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/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. Awards and Presentations

1. The Mosley Working Group

2. Recognizing Historic Kenwood Neighborhood Association as Neighborhoods USA Award’s Neighborhood of the Year

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

Setting November 21, 2016 as the public hearing date for the following proposed Ordinance(s):

1. An Ordinance enacting year-end appropriation adjustments for Fiscal Year 2016 for the operating budget and capital improvement program budget and adjustments to the Fiscal Year 2017 budget.

2. An Ordinance of the City of St. Petersburg, repealing Chapter 28 in its entirety, and replacing it with a new Chapter 28, Public Vehicles; regulating all aspects of any kind for the operation of transportation for hire; amending categories relating to fees for public vehicles in section 12-6(9); amending Chapter 26 to remove references to taxi or taxicab stands and replace with certified public vehicle stands.

3. An Ordinance amending Chapter 15, Article III of the St. Petersburg City Code; modifying the definitions of employer and independent contractor; adding a new section to require that employers provide employees written notice of certain job-related information upon hire; providing for a presumption of retaliation under certain
circumstances and increasing the scope of activities deemed retaliatory; revising the scope of City-funded contracted services.

F. Reports

1. The Florida Holocaust Museum Update

2. SPC & Gasparilla Music Foundation Music Instrument Drive

3. A Resolution authorizing the Mayor or his designee to execute Task Order No. 16-02-KHA/T to the Architect/Engineering Agreement dated June 1, 2016 between the City of St. Petersburg, Florida and Kimley-Horn and Associates, Inc. in an amount not-to-exceed $194,700 for project management and preparation of a final report related to the Complete Streets Implementation Plan (Oracle No. 15089); and providing an effective date.

4. Approving a multi-year agreement between the City and Endorfun Sports, LLC for a half-marathon running event to be held in St. Petersburg beginning in November 2017.

5. Dr. Carter G. Woodson African American History Museum Report (Councilmember Kornell)

G. New Business

1. Referring to the ENRS Committee for consideration of using Green Bonds to Implement Energy Efficiency in City Buildings. (Councilmember Nurse)

H. Council Committee Reports

1. Budget, Finance & Taxation Committee (10/13/16)

2. Budget, Finance & Taxation Committee (10/27/16)

I. Legal

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

K. Open Forum

L. Adjournment
NOTE: The Consent Agenda contains normal, routine business items that are very likely to be approved by the City Council by a single motion. Council questions on these items were answered prior to the meeting. Each Councilmember may, however, defer any item for added discussion at a later time.

(Procurement)

1. Accepting proposals for educational and entrepreneurial training programs in accordance with the My Brothers/Sisters Keeper and Cohort of Champions Initiative from the Pinellas Ex-Offender Re-Entry Coalition, Inc. (PERC) for the amount of $350,000; the Board of Trustees of St. Petersburg College (SPC) for the amount of $109,210; and Art Conservatory for Teens (A.C.T.), d/b/a In Touch With Communities Around the World, for the amount of $50,000. The total project amount is $509,210.
NOTE: The Consent Agenda contains normal, routine business items that are very likely to be approved by the City Council by a single motion. Council questions on these items were answered prior to the meeting. Each Councilmember may, however, defer any item for added discussion at a later time.

(Procurement)

1. **Approving an increase in allocation for construction inspection and plan review services with Joe Payne, Inc. in the amount of $200,000 which increases the total contract amount to $470,000.**

2. **Approving an increase in allocation for debt collection services to Forest Recovery Services, LLC in the amount of $180,000, for a total contract amount of $270,000.**

3. **Accepting a bid from Trinova, Inc. for a mass flow meter measuring system for the Northeast Wastewater Reclamation Facility (NEWRF) for the Water Resources Department at a total cost of $67,773.84.**

(Miscellaneous)

4. **Accepting a grant from the Pinellas County Solid Waste Operations in the amount of $191,393.01 for recycling reimbursement; Authorizing the Mayor or his designee to execute an agreement and all documents necessary to effectuate this transaction.**
Budget, Finance & Taxation Committee
Thursday, November 10, 2016, 9:15 a.m., Room 100

Public Services & Infrastructure Committee [CANCELED]
Thursday, November 10, 2016, 9:15 a.m., Room 100

Youth Services Committee
Thursday, November 10, 2016, 10:30 a.m., Room 100

CRA / Agenda Review
Thursday, November 10, 2016, 1:30 p.m., Room 100

Energy, Natural Resources & Sustainability Committee
Monday, November 21, 2016, 10:30 a.m., Room 100

CRA / Agenda Review
Monday, November 21, 2016, 1:30 p.m., Room 100

City Council Meeting: 2nd Reading Budget Cleanup Ordinance
Monday, November 21, 2016, 3:00 p.m., Council Chamber

City Council Meeting
Thursday, December 1, 2016, 8:30 a.m., Council Chamber

Committee of the Whole: South St. Petersburg CRA Grant Program; TIF Sunshine and Accountability Ordinance
Thursday, December 1, 2016, 8:30 a.m., Room 100
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.
October 17, 2016

TO: The Honorable Members of City Council

SUBJECT: *The Mosley Working Group*

PRESENTER: Chair Amy Foster

SCHEDULE FOR COUNCIL ON:
   Agenda of November 10, 2016

Amy Foster
Council Chair
November 3, 2016

TO: The Honorable Members of City Council

SUBJECT: Neighborhoods USA Award - Neighborhood of the Year
Historic Kenwood Neighborhood Association

PRESENTER: Susie Ajoc

SCHEDULE FOR COUNCIL ON:
Agenda of November 10, 2016

Amy Foster
Council Chair
TO: City Council Chair and City Council Members

SUBJECT: An Ordinance Enacting Year-End Appropriation Adjustments – FY16 Operating Budget & Capital Improvement Program Budget & Adjustments to the FY17 Budget

EXPLANATION / COST FUNDING ASSESSMENT INFORMATION:

This agenda item transitions budgets from the year just closed to the new budget year. For FY16, it adjusts budgets that exceeded annual appropriations and commits and assigns funds in the General Operating Fund for specific purposes. It also provides adjustments (supplemental appropriations) to the FY17 budget. Council is asked to approve an ordinance to enact these changes, as required by the Charter.

The agenda item is divided into three major parts. Each part may involve several types of transactions including appropriation transfers which generally have no effect on fund balance, or supplemental appropriations, which reduce the fund balance of the specified fund unless there are unanticipated revenues to support the expense overage. This item is subdivided into the sections of the Ordinance giving a detailed description of the provisions within the Ordinance and reasons for each budget modification.

**Back-up for the Ordinance is covered in Parts I, II, and III**

**Part I** describes transactions which will clean up and finalize the FY16 budget (Ordinance Sections 1-5). The final accounting transactions for FY16 are being posted, requiring some adjustments to the FY16 appropriations for both operations and capital projects. Additional appropriations are necessary to authorize expenditures in excess of budgeted amounts, even if related revenues are available to cover these expenses. State law requires that any budgetary adjustments to the prior year budget be made within 60 days of the close of the fiscal year.

**Part II** recommends commitments and assignments of funds remaining in the General Operating Fund at the close of FY16 for a variety of purposes in FY17 and the future. Commitments and assignments are not legal obligations to expend funds set-aside in the various categories and require appropriation by City Council in order to do so. These appear in Section 6 of the Ordinance.

**Part III** provides for supplemental appropriations, which reduce the fund balance of the specified fund unless there are unanticipated revenues to support the expense overage, to the FY17 Budget, including re-appropriation of unexpended FY16 monies and transfers, Ordinance Sections 7-9.

**ATTACHMENTS:** Ordinance for Council Action

**APPROVALS:**

Administrative: [Signature]

Budget: [Signature]
PRELIMINARY YEAR-END APPROPRIATION ADJUSTMENTS
FY16 OPERATING BUDGET &
CAPITAL IMPROVEMENT PROGRAM BUDGET

This report presents recommendations for budget adjustments in various funds. Expenditure and revenue estimates are based on financial data through October 21, 2016. Budget adjustments are only required for entities that exceed previous appropriations for the entity as a whole. While some appropriations are made at the departmental level, such as the Fire Department, others are made at the administration level. For example, an appropriation would be required for the Leisure & Community Services Administration only if the expenditures exceeded the total appropriation for all departments within the administration. The Budget Ordinance is the guiding document for these requirements.

Supplemental appropriations are supported either by unanticipated revenue or by resources of the fund balance of the fund specified. Supplemental appropriations increase the total amount authorized in the fund.

PART I: FY16 APPROPRIATION ADJUSTMENTS

Ordinance Section 1

GENERAL FUND PRELIMINARY RESULTS
The total impact to the General Fund by the adjustments in Section 1 is an increase in expense of $136,733. The increased subsidies were identified earlier as part of the year end estimates presented to the Budget, Finance and Taxation committee. After these budget adjustments are made, the General Fund balance is projected to decrease by $479,706 further adjustment when the final year end transactions are posted.

GENERAL OPERATING FUND – Appropriation Transfers -- This appropriation transfer covers an expenditure that exceeded budget in FY16. Appropriation transfers in the previous year have no impact on the fund balance or the projected operating surplus as the funds were already budgeted for one purpose, but left unexpended, and will now cover the purpose(s) described below which caused the department(s) to exceed their original budget.

<table>
<thead>
<tr>
<th>From: Budget Department-Contingency</th>
<th>($191,000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>To: Fire Rescue Department</td>
<td>191,000</td>
</tr>
</tbody>
</table>

A transfer of appropriation is needed to move the funds budgeted in the General Fund contingency to the Fire Rescue Department which exceeded its FY16 adopted budget because of higher than budgeted medical insurance costs and repair and maintenance of vehicles.
GENERAL OPERATING FUND – Supplemental Appropriations – These appropriations cover expenditures which exceeded budget in FY16. In some cases, the expenses are offset by additional revenue. In most cases, (listed as Category 1) these adjustments are for budget authority only, and have already been calculated in the total expenditures. The entries listed as Category 2 are new expenditures and will reduce the General Fund balance.

<table>
<thead>
<tr>
<th></th>
<th>Budget (in $)</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>2,216,300</td>
<td>A supplemental appropriation is needed to due to higher than budgeted costs for overtime during the year.</td>
</tr>
<tr>
<td>Category 1 Tropicana Field Subsidy</td>
<td>407,000</td>
<td>A supplemental appropriation is needed to increase the subsidy to Tropicana Field because offsite police traffic control costs and revenue projections were lower than anticipated.</td>
</tr>
<tr>
<td>Category 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer to Patterson Trust — Category 1</td>
<td>5,347</td>
<td>A transfer is needed to move funds to the trust.</td>
</tr>
<tr>
<td>Category 1 Jamestown Subsidy</td>
<td>56,500</td>
<td>A supplemental appropriation is needed due to facility repairs and renovations.</td>
</tr>
<tr>
<td>Category 1 Port Subsidy</td>
<td>5,500</td>
<td>A supplemental appropriation is needed due to security services.</td>
</tr>
<tr>
<td>Category 1 Parks &amp; Recreation</td>
<td>13,396</td>
<td>A supplemental appropriation is needed to recognize additional grant revenue and the corresponding expenses for the Afterschool Meals Program.</td>
</tr>
<tr>
<td>Category 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer to Federal Operating Grant — Category 2</td>
<td>1,386.16</td>
<td>A transfer is needed to move funds because there were additional expenses not reimbursed by the grant.</td>
</tr>
<tr>
<td>Category 2</td>
<td>130,000</td>
<td>A supplemental appropriation is needed to advance funds to the Golf Course because of lower revenue.</td>
</tr>
</tbody>
</table>

ENTERPRISE & SPECIAL REVENUE OPERATING FUNDS – Supplemental Appropriations

These appropriations cover expenditures which exceeded budget. In some cases, revenue also exceeded the budget. The net impact of these revenue and expenditure variances will be covered from the fund balance in each individual fund.

