate-175
South: Across 6th Avenue South, surface parking lots, Bayfront Medical Campus, single-family homes in the Historic Roser Park neighborhood, Booker Creek
East: Vacant land, medical office, Bayfront Medical Campus
West: Across Dr. Martin Luther King Jr. Street South, vacant land, medical office, Staybridge Suites Hotel, Campbell Park Elementary School

NEIGHBORHOOD ASSOCIATION

The subject property is not located within the boundaries of a formal neighborhood association, however, the Campbell Park Neighborhood Association is located to the west and Historic Roser Park Neighborhood Association to the south. The property is located within the boundaries of the Downtown Residents Civic Association.

ST. PETERSBURG INNOVATION DISTRICT

The subject property is located within the St. Petersburg Innovation District.

ZONING HISTORY

The subject property was designated with IC/I (Institutional Center/Institutional) zoning in September 2007, following implementation of the City's Vision 2020 Plan, the City-wide rezoning and update of the City Code, Chapter 16, Land Development Regulations (LDRs).

APPLICABLE REGULATIONS

The subject property is estimated to be 0.91 acres (or 39,640 sq. ft.) in size, and as noted, the property is located within the Intown Activity Center.

Assuming all zoning district regulations are met, under the *existing* IC/I (Institutional Center/Institutional) zoning the following could be developed:

- 54,300 sq. ft. of marine-related, post-secondary school, accessory medical office or research & development uses developed at a 1.37 FAR, which reflects the property's location within an activity center; or
- 21,800 sq. ft. restaurant and bar, reflecting a non-residential FAR of 0.55; or
- 11 multifamily residential units could be constructed as an accessory use, reflecting a density of 12.5 units per acre; or
- 33 bed nursing home or assisted living facility, reflecting a residential equivalent use of three (3) beds per residential unit.

Assuming all zoning district regulations are met, under the *requested* CRT-1 zoning the following could be developed:

- 99,000 sq. ft. of general or medical office space, personal/office service space, or research and development space, all developed at a 2.5 FAR, which reflects the property's location within an activity center; or
- 55 multifamily residential units at a density of 60 units per acre, again, reflecting the property's location within an activity center; or
- 165 bed nursing home or assisted living facility, reflecting a residential equivalent use of three (3) beds per residential unit.

ANALYSIS

Consistency with the Comprehensive Plan

The proposed amendments are consistent with the Comprehensive Plan:

- The proposed amendments will accommodate higher density development consistent with Objective LU2, which supports a compact urban development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services by concentrating more intensive growth in activity centers and other appropriate areas.
- The proposed amendments are consistent with Policy LU2.3 which encourages concentrating growth and attracting large-scale, quality development within the City's activity centers.
- The proposed amendments are consistent with Policy LU3.11 which encourages more dense residential uses to be located along designated major streets and in close proximity to activity centers. The subject property is located along a major street (Dr. Martin Luther King Jr. Street South) and is within an activity center (Intown).

St. Petersburg Innovation District

The subject property is located within the boundaries of the St. Petersburg Innovation District, a triangular-shaped geographic area that abuts the downtown's southern boundary. The St. Pete Innovation District is a collaboration between twelve different organizations representing higher education, marine & life sciences, healthcare, business incubation, and media communication. The District lies immediately south of downtown and incorporates the Medical District, USFSP, and Bayboro Harbor. A Visioning Summary Report for the district was completed in September 2015. Currently, a Streetscape & Connectivity Plan and Branding Strategy are underway for the Innovation District. Key aspects of the Plan will include recommendations for improving the District's brand positioning, gateway signage, landscaping, crosswalks, sidewalks, bicycle lanes, bus stops and shelters, landscaped medians, and potential for public art. By the end of 2016 it is anticipated that an Action Plan (consisting of the Visioning Summary, Streetscape Plan, and Branding Strategy) will be adopted for the District.

It should be noted that, in conjunction with and parallel to the streetscape and connectivity planning project, City staff is presently analyzing the IC/I (Institutional Center/Institutional) and IC/CRD (Institutional Center/Community Redevelopment District) zoning district regulations, which comprise the majority of the Innovation District. Both the City and the Innovation District Board recognize that the present zoning regulations are too restrictive in terms of the mix of uses and maximum FAR that is desired and needed to make the District successful. For example, allowing hotels within the District would complement the anticipated job generating redevelopment in this area of the City. To achieve the desired mix of uses and FAR, staff anticipates proposing land use changes, whether that is in the form of additional future land use map and zoning map amendments and/or changes to the LDRs.

Concerns about losing critical land available for employment generating uses are mitigated by two factors. First, the land within the Innovation District is largely owned and controlled by the companies and institutions that are driving job growth in the District. Second, allowing additional mixed uses is critical to making the District more vibrant and attractive to the technology, and marine and life sciences companies and talent that will drive future growth in the District.

The anticipated multifamily residential (apartment) development will increase the supply of multifamily residential units for the employers and employees within the Innovation District, consistent with Objective LU4, which states that the City shall provide opportunities for additional residential development where appropriate.

Public Services and Facilities

The proposed amendments will not have a negative effect upon the City's public services and facilities. There is more than adequate capacity to serve the subject property, including potable water, sanitary sewer, solid waste, recreation, and stormwater management.

SPECIAL NOTE ON CONCURRENCY

Public facility impacts are generally addressed further in this report. Approval of this request does not guarantee that the subject property will meet the requirements of concurrency at the time development permits are requested. **Completion of this Future Land Use Map amendment and rezoning does not guarantee the right to develop on any of the subject property.** Upon application for site plan review, or development permits, a full concurrency review will be completed to determine whether or not the proposed development may proceed. The property owner will have to comply with all laws and ordinances in effect at the time development permits are requested.

RECOMMENDATION

City staff recommends APPROVAL of the request to amend the Future Land Use Map designation from Institutional/Activity Center to Planned Redevelopment Mixed-Use/Activity Center and to amend the Official Zoning Map designation from IC/I (Institutional Center/Institutional) to CRT-1 (Corridor Residential Traditional-1), based on consistency with the 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 objective from the Comprehensive Plan are applicable:

- LU2: The Future Land Use Plan shall facilitate a compact urban development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services by concentrating more intensive growth in activity centers and other appropriate areas.
- LU2.1 To facilitate compact urban development the City shall adopt the following activity centers as part of this Land Use Plan:
2. Intown
- 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 do the following:
2. Continue to develop, evaluate and implement appropriate activity center development incentives.
- 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.
- LU3.11 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.
- LU3.15 The Land Use Plan shall provide housing opportunity for a variety of households of various age, sex, race and income by providing a diversity of zoning categories with a range of densities and lot requirements.
- LU4 The following future land use needs are identified by this Future Land Use Element:
- (1) Residential – the City shall provide opportunities for additional residential development where appropriate.

- b. Whether the proposed amendment would impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.**

The proposed amendment will not impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.

- c. Whether the proposed change would alter population or the population density pattern and thereby impact residential dwelling units and or public schools.**

The requested CRT-1 zoning provides a greater residential density for multifamily residential development than the present IC/I zoning regulations (60 units/acre vs. 12.5 units/acre, respectively). The 60 units/acre density reflects the property's location within an activity center. This proposed change will not significantly 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, recreation, and stormwater management and impact on LOS standards for traffic and mass transit.**

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, recreation, and stormwater management and standards for traffic and mass transit. 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 Southwest Water Reclamation Facility, which presently has excess capacity estimated to be 3.7 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.

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.

TRAFFIC

Existing Conditions

The estimated 0.91 acre subject property is generally located on the northeast corner of Dr. Martin Luther King Jr. Street South and 6th Avenue South. The subject property has access to Dr. ML King Jr. Street South, 6th Avenue South and 5th Terrace South. Dr. ML King Jr. Street South is a four-lane, one-way facility that is classified as a minor arterial and maintained by the City. Sixth Avenue South and 5th Terrace South are local roads.

Based on the Pinellas County Metropolitan Planning Organization's (MPO's) 2015 Level of Service Report, the level of service (LOS) for Dr. ML King Jr. Street South within the vicinity of the subject property is "C." This LOS determination is based on the 2014 average annual daily traffic (AADT) volume of 12,370. The volume-to-capacity ratio for this facility is 0.315.

On May 1, 2016 the Pinellas County Multimodal Impact Fee (MIF) Ordinance became effective, replacing the previous Transportation Impact Fee (TIF) Ordinance. The new MIF Ordinance principally resulted from the implementation of the Pinellas County Mobility Plan and elimination of transportation concurrency requirements, countywide. Transportation management plans, and in some cases traffic studies, will be required for large development projects (51 new peak hour trips or more) that impact a deficient roadway (LOS E or F, and/or a volume-to-capacity ratio of 0.9 or higher with no

mitigating improvements scheduled within three years). The City's only deficient roadways are 1) 22nd Avenue North from 34th Street to 22nd Street, 2) 38th Avenue North from 49th Street to 34th Street, 3) Gandy Boulevard from US 19 to I-275, 4) Gandy Boulevard from 4th Street to Brighton Bay Boulevard NE, and 5) I-275 from Gandy Boulevard to I-175.

The proposed amendment does not affect any of the City's deficient roadways. There is adequate roadway capacity to accommodate any new daily or p.m. peak hour trips resulting from the amendment.

Source: City of St. Petersburg, Transportation and Parking Management Department.

MASS TRANSIT

The PSTA has five routes that provide local transit service along Dr. MLK Jr. St. South. Route 7 and 20 have a peak hour service frequency of 60 minutes. Route 14, 23, and 79 have a peak hour service frequency of 30 minutes.

- e. Appropriate and adequate land area sufficient for the use and reasonably anticipated operations and expansion.**

The land area is both appropriate and sufficient for the anticipated multifamily residential development.

- 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 CRT-1 zoned land in the City.

- g. Whether the proposed change is consistent with the established land use pattern.**

The proposed change is consistent with the established land use pattern to the west.

- h. Whether the existing district boundaries are logically drawn in relation to existing conditions on the property proposed for change.**

The existing zoning district boundaries are not illogically drawn in relation to existing conditions on the property proposed for change.

- 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.**

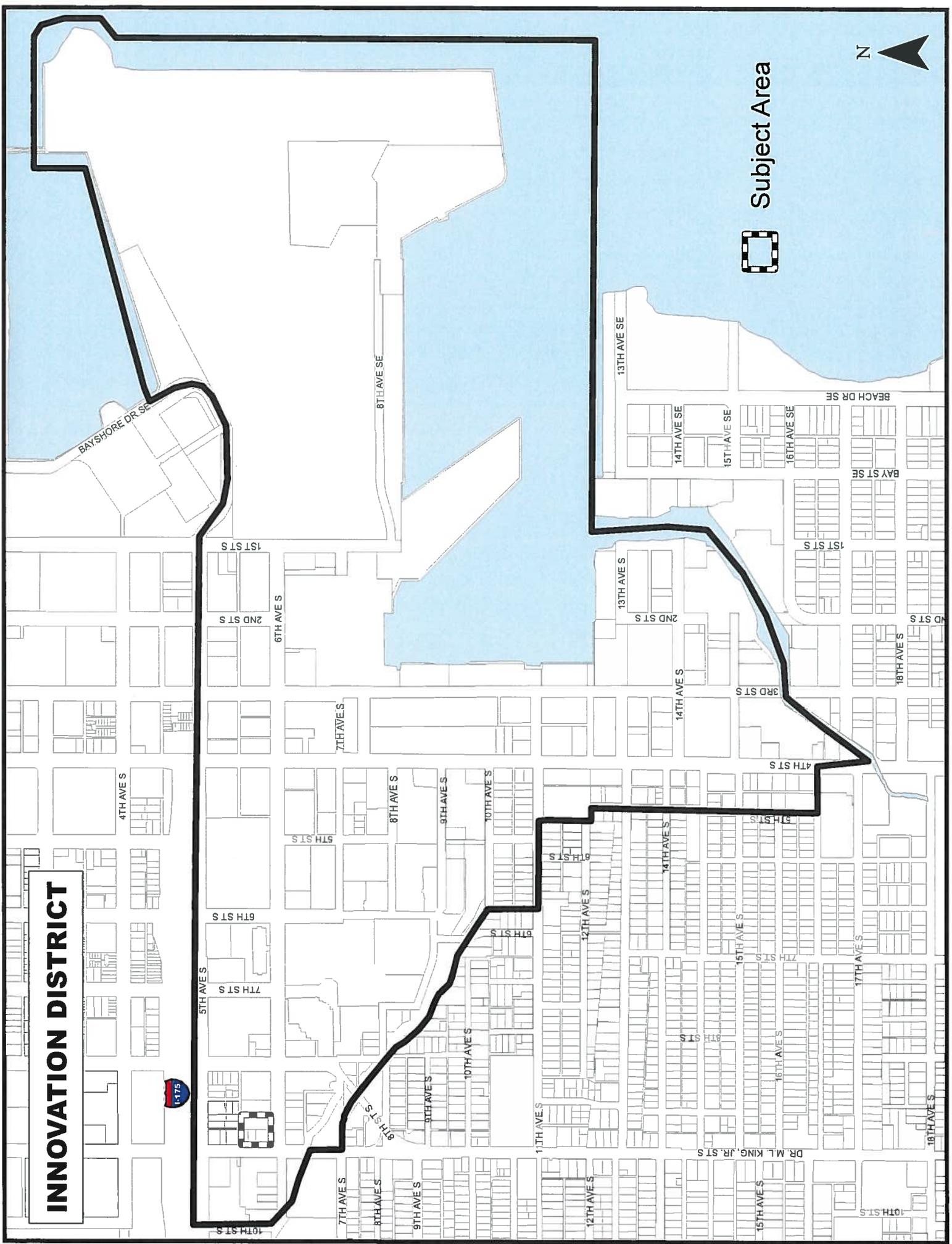
Not applicable.

- 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 the 100-year flood plain. The property is not located within the CHHA (Coastal High Hazard Area).

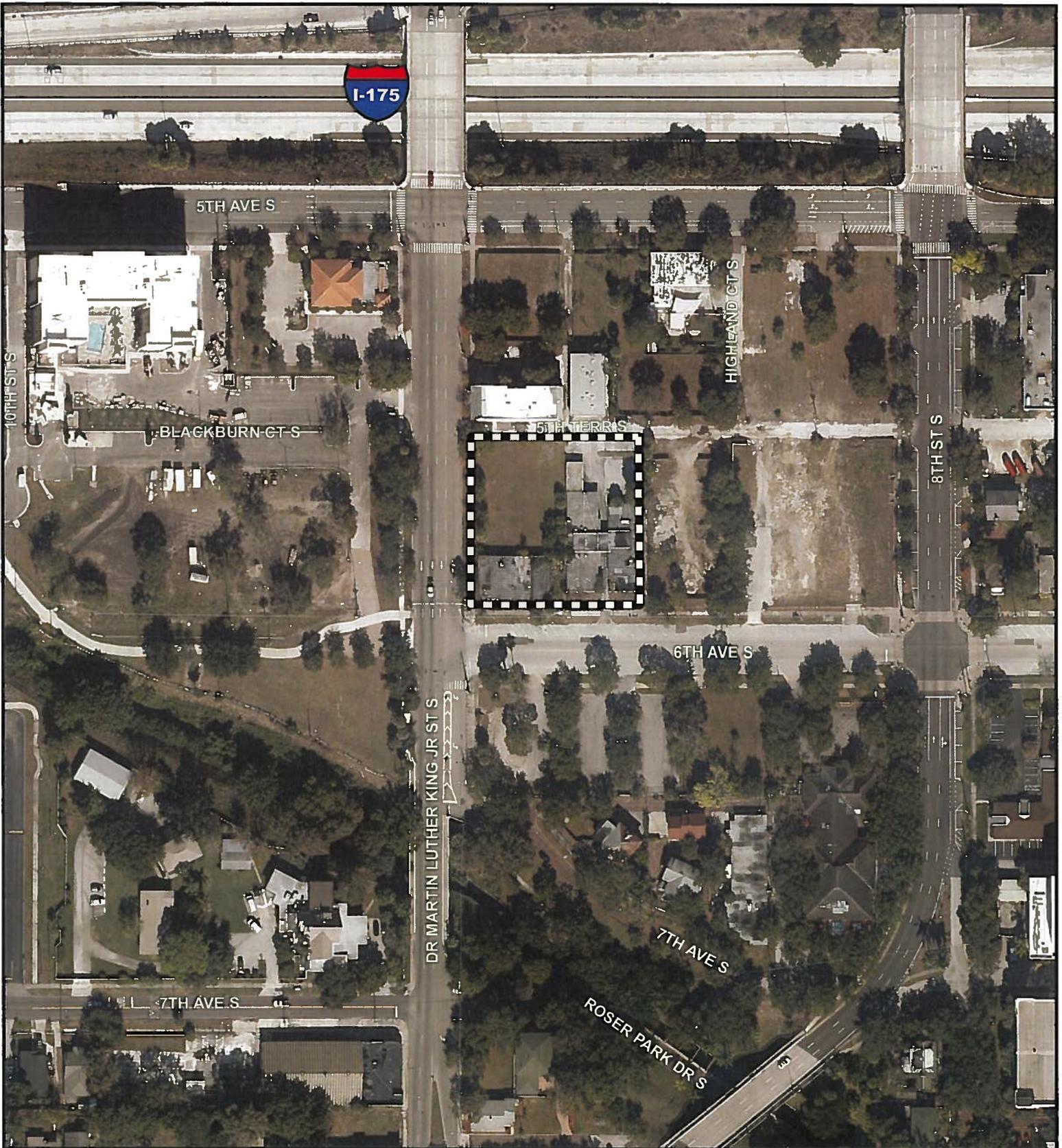
- k. Other pertinent information.** None.

INNOVATION DISTRICT



Subject Area





AERIAL

CITY FILE

FLUM-42

SCALE: 1" = 150'



SUBJECT AREA



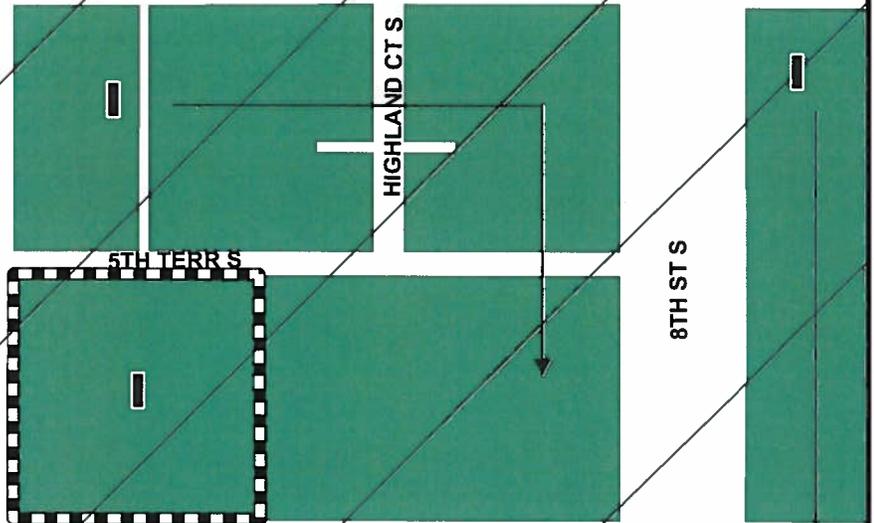


5TH AVE S

10TH ST S

BLACKBURN CT S

PR-MU

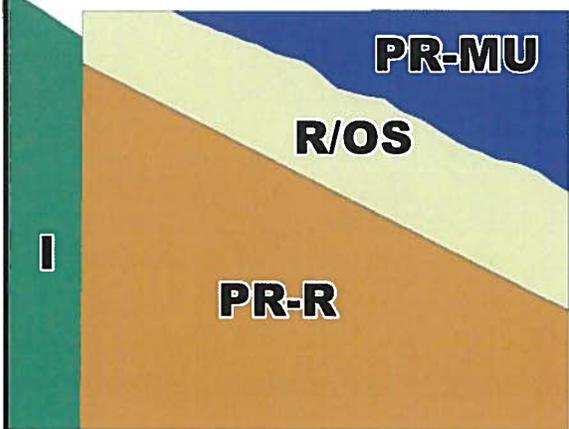


HIGHLAND CT S

5TH TERR S

8TH ST S

6TH AVE S

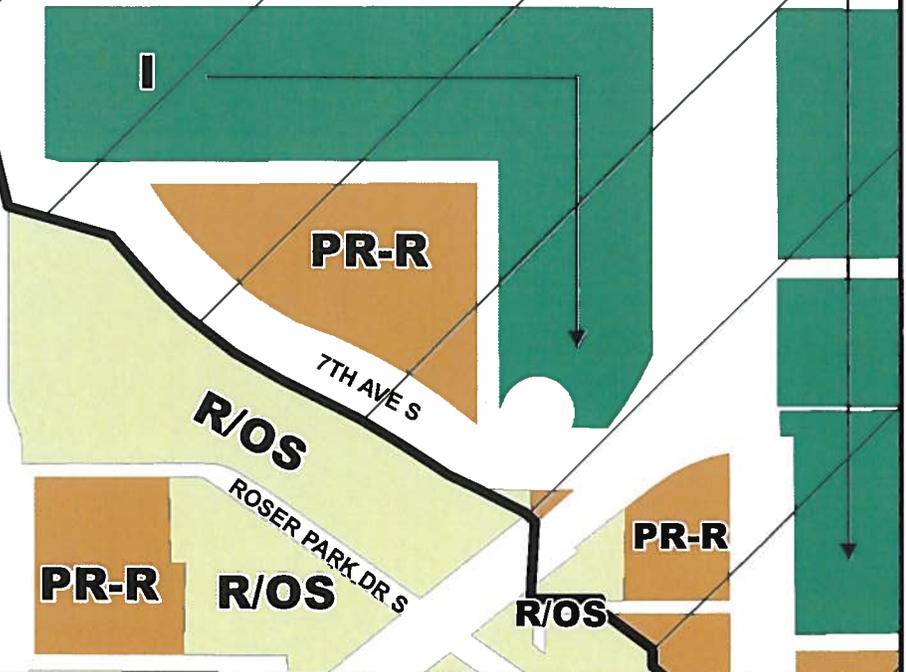


PR-MU

R/OS

PR-R

DR MARTIN LUTHER KING JR ST S



PR-R

R/OS

PR-R

7TH AVE S

PR-R

PR-MU

PR-R

R/OS

PR-R

R/OS

7TH AVE S

ROSER PARK DR S

FUTURE LAND USE PLAN DESIGNATION

CITY FILE

FLUM-42

SCALE: 1" = 150'

From: I/AC
(Institutional
/Activity Center)

Activity Center



SUBJECT AREA

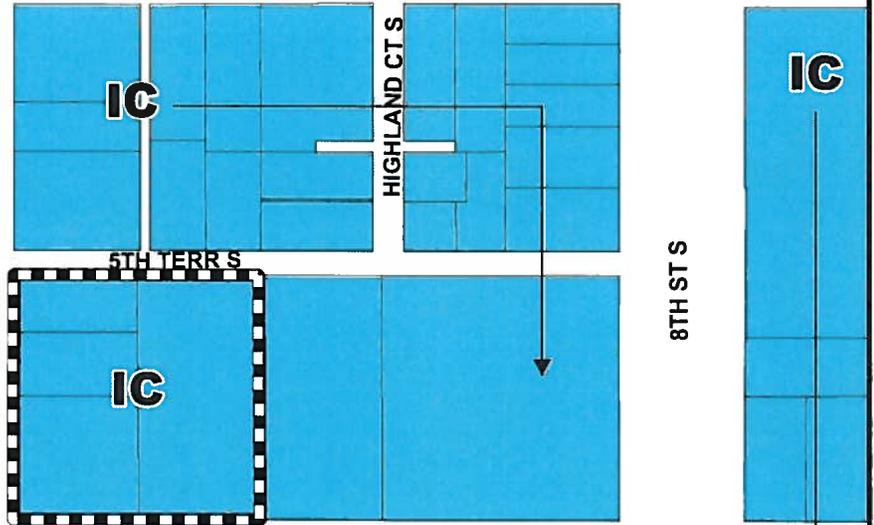
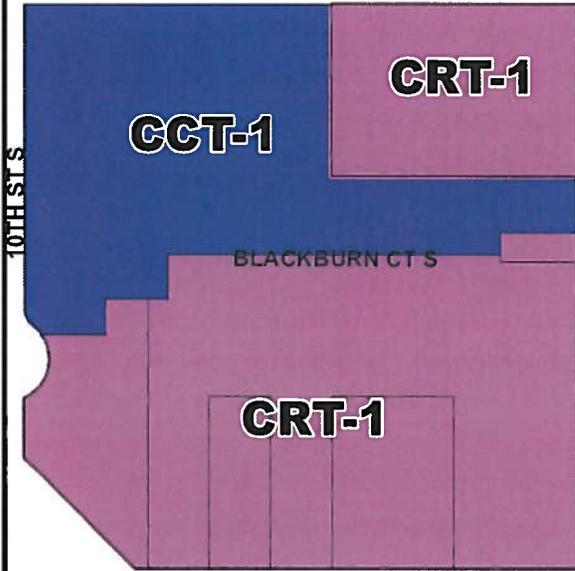
To: PR-MU/AC
(Planned Redevelopment
Mixed-Use/Activity Center)

Activity Center

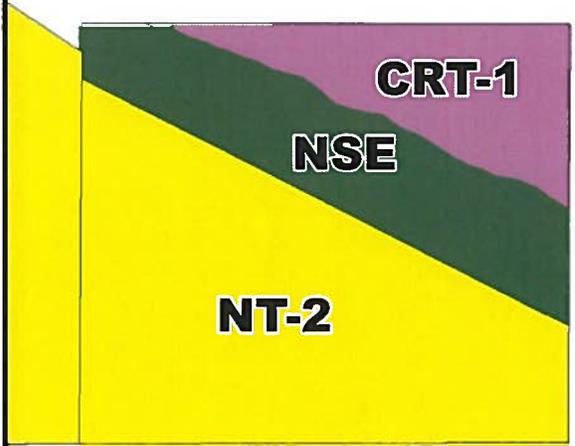




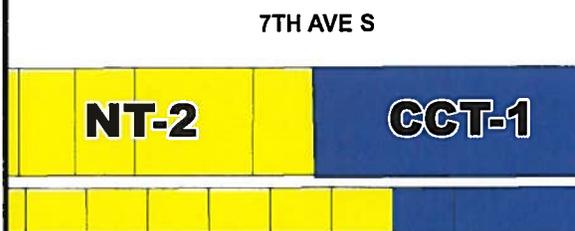
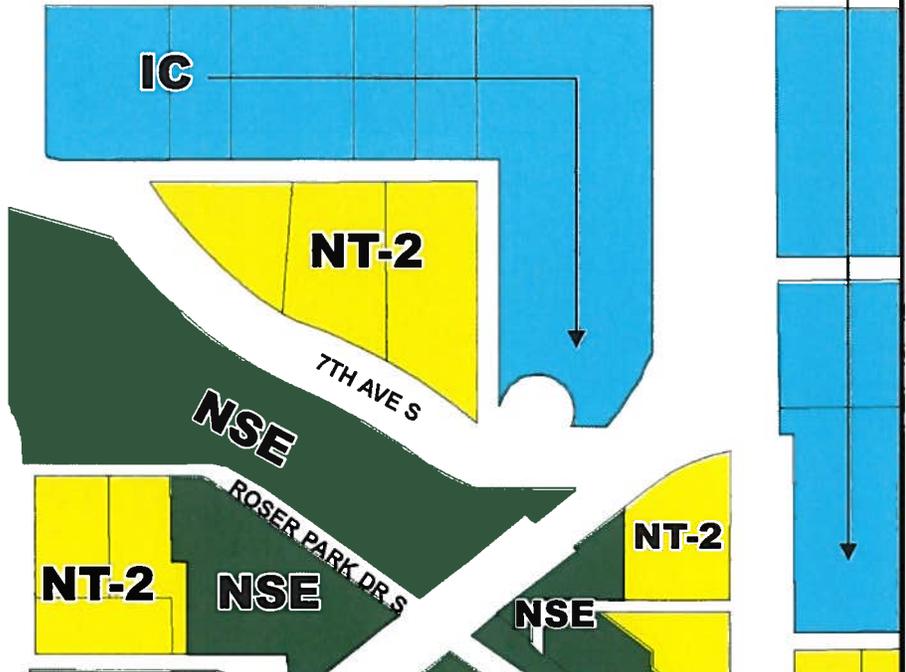
5TH AVE S



6TH AVE S



DR MARTIN LUTHER KING JR ST S



EXISTING ZONING

CITY FILE

FLUM-42

SCALE: 1" = 150'

From: IC
(Institutional Center)

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



SUBJECT AREA





5TH AVE S

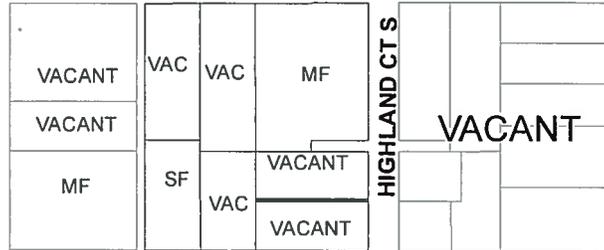
10TH ST S

STAYBRIDGE SUITES HOTEL

MEDICAL OFFICE

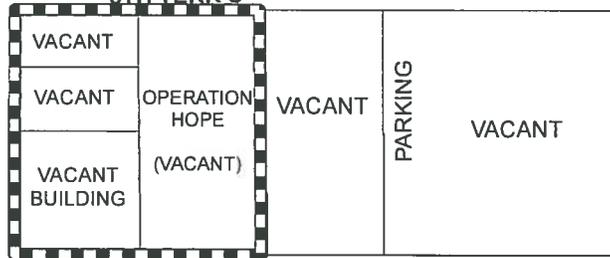
BLACKBURN CT S

VACANT LAND
(132-unit multifamily project currently proposed)



8TH ST S

5TH TERR S



6TH AVE S

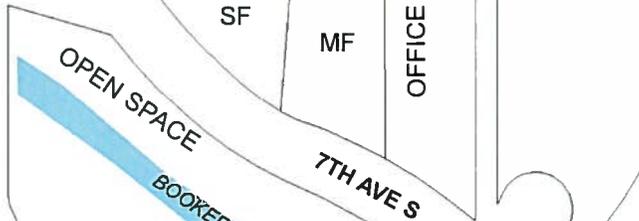
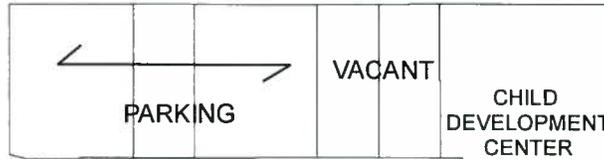
CAMPBELL PARK ELEMENTARY SCHOOL

VACANT

BROOKWOOD

BOOKER CREEK

DR MARTIN LUTHER KING JR ST S

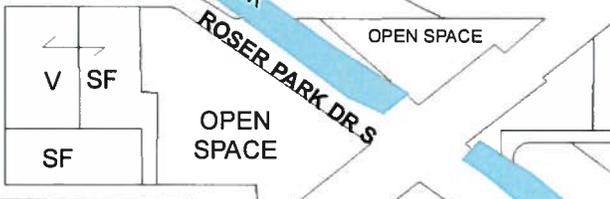


7TH AVE S

RESIDENTIAL PARKING

VACANT AUTO REPAIR BUSINESS

SF V VACANT



EXISTING SURROUNDING USES

CITY FILE

FLUM-42

SCALE: 1" = 150'



SUBJECT AREA





September 8, 2016

TO: Honorable Amy Foster, Chair and Members of City Council

FROM: Mayor Rick Kriseman

SUBJECT: Utility Rates for FY2017 (First Reading)

Attached is the Utility report recommending rates associated with water, wastewater, reclaimed water, and stormwater. This report was reviewed at BF&T on August 25th and today, the First Reading is scheduled. The final adoption of utility rates will take place in a Public Hearing held on September 22nd. There are two separate Ordinances requiring action.

The attached report provides detailed information for the proposed rates in each of the enterprise operations. No increase is proposed for the water rate. A 9.75% increase is proposed for the wastewater rate and a 4.25% increase is proposed for the reclaimed water rate. For the first time since 2009, the Stormwater fee is being increased by 9.65% or \$0.66 per month. No increase is proposed for sanitation service in either residential or commercial services.

Last year at this time, we anticipated a 3.25% overall increase in FY17 for water, wastewater and reclaimed water. However, based on a revenue sufficiency analysis, the rate study recommends an overall increase of 5.25% for water and wastewater customers and 4.25% for reclaimed water customers in FY17. The study also recommended an increase in the Stormwater fee due to a \$1.4 million increase in debt service in FY19 as well as an increase in operating expenses in FY17. The overall increase on a typical utility bill will be **\$4.60** with reclaimed water or **\$3.73** without reclaimed water.

TYPICAL CUSTOMER UTILITY BILL					
4,000 Gallons Water & Wastewater Use/Month					
Services	FY2016	Proposed FY 2017	Amount Change	Percent Change	% Water/ Sewer
Sanitation (including recycling)	\$25.28	\$25.28	\$0.00	0.00%	
Potable Water	\$26.93	\$26.93	\$0.00	0.00%	5.25%
Wastewater	\$31.53	\$34.60	\$3.07	9.75%	
Stormwater	\$6.84	\$7.50	\$0.66	9.65%	
Reclaimed Water	\$20.42	\$21.29	\$0.87	4.25%	
TOTAL (including Reclaimed)	\$111.00	\$115.60	\$4.60	4.15%	
(12% of Customers)					
TOTAL (excluding Reclaimed)	\$90.58	\$94.31	\$3.73	4.12%	

CDT:er
Attachments



MEMORANDUM

TO: Mayor Rick Kriseman

FROM: Claude D. Tankersley, P.E.
Public Works Administrator

DATE: August 25, 2016

SUBJECT: FY2017 Utility Rate Studies (Water Resources and Stormwater)

Executive Summary

City staff and the financial rate team of McKim & Creed, P.A. and Hawksley Consulting (formerly Burton & Associates) have conducted a revenue sufficiency analysis and cost of service rate study for the water, wastewater and reclaimed water systems. They were also hired to conduct a separate revenue sufficiency analysis for the stormwater system. Based on their analysis, and incorporating our proposed FY17 rate increases, below is a typical customer utility bill for someone using 4,000 gallons per month and utilizing recycling and reclaimed water services.

Table 1

TYPICAL CUSTOMER UTILITY BILL					
4,000 Gallons Water & Wastewater Use/Month					
Services	FY2016	Proposed FY 2017	Amount Change	Percent Change	% Water/ Sewer
Sanitation (including recycling)	\$25.28	\$25.28	\$0.00	0.00%	
Potable Water	\$26.93	\$26.93	\$0.00	0.00%	5.25%
Wastewater	\$31.53	\$34.60	\$3.07	9.75%	
Stormwater	\$6.84	\$7.50	\$0.66	9.65%	
Reclaimed Water	\$20.42	\$21.29	\$0.87	4.25%	
TOTAL (including Reclaimed)	\$111.00	\$115.60	\$4.60	4.15%	
(12% of Customers)					
TOTAL (excluding Reclaimed)	\$90.58	\$94.31	\$3.73	4.12%	

Last year at this time, we anticipated a 3.75% overall increase in FY17 to help meet projected costs and service demands for water, wastewater and reclaimed water services. However, based on the revenue sufficiency analysis, which includes a number of different capital enhancements, primarily to the wastewater system, the rate study recommends an overall increase of **5.25%** for retail water and wastewater customers and 4.25% for reclaimed water customers in FY17. Additionally, due to a \$1.4 million increase in debt service in FY19 in the Stormwater Fund as well as an increase in operating expenses of \$1.6 million in FY17, the monthly Stormwater Utility fee will have a \$0.66 increase beginning October 1. The overall increase on a typical utility bill will be **\$4.60** with reclaimed water or **\$3.73** without reclaimed water.

As noted in Table 1, the Potable Water rates are recommended to stay the same, while the Wastewater rates are recommended to have a 9.75% increase. Because of the added emphasis on wastewater improvements, the rate revenue is being assigned based on the utility's demands. Approximately every 5 years, the rate increase is split to align rate revenue with system expenses. For the first time since FY09, the Stormwater fee is being increased. In FY11, the fee was reduced by \$0.01, in accordance with the recommended Consumer Price Index (CPI). The Stormwater fee was tied to the local CPI until 2013, when the Ordinance removed that requirement. As noted earlier, debt service demands coming due in FY19 has required a series of rate increases to generate sufficient revenues.

Customer Notifications and Committee Review

State Statute 180.136 establishes certain notification requirements when municipal utilities propose rate increases. The City has met those requirements through inserts in the utility billing process (see Attachment 1). Letters have also been sent to wholesale water and wastewater customers notifying them of proposed adjustments. Following review by the Budget, Finance, and Taxation Committee on July 28, 2016 and then again on August 25, 2016, it is anticipated that the proposed rates will be considered at a First Reading on September 8, 2016 and a Public Hearing on September 22, 2016. If the proposed rates are approved on September 22nd, they would go into effect October 1st.

Reclaimed Water

The Reclaimed Water rate increase is recommended at 4.25%. If approved, the monthly reclaimed water rate would be increased to \$21.29 from the current monthly rate of \$20.42.

Since the costs incurred to provide reclaimed water service are currently not fully recovered through the charges to reclaimed water customers, the residual costs in excess of total reclaimed water revenues are split evenly between the water and wastewater systems, given the benefits the reclaimed water provides to both the water and wastewater systems. Those benefits to the water system are primarily associated with the conservation of water use that translates to cost avoidance in developing new raw water supplies. In addition to the use of this alternative water source to irrigate grass and landscape, reclaimed water is used to support air conditioning cooling towers and provide increased fire protection with the addition of 310 fire hydrants. Benefits to the wastewater system are based on the treated wastewater disposal option provided, in lieu of total discharge to the deep wells or advanced water treatment required for surface water discharge.

With the proposed increases, revenue generated from the reclaimed water fees is \$3,523,204 and the cost to operate is \$5,263,016. As mentioned earlier, the anticipated revenue does not fully cover the cost to operate the reclaimed water system. However the residual amount has been decreasing steadily since 2011. Based on direction by City Council at a meeting on August 4, 2016, the reclaimed water fees will go up 10% annually beginning in FY18. This has been incorporated into the 5 year rate plan by Hawksley Consulting. The intent is to make Reclaimed water as self-sufficient as possible.

Projected FY17 System Requirements

During this year’s rate analysis, we looked at projected FY17 expense requirements and anticipated revenue. The operating budget for the Water Resources Department is projected at \$123,865,516 in FY17, an increase of 5.0% over the FY16 approved operating budget. Continuing in FY17, we are increasing the transfer to the Capital Improvement Fund by \$1,000,000. In previous years the bond rating agencies expressed concern that cash funded capital was low while we continued to issue new debt. Beginning in FY15, we began transferring an additional \$1,000,000 to the Capital Improvement Fund. In FY17, we will be transferring \$6,500,000. In accordance with direction approved at the Budget, Finance and Taxation Committee on July 28, 2016, an additional 1% was applied to the wastewater rate, generating an additional \$500,000 for the purposes of cash funding capital.

As previously mentioned, the FY17-21 Capital Improvement Plan includes significant capital enhancements to the water reclamation facilities, including increasing peak day treatment capacity at the Southwest Water Reclamation Facility from 40 mgd to 60 mgd and increasing peak hour capacity to 70 mgd. Improvements also include spending \$10.5 million for collection system improvements (structural repair and inflow and infiltration) repair in FY17 and \$14.5 million annually between FY18 and FY21. Below is a summary of the 5-year Capital Improvement Plan.

Table 2

Water Resources 5-Year CIP Plan						
(000's omitted)						
	FY17	FY18	FY19	FY20	FY21	TOTAL
Cosme & Repump Stations	\$6,532	\$496	\$964	\$121	\$1,725	\$9,838
Water Distribution Maint.	\$11,085	\$5,830	\$5,795	\$6,565	\$8,610	\$37,885
Water Reclamation Facilities	\$25,925	\$23,825	\$14,950	\$9,200	\$12,300	\$86,200
Wastewater Collection Maint.	\$10,640	\$15,200	\$14,500	\$15,000	\$19,700	\$75,040
Lift Stations	\$2,910	\$260	\$1,100	\$1,975	\$2,100	\$8,345
Other	\$1,440	\$400	\$150	\$170	\$350	\$2,510
TOTAL	\$58,532	\$46,011	\$37,459	\$33,031	\$44,785	\$219,818

Debt Service is programmed into the rate analysis based on preliminary debt issuance in FY17 (\$50.1 million), FY18 (\$37.3 million), FY19 (\$29.5 million), FY20 (\$24.7 million) and FY21 (\$37.4 million).

On June 20, 2016, the Tampa Bay Water Board (TBW) approved its FY17 budget at a public hearing. St. Petersburg’s cost of purchasing raw water from TBW is anticipated to increase slightly for FY17, however, due to projected increases in consumption and an increase in anticipated interest earnings, the TBW pass-thru rate on the utility will actually go down. Interest earnings from the Rate Stabilization Fund continue to be used to help offset the cost of water.

The anticipated earnings in FY17 are budgeted at \$1,585,541, which is more than \$293,000 higher than the current fiscal year. Details of the Potable Water rates are on Attachments 2 and 3.

The proposed rate increase for FY16 is mitigated by the use of the Water Cost Stabilization Fund to meet the Target Fund Balance for three (3) months of operating expenses associated with water, wastewater and reclaimed water. Two (2) months of the Target Fund Balance are proposed to be met by a portion of the Water Cost Stabilization Fund reserve while one (1) month will be met by the Operating Fund reserve. The target fund balance excludes the transfer to capital share of expenses.

Rate Data on Other Local Entities

Assuming that the recommended rates are implemented, the City’s water and wastewater rates are shown in Figures 1, 2 and 3 in comparison to other local governments. Please note that the rates of the other governmental entities have been adjusted to reflect proposed rate increases for FY17 as advised by each entity. No increase is shown for those communities whose rate analysis is not complete as of this writing or do not intend to increase their rates at this time.

Figure 1

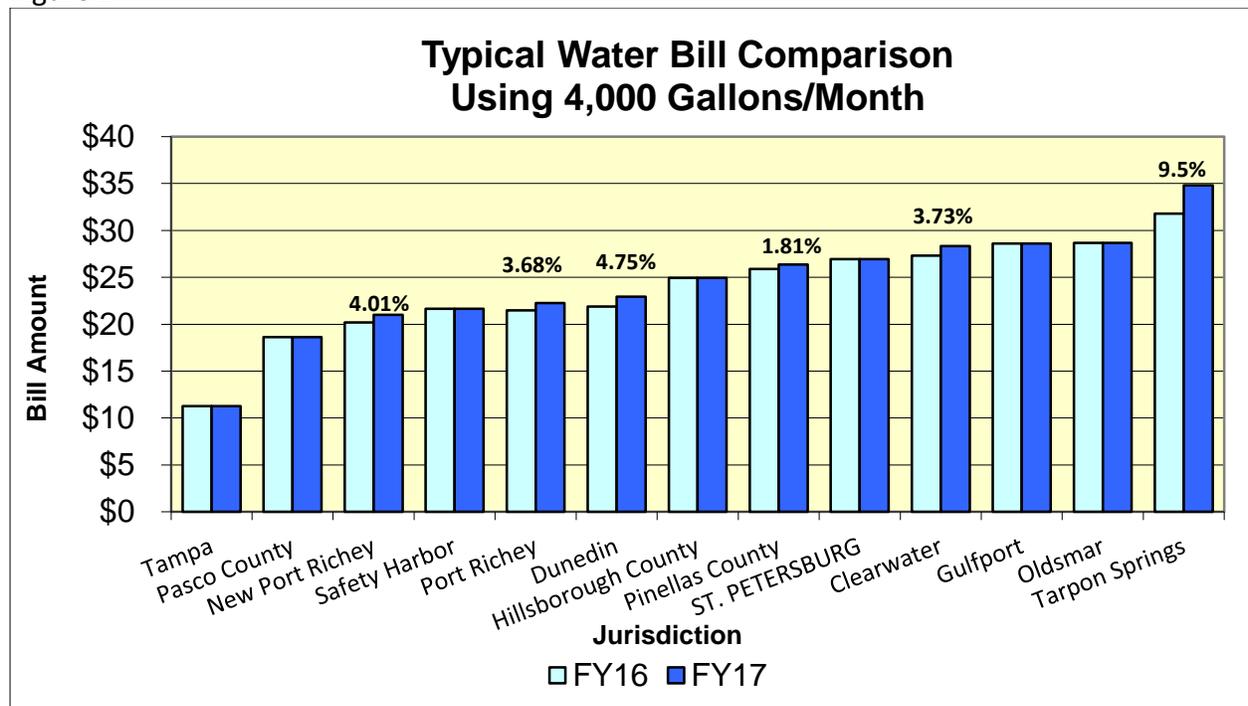


Figure 2

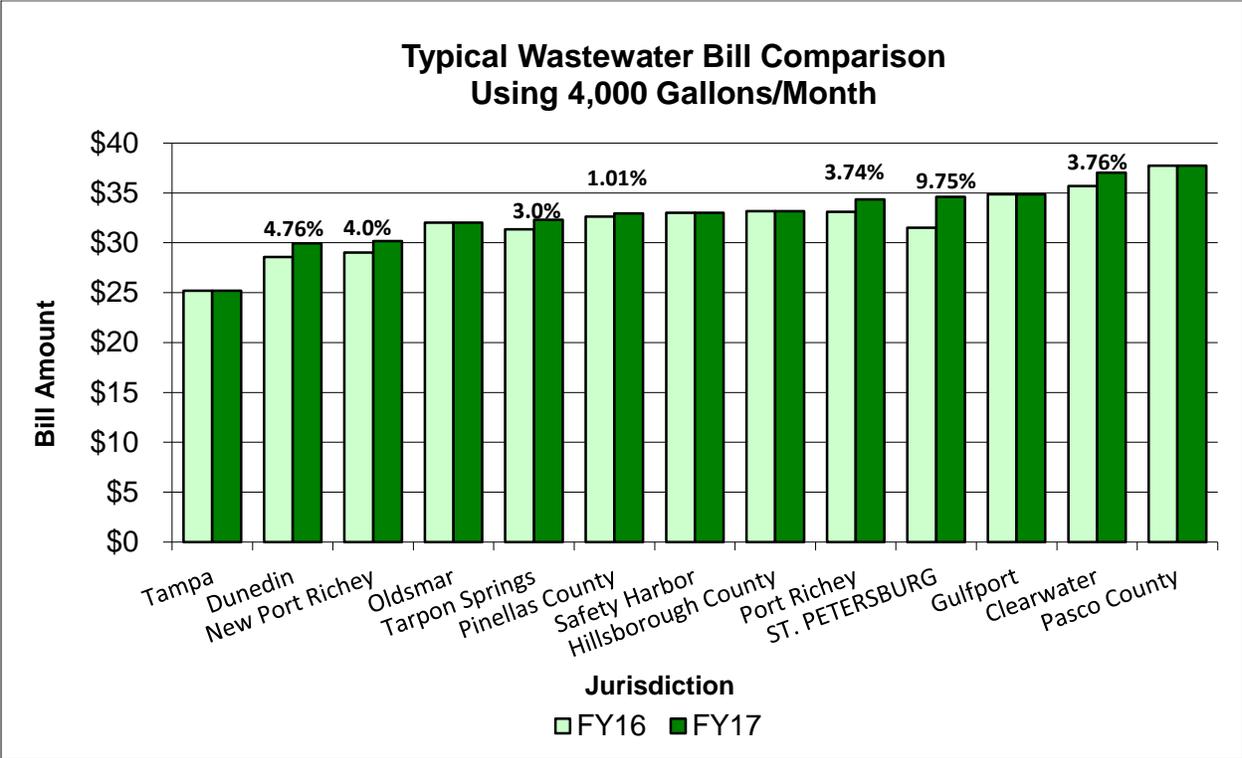
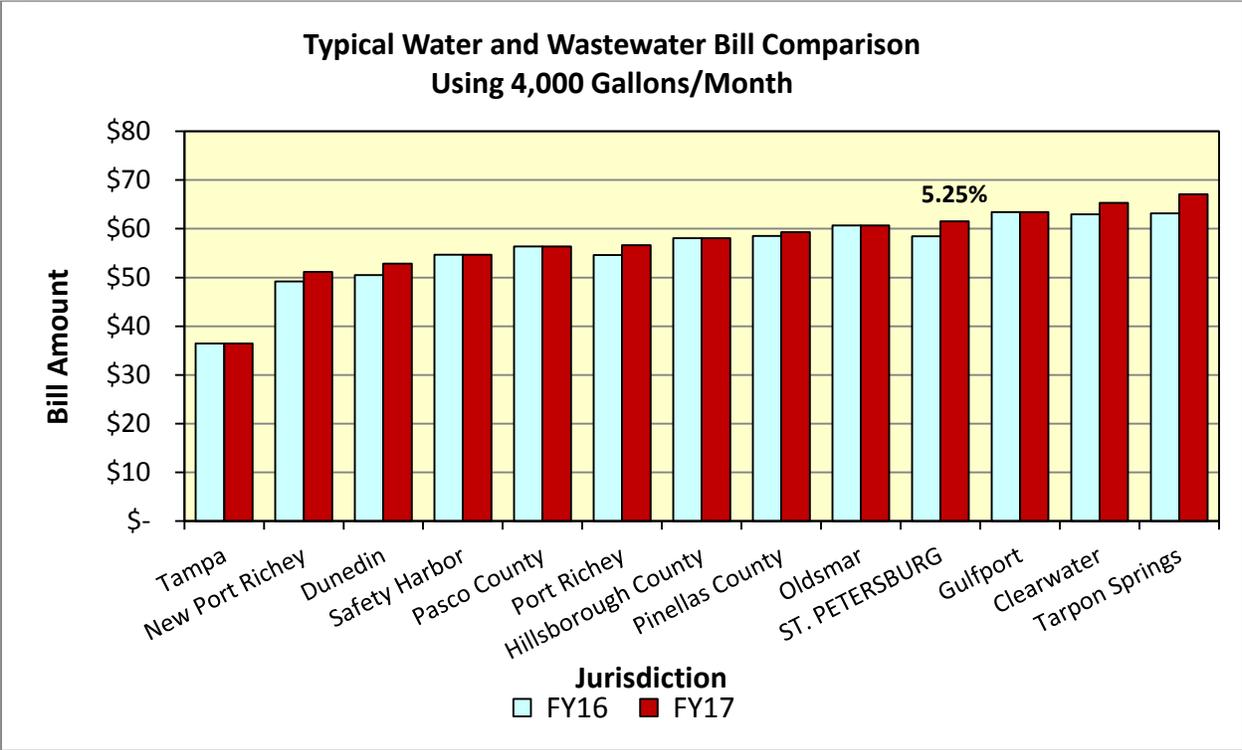


Figure 3



Recommended Action

Attached are two rate ordinances. One, which reflects the proposed base, variable and wholesale rate changes for water and wastewater. It also includes the changes to the reclaimed water rates, charges and services. Deposits, Connection Fees, and Fire Service Fees are proposed to remain the same in FY17 with the potential to update during next year's rate study. A second ordinance reflects the changes to the stormwater utility fee.

It is recommended that City Council conduct a first reading of the proposed rate ordinance on September 8, 2016 and consider the proposed rate for final adoption following a public hearing on September 22, 2016. This will allow the rates to be effective as of October 1, 2016, as included within the FY16 revenue projections.

CDT/ER

Attachment 1: Customer Notification
Attachment 2: Variable Rates including TBW pass-thru
Attachment 3: Recommended Base Rates
Attachment 4: Irrigation Only Rates
Attachment 5: Wholesale Rates
Attachment 6: History of Rate Increases
Chapter 27 Rate Ordinances

NOTICE TO CUSTOMERS



ST. PETERSBURG UTILITY CUSTOMERS

Notice is hereby given that at the date and time shown below, the St. Petersburg Council will consider increases to water, wastewater, reclaimed water, and stormwater utility rates and charges.

- Thursday, September 8, 2016
8:30 a.m. (First Reading)
- Thursday, September 22, 2016
6 p.m. (Public Hearing)

Meetings will be held in:

City Council Chamber
St. Petersburg City Hall
175 Fifth Street North
St. Petersburg, Florida

The proposed rate adjustments will be published at First Reading and made available on the City's website www.stpete.org

For additional information, contact the Water Resources Department at 893-7297.



Billing and Collections Department
727-893-7341
www.stpete.org/utility_rates

RECOMMENDED VARIABLE RATES

WATER BLOCK RATES

(Single-Family Residential and Multifamily Residential: Per Dwelling Unit)

Per 1,000 Gallons

	FY16	TBW	FY16 Total	FY17	TBW	FY17 Total
First 5,600 Gallons/month	\$1.54	\$2.44	\$3.98	\$1.67	\$2.31	\$3.98
Next 2,400 Gallons/month	\$2.56	\$2.44	\$5.00	\$2.69	\$2.31	\$5.00
Next 7,000 Gallons/month	\$4.35	\$2.44	\$6.79	\$4.48	\$2.31	\$6.79
Next 5,000 Gallons/month	\$6.53	\$2.44	\$8.97	\$6.66	\$2.31	\$8.97
Over 20,000 Gallons/month*	\$15.51	\$2.44	\$17.95	\$15.64	\$2.31	\$17.95

* Applies to Single-Family Residential Customers only

(Commercial)

Per 1,000 Gallons

	FY16	TBW	FY16 Total	FY17	TBW	FY17 Total
Up to the Average	\$1.54	\$2.44	\$3.98	\$1.67	\$2.31	\$3.98
Average to 1.4 Times Average	\$3.00	\$2.44	\$5.44	\$3.13	\$2.31	\$5.44
1.4 to 1.8 Times Average	\$4.35	\$2.44	\$6.79	\$4.48	\$2.31	\$6.79
Over 1.8 Times Average	\$5.56	\$2.44	\$8.00	\$5.69	\$2.31	\$8.00

WASTEWATER VARIABLE RATE

(Per 1,000 Gallons)

	FY16	FY17
WASTEWATER	\$4.77	\$5.24

RECOMMENDED BASE RATES

WATER BASE RATES

Meter Size	FY16	FY17	Difference	Percent Difference
5/8"	\$11.01	\$11.01	\$0.00	0.00%
1"	\$27.52	\$27.52	\$0.00	0.00%
1½"	\$55.04	\$55.04	\$0.00	0.00%
2"	\$88.06	\$88.06	\$0.00	0.00%
3"	\$176.13	\$176.13	\$0.00	0.00%
4"	\$275.20	\$275.20	\$0.00	0.00%
6"	\$550.39	\$550.39	\$0.00	0.00%
8"	\$880.63	\$880.63	\$0.00	0.00%
10"	\$1,265.91	\$1,265.91	\$0.00	0.00%
12"	\$2,366.69	\$2,366.69	\$0.00	0.00%

WASTEWATER BASE RATES

Meter Size	FY16	FY17	Difference	Percent Difference
5/8"	\$12.45	\$13.66	\$1.21	9.75%
1"	\$31.13	\$34.16	\$3.03	9.75%
1½"	\$62.25	\$68.32	\$6.07	9.75%
2"	\$99.60	\$109.31	\$9.71	9.75%
3"	\$199.20	\$218.62	\$19.42	9.75%
4"	\$311.25	\$341.60	\$30.35	9.75%
6"	\$622.50	\$683.19	\$60.69	9.75%
8"	\$996.00	\$1,093.11	\$97.11	9.75%
10"	\$1,431.75	\$1,571.35	\$139.60	9.75%
12"	\$2,676.75	\$2,937.73	\$260.98	9.75%

IRRIGATION-ONLY RATES

Irrigation Only Base and Volume Charges							
		Volume Rates (per 1,000 Gallons)			Consumption Ranges (in Gallons)		
Meter Size (inches)	Base Fee ₁	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3
¾	\$14.01	\$4.35	\$6.55	\$15.53	0-15,000	15,001-20,000	>20,000
1	\$30.52	\$4.35	\$6.55	\$15.53	0-37,000	37,001-50,000	>50,000
1½	\$58.04	\$4.35	\$6.55	\$15.53	0-75,000	75,001-100,000	>100,000
2	\$91.06	\$4.35	\$6.55	\$15.53	0-120,000	120,001-160,000	>160,000
3	\$179.13	\$4.35	\$6.55	\$15.53	0-240,000	240,001-320,000	>320,000
4	\$278.20	\$4.35	\$6.55	\$15.53	0-375,000	375,001-500,000	>500,000
6	\$553.39	\$4.35	\$6.55	\$15.53	0-750,000	750,001-1,000,000	>1,000,000
8	\$883.63	\$4.35	\$6.55	\$15.53	0-1,200,000	1,200,001-1,600,000	>1,600,000
10	\$1,268.91	\$4.35	\$6.55	\$15.53	0-1,750,000	1,750,001-2,300,000	>2,300,000
12	\$2,369.69	\$4.35	\$6.55	\$15.53	0-3,225,000	3,225,001-4,300,000	>4,300,000
Tampa Bay Water:		\$2.31 per 1,000 Gallons					

WHOLESALE RATES

WHOLESALE WATER:

Customer: City of Gulfport

0.79% increase

FY16: \$4,824/million gallons

FY17: \$4,862/million gallons

WHOLESALE WASTEWATER:

Customers: City of Gulfport; City of South Pasadena; Bear Creek Sanitary Sewer District, Pinellas County; Ft. Desoto, Pinellas County; City of Treasure Island; and Tierra Verde Utilities, Inc.

1.76% increase

FY16: \$2,956/million gallons

FY17: \$3,008/million gallons

Customer: City of St. Pete Beach

0.84% decrease

FY16: \$2,052/million gallons, \$52,082/month for capital projects

FY17: \$2,032/million gallons, \$51,884/month for capital projects

HISTORY OF RATE INCREASES

CONSUMPTION OF WATER AND SEWER

AT 4,000 GALLONS PER MONTH

(FY 00 – 17)

Fiscal Years	Amount Prior to Increase	Bill After Increase	Amount Change	Percent Change
99-00	\$25.35	\$27.01	\$1.66	6.55%
00-01	\$27.01	\$28.42	\$1.41	5.22%
01-02	\$28.42	\$30.75	\$2.33	8.20%
02-03	\$30.75	\$34.37	\$3.62	11.77%
03-04	\$34.37	\$37.58	\$3.21	9.34%
04-05	\$37.58	\$39.25	\$1.67	4.44%
05-06	\$39.25	\$40.19	\$0.94	2.39%
06-07	\$40.19	\$41.27	\$1.08	2.69%
07-08	\$41.27	\$42.72	\$1.45	3.51%
08-09	\$42.72	\$44.03	\$1.31	3.07%
09-10	\$44.03	\$44.90	\$0.87	1.98%
10-11	\$44.90	\$48.25	\$3.35	7.46%
11-12	\$48.25	\$50.53	\$2.28	4.73%
12-13	\$50.53	\$51.89	\$1.36	2.69%
13-14	\$51.89	\$53.83	\$1.94	3.74%
14-15	\$53.83	\$56.37	\$2.54	4.72%
15-16	\$56.37	\$58.46	\$2.09	3.71%
16-17	\$58.46	\$61.53	\$3.07	5.25%
Total Increase/Average Percentage			\$36.18	4.79%

ORDINANCE NO. _____

AN ORDINANCE RELATING TO UTILITY RATES; AMENDING CHAPTER 27, SUBSECTIONS 27-405 (b) (1) AMENDING THE STORMWATER UTILITY FEE; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING AN EXPLANATION OF WORDS STRUCK THROUGH AND UNDERLINED; ESTABLISHING A DATE TO BEGIN CALCULATING NEW RATES FOR BILLING PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Subsection 27-405 (b) (1) of the St. Petersburg City Code is hereby amended as follows:

Sec. 27-405. Stormwater management system utility fee.

(b) *Scheduled rates.* The following uniform schedule of utility rates for services and facilities of the stormwater system is hereby established:

- (1) A monthly stormwater system utility fee of ~~\$6.84~~7.50 per month is established as the rate for each SFRP.

SECTION 2. That the unconstitutionality or invalidity of any word, sentence, or portion of this ordinance shall not affect the validity of the remaining portions.

SECTION 3. That words in ~~struck-through~~ type are deletions from the existing St. Petersburg City Code and words that are underlined are additions.

SECTION 4. That the rates established by this ordinance shall be utilized in calculating customers' bills beginning on October 1, 2016.

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

LEGAL:

ADMINISTRATION:

City Attorney (designee)

ORDINANCE NO. _____

AN ORDINANCE RELATING TO UTILITY RATES AND CHARGES; AMENDING CHAPTER 27, SUBSECTIONS 27-141 (a), 27-142 (a), 27-144 (c), 27-177 (a), 27-283 (a), AND SUBSECTIONS 27-284 (a) AND 27-284 (d) OF THE ST. PETERSBURG CITY CODE; AMENDING VOLUME CHARGES FOR WATER SERVICE; AMENDING WHOLESALE WATER SERVICE CHARGES FOR THE CITY OF GULFPORT AND PROVIDING FOR A 25% OUT OF CITY SURCHARGE UPON EXPIRATION OF GULFPORT'S EXISTING AGREEMENT; AMENDING VOLUME CHARGES FOR IRRIGATION ONLY ACCOUNTS; AMENDING RECLAIMED WATER RATES AND CHARGES; AMENDING BASE AND VOLUME CHARGES FOR WASTEWATER SERVICE; AMENDING WASTEWATER SERVICE CHARGES FOR WHOLESALE CUSTOMERS; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING AN EXPLANATION OF WORDS STRUCK THROUGH AND UNDERLINED; ESTABLISHING A DATE TO BEGIN CALCULATING NEW RATES FOR BILLING PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Subsection 27-141 (a) of the St. Petersburg City Code is hereby amended as follows:

Sec. 27-141. - Established; amount; service categories defined; surcharge.

(a) *Monthly use rate.* City water customers will be charged monthly base and volume charges as set forth in the following subsections:

(1) *Base charges.* The base charges, determined by meter size, are listed in the following table:

Meter Size (in inches)	Base Charge
$\frac{5}{8}$ or $\frac{3}{4}$	\$ 11.01

Meter Size (in inches)	Base Charge
1	27.52
1½	55.04
2	88.06
3	176.13
4	275.20
6	550.39
8	880.63
10	1,265.91
12	2,366.69

(2) *Volume charges.* Volume charges, determined by gallons used, are listed in the following tables:

a. For single-family dwelling customers, ~~\$2.44~~ 2.31 for each 1,000 gallons consumed as cost of water from Tampa Bay Water and an inverted rate as follows:

*Volume Charges
Single-Family Dwelling Customer
Rates Per 1,000 Gallons
by Gallonage Increments*

First 5,600	\$1.54 <u>1.67</u>
Next 2,400	2.56 <u>2.69</u>
Next 7,000	4.35 <u>4.48</u>
Next 5,000	6.53 <u>6.66</u>
Over 20,000	15.51 <u>15.64</u>

b. For multifamily dwelling customers, ~~\$2.44~~ 2.31 for each 1,000 gallons consumed as cost of water from Tampa Bay Water and an inverted rate as follows:

*Volume Charges
Multifamily Dwelling Customer
Rates Per 1,000 Gallons
Total Volume Divided by Number of Dwelling Units Served by Meter*

First 5,600 per unit	\$1.54 <u>1.67</u>
Next 2,400 per unit	2.56 <u>2.69</u>
Next 7,000 per unit	4.35 <u>4.48</u>
Over 15,000 per unit	6.53 <u>6.66</u>

- c. For commercial customers, ~~\$2.44~~ 2.31 for each 1,000 gallons consumed as cost of water from Tampa Bay Water and an inverted rate as follows:

*Volume Charges
Commercial Customer
Rates Per 1,000 Gallons
Gallonge Based on Monthly Average per Commercial Customer*

Up to average	\$1.54 <u>1.67</u>
Average to 1.4 times average	3.00 <u>3.13</u>
1.4 to 1.8 times average	4.35 <u>4.48</u>
Over 1.8 times average	5.56 <u>5.69</u>

A monthly average of a 12-month period will be calculated per commercial customer for each fiscal year beginning October 1. The 12-month period utilized will be October through September of the preceding fiscal year and will be updated annually. For new commercial customers without consumption history, the lowest block rate will be utilized until a 12-month period between October and September is completed.

A commercial customer who experiences changed business conditions which would necessitate a revised calculation of the monthly average, may request a water use evaluation by the City. The City may calculate a new average based on that evaluation. After receiving notice of the results of the evaluation, the customer may appeal these results to the Utility Billing Review Committee within 14 days by filing notice of appeal with the City Clerk.

SECTION 2. Subsection 27-142 (a) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-142. - Wholesale water customers.

(a) Wholesale water service shall be provided to the City of Gulfport at a uniform volume rate of ~~\$4,824.00~~ 4,862.00 per million gallons effective October 1, ~~2015~~ 2016. Upon expiration of the existing contract with the City of Gulfport, a twenty-five percent (25%) outside the City surcharge shall be applied to the total wastewater charges billed. Additional charges and surcharges ~~shall~~ may be added to the uniform volume rate in accordance with the City of Gulfport's water service agreement with the City of St. Petersburg.

SECTION 3. Subsection 27-144 (c) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-144. Irrigation only accounts.

(c) *Monthly irrigation only account charges.*

Customers with an irrigation only account shall not be charged fees for wastewater services for that account but shall pay a base charge based on the meter connection size, and also shall pay the Tampa Bay Water volume charge and the tiered volume rate based on water consumption as follows:

Irrigation Only Base and Volume Charges							
		Volume Rates (per 1,000 Gallons)			Consumption Ranges (in Gallons)		
Meter Size (inches)	Base Fee ₁	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3
¾	\$14.01	\$4.22 <u>\$4.35</u>	\$6.42 <u>\$6.55</u>	\$15.40 <u>\$15.53</u>	0-15,000	15,001-20,000	>20,000
1	\$30.52	\$4.22 <u>\$4.35</u>	\$6.42 <u>\$6.55</u>	\$15.40 <u>\$15.53</u>	0-37,000	37,001-50,000	>50,000
1½	\$58.04	\$4.22 <u>\$4.35</u>	\$6.42 <u>\$6.55</u>	\$15.40 <u>\$15.53</u>	0-75,000	75,001-100,000	>100,000
2	\$91.06	\$4.22 <u>\$4.35</u>	\$6.42 <u>\$6.55</u>	\$15.40 <u>\$15.53</u>	0-120,000	120,001-160,000	>160,000
3	\$179.13	\$4.22 <u>\$4.35</u>	\$6.42 <u>\$6.55</u>	\$15.40 <u>\$15.53</u>	0-240,000	240,001-320,000	>320,000
4	\$278.20	\$4.22 <u>\$4.35</u>	\$6.42 <u>\$6.55</u>	\$15.40 <u>\$15.53</u>	0-375,000	375,001-500,000	>500,000
6	\$553.39	\$4.22 <u>\$4.35</u>	\$6.42 <u>\$6.55</u>	\$15.40 <u>\$15.53</u>	0-750,000	750,001-1,000,000	>1,000,000
8	\$883.63	\$4.22 <u>\$4.35</u>	\$6.42 <u>\$6.55</u>	\$15.40 <u>\$15.53</u>	0-1,200,000	1,200,001-1,600,000	>1,600,000
10	\$1,268.91	\$4.22 <u>\$4.35</u>	\$6.42 <u>\$6.55</u>	\$15.40 <u>\$15.53</u>	0-1,750,000	1,750,001-2,300,000	>2,300,000

12	\$2,369.69	\$4.22 <u>\$4.35</u>	\$6.42 <u>\$6.55</u>	\$15.40 <u>\$15.53</u>	0-3,225,000	3,225,001- 4,300,000	>4,300,000
Tampa Bay Water:		\$2.44 2.31 1,000 Gallons					

SECTION 4. Subsection 27-177 (a) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-177. - Rates

- (a) A rate shall be charged to the customers of the reclaimed water system in accordance with the following schedule:
 - (1) For nonmetered service for tracts of one acre in size or smaller, the monthly charge shall be ~~\$20.42~~ 21.29.
 - (2) For nonmetered service for larger tracts an additional monthly charge of ~~\$11.70~~ 12.20 per each additional acre, or portion thereof in excess of one acre, shall be added to the fee of ~~\$20.42~~ 21.29 per month.
 - (3) For customers on metered service, the charge shall be ~~\$0.58~~ 0.60 per 1,000 gallons per month, but in no case shall the charge be less than ~~\$20.42~~ 21.29 per month.
 - (4) A surcharge of twenty-five percent (25%) percent will be added for service outside the City.
 - (5) The customer shall be required to obtain a reclaimed water permit, the charge shall be \$25.00 per permit issued. All reclaimed water permits shall be issued by the Reclaimed Water section of the Water Resources Department.

SECTION 5. Subsection 27-283 (a) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-283. - Wastewater service charge.

- (a) *Established, amount.* There is hereby established and imposed upon the owners and/or occupants of all premises which are connected to the sewer system a charge, to be designated "wastewater service charge," which charge shall be based upon the amount of water used on the premises except for that amount of water used for irrigation only accounts as established pursuant to Section 27-144, as shown by the following schedule:

(1) A base charge per month based upon meter size in accordance with the following table:

Meter Size (inches)	Base Charge	
$\frac{5}{8}$ or $\frac{3}{4}$	\$ 12.45	<u>13.66</u>
1	31.13	<u>34.16</u>
1½	62.25	<u>68.32</u>
2	99.60	<u>109.31</u>
3	199.20	<u>218.62</u>
4	311.25	<u>341.60</u>
6	622.50	<u>683.19</u>
8	996.00	<u>1,093.11</u>
10	1,431.75	<u>1,571.35</u>
12	2,676.75	<u>2,937.73</u>

(2) In addition to the base charge, there shall be a charge of ~~\$4.77~~ 5.24 for each 1,000 gallons of potable water registered on the water meter.

(3) Rates charged to customers outside the City in accordance with subsections (1) and (2) of this section shall have added to the rate a surcharge of twenty-five percent (25%) ~~percent~~ of the total wastewater charge.

(4) The base charge and any volume charge will apply on all active services; the base charge will apply to all service in standby status; only when a service has been removed will the base charge not be in effect.

SECTION 6. Subsections 27-284 (a) and 27-284 (d) of the St. Petersburg City Code are hereby amended to read as follows:

Sec. 27-284. - Wholesale wastewater customers.

(a) Wholesale wastewater service shall be provided to the City of Gulfport; the City of South Pasadena; Bear Creek Sanitary Sewer District, Pinellas County; Ft. Desoto, Pinellas County; the City of Treasure Island; and Tierra Verde Utilities, Inc. at a uniform volume rate of ~~\$2,956.00~~ 3,008.00 per million gallons for wholesale wastewater service effective October 1, ~~2015~~ 2016, based upon metered wastewater flows.

(d) Wholesale wastewater service shall be provided to the City of St. Pete Beach at an estimated rate including a uniform operation and maintenance volume rate of ~~\$2,052.00~~ 2,032.00 per million gallons and a monthly capital charge of ~~\$52,082.00~~ 51,884.00 for wholesale wastewater service effective October 1, ~~2015~~ 2016. At the end of each fiscal year, actual rates for the fiscal year will be determined in accordance with the terms of the agreement for wholesale wastewater service between the City of St. Petersburg and the City of St. Pete Beach.

SECTION 7. That the unconstitutionality or invalidity of any word, sentence, or portion of this ordinance shall not affect the validity of the remaining portions.

SECTION 8. That words in ~~struck-through~~ type are deletions from the existing St. Petersburg City Code and words that are underlined are additions.

SECTION 9. That the rates and charges established by this ordinance shall be utilized in calculating customers' bills beginning on November 1, 2016 for water consumed during the preceding month.

SECTION 10. In the event that this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

LEGAL:

ADMINISTRATION:

City Attorney (designee)

Item E-3 backup will be provided at a later date.

Authorizing the Mayor or his designee to execute Task Order No. 12-12-KCA/GC to the Architect/Engineering Agreement between the City of St. Petersburg and Kisinger Campo and Associates, Corp. for planning services to develop an action plan for the Warehouse Arts District and Deuces Live.

**ST. PETERSBURG CITY COUNCIL
REPORT ITEM**

Meeting of September 8, 2016

TO: The Honorable Amy Foster, Chair, and Members of City Council

SUBJECT: Authorizing the Mayor or his designee to execute Task Order No. 12-12-KCA/GC to the Architect/Engineering Agreement dated June 16, 2014, between the City of St. Petersburg, Florida and Kisinger Campo & Associates, Corp. in an amount not to exceed \$275,000 for professional planning services to develop an action plan for the Deuces Live Main Street and Warehouse Arts District.

EXPLANATION: City Council previously approved an Architect/Engineering Agreement dated June 16, 2014 with the professional consulting planning firm of Kisinger Campo & Associates, Corp. for miscellaneous professional services for Stormwater Management, Transportation & Bridge Improvement Projects.

The Deuces Live is a Florida Main Street, a technical assistance program administered by the Bureau of Historic Preservation, Division of Historical Resources, Florida Department of State, for traditional historic commercial corridors, as well as an established St. Petersburg business association, located along 22nd Street South between 2nd Avenue South and 18th Avenue South.

The Warehouse Arts District is located in the Dome Industrial Park area and has emerged as a popular location for artists due to the availability of large warehouses and manufacturing spaces. There are over 25 arts businesses and organizations within the District. The Warehouse Arts District Association incorporated in October 2011 and currently has 87 listed members.

The Deuces Live/Warehouse Arts District Action Plan will focus on several key issues and objectives for each organization individually and jointly. A joint planning committee will be established, consisting of equal representation from the Deuces Live Main Street and the Warehouse Arts District. Two steering committees will be established, one for the Deuces Live Main Street and one for the Warehouse Arts District. To ensure cross-representation, these steering committees will contain at least one person from the other organization. The joint planning committee will be responsible for sharing ideas, feedback, and recommendations from each steering committee with the consultant team. Additionally, the joint planning committee will be responsible for the area of shared interest at the intersection of 22nd Street South and 5th Avenue South.

Key aspects of the plan will include recommendations for improving streetscape, branding elements, transportation framework, intersection design on 5th Avenue South, a signature public feature near the Pinellas Trail, zoning and regulatory framework, an urban design

vision plan, main street program recommendations, and budget estimates for envisioned improvements.

Task Order No. 12-12-KCA/GC, in an amount not to exceed \$275,000, provides for professional planning services to complete an action plan for the Deuces Live Main Street and Warehouse Arts District. The Task Order agreement includes six tasks that will cover the project kickoff, discovery, a design studio workshop, conceptual plans, the final action plan, and an allowance for additional services not explicitly stated within the Task Order. The planning process includes several opportunities for public input and participation. The action plan is expected to take approximately ten months to complete.

RECOMMENDATION: Administration recommends Authorizing the Mayor or his designee to execute Task Order No. 12-12-KCA/GC to the Architect/Engineering Agreement dated June 16, 2014, between the City of St. Petersburg, Florida and Kisinger Campo & Associates, Corp. in an amount not to exceed \$275,000 for professional planning services to develop an action plan for the Deuces Live Main Street and Warehouse Arts District.

COST/FUNDING/ASSESSMENT INFORMATION: Funds have been previously appropriated in the General Capital Improvement CIP Fund (3001), Southside Redevelopment (14609) and in the Penny for Pinellas Fund (3027), Dome Industrial Park Phase II (13709).

ATTACHMENTS: Resolution
Task Order No. 12-12-KCA/GC

APPROVALS:


Administrative


Budget

RESOLUTION NO. 2016-

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE TASK ORDER NO. 12-12-KCA/GC TO THE ARCHITECT/ENGINEERING AGREEMENT DATED JUNE 16, 2014, BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND KISINGER CAMPO & ASSOCIATES, CORP. IN AN AMOUNT NOT TO EXCEED \$275,000 FOR PROFESSIONAL PLANNING SERVICES TO DEVELOP AN ACTION PLAN FOR THE DEUCES LIVE MAIN STREET AND WAREHOUSE ARTS DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") and Kisinger Campo & Associates, Corp. ("Kisinger") entered into an Architect/Engineering Agreement on June 16, 2014 for Kisinger to provide miscellaneous professional services for Stormwater Management, Transportation & Bridge Improvement Projects; and

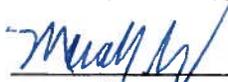
WHEREAS, this Task Order No. 12-12-KCA/GC, in an amount not to exceed \$275,000 is for Kisinger to provide professional planning services to develop an action plan for the Deuces Live Main Street and Warehouse Arts District Action Plan; and

WHEREAS, such action plan will include a district brand and identify and conceptualize public realm improvements for the Warehouse Arts District, create an urban design vision plan and main street program recommendations for the Deuces Live Main Street, and an implementation strategy for the entire action plan.

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 Task Order No. 12-12-KCA/GC to the Architect/Engineering Agreement dated June 16, 2014, between the City of St. Petersburg, Florida and Kisinger Campo & Associates, Corp. in an amount not to exceed \$275,000 for professional planning services to develop an action plan for the Deuces Live Main Street and Warehouse Arts District.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:



City Attorney (designee)



Administration

**TASK ORDER No. 12-12-KCA/GC
CONSULTING SERVICES FOR WAREHOUSE ARTS DISTRICT/DEUCES
'NORTH' JOINT STUDY ACTION PLAN**

This proposal is attached and made pursuant to the July 13, 2012 ARCHITECT/ENGINEERING AGREEMENT FOR MISCELLANEOUS PROFESSIONAL SERVICES FOR STORMWATER MANAGEMENT, TRANSPORTATION & BRIDGE IMPROVEMENT PROJECTS, between Kisinger Campo & Associates, Corp., hereinafter referred to as ENGINEER, and the City of St. Petersburg, hereinafter referred to as CITY.

I. BACKGROUND

The City of St. Petersburg is interested in developing a conceptual urban design plan to define enhancements for both the Warehouse Arts District (WAD) and Deuces Live Main Street (DL). The WAD study area is bounded by 2nd Avenue South on the north, I-275 on the south and east, and 31st Street on the west. The DL study area is bounded by the same limits to the north but extends further south to 18th Avenue South along the 22nd Street corridor and surrounding areas. See Exhibit B for map of both study area and boundaries.

The ENGINEER has teamed with Community Solutions Group, hereinafter referred to as SUBCONSULTANT to provide the specialty consulting services required for this Task Order. The ENGINEER will provide project management oversight as well supporting the SUBCONSULTANT on some tasks.

II. SCOPE OF SERVICES

Specific services to be provided under this Task Order include the following:

Task 1. Project Kickoff

See Part 1 of SUBCONSULTANT's Scope of Services (Exhibit A) for activities under this task. The ENGINEER's PM will participate on the Core Team and Joint Planning Committee Kickoff Meeting and Site Tour.

Task 2. Discovery

See Part 2 of SUBCONSULTANT's Scope of Services for activities under this task. The ENGINEER will provide assistance with data collection and attendance to proposed meetings and events.

Task 3. Design Studio Workshop

See Part 3 of SUBCONSULTANT's Scope of Services for activities under this task. The ENGINEER's PM will participate in some of the most relevant activities described under this task.

Task 4. Conceptual Plans

See Part 4 of SUBCONSULTANT's Scope of Services for activities under this task. The ENGINEER will provide assistance with preliminary design criteria the conceptual development of the Feature Intersections. The ENGINEER will compile overall budgeting estimates for the conceptual improvements.

Task 5. Action Plan and Final Product

See Part 5 of SUBCONSULTANT's Scope of Services for activities under this task. The ENGINEER will work with CITY representatives and SUBCONSULTANT to develop an Action Plan including prioritizing improvements and assisting the development of the Final Report.

Task 6. Additional Services

Any services not specifically provided for in the above scope as well as any changes in the CITY requests will be considered additional services and will be performed at the ENGINEER'S negotiated rates.

III. DELIVERABLES

All deliverables are summarized after each part of SUBCONSULTANT's Scope of Services.

IV. SCHEDULE

The ENGINEER and SUBCONSULTANT will deliver the final project deliverable within ten months subject to excused delay caused by factors beyond their control.

V. CITY RESPONSIBILITIES

The following participation by the CITY is anticipated under this Scope of Services:

- Provide additional survey on an as-needed basis.
- Review and comment on the ENGINEER'S deliverables within fifteen (15) calendar days of submittal.
- Attend and participate in any project meetings.

VI. PROJECT TEAM

Lead Design Consultant: Kisinger Campo & Associates, Corp. Responsible for Project Management, Cost Estimates, consulting assistance as identified above.

Design Sub-Consultant: Community Solutions Group. Will provide lead design and planning services for the district, using a collaborative process with local community stakeholders. This includes District Brand, Public Realm Improvements, and Implementation Strategy.

The key members proposed for this project are indicated below:

- Engineer Project Manager: Guillermo Madriz, P.E. - KCA
- Sub-consultant Project Manager: Pete Sechler, PLA/AICP

VII. ENGINEER'S COMPENSATION

- a) For work under Tasks 1-5, the CITY shall compensate the ENGINEER in a lump sum amount of \$281,250.00 for services provided.

GAI Fee	\$ 225,000.00
KCA Fee	\$ 40,000.00
Total	\$ 265,000.00

- b) For additional services work under Task 6 the CITY shall compensate the ENGINEER on a time and materials basis for additional services requested and authorized by the CITY. Compensation under this task (and corresponding services) shall not exceed \$10,000.00.
- c) The total amount of this Task Order including expenses and additional services \$275,000.00.

VIII. ACCEPTANCE

By signature, the parties accept the provisions of this Task Order No. 12-12-KCA/GC and authorize the ARCHITECT/ENGINEER to proceed at the direction of the CITY'S representative.

ATTEST

CITY OF ST. PETERSBURG

By: _____
Chandrasasa Srinivasa
City Clerk

By: _____
Thomas B. Gibson, P.E., Director
Engineering & Capital Improvements

DATE: _____

DATE: _____

By: _____
H. Phillip Keyes, P.E.
Design Manager

DATE: _____

APPROVED AS TO CONTENT

APPROVED AS TO FORM

By: _____
City Attorney (Designee)

By: _____
City Attorney (Designee)

DATE: _____

DATE: _____

Kisinger Campo and Associates, Corp.
(Company Name)

WITNESS:

By: _____
(Signature)

By: _____
(Signature)

Paul G. Foley, President
(Printed Name with Title)

(Printed Name)

DATE: _____

DATE: _____

**EXHIBIT A
COMMUNITY SOLUTIONS GROUP
SCOPE OF SERVICES**



Planning | Urban Design
Landscape Architecture
Economics | Real Estate

August 25, 2016

GAI Project No.: A160112.01

Mr. Guillermo Madriz, PE
Kisinger Campo & Associates
201 North Franklin Street, Suite 400
Tampa, FL 33602

Proposal
Warehouse Arts District / Deuces Live Joint Study Action Plan
City of St. Petersburg, Florida

Dear Guillermo:

I appreciate the opportunity to work with you and the City of St. Petersburg, Warehouse Arts District (WADA), Deuces Live Main Street and surrounding community on an action plan for this exciting, emergent area of downtown. Our role will be as subconsultant to Kisinger Campo & Associates (KCA) (Client).

Project Understanding

The City of St. Petersburg is interested in developing a conceptual urban design plan to define enhancements for a combined area that includes the areas known as the Deuces Live Main Street Corridor and the Warehouse Arts District and adjacent areas. The general study area is defined in the attached Warehouse Arts District / Deuces Live Action Plan Boundaries Exhibit A.

The goal of the project is to develop a joint master plan that *serves the needs* and *reconciles the strategic objectives* of both the Deuces Live Main Street and the Warehouse Arts District organizations – to the benefit of all and to the greater St. Petersburg arts, history, and cultural community. The two groups provide community leadership to residents, property owners, business owners and other constituencies within areas that are both adjacent, and directly overlapping (along the 22nd Street Corridor).

The planning area clearly delineates sub-areas that relate to the cultural, neighborhood and business history of the area, as well as transportation corridors (such as the historic rail-line and I-275). The plan will strive to capitalize on the historic patterns (including the shared importance of the 22nd St / 5th Ave / Rail intersection) while addressing obvious new patterns, such as the presence of I-275 and recent investments in and around the overpass.

As a result of these shared topics and geographies, the planning process is intended to work with a combined Joint Planning Committee (JPC) that represents both Deuces Live, the Warehouse Arts District Association (WADA), and specific Sub-committees associated with the individual groups with some cross representation. The overall project will also include broad public engagement and participation in the planning process and development of actionable recommendations.

GAI Consultants, Inc.
618 E. South Street
Suite 700
Orlando, Florida 32801
T 407.423.8398
gaiconsultants.com

Based on conversations with the City, the project will include several tiers of interaction, including the:

- Core Team (Consultant and City PM);
- Joint Planning Committee (JPC) with Deuces Live and WADA representation;
- Two Steering Committees, 1 each for Deuces Live (DSC) and WADA (WSC) with at least one person providing cross-representation;
- Stakeholders representing key properties, entities or businesses; and
- General public

As subconsultant to KCA, GAI's Community Solutions Group (CSG) will provide lead design and planning services for the district, using a collaborative process with local community stakeholders. Each organization has existing planning ideas, including strategic objectives for the Deuces Live Main Street and the WADA Action Plan (focused on District Brand, Public Realm Improvements, and Implementation Strategy). Our objective will be to identify needed physical improvements to the area and articulate a plan of action to address those issues with creative ideas that reflect input from the many stakeholders.

Scope of Services

Based on our understanding of the project requirements and criteria provided to date by the City and Client, CSG will perform the following Scope of Services:

Part 1 Project Kickoff

1. *Core Team + Joint Planning Committee Kickoff and Site Tour* - The kickoff is envisioned as an internal Core Team workshop to confirm our approach to the project. We will establish our shared management approach for the project, focusing on key people, schedule, data gathering and other logistics. We will discuss key planning objectives and factors requiring special consideration, including an overview summary from the various City departments relevant to this project. We will also tour the site with the group to talk about specific issues and opportunities within the various sub-areas.
2. *Set up Communication Platform* - We will develop (with review from the JPC) our approach to setting up the communications platform for the project, available email or telephone distribution lists, and launching online social media resources. We will plan for the communications strategy, including the project announcement. (We assume that the established Deuces Live and Warehouse Arts District Facebook Pages and other established City outlets will be the preferred platform for social media).

Deliverable: *Meeting Notes, Strategy Statement, and Communications Approach.*

Part 2 – Discovery

1. *Data Collection (KCA assistance)* – Following the kickoff, we will initiate our Discovery process. This will include mapping and field reconnaissance. The City and/or KCA will provide data as available from existing sources, including:

- Existing relevant planning documents or CIP investments;
- Basic existing utility infrastructure / mainline mapping;
- Sidewalk location, ADA handicap ramps, crosswalks mapping;
- Relevant Traffic Data (peak hour, key turning movements);
- Review of materials pertaining to Historic and Cultural Context

CSG will conduct a GIS-based mapping review of the entire planning area, as well as field reconnaissance, to assess the character and condition of existing public rights-of-way, land use, bike routes and facilities, transit, visual character and urban form. KCA's detail sidewalk mapping / data gathering of basic infrastructure, etc., will primarily be focused on areas north of 7th Ave S., because recent investments have upgraded the southern portions of 22nd Street with relatively new streetscape. (i.e., KCA will integrate the already available data from the existing 22nd St South Streetscape).

2. *Public Kickoff Event + Walking Audits* - CSG will conduct a public kickoff event to introduce the project to the public, build interest in the community, describe the process / schedule and solicit input from participants. The kickoff event will cover two days, in order to focus on the two broad geographies of the Study Area.

- a. *Day 1* – We will conduct an evening public workshop outlining the entire study area, and then focus on areas North of I-275, including the 22nd/5th Joint Study Area. The workshop will include a "Values and Vision" exercise to gain early input and share ideas. We will also invite "community based design teams" to develop their own design solutions for specific aspects of the work as input to our design workshop (Task 3). Finally, the kickoff will also include a neighborhood walking audit to "show us what you see". We expect this session to start about 4PM and finishing about 7PM.
- b. *Day 2* – We will conduct a 2nd evening meeting to focus on the 22nd St corridor from Emerson Avenue to 18th Ave South. We anticipate that this workshop will be held at a location south of I-275 and will include a neighborhood walking audit of several blocks in the southern area of the Deuces Live Main Street.

3. *Community Photography Exercise* – as part of the Public Kickoff Event, CSG will provide up to 40 disposable cameras to Deuces Live and WADA "citizen photographers". The photographers will be volunteers and may include members of the steering committees, business owners, property owners, or residents. The purpose will be to allow members of the community to photo-document examples of success, challenges, or opportunity for the study area.

CSG will convene the photographers to review the information in an organized 3 hour work-session to sort and present the photos. The photos will be used as reference for the Conditions Analysis workbook, as well as basis of topics / ideas during design.

4. *Stakeholder Meetings* – CSG will schedule a round of interviews with the JPC to debrief from the kickoff workshops and each of the two steering committees and other critical stakeholders. The purpose will be to gain information regarding area strengths, weaknesses, opportunities, and ideas for the District. We have budgeted two (2) days for this activity.
 - a. Deuces Live Main Street Steering Committee – this meeting will focus on validating specific objectives
5. *Analysis and Synthesis* – CSG will consolidate Discovery information into an 'Issues and Opportunities + Existing Conditions Analysis' document. The document will be presented to the Core Team and JPC for review and comment.

Deliverable – Ten (10) hard-copies 'Issues and Opportunities + Conditions Analysis' workbook summarizing Discovery materials collected to date, including meeting notes, activity documentation, urban form maps and character imagery, technical as well as Community Based Themes that can form the Guiding Principles of the plan. Workbook will also be delivered as a PDF file, and suitable for posting or linking as appropriate on website / social media platforms.

Part 3 – Design Studio Workshop

1. *Design Studio* - Following the review and comment on the 'Issues + Conditions' workbook, CSG will prepare for a 4-day, on-site design studio workshop. If possible, we will conduct the workshop at a location within the study area. The purpose of the on-site studio will be to foster a highly collaborative approach to initial concept design exploration. Topics will include brand characteristics, gateways and signage graphics, streets and public realm, and other Community Themes and Guiding Ideas identified during Discovery.

The work will include specific focus on the Deuces Live Main Street, the Warehouse Arts District, and the 'Joint Planning Area' at 22nd/5th. We will also explore supportive planning & program ideas and suggested opportunities for the Deuces Live based upon its' existing strategic, program or action / implementation Main Street plan.

- a. *Evening Day 1* – Public Workshop: The purposes of this workshop are to present findings to date, summarize citizen photography, outline goals for the week, conduct an interactive exercise, and give design "assignments" to team and participants. The work will be formatted into preliminary Themes and Guiding Principles for review and input. We hope to set up a gallery presentation of Community Based Design Ideas as inspiration for our design initiation.

- b. *Day 2 – Studio Work Session:* This session will feature our design team and breakout tables focusing on developing the Community Based Design Ideas in terms of streetscape materials, design opportunities, and graphics and gateways. The session will be set up for all-day local input and design participation regarding specific topics, and the public will be free to come and go. Stakeholder meetings may be conducted during this session, as needed.
 - c. *Day 3 - Studio Synthesis and JPC Pin-Ups:* During the Day 3 session, CSG and the team will review big ideas, validate, and prepare for Conceptual Design. The day will conclude with a pin-up session for the JPC and Steering Committees to review progress and direction.
 - d. *Day 4 – Synthesis and Public Presentation:* Day 4 will be a working day to complete design / planning synthesis and prepare for an evening public presentation regarding Guiding Ideas and Preliminary Ideas.
2. *Review + Refine –* CSG will review the results (preliminary design ideas) with the City and Steering Committees at the conclusion of the Design Studio Workshop, and afterwards with the JPC for comment, validation, and refinement.

Deliverable - PowerPoint Presentation summarizing Themes + Guiding Ideas, Strategic Outline, Preliminary Design Ideas, Public Participation/Input summary.

Part 4 – Conceptual Plans

1. *Overall Urban Framework Plan* – Based on the outcomes of the studio workshop and design refinement, CSG will complete an urban design framework drawing set that summarizes the public realm, planning, and design ideas for the entire Study Area.

For the areas north of I-275 including the 22-5 Joint Study Area (which have not received any recent infrastructure investment), the products are anticipated to focus on:

2. *Graphic Branding Street Elements* – CSG will lead a graphic branding exercise including conceptual designs for gateways, wayfinding, banners, and an approach to external public art that recognizes the many historic and cultural activities within the area.
3. *Streetscape Branding Elements* – CSG will compile material standards for typical streetscapes including landscape, hardscape, site furnishings, lighting, and other amenities.
4. *Transportation Framework* – CSG will develop a transportation framework including bike network, sidewalks / crosswalks, transit, and a wayfinding 'logic' map for identifying top District destinations. The wayfinding portion is anticipated to feature up to two (2) sign types and 5-10 destinations. Wayfinding efforts in excess of this may be provided as an additional service.

5. *Signature 22-5 Address and Feature Intersections* – It is anticipated that somewhere in the District, the plan may yield a signature ‘central’ public feature within the 22-5 area which may include a special streetscape block or public plaza. If so, this feature will be developed at a conceptual level using the branding elements. We envision two (2) feature perspective graphics depicting the signature location incorporating the master plan design elements.

Two (2) intersections will receive special design consideration, including 5th Avenue at 22nd Street and 5th Avenue at 28th Street.

6. *Zoning and Regulatory Framework* – CSG will report to the City team any land use / development issues that emerge from our interactions with the public. The City will take the lead on evaluating the current regulatory framework and appropriate revisions.
7. *Budget Estimates* – CSG will work with KCA to develop conceptual budget estimates for the envisioned improvements. CSG will only provide budgeting numbers for landscape and pedestrian hardscape elements. It is assumed KCA will compile overall budgeting estimates as appropriate, including any roadway reconstruction, public utilities, etc.
8. *Concept and Funding Review* – CSG will meet with the Core Team and Steering Committee to review the concepts and conduct a ‘funding strategies workshop’. This will include sources of public finance, donor opportunities and grant programs. KCA will take the lead on grant opportunities, with support from CSG.

For the Deuces Live Main Street south of I-275* (which has received initial infrastructure investment) the products are anticipated to focus more generally on completing and unifying (as appropriate) the physical elements along all sections of the Deuces Live 22nd Street Corridor (which is anticipated to include a *synergy of ideas* with the WADA / Arts community), while further exploring programmatic + strategic elements that can be supportive of the Main Street program:

9. Streetscape & Intersection Treatment Infill and Refinement - addressing gaps or areas of poor performance.
10. Graphics and Wayfinding Gaps - reviewing the current assets and suggesting refinements, particularly in concert with the balance of the Deuces Live Main Street and overall study area graphics / wayfinding recommendations.
11. General Transportation Framework – for Bikes and Peds, linking the entire 22nd Street Corridor.
12. Urban Design Vision Plan – for the entire 22nd Street Corridor that responds to identified opportunities and shared community goals for property investment, infill development, and community character. This product will be a plan view rendering with diagrams or other annotations reflecting key ideas, actions, or opportunity recommendations. This may also include typical street sections and focus area 3-D renderings to convey detail ideas.

13. Main Street Program Recommendations – Recommendations for programs, policies, or actions that respond to the primary mission goals of Economic Revitalization and Preserving Unique Cultural Heritage for the entire Deuces Live 22nd St Corridor.
14. Review and Public Open House - CSG will refine the Conceptual Plan components one time based on input from the Core Team, JPC, and Steering Committees. We will then present the work to the Public in an open house format.

Deliverable – *Technical Memoranda + PPT summarizing the plan components as detailed above. We will provide Ten (10) hard copies and PDF files suitable for printing / distribution.*

Part 5 – Action Plan and Final Products

CSG will produce a unified Warehouse Arts / Deuces Live Action Plan. The plan is anticipated to include both recommendations for physical improvements and strategic / programmatic activities for the entire area. The plan will include specific "chapters" that directly address the individual Warehouse Arts and Deuces Live Main Street areas, as well as the 22-5 Joint Planning Area.

The goal of the plan is to identify actionable recommendations, with conceptual budgets (as appropriate) and prioritization. The mission of the work is to find the 'sweet spot' of recommendations and design ideas that **unifies** and celebrates the overall concentration of diverse arts, culture and history for this dynamic region of downtown while capturing and featuring the **unique** contributions and character of each area / entity.

1. **Prioritized Implementation** – the Action Plan will include a list of projects with associated order of magnitude budgets. We will review the projects with the City Core Team and Steering Committees to develop a priority list of first phase, actionable projects and then bring the recommended items to the JPC for input.
2. **Draft Master Plan** - Combined **Master Action Plan** summarizing the concept plan components (as defined in Part 4), budget estimates and phasing/priorities. We will present the draft Action Plan to the City and sub-Committees for review and input. We will refine the plan one time based on the combined written comments of the City and Sub-Committees.
3. **100% Draft Plan Presentation** – we will present the plan to the JPC for final review and comment.
4. **Final Action Plan** –CSG will produce a final version of the *Warehouse Arts / Deuces Live Action Plan* as a color document suitable for printing, transmittal and posting (as appropriate) on web based / social media outlets. We will conduct one final public presentation of the plan and actions.
5. **Council Briefings and Final Adoption** – CSG will present the plan at an appropriate juncture in Draft Form to Council, followed by Presentation for Adoption as appropriate following JPC Approval. The objective is to achieve

approval for the plan, as well as for a specific list of implementable early phase project improvements.

Deliverable – *Color Report document, formatted in InDesign, with narrative and graphics outlining the products defined in Parts 4 and 5. Root files and PDF suitable for transmittal will be available to the Client and City. Note that relevant streetscape, intersection, and open space design products, including typical street sections, will be completed to the schematic design level, sufficient to be immediately advanced to 30% engineering (Design Development). Also note that schematic design will utilize available GIS data and spot verification, not detailed surveys.*

Part 6 – Public Outreach

GAI will coordinate all public outreach activities described in the scope above. This task will only be utilized for labor and direct expenses associated with creative development, promotion, and hosting of workshops, walking audits, public meetings, and related public activities.