<table>
<thead>
<tr>
<th></th>
<th>Budget (in $)</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Crossing Guard</td>
<td>307,000</td>
<td>This fund records the revenue collected from the parking ticket surcharge. A supplemental appropriation is needed to transfer the additional revenue to the General Fund to reimburse the cost of the crossing guard program.</td>
</tr>
<tr>
<td>Downtown Redevelopment</td>
<td>1,443,906</td>
<td>A supplemental appropriation is needed to fund the debt service reserve of the Public Service Tax Revenue Bonds.</td>
</tr>
<tr>
<td>Building Permit</td>
<td>246,000</td>
<td>A supplemental appropriation is needed due to increased expenses from permitting activity. FY16 was a record year for permitting activity both in number of permits and value of construction projects. Increased revenues in the fund will cover these additional expenses.</td>
</tr>
<tr>
<td>Mahaffey Theater</td>
<td>518,225</td>
<td>A supplemental appropriation is needed due to the costs of events. There was a proportionate increase in revenue that covered the increased costs.</td>
</tr>
<tr>
<td>Pier</td>
<td>1,000</td>
<td>A supplemental appropriation is needed due to security costs.</td>
</tr>
<tr>
<td>Sunken Gardens</td>
<td>194,000</td>
<td>A supplemental appropriation is needed due to increased costs for facility repairs and equipment. Higher revenues in the fund covered these additional expenses.</td>
</tr>
<tr>
<td>Tropicana Field</td>
<td>154,200</td>
<td>A supplemental appropriation is needed to increase the subsidy to Tropicana Field because offsite police traffic control costs and revenue projections were lower than anticipated.</td>
</tr>
<tr>
<td>------------------</td>
<td>---------</td>
<td>-------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Water Cost Stabilization</td>
<td>536,720</td>
<td>Interest earnings in this fund are transferred to the Water Resources Operating Fund. A supplemental appropriation is needed to cover higher interest earnings in the fund.</td>
</tr>
<tr>
<td>Stormwater</td>
<td>116,330</td>
<td>A supplemental appropriation is needed to cover the upfront costs incurred for the preparation of two tropical storm/hurricanes during FY16 including sandbags and OT.</td>
</tr>
<tr>
<td>Sanitation Replacement</td>
<td>789,921.85</td>
<td>A supplemental appropriation is needed to transfer funds to the Sanitation Recycling Equipment Fund.</td>
</tr>
<tr>
<td>Marina</td>
<td>6,400</td>
<td>A supplemental appropriation is needed due to security services and facility repairs and renovations.</td>
</tr>
<tr>
<td>Jamestown</td>
<td>10,900</td>
<td>A supplemental appropriation is needed due to facility repairs and renovations.</td>
</tr>
<tr>
<td>Port</td>
<td>10,200</td>
<td>A supplemental appropriation is needed due to security services.</td>
</tr>
</tbody>
</table>

**Ordinance Section 2**

**CAPITAL IMPROVEMENT FUNDS – Supplemental Appropriations**

These appropriations cover CIP project expenditures which exceeded budget. In some cases, revenue also exceeded the budget. *The net impact of these revenue and expenditure variances will be covered from the fund balance of each individual fund.*

<table>
<thead>
<tr>
<th>City Facilities Capital Improvement Fund</th>
<th>7,000</th>
<th>AFG Grant</th>
<th>A transfer is needed to the 2014 AFG Grant Project (14944) to cover permit fees and additional engine bays.</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Facilities Capital Improvement Fund</td>
<td>(7,000)</td>
<td>Fire Facilities Major Improvements</td>
<td>A transfer is needed from the Fire Facilities Major Imps FY15 Project (14626) to cover permit fees and additional engine bays.</td>
</tr>
<tr>
<td>Water Resources Capital Improvements</td>
<td>27,000</td>
<td>New Main Extension FY16</td>
<td>A supplemental appropriation is needed due to increased customer funding for New Main Extensions.</td>
</tr>
<tr>
<td>Water Resources Capital Improvements</td>
<td>22,000</td>
<td>Reclaimed Taps &amp; Backflows FY16</td>
<td>A supplemental appropriation is needed due to increased customer funding for Taps and Backflows.</td>
</tr>
</tbody>
</table>

**Ordinance Section 3**

**INTERNAL SERVICE FUNDS – Increased Authorizations**

These additional allocations cover expenditures which exceeded budget. In some cases, revenue also exceeded the budget. *The net impact of these revenue and expenditure variances will be covered from the fund balance of each individual fund.*

<table>
<thead>
<tr>
<th>Materials Management</th>
<th>59,000</th>
<th>An increase in the authorization level of this internal service fund is needed due to increased facilities management costs. The increased costs were offset by increased revenues.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Technology Services</td>
<td>290,325</td>
<td>An increased in the authorization level of this internal service fund is needed in order to transfer the available fund balance</td>
</tr>
<tr>
<td>Health Insurance</td>
<td>876,500</td>
<td>A supplemental appropriation is needed due to increased expenses in the City’s Health and Wellness Center. The increased expenses were offset by revenue from the city’s health care premiums.</td>
</tr>
<tr>
<td>------------------</td>
<td>--------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Billing &amp; Collections</td>
<td>661,500</td>
<td>An increase in the authorization level of this internal service fund is needed because of higher costs for credit card use, printing costs, and the addition of three full-time customer service representatives during the year. The increased costs were offset by increased revenue.</td>
</tr>
</tbody>
</table>

**Ordinance Section 4**

Ordinance 196-H is hereby amended by incorporating into said Ordinance all appropriations and adjustments to the operating and capital improvement budgets pertaining to the fiscal year ending September 30, 2016 made by previous resolution, and all supplemental appropriations and adjustments contained in this Ordinance, which pertain to the Fiscal Year ending September 30, 2016. Ordinance Number 196-H as amended as provided herein shall constitute the final budget for the Fiscal Year ending September 30, 2016.

**PART II: COMMITMENTS AND ASSIGNMENTS OF FUND BALANCES FOR FY16 YEAR END**

**Ordinance Section 5**

Each year City Council has committed a portion of the General Operating Fund balance for specific purposes. Administration recommends the commitment and assignments of the following amounts totaling $3,744,724 within the General Operating Fund balance as of September 30, 2016. These commitments include amounts requested for re-appropriation during FY17.

**OPERATING RE-APPROPRIATIONS**  
$3,192,250  
This commitment provides for funds to be rolled over for contracts, grants, or purchase orders issued in 2016 for which the corresponding purchases could not be completed due to timing or other issues.

**LAND SALE PROCEEDS**  
$135,543  
This commitment 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 City Council on February 21, 2002.

**QUALIFIED TARGET INDUSTRY (QTI) TAX REFUND PROGRAM**  
$132,463  
This commitment was established to provide the city’s share 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)**  
$284,468  
This commitment is established to provide the city’s share over the next 15 years for maintenance of city roads and trails as a result of grant agreements with the Florida Department of Transportation (FDOT).
### Ordinance Section 6

#### RE-APPROPRIATION OF FY16 ENCUMBRANCES

*Encumbrances are funded with FY16 fund balance from each respective fund.* All of these amounts were previously appropriated in FY16 and have legal commitments for expenditure that will occur in FY17. These include the unspent portion of existing contracts. Actual encumbrances may be more or less after all financial transactions are posted.

**General Operating Fund**

<table>
<thead>
<tr>
<th>Department</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>$170,906</td>
</tr>
<tr>
<td>Fire</td>
<td>73,534</td>
</tr>
<tr>
<td>City Development Administration</td>
<td>1,052,511</td>
</tr>
<tr>
<td>Neighborhood Affairs Administration</td>
<td>312,795</td>
</tr>
<tr>
<td>Leisure Services Administration</td>
<td>706,163</td>
</tr>
<tr>
<td>General Government Administration</td>
<td>416,139</td>
</tr>
<tr>
<td>Public Works Administration</td>
<td>460,202</td>
</tr>
<tr>
<td><strong>Total General Fund</strong></td>
<td>$3,192,250</td>
</tr>
</tbody>
</table>

**All Other Funds**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency Medical Services</td>
<td>211,681</td>
</tr>
<tr>
<td>Local Housing Assistance</td>
<td>67,795</td>
</tr>
<tr>
<td>Parking</td>
<td>15,126</td>
</tr>
<tr>
<td>Law Enforcement</td>
<td>346</td>
</tr>
<tr>
<td>CDBG</td>
<td>279,618</td>
</tr>
<tr>
<td>Emergency Shelter Grant</td>
<td>28,388</td>
</tr>
<tr>
<td>HOME Program</td>
<td>203,114</td>
</tr>
<tr>
<td>Neighborhood Stabilization Program</td>
<td>10,289</td>
</tr>
<tr>
<td>Building Permit</td>
<td>74,200</td>
</tr>
<tr>
<td>Pier</td>
<td>18</td>
</tr>
<tr>
<td>Coliseum</td>
<td>4,147</td>
</tr>
<tr>
<td>Sunken Gardens</td>
<td>98,633</td>
</tr>
<tr>
<td>Police Grant</td>
<td>79,474</td>
</tr>
<tr>
<td>Arts in Public Places</td>
<td>18,750</td>
</tr>
<tr>
<td>Water Resources</td>
<td>1,476,159</td>
</tr>
<tr>
<td>Stormwater</td>
<td>39,961</td>
</tr>
<tr>
<td>Sanitation</td>
<td>544,813</td>
</tr>
<tr>
<td>Sanitation Equipment Replacement</td>
<td>2,223,578</td>
</tr>
<tr>
<td>Airport</td>
<td>21,195</td>
</tr>
<tr>
<td>Marina</td>
<td>171,951</td>
</tr>
<tr>
<td>Golf Course</td>
<td>11,521</td>
</tr>
<tr>
<td>Jamestown</td>
<td>11,515</td>
</tr>
<tr>
<td>Port</td>
<td>10,922</td>
</tr>
<tr>
<td>Fleet</td>
<td>323,388</td>
</tr>
<tr>
<td>Equipment Replacement</td>
<td>2,112,277</td>
</tr>
<tr>
<td>Municipal Office Buildings</td>
<td>23,406</td>
</tr>
<tr>
<td>Technology Services</td>
<td>310,006</td>
</tr>
<tr>
<td>Technology &amp; Infrastructure</td>
<td>293,594</td>
</tr>
</tbody>
</table>
Supply Management 6,531
Health Insurance 936
Workers’ Compensation 42,781
Billing & Collections 6,841

**Ordinance Section 7**

**GENERAL FUND IMPACT**

The total impact to the General Fund by the adjustments in Section 7 is an increase in expense of $6,574,564. One of these items is a grant that has offsetting revenue totaling $1,066,321. The net impact to the fund balance is $5,508,243.

**GENERAL OPERATING FUND – Appropriation Transfers** -- These appropriation transfers were planned as part of the FY17 budget and have no effect on the overall budget. The 4% wage increase was placed in the contingency line until the labor agreements were approved, and can now be moved to department budgets.

<table>
<thead>
<tr>
<th>From: Budget Department-Contingency ($4,448,457)</th>
<th>To:</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Council 24,324</td>
<td></td>
</tr>
<tr>
<td>Mayor’s Office 61,777</td>
<td></td>
</tr>
<tr>
<td>Legal 73,633</td>
<td></td>
</tr>
<tr>
<td>Public Works Admin 4,783</td>
<td></td>
</tr>
<tr>
<td>Procurement 35,195</td>
<td></td>
</tr>
<tr>
<td>Neighborhood Affairs 13,808</td>
<td></td>
</tr>
<tr>
<td>Housing 33,959</td>
<td></td>
</tr>
<tr>
<td>Community Services 19,624</td>
<td></td>
</tr>
<tr>
<td>Human Resources 56,683</td>
<td></td>
</tr>
<tr>
<td>City Development 28,107</td>
<td></td>
</tr>
<tr>
<td>Codes 69,977</td>
<td></td>
</tr>
<tr>
<td>Engineering 176,347</td>
<td></td>
</tr>
<tr>
<td>Police 2,093,751</td>
<td></td>
</tr>
<tr>
<td>Fire Rescue 663,252</td>
<td></td>
</tr>
<tr>
<td>Parks &amp; Recreation 580,963</td>
<td></td>
</tr>
<tr>
<td>Library 114,477</td>
<td></td>
</tr>
<tr>
<td>City Clerk 20,972</td>
<td></td>
</tr>
<tr>
<td>Marketing 41,143</td>
<td></td>
</tr>
<tr>
<td>Budget 26,028</td>
<td></td>
</tr>
<tr>
<td>City Auditor 18,916</td>
<td></td>
</tr>
<tr>
<td>Trans &amp; Parking 20,540</td>
<td></td>
</tr>
<tr>
<td>Downtown Enterprises 17,570</td>
<td></td>
</tr>
<tr>
<td>Finance 52,279</td>
<td></td>
</tr>
<tr>
<td>Real Estate 20,028</td>
<td></td>
</tr>
<tr>
<td>Planning &amp; Eco Dev 78,634</td>
<td></td>
</tr>
<tr>
<td>Stormwater, Pavement &amp; Traffic Ops 93,634</td>
<td></td>
</tr>
<tr>
<td>Leisure Services 8,053</td>
<td></td>
</tr>
</tbody>
</table>

A transfer of appropriation is needed to move the funds budgeted in the General Fund contingency to the appropriate departments as a result of the general wage increase approved as part of the FY17 Adopted Budget on September 22, 2016.
SUPPLEMENTAL APPROPRIATIONS
All supplemental appropriations are funded with fund balance from each respective fund or from unanticipated revenues. Some of these amounts (grants) were previously appropriated in FY16 and have legal commitments for expenditures that will occur in FY17.

GENERAL OPERATING FUND – FY17 Supplemental Appropriation

<table>
<thead>
<tr>
<th>Department</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Council</td>
<td>50,000</td>
<td>A supplemental appropriation is needed to rollover funds for management consulting services that were not used in FY16.</td>
</tr>
<tr>
<td>Mayor’s Office</td>
<td>55,000</td>
<td>A supplemental appropriation is needed to rollover funds for city-wide tree planting ($25,000/BP funded), and the 2020 Wrap Around Services ($30,000).</td>
</tr>
<tr>
<td>Public Works Administration</td>
<td>3,000,000</td>
<td>A supplemental appropriation is needed to rollover funds for sanitary sewer system improvements. (BP funded)</td>
</tr>
<tr>
<td>Community Services</td>
<td>325,776</td>
<td>A supplemental appropriation is needed to rollover unspent grant funds for Kiwanis Park ($20,000), mini-grant program ($5,005), NLC Grant ($15,000), a Carefest sponsorship donation ($1,500), the Summer Youth Intern Program ($134,471), and the After School Workplace Program ($150,000).</td>
</tr>
<tr>
<td>City Development Administration</td>
<td>960,000</td>
<td>A supplemental appropriation is needed to rollover funds for the Ferry project. (BP and outside funding sources)</td>
</tr>
<tr>
<td>Engineering &amp; Capital Improvements</td>
<td>112,124</td>
<td>A supplemental appropriation is needed to rollover funds for the Seagrass Mitigation Bank ($37,124), and funds for the Tampa Bay Environmental Restoration project ($75,000). (BP funded)</td>
</tr>
<tr>
<td>Transportation &amp; Parking Management</td>
<td>273,000</td>
<td>A supplemental appropriation is needed to rollover funds for the Bike Share program. (BP and outside funding sources)</td>
</tr>
<tr>
<td>Planning &amp; Economic Development</td>
<td>1,798,664</td>
<td>A supplemental appropriation is needed to rollover funds for the USF Fellows Program ($18,000), the FEMA flood mitigation grant ($1,066,321), the Rebates for Residential Rehab Program (114,343) the EDC ($100,000), the Neighborhood Commercial Revitalization Program ($250,000), and the Revolving Loan Program ($250,000).</td>
</tr>
</tbody>
</table>

Supplemental appropriations in other funds for FY17 related to the wage increase:

<table>
<thead>
<tr>
<th>Department</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency Medical Services</td>
<td>264,092</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Parking</td>
<td>50,862</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Coliseum</td>
<td>9,664</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Sunken Gardens</td>
<td>13,232</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Water Resources</td>
<td>663,092</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Stormwater</td>
<td>143,696</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Sanitation</td>
<td>381,466</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Airport</td>
<td>8,381</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Marina</td>
<td>23,409</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Golf Course</td>
<td>41,356</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Jamestown</td>
<td>8,135</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Port</td>
<td>7,106</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Fleet</td>
<td>148,524</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Municipal Office Buildings</td>
<td>21,554</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Technology Services</td>
<td>191,607</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Supply Management</td>
<td>10,409</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Health Insurance</td>
<td>10,521</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Life Insurance</td>
<td>1,316</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Liabilities</td>
<td>12,147</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Commercial Insurance</td>
<td>3,244</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Workers’ Compensation</td>
<td>16,403</td>
<td>Wage increase</td>
</tr>
<tr>
<td>Billing &amp; Collections</td>
<td>169,495</td>
<td>Wage increase</td>
</tr>
</tbody>
</table>
Other operating funds FY17 Supplemental Appropriations

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Housing Assistance</td>
<td>1,487,439</td>
<td>A supplemental appropriation is needed to rollover unspent grant funds.</td>
</tr>
<tr>
<td>Parking Revenue</td>
<td>460,000</td>
<td>A supplemental appropriation is needed to rollover funds for repairs needed at the South Core Garage.</td>
</tr>
<tr>
<td>Law Enforcement Trust</td>
<td>936,793</td>
<td>A supplemental appropriation is needed to close the Law Enforcement Trust Fund and transfer the fund balance to three separate special revenue funds in order to track the grant expenses. This change is required for audit purposes.</td>
</tr>
<tr>
<td>State Trust &amp; Local Law Enforcement</td>
<td>433,021</td>
<td></td>
</tr>
<tr>
<td>Federal Justice Forfeiture</td>
<td>162,552</td>
<td></td>
</tr>
<tr>
<td>Federal Treasury Forfeiture</td>
<td>3,452</td>
<td></td>
</tr>
<tr>
<td>Community Development Block Grant</td>
<td>936,070</td>
<td>A supplemental appropriation is needed to rollover unspent grant funds.</td>
</tr>
<tr>
<td>Emergency Shelter Grant</td>
<td>3,133</td>
<td>A supplemental appropriation is needed to rollover unspent grant funds.</td>
</tr>
<tr>
<td>HOME Program</td>
<td>1,529,665</td>
<td>A supplemental appropriation is needed to rollover unspent grant funds.</td>
</tr>
<tr>
<td>Neighborhood Stabilization Program</td>
<td>1,487,725</td>
<td>A supplemental appropriation is needed to rollover unspent grant funds.</td>
</tr>
<tr>
<td>Water Resources</td>
<td>242,183</td>
<td>A supplemental appropriation is needed to rollover funds for the purchase of a Mass Flow Meter ($68,000), Sensible Sprinkling Grant ($100,000), and the Toilet Rebate Grant ($74,183).</td>
</tr>
<tr>
<td>Sanitation</td>
<td>1,500</td>
<td>A supplemental appropriation is needed to rollover a contribution from Duke Energy for a project sponsorship.</td>
</tr>
<tr>
<td>Municipal Office Buildings</td>
<td>8,925</td>
<td>An increase in the authorization level of the internal service fund is needed to rollover funds for a project.</td>
</tr>
<tr>
<td>Technology Services</td>
<td>248,000</td>
<td>An increase in the authorization level of the internal service fund is needed to rollover funds for the Kronos system ($10,000), upgrade of the Kronos system ($213,400), and upgrades to legacy servers ($25,000).</td>
</tr>
<tr>
<td>Technology &amp; Infrastructure</td>
<td>515,600</td>
<td>An increase in the authorization level of the internal service fund is needed to rollover funds upgrade of the Kronos system.</td>
</tr>
</tbody>
</table>

CAPITAL IMPROVEMENT FUNDS – FY17 Supplemental Appropriations

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Resources Capital Projects</td>
<td>294,206</td>
<td>Bond Interest Earnings A supplemental appropriation is needed to spend the interest earned on the bond proceeds. This includes the Bab’s, Super Bab’s, FY09, FY13, FY14, FY15, and FY16 WR Bonds.</td>
</tr>
<tr>
<td>General Capital Improvement</td>
<td>159,381</td>
<td>Bond Interest Earnings A supplemental appropriation is needed to spend the interest earned on bond proceeds. This is for the 2016A and 2016B issue.</td>
</tr>
</tbody>
</table>

Ordinance Section 8
TRANSFERS TO THE ART IN PUBLIC PLACES FUND

For public works projects with construction costs between $100,000 and $2,500,000, two percent (2%) is set aside for the acquisition of works of art. For public works with construction costs between $2,500,001 and $10,000,000, one percent (1%) is set aside for the acquisition of works of art. For public works projects with construction costs exceeding $10,000,001, three-quarters of one percent (0.75%) is set aside for the acquisition of works of art. It is capped at $500,000 for any single project. The following transfers, totaling $93,100 to the Art in Public Places Fund, is based on FY16 transactions:

Recreation & Culture Capital Improvement Fund $69,100
General Capital Improvement Fund $24,000

Approval of the attached ordinance is requested.
ORDINANCE NO. 249-H

AN ORDINANCE ENACTING YEAR-END APPROPRIATION ADJUSTMENTS FOR FISCAL YEAR 2016 FOR THE OPERATING BUDGET AND CAPITAL IMPROVEMENT PROGRAM BUDGET AND ADJUSTMENTS TO THE FISCAL YEAR 2017 BUDGET; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1: The following appropriation transfers and supplemental appropriations (numbers in parentheses denote reduced appropriations) to the City of St. Petersburg operating budget for the Fiscal Year ending September 30, 2016 are approved from the fund balance of each respective operating fund listed below:

General Operating Fund Appropriation Transfers:
From:  Budget Department-Contingency         (191,000)
To:  Fire Rescue Department                191,000

Supplemental Appropriations:
General Fund-General Government Administration  605,733.16
General Fund-Police                           2,216,300
General Fund-Leisure Services Administration  13,396
School Crossing Guard                         307,000
Downtown Redevelopment                       1,443,906
Building Permit                              246,500
Mahaffey                                     518,225
Pier                                         1,000
Sunken Gardens                                194,000
Tropicana Field                               154,200
Water Cost Stabilization                     536,720
Stormwater                                   116,330
Sanitation Equipment Replacement             789,921.85
Marina                                       6,400
Jamestown                                    10,900
Port                                         10,200

Section 2: The following appropriations to the City of St. Petersburg capital improvement program (CIP) budget for the Fiscal Year ending September 30, 2016 are approved from the fund balance of each respective CIP fund listed below:

City Facilities Capital Improvement Fund
AFG Grant                                      7,000
Fire Facilities Major Improvements            (7,000)

Water Resources Capital Improvement Fund
New Main Extension FY16                      27,000
Reclaimed Taps & Backflows FY16              27,000
Section 3: The following increases to the Internal Service Fund authorizations are approved for the Fiscal Year ending September 30, 2016:

Materials Management 59,000
Technology Services 290,325
Health Insurance 876,500
Billing & Collections 661,500

Section 4: Ordinance No. 196-H is hereby amended by incorporating into said Ordinance all appropriations and adjustments to the operating and capital improvement budgets pertaining to the Fiscal Year ending September 30, 2016 made by previous resolution, and all supplemental appropriations and adjustments contained in this Ordinance which pertain to the Fiscal Year ending September 30, 2016. Ordinance No. 196-H, as amended as provided herein, shall constitute the final budget for the Fiscal Year ending September 30, 2016.