Schedule

GAI will begin work upon receipt of a copy of this Proposal executed and authorized below. GAI will endeavor to complete its Scope of Services and deliver the final project deliverable within ten (10) months, subject to excused delay occasioned by factors beyond GAI's reasonable control.

Compensation

The total cost of GAI's services under this Proposal is \$225,000 to be paid on a lump sum basis, including all direct expenses. The base lump sum fee for Tasks 1-5 is \$200,000 including expense. In addition to the base lump sum fee, there is \$25,000 allocated to Task 6 Public Outreach. This task will be billed on a Time and Materials NTE basis for efforts only associate with developing, promoting, and hosting public meetings and outreach.

Summary of fees by Tasks, including all direct expenses:

Task 1, Kickoff:	\$7,000.00
Task 2, Discovery:	\$35,000.00
Task 3, Design Studio Workshop:	\$48,000.00
Task 4, Conceptual Plans:	\$80,000.00
Task 5, Final Plans:	\$30,000.00
Task 6, Public Outreach:	\$25,000.00

Payment

Payment terms will be in accordance with Exhibit C Client Terms and Conditions of Subconsultants Agreement.

Additional Services

The following items are some services that may be provided as Additional Services:

- On-site meetings in addition to those specifically identified in the above scope of services;
- Implementation-level design and engineering;
- Expanded wayfinding planning beyond that described in the above scope of services

Assumptions and Understandings

GAI's Scope of Services, Schedule, and Compensation as set forth above have been prepared on the basis of the following assumptions and understandings:

1. Client acknowledges and understands that Community Solutions Group is a GAI Consultants, Inc. Services Group. Any reference to Community Solutions Group or CSG in the Proposal for Professional Services also refers to GAI Consultants, Inc. It is further acknowledged and understood that this agreement is between the CLIENT and GAI Consultants, Inc.
2. Client represents that they have not performed environmental investigation and no investigation is required for this assignment.
3. Access to the project site(s) or other land upon which GAI is to conduct any field work will be available to GAI personnel in a timely manner.
4. The City shall be responsible for advertising all public workshops and for securing adequate locations, preferably within the WAD.
5. Client has provided all its requirements for GAI's scope of services and all criteria and/or specifications that GAI should utilize at the time this Proposal is authorized. This includes any requirement for any statement of professional opinion or certification.
6. Client has provided all available information pertinent to GAI's scope of services, including previous reports/drawings; utility information; topo information, etc. at the time this Proposal is authorized. Unless otherwise noted, GAI may rely upon such information.
7. Client will give GAI prompt notice whenever it observes or otherwise becomes aware of any development that affects the scope or timing of GAI's performance.
8. Client will examine and provide comments and/or decisions with respect to any GAI interim or final deliverables within a period mutually agreed upon.
9. Any of Client's other consultant(s)/contractor(s) will cooperate and coordinate with GAI in a timely and efficient manner.
10. GAI's proposed compensation and schedule are based on receipt of authorization to proceed within thirty (30) calendar days of the date of this

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Proposal. GAI reserves the right to adjust its compensation if authorization to proceed is not received within thirty (30) calendar days.

Please do not hesitate to contact me at 321.319.3126 if you have any questions or wish to discuss this Proposal. If this Proposal is acceptable, please sign where indicated below and return one (1) copy for our file. This also will serve as authorization for GAI to proceed. GAI's performance of the Scope of Services will be governed by the Client Terms and Conditions of Subconsultants Agreement, attached hereto as Exhibit C, and incorporated herein by reference.

Sincerely,
**Community Solutions Group,
a GAI Consultants
Service Group**

REQUESTED AND AUTHORIZED BY:
Kisinger Campo and Associates



Andrew McCown, AICP
Planning Manager

BY:

PRINTED
NAME:



Pete Sechler, PLA/AICP
Senior Director, CSG

TITLE:

DATE:

ADM/PCS/shw

Attachments:

- Exhibit A. - Planning Area Boundaries Map
- Exhibit B. - Client Prime Agreement
- Exhibit C - Client Terms and Conditions of Subconsultant Agreement

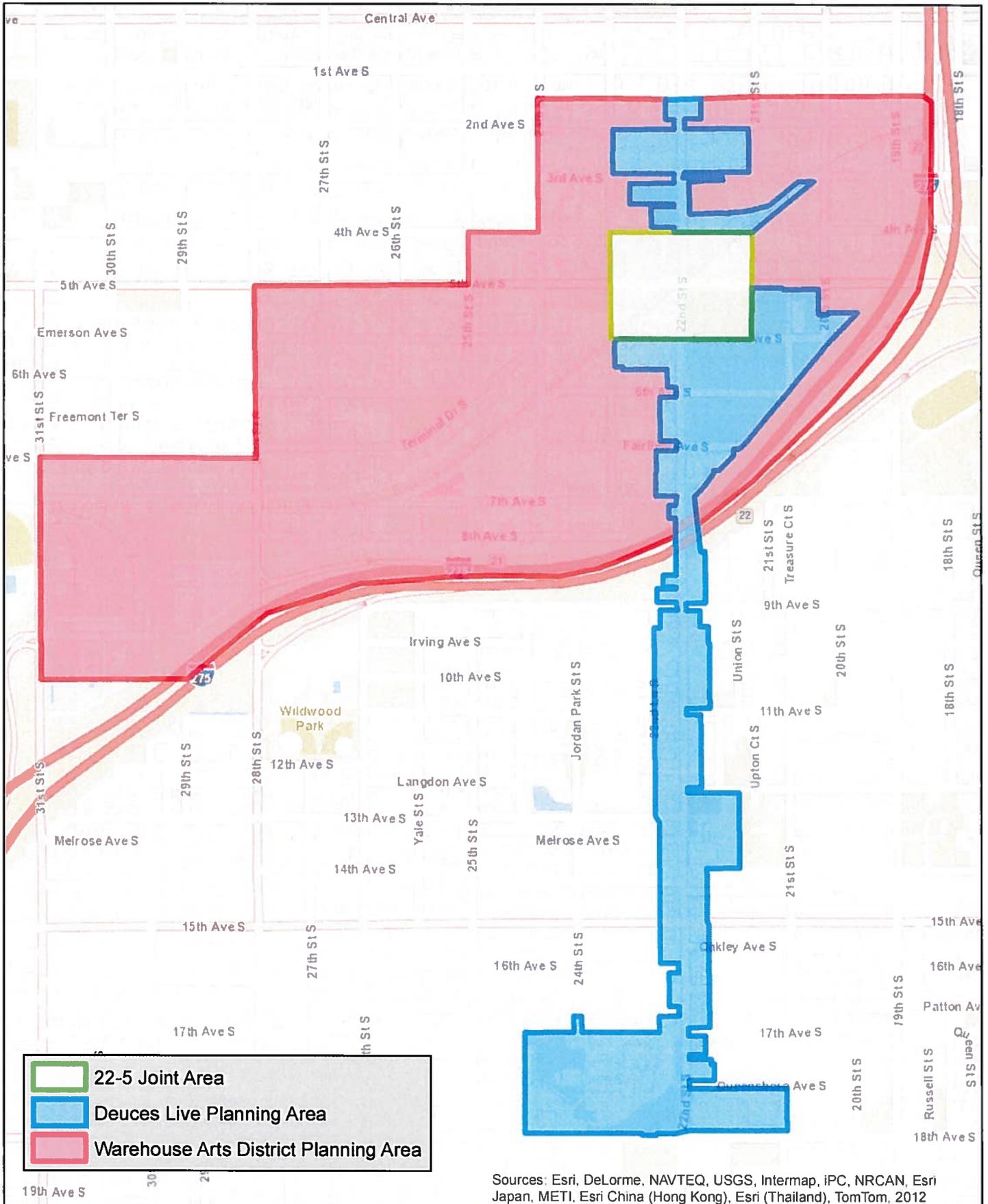
August 25, 2016
Mr. Guillermo Madriz, PE
GAI Project No.: A160112.01

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EXHIBIT A

Planning Area Boundaries Map

Warehouse Arts District/Deuces Live Action Plan Boundaries



Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2012

August 25, 2016
Mr. Guillermo Madriz, PE
GAI Project No.: A160112.01

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EXHIBIT B

Client Prime Agreement



ATTACHMENT "A"

ARCHITECT/ENGINEERING AGREEMENT

THIS ARCHITECT/ENGINEERING AGREEMENT ("Agreement"), made and entered into this 13th day of July, 2012 ("Execution Date"), by and between the City of St. Petersburg, Florida ("City") and **Kisinger Campo & Associates, Corporation** ("A/E").

NOW THEREFORE in consideration of the promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and A/E agree as follows:

SECTION 1.0 – DEFINITIONS

- 1.1 "A/E" shall mean **Kisinger Campo & Associates, Corporation**.
- 1.2 "City" shall mean City of St. Petersburg, Florida.
- 1.3 "City's Project Manager" shall mean the individual designated in a Task Order (as define herein) as the City's Project Manager.
- 1.4 "Day(s)" or "day(s)" shall means calendar days, unless otherwise set forth in this Agreement.
- 1.5 "Deliverables" shall mean all data, reports, design calculations, studies, permit documents, correspondence, design documents, the construction documents, and all other materials produced and developed by the A/E pursuant to this Agreement.
- 1.6 "Force Majeure Event" shall mean an act of God, act of governmental body or military authority, fire, explosion, power failure, flood, storm, epidemic, riot or civil disturbance, war or terrorism, sabotage, insurrection, blockade, or embargo.
- 1.7 "Parties" shall mean the City and A/E.
- 1.8 "Project" shall mean the project identified in a Task Order.
- 1.9 "Scope of Services" means those services set forth in Section 4.0 and a Task Order that are required to be performed by A/E in accordance with the terms and conditions of this Agreement.
- 1.10 "Task Order" shall mean a written document that specifically describes the services to be provided by the A/E, a schedule or timeline for completion of such services, the lump sum not to exceed fees and costs for such services and any other terms and conditions required by the City for such services.
- 1.11 "Work" shall mean all the work to construct the Project that is required to be performed by the contractor pursuant to a construction agreement between the City and contractor.

SECTION 2.0 – TERM OF AGREEMENT

- 2.1 The term of this Agreement shall commence on the Execution Date and shall expire one year after such date or on the completion date set forth in a Task Order executed during the Term of the this Agreement, unless this Agreement is otherwise renewed or terminated as provided for herein. The City reserves the right to extend this Agreement for three (3) one-year periods from the date of expiration provided such extension is mutually agreed upon by both Parties in writing. References in this Agreement to "Term" shall include the initial term of this Agreement and all renewal terms.

SECTION 3.0 – REPRESENTATIONS, WARRANTIES AND ACKNOWLEDGMENTS

- 3.1 The A/E is professionally qualified to provide the Scope of Services and is licensed to practice architecture and engineering in the State of Florida by all public entities having jurisdiction over the A/E and the Project.
- 3.2 The A/E shall be responsible for signing and sealing plans and specifications required by this Agreement.
- 3.3 The A/E shall maintain all necessary licenses, permits or other authorizations necessary to act as the A/E and which are required to provide the Scope of Services during the Term of this Agreement.
- 3.4 The A/E will become familiar with the Project site(s) and the local conditions under which the Project shall be designed, constructed, and operated.
- 3.5 The A/E shall exercise that degree of care and skill ordinarily exercised by members of the same profession and shall perform the Scope of Services using reasonable skill and judgment in accordance with sound business, ethical and professional standards.
- 3.6 The A/E represents that it has or will secure, at its own expense, all personnel required to perform the Scope of Services required by this Agreement.
- 3.7 The A/E warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the A/E to solicit or secure this Agreement and that A/E has not paid or agreed to pay any person, company corporation, individual, or firm, other than a bona fide employee working solely for the A/E any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this Agreement.
- 3.8 The A/E assumes responsibility to the Indemnified Parties (as defined herein) for the negligent acts and omissions of itself, its consultants, subconsultants, employees, agents or representatives for performance of the Scope of Services required by this Agreement.

- 3.9 The A/E accepts the relationship of trust and confidence established between it and the City by this Agreement. The A/E covenants with the City to cooperate to furnish professional efforts during the Term of this Agreement that are consistent with reasonable professional practices and the best interest of the City.
- 3.10 The A/E shall be responsible for the professional quality, technical accuracy and the coordination of all Deliverables furnished, produced and developed by the A/E under this Agreement.
- 3.12 The A/E acknowledges that the City reserves the right to enter into agreements with other firms or entities to assist the City with its review of the Deliverables, any Project component(s), and the Work.
- 3.13 The A/E acknowledges that the A/E shall prepare design Deliverables that can be constructed within the City's budget for construction, which shall be determined by the City in its sole and absolute discretion. The A/E shall monitor costs during the design of the Project and shall advise the City's Project Manager immediately of any deviations from the City's budget for construction. If at any time a cost estimate exceeds the City's budget for construction, the A/E shall submit to the City's Project Manager a written explanation for the reasons for the overage and identify all options available to the City to bring the estimate back within the budget for construction. The City, in its sole and absolute discretion, will determine the option to be followed.

SECTION 4.0 – SCOPE OF SERVICES

- 4.1 The professional services to be performed by the A/E are to be on a continuing basis as directed by the City with the emphasis of the Scope of Services placed on the items and categories set forth in Appendix A.
- 4.2 The detailed services that the A/E shall perform for the City shall be set forth in a Task Order, which shall, after execution by the A/E and the City, be incorporated and made a part of this Agreement. A Task Order shall only be amended in strict accordance with this Agreement.

SECTION 5.0 – CITY'S RESPONSIBILITIES

- 5.1 The City shall provide all available information regarding the Project to the A/E, and shall provide direction to the A/E consistent with the terms and conditions of this Agreement.

SECTION 6.0 – COMPENSATION; INVOICE

- 6.1 Provided that the A/E faithfully performs its obligations contained in a Task Order and subject to other terms and conditions of this Agreement, the City hereby agrees to pay the A/E the fees and costs set forth in a Task Order. Such fees and costs set forth in a Task Order shall be inclusive of all out-of-pocket expenses, including but not limited to transportation, lodging, meals, materials, and documents required by this Agreement.

- 6.2 The A/E shall invoice the City on a monthly basis and the City shall pay the A/E within forty-five (45) days of receipt of such invoice (provided the A/E is in compliance with the terms and conditions of this Agreement and a Task Order). The monthly invoice shall be in the form and contain the detail required by the City's Project Manager.
- 6.3 The fees and costs set forth in a Task Order may be increased only in strict accordance with this Agreement. Nothing in this Agreement shall be construed as placing any obligation on the City to pay any fees and costs to the A/E incurred beyond the fees and costs set forth in a Task Order without the Parties following the Contract Adjustments (as defined herein) procedure set forth in Section 18 of this Agreement.

SECTION 7.0 - NON-COMPENSATED SERVICES

- 7.1 The A/E shall not be compensated for any services required to correct errors, omissions, or deficiencies in the Deliverables caused by the A/E or its consultants, subconsultants, employees, agents or representatives.
- 7.2 The A/E shall not be compensated for any services required to bring any Deliverable(s) in compliance with applicable Laws (e.g., Americans with Disabilities Act and Florida Building Code) in effect at the time such Deliverable(s) was provided to the City in accordance with this Agreement.
- 7.3 If all responsive and responsible bids for the construction of the Work exceed the City's budget for construction, the A/E shall be responsible for all fees and costs associated with modifying any and all Deliverables in order for the City to obtain a responsive and responsible bid within its budget for construction and for all fees and costs for assisting the City in rebidding the Project.

SECTION 8.0 - INDEMNIFICATION

- 8.1 The A/E agrees to indemnify, hold harmless, assume legal liability for, save and defend the City, its officers, elected and appointed officials, employees and agents (collectively, "Indemnified Parties") from and against any and all claims, liens, suits, actions, damages, liability, assertions of liability, losses, costs and expenses in law or in equity, of every kind and nature whatsoever, (collectively, "Claims"), whether or not a lawsuit is filed, including but not limited to costs, expenses and attorneys' and experts' fees at trial and on appeal and Claims for bodily injury or death of persons and or damage to property, which Claims may occur or be alleged to have occurred by or on account of or arising out of (i) any negligent or intentional wrongful act or omission, in whole or in part, of the A/E and its consultants, subconsultants, employees, agents or representatives arising out of this Agreement; or (ii) the failure of A/E and its consultants, subconsultants, employees, agents or representatives to comply with applicable Laws arising out of this Agreement.

- 8.2 The City will promptly notify the A/E of any Claim(s) against the Indemnified Parties. The A/E shall have the right to control the defense of any Claim(s) subject to the foregoing indemnification to the extent of the indemnification. The A/E also shall have the right to settle any such Claim(s) provided that the A/E pays the entire amount of such settlement and there is no finding of fault against the Indemnified Parties.
- 8.3 The provisions of this paragraph are independent of, and will not be limited by, any insurance required to be obtained by A/E pursuant to this Agreement or otherwise obtained by A/E.

SECTION 9.0 – INSURANCE

- 9.1 The A/E shall maintain the following types and amounts of insurance throughout the Term of this Agreement:

Commercial General Liability Insurance Policy protecting the City against all claims or demands that may arise in an amount of at least \$1,000,000 per occurrence and \$2,000,000 aggregate. This policy shall include coverage for (i) personal injury or death or property damage or destruction and (ii) contractual liability under this Agreement.

Worker Compensation Insurance in compliance with the laws of the State of Florida.

Employers Liability coverage with minimum limits of \$100,000 each accident, \$100,000 each employee and \$500,000 policy limit for disease.

Commercial Automobile Insurance in an amount of at least \$1,000,000 combined single limit.

Professional Liability Insurance including Errors and Omissions in an amount of at least \$1,000,000 per occurrence and \$2,000,000 aggregate for the Scope of Services required to be performed by A/E pursuant to this Agreement.

- 9.2 All insurance companies furnishing insurance coverage required by this Agreement shall be licensed and authorized to do business under the laws of the State of Florida and have no less than an "A-" Financial Rating or higher according to the most current edition of AM Best's Insurance Reports or similar.
- 9.3 The A/E shall provide the City with Certificate(s) of Insurance on all the required policies of insurance and renewals thereof in a form(s) acceptable to the City. All policies shall name the Indemnified Parties as additional insureds with the exception of Worker's Compensation and Professional Liability.
- 9.4 Each policy shall provide that the insurance company shall provide the City at least thirty (30) days prior written notice of any reduction, cancellation, or material change in the policy.

- 9.5 The A/E hereby waives all subrogation rights of its insurance carriers in favor of the Indemnified Parties. This provision is intended to waive fully, and for the benefit of the Indemnified Parties, any rights or claims which might give rise to a right of subrogation in favor of any insurance carrier.
- 9.6 The City reserves the right to change or alter the above insurance requirements as it deems necessary.

SECTION 10.0 – OWNERSHIP OF DELIVERABLES

- 10.1 The City shall solely own all Deliverables, including the copyright and all other associated intellectual property rights, produced and developed by the A/E pursuant to the terms and conditions set forth in this Agreement. All Deliverables shall be submitted to the City prior to the City issuing final payment to the A/E.
- 10.2 The City acknowledges that the Deliverables are not intended or represented to be suitable for revision by the City, or others, for purposes other than that for the Scope of Services which said Deliverables were prepared. Any reuse or modification of the Deliverables without written verification or adaptation by the A/E for the specific purpose intended will be at the City's sole risk and the A/E shall not be liable or responsible for any claims arising from the City's reuse or modification of the Deliverables without written verification or adaptation by the A/E.

SECTION 11.0 – SUBCONTRACTS

- 11.1 The A/E shall give advance notification to the City's Project Manager of any proposed subconsulting agreement or subcontract agreement or change to an existing subconsulting or subcontract agreement. (As used in this Agreement, the terms "subcontract agreement" and "subconsulting agreement" shall be interchangeable and the terms "subcontractor" and "subconsultant" shall likewise be interchangeable.)
- 11.2 The advance notification required by 11.1 above shall include the following:
- 11.2.1 A description of the supplies or services called for by the subcontract or change to an existing subcontract.
 - 11.2.2 Identification of the proposed subcontractor and an explanation of why and how the proposed subcontractor was selected.
 - 11.2.3 The proposed subcontractor price.
- 11.3 The A/E shall not make any subcontract changes without the prior written consent of the City's Project Manager. The City's Project Manager may, at its discretion, ratify in writing any such subcontract which shall constitute the consent of the City's Project Manager as required by this Section.

SECTION 12.0 – DISPUTES

- 12.1 Except as otherwise provided in this Agreement, any dispute concerning a question of fact arising under this Agreement, which is not disposed of by a supplemental agreement, shall be decided by the City's Project Manager, who shall provide a written decision to the A/E. The decision of the City's Project Manager shall be final and conclusive, unless within fifteen (15) days from the date of receipt of such copy, the A/E mails or otherwise furnishes to the City's Project Manager a written notice of dispute.
- 12.2 In the event a decision of the City's Project Manager is the subject of a dispute, such dispute may be settled by appropriate legal proceeding or, if the Parties mutually agree in writing, through arbitration or administrative process. Pending any binding arbitral or administrative decision, appeal, or judgment referred to in this Section or the settlement of any dispute arising under this Agreement, the Parties shall proceed diligently with the performance of this Agreement.
- 12.3 Each party shall be responsible for its own costs and expenses, including legal fees, of any arbitration, administrative proceedings, appeal or suit prosecuted by either party.

SECTION 13.0 – SUSPENSION OF SERVICES

- 13.1 The City's Project Manager may, at any time, by written order to the A/E, require the A/E to suspend, delay, or interrupt all or any part of the Scope of Services required by this Agreement. Any such order shall be specifically identified as a suspension of services order ("Suspension of Services Order"). Upon receipt of a Suspension of Services Order, the A/E shall forthwith comply with its terms and immediately cease incurrence of further costs and fees allocable to the services covered by the Suspension of Services Order during the period of stoppage of services. This shall include the involvement of any and all subcontractual relationships.
- 13.2 If a Suspension of Services Order issued under this Section is canceled, the A/E shall resume the Scope of Services within fifteen (15) days after a Suspension of Services Order is canceled. If an adjustment to the Scope of Services or any other term and condition of this Agreement is required due to a suspension of services pursuant to this Section, the Parties shall follow the Contract Adjustments (as defined herein) procedure as described in Section 18 of this Agreement. Failure to agree to any Contract Adjustments shall be a dispute concerning a question of fact pursuant to Section 12.
- 13.3 If a Suspension of Services Order is not canceled and this Agreement is terminated by the City for convenience, the City shall pay the A/E costs and fees for services performed up to the effective date of termination, provided such costs and fees are owed to the A/E pursuant to this Agreement. The A/E shall provide the City all completed or partially completed Deliverables prior to the receipt of payment for services performed up to the effective date of termination.

The foregoing payment shall constitute the A/E's sole compensation in the event of termination of this Agreement and the City shall have no other liability to the A/E related to termination of this Agreement. Without limiting the generality of the foregoing, the City shall have no liability to the A/E for lost profits or lost opportunity costs in the event of termination of this Agreement.

SECTION 14.0 – TERMINATION

14.1 TERMINATION FOR CONVENIENCE

14.1.1 The performance of the Scope of Services under this Agreement may be terminated in whole or in part by the City whenever for any reason the City's Project Manager shall determine that such termination is in the best interest of the City. Termination shall be effective fifteen (15) days after delivery to the A/E of a notice of termination specifying the extent to which performance of Scope of Services under this Agreement is terminated.

14.1.2 Upon receipt of the notice of termination, the A/E shall, unless the notice of termination directs otherwise, immediately discontinue performance of the Scope of Services required by this Agreement and shall proceed to promptly cancel all existing orders and contracts insofar as such orders or contracts are chargeable to this Agreement.

14.1.3 The City shall pay the A/E costs and fees for services performed up to the effective date of termination, provided such costs and fees are owed to the A/E pursuant to this Agreement. The A/E shall provide the City all completed or partially completed Deliverables prior to the receipt of payment for services performed up to the effective date of termination. The foregoing payment shall constitute the A/E's sole compensation in the event of termination of this Agreement by the City for convenience and the City shall have no other liability to the A/E related to termination of this Agreement by the City for convenience. Without limiting the generality of the foregoing, the City shall have no liability to the A/E for lost profits or lost opportunity costs in the event of termination of this Agreement by the City for convenience.

14.2 TERMINATION FOR DEFAULT

14.2.1 The City may terminate this Agreement upon written notice to the A/E in the event the A/E defaults on any of the terms and conditions of this Agreement and such failure continues for a period of thirty (30) days following notice from the City specifying the default; provided, however, that the City may immediately terminate this Agreement, without providing the A/E with notice of default or an opportunity to cure, if the City determines that the A/E has failed to comply with any of the terms and conditions of this Agreement related to insurance coverage.

14.2.1 In the event of termination of this Agreement pursuant to Section 14.2, the City shall not be obligated to make any further payment to the A/E hereunder until such time as the City has determined all costs, expenses, losses and damages which the City may have incurred as a result of such default by the A/E, whereupon the City shall be entitled to set off all costs (including the cost to cover if the City procures similar services from another architect/ engineer), expenses, losses and damages so incurred by the City against any amount due A/E under this Agreement.

14.3 Nothing contained in this Section 14.0 shall be construed as limiting the City's rights and remedies in the event of termination of this Agreement.

SECTION 15.0 – PROHIBITED INTEREST

15.1 No appointed or elected official or employee of the City shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.

SECTION 16.0 – FINDINGS CONFIDENTIAL

16.1 Subject to the requirement of Florida public records laws, all Deliverables produced or developed by the A/E or any City data available to the A/E pursuant to this Agreement shall not be made available to any individual or organization, other than the A/E's consultants, subconsultants, employees, agents or representatives, by the A/E without prior written consent from the City.

SECTION 17.0 – GENERAL PROVISIONS

17.1 Should any section or portion of any section of this Agreement be rendered void, invalid or unenforceable by any court of law for any reason, such determination shall not render void, invalid or unenforceable any other paragraph or portion of this Agreement.

17.2 Each party to this Agreement that is not an individual represents and warrants to the other party that (i) it is a duly organized, qualified and existing entity authorized to do business under the laws of the State of Florida, and (ii) all appropriate authority exists so as to duly authorize the person executing this Agreement to so execute the same and fully bind the party on whose behalf he or she is executing.

17.3 The A/E shall make no assignment of any of its rights, duties, or obligations under this Agreement without the City's prior written consent, which consent may be withheld by City Council in its sole and absolute discretion.

17.4 This Agreement shall be interpreted and construed in accordance with the laws of the State of Florida and shall inure to and be binding upon the Parties, their successors and assigns. Venue for any action brought in state court shall be in

Pinellas County, St. Petersburg Division. Venue for any action brought in federal court shall be in the Middle District of Florida, Tampa Division, unless a division shall be created in St. Petersburg or Pinellas County, in which case the action shall be brought in that division. The Parties consent to the personal jurisdiction of the aforementioned courts and irrevocably waive any objections to said jurisdiction.

- 17.5 The A/E shall comply with all applicable federal, state, and local laws, ordinances, rules and regulations, the federal and state constitutions, and orders and decrees of any lawful authorities having jurisdiction over the matter at issue (collectively, "Laws"), including all Laws related to licensing and permitting, the Americans with Disabilities Act, the Florida Building Code, and Florida Public Records Laws (e.g., Chapter 119, Florida Statutes). The A/E shall also comply with the City's policies and procedures, executive orders and any technical standards provided to the A/E by the City.
- 17.6 This Agreement has been prepared by the City and reviewed by the A/E and its professional advisors. The City, A/E and A/E 's professional advisors believe that this Agreement expresses their agreement and that it should not be interpreted in favor of either the City or the A/E or against the City or the A/E merely because of their efforts in preparing it.
- 17.7 The headings are for convenience only and shall not control or affect the meaning or construction of any of the provisions of this Agreement.
- 17.8 The A/E shall keep accurate books, records and documentation related to this Agreement at the address for delivery of notices set forth in this Agreement. All such books, records and documentation shall be kept by the A/E and shall be open to examination, audit and copying by the City during the term of this Agreement and for a period of five (5) years following termination or expiration of this Agreement. The A/E shall bear the costs associated with the retention of books, records and documentation. Nothing herein shall be construed to allow destruction of records that may be required to be retained longer by the statutes of the State of Florida.
- 17.9 All obligations and rights of any party arising during or attributable to the period prior to expiration or earlier termination of this Agreement, including but not limited to those obligations and rights related to indemnification, shall survive such expiration or earlier termination.
- 17.10 This Agreement may be amended only in writing executed by the Parties.
- 17.11 This Agreement constitutes the entire agreement between the Parties and supersedes all prior and contemporaneous agreements, whether oral or written, between them.

- 17.12 Each appendix and Task Order to this Agreement, including attachments to an appendix or Task Order and materials referenced in an appendix or Task Order, is an essential part hereof and is incorporated herein by reference.
- 17.13 No term or condition of this Agreement shall be deemed waived, and no breach of this Agreement excused, unless the waiver or consent is in writing signed by the party granting such waiver or consent.
- 17.14 In the event that either party is delayed in the performance of any act or obligation pursuant to or required by this Agreement by reason of a Force Majeure Event, the time for required completion of such act or obligation shall be extended by the number of days equal to the total number of days, if any, that such party is actually delayed by such Force Majeure Event. The party seeking delay in performance shall give notice to the other party specifying the anticipated duration of the delay, and if such delay shall extend beyond the duration specified in such notice, additional notice shall be repeated no less than monthly so long as such delay due to a Force Majeure Event continues. Any party seeking delay in performance due to a Force Majeure Event shall use best efforts to rectify any condition causing such delay and shall cooperate with the other party to overcome any delay that has resulted.
- 17.15 The A/E shall not take any action that will result in a lien being placed against the City or to any services or Deliverables being provided to the City. In the event the City is placed on notice of an intent to lien or placed on notice of a lien by the A/E, its consultants, subconsultants, employees, agents or representatives, the A/E will take immediate action at the A/E's expense to respectively prevent or remove and discharge the lien.
- 17.16 Subject to the requirements of Florida public records laws, neither party shall use the other party's name in conjunction with any endorsement, sponsorship, or advertisement without the prior written consent of the named party.
- 17.17 The obligations of the City as to any funding required pursuant to this Agreement shall be limited to an obligation in any given year to budget, appropriate and pay from legally available funds, after monies for essential City services have been budgeted and appropriated, sufficient monies for the funding that is required during that year. Notwithstanding the foregoing, the City shall not be prohibited from pledging any legally available non-ad valorem revenues for any obligations heretofore or hereafter incurred, which pledge shall be prior and superior to any obligation of the City pursuant to this Agreement.
- 17.18 All Deliverables shall be made available to the City upon request and shall be considered public records in accordance with Chapter 119, Florida Statutes, unless exempt therefrom.
- 17.19 Time is of the essence of this Agreement and each of its provisions.

17.20 In the event of an inconsistency or conflict the following order of precedence shall govern: (i) this Agreement, exclusive of the appendices and a Task Order and the attachments to and materials referenced in an appendix or Task Order, (ii) the appendices to this Agreement, exclusive of the attachments to and materials referenced in an appendix; (iii) a Task Order, exclusive of the attachments to and materials referenced in a Task Order; and (iv) the attachments to and materials referenced in the an appendix or Task Order.

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

SECTION 18.0 – CONTRACT ADJUSTMENTS

18.1 Either party may propose additions, deletions or modifications to the Scope of Services ("Contract Adjustments") in whatever manner such party determines to be reasonably necessary for the proper completion of the services. Proposals for Contract Adjustments shall be submitted to the non-requesting party on a form provided by the City. Contract Adjustments shall be effected through written amendments to this Agreement signed by authorized representatives of the Parties.

18.2 There shall be no modification of the not to exceed fees and costs set forth in a Task Order on account of any Contract Adjustment made necessary or appropriate as a result of the mismanagement, improper act, or other failure of the A/E or its consultants, subconsultants, employees, agents or representatives to properly perform their obligations and functions under this Agreement.

18.3 Notwithstanding anything to the contrary contained in this Agreement, there shall be no change in the not to exceed fees and costs set forth in a Task Order or the Scope of Services except through a written amendment to this Agreement signed by authorized representatives of the Parties.

SECTION 19.0 – NOTICE

19.1 Unless and to the extent otherwise provided in this Agreement, all notices, demands, requests for approvals and other communications which are required to be given by either party to the other shall be in writing and shall be deemed given and delivered on the date delivered in person, upon the expiration of five (5) days following the date mailed by registered or certified mail, postage prepaid, return receipt requested to the address provided below, or upon the date delivered by overnight courier (signature required) to the address provided below.

CITY:

City of St. Petersburg
Engineering Department
P. O. Box 2842
St. Petersburg, FL 33731
Attention: Phillips Keyes, P.E., Design Manager
Phone: (727) 893-4165
Fax: (727) 892-5476
Email: phillip.keyes@stpete.org

WITH A COPY TO:

City of St. Petersburg
Engineering Department
P.O. Box 2842
St. Petersburg, FL 33731
Attention: Thomas B. Gibson, P.E., Engineering &
Capital Improvements Director
Phone: (727) 892-5206
Fax: (727) 892-5476
Email: thomas.gibson@stpete.org.

A/E:

Kisinger Campo & Associates, Corporation
201 North Franklin Street, Suite 400
Tampa, FL 33602
Attention: Mr. Paul G. Foley, P.C.
President
Phone: (813) 871-5331
Fax: (813) 871-5135
Email: paul.foley@kisingercampo.com

- 19.2 Either party may change its authorized representative or address for receipt of notices by providing the other with written notice of such change. The change shall become effective five (5) days after receipt by the non-changing party of the written notice of change. Unless otherwise agreed to by the Parties in writing, electronic submission of notices does not relieve either party of the requirement to provide notice in writing as required in Section 19.1 above.

SECTION 20.0 - SCHEDULE

- 20.1 The A/E shall perform the Scope of Services in accordance with the schedule set forth in a Task Order. Such schedule may be revised by the City's Project Manager after consultation with the A/E.

SECTION 21.0 – PERSONNEL

- 21.1 The A/E shall assign the key personnel identified in a Task Order to perform the Scope of Services in accordance with this Agreement. The A/E shall not, without the City's prior written consent, transfer, reassign, redeploy or otherwise remove any key personnel; provided, however, that removal of any key personnel due to their incapacity or termination shall not constitute a violation of this Section. If any of the key personnel are incapacitated or are terminated, the A/E shall, within ten (10) days, replace such person with another person approved by the City and that is at least as well qualified as the person who initially performed that person's role. The A/E shall provide for a transition period of at least one (1) week (or such shorter period of time approved by the City) during which time any key personnel being replaced shall familiarize their replacement(s) with the work required to be performed by the replacement(s). The A/E shall be solely responsible for all costs associated with replacement of key personnel. Without limiting the generality of the foregoing, if any change in key personnel causes a delay, the A/E shall be solely responsible for any and all of its increased costs associated with such delay.
- 21.2 The City may require the A/E to replace any persons performing the Scope of Services, including but not limited to A/E's consultants, subconsultants, employees, agents or representatives, whom the City determines is not performing the Scope of Service to the City's satisfaction. Before a written request is issued, authorized representatives of the City and the A/E will discuss the circumstance. Upon receipt of a written request from an authorized representative of the City, the A/E shall be required to proceed with the replacement. The replacement request will include the required replacement date and the reason for the replacement. The A/E shall use its best efforts to effect the replacement in a manner that does not degrade service quality. This Section will not be deemed to give the City the right to require the A/E to terminate a person's employment. Rather, this Section is intended to give the City only the right to require that the A/E discontinue using persons in the performance of the Scope of Services under this Agreement.

IN WITNESS WHEREOF the Parties hereto have executed this Agreement on the day and date first above written.

A/E

Sign: *Paul G. Foley*

Print: Paul G. Foley, P.E.

Title: President
Kisinger Campo & Associates, Corporation

WITNESSES

Sign: *Madge L. Miller*

Print: Madge L. Miller

Sign: *Catherine P. Ellis*

Print: Catherine P. Ellis

CITY OF ST. PETERSBURG, FLORIDA

Sign: *Thomas B. Gibson*

Print: Thomas B. Gibson

Title: Engineering Director

ATTEST

Acting *Cathy E. Davis*
City Clerk



(SEAL)

Approved by the City's Project Manager

Phillip Keyes
Phillip Keyes, Design Manager

Approved as to Content and Form

[Signature]
City Attorney (Designee)

Final Form A/E Agreement
Revised 2012
Document 00161679

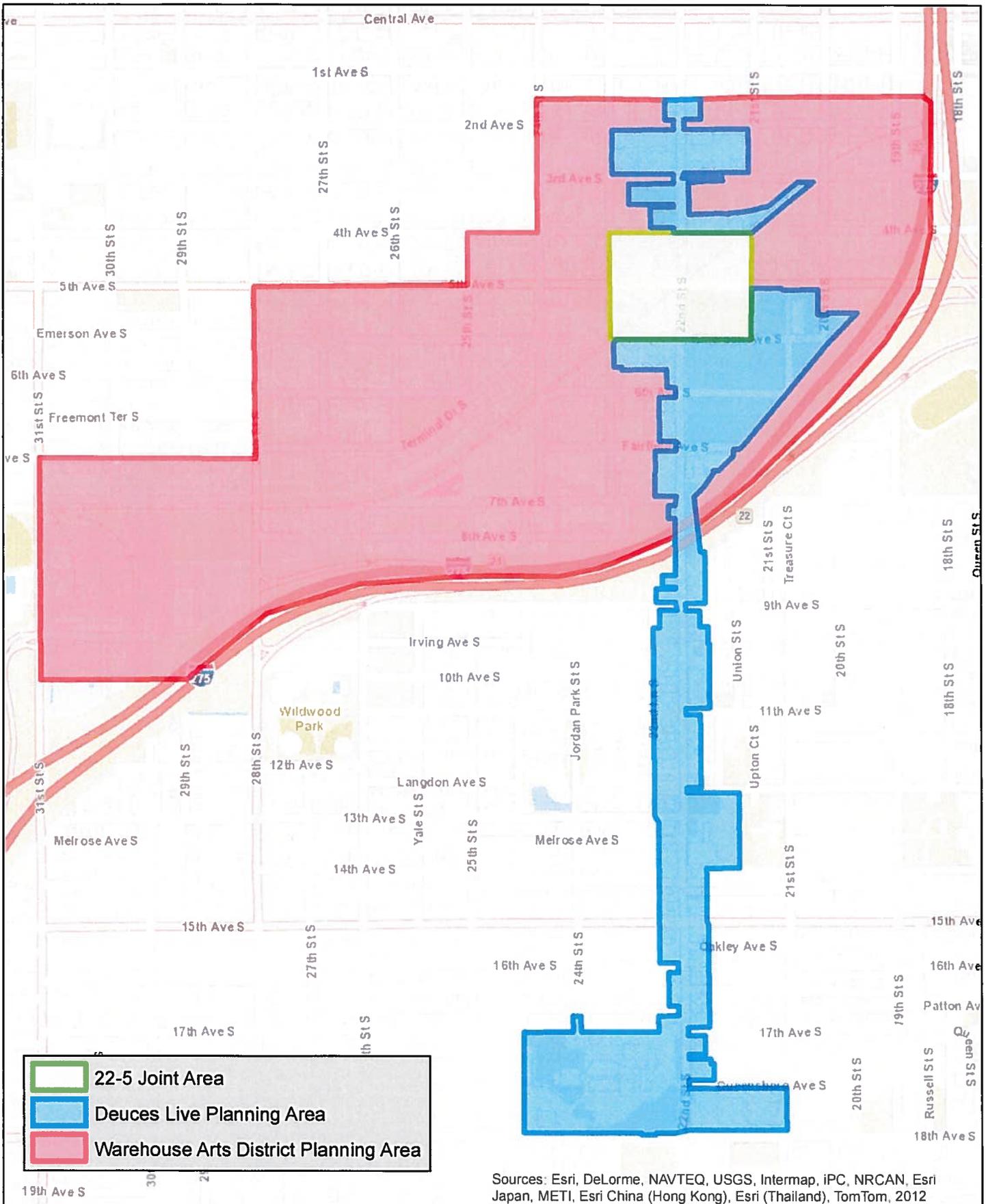
August 25, 2016
Mr. Guillermo Madriz, PE
GAI Project No.: A160112.01

Planning | Urban Design
Landscape Architecture
Economics | Real Estate

EXHIBIT C
Client Terms and Conditions of Subconsultant Agreement

EXHIBIT B
**WAREHOUSE ARTS DISTRICT/DEUCES
LIVE – ACTION PLAN BOUNDARY AREA**

Warehouse Arts District/Deuces Live Action Plan Boundaries



**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: **Members of City Council**

DATE: **August 25, 2016**

COUNCIL DATE: **September 8, 2016**

RE: ***Community Gardens and Backyard Chickens***

ACTION DESIRED:

Respectfully request to refer to the Public Services & Infrastructure Committee a presentation from the Pinellas County Cooperative Extension in regard to the Best Management Practices (BMP) concerning reduction of nitrogen loading to Tampa Bay from community gardening activities.

Steve Kornell, Council Member
District 5

COUNCIL AGENDA NEW BUSINESS ITEM

TO: **Members of City Council**

DATE: **August 25, 2016**

COUNCIL DATE: **September 8, 2016**

RE: ***Diversion Program First Quarterly Report***

ACTION DESIRED:

Respectfully request to refer to the Public Services & Infrastructure (PSI) committee a discussion of the first quarterly report in regard to the diversion program for several misdemeanor crimes which is being implemented by the Sheriff's department.

RATIONALE:

At the St. Petersburg City Council meeting on August 25, 2016 the Council voted to pass a resolution in support of the Sheriff's proposed diversion program for several classes of misdemeanor crimes, rather than enacting our own ordinance. The Sheriff has agreed to provide a quarterly report to let all stakeholders know how the program is doing in regard to its stated goal of reducing charges for petty crimes. This referral will add the first quarterly report to the PSI referral list for Council discussion. As the Council member who proposed trying to address the issue, I sent the Sheriff a letter outlining the information I felt should be included in the report. This will provide an opportunity to discuss the information provided by the Sheriff, compare it against the requested information and to address any other concerns expressed by City Council members.

Steve Kornell, Council Member
District 5

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: **Members of City Council**

DATE: **August 31, 2016**

COUNCIL DATE: **September 8, 2016**

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

ACTION DESIRED:

Respectfully requesting a referral to the Public Services & Infrastructure Committee for a presentation by the Claybaker Foundation and the Parks and Recreation Department on implementation and installation of a proposed Brittany Gordon Veteran's Memorial at Dell Holmes Park.

Charlie Gerdes
Council Member

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

Minutes

July 28, 2016

8:00 – City Hall – Room 100

Present: Committee Members Chair James R. “Jim” Kennedy, Jr., Vice-Chair Karl Nurse
Charles Gerdes and Ed Montanari (alternate).

Absent: None.

Also: Councilmember Steve Kornell, Chief Assistant City Attorney, Jeannine Williams; City Administrator, Assistant City Attorney, Kim Streecher; Gary Cornwell; Mayor, Rick Kriseman; Public Works Administrator, Claude Tankersley; Finance Director, Anne Fritz; Water Resources Director, Steve Leavitt; Water Resources Special Projects Manager, Evelyn Rosetti; Budget Director, Tom Greene, Billing & Collections Director, Tammy Jerome, Budget Manger; Denise Labrie; Andrew Burham, Hawksley Consulting; City Auditor, Bradley Scott; Manager Parks and Recreation, Linda Seufert; Fire District Chief, Dean Adamides and Senior Deputy Clerk, Cathy E. Davis.

A. Call to Order

Chair Kennedy called the meeting to order with the above persons present.

B. Approval of Agenda

In connection with the approval of the meeting agenda, Councilmember Gerdes motioned that the agenda be approved as written. All were in favor of the motion.

C. Approval of Minutes

1. July 14, 2016

In connection with the approval of the July 28th meeting minutes, Councilmember Gerdes motioned that the minutes be approved as written. All were in favor of the motion.

D. New/Deferred Business

1. August 25, 2016

a. FY17 Utility Rates with Bond Issuance and Refunding

Andy Burnham, Hawksley Consulting, explained that the based upon the recommendation by BF&T committee from the July 218, 2016 meeting, a slight revision was made to the wastewater rate from 8.75% to 9.75% which brings in an additional \$500,000 for capital projects. The impact to the customer utility bill is an increase of

\$4.60 to people who use reclaimed water and \$3.73 increase for those who do not use reclaimed water.

Andy reviewed the Stormwater rate history and comparison of Stormwater rates to other jurisdictions. Fee is comparable in the area, and the industry trend is that the rates are increasing to address regulatory challenges to the system.

Sewer rehabilitations program has 10.5 million scheduled for FY17 and 14.5 million for FY18. Due to the increase in CIP costs, the overall rate increases are higher this year, from 3.75% in FY16 to 5.25% increase in FY17. This includes an increase of 9.75% in sewer and an increase of 4.25% in reclaimed water but no increase in water. A comparative survey was discussed and the city rates are comparable in the area.

Wholesale rates were also discussed. Wholesale water is recommended to increase .8% and wholesale wastewater recommendation is a 1.8% increase. Wholesale rates are set contractually and have a specific formula each year, such as City of St Pete Beach.

Council Member Rice asked if fees go into the general fund and how they are spent and how they are spent. Funds go into the general fund for general overhead and contributions for franchise fees and taxes. The monies are transferred from the enterprise funds to the general fund. The funds are not earmarked for specific purpose, but becomes general fund revenue.

b. Alternate Funding for Water Resources Update (Fritz)

Deferred to Sept 8, 2016

c. Quarterly Financial Report (Fritz)

Anne Fritz reviewed the third quarter investment report. The net book value for all city investments for June 30, 2016 was \$555,264,843 with a market value of \$562,540,182 for a \$7,275,340 market gain. The report shows the details for each of the portfolios.

The index funds have been watched closely. As of June 30, the funds are now back over the market value. There has been a gravitation toward dividend paid stocks. So the results are being seen in the index fund results. As of June 30, the city has receive \$777,363 in dividends since February of last year.

The investment report shows a higher book value and market value from September of 2015. Anne explained why this is occurring due to the number of borrowings and interest rates being held down. Comparing to the bench mark, at June 30, 2016, the book value rate return was 1.64%, 1.07% market adjustment which is a market value rate adjustment of 2.71%. The average institutional market rate is up to 39 basis points and Merrill Lynch index is at 59 basis points.

The investment earnings for quarter 3 was \$663,027, bringing a total 12 month earnings of \$7,040,994 for a 1.51% rate of return. This is a quarter were funds are used, so 43.8 million in purchases compared to 52 million in called maturities.

Liquidity Discloser has \$127,644,062 to be mature in one year and Anne reviewed other account holders. The city is in within the policy rate.

The amortized book value portfolio is much diversified as strategized. The largest holdings are under the 30% range. Market value perspective shows which funds are doing better than others. There has been good returns on the taxable municipals.

The actual earnings show a small uplift than a level off at June 30 because of the rate increases that did not happen at the Federal level. The portfolio is very stable by strategy and does not show significant book value fluctuation.

Charles Mulfinger, Graystone Consulting, explained the management of the Weeki Wachee Funds. The policy follows the city investment policy, which is conservative. The money is being managed with 60% in equity funds and 40% diversified in fixed income. With that time of blend, there is a risk of some volatility over time, but the volatility has been on the upside. The third quarter the economic environment has been in slow growth. As of June 30, the portfolio was \$16,333,185 with fees for the quarter of \$7,670 for a gain (net fees) of \$222,488 for the quarter. Returns for the quarter was 1.4% and since March 9, 2016 a gross return of 4.21% and 4.16% net. From March 9, 2016 until today, the funds are up 6.77%. The report shows the fees for the funds, which is about 70 basis points. The last page of the report shows the recommendations for future investments.

Discussion on the water cost stabilization investment dividends occurred along with discussion when fees on the investment of Weeki Wacee funds are taken.

Council Member Nurse asked if the eater cost stabilization funds be increased. Anne explained that this was discussed at the Investment Oversight Committee (IOC) and the recommendation was to leave the 20 million at this time and monitor. Anne will place this on an upcoming IOC meeting.

Discussion on the long term outlook was discussed. Charles Mulfinger explained that there has been 7 years of economic growth, so some pull back will happen, but exactly when in unknown. Graystone Consulting believes that slow growth will continue this year and beginning of next year. However, the portfolio is well diverted and mangers watching over each other. There are no alternatives, but still well diversified for traditional investments.

Council Member Kennedy asked if Greystone has any suggestions in changes in the policy that they have been given. Charles Mulfinger explained that they have made some suggestions to diversify the policy a bit more, but they did not fall within the investment policy statement. It was requested that Greystone make recommendation on the alternate investment policy to the IOC.

Anne reviewed the outstanding debt report. Pier and Pier Approach projects to date are in the packet. These reports are actual money spent. Enterprise funds show debt with Marina, Sanitation, Stormwater, and Water Resources. The chart goes out to 2025. When the new debt is issued, the chart will go out to a later date.