Section 5: The following amounts are established as Commitments and Assignments for future appropriation in the General Operating Fund Balance which commitments can be changed by a resolution of City Council:

Operating Re-appropriations $3,192,250
Land Sale Proceeds 135,543
Qualified Target Industry (QTI) Tax Refund Program 132,463
Local Agency Program (LAP) 284,468

Section 6: The following amounts encumbered during FY 2016 are re-appropriated for the Fiscal Year ending September 30, 2017 from the fund balance of the respective funds:

General Operating Fund:
Police $170,906
Fire 73,534
City Development Administration 1,052,511
Neighborhood Affairs Administration 312,795
Leisure Services Administration 706,163
General Government Administration 416,139
Public Works Administration 460,202
Emergency Medical Services 211,681
Local Housing Assistance 67,795
Parking 15,126
Law Enforcement 346
CDBG 279,618
Emergency Shelter Grant 28,388
HOME Program 203,114
Neighborhood Stabilization Program 10,289
Building Permit 74,200
Pier 18
Coliseum 4,147
Sunken Gardens 98,633
Police Grant 79,474
Arts in Public Places 18,750
Water Resources 1,476,159
Stormwater                  39,961
Sanitation                   544,813
Sanitation Equipment Replacement  2,223,578
Airport                       21,195
Marina                       171,951
Golf Course             11,521
Jamestown                11,515
Port                          10,922
Fleet                         323,388
Equipment Replacement     2,112,277
Municipal Office Buildings    23,406
Technology Services         310,006
Technology & Infrastructure  293,594
Supply Management            6,531
Health Insurance              936
Workers’ Compensation        42,781
Billing & Collections         6,841

Section 7: The following supplemental appropriations to the City of St. Petersburg operating budget for the Fiscal Year ending September 30, 2017 are approved from the fund balance of each respective operating fund listed below:

Supplemental Appropriations:

General Fund
General Government Administration  (3,932,507)
Neighborhood Affairs Administration  463,144
Police                        2,093,751
Fire Rescue                  663,252
City Development Administration  3,196,543
Leisure Services Administration    703,493
Public Works Administration       3,386,888

Emergency Medical Services       264,092
Local Housing Assistance         1,487,439
Law Enforcement Trust            936,793
State Trust & Local Law Enforcement  433,021
Federal Justice Forfeiture       162,552
Federal Treasury Forfeiture      3,452
CDBG                         936,070
Emergency Shelter Grant          3,133
HOME Program                   1,529,665
Neighborhood Stabilization       1,487,725
Coliseum                      9,664
Sunken Gardens                13,232
Water Resources                905,275
Stormwater                    143,696
Sanitation                    382,966
Airport                          8,381
Marina                       23,409
Golf Course                41,356
Jamestown                    8,135
Port: 7,106
Fleet: 148,524
Municipal Office Buildings: 30,479
Technology Services: 439,607
Technology & Infrastructure: 515,600
Supply Management: 10,409
Health Insurance: 10,521
Life Insurance: 1,316
General Liabilities: 12,167
Commercial Insurance: 3,244
Workers’ Compensation: 16,403
Billing & Collections: 169,495

Water Resources Capital Projects:
  Bond Interest Earnings Adjustments: 294,206
General Capital Improvement
  Bond Interest Earnings Adjustments: 159,381

Section 8: The transfers from the following funds to the Art in Public Places Fund is approved based on projects meeting the City Code Percent for the Arts criteria:
Recreation & Culture Capital Improvement Fund: $69,100
General Capital Improvement: 24,000

Section 9: All appropriations contained in this Ordinance regarding the budget for Fiscal Year ending September 30, 2017 may be amended in accordance with the City Code or as provided for in Ordinance No. 241-H.

Section 10: In the event this ordinance 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 the ordinance, in which case the ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

APPROVED BY DEPARTMENT:

[Signature]
Budget Department

APPROVED AS TO FORM AND SUBSTANCE:

[Signature]
City Attorney (or designee)
MEMORANDUM
Council Meeting of November 10, 2016

TO: City Council Chair and Members of City Council

FROM: Heather K. Judd, Assistant City Attorney

RE: An Ordinance to repeal Chapter 28 and Replace with a new Chapter 28, Vehicles for Hire

Please see attached for first reading an Ordinance which proposes repealing Chapter 28 of the St. Petersburg City Code and replacing with a new Chapter 28, Vehicles for Hire. The issue was first discussed at a Council workshop in February 2015. The proposed ordinance was discussed at the Public Services and Infrastructure meetings of September 22 and October 13, 2016. At the October 13th meeting, the committee voted to move the ordinance to first reading with certain changes. Those changes were incorporated into the attached proposed ordinance draft. Please note administration continues to discuss the business tax component with the industry and may propose changes to this draft before your consideration. Please contact me if you have any questions about the attached ordinance.

The public hearing for this ordinance if passed at first reading is set for Monday, November 21, 2016.

Attachments: Ordinance
AN ORDINANCE OF THE CITY OF ST. PETERSBURG, REPEALING CHAPTER 28 IN ITS ENTIRETY, AND REPLACING IT WITH A NEW CHAPTER 28, PUBLIC VEHICLES; REGULATING ALL ASPECTS OF ANY KIND FOR THE OPERATION OF TRANSPORTATION FOR HIRE; AMENDING CATEGORIES RELATING TO FEES FOR PUBLIC VEHICLES IN SECTION 12-6(9); AMENDING CHAPTER 26 TO REMOVE REFERENCES TO TAXI OR TAXICAB STANDS AND REPLACE WITH CERTIFIED PUBLIC VEHICLE STANDS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section 1: Chapter 28 of the St. Petersburg City Code is hereby repealed in its entirety and is replaced with a new Chapter 28 to read as follows:

Chapter 28 – Public Vehicles

28-1 Definitions

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

Car service means any motor vehicle, which provides seating accommodations for not more than 29 passengers, including the driver, not including exempt vehicles, which is operated for compensation.

Certified means a vehicle or company that has completed and received Optional Certification by the City.

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

Exempt vehicles means one of the following:

(1) Motor vehicles used exclusively in transporting children to and from schools under contract with school officials.

(2) Hearses and ambulances when operated by licensed embalmers, morticians, or ambulance service companies or their agents or employees in this State.

(3) Motor vehicles designed, constructed, reconstructed or operated for the transportation of persons with nonemergency conditions where no medical assistance is needed or anticipated en route; or for persons who are unable to comfortably use a standard means of conveyance; or for persons who cannot enter, occupy or exit a vehicle without extensive assistance; or where specialized equipment is used for wheelchair or stretcher service; and where the driver serves as both a driver and attendant to assist in door-to-door or bed-to-bed service. No emergency equipment other than a fire extinguisher may be carried. The use of the term "ambulance" or "ambulatory service" may not be used and no representations may be made that any medical service is available.

(4) Motor vehicles operated by a governmental agency.
(5) Public sector buses which are used for the transportation of persons for compensation and which are owned, leased, operated or controlled by a municipal, county or state government, school board or a governmentally owned or managed nonprofit corporation.

(6) Exclusive ride-sharing vehicles as defined in F.S. § 341.031.

(7) Shuttle services owned and operated directly by a hotel or motel for transportation limited to registered guests thereof.

(8) Vehicles used exclusively in transporting persons in a sight-seeing capacity with its primary purpose for tours of landmarks.

In service means the time period that a vehicle is being operated as a public vehicle. The term in service includes all times when a vehicle is actively accepting new fares, either by telephone, digital application, or some other means of hailing passengers in addition to the actual transportation for hire of passengers.

Low speed vehicle means a low speed vehicle as defined under Florida Statutes governing motor vehicle licenses.

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

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

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

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

Operator means any person owning, leasing, contracting with a driver of, or controlling a public vehicle. An operator may or may not be a driver.

Optional Certification means a process by which a public vehicle owner, operator, or public vehicle company may submit an application to the POD which demonstrates that the public vehicle meets requirements above the minimum required for public vehicles under this chapter.

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

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

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

Public vehicle company means any company which owns, operates, or contracts with the drivers of two or more public vehicles within the City. Public vehicle companies include those companies which use
digital networks to connect passengers to drivers who are employees or independent contractors operating public vehicles.

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

### 28-2 Public Vehicle Insurance Requirements

(a) The driver of each public vehicle, except for low speed vehicles and non-motorized vehicles, must be covered at all times by an insurance policy which meets the minimum standards required by Florida Statutes. A public vehicle company must be covered by a commercial general liability insurance policy of at least $1,000,000 per occurrence and automobile liability insurance policy of at least $1,000,000, or alternatively, may carry a livery policy which is compliant with Florida Statute 324.032. Such policies shall be effective when the public vehicle is in service as defined by this chapter.

(b) In every instance in which insurance maintained to fulfill the insurance requirements of this chapter by a public vehicle driver who is employed by or contracted with a public vehicle company has lapsed, failed to provide the required coverage, denied a claim for required coverage, or otherwise ceased to exist, insurance maintained by the public vehicle company shall provide the coverage required by this chapter beginning with the first dollar of a claim.

(c) Each public vehicle driver, operator, or public vehicle company must obtain and file with the POD a certificate or certificates of insurance demonstrating compliance with the requirements of this section. Proof of insurance as required by subsections (a) and (b) shall be provided through a certificate that names each vehicle or company insured thereunder or through a blanket policy or endorsement. Each company and driver shall provide, upon demand, to any authorized law enforcement officer, digital or written proof of the insurance policies required by this section.

(b) Low speed vehicles and non-motorized vehicles, except pedal buses, shall be required to obtain general liability insurance in the amount of $300,000.00 per occurrence, and the City shall be named as an additional insured on the insurance certificate. The policy of insurance shall provide that notice for the cancellation thereof shall be given not less than ten days in advance of the effective date of such cancellation to the POD. The insurance policy shall provide that the City shall receive all notices of any kind (termination, cancellation, renewal, nonrenewal, rate increase, etc.) which shall be sent to the POD.

### 28-3 Driver Background Safety Checks

On an annual basis, all public vehicle drivers must provide proof to the POD that the driver has undergone a background check that includes:

(a) a Level 1 background screen in accordance with Florida Statutes Section 435.03; or

(b) a local and national criminal background screen and driving history review by a third party provider, who is accredited by the National Association of Professional Background Screeners, for each applicant that shall include a review of:
1. a multi-state/multi-jurisdiction criminal records locator or other similar commercial nationwide database with validation by primary source search, which shall include a social security trace or other similar identification check;
2. U.S. Department of Justice National Sex Offender Public Website; and
3. A driving history research report.

Proof required under this section may be provided by affidavit from an individual driver or the public vehicle company that contracts with or employs the driver. A public vehicle company may provide the POD with a single affidavit attesting to the fact that all drivers employed by or who contract with the public vehicle company have undergone a background check in compliance with this section. A driver is prohibited from operating a public vehicle and a public vehicle company is prohibited from allowing a driver to drive a public vehicle if any of the following conditions are present:

1. The driver has had more than three moving violations in the preceding 3-year period or one major violation in the preceding 3-year period. A major violation is:
   a. Fleeing or attempting to elude a law enforcement officer;
   b. Reckless driving; or
   c. Driving with a suspended or revoked license;
2. The driver has been convicted, within the past 7 years, of driving under the influence of drugs or alcohol, fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage or theft, acts of violence, or acts of terror;
3. The driver has been convicted, within the past 7 years, of any offense listed in the level 2 screening standards in s. 435.04(2) or (3), or a substantially similar law of another state or federal law;
4. The driver is a match in the Dru Sjodin National Sex Offender Public Website;
5. The driver does not possess a valid Florida driver’s license, or qualify for an exemption pursuant to Florida Statutes (currently F.S. 322.031);
6. The driver does not possess proof of registration for the vehicle, if applicable;
7. The driver, if such driver is the owner of the vehicle to be used as a public vehicle, does not possess proof of liability insurance for the vehicle used to provide public vehicle services; or
8. The driver has not attained the age of 19 years.