Discussion occurred on CRA TIFF funds. Anne explained that issuing debt against TIFF is much more difficult to bond on its own due to TIFF not being a stable revenue source due to the recent recession that the funds have not been there long enough and there is not enough funds. Council Member Kornell stated that the city should continue to lower its debt.

Anne explained the pension investment report has declined in the 12 month funding due to the market return being lower than in the past years and it is expected to continue. Adjustment have been made but the effect will not be seen for few years.

Budget versus actual shows that the budget is where it is expected. OpenGov has been updated.

Tom Greene reported on the budgetary Performance Report. He reminded about three items that impact the FY16 budget: BP Settlement, Preservation Fund and FY15 Budget Reconciliation. Include in the report is a summarization of the BP funds. There is currently approximately \$700,000 not allocated.

Revenue for FY16 is projected to be \$227.5 million. That is up about \$200,000 above the amended budget and 3.2 million above the adopted budget for FY16.

Expenditures are estimated at 235,496 million (including the BPP appropriations and encumbrances from FY15). When the BP appropriations and encumbrances are accounted for, the adjusted operating expenditures for FY16 is \$228,975. When comparing the expenditures to revenue, there is approximately \$1.39 million negative variance between projected revenues and projected expenses. Tom Greene reminded that 1.39 million is about the same amount that was rolled over last year.

The 20% target will be met for FY16 and slightly below in FY17. The 5% target will be met in both FY16 and FY17.

CM Nurse noted that the building permits revenue has increased due to the increase in construction and asked if the building fees be looked at and revised. Gary Cornwell advised that Mr. Dunn is working on a revised fee schedule that will be presented to council.

Council Member Montanari asked that it would be helpful to have the 5% and 20% targets over time. Anne explained that in the past, the city was below target for many years. The targets have been reconstituted to be more effected and better reflects what is reported.

Council Member Gerdes asked about funds being put back in the reserves. Tom Greene explained that each month, 1/12 of the \$500,000 is being put back in the reserves and that another \$500,000 will be put in reserves for FY17.

Discussion over line item expenditures occurred and if any line items are overspending significantly. Ton explained it is hard to call out a specific line item because of different spending patterns in each department.

d. Resolution to Reimburse Certain Capital Expenditures in Connection with a Police Headquarters (Fritz)

In connection with a request for approval of Resolution Reimbursement for Upcoming Financing in connection with Acquisition, Construction and Equipping of A Police Headquarters Facility, A Pistol Shooting Range and Training Center and an Attendant Parking Garage, with Proceeds of A Future Tax-Exempt Financing Councilmember Gerdes motioned with the second of Councilmember Rice that the resolution be approved by the committee. All were in favor of the motion. Ayes. Kennedy. Nurse. Gerdes. Rice. Nays. None. Absent. None.

E. Continued Business

F. Upcoming Meetings Agenda Tentative Issues

1. September 8, 2016

a. Changes to Purchasing Requirements (Moore)

b. Quarterly Grant Report (Ojah-Maharaj)

2. September 22, 2016

G. New Business Item Referrals

H. Adjournment

There being no further business, the meeting was adjourned at 9:26 am.

RESOLUTION NO. 2016-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. PETERSBURG, FLORIDA ESTABLISHING ITS INTENT TO REIMBURSE CERTAIN CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH ACQUISITION, CONSTRUCTION AND EQUIPPING OF A POLICE HEADQUARTERS FACILITY, A PISTOL SHOOTING RANGE AND TRAINING CENTER, AND AN ATTENDANT PARKING GARAGE, WITH PROCEEDS OF A FUTURE TAX-EXEMPT FINANCING; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of St. Petersburg, Florida (the "Issuer") has previously adopted Resolution No. 2011-354 on September 8, 2011 (the "2011 Resolution"), declaring its intention to be reimbursed from proceeds of a future tax-exempt financing for capital expenditures to be paid by the Issuer for the purpose of acquiring land and constructing and equipping of a police headquarters thereon and other public safety projects, all in accordance with plans on file at the offices of the Issuer, as such plans may be modified from time to time (the "Original Project"); and

WHEREAS, the Issuer now desires to modify the description of the Original Project and certain other details relating to the 2011 Resolution by adopting this Resolution.

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

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to the provisions of Article VIII, Section 2 of the Constitution of the State of Florida, Chapter 166, Part II, Florida Statutes, the municipal charter of the City of St. Petersburg, Florida and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS. It is hereby ascertained, determined and declared that:

A. The Issuer has determined that the need exists to incur debt to expend funds in the general fund or other appropriate fund or account in order to acquire, construct and equip the Issuer's police headquarters facility, pistol shooting range and training center, and attendant parking garage, all in accordance with plans on file at the offices of the Issuer, as such plans may be modified from time to time (the "Revised Project").

B. It is expected that the costs of the Revised Project will be reimbursed by and financed with the borrowing proceeds by the Issuer in the future.

SECTION 3. DECLARATION OF INTENT. The Issuer hereby expresses its intention to be reimbursed from proceeds of a future tax-exempt financing for capital expenditures to be paid by the Issuer for the purpose of acquiring, constructing and equipping the Revised Project. The Issuer expects to use funds on deposit in the general fund or other appropriate fund or account to pay costs associated with the Revised Project. It is reasonably expected that the total amount of debt to be incurred by the Issuer with respect to the Revised Project will not exceed \$58,000,000. This Resolution is intended to constitute a "declaration of official intent" within the meaning of Section 1.150-2 of the Income Tax Regulations which were promulgated pursuant to the Internal Revenue Code of 1986, as amended, with respect to the debt incurred, in one or more financings, to finance the Revised Project.

SECTION 4. SEVERABILITY. If any one or more of the covenants, agreements or provisions of this Resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separate from the remaining covenants, agreements or provisions of this Resolution.

SECTION 5. SUPERSEDING OF INCONSISTENT RESOLUTIONS. This Resolution supersedes all prior actions of the Issuer inconsistent herewith. All resolutions or portions thereof in conflict with the provisions of this Resolution are hereby superseded to the extent of any such conflict.

SECTION 6. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

LEGAL:

DEPARTMENT:

City of St. Petersburg
Public Services & Infrastructure Committee
Meeting of August 25, 2016 - 9:15 a.m.
City Hall, Room 100

Members and Alternates: Chair Steve Kornell, Councilmembers Charlie Gerdes, Jim Kennedy, Ed Montanari

Others present: Mayor Rick Kriseman, Councilmembers Karl Nurse, Darden Rice, Amy Foster; Support Staff: John C. Norris, Stormwater, Pavement and Traffic Operations Director, Nina Mahmoudi, Manager of Creative Services (Marketing), Chris Guella, Director of Human Resources, Jeannine S. Williams, Chief Assistant City Attorney, Eve Epstein, Wage and Hour Compliance Coordinator, Heather Judd, Assistant City Attorney and Patricia Beneby, Deputy City Clerk

- 1) Call to Order 9:33 A.M.
- 2) Approval of Agenda
 - a) Motion for approval by CM Kennedy. Unanimously Passed: 4-0.
- 3) Approval of Minutes
 - a) July 28, 2016 – Motion for approval by CM Gerdes. Unanimously Passed: 4-0
- 4) New Business
 - a) **A Recommendation to Strengthen Wage Theft Ordinance Enforceability**
 - i. CM Rice introduced the ordinance and explained the history of the program. She also introduced county representatives.
 - ii. Eve Epstein gave the presentation on record.
 - iii. Chair Kornell explained that the committee would take questions, but may defer to the next meeting due to the schedule.
 - iv. CM Nurse stated that the goal should not be to find employers guilty, but to educate employers and employees on the ordinance.
 - v. CM Kennedy asked about the difference between the county and city ordinances. Eve replied that they are substantively the same. The county is not exempt from their ordinance, but the city is exempt.
 - vi. CM Kennedy stated that he would like to see the city and county rules be the same. He also asked what the budget was for this. Chris Guella replied that this year it was \$75,000 and have proposed a \$52,000 increase for next year's budget.

- vii. CM Nurse asked if there was a penalty for filing a false claim. Eve Epstein answered that it is so cumbersome to file that it is unlikely that anyone would file a false claim.
- viii. CM Montanari questioned the fiscal responsibility of this program. He pointed out that we have spent approximately \$3500 per complaint. He asked about cost sharing when we merge with the county.
- ix. CM Rice responded that it is the first year and more community outreach will increase the number of complaints. Eve Epstein stated that Miami/Dade had the same experience in their first year.
- x. Discussion continued on how the committee should proceed with this item. It was decided that it would be discussed at the next meeting and the committee would advise legal on changes to the ordinance.

b) Continue Discussion of Vehicle for Hire Ordinance – Legal - Judd

- i. Mayor Kriseman started the discussion by explaining that the state legislature was working on this during last session, but nothing happened. It should be back next session for discussion and will have a better chance of moving forward. The cities proposed ordinance changes have been provided to all parties involved. Lyft was okay with the ordinance, but Uber had issues. The Mayor suggests having an additional option available to consider. This option would focus on regulating the core concerns, licensure, safety, background checks and insurance coverage.
- ii. CM Kornell explained that the format for the meeting would not include public comment, but public comment can be included in future meetings.
- iii. CM Kennedy started a discussion on how we would enforce the ordinance if certain carriers did not agree with regulations and did not comply. The Mayor explained that we have put enforcement on hold, but could enforce by using a sticker in the future.
- iv. Heather Judd gave an overview of the ordinance changes. The proposed ordinance would allow for “Master Insurance Policies”, would accept an affidavit stating that background checks were done to City standards and fingerprinting would not be required. She also explained that the new ordinance reflects a difference between all pre-arranged service types and all instant service providers.
- v. CM Nurse brought up the issue of not fingerprinting and wanted to ensure the safety of all passengers. The Mayor responded that he has spoken to the Chief of Police and was told that they don’t currently use the fingerprints, unless it is related to another crime. Heather Judd explained that the TNS would still have to provide an affidavit for the background check. CM Nurse asked what would happen if they do not comply with the background checks, to which the Mayor responded that the TNS would open themselves up to damages.

- vi. CM Montanari asked the Mayor about the proposed additional option. The Mayor said that there are three options, 1) the subject proposed ordinance, 2) a minimalistic regulation option or 3) wait for state legislation. CM Montanari agreed that they should look at the minimalistic regulation option.
- vii. CM Kennedy asked about the benefits and detriments of other cities' ordinances. Heather Judd responded that they have fit the TNS to the existing ordinance, built a fresh ordinance and added the TNS as a back page to an ordinance. Mayor Kriseman spoke of the Gainesville ordinance. The main issue with that was the business tax per vehicle. Uber does not wish to disclose the number of vehicles, as they consider it a trade secret.
- viii. CM Kornell stated that he would take CM Gerdes comment, but then defer further discussion to the September 22nd meeting.
- ix. CM Gerdes brought up the requirement of drivers to keep a manifest of rides in the vehicle. He suggested that we need to deconstruct and reconstruct the existing ordinance. He favored deregulating taxis more than regulating TNS's. Heather Judd explained that the manifest was required to ensure that drivers were providing service to all parts of the city.
- x. Mayor Kriseman reiterated the need for another option that focuses on safety and insurance. CM Gerdes would like to get something done before the next legislative session. CM Montanari would like to have the alternative proposal for the September 22nd meeting.

5) Upcoming Meetings

- a) September 8, 2016 (At 9:15 a.m.) – A Recommendation to Strengthen Wage Theft Ordinance Enforceability – Eve Epstein
- b) September 22, 2016 (At 9:15 a.m.) – Continue Discussion of Vehicle for Hire Ordinance – Heather Judd

6) Adjournment 11:05 A.M.

**ST. PETERSBURG CITY COUNCIL
Housing Services Committee Report
Council Meeting of August 25, 2016**

TO: The Honorable Amy Foster, Chair, and Members of City Council

FROM: Housing Services Committee: Karl Nurse, Committee Chair, Darden Rice, Committee Vice-Chair, Charlie Gerdes, Council Member, Lisa Wheeler Bowman, Council Member, and Ed Montanari, Council Member

RE: Housing Services Committee Meeting of September 1, 2016

New Business:

Recommended appointment of Dr. Basha P. Jordan, Jr. (Pastor), to the Board of Directors of the St. Petersburg Housing Authority

Chair Nurse discussed his expectation of how the housing authority policies should align with that of the City, and that he had been in meetings for the past four days in which Dr. Jordan has been in attendance. He introduced Dr. Jordan and thanked him for agreeing to serve on the St. Petersburg Housing Authority Board of Directors.

Council Member Gerdes thanked Dr. Jordan for agreeing to serve. He asked Dr. Jordan to briefly discuss the experience he has with housing. Council Member Gerdes discussed that his experience during the last few years is that we need people who are willing to speak “truth to power”, to stand up for residents that are being served. We need leaders that understand that the welfare of the people is the most important thing.

Dr. Jordan discussed the experience he has in housing issues while he was in Maryland and addressed the issue that he has no problems addressing residents’ issues and that he will stand up as he always has, as a man of god. Dr. Jordan said that he is here because his grand-father, Elder Jordan, gave the land on which Jordan Park is developed. He said that if you have individuals who are afraid to speak up against their living conditions and about what their needs are, anything can happen. He heard about what was happening at Jordan Park on the news, but also went there on his motorcycle to speak with residents about their conditions. He requested residents to allow him to see the inside of the units. Dr. Jordan considered it to be a two pronged problem, Jordan Park had many issues outside of the units (tall grass, rats, etc.), but also the conditions residents lived in within their own homes.

Action: A motion was made to move the recommendation for appointment to Full Council for approval.

Request for Special Assessment Lien Release for 5027 4th Avenue South, Diane Bozich, Real Estate & Property Management

Mike Dove, Neighborhood Affairs Administrator began the discussion by saying that the Special Assessment Lien Release is being requested by Habitat for Humanity because the property lies just outside the South St. Petersburg Community Redevelopment Area (CRA). Diane Bozich of Real Estate and Property Management discussed that Habitat has made application Option D. Because it falls outside of the CRA the item will be coming to Council for approval in October.

Councilmember Gerdes asked does the Committee have to waive the Administrative Fee and s. Bozich responded that the fee does not have to be waived.

Action: A motion was made to approve the request.

Referral to the Housing Services Committee of a discussion regarding CDBG deferred mortgage liens against non-profits, Lynn Gilbert, Housing Development Coordinator

Ms. Gilbert provided an oral presentation which discussed that the previous policy for agencies receiving assistance with Community Development Block Grant (CDBG) funding required that for every \$10,000 in funding received an agency had to provide one year of service. That policy was changed in 2010 and increased to \$25,000 in funding for each year of service required.

Chair Nurse asked were the agencies listed all non-profits continuing to do non-profit work. The response from Ms. Gilbert was yes. Council Member Rice asked, what is the rationale for the proposed changes?

Mr. Dove responded that this is more in keeping with the contemporary process, and relieves some of the burden of the non-profits of having to provide financial statements long after the lien on the project should have long been released.

Action: A motion was made to move the recommendation to Full Council for approval.

City Council Referral Item on City owned lots

Mr. Dove provided a power-point presentation of lots the City owns (park land, drainage, etc.). The City has 36 Neighborhood Stabilization (NSP) lots and no City surplus lots. Ms. Bozich discussed that Real Estate occasionally receive surplus lots, and have received three recently that is being moved through the process. Mr. Dove showed lots highlighted in yellow that are vacant and Ms. Bozich discussed that they are on corridors where the City may have them for a special purpose.

Mr. Dove discussed that the referral was based on an incorrect premise. Most of the vacant lots the City owns are park lands and easements. Ms. Bozich discussed that some of the lots have been sold to the abutting property owners. Vacant lots are a burden on the City because of the maintenance.

Chair Nurse asked can we sell NSP lots to non-profits for affordable housing. Ms. Lampe responded that there are several ways we are going to go. We are working with Habitat, Bright Futures Community Land Trust, and the Neighbor Next Door. NSP 1 and 3 each has a different category of requirements.

Mr. Dove discussed that the City foreclosed on its first house. The owner passed away and the unit is occupied.

Action: No action taken.

Informational Review of State Housing Initiatives Partnership (SHIP) Annual Reports, Terry Salerno, Fiscal Manager

Ms. Salerno provided an update on the Annual Reports that are currently advertised for notice and comment from the general public prior to its submission to the Florida Housing Finance Corporation on or before September 15, 2016. She commended staff for meeting all expenditure and encumbrance requirements in a timely manner.

Chair Nurse asked whether Rebuilding Together Tampa Bay was still doing work in the City. Mr. Dove responded that they were offered a contract in Sulphur Springs which is now consuming all of their time.

Chair Nurse asked is there a potential to shift some of the housing funding into rental assistance. Mr. Dove responded that it will be researched and staff will get back with the Committee.

Council Member Foster discussed that there is need for rental assistance and financial literacy. She also discussed how in April HUD offered guidance that it is against the Fair Housing Law to prevent people who previously had criminal records from moving into rental units.

Action: No action taken.

Next meeting: The next meeting to be held on September 29, 2016 beginning at 10:30 a.m.

Topics:

Discussion items to be determined.

Committee Members

Karl Nurse, Chair

Darden Rice, Vice-Chair

Charlie Gerdes, Council Chair

Lisa Wheeler-Bowman, Council Member

Ed Montanari, Council Member

Resolution No. 2016 ____

A RESOLUTION CONFIRMING THE MAYOR’S APPOINTMENT OF DR. BASHA P. JORDAN, JR. AS A MEMBER OF THE ST. PETERSBURG HOUSING AUTHORITY BOARD OF COMMISSIONERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Mayor appoints the members of the St. Petersburg Housing Authority (“Housing Authority”) Board of Commissioners (“Members”) and City Council confirms those appointments; and

WHEREAS, the Housing Authority is not operated by the City nor is there any City oversight of its operation; and

WHEREAS, the U.S. Department of Housing and Urban Development has indicated that the housing philosophies of Members should be compatible with the housing philosophies of the City of St. Petersburg; and

WHEREAS, City Council deems it appropriate to meet with the Mayor’s candidates for appointment as Members whether they are new appointments or reappointments of current Members prior to confirmation; and

WHEREAS, City Council has determined that the Council’s Housing Services Committee is the appropriate entity to meet with recommended candidates for appointment and make its recommendations to City Council; and

WHEREAS, the Mayor submitted the following candidate for appointment to the Housing Authority Board of Commissioners:

- Dr. Basha P Jordan, Jr. to serve the remaining portion of a four year term ending 12-31-2018; and

WHEREAS, the Housing Services Committee has interviewed the candidate and recommends confirmation of her appointment.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor’s appointment of Dr. Basha P. Jordan, Jr. as a member of the St. Petersburg Housing Authority Board of Commissioners is confirmed.

This resolution shall become effective immediately upon its adoption.

Approvals:

Legal: _____ Administration: _____

Resolution No. _____

A RESOLUTION ESTABLISHING THE POLICY THAT THE TERM OF ALL EXISTING PAST COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”) LOANS IN THE CITY’S PUBLIC FACILITIES AND IMPROVEMENT LOAN PORTFOLIO THAT HAVE LIENS ATTACHED TO THE LOAN RECIPIENT’S REAL PROPERTY SET FORTH IN EXHIBIT “A” TO THIS RESOLUTION (“NON-CONFORMING CDBG LOANS”), CONFORM TO THE CITY’S CURRENT POLICY FOR THE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT CONSOLIDATED PLAN PROGRAMS WHICH CURRENTLY REQUIRES THAT THE LOAN RECIPIENT PROVIDE ONE (1) YEAR OF SERVICE FOR EVERY \$25,000 OF LOAN PROCEEDS (“CURRENT POLICY”); AUTHORIZING THE MAYOR OR HIS DESIGNEE TO FORGIVE NON-CONFORMING CDBG LOANS THAT WOULD HAVE EXPIRED UNDER THE CURRENT POLICY AND SATISFY THE ASSOCIATED LIENS; AND TO FORGIVE OTHER NON-CONFORMING CDBG LOANS THAT REACH THE THRESHOLD OF THE CURRENT POLICY AND SATISFY THE ASSOCIATED LIENS; ESTABLISHING A NEW POLICY FOR LOAN TERMS OF FUTURE CDBG LOANS AND LIENS OF FIVE (5) YEARS OF SERVICE FOR LOAN PROCEEDS OF \$125,000 OR LESS AND ONE YEAR OF SERVICE FOR EVERY \$25,000 OF LOAN PROCEEDS FOR LOAN PROCEEDS EXCEEDING \$125,000 WITH A MAXIMUM OF TWENTY (20) YEARS OF SERVICE AND ESTABLISHING THAT THE TERM OF ANY LIEN ATTACHED TO LOAN RECIPIENT’S PROPERTY TO SECURE THE LOAN PROCEEDS SHALL BE THE SAME LENGTH AS THE YEARS OF SERVICE TO BE PROVIDED BY LOAN RECIPIENT (“REVISED POLICY”); AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPLY THE REVISED POLICY TO ALL OLDER EXISTING CDBG LOANS CURRENTLY EXCEEDING THE REVISED POLICY; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has a Public Facilities and Improvement Loan Portfolio (“Portfolio”) consisting of Community Development Block Grant (“CDBG”) loans that are secured by liens on the loan recipient’s real property that have been originated since the early 1990s; and

WHEREAS, the term of a new CDBG loan and lien is currently determined under the City's Housing and Community Development Department Consolidated Plan Programs based on the length of the required service to be provided by the loan recipient; and

WHEREAS, the current policy requires that a loan recipient provide one (1) year of service for every \$25,000 of loan proceeds ("Current Policy"); and

WHEREAS, the Portfolio contains CDBG loans which were originated under a previous policy that maintains the loan and lien for considerably longer than the Current Policy, some of which are scheduled to expire as far in the future as 2032 ("Non-Conforming CDBG Loans"), a list of which is attached hereto as Exhibit "A"; and

WHEREAS, maintaining the loan and lien for a length of time longer than Current Policy serves no benefit to the City and limits the ability of the loan recipient to leverage the property and to otherwise reduce cost to enhance its mission; and

WHEREAS, application of the Current Policy to the Non-Conforming CDBG Loans would have the effect of shortening the term of the loan and lien; and

WHEREAS, under such application of the Current Policy, the term of some of the Non-Conforming CDBG Loans would have expired and some would expire in the near future; and

WHEREAS, the Administration recommends that City Council approve the application of the Current Policy to the Non-Conforming CDBG Loans and authorize the Mayor or his designee to forgive Non-Conforming CDBG Loans that would have expired under the Current Policy and satisfy the associated liens, and to forgive other Non-Conforming CDBG Loans when they reach the threshold of the Current Policy and satisfy the associated liens; and

WHEREAS, the Administration has recommended that the City Council establish a new policy for loan terms of future CDBG loans and liens of five (5) years of service for loan proceeds of \$125,000 or less and one year of service for every \$25,000 of loan proceeds for loan proceeds exceeding \$125,000 with a maximum of twenty (20) years of service and establishing that the term of any lien attached to loan recipient's property to secure the loan proceeds shall be the same length as the years of service to be provided by loan recipient ("Revised Policy"); and

WHEREAS, the Administration recommends retroactively applying the Revised Policy for all older existing CDBG loans currently exceeding the Revised Policy.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, there is hereby established the policy that the term of all existing past Community Development Block Grant ("CDBG") loans in the City's Public Facilities And Improvement Loan Portfolio that have liens attached to the loan recipient's real property set forth in Exhibit "A" to this resolution ("Non-Conforming CDBG Loans"), conform to the City's current policy for the Housing And Community Development Department Consolidated Plan Programs which currently requires that the loan recipient provide one (1) year of service for every \$25,000 of loan proceeds ("Current Policy"); and

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to forgive Non-Conforming CDBG Loans that would have expired under the Current Policy and satisfy the associated liens; and to forgive other Non-Conforming CDBG loans that reach the threshold of the Current Policy and satisfy the associated liens; and

BE IT FURTHER RESOLVED that there is hereby established a new policy for loan terms of future CDBG loans and liens of five (5) years of service for loan proceeds of \$125,000 or less and one year of service for every \$25,000 of loan proceeds for loan proceeds exceeding \$125,000 with a maximum of twenty (20) years of service and establishing that the term of any lien attached to loan recipient's property to secure the loan proceeds shall be the same length as the years of service to be provided by loan recipient ("Revised Policy"); and

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to apply the Revised Policy to all older existing CDBG loans currently exceeding the Revised Policy; and

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

This Resolution shall become effective immediately upon its adoption.

Approvals:

LEGAL:

City Attorney (Designee)

Administration

Legal: 00276373.doc V. 4

CDBG Subrecipient Loans

Loan #	Subrecipient Name	Project Location	Funded Amount	Origination Date	Defer Date per Mortgage	Under Revised Policy Defer Date *
L15020	New Frontiers	440 10th Avenue South	130,900	05/19/94	01/01/22	12/31/1999
L11215	Mt. Zion Human Services	945 20th Street South	165,000	06/21/95	01/01/20	12/31/2002
L11209	Boley Centers	711 5th Avenue North	345,500	10/31/95	12/31/16	12/31/2009
L18965	American Red Cross	818 4th Street North	100,000	11/30/95	01/01/18	12/31/2000
L11217	Westcare	1801 5th Avenue North	235,000	07/15/96	12/31/16	12/31/2005
L11227	Free Clinic	863 3rd Avenue North	350,000	03/23/98	01/01/19	12/31/2012
L11225	Family Service Center	920/940 22nd Avenue South	197,500	05/29/98	01/01/19	12/31/2006
L11193	People of Color Aids Coalition (POCAC)	861 6th Avenue South	293,000	11/30/98	12/31/17	12/31/2010
L11287	Jordan Park Redevelopment	2240 9th Avenue South	3,167,000	12/28/00	01/01/32	12/31/2020
L11273	St. Vincent dePaul	401 15th Street North	948,000	01/31/01	01/01/32	12/31/2021
L11293	YMCA	2421 4th Street South	360,000	03/30/01	12/31/31	12/31/2016
L11277	CASA	1011 1st Avenue North	400,000	09/06/01	12/31/31	12/31/2017
L11762 / L11763	Family Resources	3803 5th Avenue North	191,475	12/17/01	12/31/21	12/31/2009
L11307	Daystar Life Center	226 6th Street South	205,000	01/28/02	12/31/22	12/31/2011
L11353	Boys & Girls Club	1011 22nd Street South	535,338	04/23/02	12/31/33	12/31/2022
L11359	NHS	1600 Dr ML King Jr Street South	158,450	12/31/02	12/31/19	12/31/2009
L11371	Louise Graham	2301 3rd Avenue South	203,743	01/02/04	12/31/25	12/31/2013
L11361	Community Health Center	1344 22nd Street South	459,579	06/08/04	12/31/27	12/31/2023
L11389	Everyone's Youth United/Westcare	700 43rd Street South	375,000	03/17/05	01/01/44	12/31/2020
L11275	African People's Education & Defense Fund (APEDF)	1327 Dr ML King Jr Street South	177,155	05/19/05	01/01/19	12/31/2012
L11397	Boley Centers	415/417 7th Street South	135,000	06/30/05	12/31/19	12/31/2011
L11511	Louise Graham	2301 3rd Avenue South	100,006	05/30/07	12/31/23	12/31/2012
L11611	Catholic Charities	1213 16th Street North	100,000	02/05/08	12/31/18	12/31/2013
L11695	PEMHS	401 16th Street North	100,000	02/06/08	12/31/18	12/31/2013
L11745	Louise Graham	2301 3rd Avenue South	62,848	02/23/09	12/31/16	12/31/2014
L11747	St. Vincent dePaul	180 34th Street North	69,400	05/26/09	12/31/16	12/31/2014
L11832	CASA	1011 1st Avenue North	60,001	01/29/10	12/31/16	12/31/2015
L11831	Catholic Charities	1213 16th Street North	71,186	02/02/10	12/31/18	12/31/2015
L13686	PARC	3190 75th Street North	51,468	02/03/10	12/31/18	12/31/2015
L13687	PARC	3025 76th Way North	69,263	08/26/10	12/31/18	12/31/2015
L13679	Westcare	2510 Central Avenue	47,600	10/07/10	12/31/16	12/31/2015

9,864,412

*** Revised Policy - one year for every \$25,000, minimum of 5 years up to \$125,000 and a maximum of 20 years**

Upon adoption of resolution as presented, represent all loans that would be forgiven and satisfied immediately

ST. PETERSBURG CITY COUNCIL

Meeting of September 8, 2016

TO: The Honorable Amy Foster, Chair, and Members of City Council

SUBJECT: **City File: FLUM-40:** A private application pertaining to St. Petersburg Commerce Park, requesting an amendment to the Future Land Use Map and Official Zoning Map designations for an estimated 3.69 acre area, generally located south of 6th Avenue South and north of 8th Avenue South and I-275, between 22nd Street South and 23rd Street South.

A detailed analysis of the request is provided in Staff Report FLUM-40, attached.

- REQUEST:**
- (A) ORDINANCE ____-L amending the Future Land Use Map designation from Industrial General/Target Employment Center Overlay to Planned Redevelopment-Mixed Use/Target Employment Center Overlay.
 - (B) ORDINANCE ____-Z amending the Official Zoning Map designation from IT (Industrial Traditional) to CCT-1 (Corridor Commercial Traditional), or other less intensive use.
 - (C) RESOLUTION ____ requesting amendment to the Countywide Plan Map to comply with the requirements of Forward Pinellas and the Pinellas County Board of County Commissioners, the latter in their capacity as the Countywide Planning Authority.

RECOMMENDATION:

Administration: The Administration recommends APPROVAL.

Public Input: The subject property is located within the boundaries of the Palmetto Park Neighborhood Association, the Deuces Live Main Street and the Warehouse Arts District, and located north of the Wildwood Heights Neighborhood Association and west of the Melrose Mercy Neighborhood Association. No phone calls, correspondence or visitors have been received to date.

Community Planning & Preservation Commission (CPPC): On August 9, 2016 the CPPC held a public hearing regarding this matter and voted unanimously (7 to 0) to recommend APPROVAL.

City Council Action: On August 25, 2016 the City Council conducted the first reading of the attached proposed ordinances and set the second reading and adoption public hearing for September 8, 2016.

Recommended City Council Action: 1) CONDUCT the second reading of the attached proposed ordinances; 2) ADOPT the ordinances; AND 3) APPROVE the transmittal resolution.

Attachments: Ordinances (2), Resolution, CPPC draft Minutes, 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 FOR AN ESTIMATED 3.69 ACRE AREA, GENERALLY LOCATED SOUTH OF 6TH AVENUE SOUTH AND NORTH OF 8TH AVENUE SOUTH AND I-275, BETWEEN 22ND STREET SOUTH AND 23RD STREET SOUTH, FROM INDUSTRIAL GENERAL/TARGET EMPLOYMENT CENTER OVERLAY TO PLANNED REDEVELOPMENT-MIXED USE/TARGET EMPLOYMENT CENTER OVERLAY; 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 Plan Map and the Pinellas Planning Council is authorized to develop rules to implement the Countywide Plan 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 Plan 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

Highland Crest, Block 3, Lots 1, 2 and 9 through 16; Block 4, Lot 3 less E 25 ft., Lots 4 through 13, and W 15 ft. of Lot 14; and Prather's Second Royal Replat, Lots 4 through 8, E 10 ft. of Lot 18, Lots 19 through 21, Lots 22 through 24 less rd, and Lot 25 less pt for I-275.

Land Use Category

From: Industrial General/Target Employment Center Overlay

To: Planned Redevelopment-Mixed Use/Target Employment Center Overlay

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-40
(Land Use)



PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

8-1-16

DATE



ASSISTANT CITY ATTORNEY

8/4/16

DATE

ORDINANCE NO. ___-Z

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ST. PETERSBURG, FLORIDA; CHANGING THE ZONING FOR AN ESTIMATED 3.69 ACRE AREA, GENERALLY LOCATED SOUTH OF 6TH AVENUE SOUTH AND NORTH OF 8TH AVENUE SOUTH AND I-275, BETWEEN 22ND STREET SOUTH AND 23RD STREET SOUTH, FROM IT (INDUSTRIAL TRADITIONAL) TO CCT-1 (CORRIDOR COMMERCIAL 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

Highland Crest, Block 3, Lots 1, 2 and 9 through 16; Block 4, Lot 3 less E 25 ft., Lots 4 through 13, and W 15 ft. of Lot 14; and Prather's Second Royal Replat, Lots 4 through 8, E 10 ft. of Lot 18, Lots 19 through 21, Lots 22 through 24 less rd, and Lot 25 less pt for I-275.

District

From: IT (Industrial Traditional)

To: CCT-1 (Corridor Commercial 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-40
(Zoning)



PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT DATE

8-1-16



ASSISTANT CITY ATTORNEY DATE

8/4/16

RESOLUTION NO. 2016-____

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 Map and Rules.

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 Forward Pinellas for a consistency review with the Countywide Plan Map and Rules.

This Resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND SUBSTANCE:

City File FLUM-40



8-1-16

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

DATE



8/4/16

ASSISTANT CITY ATTORNEY

DATE



CITY OF ST. PETERSBURG
COMMUNITY PLANNING & PRESERVATION COMMISSION
PUBLIC HEARING
August 9, 2016

QUASI-JUDICIAL PUBLIC HEARING

A. City File FLUM-40

Contact Person: Rick MacAulay, 551-3386

Location: The subject property pertaining to St. Petersburg Commerce Park, estimated to be 3.69 acres in size, is generally located south of 6th Avenue South and north of 8th Avenue South and I-275, between 22nd Street South and 23rd Street South.

Request: To amend the Future Land Use Map designation from Industrial General/Target Employment Center Overlay to Planned Redevelopment-Mixed Use/Target Employment Center Overlay and the Official Zoning Map designation from IT (Industrial Traditional) to CCT-1 (Corridor Commercial Traditional), or other less intensive use.

Administration Presentation

Rick MacAulay gave a PowerPoint presentation based on the staff report.

Commissioner Reese voiced her concern about the public notice procedure, specifically regarding how effective it is in reaching people that really need to know what is going on. She had attended a Deuces Live meeting last month and nothing was mentioned about this application and she believes that this rezoning will move the area toward a more industrial-type area. Commissioner Reese went on to say that 22nd Street is historical (not for industrial reasons) and many are concerned about preserving the arts, culture and history of this area; what does it mean to the community and to the Deuces to have increased industrial use? She feels that the City cannot use a cookie-cutter type of notice, and expect the people to understand and respond. Commissioner Reese then asked staff if it was possible to reach out to these communities that have not responded, likely because they did not receive or understand the notice, regardless, the rezoning will have a big impact on them. She strongly suggested and highly recommended that staff make another attempt, with her assistance, to reach out to the Southside CRA community with opportunities for them to come out and talk with City staff and the applicants about what is being intended for this very historical and significant area of the City.

Mr. MacAulay stated that this item is anticipated to go before City Council September 8th and gave his assurance that they will reach out to these organizations and entities. Commissioner Reese stated that she would like to have this item deferred because September 8th is less than a month away not giving enough time for the people to give input and understand what this rezoning means.

Dave Goodwin stated his understanding of Commissioner Reese's concerns and then assured her that the all have had the opportunity to be involved in the process. Mr. Goodwin then explained the steps taken to this point: (1) the issuance of the RFP to develop this property; (2) several proposals were made that were reviewed by various people in the community including Deuces Live; and (3) the proposals were taken to City Council on two occasions with hearings from both developers and their development projects. Mr. Goodwin went on to say

that this rezoning and plan amendment is the first step enabling the developers to move forward with their development and to get jobs created. The community and stakeholders, including Deuces Live, have been involved with this for at least a year and, in fact, Deuces Live submitted a proposal, themselves, to develop this area.

Commissioner Reese stated that she was aware of the RFP process/background but feels that it is her responsibility, as a Commission Member, an African-American, and as a concerned citizen, that she does as much as she can to make sure that the processes are open to everyone and then offered her assistance to staff to reach out to all affected entities, organizations and people to help them understand these proposals. Mr. Goodwin agreed to Commissioner Reese's assistance.

Commissioner Michaels echoed Commissioner Reese's comments with not having the stakeholders showing support and maybe in addition to the notice letter being sent, the stakeholders need to be motivated to send a letter of support and, if possible, attend the meetings to speak. This will assure him that the community is, in fact, involved and supportive.

Commission Vice-Chair Wolf stated that regarding the concern of industrial, that they, in fact, will be going away from industrial to a more laboratory-type of business with the approval of this request. He feels that there does seem to be a fair amount of notice of this process over time but ongoing maybe look at other ways to reach out to the community so that they will take notice and respond.

Commissioner Michaels stated that, personally, he likes the development that is proposed but it is important that the people who actually live in the area are supportive.

Mr. Goodwin stated that there is a Citizens Advisory Committee associated with the South St. Petersburg CRA and they were intimately involved in this process; they reviewed the initial four proposals as well as the actual lease and development agreements; recommended approval of those going before City Council; and City Council unanimously approved without a single objector showing up. There were some people who were concerned in the early stages but by the time the proposals went before City Council, folks were reasonably satisfied. Mr. Goodwin went on to say that just because no one showed up, he feels it is wrong to infer that they were not informed but feels that, in this case, it may be better to say that the folks are very aware of this, the process has been long and arduous, and they just want it over so building can begin.

Commissioner Reese reiterated that she was not saying that the people did not know or that notice was not given, but is concerned that many of the ways that people are noticed are not effective in every community. She is not against what is being proposed but will always be for inclusion and making sure that all affected parties are informed and have the opportunity to share their opinion.

Applicant Presentation

Steve Chumbris, Attorney with Fisher & Sauls and representing the applicants, St. Petersburg Commerce Park, LLC and MSCP Holdings, LLC, gave a presentation in support of the request.

Public Hearing

No speakers present.

Executive Session

MOTION: *Commissioner Rogo moved and Commissioner Michaels seconded a motion approving to amend the Future Land Use Map designation from Industrial General/Target Employment Overlay to Planned Redevelopment-Mixed Use/Target Employment Center Overlay and the Official Zoning Map designation from IT (Industrial General) to CCT-1 (Corridor Commercial Traditional-1), or other less intensive use, in accordance with the staff report.*

VOTE: *YES – Bell, Burke, Michaels, Reese, Rogo, Wannemacher, Wolf
NO – None*

Motion passed by a vote of 7 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 August 9, 2016
at 3:00 p.m., in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

City File: FLUM-40
Agenda Item #V.A.

According to Planning and 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.

PROPERTY OWNER: City of St. Petersburg
Attention: Real Estate & Property Management
P.O. Box 2842
St. Petersburg, FL 33731

APPLICANTS: St. Petersburg Commerce Park, LLC
1330 2nd Street South
St. Petersburg, FL 33701

MCSP Holdings, LLC
d/b/a Euro Cycles of Tampa Bay
8509 Gunn Highway
Odessa, FL 33556

AUTHORIZED AGENT: Stephen C. Chumbris, Attorney
Fisher & Sauls
100 Second Avenue South
St. Petersburg, FL 33701

SUBJECT PROPERTY:

The subject property, estimated to be 3.69 acres in size, is generally located south of 6th Avenue South and north of 8th Avenue South and I-275, between 22nd Street South and 23rd Street South. (See attached map series.)

PIN/LEGAL:

The subject property is comprised of 25 parcels. The parcel identification numbers and legal descriptions are attached.

REQUEST:

The request is to amend the Future Land Use Map designation from Industrial General/Target Employment Center Overlay to Planned Redevelopment-Mixed Use/Target Employment Center Overlay and the Official Zoning Map designation from IT (Industrial Traditional) to CCT-1 (Corridor Commercial Traditional), or other less intensive use.

PURPOSE:

The applicants have each entered into separate land leases and development agreements with the City, agreeing to undertake significant redevelopment on the subject property. The proposed PR-MU and CCT-1 designations will accommodate the anticipated job-generating redevelopment activity. (Additional background information is provided in the Staff Analysis section of this report.)

EXISTING USES:

All of the subject property is vacant.

SURROUNDING USES:

- North: Warehouse operations, outdoor storage businesses and strip commercial uses
- South: I-275
- East: Pinellas County Job Corps Center, Manhattan Casino, I-275
- West: Outdoor storage businesses, industrial operations, vacant land

NEIGHBORHOOD ASSOCIATION(S):

The subject property is located within the boundaries of the Palmetto Park Neighborhood Association, the Deuces Live Main Street and the Warehouse Arts District, and located north of the Wildwood Heights Neighborhood Association and west of the Melrose Mercy Neighborhood Association.

ZONING HISTORY:

The present IT (Industrial Traditional) zoning has been in place since September 2007, following implementation of the City's Vision 2020 Plan, the City-wide rezoning and update of the City Code, Chapter 16, Land Development Regulations.

APPLICABLE REGULATIONS:

As previously stated, the subject property is estimated to be 3.69 acres, or 160,000 sq. ft., in size. While the subject property is presently separated by streets and alleys, for analysis purposes the entire 3.69 acres will be considered.

- ✓ Development potential under the present IT zoning designation is 120,000 sq. ft. of light industrial, manufacturing, laboratory, research & development or warehouse space, calculated at a base floor-area-ratio (FAR) of 0.75. Other permitted uses include micro-breweries, motor vehicle service & repair, outdoor and indoor (mini-warehouse) storage, and fleet-based services. The Target Employment Center (TEC) Overlay will allow up to a 100 percent intensity (FAR) bonus for light industrial, manufacturing, laboratory and research & development uses, or up to 240,000 sq. ft. of space for these specific uses.
- ✓ Development potential under the proposed CCT-1 zoning designation is 160,000 sq. ft. of office and retail uses calculated at a base FAR of 1.0, or 89 multifamily units calculated at a base density of 24 units/acre, or a mix of these uses. It should be noted that other permitted uses include laboratory and research & development uses. The TEC Overlay will allow up to a 100 percent intensity (FAR) bonus for office, laboratory and research & development uses, or up to 320,000 sq. ft. of space for these specific uses.

STAFF ANALYSIS:

Background

On May 19, 2016 the City Council approved two separate land lease and development agreements ("Agreements") for approximately 14.1 acres (including right-of-way) of vacant City-owned land, generally located west of 22nd Street South to 26th Street South and from approximately 6th Avenue South to the boundary of Interstate 275 ("Land"). The Land was formerly a part of the Dome Industrial Park Community Redevelopment Area and is now part of the South St. Petersburg Community Redevelopment Area. Objectives of both CRA plans include directing the City to pursue land assembly opportunities in order to facilitate business retention, expansion and relocation efforts, and generate new jobs. The City created the South St. Petersburg CRA (adopted in May 2015) in part to establish a special financing program known as "tax increment financing" ("TIF") that will be eligible to fund many community and economic development activities, including public improvements, such as land acquisition and infrastructure, to support future economic development projects.

While formerly known as the Dome Industrial Park, the Land, and other surrounding City acquisitions, have been re-branded as the St. Petersburg Commerce Park. The Land was the subject of a Request for Proposal ("RFP") issued by the City on May 10, 2015, seeking a

developer buyer/tenant for all or part of the acreage. The RFP resulted in four proposals being received and culminated with the Agreements.

Present Situation

St. Petersburg Commerce Park, LLC, was one of the two selected proposers, agreeing to redevelop the City-owned land as follows:

- ✓ Approximately 7.69 acres will have building/improvements of not less than 60,000 square feet suitable for office/warehouse/manufacturing. These improvements will be made available to and reasonably divided among the following three companies, and any other companies deemed suitable by the tenant.
 - EMP Industries Inc., a Florida corporation and the developer's company, a St. Petersburg marine manufacturing company.
 - Attaj Energy, a Spanish LED and solar energy innovator.
 - Accmar Equipment Company, a Florida corporation and marine manufacturing company currently headquartered in Miami.
- ✓ Approximately 2.94 acres will have building/improvements with not less than twenty thousand (20,000) square feet of retail on the first floor and not less than forty thousand (40,000) square feet of workforce housing on the second floor.
- ✓ A total of 50 full-time jobs are to be created not later than the end of the second year of the lease, including not less than 26 jobs employing individuals from households in the low to moderate income range, and not less than 13 jobs employing individuals from the South St. Petersburg CRA. The balance of the jobs may be from other areas of the city/county and other households.

MCSP Holdings, LLC, dba Euro Cycles of St. Petersburg, was the second of the two selected proposers, agreeing to redevelop the City-owned land as follows:

- ✓ Approximately 3.23 acres will have building/improvements of not less than 20,000 square feet suitable for office/warehouse/manufacturing. The tenant is to use the premises for the following:
 - A motorcycle dealership.
 - A motorcycle service department.
 - Any additional use permitted under the zoning classification.
- ✓ A total of 15 full-time jobs are to be created not later than the end of the second year of the lease, including not less than eight (8) jobs employing individuals from households in the low to moderate income range, and not less than four (4) jobs employing individuals from the South St. Petersburg CRA. The balance of the jobs may be from other areas of the city/county and other households.

Deuces Live Connection and the Depth of Existing PR-MU Land Use and CCT-1 Zoning

Abutting the subject parcel to the east is a narrow strip (approximately 133') of CCT-1 zoned land that was intended to allow commercial develop adjacent to and in support of the historic Manhattan Casino located on the east side of 22nd Street. The existing narrow strip of CCT-1 severely limits the opportunity to create that node of commercial activity within the Deuces Live Main Street area. Further, the I-275 underpass, which has been a barrier to the historic connection between the Manhattan Casino site and the Deuces Live Main Street District, is scheduled for improved landscaping, lighting, including artistic lighting of the overpass bridge, and pedestrian improvements, that will serve to reconnect the two areas. The prosed amendment will assist in creating an opportunity for the previously envisioned supporting commercial development and is essential to implement the approved Land Lease and Development Agreement with St. Petersburg Commerce Park, LLC.

Consistency with the Comprehensive Plan

- ✓ The requested Planned Redevelopment-Mixed Use (PR-MU) and CCT-1 designations for the subject 3.69 acres are needed to accommodate the proposed redevelopment sought by the City for the St. Petersburg Commerce Park area. Consistent with Policy LU3.4, these requested designations are identical to the designations of a contiguous (approximately one acre) area located along the west side of 22nd Street South. The proposed redevelopment is intended to generate economic and community growth in the area. The two identified tenants will bring commercial and industrial uses to an area in need of job stimulation. Consistent with Objective LU11, Policy LU3.7 and Policy LU13.1, this redevelopment will achieve many of the purposes and objectives set forth in the South St. Petersburg CRA, including attracting new capital investment, adding diversity to the existing businesses in the area, along with expansion of employment opportunities.

The redevelopment program for the South St. Petersburg Community Redevelopment Plan centers, in part, on the following:

- revitalizing corridors to grow existing businesses and attract new ones, and, on a case-by-case basis, allowing for an increased depth of commercial zoning;
- creating new jobs for CRA residents;
- providing affordable multifamily housing and introduce multifamily housing and mixed uses at strategic locations; and
- targeting the rezoning of land to increase densities and promote greater affordability and improved transit access for CRA residents. (With regard to the latter, PSTA's Route 7 provides local transit service on 22nd St. South, south of 9th Ave. South, with a peak hour service frequency of 60 minutes. Also, PSTA's Route 79 serves 5th Ave. South and has a peak hour service frequency of 30 minutes.)

Loss of Industrial Land

The City has a limited amount of industrial land. Retaining industrially-zoned land aids in keeping the local economy diversified, improves the tax base, and presents opportunities for high skill/higher paying employment opportunities. However, as previously noted, the requested CCT-1 zoning permits office, laboratory and research & development uses, which are employment generating uses. Perhaps more important, while the present Industrial General and IT designations permit *some* of the anticipated uses it does not permit the mix of uses spelled out in the land lease and development agreements, specifically a mix of office, warehouse, manufacturing and retail space, in addition to workforce housing.

While policies set forth in the Comprehensive Plan support industrially-zoned land (LU3.21, LU3.22 and LU3.24), in 2004 the City Council adopted Policy LU3.26 which is intended to allow greater flexibility in evaluating future land use plan amendments involving industrial land uses, and provide clarity and guidance about when it is appropriate to designate property as industrial and when it is appropriate to remove an industrial land use designation. Policy LU3.26.a states that “*Plan amendment applications that propose changing underperforming industrially designated areas (Industrial General or Industrial Limited) to a non-industrial designation may be favorably considered if one or more of the following characteristics exist over an extended period of time: 1) vacant or underutilized land; 2) vacant or underutilized buildings; 3) poor quality job creation in terms of pay, employee density and spin-off or multiplier effects; and 4) chronic competitive disadvantages in terms of location, transportation infrastructure/accessibility and other market considerations.* The request to rezone the subject property is consistent with the first criterion (vacant land), and is arguably consistent with the fourth criterion because, due in part to market considerations or overall location, the land has not attracted any industrial users.

St. Petersburg Vision 2020 Plan

The St. Petersburg Vision 2020 Plan, adopted by the City Council in October 2002, includes 15 citizen-based themes with mission statements voted on by the participants. The approved Economic Development Mission Statement is as follows:

St. Petersburg shall be a community of economic diversity, strength and self-sufficiency, resulting in a growth economy. Mixed use centers shall be vital with service, professional and technology businesses that provide economic stability. All areas of the city make meaningful and stable economic contributions as well as manifesting a beautiful built environment. Economic initiatives shall be prioritized and executed based on creating partnerships and social equity. Results of a successful 2020 Vision Include:

- *Long range comprehensive redevelopment strategy that identifies the economic landscape, future opportunities, and marketing approaches.*
- *Successful Southside reinvestment.*

Thus, the requested amendments are consistent with Objective LU1 of the Comprehensive Plan which states that the City shall take into account the citizen based themes noted in the Vision Element when considering development decisions.

Countywide Plan Rules

The subject property is designated Industrial/Target Employment Center on the Countywide Plan Map, adopted in August 2015 by the Pinellas Board of County Commissioners, acting in their capacity as the Countywide Planning Authority. Due to the importance of reserving industrial land in Pinellas County, Section 6.5.4.5 of the Countywide Plan Rules identifies five criteria that are to be considered and balanced when *converting* from Industrial to another Countywide Plan category. In summary, the criteria include target employment opportunities within the proposed category, amendment site and area characteristics, supporting transportation and infrastructure characteristics, and supporting redevelopment plans.

City staff firmly believes that the proposed amendment from Industrial General/Target Employment Center (TEC) Overlay to Planned Redevelopment-Mixed Use/TEC Overlay on the (City's) Future Land Use Map can be found consistent with the Countywide Plan Rules and supported with an associated amendment from Industrial/TEC Overlay to MMC/TEC Overlay on the Countywide Plan Map for the following reasons:

- ✓ The City's proposed PR-MU/TEC designation, along with the land lease and development agreements, will continue to provide target employment opportunities. Specifically, the City's designation will allow office, laboratory and research & development uses, which are all target employment uses. Moreover, the mix of uses spelled out in the land lease and development agreements includes office, warehouse and manufacturing space.
- ✓ As outlined above, the amendment is supported by the South St. Petersburg Community Redevelopment Plan.

Public Facility Level of Service (LOS) Considerations

The Level of Service (LOS) impact section of this report concludes that the proposed Plan change and rezoning will not impact the City's adopted LOS standards for public services and facilities including potable water, sanitary sewer, solid waste, recreation and stormwater management. The City has more than sufficient capacity to serve the amendment area.

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 plan 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 will have to comply with all laws and ordinances in effect at the time development permits are requested.

RECOMMENDATION:

City staff recommends **APPROVAL** of the request to amend the Future Land Use Map designation from Industrial General/Target Employment Center Overlay to Planned Redevelopment-Mixed Use/Target Employment Center Overlay and the Official Zoning Map designation from IT (Industrial Traditional) to CCT-1 (Corridor Commercial Traditional) 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 objectives and policies from the Comprehensive Plan are applicable:

Objective LU1: The City shall take into account the citizen based themes noted in the Vision Element when considering development decisions.

Policy LU1.1 When considering the probable use of land in a development application, the principles and recommendations noted in the Vision Element should be considered where applicable.

Policy LU1.2 The City will continue to recognize the City Administration's policy responses, incorporated into the St. Pete Vision 2020 Plan as The General Policy Implementations but not made a part of the Vision Element to the Comprehensive Plan, with the objective of supporting and improving the neighborhoods, community appearance, the environment, education, economic development, parks and recreation, transportation, personal security, and public safety, to the extent that the resources of the City will allow.

Policy LU3.1.C.2. Industrial General (IG) - Allowing a mixture of light or heavy industrial and industrial park uses with a floor area ratio up to 0.75.

E.8. 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.

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.

Policy 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.

- Policy 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.
- Policy 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.
- Policy LU3.21 The City shall continue to expand the acreage available for industrial development in appropriate locations provided such expansion is supported by current and likely long-term market conditions.
- Policy LU3.22 Industrial uses shall be concentrated in suitable locations taking advantage of existing infrastructure and natural site characteristics.
- Policy 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.
- Policy LU3.26.a Plan amendment applications that propose changing underperforming industrially designated areas (Industrial General or Industrial Limited) to a non-industrial designation may be favorably considered if one or more of the following characteristics exist over an extended period of time: 1) vacant or underutilized land; 2) vacant or underutilized buildings; 3) poor quality job creation in terms of pay, employee density and spin-off or multiplier effects; and 4) chronic competitive disadvantages in terms of location, transportation infrastructure/accessibility and other market considerations.
- Objective LU4: The following future land use needs are identified by this Future Land Use Element:
2. Commercial – the City shall provide opportunities for additional commercial development where appropriate.
 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.

Objective LU11: The City of St. Petersburg shall identify and address the needs of specific areas of the City that are deteriorated, blighted, underutilized, threatened or generally inconsistent with the community's character including but not limited to:

2. Redevelopment Areas

Objective 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.

Policy 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:

4. South St. Petersburg Redevelopment Plan

b. Whether the proposed amendment would impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.

The proposed amendment will not impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.

c. Whether the proposed change would alter population or the population density pattern and thereby impact residential dwelling units and or public schools.

The proposed change will not significantly alter population or the population density pattern. The proposed workforce housing will generate some additional students for the 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 proposed change *will not* have an impact on the City's adopted levels of service for potable water, sanitary sewer, solid waste, traffic, mass transit, stormwater management and recreation. The City has sufficient capacity to serve the subject area should the proposed land use change and rezoning be approved.

WATER

Under the existing interlocal agreement with Tampa Bay Water (TBW), the region's local governments are required to project and submit, on or before February 1 of each year, the anticipated water demand for the following water year (October 1 through September 30). TBW is contractually obligated to meet the City's and other member governments' water supply needs. The City's current potable water demand is 27.7 million gallons per day.

The City's adopted level of service (LOS) standard for potable water is 125 gallons per capita per day, while the actual usage is estimated to be 78 gallons per capita per day. Therefore, there is excess water capacity to serve the amendment area.

WASTEWATER

The subject property is served by the Southwest Water Reclamation Facility, which presently has excess capacity estimated to be 3.7 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

Existing Conditions

The subject property has primary access to 22nd Street South, which is a two-lane undivided roadway that is classified as a collector and maintained by the City. Sixth, 7th 8th and Fairfield Avenues South are local roads.

The roadway level of service (LOS) for 22nd Street South in the vicinity of the subject property is "C." This LOS determination is based on a traffic count conducted by the City. The average daily traffic volume is 3,015 and the volume-to-capacity ratio is 0.26.

On May 1, 2016 the Pinellas County Multimodal Impact Fee (MIF) Ordinance became effective, replacing the previous Transportation Impact Fee (TIF) Ordinance. The new MIF Ordinance principally resulted from the implementation of the Pinellas County Mobility Plan and elimination of transportation concurrency requirements, countywide. Transportation management plans, and in some cases traffic studies, will be required for large development projects (those creating 51 new peak hour trips or more) that impact a deficient roadway (LOS E or F, and/or a volume-to-capacity ratio of 0.90 or higher with no mitigating improvements scheduled within three years). The City's only deficient roadways are 1) 22nd Avenue North from 34th Street to 22nd Street, 2) 38th Avenue North from 49th Street to 34th Street, 3) Gandy Boulevard from US 19 to I-275, 4) Gandy Boulevard from 4th Street to Brighton Bay Boulevard NE, and 5) I-275 from Gandy Boulevard to I-175.

The proposed amendment does not affect any of the City's deficient roadways. There is adequate roadway capacity to accommodate any new daily or p.m. peak hour trips resulting from the amendment.

Source: Transportation and Parking Management Department.

MASS TRANSIT

The PSTA has a route that provides local transit service on 22nd St. South, south of 9th Ave. South. Route 7 has a peak hour service frequency of 60 minutes. Route 79 serves 5th Ave. South and has a peak hour service frequency of 30 minutes.

RECREATION

The City's adopted LOS standard for recreation and open space (R/OS) is nine (9) acres per 1,000 population. However, for many years the City has enjoyed an actual R/OS level of service that is estimated to be 21.9 acres per 1,000 population. The proposed amendment will not affect the City's adopted LOS standard for recreation and open space.

STORMWATER MANAGEMENT

Prior to development of the subject property, 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 36 acres of vacant land in the City designated with CCT-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 south and east.

- h. Whether the existing district boundaries are logically drawn in relation to existing conditions on the property proposed for change.**

Arguably, the existing IT zoning district boundaries are not logically drawn in relation to existing conditions. The property has been vacant for a number of years. Due in part to market considerations or overall location, the land has not attracted any industrial users.

- 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.**

The proposed amendment does not involve a change from a residential to a nonresidential use. The proposed redevelopment is intended to generate economic and community growth in the area. The two identified tenants will bring commercial manufacturing to an area in need of job stimulation.

- 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 located in X-Zone (Non-flood Area). The property is not located within the CHHA (Coastal High Hazard Area).

- k. Other pertinent information.** None.

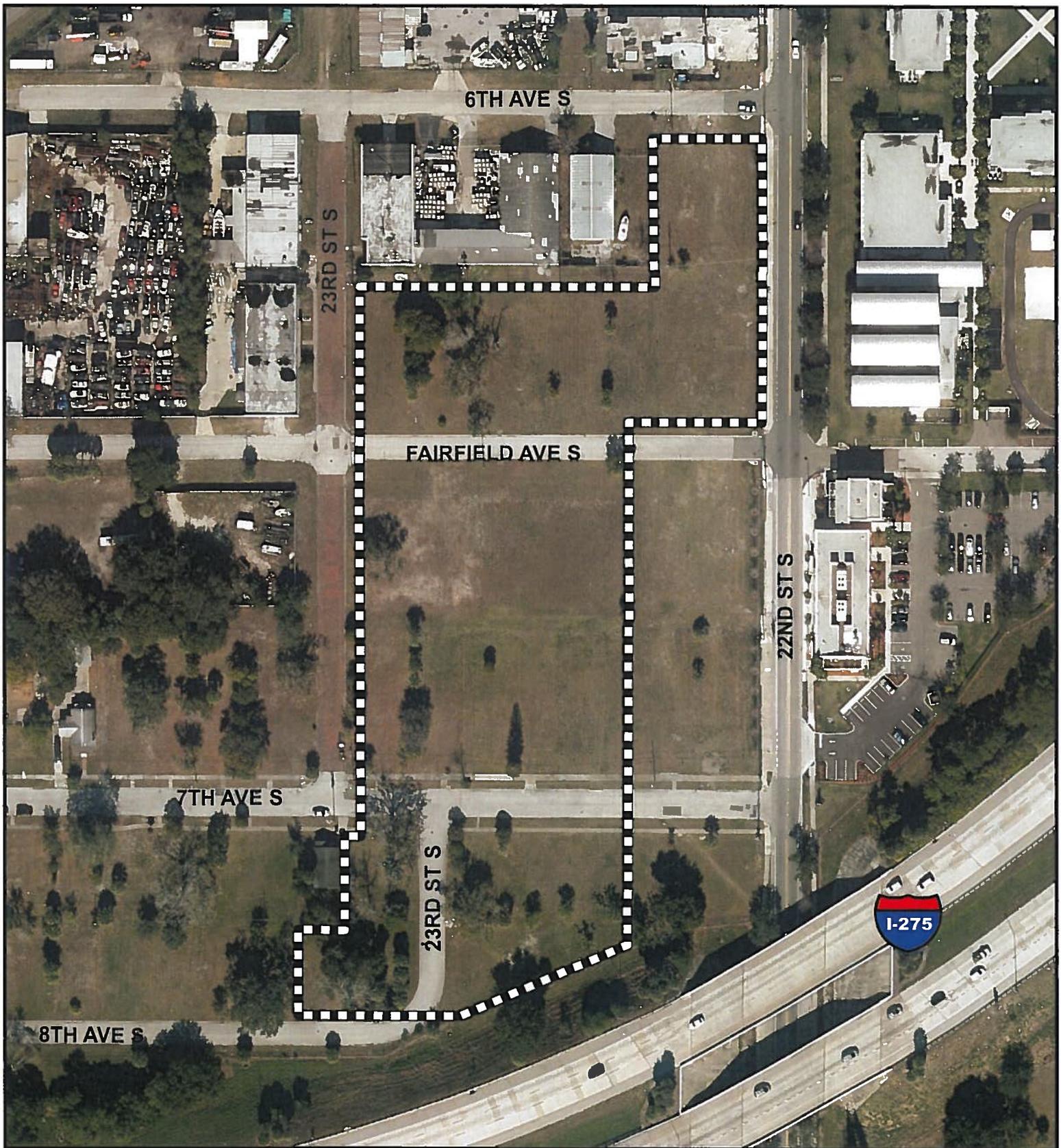
Parcel Identification Numbers and Legal Description

The subject property, comprised of 25 parcels and estimated to be 3.69 acres in size, is generally located south of 6th Avenue South and north of 8th Avenue South, between 22nd Street South and 23rd Street South.

233116386280040141	263116728820000220	233116386280030120
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233116386280040090	263116728820000040	233116386280030151
233116386280030110	263116728820000240	233116386280040030
233116386280040110	263116728820000050	
263116728820000080	263116728820000070	

The subject property is legally described as:

Highland Crest, Block 3, Lots 1, 2 and 9 through 16; Block 4, Lot 3 less E 25 ft., Lots 4 through 13, and W 15 ft. of Lot 14; and Prather's Second Royal Replat, Lots 4 through 8, E 10 ft. of Lot 18, Lots 19 through 21, Lots 22 through 24 less rd, and Lot 25 less pt for I-275.



AERIAL

CITY FILE

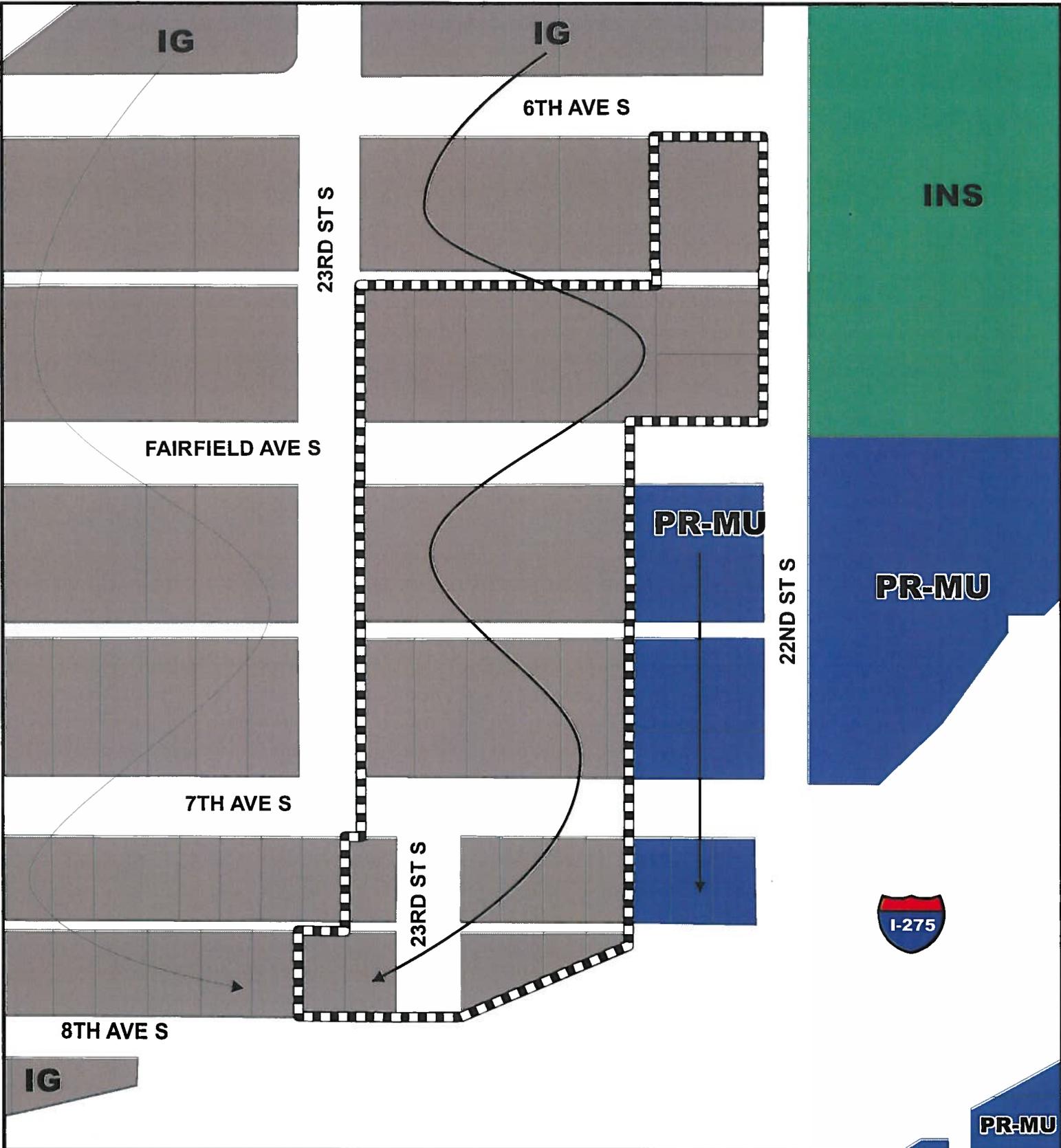
FLUM-40

SCALE: 1" = 120'



SUBJECT AREA





FUTURE LAND USE PLAN DESIGNATION

CITY FILE
FLUM-40
 SCALE: 1" = 120'

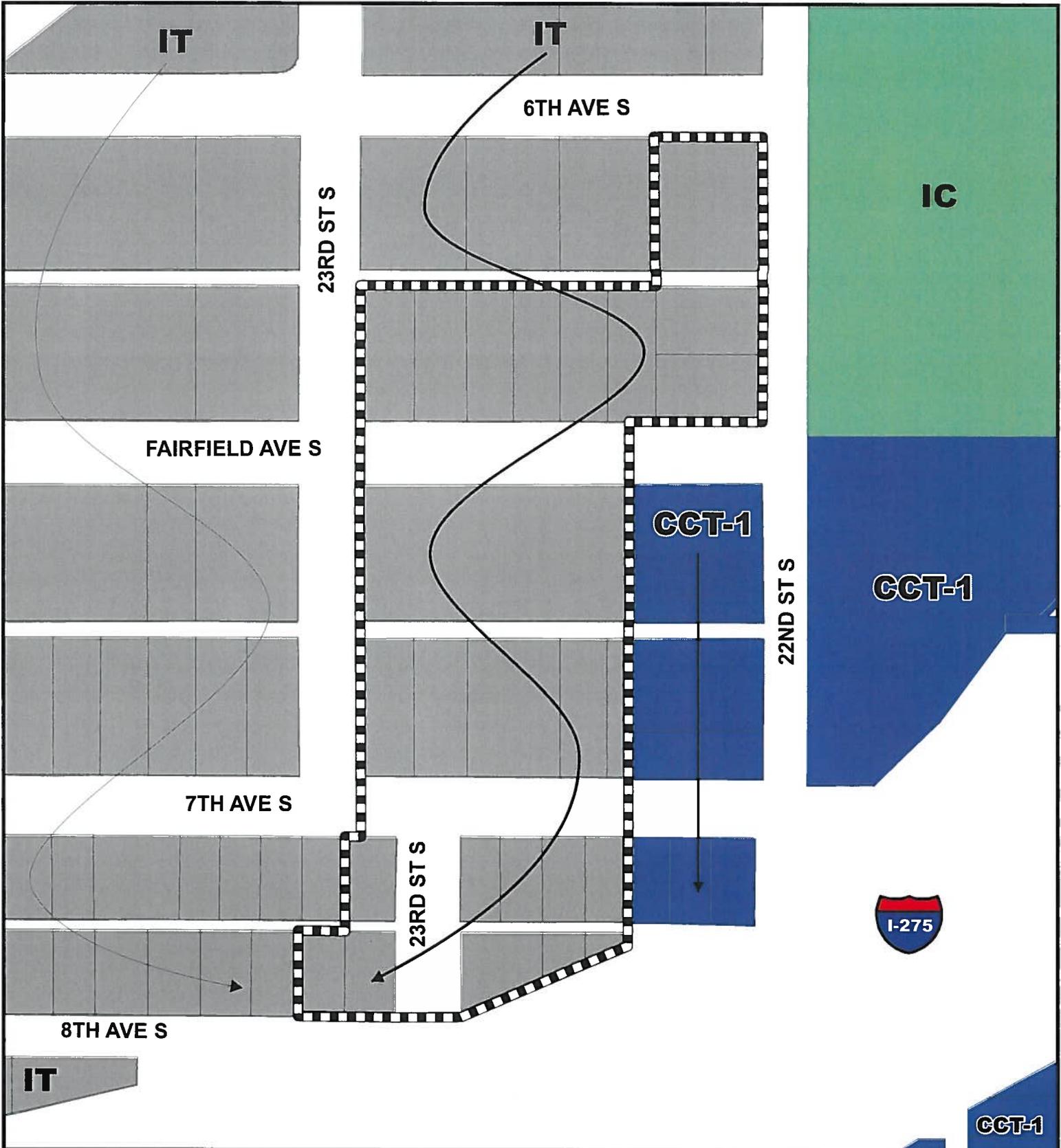
From: Industrial General (IG)

**To: Planned Redevelopment
 -Mixed Use (PR-MU)**



SUBJECT AREA





EXISTING ZONING

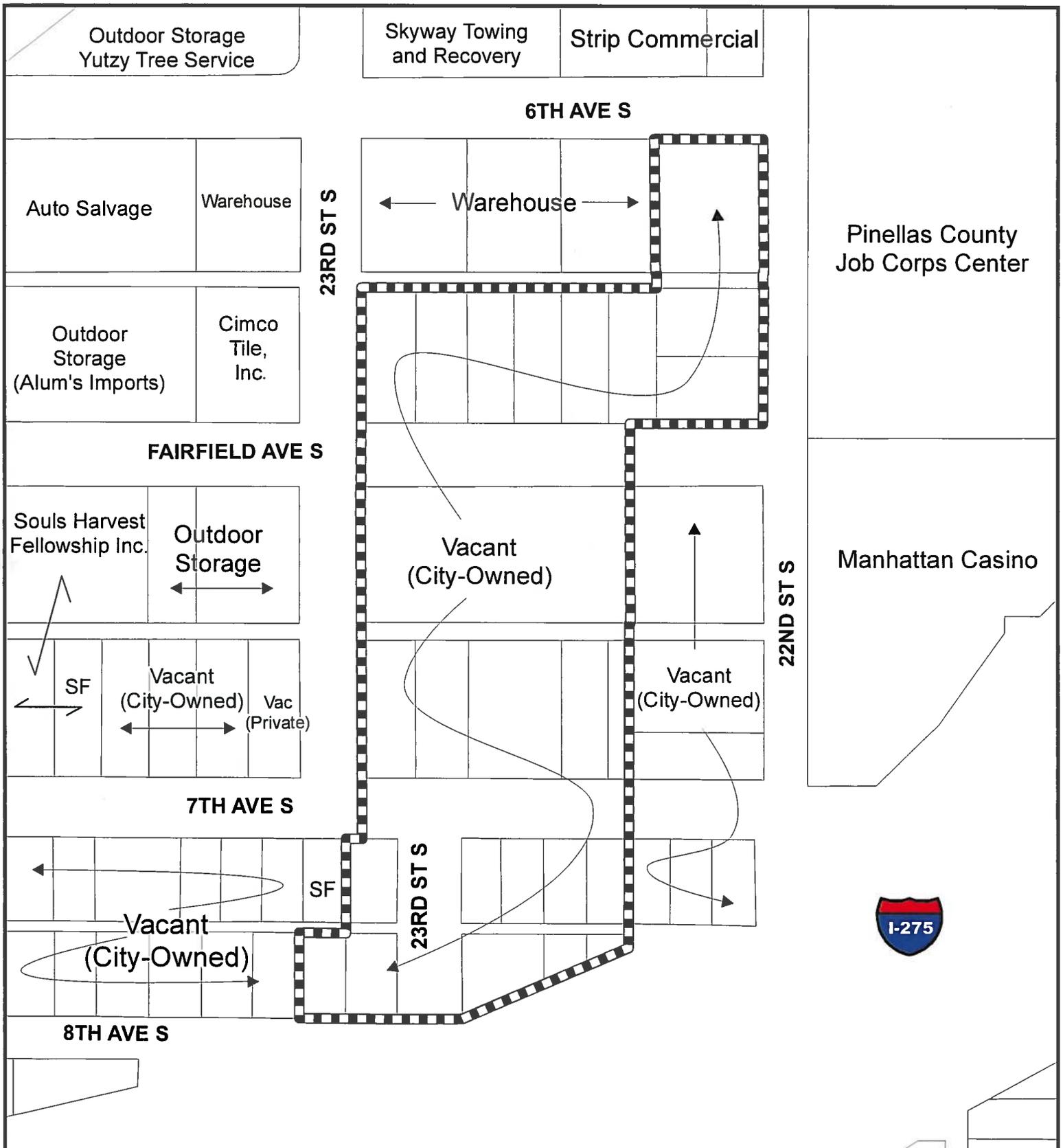
CITY FILE
FLUM-40
 SCALE: 1" = 120'

From: IT
 (Industrial Traditional)

To: CCT-1
 (Corridor Commercial Traditional-1)

 SUBJECT AREA





EXISTING SURROUNDING USES

CITY FILE

FLUM-40

SCALE: 1" = 120'



SUBJECT AREA





SAINT PETERSBURG CITY COUNCIL

Meeting of September 8, 2016

TO: The Honorable Amy Foster, Chair, and Members of City Council

SUBJECT: Ordinance approving a vacation of a portion of the unimproved rights-of-way of Country Club Way South and Miranda Way South adjacent to Boyd Hill Nature Park and St. Petersburg Country Club. (City File No.: 16-33000009)

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

RECOMMENDED CITY COUNCIL ACTION:

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

The Request: The request is to vacate right-of-way adjacent to Boyd Hill Nature Preserve and the St. Petersburg Country Club golf course. This consists of an unimproved portion of Country Club Way South and a very small unimproved segment of Miranda Way South. The subject right-of-way was platted in the Lakewood Estates Golf Course Section in 1934, and if vacated would become the property of St. Petersburg Country Club.

St. Petersburg Country Club has entered into an agreement to sell property to the City of St. Petersburg. A condition of the Agreement for Sale and Purchase of land between St. Petersburg Country Club (seller) and the City of St. Petersburg is that the sellers initiate this application to vacate this portion of unimproved right-of-way within the property to be sold.

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

Agency Review: The application was routed to City Departments and private utility providers. City Departments indicated that they have utilities in the right-of-way to be vacated.

Public Comments: Staff received two calls in regards to the requested vacation prior to the hearing before the DRC. Brian Hamilton of 2211 Green Way South indicated that he was in support of the vacation request. Judy Landon of the Council of Neighborhood Associations, Land Use and Preservation Committee also indicated their support.

DRC Action/Public Comments: On August 3, 2016, the Development Review Commission (DRC) held a public hearing on the subject application. No person spoke in opposition to the request. After the public hearing, the DRC voted 7-0 to recommend approval of the proposed vacation. In advance of this report, no additional comments or concerns were expressed to the author.

RECOMMENDATION: The Administration recommends **APPROVAL** of the rights-of-way vacation, subject to the following conditions:

1. A public utility easement over the entire portion of the vacated right-of-way shall be granted to the City.

Attachments: Attachment "A" - Parcel Map, Attachment "B" - Aerial Map, Ordinance, Exhibit "A" - 4 page Sketch and Legal description.

ORDINANCE NO. _____

AN ORDINANCE APPROVING A VACATION OF A PORTION OF THE UNIMPROVED RIGHTS-OF-WAY OF COUNTRY CLUB WAY SOUTH AND MIRANDA WAY SOUTH ADJACENT TO BOYD HILL NATURE PARK AND ST. PETERSBURG COUNTRY CLUB; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. The following right-of-way is hereby vacated as recommended by the Administration and the Development Review Commission on August 3, 2016 (City File No. 16-33000009):

Legal Description: See Exhibit "A" attached - four pages.

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

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

1. A public utility easement over the entire portion of the vacated right-of-way shall be granted to the City.

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

LEGAL:



PLANNING & ECONOMIC DEVELOPMENT
DEPARTMENT:



LEGAL DESCRIPTION

Exhibit "A" (Page 1 of 4)

A portion of Tract VII and Tract VIII, LAKEWOOD ESTATES GOLF COURSE SECTION, as recorded in Plat Book 20, Page 63 of the Public Records of Pinellas County, Florida, and a portion of the rights-of-way of Country Club Way South and Miranda Way South, more particularly described as follows:

From the most Westerly corner of Lot 1, Block 1, LAKEWOOD COUNTRY CLUB REPLAT, as recorded in Plat Book 115, Page 87, Public Records of Pinellas County, Florida as a Point of Reference; thence along the Northwest line of said Lot 1, Block 1, N.47°04'54"E., 258.59 feet to the POINT OF BEGINNING;

thence continue along the Northwest line of said Lot 1, Block 1 and its extension, N.47°04'54"E., 130.02 feet to a point being 50.00 feet Northerly of the centerline of Country Club Way South as per said plat of LAKEWOOD ESTATES GOLF COURSE SECTION;

thence along a line 50.00 feet Northerly of said centerline the following five (5) courses:

- 1.) 836.48 feet along the arc of a curve to the left, concave to the Southwest, having a radius of 3613.08 feet, central angle 13°15'53", chord bearing N.50°30'06"W., chord length 834.61 feet to a point of reverse curvature;
- 2.) thence 1655.62 feet along the arc of a curve to the right, concave to the Northeast, having a radius of 6426.36 feet, central angle 14°45'40", chord bearing N.49°45'13"W., chord length 1651.05 feet to a point of reverse curvature;
- 3.) thence 1057.34 feet along the arc of a curve to the left, concave to the Southwest, having a radius of 2096.70 feet, central angle 28°53'37", chord bearing N.56°49'12"W., chord length 1046.17 feet to a point of compound curvature;
- 4.) thence 439.18 feet along the arc of a curve to the left, concave to the South, having a radius of 530.00 feet, central angle 47°28'38", chord bearing S.84°59'41"W., chord length 426.72 feet to a point of compound curvature;
- 5.) thence 345.74 feet along the arc of a curve to the left, concave to the Southeast, having a radius of 1250.00 feet, central angle 15°50'52", chord bearing S.53°19'56"W., chord length 344.64 feet to a point of intersection with a radial line;

thence departing that line 50.00 feet Northerly of said centerline, S.44°35'30"E., 100.00 feet radially to a point of intersection with a curve, said curve being 50.00 feet Southerly of the centerline of said Country Club Way South;

thence along a line 50.00 feet Southerly of said centerline the following three (3) courses:

- 1.) 318.08 feet along the arc of a curve to the right, concave to the Southeast, having a radius of 1150.00 feet, central angle 15°50'52", chord bearing N.53°19'56"E., chord length 317.07 feet to a point of compound curvature;

(continued on sheet 2 of 4)

PREPARED FOR: ST. PETERSBURG COUNTRY CLUB		<h2 style="margin: 0;">LEGAL DESCRIPTION</h2>		BY JLS	DATE 7/19/16	DESCRIPTION ADDED AREA TO SKETCH	
SECTION 1, TOWNSHIP 32 S. RANGE 16 E. / SECTIONS 35 & 36, TOWNSHIP 31 S., RANGE 16 E.							
CREW CHIEF	INITIALS	DATE	<h2 style="margin: 0;">George F. Young, Inc.</h2> <p style="font-size: x-small; margin: 0;"> 299 DR. MARTIN LUTHER KING JR. STREET N. ST. PETERSBURG, FLORIDA 33701-3126 PHONE (727) 822-4317 FAX (727) 822-2919 LICENSED BUSINESS LB021 ARCHITECTURE • ENGINEERING • ENVIRONMENTAL • LANDSCAPE • PLANNING • SURVEYING • UTILITIES GAINESVILLE • LAKEWOOD RANCH • ORLANDO • PALM BEACH • ST. PETERSBURG • TAMPA </p>				JOB NO. 12015403SE
DRAWN	WDK	08/25/15					SHEET NO. 1 OF 4
CHECKED	JAA	08/25/15					
FIELD BOOK							
SCALE	1" = 500'						

FILE: \\PROJECTS\SURV\12015403SE\DWG\12015403SE\F00SK3 REV 1.DWG

LEGAL DESCRIPTION

(continued from sheet 2 of 4)

2.) thence 804.22 feet along the arc of a curve to the right, concave to the Southwest, having a radius of 3483.08 feet, central angle 13°13'45", chord bearing S.50°31'10"E., chord length 802.44 feet to the POINT OF BEGINNING.

Containing 507,141 square feet, or 11.642 acres, more or less.

St. Petersburg, Florida

NOTES

1. George F. Young, Inc. and the undersigned make no representations or guarantees pertaining to easements, rights-of-way, setback lines, reservations, agreements and/or other matters pertaining to survey.
2. Basis of Bearings: Plat North as per LAKEWOOD ESTATES GOLF COURSE SECTION, as recorded in Plat Book 20, Page 63, Public Records of Pinellas County, Florida.
3. NOT A BOUNDARY SURVEY.
4. This sketch is a graphic illustration for informational purposes only and is not intended to represent a field survey.
5. This sketch is made without the benefit of a title report or commitment for title insurance.
6. Additions or deletions to survey maps and reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.
7. Certification is understood to be an expression of professional opinion by the surveyor and mapper based on the surveyor and mapper's knowledge and information, and it is not a guarantee or warranty, expressed or implied.
8. Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

LEGEND

A	Arc length	LS	Licensed Surveyor
⊙	Centerline	P.B.	Plat Book
C	Chord	PSM	Professional Surveyor and Mapper
Δ	Delta (central angle)	RAD.	Radius
LB	Licensed Business	R/W	Right-of-way

PREPARED FOR: ST. PETERSBURG COUNTRY CLUB		LEGAL DESCRIPTION		BY JLS	DATE 7/19/16	DESCRIPTION ADDED AREA TO SKETCH
SECTION 1, TOWNSHIP 32 S. RANGE 16 E. / SECTIONS 35 & 36, TOWNSHIP 31 S., RANGE 16 E.						
CREW CHIEF	INITIALS	DATE	 <p style="margin: 0;">George F. Young, Inc. 299 DR. MARTIN LUTHER KING JR. STREET N. ST. PETERSBURG, FLORIDA 33701-3126 PHONE (727) 822-4317 FAX (727) 822-2919 LICENSED BUSINESS LB021 ARCHITECTURE • ENGINEERING • ENVIRONMENTAL • LANDSCAPE • PLANNING • SURVEYING • UTILITIES GAINESVILLE • LAKEWOOD RANCH • ORLANDO • PALM BEACH • ST. PETERSBURG • TAMPA</p>		JOB NO. 12015403SE	
DRAWN	WOK	08/25/15			<p style="margin: 0;">SEE SHEET ONE OF FOUR FOR SIGNATURE, SEAL, DESCRIPTION, LEGEND AND NOTES</p>	SHEET NO.
CHECKED	JAA	08/25/15				3 OF 4
FIELD BOOK	SCALE 1" = 500'					



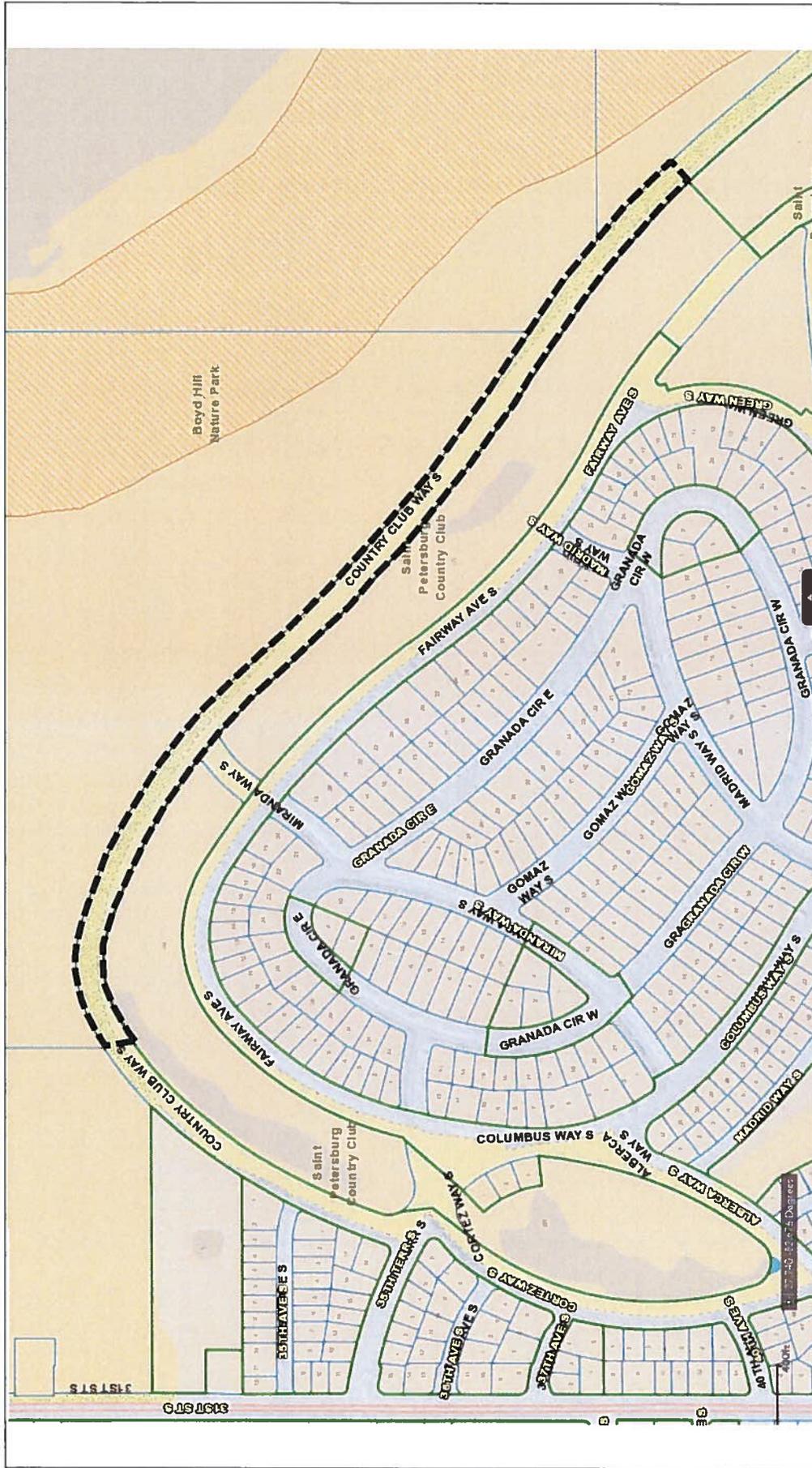
Attachment "B" – Aerial
 City of St. Petersburg, Florida
 Development Review Services

Case No.: 16-3300009

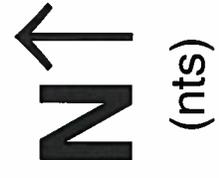
Address: Unimproved right-of-way Adjacent to Parcel 35-31-16-
 49356-000-0010 portion of
 Country Club Way South and Miranda Way South



st.petersburg
www.stpete.org



Attachment "A" – Parcel
 City of St. Petersburg, Florida
 Development Review Services
 Case No.: 16-3300009
 Address: Unimproved right-of-way Adjacent to Parcel 35-31-16-
 49356-000-0010 portion of
 Country Club Way South and Miranda Way South





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

**DEVELOPMENT REVIEW COMMISSION
STAFF REPORT**

**VACATION OF RIGHT-OF-WAY
PUBLIC HEARING
REVISED STAFF REPORT**

According to Planning & Economic Development Department records, Commissioner Joseph Griner resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on **August 3, 2026**, at 2:00 P.M. in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida. *2016*

CASE NO.: 16-33000009 PLAT SHEET: H-19/21 & I-17/19

REQUEST: Approval of a vacation of a portion of the unimproved rights-of-way of Country Club Way South and Miranda Way South adjacent to Boyd Hill Nature Park and St. Petersburg Country Club.

OWNER: St. Petersburg Country Club
2000 Country Club Way South
Saint Petersburg, Florida 33712-4109

AGENT: R. Donald Mastry, Esq.
200 Central Avenue #1600
Saint Petersburg, Florida 33712-33701

ADDRESS: 0 Country Club Way South

PARCEL ID NO.: Adjacent to a portion of 35-31-16-49356-000-0010 and

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban Estate (NSE)

DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate right-of-way adjacent to Boyd Hill Nature Preserve and the St. Petersburg Country Club golf course. This consists of an unimproved portion of Country Club Way South and a very small unimproved segment of Miranda Way South. The subject right-of-way was platted in the Lakewood Estates Golf Course Section in 1934, and if vacated would become the property of St. Petersburg Country Club.

St. Petersburg Country Club has entered into an agreement to sell property to the City of St. Petersburg. A condition of the Agreement for Sale and Purchase of land between St. Petersburg Country Club (seller) and the City of St. Petersburg is that the sellers initiate this application to vacate this portion of unimproved right-of-way within the property to be sold.

The area of the right-of-way proposed for vacation is depicted on the attached maps (Attachments "A" Parcel Map and "B" Aerial) and Exhibit "A" – Sketch and Legal Description. The applicant's goal is to secure the vacation of the right-of-way conditioned in the agreement mentioned above.

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

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

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

A. Land Development Regulations

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

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

The City's Engineering Department has indicated that they do have facilities in the right-of-way to be vacated, including storm sewer, reclaimed water, sanitary sewer and potable water. Private utilities indicated that they have no facilities in this portion of right-of-way. An associated special condition of approval has been suggested at the end of this report to protect City utilities.

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

The abutting land in the subdivision in which the right-of-way was platted is to the south of the proposed vacation and consists of two large tracts on which the golf course has been developed. There is an existing improved right-of-way all along the southern side of these two

tracts (Tract VII and Tract VIII). The proposed vacation will not deny access to any lot of record.

The land owned by the City to the north of the right-of-way proposed for vacation is unplatted land and will be accessed through abutting City owned tracts to the north and east which have street frontage.

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

The right-of-way proposed for vacation is unimproved and have no connection to improved right-of-way. The proposed vacation will not create dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or neighborhoods. The City's Transportation and Parking Management Division recommended approval of this vacation.

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

There is no present or future need for the right-of-way for public vehicular or pedestrian access. There are existing City utilities including storm sewer, reclaimed water, sanitary sewer and potable water in the portion of Country Club Way South proposed for vacation. An associated special condition of approval has been added to address the utilities.

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

No other factors have been raised for consideration.

B. Comprehensive Plan

There are policies in the City's Comprehensive Plan which apply to this request as the City's intent in attaining the land is to dedicate this as parkland.

8. 2 GOALS OBJECTIVES AND POLICIES

GOAL-RECREATION/OPEN SPACE (R):

The City shall retain, preserve, restore and develop the City's open space and parkland resources to provide a variety of quality leisure opportunities to residents and visitors, while providing maximum long term protection to natural resources such as vegetation, air and water quality, wildlife and aesthetic values.

C. Adopted Neighborhood or Special Area Plans

The subject right-of-way is within the boundaries of the Lakewood Estates Neighborhood Association. There are no neighborhood or special area plans which affect vacation of right-of-way in this area of the City.

Comments from Agencies and the Public: The application was routed to City Departments and private utility providers. City Departments indicated that they have utilities in the right-of-way to be vacated. Staff received two calls in regards to the requested vacation. Brian Hamilton of 2211 Green Way South indicated that he was in support of the vacation request. Judy Landon of the Council of Neighborhood Associations, Land Use and Preservation Committee also indicated their support.

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

1. A public utility easement over the entire portion of the vacated right-of-way shall be granted to the City.

REPORT PREPARED BY:


KATHRYN YOUNKIN, AICP, LEED AP BD+C, Deputy Zoning Official 8-2-14
Development Review Services Division DATE
Planning & Economic Development Department

REPORT APPROVED BY:


ELIZABETH ABERNETHY, AICP, Zoning Official (POD) 8-2-16
Planning and Economic Development DATE
Development Review Services Division

Attachments: A – Parcel Map, B – Aerial Map, C – Engineering memorandum dated July 11, 2016, Exhibit “A” – Sketch and Legal Description

MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING DEPARTMENT

TO: Pamela Jones, Development Services
FROM: Nancy Davis, Engineering Plan Review Supervisor
DATE: July 11, 2016
SUBJECT: Right-of-Way Vacation
FILE: 16-33000009

LOCATION 0 Country Club Way South
PIN: 35/31/16/49356/000/0010
ATLAS: H-17, 19, 21 I-17, 19
PROJECT: Right of Way Vacation

REQUEST: Approval of a vacation of a portion of the unimproved rights-of-way of country Club Way South and Miranda Way south adjacent to Boyd Hill Nature Park.

COMMENTS: The Engineering and Capital Improvements Department provide the following comments regarding the vacation request:

1. Though no survey is included, City utility maps indicate various City utilities including storm sewer, reclaimed water, sanitary sewer, and potable water which exist within the right of way to be vacated. Public Utility Easement should be retained over the vacated right of way.
2. Though the right of way to be vacated remains unimproved, vacating a portion of the right of way may create dead end right of way if the vacation is not terminated at the intersection with other right of way.

NED/MJR/jw

pc: Kelly Donnelly
Right of Way Vacation File 2016
Reading File
Correspondence File

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA AMENDING CHAPTER THREE OF THE MUNICIPAL CODE OF ORDINANCES; CREATING THE EDGE DISTRICT SPECIALTY CENTER; CREATING THE PROCESS FOR DESIGNATING EDGE DISTRICT SPECIAL EVENTS DURING WHICH CERTAIN EXEMPTIONS TO ALCOHOLIC BEVERAGE REGULATION MAY BE GRANTED; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. Section 3-7 of the St. Petersburg City Code is hereby amended as follows:

Sec. 3-7. - Unlawful consumption on the premises where alcoholic beverages are sold and within 500 feet thereof; possession or consumption in the public right-of-way.

- (a) *Permitting consumption on the premises.* It is unlawful for any vendor to permit alcoholic beverages to be consumed on the premises where the alcoholic beverages are sold or on any other premises under the control, whether directly or indirectly, of the licensee, except within the licensed premises.
- (b) *Consumption on the premises.* It is unlawful for any person to consume, or to possess in an open container, any alcoholic beverages on the premises where alcoholic beverages are sold or on any other premises under the control, either directly or indirectly, of the licensee, except within the licensed premises.
- (c) *Consumption within 500 feet of premises.*
 - (1) *Finding.* It is found and determined that consumption of alcoholic beverages outside of the licensed premises of an establishment dealing in alcoholic beverages but within 500 feet thereof, except within enclosed buildings or on premises occupied solely by residential structures, is detrimental to the public health and welfare because such consumption results in crime and unsightly and unsanitary conditions due to accumulation of debris and due to persons urinating in public or exposing themselves. Each of the foregoing findings is in and of itself sufficient reason to support this subsection, but the foregoing shall not be construed as the sole reasons in support of this subsection.
 - (2) *Prohibition.* It is unlawful for anyone to consume, or to possess in an open container, any alcoholic beverage outside of the licensed premises of an establishment dealing in alcoholic beverages, but within 500 feet thereof,

except within enclosed buildings or on premises occupied solely by residential structures. Such distance shall be measured by following a straight line from the portion of the licensed premises of the establishment dealing in alcoholic beverages nearest to the location of the violation of this subsection.

- (3) *Signage.* Each establishment dealing in alcoholic beverages shall, at all times when such establishment is open to the public have located in the interior portion of the building licensed for sale of such beverages a sign which can be readily seen and read by customers which is at least one foot by two feet containing substantially the following information:

It is unlawful to consume alcoholic beverages outdoors within 500 feet of this establishment—City ordinance.

It is unlawful for the owner of any establishment dealing in alcoholic beverages to fail to comply with this subsection and for any person to sell, dispense or serve alcoholic beverages in any establishment which is not in compliance with this subsection.

- (4) This subsection shall not apply to consumption of alcoholic beverages in any area which has received a permit from the POD for exemption pursuant to subsection (f) of this section, during any EDGE District Special Event pursuant to subsection (g) of this section, or to any event held in a City park which is allowed to have alcohol pursuant to chapter 21 and which has received a permit therefor from the POD, on the days and during the times the exemption is in effect or the event is allowed.
- (d) *Consumption or possession in the public right-of-way; prohibited activities.* It is unlawful for any person to consume, or to possess in an open container, any alcoholic beverage on any public right-of-way, including streets, sidewalks and alleys.
- (e) *Exemption.* It shall not be a violation of subsection (c) or (d) of this section or for a person to engage in the activity prohibited by the applicable subsection if any of the following apply:
- (1) The activity is permitted pursuant to an exemption granted pursuant to subsection (f) of this section.
 - (2) The activity is in an area designated for an event which has been designated as a City sponsored event by the Mayor or a co-sponsored event by the City Council and the sale of alcoholic beverages is permitted as part of that event. This exception shall only apply on the days and during the times the event is allowed.
 - (3) The activity is in an area designated for a sidewalk cafe pursuant to chapter 16. This exception shall only apply on the days and during the times for which the operation of the sidewalk cafe is allowed pursuant to the sidewalk cafe permit.