28-4 Non-Motorized Vehicles

Non-motorized vehicles are required to comply with the following:

(1) Non-motorized vehicles shall be equipped with:
   a. All safety equipment required for vehicles including horn, lights, reflectors and seatbelts, where applicable;
b. A signaling device, which may be human powered such as a whistle;

c. A clean, sanitary interior, free from torn upholstery or floor covering and from damaged or broken seats;

d. Doors which operate easily and close securely and door hinges and latches in good mechanical working order, if the vehicle is designed to have doors; and

e. Tires of the size appropriate for the vehicle, with no mismatched "sized" tires.

(2) Non-motorized vehicles may not be operated on any City sidewalk.

(3) Non-motorized vehicles shall comply with posted regulations for stopping and standing. Non-motorized vehicles may not stop or stand in on-street spaces reserved for bus stops and trolley stops.

(4) Non-motorized vehicles may use available public parking spaces for stopping or standing but shall comply with posted time requirements and are subject to ticketing for failure to comply with such requirement.

(5) Non-motorized vehicles with passengers, except for pedal buses and horse carriages, may only operate between 9th Avenue South and 9th Avenue North and between 32nd Street and Tampa Bay.

(6) Non-motorized vehicles shall enter into a license agreement with the City prior to transporting passengers.

(7) For pedal buses, the following additional requirements shall be met:

a. No alcoholic beverages other than beer, wine, hard cider or malt based beverages below 19 percent alcohol may be consumed by passengers on the pedal bus. No persons under the age of 21 are allowed on the pedal bus during a ride where alcohol is or is planned on being consumed.

b. All pedal buses shall require passengers to execute a waiver, approved by the City, prior to boarding the pedal bus. Pedal bus operators shall make available for inspection such executed waivers upon the City's request.

c. A pedal bus shall require all passengers under age 16 to wear helmets and offer helmets for all other passengers, regardless of age, at no cost.

d. All pedal buses may only be used on public streets designated with a speed limit of 35 miles per hour or less subject to the following exceptions:

1. *Special events.* Pedal buses shall not operate within half a mile of any boundary of any event declared to be a special event by a resolution adopted by the City Council during the event and for two hours prior to and two hours after the event. The resolution shall delineate the boundaries within which the special event declaration is to be effective.

2. The pedal bus shall not operate on December 31 and July 4 between and including 5th Avenue North to 5th Avenue South from Tampa Bay to Interstate I-275 after 5:00 p.m. The POD may increase or decrease the distance and time limitations as determined necessary to have unobstructed pedestrian and vehicular access.
3. **Tropicana Field Events.** Pedal buses shall not operate between and including 6th Street and 20th Street and Central Avenue to 5th Avenue South for 1.0 hour prior to and 1.0 hour after an event held at Tropicana Field.

4. **Crossing streets.** Pedal buses are allowed on streets designated with a speed limit of over 35 miles per hour for the sole purpose of crossing such portion where a 35 miles per hour or less speed zone is designated on both sides of the street. The pedal bus shall obey all State laws with regards to road crossings and travelling upon State and county roads.

5. **Street closures.** Pedal buses are not allowed on streets which have been closed except that if such closure is in association with a parade permit and the pedal bus is an authorized participant in such parade.

e. A pedal bus shall carry the following insurance at its own expense:

1. Commercial general liability insurance in an amount of at least $5,000,000.00 per occurrence, with $5,000,000.00 aggregate, and $5,000.00 medical payments coverage. This policy shall include coverage for (i) personal injury or death or property damage or destruction; (ii) participant and passenger liability; (iii) contractual liability under this agreement, and (iv) customers who bring alcohol on the pedal bus.

2. Automobile liability insurance of $1,000,000.00 combined single limit.

3. Workers’ compensation insurance as required by Florida law and employers’ liability insurance in an amount of at least $100,000.00 each accident, $100,000.00 per employee, and $500,000.00 for all diseases.

f. Pedal buses shall obey all traffic laws and shall not obstruct pedestrian traffic.

g. No glassware of any kind shall be allowed on the serving area of a pedal bus including but not limited to bottles, receptacles or drinking glasses. Glassware may be allowed to be stored on a pedal bus as long as the glassware is empty, securely stored so as to be inaccessible while the vehicle is in motion, and wrapped in paper, padding, or some other covering to prevent breakage.

### 28-5 Low Speed Vehicles

Low speed vehicles are required to comply with the following:

1. Low speed vehicles shall conform to all Federal and State regulations (currently Title CFR Part 571.500 and F.S. ch. 316).

2. Low speed vehicles shall have a clean, sanitary interior, free from torn upholstery or floor covering and from damaged or broken seats.

3. Low speed vehicles shall have the exterior parts free from cracks, breaks and dents; (4) Low speed vehicles shall be structurally sound and operate with a minimum of noise and vibration.

4. Low speed vehicles shall comply with posted regulations for stopping and standing and shall not stop or stand in on-street spaces reserved for, or marked as, bus stops and trolley stops.
(6) Low speed vehicles may use available public parking spaces for stopping or standing but shall comply with posted time requirements and meter charges and are subject to ticketing for failure to comply with such requirements.

(7) Low speed vehicles shall comply with all traffic regulations and shall not be allowed on any sidewalk.

(8) Notwithstanding the foregoing, City employees shall be allowed to operate low speed vehicles on any sidewalk or in any park provided such operation is necessary in carrying out their official duties.

28-6 Vessels

Vessels are required to comply with the following:

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

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

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

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

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

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

28-7 Optional City Certification

In addition to meeting the requirements of this chapter, any driver, owner, operator, or public vehicle company may have its respective public vehicles individually Certified by the City by completing an application on a form provided by the POD and pay the certification fee. To be Certified by the City, a public vehicle must meet and comply with all of the requirements of this section. Upon Optional Certification by the City each vehicle shall receive a registration number and a sticker certificate for display upon the vehicle.

(a) To qualify for Optional Certification by the City, all public vehicles, except nonmotorized vehicles and low speed vehicles, shall be equipped with the following:

(1) A rear view mirror and a side view mirror on the driver's side;

(2) A speedometer properly installed, in good working order;

(3) Clean, sanitary interior, free from torn upholstery or floor covering and from damaged or broken seats;

(4) Door hinges and latches in good mechanical working order and doors which operate easily and close securely;

(5) Body, fenders, doors, trim and grill reasonably free from cracks, breaks, and dents that would impair the safety or appearance of the public vehicle;
(6) Glass in the windshield and windows that shall be approved safety non-shatterable glass;

(7) Tires of the size appropriate for the public vehicle and with no mismatched "sized" tires. There shall be no cuts into the tire cord or sidewall area or localized worn spots that expose the ply;

(8) An operational horn with the activating button mounted in the location designated by the vehicle designed and assembled by the vehicle manufacturer;

(9) Seat belts that are available for passengers in all seats except jump seats, spaces designed to accommodate wheelchairs or where the seat belts are not required by law. Seat belts in operating condition and easily accessible by all passengers. For the purpose of this section, seat belts which are placed under the seat or between the lower and upper portions of the seat are deemed not easily accessible;

(10) Standard, operational windshield wipers for the entire front windshield which shall be controlled electronically or by vacuum and operated from the interior of the public vehicle. The wiper blades shall be in such a condition as to make firm contact with the windshield when operational, and shall not be torn or badly worn;

(11) An operational parking brake and an operational primary brake system which acts on all of the vehicle's axles; and

(12) An adequately operating air conditioning/heating system and windshield defrost or defogging system, which controls the temperature of the interior of the vehicle between 68 degrees Fahrenheit to 78 degrees Fahrenheit.

(b) A public vehicle company or a driver shall have each public vehicle inspected by an automobile mechanic certified by the National Institute for Automotive Service Excellence (ASE) or a person supervised by an ASE certified mechanic. Such inspection shall, at a minimum, evaluate and confirm the working condition of the vehicle's brake system, lights, steering, suspension, tires, and seat belts, along with all items noted in subsection (a) of this section. The company or driver shall maintain complete documentation of the current inspection in the public vehicle at all times and shall provide a copy of such documentation to the POD or a law enforcement officer upon request.

(c) To be Certified, each public vehicle must be covered by a commercial insurance policy compliant with Florida Statute 324.032 or a business ride share policy or endorsement providing minimum limits of $125,000/$250,000/$50,000. Each applicant for Optional Certification must obtain and file with the POD a certificate or certificates of insurance demonstrating compliance with the requirements of this section. The applicant for Optional Certification shall provide a schedule issued by the insurance carrier of all vehicles covered by the certificate of insurance. A change of the certificate of insurance shall be provided to the POD from the authorized insurance representative when public vehicles are added or deleted from the policy. The City shall be named as a certificate holder on the insurance certificate of all insurance policies maintained to satisfy the requirements of this section.

(d) The POD has the authority to revoke or suspend Optional Certification if the vehicle is deemed unsafe or hazardous, until an automobile mechanic certified by the National Institute for Automotive Service Excellence (ASE) or a person supervised by an ASE certified mechanic has corrected the unsafe or hazardous conditions and completed a safety inspection, or upon failure by the driver, owner or company to maintain the insurance requirements of this section.
To be Certified as a public vehicle company, in addition to meeting the requirements of this section, all company vehicles must display a uniform color scheme and/or logo throughout all vehicles at all times while operating as a public vehicle. Magnetic or other removable signage is acceptable. The logo shall be sufficiently large and color contrasted so that it is readable during daylight hours at a distance of at least 50 feet; and reflective, illuminated or otherwise patently visible so as to be seen sufficiently at all times from a distance of at least 50 feet.

For each new public vehicle Optional Certification issued between October 1 and March 31, the full amount of the certification shall be paid. For each new Optional Certification issued on or after April 1, one-half of the total amount of the certification shall be paid.

All Optional Certification fees for renewals shall be paid on or before September 30 of each fiscal year. If September 30 falls on a weekend or holiday, the renewal fee is due and payable on or before the first business day following September 30.

Certified public vehicles displaying the Certified public vehicle sticker for the current year may utilize public vehicle stands.

**28-8 Signage**

In addition to any vehicle signs allowed by the sign section of the land development regulations:

(a) All car services shall be allowed one triangular or one two-sided sign on the roof of the vehicle which shall not exceed two feet in height (as measured from the roof) or one one-sided sign which shall be attached to the trunk or bumper and directed toward vehicles following the public vehicle. No sign face shall extend beyond any side of the vehicle and no sign face shall exceed five feet in length. If vehicle or window wraps are used, the trade dress insignia logos must still be readily visible to the public.

(b) A non-motorized vehicle shall have no more than one sign on each side of the vehicle, each not more than two square feet and one sign on the rear of the vehicle not more than four square feet.

(c) Low speed vehicles are allowed to have both of the signs allowed for car services and any sign on the roof of the vehicle may have sign faces up to five feet in length. If vehicle or window wraps are used, the trade dress insignia must still be readily visible to the public.

**28-9 Discrimination Prohibited**

(a) All public vehicle drivers shall comply with all applicable laws regarding non-discrimination against passengers or potential passengers on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity.

(b) All public vehicle drivers shall comply with all applicable laws relating to accommodation of service animals.

(c) There shall be no additional charges for providing services to persons with disabilities because of those disabilities.
Public vehicle drivers shall provide passengers an opportunity to indicate whether they require a wheelchair-accessible vehicle. If a driver cannot arrange a wheelchair-accessible service, the driver shall direct the passenger to an alternate provider of wheelchair-accessible public vehicle services.

28-10 Penalty for violation.

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

Section 2. The “Public vehicle certificate” and “Public vehicle driver background check” categories in Section 12-6(9) of the St. Petersburg City Code are hereby amended to read as follows:

Public vehicle certificate Optional Certification.....200.00
Public vehicle driver background check .....90.00

Section 3. Section 26-1 of the St. Petersburg City Code is hereby amended to read as follows:

Taxi Certified public vehicle stand or taxicab stand means a fixed area in the roadway parallel and adjacent to the curb set aside for taxicabs City Certified public vehicles to stand or wait for passengers.