- (4) The activity is in an area designated for an event for which a street closure permit has been issued by the City Police Department. This exception shall only apply on the days and during the times the street is closed pursuant to the permit; provided, that all conditions and requirements of the permit are complied with and the permit specifically allows the consumption of alcohol in the right-of-way. Where the street closure permit permits the consumption of alcohol in the right-of-way, the granting of the permit may be conditioned upon requirements including the provision of adequate security, placement of barriers, limited hours of operation and other conditions and requirements to insure that adverse impacts to surrounding areas are minimized and to provide for the health safety and welfare of those individuals inside the right-of-way closure area. The permit shall be posted in the same manner that is required under subsection (c)(3) of this section. This section shall not be construed to limit the imposition of conditions and restrictions on street closure permits that do not permit the consumption of alcohol. If a permit is issued, it shall be a violation of the Code for an individual within the street right-of-way closure area to violate any of the requirements or conditions of the permit. A law enforcement officer who views a person violating a requirement or condition of the permit shall first warn the individual that the individual is violating a permit requirement or condition and therefore is violating a City ordinance. The officer shall order the person to immediately cease and desist from continuing the violation. If the individual so warned continues the violation or repeats the violation within the time frame for which the permit has been issued, the individual may be cited or arrested for a violation of the code.
 - (5) The activity consists of carrying a closed but unsealed container containing an alcoholic beverage inside another container having a mechanical closure; provided that the outer container is kept closed and the alcoholic beverage is not consumed in the public right-of-way.
 - (6) The activity consists of being a passenger on a pedal bus authorized pursuant to Chapter 28. Notwithstanding the foregoing, any passenger not physically on the pedal bus is subject to the open container prohibitions contained in subsections (c) or (d) of this section.
 - (7) The activity is an EDGE District Special Event, duly authorized by the City Council pursuant to subsection (g) of this section.
- (f) *Permits for exemption.* The procedure for obtaining a permit for exemption from subsection (c) or (d) of this section shall be as follows:
- (1) *Application.* A person seeking issuance of a permit shall file an application at least 30 days in advance of the day for which a permit is requested. Such time frame may be shortened by the POD if its imposition would cause undue hardship, the applicant has good reason for being unable to comply, and the

POD determines there is sufficient time to adequately review the application. The application shall include the following information:

- a. The name, address and age of the applicant and, if a corporation or partnership, the name and address of the responsible corporate officer or partner of the applicant.
- b. The name and physical address of the resident agent for the service of process in this State of the applicant, if a corporation, or the name and physical address of any one or more partners, or an employee of the partnership designated pursuant to F.S. § 48.061, to accept service of process, if a partnership.
- c. The name and address of the person sponsoring the activity, if any.
- d. The days and hours for which the permit is desired.
- e. The location for which the permit is desired, including a map adequately defining the area.
- f. Any other information reasonably necessary to determine whether a permit should be issued under this subsection.
- g. If the proposed location includes the public right-of-way, the applicant shall submit written approval from the owner of any real property abutting the portion of the right-of-way for which an exemption is requested.

(2) *Standards for issuance.* Standards for issuance of a permit shall include the following findings:

- a. That the proposed consumption of alcoholic beverages will not unreasonably interfere with or detract from the general public's enjoyment of public streets and facilities.
- b. That the proposed consumption of alcoholic beverages will not unreasonably interfere with or detract from the promotion of public health, welfare and safety.
- c. That the proposed consumption of alcoholic beverages will not have a reasonable likelihood of resulting in violence, crime or disorderly conduct.
- d. That the proposed consumption of alcoholic beverages will not entail extraordinary or burdensome expense or police operation by the City.
- e. That the proposed consumption of alcoholic beverages will not result in unsightly or unsanitary conditions.
- f. That the applicant is 21 years of age or older, if an individual.
- g. That the applicant has proved financial responsibility and will hold the City harmless from any liability resulting from the event.
- h. That neither the applicant, nor any partner or corporate officer or employee thereof has been convicted of a felony, within five years of the date of the

event or misdemeanor or City ordinance violation within three years of the date.

- i. That the applicant has all necessary federal, State and local permits for the sale, service or consumption of alcoholic beverages to be lawful at the location for which a permit is requested.
- j. That the applicant has sufficient personnel who will be available to adequately supervise the activity and keep any public streets or facilities clean and free of debris and litter which may result from the event.
- k. That, except for right-of-way, all property for which the exemption is sought is owned by the applicant or the City. All owners of property for which a permit is sought must join in the application. If any property is owned by the City or held by the City in any capacity, including but not limited to public right-of-way, easement or park, the City has an absolute right to deny permission for a permit, with or without reason.
- l. Exemptions for the right-of-way may be conditioned upon requirements including the provision of adequate security, placement of barriers, limited hours of operation and other conditions and requirements to ensure that adverse impacts to surrounding areas are minimized and to provide for the health safety and welfare of those individuals inside the right-of-way closure area.
- m. If a permit is issued it shall be a violation of the Code for an individual within the street right-of-way closure area to violate any of the requirements or conditions of the permit. A law enforcement officer who views a person violating a requirement or condition of the permit shall first warn the individual that the individual is in violation of a permit requirement or condition and therefore is violating a City ordinance. The officer shall order the person to immediately cease and desist from continuing the violation. If the individual so warned continues the violation or repeats the violation within the time frame for which the permit has been issued, the individual shall be cited or arrested for a violation of the Code.

(3) *Issuance, denial, appeal.*

- a. Within five days of receipt of an application for a permit under this section, the applicant shall provide the supplemental written notice as and to the extent required by chapter 16.
- b. Any aggrieved person may file an appeal of the denial or issuance of a permit under this section to the POD by following the procedures for appeal set forth in chapter 16.
- c. Upon the filing of a timely notice of appeal, the POD shall afford the appellant and other affected persons an opportunity to present relevant

evidence, testimony and argument at a hearing to be held by the POD. The POD holding the hearing shall promptly render a written decision. The POD's decision may be appealed to City Council by following the procedures set forth in chapter 16.

- d. Upon the filing of a timely notice of appeal the City Council shall decide within 30 days from the receipt of the appeal by the City Clerk, whether or not to grant the permit after following the procedures set forth in Chapter 16. The decision of the City Council shall be final. The City Council shall follow the same guidelines that apply to the POD and may impose reasonable conditions on an order granting the permit, such conditions to be of the same type as would be within the power of the POD to impose. The City Council may receive new evidence and shall not be bound by the technical rules of evidence.
- (4) *Compliance with City ordinances and State laws.* A permittee shall comply with all City ordinances and State laws fully as though the same were included in such permits.
- (5) *Liability insurance.* An applicant for a permit shall be required to submit evidence of liability insurance covering injuries to members of the general public, naming the City as an additional insured, and shall indemnify and hold harmless the City and its officers and employees for liability arising out of such permitted activities in such amounts as may be from time to time determined by the POD.
- (6) *Posting copies of permit.* The applicant shall post, at such conspicuous places as the permit may designate and within the area covered by the permit during the times covered by the permit, copies of the permit which shall include a map adequately describing the area permitted and all requirements and conditions of the permit. Such copies shall at all times during which the permit is in effect be available for inspection by all representatives of the City and the State.
- (7) *Fee.* The POD shall charge each applicant a fee which shall be based upon the cost of processing the application and making required notifications. The fee shall be nonrefundable and must be paid prior to the City acting on the application.
- (8) *Additional charge.* The POD may impose as a condition of the permit a charge for additional police or other public services necessarily required by the activity requested by the application.
- (9) *Term; renewal.* No permit shall be issued for a period of longer than six months. Permits may be renewed for successive periods of time, not to exceed six months, and applications for renewal shall be treated as new applications. Permits for activities in the right-of-way shall not exceed the length of the

event or 30 days, whichever is shorter. Exemptions may be intermittent in that they may be granted for specified hours or on specified nonconsecutive days.

- (10) *Revocation.* The City Council shall, after notice to the permit holder and a hearing at which all interested parties shall be heard and may submit evidence, have the authority to revoke a permit upon a finding of good cause. The term "good cause" shall mean violation by the applicant or any person within the area permitted of any standards for issuance of a permit, or of any condition of a permit, or any City ordinance or State law relating to alcoholic beverages, or the violation by any person of any City ordinance or State law relating to alcoholic beverages in an establishment licensed for the sale of alcoholic beverages owned by the applicant or operated under a license issued to the applicant.
- (11) *Suspension.* The POD may, based upon a showing of prima facie evidence of good cause for permit revocations, suspend the permit for a maximum period of 30 days. The POD shall forthwith request the City Council to revoke the permit. The City Council shall hold a hearing within 30 days of the date of suspension and either revoke the permit or find that grounds for revocation do not exist, in which case the suspension shall immediately be lifted and the permit reinstated.

(g) *EDGE District Specialty Center.*

(1) *Findings.*

- a. The EDGE District is a mixed-use neighborhood located within the City's Central Business District, encompassing development in excess of 50,000 square feet of leasable area, and which includes restaurants, entertainment facilities, and specialty shops.
- b. The EDGE District is located adjacent to Booker Creek, a navigable water body that traverses the EDGE District in generally a north/south orientation between 13th Street and 16th Street.

(2) *Definitions.*

- a. *Applicable Boundary* shall mean the area described and depicted in subsection (g)(3) of this section. The *applicable boundary* may be further limited in its geographical extent by the EDGE Business District Association on a case-specific basis.
- b. *Approved Security Plan* shall mean a plan developed by the EDGE Business District Association, tailored specifically to each EDGE District Special Event. An application shall be made to the POD which shall include the following information: a description of the type of event, including activities to occur, the dates and times for which security personnel is needed, whether off-duty officers of the St. Petersburg Police

Department are requested, how many off-duty officers and/or civilian security personnel are required, location of security personnel, type and location of signage providing notice to a person of ordinary intelligence as to the Applicable Boundary, type and location of physical barriers, type and location of any additional sanitation containers required, and any other requirements deemed necessary by the City. An *approved security plan* shall be approved by the Chief of Police, or authorized designee, prior to approval of a Resolution by the City Council pursuant to subsection (g)(4) of this section. The security plan must be designed to minimize adverse impacts to the surrounding areas and to provide for the health, safety, and welfare of persons in the EDGE District Specialty Center.

- c. *Approved Vessel* shall only mean a plastic cup no larger than sixteen (16) ounces, and which is approved by the EDGE Business District Association. An *approved vessel* shall not include bottles, aluminum or other types of cans, glass containers, or any other type of cup or container capable of holding liquids.
- d. *EDGE Business District Association* shall mean the entity who is the sole manager of the EDGE District Specialty Center. The *EDGE Business District Association* shall be the sole entity responsible for requesting an EDGE District Special Event and shall be the sole entity responsible for the creation and procurement of an Approved Security Plan. The *EDGE Business District Association* shall manage the creation and distribution of Approved Vessels, including authorized vendors, and the means of identifying that persons possessing or consuming alcoholic beverages are of legal age.
- e. *EDGE District Special Event* shall mean a City Council-approved event within the EDGE District Specialty Center, with a defined start date and time and defined end date and time and an Approved Security Plan, during which a person may be exempt from subsections (c) and (d) of this section. There shall be no more that nine (9) *EDGE District Special Events* in a calendar year. For the purposes of this definition, an *EDGE District Special Event* shall be deemed to be one (1) event if the exemption is requested for consecutive days, but not to exceed three (3) consecutive days, and if the description of the type of event as required in subsection (g)(5)b. of this section is the same for each day of the event.
- f. *EDGE District Specialty Center* shall mean the area within the Applicable Boundary wherein persons may be exempt from subsections (c) and (d) of this section during an EDGE District Special Event.

(3) *Creation of EDGE District Specialty Center.* Pursuant to Section 561.20(b) of the Florida Statutes, the City of St. Petersburg does hereby create and establish

a specialty center for the EDGE District, the applicable boundaries of which are set forth as follows, and depicted in Figure 1 (below):

The north boundary shall be the south curblane of the right-of-way of First Avenue North; the south boundary shall be the north curblane of the right-of-way of First Avenue South; the east boundary shall be the west curblane of the right-of-way of Dr. Martin Luther King, Jr. Street; and the west boundary shall be the east curblane of the right-of-way of 16th Street.

The curblane does not include any portion of the right-of-way delineated as roadbed intended for vehicular traffic, except that for the purposes of this description, curblanes shall be considered to extend across any street or avenue that intersects a boundary. It is the further intent of this subsection (g) to prohibit the pedestrian crossing of First Avenues North and South while in possession of alcoholic beverages.

City Council may not expand this boundary without amending this City Code section.

(4) *Exemption.* During an EDGE District Special Event, and pursuant to the provisions and limitations of subsection (g) of this section, a person may legally possess and consume alcoholic beverages in the public right-of-way in an Approved Vessel within the Applicable Boundary of the EDGE District Specialty Center. This subsection (g) shall be deemed to be a limited exemption to subsections (c) and (d) of this section when in effect during an EDGE District Special Event.

(5) *Procedure.* The procedure for obtaining an exemption from subsection (c) or (d) of this section for an EDGE District Special Event shall be as follows:

a. A Resolution of the City Council must be approved at least sixty (60) days prior to the start date of an EDGE District Special Event.

b. The Resolution must include the following information for each EDGE District Special Event: start date and time, end date and time, a description of the type of event, Applicable Boundary (within the geographic extent defined in subsection (g)(3) of this section), and reference to an attached Approved Security Plan.

c. The Resolution may include a request for approval of multiple EDGE District Special Events within a calendar year.

(6) *Limitations.* EDGE District Special Events are subject to the following limitations:

a. A maximum of nine (9) EDGE District Special Events shall be allowed in a calendar year.

b. Vending of alcoholic beverages may only occur within the licensed premises of an establishment, including those portions of the right-of-way for which a valid sidewalk café permit has been issued, pursuant to Chapter 16.

- c. The provisions of this subsection (g) shall not be deemed to waive any additional permit requirements for an EDGE District Special Event to be staged, including but not limited to an outdoor public assembly permit pursuant to Chapter 25.
- d. Alcoholic beverages purchased outside of the EDGE District Specialty Center are not exempt under subsection (g) of this section, and any possession or consumption of such alcoholic beverages within the EDGE District Specialty Center shall be unlawful and subject to punishment under the applicable state and local laws.
- e. All other state and local laws applicable to the possession and consumption of alcoholic beverages shall be deemed to be in full force and effect.

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

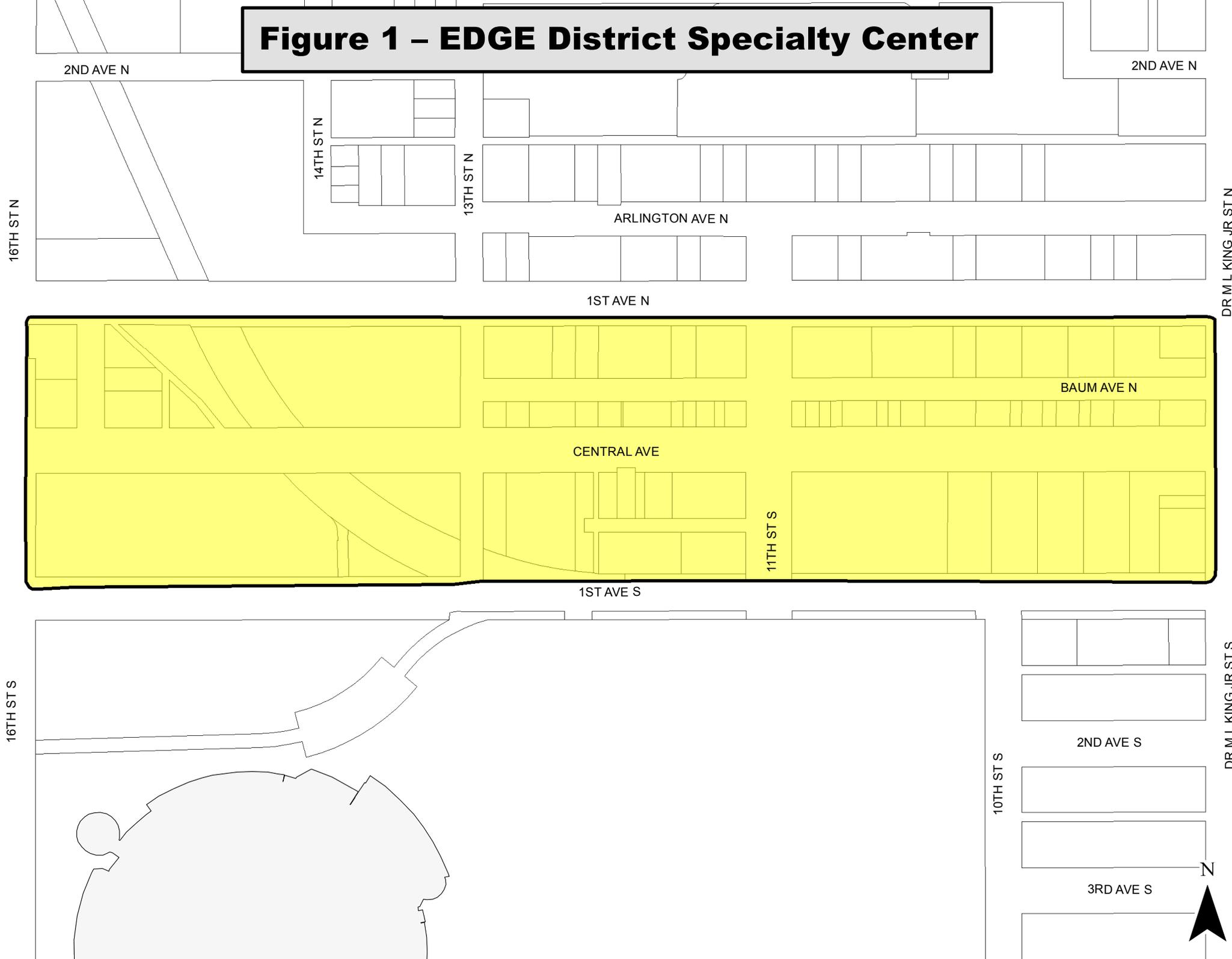
Section 4. Effective Date. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will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

Approved as to form and content:

City Attorney (designee)

DRAFT

Figure 1 - EDGE District Specialty Center





Grand Central District Association, Inc.
2529 Central Ave | St. Petersburg, FL | 33713
www.grandcentraldistrict.org
727-828-7006

April 12, 2016

To St. Petersburg City Council Members,

On behalf of the Grand Central District Association, I would like to voice support for the drafted ordinance that would turn The EDGE District into a "Specialty Center Zone". In addition to being a fellow Florida Main Street district, The EDGE District is a strong community partner of ours and we support its continued revitalization.

Having the "Specialty Center Zone" designation would allow The EDGE Business District Association to host unique events that would attract St. Petersburg residents and visitors to the Central Avenue Corridor, which would also be beneficial to the Grand Central District.

We strongly support this proposed measure and hope that you will vote in its favor.

Thank you for your consideration,

Jeff Danner
President
Grand Central District Association



501c 3 Non-Profit
833A 22nd St. South
St. Petersburg, FL 33712

Phone: (727)4Deuces
(727)433-8237

Board President

Chuck Egarter

Vice President

Gloria Campbell

Secretary

LaDonna Butler

Treasurer

Dr. Amy Sauers

Program Manager

Veatrice Farrell

August 12, 2016

St. Petersburg City Council
c/o St. Petersburg City Hall
175 North Fifth Street
St. Petersburg, Florida 337012

Dear Councilpersons:

On behalf of the Deuces Live Main Street, I would like to voice support for the drafted ordinance that would turn The EDGE District into a "Specialty Center Zone". In addition to being a fellow Florida Main Street district, The EDGE District is a strong community partner of ours and we support its continued revitalization.

Having the "Specialty Center Zone" designation would allow The EDGE Business District Association to host unique events that would attract St. Petersburg residents and visitors to the Edge District and perhaps create overflow to the Deuces Live Main Street.

We support this proposed measure and hope that you will vote in its favor.

Thank you for your consideration,

Program Manager
Deuces Live Main Street



Subject: EDGE District Specialty Center Zone

From: Joseph Mingione (methodisttown@aol.com)

To: council@stpete.org; mayor@stpete.org;

Cc: tlampkin1@gmail.com; jacqueline.mills@flhealth.gov; eladyeve@yahoo.com; edgedistrict@yahoo.com;

Date: Friday, April 1, 2016 4:05 PM

Dear Council Members,

We are writing to you in support of the drafted ordinance that would turn the EDGE District into a "Specialty Center Zone". The EDGE District runs along our entire southern border from 16th St N to MLK St N and so we have a very strong interest in it's success and development. We consider the EDGE District our companion business district that can only add value to our neighborhood which, as you all know, faces many challenges primarily related to the daily nuisances and crime generated by the transients attracted to St Vincent DePaul. A 'specialty center zone" would allow the EDGE District to continue to market itself as an alternative destination to the eastern half of downtown and hopefully draw more economic and developmental interest into our corner of downtown.

With the new police station being built in our neighborhood, increased law enforcement and crime prevention measures around St Vincent DePaul and Unity Park, an involved neighborhood association, the potential for the development of the Tropicana Field property and other recent real estate transactions in our southwest corner and along the 8th St N/MLK St N corridor, we are very hopeful that our neighborhood will finally be able to share in our beautiful downtown's renaissance. While we respect the Downtown Residents Civic Association right to have an opinion related to this subject, they do not speak for nor do they represent the western half of downtown - Methodist Town and the EDGE District.

We strongly support this proposed measure and hope that you will vote in its favor. Thank you for your time.

Sincerely,

Methodist Town Neighborhood Association Board of Directors

Joseph Mingione, President
Tim Lampkin, Vice President
Jacqueline Mills, Secretary
Erika Walker, Treasurer

ST. PETERSBURG CITY COUNCIL

MEETING OF SEPTEMBER 8, 2016

TO: The Honorable Amy Foster, Chair, and Members of City Council

FROM: Mike Dove, Neighborhood Affairs Administrator

SUBJECT: Amending St. Petersburg City Code, Chapter 27 Article V relating to bond requirements and the timing for remittance of fees paid by private haulers operating within the city limits of St. Petersburg.

On April 16, 2015 City Council approved removal of the bond requirements for private haulers. This amendment will remove the bond requirements for recycled materials dealers which was the intent of the 2015 amendment.

The attached ordinance amends St. Petersburg City Code, Chapter 27 Article V to remove the bond requirements for recovered materials dealers operating within the City limits and increases the time period for remittance of fees due the City from private haulers and recycled materials dealers from 15 days to 30 days.

The Sanitation Department and the City Attorney's Office have prepared the attached proposal to amend the St. Petersburg City Code Article V. It includes changes to three (3) sections of Chapter 27 and will remove the bond requirements and extend the time allowed for remittance of fees due the City from private haulers and recovered materials dealers.

The Sanitation Department plans to implement these changes effective with the permit renewals issued October 1st, 2016.

AN ORDINANCE DELETING SECTION 27-497(h) OF THE ST. PETERSBURG CITY CODE TO ELIMINATE THE REQUIREMENT THAT RECOVERED MATERIALS DEALERS PROVIDE PERFORMANCE BONDS; AMENDING SECTIONS 27-497(e) AND 27-608(c) TO EXTEND REMITTANCE TIME OF COLLECTION FEES FOR PRIVATE HAULERS AND RECOVERED MATERIALS DEALERS FROM FIFTEEN DAYS TO THIRTY DAYS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section one. Section 27-497(h) of the St. Petersburg City Code is hereby deleted in its entirety and removed from the City Code. The remaining sections shall be re-numbered.

Section two. Section 27-497(e) of the St. Petersburg City Code is hereby amended as follows:

Sec. 27-497(e). – Requirements of recovered materials dealers.

If the recovered materials dealer collects: (1) garbage, rubbish, garden trash, commercial rubbish, construction debris, or demolition debris in the City, or (2) recovered material in the City which it disposes of as garbage, rubbish, garden trash, commercial rubbish, construction debris, or demolition debris, then that recovered materials dealer must report said amount to the POD and pay to the City a fee per cubic yard as set forth by the POD. Any fee due to the City pursuant to this section shall be remitted to the City within ~~15~~ 30 days of the end of the month during which the material was collected. Failure to remit the required fees within the required ~~15~~ 30 day period shall be grounds for the recovered materials dealer to have its permit suspended or revoked and, in addition, may result in the imposition of monthly late fees in the amount of \$15.00 or 15 percent of the amount due, whichever is greater. The City may seek judicial relief to recover all fees due and owing by the recovered materials dealer.

Section three. Section 27-608(c) of the St. Petersburg City Code is hereby amended as follows:

Sec. 27-608(c). – Permit application, permit agreement, and permit requirements; duration of permit agreement and permit.

Permit Agreement. The applicant shall execute a private collector permit agreement, provided by the POD, with all required attachments. Upon execution of the permit agreement, the applicant is subject to compliance with all requirements set forth in this division and agrees to make a monthly remittance to the City of the collection fees and documentation due as set forth in the private collector permit agreement. Collection fees and documentation shall be remitted within ~~15~~ 30 days of the end of the month in which the waste materials were collected. Failure to remit the fees and documentation as required by this section and the private collector permit agreement shall be grounds for the private collector to have its permit suspended or revoked and, in addition, may result in the imposition of monthly late fees in the amount of \$15.00 or 15 percent of the amount due, whichever is greater. The City may seek judicial relief to recover all fees due and owing by the private collector.

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

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

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

Approved as to form and content:



City Attorney (designee)

**MEMORANDUM
CITY OF ST. PETERSBURG**

To: Honorable, Chair, and Members of City Council
From: Mayor Rick Kriseman 
Date: August 25, 2016
Subject: **First Reading of FY17 Tentative Budget Appropriations Ordinance and Report of Changes from the Recommended Budget**

Background: This report provides material for adoption of the tentative budget for FY17 and contains material related to the Public Hearing scheduled for September 8, 2016 at 6:30 PM in City Council Chamber. At that hearing, staff will present the first reading of the FY17 Budget/Appropriations Ordinance and certain material that is statutorily required to comply with the "Truth in Millage" (TRIM) law. Final action on the FY17 budget is scheduled to take place at the conclusion of the second Public Hearing scheduled for September 22, 2017 at 6:30 PM.

Explanation: The Recommended Budget for FY17 was submitted to City Council on July 14, 2016. In accordance with statutory requirements, two public hearings have been scheduled (September 8th and September 22nd) to receive public comment on the FY17 budget. In preparation for the first public hearing, this report conveys the following material:

- Agenda for the September 8th Public Hearing - providing statutory requirements Attachment A
- Listing and description of all substantive changes made to both projected revenues and anticipated expenditures for FY17 since submission of the Recommended Budget on July 14, 2016 Attachment B
- Resolution which adopts the proposed millage rate of 6.7550 mills Attachment C
- Recommended Budget/Appropriations Ordinance Attachment D
- Resolution which adopts the Recommended Budget/Appropriations Ordinance as the tentative budget at the first Public Hearing Attachment E

Adoption of Proposed Millage and Rolled Back Rate

The tentative aggregate millage rate adopted by City Council on July 21, 2016 was 6.7550 mills. The Recommended FY17 Budget included that proposed millage rate of 6.7550 which represents a 6.21% increase from the rolled back rate of 6.3598 mills. The rolled back rate is the rate that will generate approximately the same amount of revenue as the prior year given the current assessed property values (with exclusions provided by State Statute including new construction, newly annexed properties, etc.). City policy provides that ad valorem revenue will be estimated at 96% to allow for early payment discounts, uncollectibles, and value adjustment board revisions.

I-C

The proposed millage rate of 6.7550, which provides ad valorem revenue of \$103.449 million, along with the times and dates for the public hearings are advertised by the Pinellas County Property Appraiser via TRIM notices mailed to all property owners. Revenues and expenditures are detailed in the Recap of Changes (Attachment B). At this first public hearing, Council will adopt the proposed millage rate, which cannot exceed the advertised millage rate of 6.7550 without taxpayer notification by mail, at the city's expense (s. 200.065(2)(d), F.S.). Council, can however, reduce the millage rate from the 6.7550 provided in the TRIM notices without additional notification or expense.

Council will also be asked to approve changes to the Recommended Budget which have occurred subsequent to July 14, 2016 and approve the FY17 Tentative Budget which includes these changes. State Statutes require a very specific format for the adoption process which is provided in the Agenda shown in Attachment A.

The FY17 General Fund revenue budget does not include positive cash flow from our potential ownership interest in the Tangerine Plaza. Should we acquire an ownership interest in the Plaza and recognize positive cash flows, the Administration proposes that those resources be made available to supplement our FY17 General Fund contingency.

General Information

Several important points may be helpful to Council members in reviewing the attached material. First, the recommended ordinance sets appropriation levels for the General Fund, Special Revenue Funds, Enterprise Funds, Debt Service Funds, and for transfers between funds. It appropriates all Capital Project Funds for FY17, as provided for in the Recommended Capital Improvement Program with any proposed adjustments. Additionally, the ordinance sets appropriations for Dependent Special Districts and establishes authorization levels for each of the city's Internal Service Funds. For Internal Service Funds only the portion of funding provided from fund balance or other external funding sources to partially offset operational cost (if any) is included in the appropriation. The remaining portion of the Internal Service Funds does not require formal appropriation inasmuch as they are funded through charges to those departments which use their services. Setting an authorization level allows Council to establish a funding level for each internal service operation while avoiding duplicate appropriations.

Subsequent to development of the Recommended Budget, staff has continued to monitor revenue sources and evaluate both departmental budget requests and expenditure needs. As a result, changes are proposed in many funds. A summary of all of the changes are shown on the attached "Recap of Changes in the Recommended Budget for the Proposed Ordinance," Attachment B.

Recommendation/Action Required

It is recommended that City Council adopt the proposed millage rate of 6.7550 according to F.S. 200.065 and then approve the Recommended FY17 Budget/Appropriations Ordinance on first reading. It is further recommended that City Council approve the resolution adopting the Recommended FY 17 Budget Appropriations Ordinance (as modified by the changes presented in Attachment B) as the tentative budget for the city of St. Petersburg for fiscal year ending September 30, 2017. Final action on the FY17 budget will occur at the conclusion of the September 22nd Public Hearing.

ATTACHMENT A

FIRST PUBLIC HEARING ON THE FISCAL YEAR 2017 MILLAGE RATE AND BUDGET CITY OF ST. PETERSBURG, FLORIDA

City Council Chamber
St. Petersburg City Hall
Thursday, September 8, 2016
6:30 P.M.

AGENDA

1. Call to Order; Opening of Public Hearing; Announcement of Purpose of Public Hearing. Honorable Chair Amy Foster PUBLICLY ANNOUNCE: This is the start of the first public hearing on the Fiscal Year 2017 millage rate and budget. The purpose of this public hearing is to discuss the Mayor's Recommended Budget, approve a Proposed Millage Rate, and approve the Recommended Budget/Appropriations Ordinance for Fiscal Year 2017 as the tentative budget for Fiscal Year 2017. Prior to public comment, the first substantive issue discussed shall be the percentage increase in millage over the rolled-back rate necessary to fund the budget, if any, and the specific purposes for which ad valorem tax revenues are being increased. That issue will be discussed by the Mayor and his staff after the title to the Budget/Appropriations Ordinance is read.
2. First Reading of Budget/Appropriations Ordinance Title. City Clerk Read title of Budget/ Appropriations Ordinance.
3. Introductory Remarks. Mayor Rick Kriseman General remarks.
4. Presentation on the Tentative FY 2017 Budget and rolled-back rate. Budget Director Tom Greene Brief power point presentation. First substantive issue to be discussed is the percentage increase in millage over the rolled-back rate necessary to fund the budget, if any. The proposed millage is 6.7550. This rate represents an increase of 6.21% over the rolled-back rate of 6.3598. *FS 200.065 (2)(e)*. The reasons for the increase should be discussed at this point.
5. Receipt of Public Comment. Honorable Chair Amy Foster PUBLICLY ANNOUNCE: This is the beginning of the public comment portion of the hearing. The general public shall be allowed to speak and ask questions prior to the adoption of the proposed millage rate and tentative budget by City Council. *FS 200.065(2)(e)*.
6. Close Public Comment. Honorable Chair Amy Foster PUBLICLY ANNOUNCE: The public comment portion of the hearing is now closed.

ATTACHMENT A

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|-----|--|----------------------------|---|
| 7. | Council Comments, Discussion and Consideration of amendments to the Mayor's Recommended Budget. | Mayor and Council | If Council amends the Mayor's Recommended Budget so that there will be a requirement for there to be a change in the millage go to step 8, otherwise go to step 9. |
| 8. | Re-compute proposed millage rate if necessary. | Budget Staff | Compute proposed millage rate and make changes to resolutions and Budget/Appropriations Ordinance as required. FS 200.065(2)(e). |
| 9. | Announcement of proposed millage rate compared to the rolled-back rate. | Honorable Chair Amy Foster | PUBLICLY ANNOUNCE: The proposed millage rate for the City of St. Petersburg is 6.7550 mills which is a 6.21% increase over the rolled-back rate of 6.3598 mills. |
| 10. | Adopt millage resolution. | City Council | Adopt resolution setting proposed millage rate. This must be done before adopting tentative budget and must have a separate vote. FS 200.065(d)&(e) |
| 11. | Adoption by Resolution of the Recommended Budget/Appropriations Ordinance as the Tentative Budget. | City Council | Adopt Mayor's Recommended Budget (with any amendments that have been approved) as the tentative budget in two steps.

a) Motion to pass the Recommended Budget/Appropriations Ordinance (as amended if amended) for the City of St. Petersburg Fiscal Year ending September 30, 2017 on first reading.

b) Motion to approve resolution adopting the Recommended Budget/Appropriations Ordinance, as passed on first reading, as the tentative budget for the City of St. Petersburg Fiscal Year ending September 30, 2017. |
| 12. | Announcement of Date, Time, and Place of final public hearing. | Honorable Chair Amy Foster | PUBLICLY ANNOUNCE: The final public hearing on the Fiscal Year 2017 millage rate and budget shall be on September 22, 2016, 6:30 p.m. in the City Council Chamber of City Hall. |
| 13. | Closing of first public hearing. | Honorable Chair Amy Foster | PUBLICLY ANNOUNCE: The first public hearing on the Fiscal Year 2017 millage rate and budget is now closed. |

EXCERPTS FROM F.S. 200.065:

Paragraph 2(c): "Within 80 days of the certification of value pursuant to subsection (1), but not earlier than 65 days after certification, the governing body of each taxing authority shall hold a public hearing on the tentative budget and proposed millage rate. Prior to the conclusion of the hearing, the governing body of the taxing authority shall amend the tentative budget as it sees fit, adopt

ATTACHMENT A

the amended tentative budget, recompute its proposed millage rate, and publicly announce the percent, if any, by which the re-computed proposed millage rate exceeds the rolled-back rate computed pursuant to subsection (1). That percent shall be characterized as the percentage increase in property taxes tentatively adopted by the governing body."

Paragraph 2(e): "1. In the hearings required pursuant to paragraphs (c) and (d), the first substantive issue discussed shall be the percentage increase in millage over the rolled-back rate necessary to fund the budget, if any, and the specific purposes for which ad valorem tax revenues are being increased. During such discussion, the governing body shall hear comments regarding the proposed increase and explain the reasons for the proposed increase over the rolled-back rate. The general public shall be allowed to speak and to ask questions prior to adoption of any measures by the governing body. The governing body shall adopt its tentative or final millage rate prior to adopting its tentative or final budget."

Doc#00284853

RECAP OF CHANGES BETWEEN THE RECOMMENDED BUDGET AND PROPOSED BUDGET ORDINANCE

** CHANGES IN REVENUES **

General Operating Fund	RECOMMENDED BUDGET	PROPOSED CHANGE	ORDINANCE	REASONS
Franchise Taxes - Electricity	19,500,000	(500,000)	19,000,000	Base on our actual collections in FY16 and projections provided by Duke Energy we have reduced our revenue expectation for FY17.
Franchise Taxes - Natural Gas	725,000	55,000	780,000	Base on our actual collections in FY16 and projections for next year we have increased our revenue expectation for FY17.
Utility Taxes - Electricity	22,500,000	(1,000,000)	21,500,000	Base on our actual collections in FY16 and projections provided by Duke Energy we have reduced our revenue expectation for FY17.
Utility Taxes - Natural Gas	600,000	25,000	625,000	Base on our actual collections in FY16 and projections for next year we have increased our revenue expectation for FY17.
Utility Taxes - Water	4,200,000	400,000	4,600,000	The increase in revenue expectation is tied to the projected rate increase for Water Resources in FY17.
Utility Taxes - Propane	180,000	(40,000)	140,000	Base on our actual collections in FY16 and projections for next year we have reduced our revenue expectation for FY17.
Communications Services Tax	10,000,000	(650,000)	9,350,000	Base on our actual collections in FY16 and projections provided by the State of Florida Department of Revenue we have reduced our revenue expectation for FY17.
Business Taxes	2,410,000	65,000	2,475,000	
Licenses and Permits	643,860	(243,860)	400,000	
State Shared Sales Tax - Half Cent	15,800,000	770,000	16,570,000	Base on our actual collections in FY16 and projections provided by the State of Florida Department of Revenue we have increased our revenue expectation for FY17.
Human Services Grants	1,286,039	111,278	1,397,317	JWB Agreement FY17 greater than Recommended Budget Amount.
Local Shared Revenue - Fuel	3,750,000	(750,000)	3,000,000	Base on our actual collections in FY16 and projections provided by the State of Florida Department of Revenue we have reduced our revenue expectation for FY17.
Charges for Services	10,366,039	633,961	11,000,000	The increased assumption is based on historical actuals exceeding the budget.
Investment Earnings	464,000	398,000	862,000	Interest Earnings
General & Administrative	6,599,842	138,291	6,738,133	2% increase in charges
School Crossing Guard Fund Transfer	300,000	70,000	370,000	The increased revenue expectation is based a three year trend of actual collections exceeding the budget.
Transfer from Deferred Compensation	48,000	(48,000)	0	This reduction in revenue will be offset by a reallocation of a portion of the salaries of four employees to the Deferred Compensation Fund.
Total General Fund Revenue	236,246,496	(565,330)	235,681,166	

** CHANGES IN REQUIREMENTS **

General Operating Fund	RECOMMENDED BUDGET	PROPOSED CHANGE	ORDINANCE	REASONS
Mayor's Office	4,245,929	30,774	4,276,703	This increase is to add a full-time Operations Support Manager (\$84,052) in the Mayor's Action Center for projects, operations, and the SeeClickFix program due to plans of expanding the program and staffing needs and reduce an Executive Assistant to Mayor position (\$53,278).
Human Resources	3,063,150	(46,413)	3,016,737	This is due to a reallocation of a portion of the salaries of four employees to the Deferred Compensation Fund.
Police	101,922,537	(50,000)	101,872,537	Reduce electric charges to historical
Fire Rescue	29,964,960	(375,000)	29,589,960	Transfers will not need to be made because resources from completed and closed projects within this fund will be sufficient to cover this assignment in the General CIP.
Marketing & Communications	2,845,887	15,653	2,861,540	This increase is to add a part-time Special Projects Manager (\$51,859) in the Marketing Department to coordinate specialty assigned projects involving national and international marketing, public relations, and branding of city venues and events and reduce the Marketing Director salary and benefits 25% (\$36,206) to partially offset the cost of the Special Projects Manager position.

**RECAP OF CHANGES BETWEEN THE RECOMMENDED BUDGET AND PROPOSED
BUDGET ORDINANCE**

Parks & Recreation	33,772,188	111,278	33,883,466	JWB Agreement FY17 greater than Recommended Budget Amount.
Budget & Management	4,288,804	2,580	4,291,384	This increase reflects salary changes that happened subsequent to the Recommended Budget.
Transportation & Parking Management	804,216	1,960	806,176	This increase reflects salary changes that happened subsequent to the Recommended Budget.
Finance	11,968,064	15,111	11,983,175	This increase reflects salary changes that happened subsequent to the Recommended Budget.
Contingency	4,824,306	(271,273)	4,553,033	This item is the net change in contingency needed to balance the General Fund. Additional resources may become available during FY17, from our potential ownership interest in the Tangerine Plaza. Should we acquire an ownership interest in the Plaza and recognize revenues during FY17 they would be used to supplement our FY17 General Fund contingency.
Total General Fund Requirements	236,246,496	(565,330)	235,681,166	

**** CHANGES IN REVENUES ****

Other Funds				
Economic Stability	848,000	84,000	932,000	Interest Earnings
Emergency Medical Services	12,139,029	(6,000)	12,133,029	Interest Earnings
Local Housing Assistance	400,000	1,648,936	2,048,936	This increase is the 2017 grant funding for the State Housing Initiatives Partnership (SHIP) program (\$1,622,936) and interest earnings (\$26,000).
Parking Revenue	6,869,617	25,000	6,894,617	Interest Earnings
Law Enforcement	19,000	5,000	24,000	Interest Earnings
School Crossing Guard	303,000	72,000	375,000	Interest Earnings (\$2,000), and an increase in estimated revenue from fines (\$70,000).
Weeki Wachee	300,000	(61,000)	239,000	Interest Earnings
Downtown Redevelopment	12,848,669	50,000	12,898,669	Interest Earnings
Bayboro Harbor	94,385	2,000	96,385	Interest Earnings
Intown West	990,095	24,000	1,014,095	Interest Earnings
HOME Program	956,770	(50,000)	906,770	Interest Earnings
Neighborhood Stabilization	352,000	4,000	356,000	Interest Earnings
Community Housing	1,000	7,000	8,000	Interest Earnings
Building Permit	4,968,300	3,000	4,971,300	Interest Earnings
Sunken Gardens	1,177,633	3,000	1,180,633	Interest Earnings
Arts in Public Places	4,000	2,000	6,000	Interest Earnings
Public Service Tax Debt	2,433,360	95,578	2,528,938	Debt service payments are due October 1st, the transfer comes from the tax increment fund.
Water Resources	121,985,962	1,606,947	123,592,909	Interest Earnings, Increased revenue due to increased rates.
Water Resources Debt	24,852,417	1,408,090	26,260,507	Interest Earnings; Increased transfer for debt service.
Water Cost Stabilization	1,292,000	49,000	1,341,000	Interest Earnings
Stormwater Utility	12,814,885	455,691	13,270,576	Interest Earnings, Increased revenue due to increased rates.
Stormwater Debt	1,056,650	(338,365)	718,285	Reduced transfer for debt service.
Sanitation	44,228,798	108,000	44,336,798	Interest Earnings
Sanitation Recycling	0	8,000	8,000	Interest Earnings
Sanitation Equipment Replacement	847,000	72,000	919,000	Interest Earnings
Marina	4,019,591	4,000	4,023,591	Interest Earnings
Fleet	15,928,100	(11,000)	15,917,100	Interest Earnings
Equipment Replacement	8,736,321	10,000	8,746,321	Interest Earnings
Municipal Office Buildings	2,954,880	2,000	2,956,880	Interest Earnings
Technology Services	10,498,736	(9,000)	10,489,736	Interest Earnings
Technology & Infrastructure	1,621,902	(2,000)	1,619,902	Interest Earnings
Supply Management	426,000	(3,000)	423,000	Interest Earnings
Health Insurance	48,497,993	9,000	48,506,993	Interest Earnings
General Liabilities Claims	3,633,392	18,000	3,651,392	Interest Earnings
Workers Compensation	11,364,399	74,000	11,438,399	Interest Earnings
Billing & Collections	8,708,848	(20,000)	8,688,848	Interest Earnings

**** CHANGES IN REQUIREMENTS ****

Other Funds

RECAP OF CHANGES BETWEEN THE RECOMMENDED BUDGET AND PROPOSED BUDGET ORDINANCE

Local Housing Assistance	400,000	1,622,936	2,022,936	This increase is the 2017 grant funding for the State Housing Initiatives Partnership (SHIP) program.
Parking	6,786,003	10,478	6,796,481	This increase reflects salary changes that happened subsequent to the Recommended Budget (\$5,478), and a 2% increase in G&A charges (\$4,600).
School Crossing Guard	303,000	70,000	373,000	Increased revenue from fines is transferred to the General Fund to offset the cost of the School Crossing Guard Program.
Downtown Redevelopment District	5,926,149	95,578	6,021,727	Debt service payments are due October 1st, the transfer is made to the Public Improvement Debt Service Fund for the Pier.
Building Permit	5,163,344	4,962	5,168,306	2% increase in General & Administrative charges
Public Service Tax Debt	2,433,360	95,578	2,528,938	Debt service payments are due October 1st, the transfer
Water Resources	121,939,991	1,925,525	123,865,516	2% increase in General & Administrative charges, updated debt and transfer to CIP.
Stormwater	14,674,944	(324,218)	14,350,726	2% increase in General & Administrative charges; FY16 promotion of two employees; Reduction of Debt Service transfer due to 2016 refunding.
Sanitation	43,323,883	23,541	43,347,424	2% increase in General & Administrative charges
Airport	1,153,768	637	1,154,405	2% increase in General & Administrative charges
Marina	4,012,350	1,687	4,014,037	2% increase in General & Administrative charges
Golf Course	3,687,381	4,317	3,691,698	2% increase in General & Administrative charges
Fleet	16,235,329	12,338	16,247,667	2% increase in General & Administrative charges
Technology Services	10,534,369	8,497	10,542,866	2% increase in General & Administrative charges
Health Insurance	48,113,792	865	48,114,657	This increase reflects salary changes that happened subsequent to the Recommended Budget.
General Liability	3,539,492	288	3,539,780	This increase reflects salary changes that happened subsequent to the Recommended Budget.
Commercial Insurance	5,255,174	288	5,255,462	This increase reflects salary changes that happened subsequent to the Recommended Budget.
Workers Compensation	11,185,360	575	11,185,935	This increase reflects salary changes that happened subsequent to the Recommended Budget.
Billing & Collections	9,248,976	17,800	9,266,776	This increase reflects salary changes that happened subsequent to the Recommended Budget (\$5,412), and a 2% increase in G&A charges (\$12,388).

CAPITAL IMPROVEMENT FUNDS

** CHANGES IN REVENUES **

FUND	RECOMMENDED BUDGET	PROPOSED CHANGE	ORDINANCE	REASONS
General Capital Improvement Fund	2,960,000	(162,000)	2,798,000	This is the net change from the elimination of the \$375,000 transfer from General Fund for SCBA/Bunker Gear (resources from the closing out of completed projects will be used for this purpose), and an increase in the interest earnings in FY17.
Public Safety Capital Improvement Fund	7,160,000	225,000	7,385,000	Interest Earnings
Neighborhood and Citywide Infrastructure Capital Improve	14,862,000	59,000	14,921,000	Interest Earnings
Recreation and Culture Capital Improvement Fund	7,370,000	3,000	7,373,000	Interest Earnings
City Facilities Capital Improvement Fund	912,000	12,000	924,000	Interest Earnings

** CHANGES IN REQUIREMENTS **

FUND	RECOMMENDED BUDGET	PROPOSED CHANGE	ORDINANCE	REASONS
General Capital Improvement Fund	2,590,000	10,000	2,600,000	Mahaffey Theater Exterior Wall Project Increase to bring total funding to \$50,000.
Neighborhood & Citywide Infrastructure Capital Improvement Fund	16,223,000	50,000	16,273,000	Sidewalk Expansion Project Increase to bring total funding to \$350,000.

RESOLUTION NO. _____

**A RESOLUTION ADOPTING A PROPOSED
MILLAGE RATE FOR THE FISCAL YEAR
ENDING SEPTEMBER 30, 2017; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the amounts of money necessary to be raised from taxation to carry on the government of the City of St. Petersburg for the fiscal year ending September 30, 2017, have been tentatively determined.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that it has been determined that in order to raise and produce the funds necessary to carry on the government of the City of St. Petersburg for the fiscal year ending September 30, 2017, there is hereby levied for said year, the various taxes set out in Sections 1 and 2, inclusive of this Resolution, to wit:

SECTION 1. The proposed millage rate for the fiscal year ending September 30, 2017, is hereby fixed and adopted at 6.7550 mills on the dollar of the assessed value of property of every kind liable for or subject to taxation by the City of St. Petersburg, Florida.

SECTION 2. The proposed millage rate referred to in the preceding Section shall be levied for the following purposes:

<u>Purpose</u>	<u>Mills</u>
General Fund Operating Levy	6.7550

SECTION 3. The proposed millage rate adopted herein represents an increase of 6.21% over the rolled back rate of 6.3598 mills computed pursuant to the TRIM Act (Section 200.065, Florida Statutes, 2012, as amended).

This resolution shall become effective immediately upon its adoption.

APPROVED BY DEPARTMENT



Budget Department

APPROVED AS TO FORM AND SUBSTANCE



City Attorney
00284825

ATTACHMENT D

ORDINANCE NO. 241-H

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017; MAKING APPROPRIATIONS FOR THE PAYMENT OF THE OPERATING EXPENSES OF THE CITY OF ST. PETERSBURG, FLORIDA, INCLUDING ITS UTILITIES, AND FOR THE PAYMENT OF PRINCIPAL AND INTEREST OF REVENUE BONDS, AND OTHER OBLIGATIONS OF THE CITY OF ST. PETERSBURG, FLORIDA; MAKING APPROPRIATIONS FOR THE CAPITAL IMPROVEMENT PROGRAM OF THE CITY OF ST. PETERSBURG, FLORIDA; MAKING APPROPRIATIONS FOR THE DEPENDENT SPECIAL DISTRICTS OF THE CITY OF ST. PETERSBURG, FLORIDA; ADOPTING THIS APPROPRIATIONS ORDINANCE AS THE BUDGET FOR THE CITY FOR FISCAL YEAR ENDING SEPTEMBER 30, 2017; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. That for payment of operating expenses and obligations of the City of St. Petersburg, Florida, for the fiscal year ending September 30, 2017, there is hereby appropriated out of any money in the Treasury of the City and any accruing revenues of the City available for said purposes to the Funds and for the purposes hereinafter set forth, the sum of monies shown in the following schedules:

OPERATING FUNDS

GENERAL FUND

Police	101,872,537
Fire and Rescue	29,589,960
Leisure Services Administration	40,972,550
Neighborhood Affairs Administration	6,776,079
General Government Administration	38,284,061
Public Works Administration	10,282,890
City Development Administration	7,903,089
Total – General Fund	\$235,681,166

ENTERPRISE FUNDS

Water Resources	123,865,516
Water Cost Stabilization	1,292,000
Stormwater	14,350,726
Sanitation	43,347,424
Sanitation Equipment	4,672,600
Parking	6,796,481
Mahaffey Theater	596,000
Pier	100,000
Coliseum	791,988
Sunken Gardens	1,177,066

ATTACHMENT D

Tropicana Field	2,334,528
Airport	1,154,405
Marina	4,014,037
Golf Courses	3,691,698
Jamestown	630,189
Port	<u>349,884</u>
Total - Enterprise Funds	\$209,164,542

SPECIAL REVENUE FUNDS\OPERATING

Emergency Medical Services	13,512,198
Local Assistance Housing (SHIP)	2,022,936
Law Enforcement Fund	106,950
Grant Funds (CDBG, HOME, ESG, NSP)	3,106,382
Miscellaneous Donation Funds	1,000,000
Building Permit Special Revenue Fund	<u>5,168,306</u>
Total Special Revenue Funds\Operating	\$24,916,772

INTERNAL SERVICE FUND RESERVES

Fleet Management	330,567
Equipment Replacement	305,027
Municipal Office Buildings	1,538,240
Technology Services	53,130
Supply Management	58,979
Commercial Insurance	227,546
Billing and Collections	<u>577,928</u>
Total-Internal Service Fund Reserves	\$3,091,417

TOTAL - ALL OPERATING FUNDS

\$472,853,897

SPECIAL REVENUE FUNDS\NON-OPERATING

Assessments Revenue	66,720
School Crossing Guard	370,000
Weeki Wachee	298,000
Arts in Public Places	35,000
Professional Sports Facility Sales Tax	<u>1,920,424</u>
Total - Special Revenue Funds\Non-Operating	\$2,690,144

DEBT SERVICE FUNDS

JP Morgan Chase	3,168,504
Bank of America Notes	197,665
BB&T Notes	230,085
Pro Sport Facility Sales Tax Debt	1,905,083
Public Service Tax Debt	2,528,938
Water Resources Debt	24,748,158
Stormwater Debt	1,056,650
Sanitation Debt	<u>1,291,416</u>
Total - Debt Service Funds	\$35,126,499

TOTAL - OPERATING BUDGET APPROPRIATIONS

\$510,670,540

ATTACHMENT D

SECTION 2. For the payment of capital improvements as set forth in the Capital Improvement Program of the City of St. Petersburg, Florida, for the fiscal year ending September 30, 2017, there is hereby appropriated from the monies in the Treasury of the City and any accruing revenues of the City available for said purposes to the funds and for the purposes heretofore set forth, the sum of monies as shown in the following schedules:

CAPITAL IMPROVEMENT FUNDS

GENERAL CAPITAL IMPROVEMENT FUND

Intown Streetscape Improvements	200,000
Mahaffey Theater	50,000
Municipal Office Building Repairs & Improvements	2,000,000
MLK South over Booker Creek Bridge	<u>350,000</u>
General Capital Total	\$2,600,000

HOUSING CAPITAL IMPROVEMENT FUND

Legal Collection Expense	<u>25,000</u>
Housing Total	\$25,000

PUBLIC SAFETY CAPITAL IMPROVEMENT FUND

Fire Engine 5 Replacement	313,000
Fire Engine 6 Replacement	305,000
Police Take Home Cruisers	<u>800,000</u>
Public Safety Total	\$1,418,000

NEIGHBORHOOD & CITYWIDE INFRASTRUCTURE IMPROVEMENT

Special Assessments	100,000
Street and Road Improvements	4,500,000
Curb Replacement/Ramps	500,000
Sidewalk Reconstruction/Expansion	600,000
Bicycle Pedestrian Facilities	100,000
Comp Streetscaping/Greenscaping	250,000
Intersection Modifications	50,000
Neighborhood Transportation Management	100,000
Sidewalk Expansion	350,000
Traffic Signal Mast Arms	300,000
Complete Streets	450,000
Sidewalks Neighborhood and ADA Ramps	100,000
Wayfaring Signage	150,000
Bridge Reconstruction/Load Testing	300,000
Bridge: 11 th Ave South over Booker Creek	650,000
Emergency Dredging Small Boat Channels	50,000
Dredging Arterial Channels	400,000
8 th Ave S at 44 th Street S	823,000
Drainage Line Rehab/Replacements	700,000
Innovation District	500,000
Warehouse Arts District Action Plan	1,000,000
West Central Avenue Streetscape	<u>4,300,000</u>
Neighborhood & Citywide Total	\$16,273,000

ATTACHMENT D

RECREATION & CULTURE CAPITAL IMPROVEMENT

Mirror Lake Complex Upgrades	600,000
Recreation Center Improvements	200,000
Refinish Gym Floors	125,000
Shore Acres Center Replacement	150,000
Sunshine Center Improvements	50,000
Dell Holmes Splash Pad Renovations	100,000
Swimming Pool Improvements	350,000
Athletic Facility Improvements	200,000
Resurface Basketball Courts	75,000
Resurface Tennis/Shuffleboard Courts	200,000
Lake Maggiore/Boyd Hill Park	500,000
Park Restroom Renovations	210,000
Park Facilities Improvements	250,000
Parking Lot Improvements	125,000
Parks Lighting Improvements	125,000
Play Equipment Replacement	400,000
Spa Beach Improvements	175,000
Sunken Gardens Park Improvements	160,000
Sunken Gardens Service Elevator	250,000
General Library Improvements	200,000
Radio Frequency Identification System	70,000
Mirror Lake Library Elevator Replacement	110,000
Mahaffey Theater Improvements	500,000
Mahaffey Theater Orchestra Shell	800,000
Coliseum Improvements	100,000
Recreation and Culture Total	\$6,025,000

CITY FACILITIES CAPITAL IMPROVEMENT FUND

Dwight Jones Neighborhood Center Improvements	25,000
Fire Station Major Improvements	100,000
Jamestown Parking Lot and Sidewalk	70,000
City Facilities Roof Waterproofing	200,000
Carter G Woodson HVAC	50,000
South Community Library HVAC	80,000
City Facilities HVAC	150,000
Infrastructure to be Determined	200,000
City Facilities Total	\$875,000

DOWNTOWN PARKING CAPITAL PROJECTS

Garage Parking Signage	150,000
New Meter Technology	200,000
New Meters	200,000
MSC 24 Hour Access	50,000
Sundial Garage Restoration	250,000
Downtown Parking Total	\$850,000

ATTACHMENT D

WATER RESOURCES CAPITAL PROJECTS FUND

Water Treatment/Supply	6,532,000
Water Distribution System Improvements	10,960,000
Sanitary Sewer Collection System	10,640,000
Lift Station Improvements	2,910,000
Water Reclamation Facilities Improvements	25,925,000
Reclaimed Water System Improvements	125,000
Water Resources Building Improvements	650,000
Laboratory Improvements	50,000
Computerized Systems Improvements	<u>740,000</u>
Water Resources Total	\$58,532,000

STORMWATER DRAINAGE CAPITAL PROJECTS

Gandy Blvd and Oak St NE	990,000
8 th Ave S at 44 th Street North	3,872,000
Clam Bayou Trail	50,000
Minor Storm Drainage	250,000
Drainage Line Rehab Replacement	800,000
Computerized Systems: Hardware/Software Replacement	<u>160,000</u>
Stormwater Drainage Total	\$6,122,000

AIRPORT CAPITAL PROJECTS FUND

Airport SW Hanger Redevelopment	750,000
Taxiway C South Ramp	431,000
Taxiway C Rehab	<u>300,000</u>
Airport Total	\$1,481,000

MARINA CAPITAL PROJECTS FUND

Marina Facility Improvements	430,000
Central Yacht Basin	2,500,000
Transient Dock	<u>121,000</u>
Marina Total	\$3,051,000

PORT CAPITAL PROJECTS

Port Wharf Renovations	<u>101,000</u>
Port Total	\$101,000

TRANSPORTATION IMPACT FEES CAPITAL PROJECTS

28 th Street Trail – GATISAF	2,500,000
Carillon Intersection Improvements	2,500,000
City Trails – Bicycle Trails	500,000
Complete Streets	450,000
Downtown Intersection & Pedestrian Facilities	250,000
Sidewalks	200,000
Traffic Safety Program	<u>250,000</u>
Transportation Total	\$6,650,000

TOTAL CIP FUNDS

\$104,003,000

ATTACHMENT D

SECTION 3. For dependent districts of the City of St. Petersburg, Florida, for the fiscal year ending September 30, 2017, there are hereby appropriated from the monies and revenues of said districts the sum of monies shown on the following schedule:

DEPENDENT DISTRICTS

Health Facilities Authority	14,000
Downtown Redevelopment District	<u>6,021,727</u>
Total - Dependent Districts	\$6,035,727

SECTION 4. Within the appropriations in Section 1, the following allocations are authorized:

INTERNAL SERVICE ALLOCATIONS

Fleet Management	15,917,100
Equipment Replacement	8,746,321
Municipal Office Buildings	2,956,880
Technology Services	10,489,736
Technology and Infrastructure	795,000
Supply Management	423,000
Health Insurance	48,114,657
Life Insurance	795,365
Self Insurance	3,539,780
Commercial Insurance	5,027,916
Workers Compensation	11,185,935
Billing & Collections	<u>8,688,848</u>
Total - Internal Services	\$116,680,538

COMMUNITY SUPPORT ALLOCATIONS

Social Services	529,167
Pinellas Hope/Emergency Beds	100,000
Homeless Services	550,000
Meals on Wheels	50,000
St. Vincent DePaul	148,633
Turning Point	125,000
Save our Schools	20,000
Greenhouse	50,000
2020	65,000
Arts	275,000
Suncoasters St. Pete Festival	35,000
First Night	25,000
My Brother's/Sister's Keeper	750,000
Poynter Institute	30,000
Florida Orchestra	75,000
Early Childhood Development Program	300,000

ATTACHMENT D

Central Arts	20,000
MLK Family Festival	35,000
Museum of History	12,000
MLK Free Speech Event	17,000
Blue Ocean Film Festival	25,000
Baseball Forever	15,000
LocalTopia	35,000
Mayor's Matching Grants	45,620
Keep Pinellas Beautiful	10,000
Metro Central	50,000
Workforce Readiness	35,000
After School Work Program	125,000
Summer Youth Intern Program	300,000
Reads to Me	50,000
Main Streets	176,000
Carter G Woodson Museum	32,000
Downtown Looper	20,000
Economic Development	<u>946,950</u>
Total-Community Support	\$5,077,370
 Subsidies:	
Mahaffey Theater	450,000
Pier	100,000
Coliseum	232,500
Sunken Gardens	154,500
Tropicana Field	1,485,000
Jamestown	64,500
Port	<u>217,500</u>
Total-Subsidies	\$2,704,000
 Transfers:	
Economic Stability	500,000
South St. Petersburg TIF	716,232
Downtown TIF	7,459,332
Bayboro TIF	52,917
Intown West TIF	<u>535,752</u>
Total-Transfers	\$9,264,233
Contingency	4,553,033
 Total – Non-Departmental	 \$21,598,636

SECTION 5. The following categories are established as committed fund balances for future appropriation in the General Fund. The final amount will be determined subsequent to year-end when the actual results and ending balances for all funds have been determined. Commitment amounts may be changed by a resolution of City Council in accordance with the City Charter:

ATTACHMENT D

Operating Re-appropriations—Funds that are rolled over for purchases that could not be made in the previous year due to timing or other issues.

Land Sale Proceeds—This category was created to provide a funding source for acquiring property. Proceeds from the sale of city properties valued at less than \$20,000 are deposited in the General Operating Fund and are to be used for acquiring property according to Resolution 2002-126 adopted by the City Council on February 21, 2002.

Qualified Target Industry (QTI) Tax Refund Program—This category was established to provide the City's share of payments over the next five years for the QTI program, which provides funds to local businesses for the purpose of stimulating economic growth and employment.

Local Agency Program (LAP)—This category is established to provide the City's share of commitments for maintenance of City roads and trails as a result of grant agreements with the Florida Department of Transportation (FDOT).

These commitment categories are effective as of the date of this ordinance which is prior to the end of the Fiscal Year 2016.

SECTION 6. After passage of this ordinance, changes to the allocation amounts listed in Section 4 may be accomplished in the same manner as changes to appropriations pursuant to City Charter Section 3.14.

SECTION 7. This appropriation ordinance is hereby adopted as the budget for the City of St. Petersburg for the fiscal year ending September 30, 2017.

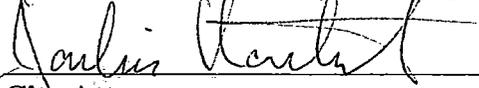
SECTION 8. In the event this Ordinance, or any line item, is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk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

APPROVED BY DEPARTMENT:



Budget Department

APPROVED AS TO FORM AND SUBSTANCE:



City Attorney

00285238

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE TENTATIVE BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing has been held on September 8, 2016, at 6:30 P.M. on the tentative budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida: This City Council adopts Ordinance No. 241-H, which includes the Mayor's amendments to the recommended budget, as the tentative budget for the fiscal year ending September 30, 2017.

This resolution shall become effective immediately upon its adoption.

APPROVED BY DEPARTMENT



Budget Department

APPROVED AS TO FORM AND SUBSTANCE



City Attorney
00285225

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 8, 2016

TO: The Honorable Amy Foster, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute a License Agreement with the Police Athletic League of St. Petersburg, Inc., a Florida not-for-profit corporation, for the use of the Main Building located at 1450 - 16th Street North within a portion of the City-owned Woodlawn Park for a period of three (3) years at an aggregate rent of \$36.00; and to execute all documents necessary to effectuate same; waiving the reserve for replacement requirement of City Council Resolution No. 79-740A; and providing an effective date. *(Requires an affirmative vote of at least six (6) members of City Council.)*

EXPLANATION: Real Estate and Property Management received a request from Police Athletic League of St. Petersburg, Inc. ("PAL") to enter into a new license agreement for another three (3) year term for use of the Main Building located at 1450 - 16th Street North within a portion of City-owned Woodlawn Park that PAL has utilized since 1995.

PAL ("Licensee") has executed a new License Agreement ("License"), for a term of thirty-six months (36) months, subject to City Council approval, with the terms and conditions providing it with the same basic rights and privileges it has enjoyed during the preceding term. The rental rate is one dollar (\$1.00) per month or thirty-six (\$36.00) for the entire term. The Licensee is responsible for all interior and exterior maintenance of the building. The Licensee shall pay for roof repairs or replacement up to \$5,000 per occurrence, HVAC repair or replacement up to \$10,000 per occurrence and utilities including, but not limited to, water, electric, sewer, gas, trash collection and stormwater fees, in addition to any applicable taxes and insurance. Additionally, the 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 in addition to all risks property insurance on the Premises, in an amount not less than assessed value of the improvements as determined by the Pinellas County Property Appraiser's office. The License may be terminated without cause by either party with ninety (90) days written notice prior to the scheduled date of termination.

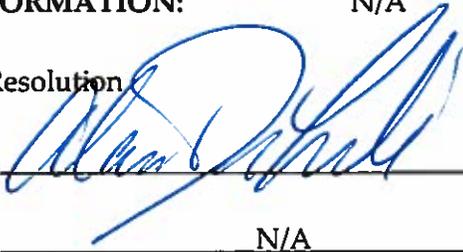
City Council Resolution No. 79-740A, dated October 4, 1979, establishes policies for the sale and leasing of City-owned park and waterfront property. This resolution requires that when leasing City property to a non-profit, private organization "... the organization pays operating costs plus a reserve for replacement." Due to the limited financial resources of the organization, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived in an effort to minimize operating costs. These terms and conditions are consistent with prior Licenses with this and other non-profit organizations. Under the terms of the License, "the City is under no obligation to provide a replacement facility under any circumstances."

Section 1.02 (c)(2) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property for three (3) years or less on residentially-zoned property with approval by an affirmative vote of at least six (6) members of City Council. The subject property is zoned Neighborhood Suburban Estate (NS-E).

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a License Agreement with the Police Athletic League of St. Petersburg, Inc., a Florida not-for-profit corporation, for the use of the Main Building located at 1450 - 16th Street North within a portion of the City-owned Woodlawn Park for a period of three (3) years at an aggregate rent of \$36.00; and to execute all documents necessary to effectuate same; waiving the reserve for replacement requirement of City Council Resolution No. 79-740A; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

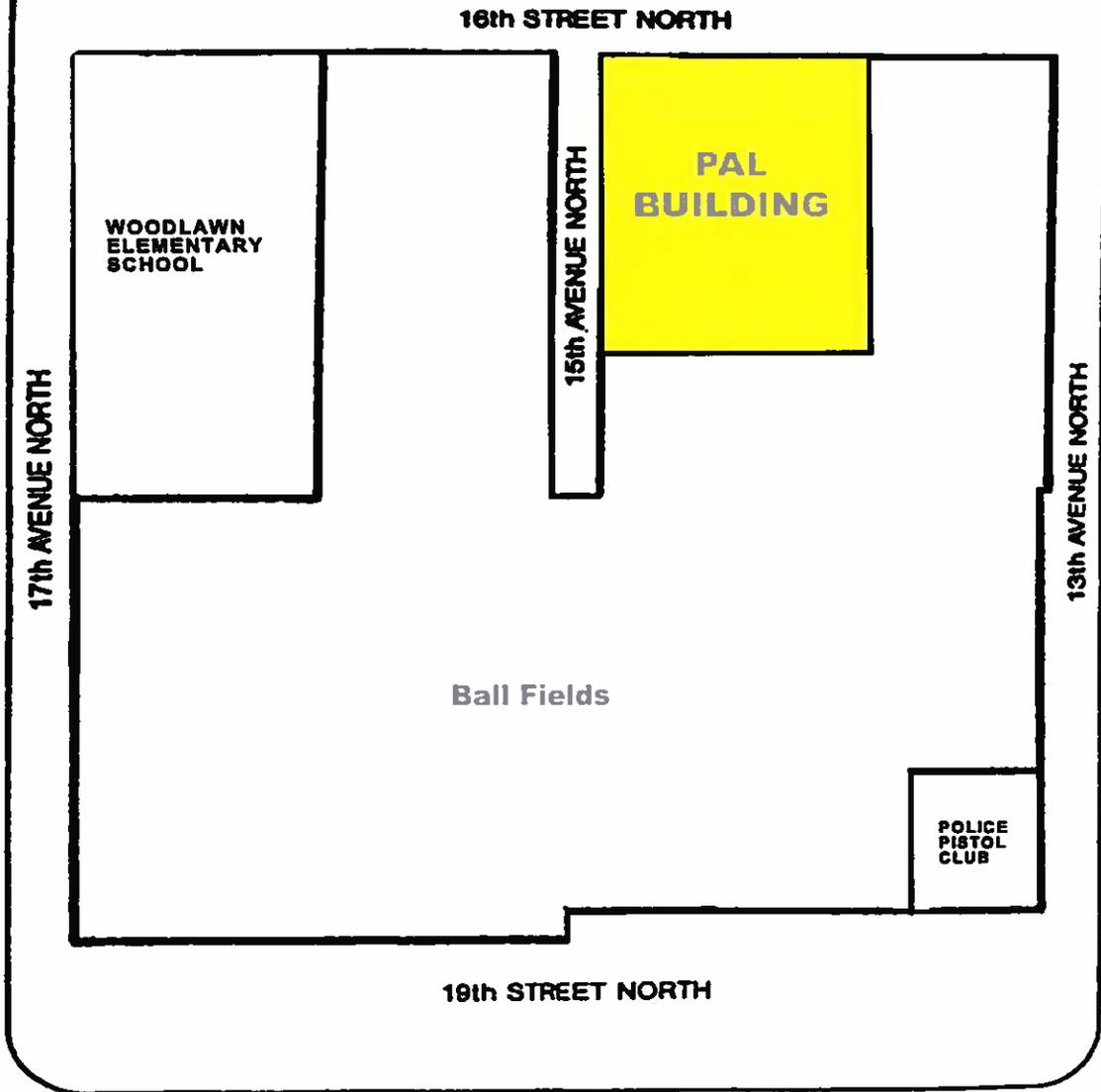
APPROVALS: Administration:  _____ 

Budget: _____ N/A _____

Legal:  _____
(As to consistency w/attached legal documents)

Legal: 00283526.doc V. 1

ILLUSTRATION



Resolution No. 2016 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH THE POLICE ATHLETIC LEAGUE OF ST. PETERSBURG, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE USE OF THE MAIN BUILDING LOCATED AT 1450 - 16TH STREET NORTH WITHIN A PORTION OF THE CITY-OWNED WOODLAWN PARK FOR A PERIOD OF THREE (3) YEARS AT AN AGGREGATE RENT OF \$36.00; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; WAIVING THE RESERVE FOR REPLACEMENT REQUIREMENT OF CITY COUNCIL RESOLUTION NO. 79-740A; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Police Athletic League of St. Petersburg, Inc. ("Licensee") desires to continue to use the main building located at 1450 - 16th Street North within a portion of City-owned Woodlawn Park, which is classified as Parkland; and

WHEREAS, the proposed License Agreement ("License") will be for a term of thirty-six (36) months, at an aggregate rent of \$36.00, to be paid at the commencement of the License; and

WHEREAS, the License may be terminated without cause by either party by providing written notice no less than ninety (90) days prior to the scheduled date of termination; and

WHEREAS, the Licensee is responsible for all interior and exterior maintenance of the building; and

WHEREAS, the Licensee shall pay for roof repairs or replacement up to \$5,000 per occurrence, and for HVAC repair or replacement up to \$10,000 per occurrence; and

WHEREAS, the Licensee shall pay for all utilities including, but not limited to, water, electric, sewer, gas, trash collection and stormwater fees, in addition to any applicable taxes and insurance; 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; and

WHEREAS, the Licensee will maintain all risks property insurance on the Premises, in an amount not less than assessed value of the improvements as determined by the Pinellas County Property Appraiser's office; and

WHEREAS, the License 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, due to the limited financial resources of the Licensee, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived in an effort to minimize operating costs; and

WHEREAS, these terms and conditions are consistent with prior licenses with this and other non-profit organizations; and

WHEREAS, under the terms of the License, 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 Neighborhood Suburban Estate (NS-E).

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 the Police Athletic League of St. Petersburg, Inc., a Florida not-for-profit corporation, for the use of the Main Building located at 1450 - 16th Street North within a portion of the City-owned Woodlawn Park for a period of three (3) years at an aggregate rent of \$36.00; and to execute all documents necessary to effectuate same; and

BE IT FURTHER RESOLVED that the reserve for replacement requirement of City Council Resolution No. 79-740A is waived.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)

Legal: 00283526.doc V. 1

APPROVED BY:

Michael J. Jefferis, Director
Parks & Recreation

APPROVED BY:

Bruce E. Grimes, Director
Real Estate & Property Management

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 8, 2016

TO: The Honorable Amy Foster, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute a License Agreement with Family Resources, Inc., a Florida not-for-profit corporation, for the use of the Arts Wing within a portion of the City-owned Thomas "Jet" Jackson Recreation Center, formerly known as the Wildwood Recreation Center, located at 1000 - 28th Street South, for a period of three (3) years at an aggregate rent of \$36.00; and to execute all documents necessary to effectuate same; waiving the reserve for replacement requirement of City Council Resolution No. 79-740A; and providing an effective date. *(Requires an affirmative vote of at least six (6) members of City Council.)*

EXPLANATION: Real Estate and Property Management received a request from Family Resources, Inc. to enter into a new license agreement for another three (3) year term for use of the Arts Wing at Thomas "Jet" Jackson Recreation Center, formerly known as the Wildwood Recreation Center that it has utilized for the operation of the Youth Arts Corps program since the completion of the facility on October 1, 2004.

Family Resources, Inc. ("Licensee") has executed a License Agreement ("Agreement"), for a term of thirty-six months (36) months, subject to City Council approval, with the terms and conditions providing it with the same basic rights and privileges it has enjoyed during the preceding term. The Licensee will provide educational programs in the areas of art, photography, clay sculpture, percussion, web-site design, poetry, theater and printmaking, in addition to providing development services for youth. The rental rate is one dollar (\$1.00) per month or thirty-six (\$36.00) for the entire term. The Licensee is responsible for Arts Wing staffing, programming, daily cleaning and removal of all trash and debris in association with its use of the Premises, in addition to long distance charges for use of the telephone line provided by the City and applicable taxes and insurance. Additionally, the Licensee will maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate. The Agreement may be terminated without cause by either party with ninety (90) days written notice prior to the scheduled date of termination.

City Council Resolution No. 79-740A, dated October 4, 1979, establishes policies for the sale and leasing of City-owned park and waterfront property. This resolution requires that when leasing City property to a non-profit, private organization ". . . the organization pays operating costs plus a reserve for replacement." Due to the limited financial resources of the organization, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived in an effort to minimize operating costs. 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 subject property is zoned Neighborhood Suburban Estate (NS-E).

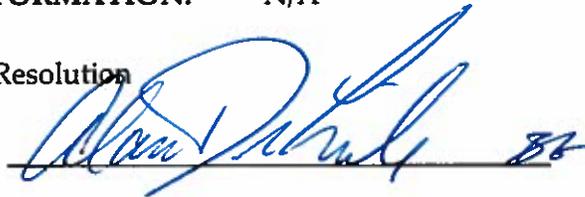
RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a License Agreement with Family Resources, Inc., a Florida not-for-profit corporation, for the use of the Arts Wing within a portion of the City-owned Thomas "Jet" Jackson Recreation Center, formerly known as the Wildwood Recreation Center, located at 1000 - 28th Street South, for a period of three (3) years at an aggregate rent of \$36.00; and to execute all documents necessary to effectuate same; waiving the reserve for replacement requirement of City Council Resolution No. 79-740A; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

APPROVALS:

Administration:



Budget:

N/A

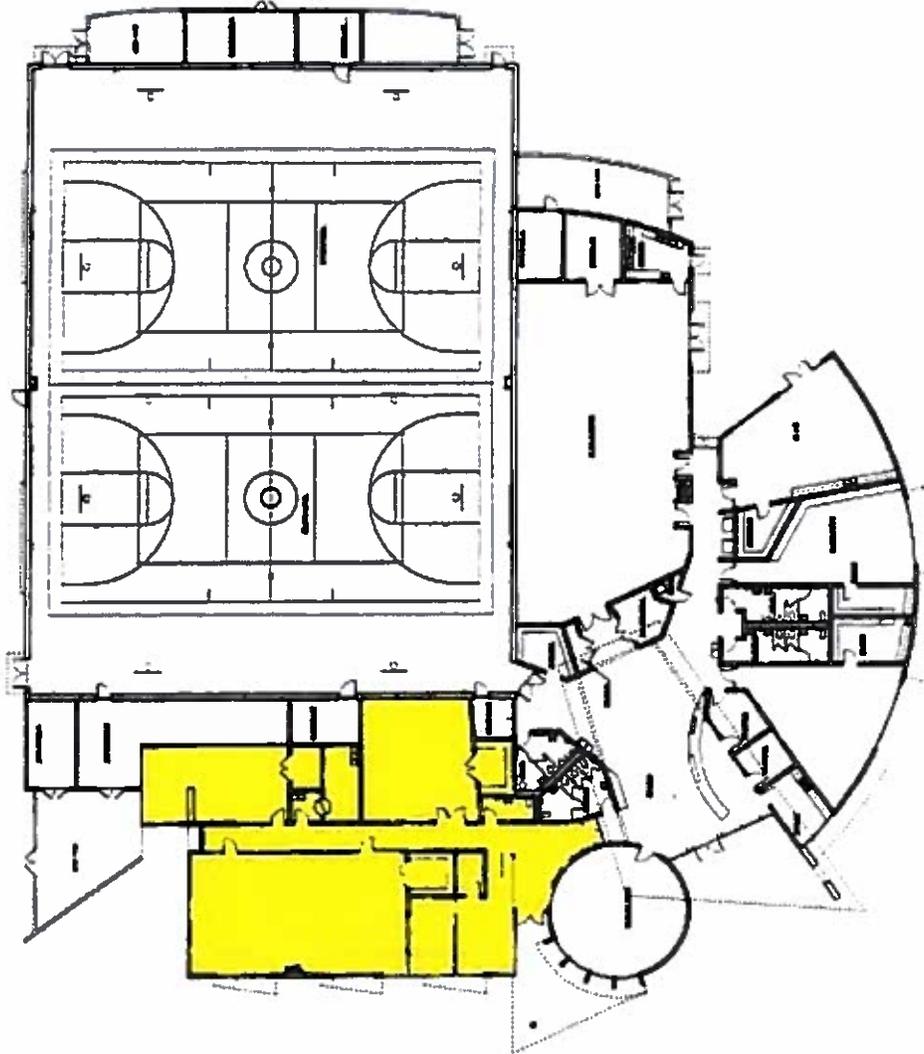
Legal:



(As to consistency w/attached legal documents)

Legal: 00283532.doc v. 1

Thomas "Jet" Jackson Recreation Center



**AREA TO BE USED BY FAMILY RESOURCES
FOR YOUTH ART CORPS PROGRAM**

Resolution No. 2016 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH FAMILY RESOURCES, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE USE OF THE ARTS WING WITHIN A PORTION OF THE CITY-OWNED THOMAS "JET" JACKSON RECREATION CENTER, FORMERLY KNOWN AS THE WILDWOOD RECREATION CENTER, LOCATED AT 1000 - 28TH STREET SOUTH, FOR A PERIOD OF THREE (3) YEARS AT AN AGGREGATE RENT OF \$36.00; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; WAIVING THE RESERVE FOR REPLACEMENT REQUIREMENT OF CITY COUNCIL RESOLUTION NO. 79-740A; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Family Resources, Inc. ("Licensee") desires to lease the Arts Wing for the operation of the Youth Arts Corps program that the Licensee will be operating within a portion of the City-owned Thomas "Jet" Jackson Recreation Center, formerly known as the Wildwood Recreation Center, located at 1000 - 28th Street South, which is classified as Parkland; and

WHEREAS, the proposed License Agreement ("Agreement") will be for a term of thirty-six (36) months, at an aggregate rent of \$36.00, to be paid at the commencement of the License; and

WHEREAS, the Agreement may be terminated without cause by either party by providing written notice no less than ninety (90) days prior to the scheduled date of termination; and

WHEREAS, the Licensee is responsible for Arts Wing staffing, programming, daily cleaning and removal of all trash and debris in association with its use of the Premises, in addition to long distance charges for use of the telephone line provided by the City and applicable taxes and insurance; 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; and

WHEREAS, this 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, due to the limited financial resources of the organization, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived in an effort to minimize 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 Neighborhood Suburban Estate (NS-E).

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 Family Resources, Inc., a Florida not-for-profit corporation, for the use of the Arts Wing within a portion of the City-owned Thomas "Jet" Jackson Recreation Center, formerly known as the Wildwood Recreation Center, located at 1000 - 28th Street South, for a period of three (3) years at an aggregate rent of \$36.00; and to execute all documents necessary to effectuate same; and

BE IT FURTHER RESOLVED that the reserve for replacement requirement of City Council Resolution No. 79-740A is waived.

This Resolution shall become effective immediately upon its adoption.

LEGAL:



City Attorney (Designee)

Legal: 00283532.doc v. 1

APPROVED BY:



Michael J. Letteris, Director
Parks & Recreation

APPROVED BY:



Bruce E. Grimes, Director
Real Estate & Property Management



MEMORANDUM

Council Meeting of September 8, 2016

TO: Members of City Council

FROM: Mayor Rick Kriseman

RE: Confirmation of Reappointment and Appointment to the Development Review Commission

I respectfully request that Council confirm the of reappointment of Darren Stowe and Richard Doyle and the appointment of Calvin Samuel as regular members to the Development Review Commission to serve a three-year term ending September 30, 2019.

I respectfully request that Council confirm the appointment of Matt Walker as an alternate member to the Development Review Commission to serve a three-year term ending September 30, 2019.

Copies of their resumes have been provided to the Council office for your information.

RK/cs

Attachment

cc: D. Goodwin, Planning & Economic Development Director
E. Abernethy, Zoning Official

A RESOLUTION CONFIRMING THE
REAPPOINTMENT AND APPOINTMENT OF
REGULAR AND ALTERNATE MEMBERS TO
THE DEVELOPMENT REVIEW COMMISSION;
AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council hereby confirms the reappointment of Darren Stowe and Richard Doyle; and the appointment of Calvin Samuel as regular members to the Development Review Commission to serve a three-year term ending September 30, 2019.

BE IT FURTHER RESOLVED that Council confirms the appointment of Matt Walker as an alternate member to the Development Review Commission to serve a three-year term ending September 30, 2019.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content

City Attorney or (Designee)

SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 8, 2016

TO: The Honorable Amy Foster, Chair, and Members of City Council

SUBJECT: A Resolution authorizing the Mayor, or his designee, to execute a one (1) year agreement with the Pinellas Suncoast Transit Authority in an amount not to exceed \$75,000 to operate a daily fixed route trolley service program from St. Pete Beach to the eastern terminus of Second Avenue N.E. in downtown St. Petersburg including service to the Pier Parking Lots; and providing an effective date.

EXPLANATION: In October, 2009 the “Central Avenue Shuttle” was created in partnership with the Pinellas Suncoast Transit Authority (PSTA), the St. Petersburg Downtown Partnership and the City of St. Petersburg. The Central Avenue Shuttle was created as a second themed service as an expansion of the St. Petersburg Trolley system which previously only included the Downtown Looper. The Central Avenue Shuttle provided service between The Pier and Grand Central Station at Central Avenue and 31st Street. These trolley services augment regular bus service, provide enhanced public transit, operate inexpensive and frequent service, reduce pollution, enhance citizen and visitor transportation options and support local businesses.

In October, 2011 the City and PSTA partnered to expand the popular Central Avenue Shuttle and renamed it the Central Avenue Trolley. The expanded service allowed riders to board at Pass-A-Grille and ride all the way to The Pier via St. Pete Beach and Central Avenue without having to make a transfer. The Central Avenue Trolley has been in operation for almost five years and ridership has continued to exceed expectations. In fiscal year 2015, the Central Avenue Trolley carried over 75,000 passengers per month and was the fifth most popular route in the PSTA system. Although The Pier building is closed at this time, the Central Avenue Trolley provides valuable service to the waterfront and serves both the Beach Drive/Pelican and Dolphin surface lots and links these parking assets to other downtown destinations.

The City’s commitment of \$75,000 was required in order to provide a “Reduced Fare Zone” and a “Free Fare Zone” upon the implementation of the Central Avenue Trolley. These zones (depicted in Exhibit A) were critical to enhance ridership on the shorter rides within the greater downtown area. The City and PSTA desire to continue these reduced fare zones in the proposed renewal. Because PSTA normally receives \$2.25 per passenger and needs to maintain revenue to meet the expenses of running the operation, the City would be responsible for continuing to buy down the rate at a cost of \$0.50 per rider. However, the \$0.50 per rider only applies to those who do not have daily or monthly transit passes, do not qualify for the Unlimited Access Program and do not ride outside the free fare zone as those riders would pay the normal rate once they exit the free fare zone or would have already paid the full fare before entering the reduced fare zone. PSTA has agreed to again place a \$75,000 cap on the City’s fare buy-down contribution.

Earlier this year, PSTA began conducting the Downtown St. Petersburg Circulator Study. This study is the next step in the transit planning process that began in 2015 and led to the implementation of a downtown grid network of transit routes and removal of transfer facilities at

Williams Park in February 2016. The Downtown Circulator Study is an analysis of transit circulation within downtown St. Petersburg. To identify options for a modified or new network of circulator services in downtown St. Petersburg, PSTA will examine the following:

- Existing circulator bus services including the Downtown Looper and Route 32.
- The grid network of regular PSTA routes, including the Central Avenue Trolley.
- Where residents, workers, and visitors want to go in downtown St. Petersburg.
- Connectivity to other transportation services including the planned bus rapid transit line between downtown and the beaches, planned ferry service, and bike share stations.

At the completion of the Study, PSTA will recommend a service plan for downtown circulation. The Study is scheduled to be completed in December 2016.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute a one (1) year agreement with the Pinellas Suncoast Transit Authority in an amount not to exceed \$75,000 to operate a daily fixed route trolley service program from St. Pete Beach to the eastern terminus of Second Avenue N.E. in downtown St. Petersburg including service to the Pier Parking Lots; and providing an effective date.

COST/FUNDING ASSESSEMENT INFORMATION: Funding for the City's responsibility to buy down fares will be appropriated in the FY 17 Operating Budget (pending Council adoption), General Fund (0001), Transportation & Parking Management Department, Administration (281-1797). The agreement will not go into effect until City Council adopts the FY 17 Operating Budget.

ATTACHMENTS: Resolution Agreement

APPROVALS: Administration:

 Alan J. Lute EGM

Budget:

 DEVRIIS L. Fuller 8.29.16

Legal:

 _____

Resolution No. 2016- _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT COMMENCING ON OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 WITH THE PINELLAS SUNCOAST TRANSIT AUTHORITY IN AN AMOUNT NOT TO EXCEED \$75,000 TO OPERATE A DAILY FIXED ROUTE TROLLEY SERVICE FROM ST. PETE BEACH TO THE EASTERN TERMINUS OF SECOND AVENUE N.E. IN DOWNTOWN ST. PETERSBURG INCLUDING SERVICE TO THE PIER PARKING LOTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg ("City") is undertaking certain measures to stimulate economic activity through transportation initiatives; and

WHEREAS, the Pinellas Suncoast Transit Authority ("PSTA") has been providing trolley service from St. Pete Beach to the eastern terminus of Second Avenue N.E. in downtown St. Petersburg including service to the Dolphin and Pelican Parking Lots ("Service") since October of 2011; and

WHEREAS, the City and PSTA desire to continue this partnership and have negotiated an agreement whereby PSTA will continue to implement the Service; and

WHEREAS, the City wishes to contribute up to \$75,000 to support the Central Avenue Trolley for the portion of the Service which will shuttle passengers between Sundial and the Dolphin and Pelican Parking Lots for free as well as provide discounted (\$0.50) rides between Grand Central Station and Sundial; and

WHEREAS, the City has included \$75,000 in the FY 17 City Development Administration, Transportation & Parking Management Department budget for the Central Avenue Trolley.

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 one (1) year agreement with the Pinellas Suncoast Transit Authority commencing on October 1, 2016 and ending September 30, 2017 in an amount not to exceed \$75,000 to operate a daily fixed route trolley service from St. Pete Beach to the eastern terminus of Second Avenue N.E. in downtown St. Petersburg including service to the Dolphin and Pelican Parking Lots.

This Resolution shall become effective immediately upon its adoption.

APPROVALS:

Legal: 

Administration: 
Evan Mory, Director,
Transportation and Parking
Management Department

FY17 - CENTRAL AVENUE TROLLEY AGREEMENT

THIS AGREEMENT (“Agreement”) is entered into on this ____ day of _____, 2016, by and between PINELLAS SUNCOAST TRANSIT AUTHORITY (“PSTA”), an independent special district, with its principal place of business located at 3201 Scherer Drive, St. Petersburg, Florida, 33716, and the CITY OF ST. PETERSBURG (the “City”), a Florida municipal corporation with its principal place of business located at 175 Fifth Street North, St. Petersburg, FL 33701 (collectively referred to as the “Parties”).

WHEREAS, PSTA has been providing trolley services for the Central Avenue Shuttle from St. Pete Beach to the eastern terminus of Second Avenue N.E. in downtown St. Petersburg including service to the Beach Drive/Dolphin and Pelican Parking Lots (“Central Avenue Trolley”) since October of 2011; and

WHEREAS, the City and PSTA desire to continue the Central Avenue Trolley services.

NOW, THEREFORE, the Parties, in consideration of the covenants, conditions and mutual obligations contained herein, the receipt and adequacy of which are hereby acknowledged, agree as follows:

1. **RECITALS.** The above recitals are true and correct and incorporated herein.
2. **CENTRAL AVENUE TROLLEY.** PSTA shall operate the Central Avenue Trolley in accordance with the expanded route map, which is attached hereto as **Exhibit A** and incorporated by reference.
3. **REDUCED FARE ZONES.** The passenger fares charged for Central Avenue Trolley routes between Grand Central Station and Sundial (“Reduced Rate Zone”) shall be at a reduced rate of Zero U.S. Dollars and 50/100 (\$0.50) per passenger, per ride. PSTA shall not charge passengers any fare for routes between Sundial and the St. Petersburg Pier, including the surface parking lots for the St. Petersburg Pier (“Free Fare Zone”). Any passengers utilizing daily, monthly, or other pre-paid passes will not be charged a fare.
4. **SUBSIDY.** The City shall pay PSTA Zero U.S. Dollars and 50/100 (\$0.50) per passenger, not to exceed an annual maximum of Seventy-five Thousand U.S. Dollars and NO/100 (\$75,000.00), on a monthly basis. The subsidy paid to PSTA of \$0.50 is a match for each passenger boarding in the Free Fare Zone and for cash paying passengers boarding in the Reduced Fare Zone, except no match will be paid for passengers who utilize a pre-paid pass, passengers who qualify for the Universal Pass Program, or those who ride any portion of the route outside the Free and Reduced Fare Zones. PSTA shall submit a monthly invoice to the City within thirty (30) days after the completion of each calendar month and payment shall be remitted no later than thirty (30) days after the receipt of each invoice.

5. **TERM.** This Agreement shall be effective for a one (1) year period commencing October 1, 2016 and terminating on September 30, 2017. The Parties may only extend or renew the term of this Agreement by mutual written agreement.

6. **TERMINATION.**

- a. **WITHOUT CAUSE.** This Agreement may be terminated without cause by either party by upon ninety (90) days' written notice of its intent to terminate.
- b. **WITH CAUSE.** In the event the City fails to comply with any provision of this Agreement, including failure to make timely payment of undisputed invoices, PSTA may, in its sole discretion, terminate this Agreement upon thirty (30) days' written notice to the City.

7. **NOTICES.**

- a. All notices, requests, demands or deliveries, and other communications which are required or permitted under this Agreement shall be in writing and sent to the respective addresses below:

If to PSTA:
Chief Executive Officer
Pinellas Suncoast Transit Authority
3201 Scherer Drive
St. Petersburg, Florida 33716
Fax No. 727-540-1913

If to the City:
Director, Transportation & Parking Mgt.
City of St. Petersburg
One 4th Street N.
St. Petersburg, FL 33701
Fax No. 727-551-3326

With required copy to:
Alan S. Zimmet, General Counsel
Bryant Miller Olive, P.A.
One Tampa City Center, Suite 2700
Tampa, FL 33602
Fax: (813) 223-2705

- b. Either party may change its above contact information by providing written notice to the other party.
8. **HOLD HARMLESS.** PSTA and the City agree, to the extent permitted by law, to indemnify, defend and hold the other harmless for the negligent acts omissions of their employees and officers and for any violations of federal or state law or regulation, including but not limited to 42 U.S.C. §1983, Title VII of the Civil Rights Act of 1964, as amended, the Civil Rights Act of 1991, the Americans with Disabilities Act, and Chapter 760, Florida Statutes. Nothing contained herein shall be construed as a waiver of any immunity from or limitation of liability the City or PSTA may be entitled to under the doctrine of sovereign immunity or Section 768.28, Florida Statutes. The

obligations contained in this Paragraph shall survive the termination of this Agreement, however terminated.

9. MISCELLANEOUS.

- a. **Jurisdiction.** This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. The City and PSTA consent to jurisdiction over them and agree that venue for any state action shall lie solely in the Sixth Judicial Circuit in and for Pinellas County, Florida, and for any federal action shall lie solely in the U.S. District Court, Middle District of Florida, Tampa Division.
- b. **Entire Agreement.** This Agreement, together with any exhibits attached hereto, constitutes the entire agreement among the Parties and supersedes any and all prior negotiations, oral agreements or representations made or relating to the subject matter of this Agreement.
- c. **Assignment.** This Agreement may not be assigned without the prior written consent of the other party. Such consent shall not be unreasonably withheld or delayed.
- d. **Third Party Rights.** This Agreement shall not be construed to create any rights, claims, or benefits to any person other than the Parties hereto.
- e. **Severability.** If any of the provisions of this Agreement are held to be invalid, illegal, or unenforceable by a court of competent jurisdiction, such provisions shall be deemed separate, severable, and the validity, legality, and enforceability of the remaining provisions shall not in any way be affected thereby.
- f. **Headings and Paragraph References.** The headings and paragraph references in this Agreement are inserted only for the purpose of convenience and shall not be construed to expand or limit the provisions contained in such paragraphs.
- g. **Authorization.** Both parties to this Agreement represent and warrant that they are authorized to enter into this Agreement without the consent and joinder of any other party and that the individuals executing this Agreement have full power and authority to bind their respective entities to the terms hereof.
- h. **Modification.** This Agreement may not be amended or altered except by mutual written agreement of the Parties. No waiver shall be valid unless set forth in writing and signed by the party waiving its rights, claims, or remedies available at law. In the event either party elects to waive its remedies for breach of this Agreement, such a waiver shall not limit that party's remedies for any subsequent breach of that or any other term of this Agreement.

- i. **Non-Appropriation.** The obligations of the Parties as to any funding required pursuant to this Agreement shall be limited to an obligation in any given year to budget and appropriate from legally available funds, after monies for essential services have been budgeted and appropriated, sufficient monies for the funding that is required during that year. Notwithstanding the foregoing, a party shall not be prohibited from pledging any legally available non-ad valorem revenues for any obligations heretofore or hereafter incurred, which pledge shall be prior and superior to any obligation of the party pursuant to this Agreement.

IN WITNESS WHEREOF, the Parties have hereto made and executed this Agreement on the date first above written.

Witness:

Pinellas Suncoast Transit Authority

Print Name: _____

Brad Miller, Chief Executive Officer

Approved as to form:

Alan S. Zimmet, General Counsel

Witness:

Print Name: _____

Approved as to Content and Form

City Attorney (Designee)

By: _____
Assistant City Attorney

City of St. Petersburg, Florida

By: _____

Print Name: _____

As its: _____

Attest: _____

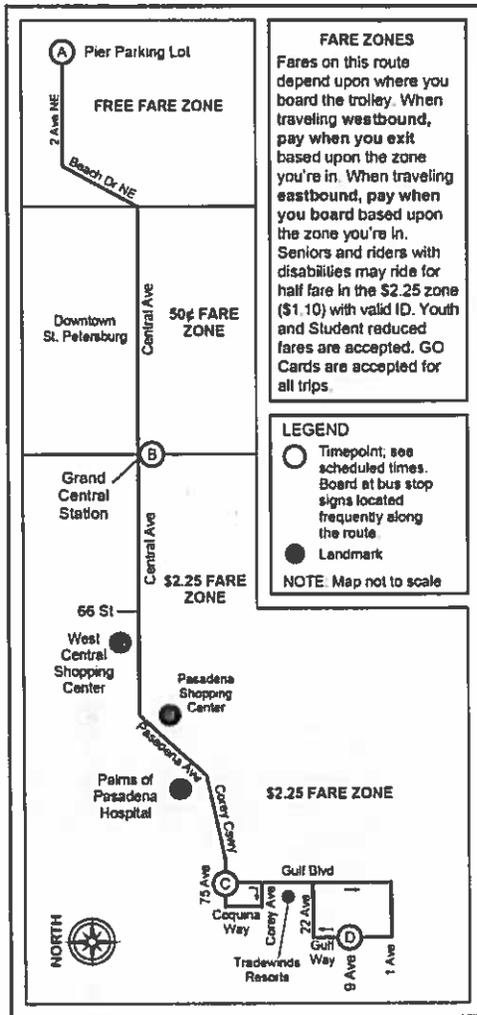
Chan Srinivasa, City Clerk

EXHIBIT A

Central Avenue Trolley

ST. PETERSBURG PIER TO ST. PETE BEACH/PASS-A-GRILLE ST. PETE BEACH/PASS-A-GRILLE TO ST. PETERSBURG PIER

MONDAY - THURSDAY



FARE ZONES
 Fares on this route depend upon where you board the trolley. When traveling westbound, pay when you exit based upon the zone you're in. When traveling eastbound, pay when you board based upon the zone you're in. Seniors and riders with disabilities may ride for half fare in the \$2.25 zone (\$1.10) with valid ID. Youth and Student reduced fares are accepted. GO Cards are accepted for all trips.