Section 4. The “Taxi stand” category of Section 26-167(a)(4) of the St. Petersburg City Code is hereby amended as follows:

Taxi Certified public vehicle stand .....30.00

Section 5. Section 26-146 of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 26-146. - Stopping, standing or parking of buses and Certified public vehicles taxicabs; use of bus stops and taxicab Certified public vehicle stands.

(a) The operator of a taxicab shall not stop, stand or park upon any street in any business district at any place or at any time other than at a taxicab stand except that this subsection shall not prevent the operator of any such vehicle from temporarily stopping in accordance with other stopping, standing or parking regulations at any place for the purpose of and while engaged in the expeditious unloading or loading of passengers.

(b) No person shall stop, stand or park a vehicle other than a public bus in a public bus stop or other than a Certified public vehicle taxicab in a taxicab Certified public vehicle stand when the bus stop or taxicab Certified public vehicle stand has been appropriately signed; however, the driver of a passenger vehicle may temporarily stop therein for the purpose of, and while actually engaged in, the expeditious...
loading or unloading of passengers when the stopping does not interfere with any bus or taxicab Certified public vehicle waiting to enter or about to enter the zone.

(b) To use a Certified public vehicle stand, a public vehicle must have the Certified public vehicle sticker for the current year permanently affixed to the outside rear left hand side of the vehicle.

(c) The provisions of subsections (a) and (b) of this section prohibiting the stopping, standing or parking of a vehicle shall apply at all times or at those times indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a Police Officer or official traffic-control device.

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

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

Section 8. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto this Ordinance, in which case this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

___________________________
City Attorney or Designee
AN ORDINANCE AMENDING CHAPTER 15, ARTICLE III OF THE ST. PETERSBURG CITY CODE; MODIFYING THE DEFINITIONS OF EMPLOYER AND INDEPENDENT CONTRACTOR; ADDING A NEW SECTION TO REQUIRE THAT EMPLOYERS PROVIDE EMPLOYEES WRITTEN NOTICE OF CERTAIN JOB-RELATED INFORMATION UPON HIRE; PROVIDING FOR A PRESUMPTION OF RETALIATION UNDER CERTAIN CIRCUMSTANCES AND INCREASING THE SCOPE OF ACTIVITIES DEEMED RETALIATORY; REVISING THE SCOPE OF CITY-FUNDED CONTRACTED SERVICES; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section one. The definitions of ‘employee or complainant employee’ and ‘independent contractor’ in Section 15-41 of the St. Petersburg City Code are hereby amended to read as follows:

Sec. 15-41. – Definitions

Employee or complainant employee shall mean a natural person who, while being employed by an employer, performs work within the geographic boundaries of the City while being employed by an employer, that benefits an employer located within the City even though the employee may have performed work outside the geographic boundaries of the City, but shall not include any bona fide independent contractor. ‘Employee’ may also include a person who performs work that benefits an employer located within the City even though the employee may have performed work outside of the City.

Independent contractor shall have the same meaning as in the Internal Revenue Code, Fair Labor Standards Act, and implementing federal regulations, administrative interpretations and guidance.

Section two. The St. Petersburg City Code is hereby amended by adding a new section 15-44 to read as follows. The existing Sections 15-44, 15-45 and 15-46 shall be re-numbered to follow sequentially.

Sec. 15-44. – Written notice provided to employees at time of hiring; contents; notification of changes to information.

(a) At the time of hiring, an employer shall provide to each employee a written notice, to be signed and dated by the employer and employee, containing the following information:
(1) The rate or rates of pay and basis thereof, whether paid by the hour, shift, day, week, salary, piece, commission, or otherwise, including any rates for overtime, as applicable;
(2) Allowances, if any, claimed as part of the minimum wage, including meal or lodging allowances;
(3) The regular payday designated by the employer;
(4) The name of the employer, including any “doing business as” names used by the employer;
(5) The physical address of the employer’s main office or principal place of business, and a mailing address, if different;
(6) The employer’s telephone number; and
(7) A template summary, available from the City, summarizing the protections and rights of employees pursuant to this article.

(b) An employer must retain, for a period of three years following an employee’s date of hire, a copy of the signed and dated written notice required by subsection (a).

(c) In addition to providing the written notice required by subsection (a), employers must place in a location accessible to all employees a poster, available from the City, summarizing the protections and rights of employees pursuant to this article.

(d) An employer shall notify his or her employees in writing of any changes to the information set forth in the notice required by subsection (a) within seven (7) calendar days after the time of the changes.

(e) An employer’s failure to adhere to any part of this section shall be a municipal ordinance violation not to exceed $500.00 per violation.

Section three. The re-numbered Section 15-46 of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 15-46. – Retaliation Prohibited

(a) Employers are prohibited from threatening, intimidating, or taking other adverse action against employees in retaliation for asserting any claim to wages pursuant to this article, and any such actions are violations of this article. Any employee or person because the employee or person has:

(1) Made a complaint to his or her employer that the employer has engaged in conduct that the employee, reasonably and in good faith, believes violates any provision of this article;
(2) Initiated a proceeding under this article;
(3) Provided information to the POD or any other person regarding a violation, investigation, or proceeding under this article;
(4) Testified in an investigation or proceeding under this article; or
(5) Otherwise exercised rights protected under this article.
Adverse actions include, but are not limited to, communicating to the employee, whether directly or indirectly, explicitly or implicitly, the willingness to inform a government employee that the employee is not lawfully in the United States.

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

(c) An employee complaint or other communication need not make explicit reference to this article or to any other provision of law to trigger the protections of this article. The employer, or any person acting on behalf of the employer, taking adverse action against an employee within ninety (90) days of an employee or other person’s engagement in the activities set forth in subsection (a) of this section shall raise a presumption that such action is retaliation, which may be rebutted by clear and convincing evidence that such action was taken for other permissible reasons.

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

Section four. The re-numbered section 15-47(a) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 15-47 Community engagement and proactive investigation.

(a) It is the policy of the City to engage community-based organizations to implement the purposes of this article. The POD may coordinate implementation of City-funded community outreach efforts, including developing appropriate guidelines or rules, and contracting with community-based organizations to provide such services. Contracted services may include, but are not limited to, educating employers regarding their obligations under this article, assisting employers with compliance, educating employees on their rights, assisting employees who wish to file complaints, and assisting employees who wish to record as a lien or otherwise pursue enforcement of any order issued by a hearing officer.

Section five. 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 six. 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 seven. The requirements of Section 15-44 will not become applicable to employers until ninety (90) days after a community-based organization has been selected for the purpose of facilitating implementation of this ordinance.

Section eight. 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 or designee
DATE: October 17, 2016

TO: The Honorable Members of City Council

SUBJECT: The Florida Holocaust Museum Update

PRESENTER: Elizabeth Gelman, Executive Director
The Florida Holocaust Museum

SCHEDULE FOR COUNCIL ON:
November 10, 2016

Steve Kornell, Council Member
District 5
DATE: October 19, 2016

TO: The Honorable Members of City Council

SUBJECT: SPC & Gasparilla Music Foundation Music Instrument Drive

PRESENTERS: Rosaria Pipitone and David Cox

SCHEDULE FOR COUNCIL ON:
November 10, 2016

Attachment

Steve Kornell, Council Member
District 5
Recycled Tunes
BY THE GASPARILLA MUSIC FOUNDATION
IN PARTNERSHIP WITH
SPC St. Petersburg College

A MUSIC INSTRUMENT DRIVE
Benefiting Pinellas County Schools

November 14th - 18th

*SEE BACK FOR SPECIFIC DROP OFF TIMES.

Recycled Tunes is a community outreach program designed to provide students in Pinellas County with musical instruments.

An instrument can change the direction of a student's school life, allowing for social interaction and encouraging good grades.

1 BRING IN USED INSTRUMENTS
We will work hard to refurbish all instruments so they'll find a new home.

2 GET YOUR SWAG BAG
In exchange for your gently used instrument, donors will receive one free single day general admission ticket to Gasparilla Music Festival 2017 along with other promotional materials.

3 WE DONATE TO SCHOOLS
We'll donate your instruments to schools and students in need in Pinellas County.

4 SEE DONATIONS PLAYED
Attend our Music Industry Recording Arts Showcase on Nov. 28 from 6-9 PM at the Palladium to see students who benefited from Recycled Tunes play their new instruments.

JOIN US FOR OUR KICKOFF EVENT:
St. Petersburg / Gibbs Campus - SS Building
November 14th | 12-7PM
DROP OFF LOCATIONS*

*If dropping off large instruments such as pianos, please call ahead. Contact Rosaria Pipitone at 727-314-4722.

**Clearwater** - ST 122
2465 Drew St.
Clearwater, FL 33765
MON & WED: 1-5PM
TUE & THUR: 4-7PM
FRI: 9AM-12PM

**Downtown** - DC 225 - 2nd Floor
244 Second Ave. N
St. Petersburg, FL 33701
MON & WED: 1-5PM
TUE & THUR: 4-7PM
FRI: 9AM-12PM

**Midtown** - Front Desk - Main Entrance
1300 22nd St. S.
St. Petersburg, FL 33710
MON & WED: 1-5PM
TUE & THUR: 4-7PM
FRI: 9AM-12PM

**Seminole** - UP 192
9200 113th St. N
Seminole, FL 33772
MON & WED: 1-5PM
TUE & THUR: 4-7PM
FRI: 9AM-12PM

**St. Petersburg / Gibbs** - Lobby
6605 Fifth Ave. N
St. Petersburg, FL 33710
MONDAY KICKOFF: 12-7PM (SS Building)
WED: 1-5PM
TUE & THUR: 4-7PM
FRI: 9AM-12PM

**Tarpon Springs** - Varies by Day
600 Klosterman Rd.
Tarpon Springs, FL 34689
MON & WED: AG Building 1-5PM
TUE & THUR: FA Building 4-7PM
FRI: AG Building 9AM-12PM
St. Petersburg City Council Agenda Item
Meeting of November 10, 2016
Reports

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

Subject: Authorizing the Mayor or his designee to execute Task Order Number # 16-02-KHA/T to the consulting agreement with the City of St. Petersburg and Kimley-Horn and Associates, Inc. dated June 1, 2016 for the Complete Streets Implementation Plan in the amount of $194,700 (Oracle No. 15089).

Explanation:
On November 2, 2015, Mayor Kriseman signed Administrative Policy #020400 that created the City of St. Petersburg’s Complete Streets Policy to encourage streets that are safe and convenient for all users of the roadway, including persons walking, persons riding bicycles, motorists, persons with disabilities, users and operators of public transit, seniors, children, and movers of commercial goods. On November 12, 2015 City Council approved a resolution affirming its support of the Complete Streets Program and the Administrative Policy. The Policy outlines the approach and steps the City will pursue to achieve a network of Complete Streets in St. Petersburg, including the creation of a Complete Streets Implementation Plan. The Implementation Plan includes an update of the 2003 Bicycle and Pedestrian Master Plan as an essential piece of a comprehensive, integrated, and connected network of transportation facilities. The Complete Streets approach differs from a traditional transportation facilities plan by identifying processes and projects that fit the land use context and contribute to achievement of broader community objectives such as safety, equity, public health, and economic development.

Since it was adopted, the City has worked to implement the Policy in a number of ways, including by establishing the City’s Complete Streets Committee. The group, as described in the Policy, is a twenty-member committee with representation from various City departments, partner organizations, and citizen perspectives that impact, or are impacted by, decisions related to the transportation network in St. Petersburg. A list of the designated representatives to the Committee is attached for your reference. The Committee meets on a monthly basis with meetings that are open to the public and announced accordingly in the Weekly Calendar. City staff has also worked with the County to expressly allow the use of Transportation Impact Fees to fund planning efforts that can now be used to create the Complete Streets Implementation Plan.