LEGEND
 ○ Timepoint, see scheduled times. Board at bus stop signs located frequently along the route.
 ● Landmark
 NOTE: Map not to scale

(A)	(B)	(C)	(D)	(D)	(C)	(B)	(A)
Depart Pier Parking	Grand Central Station	75 Ave & Gulf Blvd	9 Ave & Gulf Way	9 Ave & Gulf Way	75 Ave & Gulf Blvd	Grand Central Station	Arrive Pier Parking
--	--	--	--	--	8:30	6:55	7:15
--	6:10	6:30	6:45	6:50	7:10	7:35	7:55
6:20 AM	6:35	7:00	7:15	7:15	7:30	7:55	8:15
6:35	6:50	7:10	7:25	7:30	7:50	8:15	8:35
6:50	7:05	7:25	7:40	7:45	8:05	8:30	8:50
7:05	7:20	7:40	7:55	8:00	8:20	8:45	9:05
7:15	7:35	7:55	8:10	8:15	8:35	9:00	9:20
7:35	7:50	8:10	8:25	8:30	8:50	9:15	9:35
8:00	8:15	8:35	8:50	9:00	9:20	9:45	10:05
8:25	8:40	9:00	9:15	9:25	9:45	10:10	10:30
8:55	9:10	9:30	9:45	9:50	10:10	10:35	10:55
9:25	9:40	10:00	10:15	10:25	10:45	11:10	11:30
9:55	10:10	10:30	10:45	11:00	11:15	11:40	12:00
--	--	--	--	--	11:30	11:55	12:15
10:15	10:40	11:00	11:15	11:25	11:45	12:10	12:30
10:45	11:10	11:30	11:45	11:55	12:15	12:40	1:00
11:15	11:40	12:00	12:20	12:30	12:50	1:15	1:35
11:45	12:10	12:30	12:50	1:00	1:20	1:45	2:05
12:05 PM	12:30	12:50	1:10	1:20	1:40	2:05	2:25
12:15	12:40	1:00	1:20	1:30	1:50	2:15	2:35
12:30	12:55	1:15	1:35	1:50	2:10	2:35	2:55
12:45	1:10	1:30	1:50	2:00	2:25	2:50	3:10
1:00	1:25	1:45	2:05	2:15	2:40	3:05	3:25
1:15	1:40	2:00	2:20	2:30	2:50	3:15	3:35
1:50	2:15	2:35	2:55	3:05	3:25	3:50	4:10
2:20	2:45	3:05	3:25	3:35	3:55	4:20	4:40
2:50	3:15	3:35	3:55	4:00	4:20	4:45	5:05
3:15	3:40	4:00	4:20	4:25	4:45	5:10	5:30
3:35	4:00	4:20	4:40	4:50	5:15	5:40	6:00
3:50	4:15	4:35	4:55	5:05	5:25	5:50	6:05
4:05	4:30	4:50	5:10	5:20	5:40	6:05	6:25
4:25	4:50	5:10	5:30	5:40	6:00	6:25	6:45
4:40	5:05	5:25	5:45	5:55	6:10	6:35	6:55
4:55	5:20	5:40	6:00	6:10	6:30	6:55	7:15
5:20	5:45	6:05	6:25	6:35	6:55	7:20	7:40
5:50	6:15	6:35	6:50	7:00	7:15	7:35	7:55
6:00	6:25	6:45	7:05	7:15	7:35	8:00	8:20
6:25	6:45	7:05	7:25	7:35	7:55	8:20	8:40
7:15	7:35	8:00	8:15	8:25	8:45	9:05	9:25
7:40	8:00	8:20	8:40	8:50	9:10	9:30	9:50
8:00	8:20	8:40	9:00	9:05	9:25	9:45	10:05
8:40	9:00	9:20	9:40	9:50	10:10	10:30	10:50
9:25	9:40	10:05	10:25	10:35	10:55	11:05	11:25
9:50	10:10	10:35	10:50	10:50	11:05	11:25	--
10:05	10:25	10:50	--	--	--	--	--

FRIDAY

(A)	(B)	(C)	(D)	(D)	(C)	(B)	(A)
Depart Pier Parking	Grand Central Station	75 Ave & Gulf Blvd	9 Ave & Gulf Way	9 Ave & Gulf Way	75 Ave & Gulf Blvd	Grand Central Station	Arrive Pier Parking
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--	6:10	6:30	6:45	6:50	7:10	7:35	7:55
6:20 AM	6:35	7:00	7:15	7:15	7:30	7:55	8:15
6:35	6:50	7:10	7:25	7:30	7:50	8:15	8:35
6:50	7:05	7:25	7:40	7:45	8:05	8:30	8:50
7:05	7:20	7:40	7:55	8:00	8:20	8:45	9:05
7:15	7:35	7:55	8:10	8:15	8:35	9:00	9:20
7:35	7:50	8:10	8:25	8:30	8:50	9:15	9:35
8:00	8:15	8:35	8:50	9:00	9:20	9:45	10:05
8:25	8:40	9:00	9:15	9:25	9:45	10:10	10:30
8:55	9:10	9:30	9:45	9:50	10:10	10:35	10:55
9:25	9:40	10:00	10:15	10:25	10:45	11:10	11:30
9:55	10:10	10:30	10:45	10:55	11:15	11:40	12:00
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10:45	11:10	11:30	11:45	11:55	12:15	12:40	1:00
11:15	11:40	12:00	12:20	12:30	12:50	1:15	1:35
11:45	12:10	12:30	12:50	1:00	1:20	1:45	2:05
12:05 PM	12:30	12:50	1:10	1:20	1:40	2:05	2:25
12:15	12:40	1:00	1:20	1:30	1:50	2:15	2:35
12:30	12:55	1:15	1:35	1:50	2:10	2:35	2:55
12:45	1:10	1:30	1:50	2:00	2:20	2:45	3:05
1:00	1:25	1:45	2:05	2:15	2:35	3:00	3:20
1:15	1:40	2:00	2:20	2:30	2:50	3:15	3:45
1:50	2:15	2:35	2:55	3:05	3:25	3:50	4:10
2:20	2:45	3:05	3:25	3:35	3:55	4:20	4:40
2:50	3:15	3:35	3:55	4:00	4:20	4:45	5:05
3:15	3:40	4:00	4:20	4:25	4:45	5:10	5:30
3:35	4:00	4:20	4:40	4:50	5:10	5:35	5:55
3:50	4:15	4:35	4:55	5:05	5:25	5:50	6:10
4:05	4:30	4:50	5:10	5:20	5:40	6:05	6:25
4:25	4:50	5:10	5:30	5:40	6:00	6:25	6:45
4:40	5:05	5:25	5:45	5:55	6:10	6:35	6:55
4:55	5:20	5:40	6:00	6:10	6:30	6:55	7:15
5:20	5:45	6:05	6:25	6:35	6:55	7:20	7:40
5:50	6:15	6:35	6:50	7:00	7:15	7:35	7:55
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6:25	6:45	7:05	7:25	7:35	7:55	8:20	8:40
7:15	7:35	7:55	8:15	8:25	8:45	9:05	9:25
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8:40	9:00	9:20	9:40	9:50	10:10	10:30	10:50
9:00	9:20	9:40	10:00	10:10	10:30	10:50	11:10
9:40	10:00	10:25	10:45	10:45	11:05	11:25	11:45
10:05	10:25	10:45	11:00	11:00	11:15	11:35	--
10:20	10:40	11:00	11:20	11:20	11:35	11:55	--
10:50	11:10	--	--	--	--	--	--
11:10	11:30	--	--	--	--	--	--

Wheelchair Service Provided On All Trips Effective 6-5-16
 TIMES SHOWN ARE SCHEDULED BUT MAY VARY DUE TO TRAFFIC CONDITIONS, WEATHER OR UNFORESEEN EVENTS.

Central Avenue Trolley

ST. PETERSBURG PIER
TO ST. PETE BEACH/PASS-A-GRILLE

ST. PETE BEACH/PASS-A-GRILLE TO
ST. PETERSBURG PIER

SATURDAY

(A)	(B)	(C)	(D)	(D)	(C)	(B)	(A)
Depart Pier Parking	Grand Central Station	75 Ave & Gulf Blvd	9 Ave & Gulf Way	9 Ave & Gulf Way	75 Ave & Gulf Blvd	Grand Central Station	Arrive Pier Parking
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6:20 AM	8:35	7:00	7:15	7:15	7:30	7:55	8:10
6:50	7:05	7:25	7:40	7:45	8:05	8:30	8:50
7:20	7:35	7:55	8:10	8:15	8:35	9:00	9:20
8:00	8:15	8:35	8:50	9:00	9:20	9:45	10:00
8:25	8:40	9:00	9:15	9:25	9:45	10:10	10:25
8:55	9:10	9:30	9:45	9:50	10:10	10:35	10:50
9:25	9:40	10:00	10:15	10:25	10:45	11:10	11:25
10:00	10:10	10:30	10:50	10:55	11:10	11:35	11:50
10:25	10:40	11:00	11:20	11:25	11:45	12:10	12:25
10:55	11:10	11:30	11:45	11:55	12:15	12:40	12:55
11:25	11:40	12:00	12:20	12:30	12:50	1:15	1:30
11:55	12:10	12:30	12:50	1:00	1:20	1:45	2:00
12:25 PM	12:40	1:00	1:20	1:30	1:50	2:15	2:30
1:00	1:15	1:35	1:55	2:05	2:25	2:50	3:05
1:30	1:40	2:00	2:20	2:30	2:50	3:15	3:30
2:00	2:15	2:35	2:55	3:05	3:25	3:50	4:05
2:30	2:45	3:05	3:25	3:35	3:55	4:20	4:35
3:05	3:15	3:35	3:55	4:00	4:20	4:45	5:00
3:30	3:45	4:05	4:25	4:30	4:50	5:15	5:30
4:05	4:15	4:35	4:55	5:05	5:20	5:45	6:05
4:35	4:50	5:10	5:30	5:40	6:00	6:25	--
5:00	5:20	5:40	6:00	6:10	6:30	6:55	7:10
5:30	5:45	6:05	6:25	6:35	6:55	7:20	7:35
6:05	6:15	6:35	6:50	7:00	7:15	7:35	7:50
--	6:45	7:05	7:25	7:35	7:55	8:20	8:35
7:10	7:25	7:45	8:05	8:15	8:35	9:55	9:10
7:45	8:00	8:20	8:40	8:50	9:10	9:30	9:40
8:15	8:30	8:50	9:05	9:10	9:25	9:45	10:00
8:45	9:00	9:20	9:40	9:50	10:10	10:30	10:45
9:10	9:20	9:40	10:00	10:10	10:30	10:50	--
9:40	9:50	10:10	10:30	10:35	10:55	11:15	11:30
10:10	10:25	10:45	11:00	11:00	11:15	11:35	--
--	10:50	11:10	11:25	11:25	11:40	12:00	--
11:10	11:25	--	--	--	--	--	--
11:30	11:40	--	--	--	--	--	--

SUNDAY & HOLIDAYS

(A)	(B)	(C)	(D)	(D)	(C)	(B)	(A)
Depart Pier Parking	Grand Central Station	75 Ave & Gulf Blvd	9 Ave & Gulf Way	9 Ave & Gulf Way	75 Ave & Gulf Blvd	Grand Central Station	Arrive Pier Parking
--	8:10	8:30	8:45	6:50	7:10	7:35	7:50
6:15 AM	8:35	7:00	7:15	7:15	7:30	7:55	8:10
6:45	7:05	7:25	7:40	7:45	8:05	8:30	8:45
7:15	7:35	7:55	8:10	8:15	8:35	9:00	9:15
7:55	8:15	8:35	8:50	9:00	9:20	9:45	10:00
8:20	8:40	9:00	9:15	9:25	9:45	10:10	10:25
8:50	9:10	9:30	9:45	9:50	10:10	10:35	10:50
9:20	9:40	10:00	10:15	10:25	10:45	11:10	11:20
10:00	10:10	10:30	10:45	10:55	11:10	11:35	11:50
10:25	10:40	11:00	11:15	11:25	11:45	12:10	12:25
10:50	11:10	11:30	11:45	11:55	12:15	12:40	12:55
11:20	11:40	12:00	12:20	12:30	12:50	1:15	1:30
11:50	12:10	12:30	12:50	1:00	1:20	1:45	2:00
12:25 PM	12:40	1:00	1:20	1:30	1:50	2:15	2:30
1:00	1:15	1:35	1:55	2:05	2:25	2:50	3:05
1:30	1:40	2:00	2:20	2:30	2:50	3:15	3:30
2:00	2:15	2:35	2:55	3:05	3:25	3:50	4:05
2:30	2:45	3:05	3:25	3:35	3:55	4:20	4:35
3:05	3:15	3:35	3:55	4:00	4:20	4:45	5:00
3:30	3:45	4:05	4:25	4:30	4:50	5:15	5:30
4:05	4:15	4:35	4:55	5:05	5:20	5:45	6:00
4:35	4:50	5:10	5:30	5:40	6:00	6:25	6:40
5:05	5:20	5:40	6:00	6:10	6:30	6:55	7:10
5:30	5:45	6:05	6:25	6:35	6:55	7:20	7:35
6:10	6:25	6:45	7:05	7:15	7:35	8:00	8:15
6:50	7:05	7:25	7:45	7:55	8:15	8:40	8:55
7:25	7:40	8:00	8:20	8:30	8:50	9:10	9:25
7:45	8:00	8:20	8:40	8:50	9:10	9:30	9:45
8:25	8:40	9:00	9:15	9:20	9:35	9:55	10:10
9:05	9:20	9:40	10:00	10:05	10:20	10:40	10:55
9:35	9:50	10:10	10:30	10:35	10:50	11:10	11:25
9:50	10:05	10:30	10:50	10:50	11:05	11:25	11:40
10:10	10:25	10:45	--	--	--	--	--

♿ - Wheelchair Service Provided On All Trips

Effective 6-5-16

TIMES SHOWN ARE SCHEDULED BUT MAY VARY DUE TO TRAFFIC CONDITIONS, WEATHER OR UNFORESEEN EVENTS.

**St. Petersburg City Council Agenda Item
Meeting of September 8, 2016
Consent Agenda**

To: The Honorable Amy Foster, Chair and Members of City Council

Subject:

A Resolution authorizing the Mayor or his Designee to rescind in the amount of \$180,000 from the 4th Street/I-175 Interchange Ramp Project (Oracle Project 14152); returning this amount to the unappropriated balance of the TIF Capital Improvement Fund (Fund 3071) and approving a rescission in the amount of \$95,000 from the same project to the unappropriated balance of the General Capital Improvement Fund (Fund 3001) and to execute all other documents necessary to effectuate this resolution; and providing an effective date.

Explanation:

Several years ago the City partnered with the Innovation District to enhance access and increase traffic safety operations by implementing a more direct connection to I-175 via 4th Street South. This included conversion of 4th Street between 4th and 6th Avenue S from a one-way to a two-way operation. This allowed a more direct access for northbound traffic on 4th Street to the interstate via 6th Street, eliminating traffic from travelling a circuitous route around the hospital or university campuses.

Plans also included a direct northbound ramp to I-175 at 4th Street / 5th Avenue South, and we have been working with the Federal Highway Administration (FHWA) and the Florida Department of Transportation (FDOT) to achieve this connection. We can now report that this project has been approved, funded and is currently in design with construction scheduled by FDOT for FY-17.

The City was initially required to budget sufficient funds for this project in order to gain approval from FHWA, however working with our partners at FDOT they have now secured sufficient funding to complete construction as a State initiated project. The City will only be responsible to cover a few minor items such as landscaping. Therefore, all but \$50,000 of the remaining funding that has been budgeted by the City can now be returned back to the fund balance to be used for other Capital projects.

Cost:

Authorizing a rescission in the amount of \$180,000 from the 4th Street / I-175 Interchange Ramp project (Oracle project 14152 - Award No. 80964) to the unappropriated balance of the Transportation Impact Fees Capital Improvement Fund (Fund 3071).

Authorizing a rescission in the amount of \$95,000 from the 4th Street / I-175 Interchange Ramp project (Oracle project 14152 - Award No. 80958) to the unappropriated balance of the General Capital Improvement Fund (Fund 3001).

Recommendations:

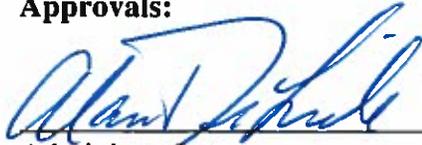
Administration recommends approval of the attached Resolution allowing the Mayor or his designee

to rescind funding not required to construct the northbound ramp from 4th Street to I-175.

Attachments:

- (1) Resolution
- (2) Map Illustrating 4th Street/I-175 Interchange Ramp

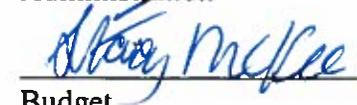
Approvals:

 *APM*

Administration

8.31.16

Date



Budget

8/30/16

Date

Resolution No. 2016 - _____

A RESOLUTION RESCINDING THE \$275,000 COMMITTED TO THE 4TH STREET / I-175 INTERCHANGE RAMP PROJECT AND RETURNING \$180,000 TO THE UNAPPROPRIATED BALANCE OF THE TRANSPORTATION IMPACT FEES CAPITAL IMPROVEMENT FUND AND \$95,000 TO THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has worked with our partners at the Federal Highway Administration (FHWA) and the Florida Department of Transportation (FDOT) to achieve a direct connection for a northbound on-ramp from 4th Street to I-175, Oracle Project 14152, (Project); and

WHEREAS, the City was required to demonstrate to FHWA that it had sufficient funding in place to construct the Project before a determination of feasibility; and

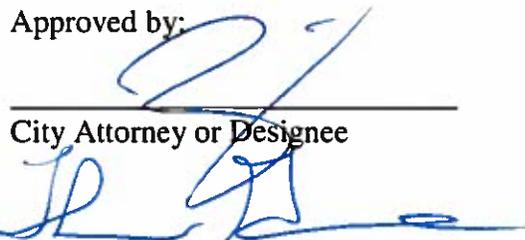
WHEREAS, FHWA has now approved the Project for construction and FDOT has agreed to fund and construct the Project; and

WHEREAS, as a requirement for FDOT's participation in the Project, the City has agreed to provide funding for only minor landscaping and any other non-eligible expenses estimated to cost less than \$50,000 total.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that \$180,000 previously committed to this Project is hereby rescinded and returned to the unappropriated balance of the Transportation Impact Fee Capital Improvement Fund and that \$95,000 previously committed to this Project is hereby rescinded and returned to the unappropriated balance of the General Capital Improvement Fund because it is no longer needed to construct the Project, and that the Mayor or his designee is authorized to execute all other documents necessary to effectuate this Resolution;

This resolution shall become effective immediately upon its adoption.

Approved by:

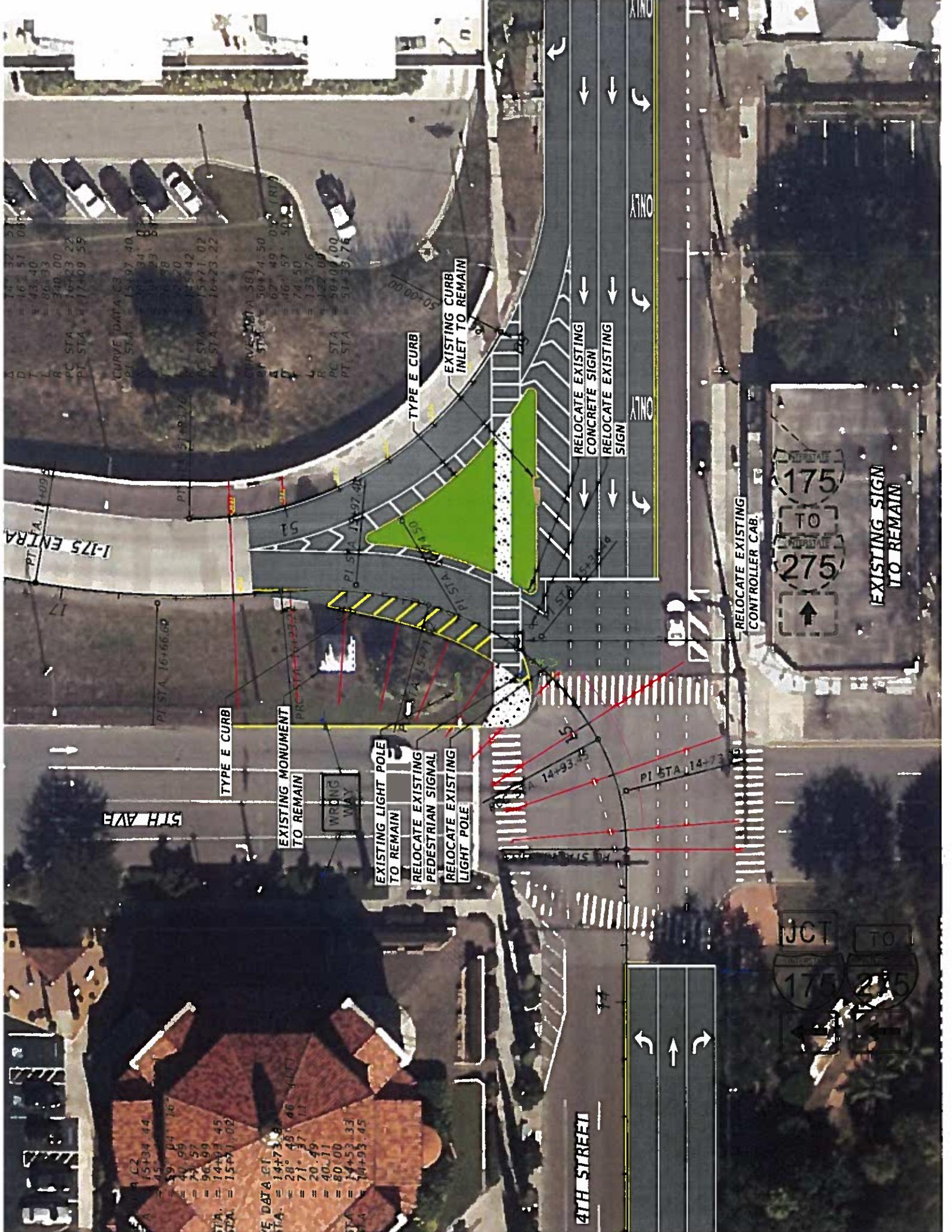


City Attorney or Designee

Tom Greene
Budget Director



Evan Mory
Transportation & Parking Mgmt. Director



D = 161.51 04
 T = 43.40
 L = 86.93
 R = 340.00
 PC STA = 16+23.22
 PT STA = 17+09.59
 CURVE DATA C3
 PI STA = 15+97.40
 PT STA = 16+23.22
 R = 340.00
 PC STA = 15+71.02
 PT STA = 16+23.22

CURVE DATA S8
 PI STA = 50+74.50
 PT STA = 51+50.00
 R = 74.50
 PC STA = 50+00.00
 PT STA = 51+25.76

I-175 ENTRANCE
 PI STA 16+66.00
 PI STA 15+97.40

5TH AVE
 TYPE E CURB
 EXISTING MONUMENT TO REMAIN
 WRONG WAY

CURVE DATA G1
 PI STA = 14+73.12
 PT STA = 15+00.00
 R = 28.48
 PC STA = 14+53.33
 PT STA = 14+93.45
 CURVE DATA G2
 PI STA = 15+04.16
 PT STA = 15+31.11
 R = 26.95
 PC STA = 14+93.45
 PT STA = 15+20.40

EXISTING LIGHT POLE TO REMAIN
 RELOCATE EXISTING PEDESTRIAN SIGNAL
 RELOCATE EXISTING LIGHT POLE
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RELOCATE EXISTING CONCRETE SIGN
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RELOCATE EXISTING CONTROLLER CAB.
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 175 TO 275
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4TH STREET
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SAINT PETERSBURG CITY COUNCIL

Meeting of September 8, 2016

TO: THE HONORABLE AMY FOSTER, CHAIR, AND MEMBERS OF CITY COUNCIL

SUBJECT: Resolution approving the plat of *Arlington & 8th Townhomes, Phase II*, generally located on the north side of Arlington Avenue North between 8th Street North and Dr. Martin Luther King Jr. Street North. (Our File: 15-20000008)

RECOMMENDATION: The Administration recommends APPROVAL.

DISCUSSION: The applicant is requesting approval of a final plat which will replat Lot 15, Block 3, Lake Side Snell and Hamlett's Subdivision and Lot 16 and a portion of Tract B , Block 2, Arlington & 8th Townhomes generally located on the north side of Arlington Avenue North between 8th Street North and Dr. Martin Luther King Jr. Street North. This will create seven townhome lots and a common area. The property is zoned Downtown Center (DC-2).

The replat will assemble the lots for redevelopment.

The language in Condition 1 of the resolution clarifies that certain requirements may be completed after the plat is recorded. The language in condition 2 notes that certain conditions must be met prior to a Certificate of Occupancy.

Attachments: Map, Aerial, Engineering Conditions dated June 17, 2016, Resolution

APPROVALS:

Administrative: Alan Schulz EAR
Budget: NA
Legal: m 52

RESOLUTION NO. _____

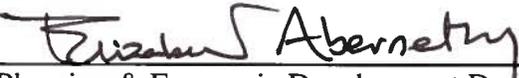
A RESOLUTION APPROVING THE PLAT OF ARLINGTON & 8TH TOWNHOMES, PHASE II, GENERALLY LOCATED ON THE NORTH SIDE OF ARLINGTON AVENUE NORTH BETWEEN 8TH STREET NORTH AND DR. MARTIN LUTHER KING JR. STREET NORTH; SETTING FORTH CONDITIONS FOR APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the plat of Arlington & 8th Townhomes, Phase II, generally located on the north side of Arlington Avenue north between 8th Street North and Dr. Martin Luther King Jr. Street North is hereby approved, subject to the following conditions.

1. The applicant shall install the Lot Corners as required by F.S. 177 and City Code at their sole expense within one year from the date of this approval. The applicant may provide a financial guarantee for this work in order to record the plat in advance of completion.
2. Comply with Engineering conditions in the memorandum dated June 17, 2016 prior to Certificate of Occupancy.

This resolution shall become effective immediately upon its adoption.

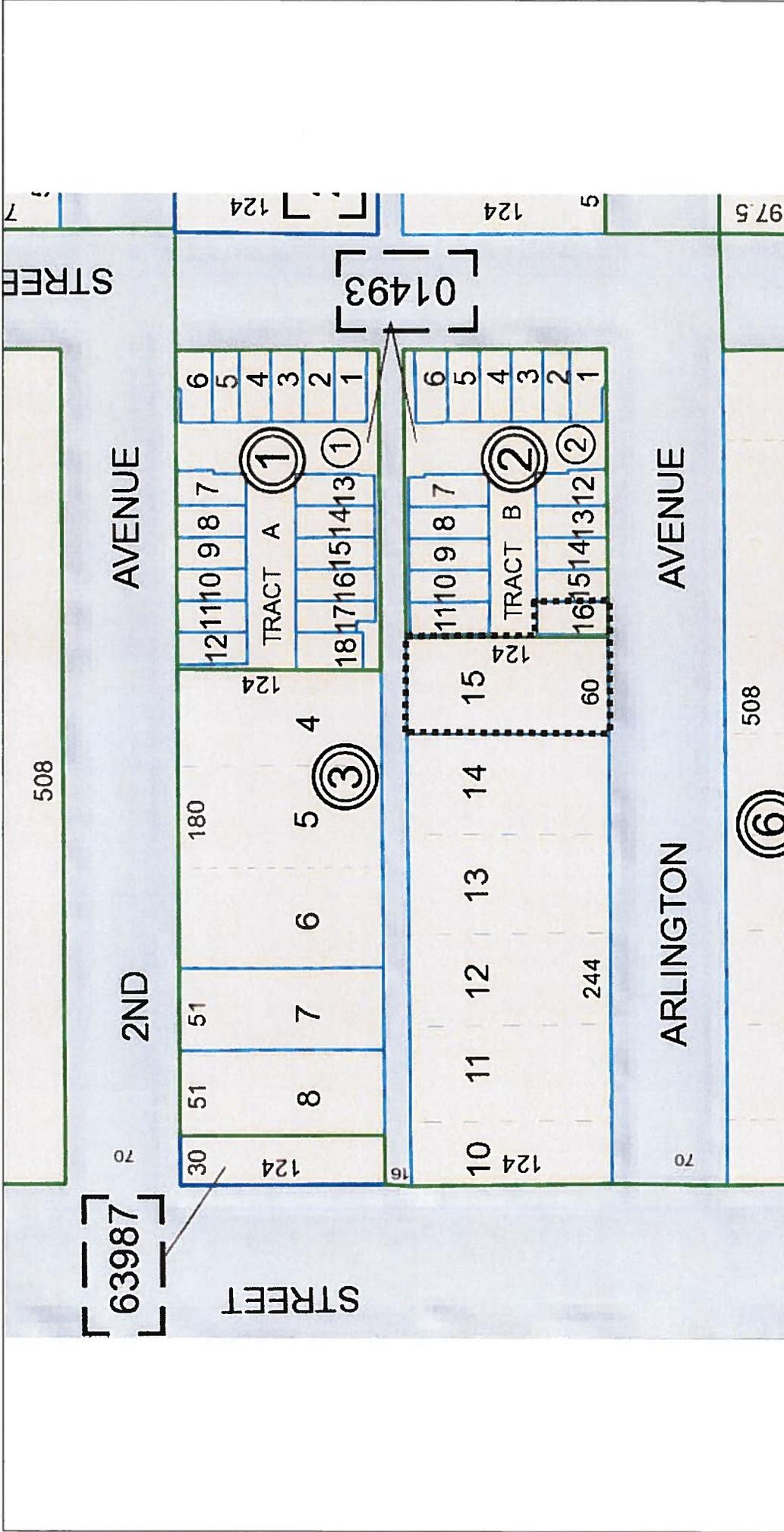
APPROVED AS TO FORM AND CONTENT:



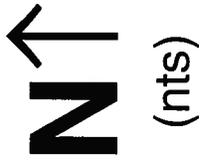
Planning & Economic Development Dept. 8-30-16
Date

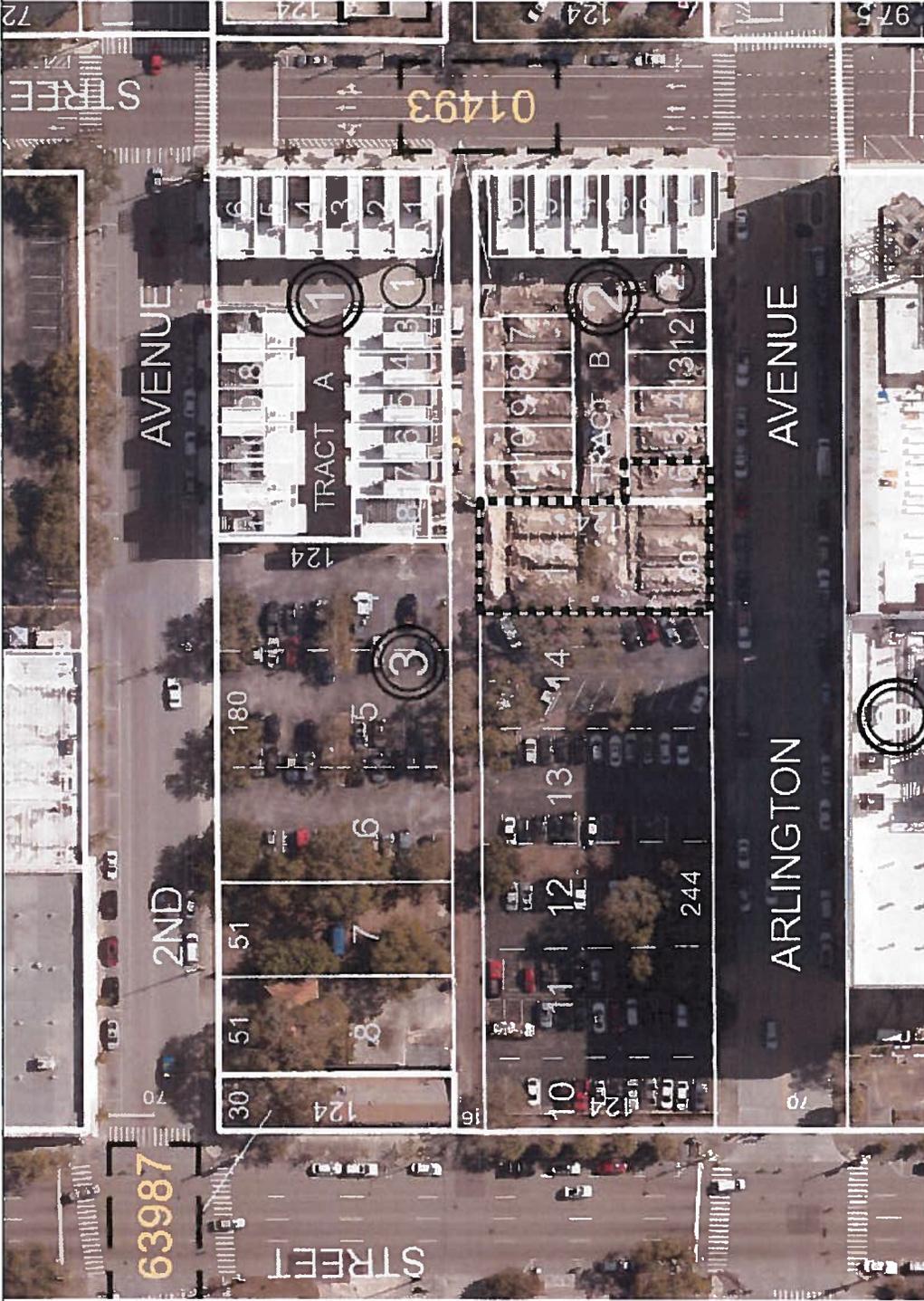


City Attorney (Designee) 8/31/16
Date



City of St. Petersburg, Florida
 Planning and Economic Development
 Department
 Arlington & 8th Townhomes, Phase II
 Case No.: 15-2000008
 Address: Arlington Avenue North
 between 8th Street North and Dr. Martin Luther
 King Jr. St N.





City of St. Petersburg, Florida
 Planning and Economic Development
 Department
 Arlington & 8th Townhomes, Phase II
 Case No.: 15-2000008
 Address: Arlington Avenue North
 between 8th Street North and Dr. Martin Luther
 King Jr. St N.



**MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING DEPARTMENT**

TO: Pamela Crook, Development Services
FROM: Nancy Davis, Engineering Plan Review Supervisor
DATE: June 17, 2016
SUBJECT: Revised Preliminary and Final Plat
FILE: 15-20000008 R2

LOCATION: North side of Arlington Avenue North between 8th Street North and Dr. Martin Luther King Jr. Street North
PIN: 19/31/17/48654/003/0150
ATLAS: F-2
PROJECT: Final Plat
REQUEST: Approval of a Revised Preliminary and Final Plat Arlington & 8th Townhomes

The Engineering Department has no objection to the proposed Arlington and 8th Townhomes, Phase 2, revised Preliminary and Final Plat provided that the following standard comments are included as conditions of approval. It is acknowledged that civil site plans were already developed (and previously approved by the City) which addressed each of the following comments prior to final plat approval, but the comments remain as documentation of the original conditions of the final plat approval.

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

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City's Water Resources department or a variance is granted by the City Water Resources department). Note that the City's Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City's Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Wastewater reclamation plant is adequate. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as

required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City's Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). If an increase in flow of over 1000 gpd is proposed, the ADF information will be forwarded to the City Water Resources department for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City's Water Resources department for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

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

A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications and shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City.

The project Engineer will be required to develop a site specific Maintenance of Traffic plan in compliance with FDOT "Uniform Traffic Control Devices for Streets and Highways" and "Roadways and Traffic Design Standards for City approval prior to initiating construction. The plan shall provide for pedestrian and vehicular safety during the construction process and shall minimize the use of the public right of way for construction purposes. Approval of proposed roadway travel lane closures is discouraged and will be at the discretion of the City's Engineering director pending receipt of adequate justification. The Maintenance of Traffic plan shall be prepared in compliance with City Engineering's "Maintenance of Traffic Plan Requirements", available upon request from the City Engineering & Capital Improvements department. Proposed use of on-street public parking spaces for construction purposes must receive prior approval from the City's Transportation and Parking Management division. Refer to the City's "Parking Meter Removal & Space Rental Policy During Construction" procedure, available upon request from the City Transportation and Parking Management department.

Any future development shall be in compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. Submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater

systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body's impairment. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10 year 1 hour design storm.

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

Habitable floor elevations for commercial projects must be set per building code requirements to at least one foot above the FEMA elevation. Habitable floor elevations for residential construction shall be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be as set by the engineering director. Adequate swales shall be provided on the lot in any case where filling obstructs the natural ground flow. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum.

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

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department with any plans for development on this site.

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

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

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

NED/MJR:jw

pc: Kelly Donnelly
Reading File
Correspondence File
Subdivision File – New Plat File, Arlington & 8th Townhomes, Phase II

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 8, 2016

TO: The Honorable Amy Foster, Chair, and Members of City Council

SUBJECT: A resolution authorizing the Mayor or his designee to accept a Federal Emergency Management Agency, Department of Homeland Security Staffing for Adequate Fire and Emergency Response (“SAFER”) federally funded grant in the amount of \$1,614,457 for the specific purpose of increasing staffing within the Fire Rescue Department; to execute all documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: The Federal Emergency Management Agency of the Department of Homeland Security has offered the City a Staffing for Adequate Fire and Emergency Response (“SAFER”) grant in the amount of \$1,614,457 (“Grant”).

SAFER grants provide funding directly to fire departments and volunteer firefighter interest organizations in order to help them increase the number of trained, front-line firefighters available in their communities. Grant funding provides reimbursement for the total salary and benefit costs, including payroll taxes, pension, and insurances, for each funded position. It does not reimburse for overtime, uniforms, physicals, costs to train or equip firefighters, or any pre-application costs.

This Grant will provide \$1,614,457 for the two-year period of performance beginning February 20, 2017. Thirteen new firefighter positions will be added to the Fire Rescue Department’s staffing in order to open a new station in the west end of the City. The City’s west end is made up of nine different neighborhoods and is home to approximately 34,000 residents. The new station will increase the level of fire protection for those residents and reduce response times in this area. The City must agree to maintain the new SAFER-funded positions as well as the number of positions declared at the time of award throughout the two-year period of performance. There are no obligations after the end of the performance period.

RECOMMENDATION: Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to accept a Federal Emergency Management Agency, Department of Homeland Security Staffing for Adequate Fire and Emergency Response (“SAFER”) federally funded grant in the amount of \$1,614,457 for the specific purpose of increasing staffing within the Fire Rescue Department; to execute all documents necessary to effectuate this transaction; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Revenues in the amount of \$1,614,457 will be received from the FY 2015 SAFER Grant and deposited in the General Fund (0001) over the two year performance period. Funding will be available in the General Fund (0001), Fire Rescue Department, Operations (1501497) pending approval of the FY17 Operating Budget by City Council.

ATTACHMENTS: Resolution

Approvals:

Legal: _____ Administration: _____

Budget: _____

Legal: 00285467.doc V. 1

Resolution No. 2016- _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT A FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (“SAFER”) FEDERALLY FUNDED GRANT IN THE AMOUNT OF \$1,614,457 FOR THE SPECIFIC PURPOSE OF INCREASING STAFFING WITHIN THE FIRE RESCUE DEPARTMENT; TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Federal Emergency Management Agency of the Department of Homeland Security has offered the City a Staffing for Adequate Fire and Emergency Response (“SAFER”) grant in the amount of \$1,614,457 (“Grant”); and

WHEREAS, SAFER grants provide funding directly to fire departments and volunteer firefighter interest organizations in order to help them increase the number of trained, front-line firefighters available in their communities; and

WHEREAS, SAFER grant funding provides reimbursement for the total salary and benefit costs, including payroll taxes, pension, and insurances, for each funded position, but does not reimburse for overtime, uniforms, physicals, costs to train or equip firefighters, or any pre-application costs; and

WHEREAS, this Grant will provide \$1,614,457 for the two-year period of performance beginning February 20, 2017 to fund thirteen new firefighter positions to be added to the Fire Rescue Department’s staffing in order to open a new station in the west end of the City; and

WHEREAS, the City must agree to maintain the new SAFER-funded positions as well as the number of positions declared at the time of award throughout the two-year period of performance.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor or his designee is authorized to accept a Federal Emergency Management Agency, Department of Homeland Security Staffing for Adequate Fire and Emergency Response (“SAFER”) federally funded grant in the amount of \$1,614,457 for the specific purpose of increasing staffing within the Fire Rescue Department and to execute all documents necessary to effectuate this transaction.

This resolution shall become effective immediately upon its adoption.

Approvals:

Legal: _____

Administration: _____

Budget: _____

Legal: 00285468.doc V. 1

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 8, 2016

TO: The Honorable Amy Foster, Chair, and Members of City Council

SUBJECT: Authorizing the Mayor or his designee to execute a First Amendment to the Construction Agreement between Frederick Derr & Co. and the City of St. Petersburg, Florida dated August 2, 2016, to increase the contract price in an amount not to exceed \$97,565 for the replacement of tree lighting conduit and junction boxes and ten additional irrigation valve boxes for relocated clay pot planter irrigation; approving a rescission in the amount of \$10,000 from the unencumbered appropriation of the Grand Central Project (CP31145) and a transfer to the Central Avenue Improvement Project (14009) in the amount of \$10,000 resulting from this rescission; authorizing a supplemental appropriation in the amount of \$87,565 from the unappropriated fund balance of Neighborhood and Citywide Infrastructure Capital Improvement Fund (3027) to the Central Avenue Improvement Project (Engineering Project Nos. 14064-119 and 16030-111; Oracle Project No. 14009); and providing an effective date.

EXPLANATION: On July 21, 2016, City Council approved the award of a contract to Frederick Derr & Co. in the amount of \$1,278,646 for the Grand Central Streetscape Improvements and Water Main Replacement Projects along Central Avenue between 24th and 26th Streets. The work includes furnishing all labor, services, materials and equipment necessary to remove and replace existing sidewalk, construct street curbing bulb-outs, drainage structures and piping, and replace water main within the work area. Work includes approximately 1,180 LF of concrete curb, 900 LF of re-set granite curb; 38,760 SF of concrete sidewalk; 11,630 SF of concrete sidewalk with hexblock imprint; 3,000 SF of concrete crosswalks with hexblock imprints; landscaped tree planter areas and irrigation; 16 each drainage catch basins; 1,260 LF of 15 inch to 24 inch diameter reinforced concrete drainage pipe; 31 water valves; replace 1,400 LF of two (2) inch to eight (8) inch diameter potable water mains; reconnect water main services; remove and reinstall eight (8) bicycle racks; pavement markings, signage, and approximately 2,455 SY of roadway base and 182 tons of asphalt paving. The contractor will coordinate with businesses and maintain access to businesses during construction.

The Grand Central Streetscape Improvements Project is an Economic Development Initiative to enhance business opportunities and pedestrian facilities along Central Avenue. The water mains and services within the project area are aged and are proposed to be replaced at this time in conjunction with the streetscape improvements to minimize disruptions to the area in the future.

The First Amendment includes bid add alternates for replacement of tree uprighting conduit and junction boxes in the amount of \$87,445, and ten (10) additional irrigation valve boxes and valves for relocated clay pot planter irrigation in the amount of \$10,120. The First Amendment totals \$97,565.

RECOMMENDATION: Administrative recommends authorizing the Mayor or his designee to execute a First Amendment to the Construction Agreement between Frederick Derr & Co. and the City of St. Petersburg, Florida dated August 2, 2016, to increase the contract price in an amount not to exceed \$97,565 for the replacement of tree lighting conduit and junction boxes and ten

additional irrigation valve boxes for relocated clay pot planter irrigation; approving a rescission in the amount of \$10,000 from the unencumbered appropriation of the Grand Central Project (CP31145) and a transfer to the Central Avenue Improvement Project (14009) in the amount of \$10,000 resulting from this rescission; authorizing a supplemental appropriation in the amount of \$87,565 from the unappropriated fund balance of Neighborhood and Citywide Infrastructure Capital Improvement Fund (3027) to the Central Avenue Improvement Project. (Engineering Project Nos. 14064-119 and 16030-111; Oracle Project No. 14009)

COST/FUNDING/ASSESSMENT INFORMATION: Funds will be available following the rescission in the amount of \$10,000 from the unencumbered appropriation in the Grand Central Project (CP31145) and transfer to the Central Avenue Improvement Project (14009) in the amount of \$10,000 resulting from this rescission; and following authorization of a supplemental appropriation in the amount of \$87,565 from the unappropriated fund balance of Neighborhood and Citywide Infrastructure Capital Improvement Fund (3027) to the Central Avenue Improvement Project. (Oracle Project 14009; Engineering Project Nos. 14064-119 and 16030-111)

ATTACHMENTS: Resolution

APPROVALS: _____
tg Administrative Budget

Resolution No. 2016 - _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A FIRST AMENDMENT TO THE CONSTRUCTION AGREEMENT BETWEEN FREDERICK DERR & CO. AND THE CITY OF ST. PETERSBURG, FLORIDA DATED AUGUST 2, 2016, TO INCREASE THE CONTRACT PRICE IN AN AMOUNT NOT TO EXCEED \$97,565 FOR THE REPLACEMENT OF TREE UPLIGHTING CONDUIT AND JUNCTION BOXES AND TEN ADDITIONAL IRRIGATION VALVE BOXES AND VALVES FOR RELOCATED CLAY POT PLANTER IRRIGATION; APPROVING A RESCISSION IN THE AMOUNT OF \$10,000 FROM THE UNENCUMBERED APPROPRIATION OF THE GRAND CENTRAL PROJECT (CP31145) AND A TRANSFER TO THE CENTRAL AVENUE IMPROVEMENT PROJECT (14009) IN THE AMOUNT OF \$10,000 RESULTING FROM THIS RESCISSION; AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$87,565 FROM THE UNAPPROPRIATED FUND BALANCE OF NEIGHBORHOOD AND CITYWIDE INFRASTRUCTURE CAPITAL IMPROVEMENT FUND (3027) TO THE CENTRAL AVENUE IMPROVEMENT PROJECT (ENGINEERING PROJECT NOS. 14064-119 AND 16030-111; ORACLE PROJECT NO. 14009); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, On July 21, 2016, City Council approved the award of a contract to Frederick Derr & Co. in the amount of \$1,278,646 for the Grand Central Streetscape Improvements and Water Main Replacement Projects along Central Avenue between 24th and 26th Streets; and

WHEREAS, the Grand Central Streetscape Improvements Project is an Economic Development Initiative to enhance business opportunities and pedestrian facilities along Central Avenue; and

WHEREAS, the bid add alternates included a replacement of tree uplighting conduit and junction boxes in the amount of \$87,445 and ten (10) additional irrigation valve boxes and valves for relocated clay pot planter irrigation in the amount of \$10,120; and

WHEREAS, Administration desires to amend the construction agreement to increase the contract price in an amount not to exceed \$97,565 for replacement of tree uprighting conduit and junction boxes and ten (10) additional irrigation valve boxes and valves for relocated clay pot planter irrigation.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg that the Mayor or his designee is hereby authorized to execute a First Amendment to the Construction Agreement between Frederick Derr & Co. and the City of St. Petersburg, Florida dated August 2, 2016, to increase the contract price in an amount not to exceed \$97,565 for the replacement of tree uprighting conduit and junction boxes and ten (10) additional irrigation valve boxes and valves for relocated clay pot planter irrigation.

BE IT FURTHER RESOLVED that there is hereby approved the following rescission from the Grand Central Project for FY2016:

<u>Neighborhood and Citywide Infrastructure Capital Improvement Fund (3027)</u>	
Grand Central Project (CP31145)	(\$10,000)

BE IT FURTHER RESOLVED that there is hereby approved the following transfer resulting from the above rescission for FY2016:

<u>Neighborhood and Citywide Infrastructure Capital Improvement Fund (3027)</u>	
From: Grand Central Project	
To: Central Avenue Improvement Project	\$10,000

BE IT FURTHER RESOLVED that there is hereby approved from the unappropriated fund balance of the Neighborhood and Citywide Infrastructure Capital Improvements Fund the following supplemental appropriation for FY16:

<u>Neighborhood and Citywide Infrastructure</u>	
<u>Capital Improvement Fund (3027)</u>	
Central Avenue Improvement Project (14009)	\$87,565

This resolution shall become effective immediately upon its adoption.

Approvals:

Legal Department
By: (City Attorney or Designee)

Thomas B. Gibson, P.E.
Engineering Director

Tom Greene
Budget Department Director