The City has also recently completed a competitive process to hire select professional engineering firms (three total) that have specialized skills in the areas of Traffic Calming, Bicycle/Pedestrian, and Development of Regional Impacts projects. These agreements, after City Council approval, commenced on June 1, 2016 and are in effect for four years. Complete Streets is directly related to Bicycle/Pedestrian planning/design/construction and is related to Traffic Calming as well as other tasks contemplated within the June 1st agreement, therefore making this Task Order appropriate under the referenced agreement. One of the selected firms with the specialized skills and expertise that will be especially suited to partner with the City on our Complete Streets efforts
is Kimley-Horn and Associates. Together with their sub-consultant, Toole Design Group, they have the capability and available resources to bring the Complete Streets Implementation Plan together on behalf of the City. While all three firms that are under contract based on the selection process are very capable firms, the team led by Kimley-Horn and Associates was selected for this particular task due to their experience and demonstrated success with similar projects in both Florida and across the country. Kimley-Horn has also proven to be able to bring complex tasks to completion and demonstrated proven problem-solving skills locally in the area of complete streets in the past. For example, Kimley-Horn was the firm that recently worked with the City and FDOT to find creative solutions to be able to construct a technically difficult final segment of the Bayway Trail which opened approximately one year ago.

The proposed Scope of Work that would be performed by Kimley-Horn is attached for your reference. To summarize, the Plan will involve approximately eight major tasks in addition to routine project management and preparation of a final report with executive summary. A brief description of the tasks is included below:

- **Brand Development and Social Media Kickoff:**
  This task is necessary to establish an easy identity with the public for the Complete Streets Implementation Plan. The Plan will not only serve as a roadmap for development and partial transformation of the City's street network, it will also serve as an update to the Bicycle Pedestrian Master Plan that was adopted in 2003. That effort was branded under CityTrails. This task will include a review of the CityTrails brand and provide recommendations for how that branding effort can be updated to reflect the City's Complete Streets program.

- **GIS Database Development and Inventory:**
  This task is necessary for Kimley-Horn to work with the City and its partner agencies (Pinellas County, FDOT, PSTA) to update its Geographic Information Systems (GIS) database as it relates to transportation systems data. The scope of this task is primarily limited to consolidation and verification of data points provided by the City in order to preserve project budget for work that is best accomplished by the consultant.

- **Transportation Project Delivery Procedure Review:**
  This task is necessary for the City to comprehensively review how transportation projects are brought to fruition. Currently, transportation projects can be delivered through a variety of sources including but not limited to annual resurfacing, grant opportunities, and identification of traffic safety concerns. The Complete Streets Implementation Plan will develop a procedure for each project type to ensure that the City is pursuing Complete Streets in a comprehensive manner for all stages of the transportation systems lifecycle - planning, engineering, construction, maintenance, and operations.

- **Goals, Objectives, and Guiding Principles Development:**
  This task is necessary to develop the Goals and Objectives for Complete Streets in St. Petersburg. These elements will be used as the Guiding Principles used by the City to implement transportation projects, including projects/programs that may not be explicitly identified during the Complete Streets Implementation Plan. The Complete Streets
program Goals will address at least the following topical areas:

- Enhanced Safety
- Social Equity
- Improved Public Health
- High Quality of Life
- Mobility options between neighborhoods, employment, and services
- Economic Development
- Creation of quality places (place-making) and vibrant corridors
- Comfortable Access for a variety of users
- Transportation compatibility with community context
- Network Integration (locally and regionally coordinated)
- Community Sustainability

- Public Engagement Activities
  A robust public engagement program is necessary to ensure that the community has ample opportunities to provide input and discuss how Complete Streets will be implemented in the City. The importance of this project element is emphasized by being the single largest budget line item. This task will include a variety of mechanisms by which the public will be engaged including area-wide meetings, stakeholder meetings, online surveys, project newsletters, and interactive social media.

- Transportation System Performance Metrics
  This task is necessary for the City to develop an additional series of metrics by which the success of streets in St. Petersburg will be measured. To date, the City’s Comprehensive Plan includes only motor vehicle Level of Service as a direct indicator of success. The Complete Streets Implementation Plan during this task will pull from national best practices to develop metrics related to the project goals and objectives as well as those for the various modes that should be considered for the roadway network to be Complete.

- Complete Streets Recommendations
  This task is necessary to in order to develop a set of policy and administrative changes that should be implemented for the City to fully realize the benefits of Complete Streets in St. Petersburg.

- Implementation Action List
  This task is necessary to prioritize a specific list of project opportunities for a 1-year, 5-year, and 10+- year capital program for Complete Streets in St. Petersburg.

Cost/Funding:
Funds have been previously appropriated in the Transportation Impact Fees Capital Improvement Fund (3071) Complete Streets FY16 Project 15089.

Recommendations: Administration recommends that Council adopt the attached resolution Authorizing the Mayor or his designee to execute Task Order Number # 16-02-KHA/T to the consulting agreement with the City of St. Petersburg and Kimley-Horn and Associates, Inc. dated
June 1, 2016 for the Complete Streets Implementation Plan in the amount of $194,700 (Oracle No. 15089).

**Attachments:**

1. Resolution
2. Complete Streets Implementation Plan Scope of Work
3. Complete Streets Committee Fall 2016 Membership List

**Approvals:**

Date 10/28/16

Date 10/27/16
RESOLUTION 2016-_______

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE TASK ORDER NO. 16-02-KHA/T TO THE ARCHITECT/ENGINEERING AGREEMENT DATED JUNE 1, 2016 BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND KIMLEY-HORN AND ASSOCIATES, INC. IN AN AMOUNT NOT-TO-EXCEED $194,700 FOR PROJECT MANAGEMENT AND PREPARATION OF A FINAL REPORT RELATED TO THE COMPLETE STREETS IMPLEMENTATION PLAN (ORACLE NO. 15089); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") and Kimley-Horn and Associates, Inc. ("KHA") entered into an architect/engineering agreement on June 1, 2016, for KHA to provide Miscellaneous Professional Services for Traffic Calming, Bicycle/Pedestrian and Development of Regional Impact Projects; and

WHEREAS, the City desires to execute Task Order No. 16-02-KHA/T for KHA to provide routine project management and preparation of a final report related to the Complete Streets Implementation Plan.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is hereby authorized to execute Task Order No. 16-02-KHA/T to the architect/engineering agreement dated June 1, 2016 between the City of St. Petersburg, Florida and Kimley-Horn and Associates, Inc. in an amount not-to-exceed $194,700 for project management and preparation of a final report related to the Complete Streets Implementation Plan (Oracle No. 15089).

This resolution shall become effective immediately upon its adoption.

APPROVALS:

City Attorney (designee)  

Evan Mory  
Director, Transportation & Parking Management
Background

The City of St. Petersburg adopted a Complete Streets Policy on November 2, 2015 (#020400) to encourage streets that are safe and convenient for all users of the roadway, including persons walking, persons riding bicycles, motorists, persons with disabilities, users and operators of public transit, seniors, children, and movers of commercial goods. The policy outlines the approach and steps the City will pursue to achieve a network of Complete Streets in St. Petersburg, including the creation of a Complete Streets Implementation Plan (Plan) that includes an update of the 2003 Bicycle and Pedestrian Master Plan as an essential piece of a comprehensive, integrated, and connected network of transportation facilities that fit the land use context and contribute to achievement of community objectives including:

Project Goals

- Enhanced Safety
- Social Equity
- Improved Public Health
- High Quality of Life
- Mobility options between neighborhoods, employment, and services
- Economic Development
- Creation of quality places (place-making) and vibrant corridors
- Comfortable Access for a variety of users
- Transportation compatibility with community context
- Network Integration (locally and regionally coordinated)
- Community Sustainability

Project Description

The work products described in this scope support the Policy through the creation of compatible and flexible design elements, integrated network strategies, and mode prioritization for constrained settings that are responsive to existing mode-specific plans, street type, and community context. Furthermore, the Plan will describe a set of procedures for prioritizing and implementing complete streets through a variety of methods. The Plan will establish the project delivery process modifications needed to improve the evaluation, planning, design, construction, operation, and maintenance phases of all roadway development and redevelopment projects.

The Plan will document existing conditions and barriers, identify corridors and districts that are prime for Complete Streets improvements, establish a network of low-stress bicycle routes, and identify additional facilities needed to make walking, bicycling, and transit safe and comfortable choices. This project is proposed to complete a set of data collection and agency coordination tasks. This project will provide a final deliverable which will serve as the City's Complete Streets GIS which can be used for tracking, analysis, and for costing the various projects that will be implemented as a result of the Complete Streets Policy. In addition, this assignment will also include a series of meetings to develop a set of goals for implementing the policies as well as to develop partnerships that will facilitate funding from sources outside of the City's current capital improvements plans.
**Scope of Services**

**Complete Streets Implementation Plan Development Tasks:**

**Task 1 – Project Management Activities**

Kimley-Horn will prepare for and facilitate up to 10 project team meetings with the City Project Manager (PM) (with other City staff attending) to review and discuss the ongoing project activities. These meetings may be held in-person or in the form of a teleconference to review various project tasks, project schedule and milestones, and upcoming activities. Coordination of the work efforts will be discussed. In addition, Kimley-Horn will provide written monthly progress reports with a description of the work performed during each month. This monthly progress report will accompany each monthly invoice.

**Deliverables:**

- Monthly project team meetings, up to 10
- Monthly progress reports

**Task 2 – Brand Development and Social Media Kickoff**

Building off of the existing brands already present within the City of St. Petersburg, a project brand for this effort will be created. An initial step in developing a Complete Streets project brand is an evaluation of the existing "City Trails" brand and logo used on reports and wayfinding signs, with resulting direction to include potential revision or abandonment of the logo and signage. The Brand will consist of a PowerPoint template, and report template that will be coordinated with the existing brands in the City providing a unified look for all avenues made available for the public to provide feedback on ideas presented through a social media campaign including slogans and imaging ideas.

The social media campaign for the project will have a kickoff meeting once the project kickoff meeting has occurred. The social media kickoff will include a meeting with City staff to determine the procedures for the posting of information and what social media sites will be used. This meeting will be scheduled as part of either the project kickoff meeting or another project management meeting. This campaign will consist of the following social media sites:

- Facebook
- Instagram
- Twitter

**Deliverables:**

- Project Brand
- Social Media Kickoff Meeting and campaign development

**Task 3 – GIS Database Development and Inventory**

Kimley-Horn will hold one (1) meeting with the City GIS staff to coordinate and establish standards for data development, formatting, and data delivery of the project GIS datasets developed during the project. Kimley-Horn will provide sample map templates for review and comment by staff during the meeting to discuss the project map template for use on all deliverables. Two (2) GIS map templates will be developed for this project, one (1) large scale (24x36) for use during public outreach activities and wall display and one (1) small scale (11x17 or 8.5x11) map for use in reports and handouts.

Kimley-Horn will develop, in coordination with City staff a list of existing, needed and requested datasets outlining the datasets associated with the Complete Streets initiative to submit to City staff for review and one (1) round of comments. Kimley-Horn will update the inventory outline per comments provided. The inventory will be used to document the associated information that will be used in understanding gaps as well as information needed for future tasks and will include a proposed maintenance schedule for each dataset.
The below list of datasets will be provided by the City to Kimley-Horn. Once acquired, Kimley-Horn will review and incorporate them into the project GIS. Maintenance or continual updates of the shapefiles or geodatabases is not provided with this task and is considered additional services. In addition, this task will not include creation of new data sources. Coordination will occur so that the GIS development will also serve to update some of the City’s street maps found in the Comprehensive Plan. Specifically, this effort will address and be limited to the streets maps in the Transportation and Capital Improvements elements.

Datasets to be provided by the City:

<table>
<thead>
<tr>
<th>SOURCE:</th>
<th>City of St. Petersburg</th>
<th>Pinellas Suncoast Transit Authority (PSTA)</th>
<th>FDOT/Pinellas County</th>
<th>US Census</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-motorized facilities:</td>
<td></td>
<td>Transit routes, stops, ridership for last year, and transfer locations (existing &amp; proposed), ridership</td>
<td>Functional Classifications, FDOT Five Year Work Program, and Re-surfacing schedule</td>
<td>Socio-economic data</td>
</tr>
<tr>
<td>• Existing and planned Sidewalks,</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Existing and planned On-street bikeways and facilities by type,</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Existing and planned trails, surface, and width</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Neighborhood boundaries</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Council Districts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>School zones</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bike Share, Parking facilities</td>
<td>Freight routes/SIS</td>
<td>Traffic volumes and capacities (Last 3 years, if available)</td>
<td>Traffic Signals: locations, pedestrian signal types, ITS installations</td>
<td></td>
</tr>
<tr>
<td>Existing and Future Land Uses</td>
<td>Crash data (Last 3 years, if available)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zoning: Neighborhood and commercial centers, Industrial and employment centers, historic designations</td>
<td>LIDAR and Tree Canopy Analysis (expected to be completed in early 2017)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Comprehensive Plan transportation maps</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The information collected during this task will be used to perform an initial assessment of constraints related to complete streets within the study area. Potential constraints may include:

- Major barriers to multimodal travel (i.e. interstates, railroads, one-way streets, large arterials).
- Jurisdictional responsibility/ownership – Who will be responsible for updating the information or at a minimum, documenting where the information was obtained.
- Review of Pedestrian and Bicycle Crash Assessment Tool (PBCAT) information provided by City staff for the last three years and add crash type information to mapped crashes provided by the City.

The results of the assessment along with a summary or the work performed within this task will be documented in a memorandum and submitted to the City for review and one (1) round of comments.

Deliverables:

- Meeting with City GIS staff (1 meeting)
- Large scale GIS map template (24x36)
- Small scale GIS map template (11x17 or 8.5x11)
- Develop Complete Streets GIS dataset inventory outline
- Complete Streets Implementation Plan GIS geodatabase (shapefiles/geodatabases/map packages)
- Narrative summary describing the results of the GIS baseline review task in memorandum format
**Task 4 – Transportation Project Delivery Procedure Review**

To help provide a sound foundation for future recommendations for Complete Streets implementation, Kimley-Horn will review and summarize the existing project delivery procedures. This will be completed in close coordination with the City PM and based on information that is provided by the City’s various transportation infrastructure partners and agencies. This will include a review and assessment of project delivery partners, funding, project types, development review procedures and standards, and design standards. As part of this task’s development, project flow chart infographics will be developed that illustrate the current project delivery processes. City staff will provide initial information on the current processes that will be utilized to develop the flowcharts. This will be used as the basis for describing the various steps and how the overall processes can be improved to have the Complete Streets projects fully integrated into each process. This will result in a series of recommended changes to the project delivery procedures with the steps and responsible entities that will need to be involved.

The table below details the project process types that will be researched and summarized:

<table>
<thead>
<tr>
<th>Funding categories and associated procedures</th>
<th>Transportation project types</th>
<th>Design guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Multimodal Impact Fees</td>
<td>• Resurfacing and maintenance</td>
<td>• Current standards used by City</td>
</tr>
<tr>
<td>• City CIP (Penny for Pinellas or other)</td>
<td>• Congestion Mitigation/Management (including ITS)</td>
<td>• Unique local network and land use characteristics</td>
</tr>
<tr>
<td>• Forward Pinellas – MPO/PPC (Complete Streets Program or other)</td>
<td>• New Construction</td>
<td>• Relevance to and incorporation of additional City initiatives, specifically Sustainability and Healthy St. Pete</td>
</tr>
<tr>
<td>• County CIP</td>
<td>• Safety</td>
<td>• Current design exception process</td>
</tr>
<tr>
<td>• MPO/State/Federal (including overview of FAST Act programs, and other agencies with programs related to active transportation)</td>
<td>• Safe Routes to School</td>
<td></td>
</tr>
</tbody>
</table>

**Deliverables:**

- Write-up with the above activities, project processes and initiatives summarized based on their relevance to the implementation of the City’s Complete Streets Policy including recommended changes to the project delivery procedures with the steps and responsible entities that will need to be involved.

**Task 5 – Goals, Objectives, and Guiding Principles Development**
Kimley-Horn will develop a set of draft goals, objectives, and guiding principles for use in the project. The City will provide similar goals, objectives, and guiding principles from existing and previous projects to Kimley-Horn. The guiding principles will be designed to help the project team and the Complete Streets Committee in resolving differences in opinion when making project decisions. Once the overall project goals are defined, a set of project objectives will be developed to support and achieve those goals. The guiding principles will be developed with these goals and objectives in mind and in a manner that will support them being achieved. Later in the project, when complete streets projects are being evaluated, the project goals, objectives and guiding principles will be considered and will guide and prioritize those decisions.

**Deliverables:**

- Project Goals, Objectives, and Guiding Principles

**Task 6 – Public Engagement Activities**

The public engagement for this project will include a combination of methods to receive input and feedback from stakeholders.

**Social Media**

In addition to website content, social media pages will be created for the project on the following social media sites:

- Facebook
- Instagram
- Twitter

Content for the social media sites will be provided to the City and the City’s Marketing and Communications Department for review and comment prior to posting. The social media sites will provide information similar to that of the website as well as local photos and/or events that are coordinated with the efforts of the project. The social media efforts will also include a hashtag (#) branding of the project, which will allow all social media efforts for the project to be connected, regardless of the source.

**Project Newsletters**

Kimley-Horn will create two (2) project newsletters that will incorporate the project brand. The first will be provided at the beginning of the project to communicate the project purpose, anticipated outcomes, and how the public can provide input. This will include information on the social media sites, the online commenting tool, and the dates and locations for the public workshops. The second project newsletter will be provided at the end of the project to summarize the Plan development activities and outcomes. It will summarize the Plan recommendations and next steps for implementation. Both newsletters will be four (4) page color documents (11"x17" folded).

**Project Survey**

A project survey will be created through Survey Monkey. The survey will be developed by Kimley-Horn with one round of review by the City before distribution. The survey will be distributed to the public through the City’s email list, City’s website, social media sites, as well as partnering agencies willing to provide the information to their email lists and/or online sites. The duration that the survey will be available to the public will be determined at the project kickoff meeting by the project team and will become a part of the project schedule.

**Public Workshops**

Kimley-Horn will prepare for and facilitate up to four (4) public workshops will be held to gather public input on the project. The workshop locations will be determined and reserved by the City PM. All workshop advertisements will be the responsibility of the City. It is generally assumed that the workshops will be located in a way that allows citywide geographic coverage.
Each workshop will include a brief presentation followed by an open workshop to engage the public and stakeholders. The workshop format will include a series of printed map boards where the public can provide comments and evaluate complete streets features. Input will be encouraged to determine focus areas and safety issues. Kimley-Horn will provide up to three staff members and the City will provide two staff members. Comment forms and other materials will be provided by the Kimley-Horn.

The workshop locations and dates will be coordinated with City staff to make sure the locations are accessible by alternate modes of transportation and that the dates do not conflict with other planned City events. This will help maximize the number of attendees to the workshops. The workshops will be advertised through the City website and social media.

**Stakeholder Meetings**

Once draft Plan recommendations have been reviewed by City staff, the recommendations will be presented to up to four (4) stakeholder group meetings that may include the following:

- Chamber of Commerce
- Partnering Agencies including Forward Pinellas (Metropolitan Planning Organization and Pinellas Planning Council), Pinellas Suncoast Transit Authority, Florida Department of Transportation District 7
- Council of Neighborhood Associations
- City Bicycle and Pedestrian Advisory Committee
- Special interest group

The list of stakeholder group meetings will be discussed with the City PM and confirmed.

**Complete Streets Committee Meetings**

The Complete Streets Committee will be provided with up to three (3) project update meetings. There will be one kickoff meeting with the group. The second meeting will be provided in the middle of the project schedule to provide a project update. The third will be provided to discuss the project recommendations to allow for final feedback from the Committee.

**City Council Meetings**

Kimley-Horn will prepare for and present at two (2) meetings with the City Council. The first meeting will be a project kickoff meeting to present and discuss the project tasks, upcoming deliverables, and the project schedule. The second meeting will be a workshop with the City Council as the project progresses to discuss the feedback received through the public involvement efforts as well as the draft recommendations. The draft recommendations will be provided to the City PM prior to the workshops to allow review time for detailed discussion at the workshop. The third meeting will be a presentation to the City Council to adopt the final Complete Streets Implementation Plan.

**Public Involvement Summary**

Kimley-Horn will develop an overall public involvement summary. This summary will be compiled based on the public involvement activities listed above. The summary will include input that will be considered in the development of the project recommendations. It is anticipated that the summary will be included in the Plan as an appendix.

**Deliverables:**

- Website content provided to staff once a month for the duration of the project
  - Social Media established and updated monthly
    - Facebook
    - Instagram
    - Twitter
- Two project newsletters
- Project survey and survey summary memorandum
• Four public workshops, PowerPoint presentation(s), agenda, and maps
• Up to four stakeholder meetings
• Up to three Complete Streets Committee Meetings
• Up to two City Council meetings
• Public Involvement Summary
• Additional meetings will be considered additional services.

**Task 7 – Transportation System Performance Metrics**

Kimley-Horn will work with the City PM and the Complete Streets Committee to develop a series of transportation system performance metrics with the intent of documenting a clear set of procedures (metrics) for providing complete streets elements in the City upon the completion of this project and in the future.

Kimley-Horn will review current national best practices and evolving guidance from FHWA, and other sources, to develop evaluation tools to include:

a. Network Connectivity Indices
b. Fiscal Stewardship (including lifecycle costs of infrastructure types)
c. Motor Vehicle Level of Service
d. Multi-Modal Level of Service
e. Level of Traffic Stress
f. Economic Development Potential
g. Neighborhood Character
h. Sustainability and Equity (including Urban Heat Island Reduction)
i. Public Health Indicators

Kimley-Horn will also research and develop the framework of a program for routine multimodal counting that may include: Screen lines, equipment, methodologies, frequencies, and uses. This section will also include an assessment of how other data counting efforts can be utilized, if possible. For example, Strava is currently updating its data collection methodology to better serve this purpose.

Kimley-Horn will develop a Complete Streets Functional Overlay for the roadway network, except local streets, with input from the City PM and the Complete Streets Committee. This will include an assessment of providing a Complete Streets functional classification overlay for principal arterials, minor arterials, collectors, and neighborhood collectors. The functional overlay (street typology) will include such elements as the appropriate mix of facilities and design speeds to meet the desired land use character and modal priority for each corridor. In addition, this functional overlay will consider the creation of a matrix of land uses, transportation elements, and redevelopment opportunities, and the establishment modal priority, desired operating speed, and the appropriate mix of facilities to meet the given or desired land use character for each functional overlay type.

This task will also include an evaluation of the St Petersburg transportation networks that will include:

• Applying evaluation tools and document the results
• Applying functional overlay to Collectors and above
• Reviewing and documenting Existing Modal Networks & Identify Gaps and Barriers

**Deliverables:**

• Transportation System Performance Metrics Report Section

**Task 8 – Complete Streets Recommendations**

Based on the completion of the previous tasks, Kimley-Horn will develop a series of Complete Streets recommendations that will facilitate the implementation of the City’s Complete Streets Policy. These recommendations will be developed in close cooperation with the City PM, the Complete Streets Committee, key stakeholders, and the public. These recommendations will be developed for three key areas:
• Policy
• Project delivery and procedures
• Facilities

For the policy, procedure, and facility recommendations, Kimley-Horn will develop and assessment of the possible changes or additions to the following areas:

• Policy changes for the following areas
  • Administrative
  • Comprehensive Plan Elements, included but not limited to:
    • Future Land Use (Urban Form Types)
    • Transportation
    • Recreation and Open Space
    • Capital improvements
    • Historic Preservation
    • Conservation
    • Intergovernmental Coordination
    • Public School Facilities
    • Base maps related to Transportation Updates
  • Land Development Code Elements

• Project delivery procedure changes that consider the following:
  • Funding Options/Categories
  • Guidance for new project types
  • Transportation Demand Management
  • Programs and education materials for staff training and public education
  • Process/changes for incorporating Complete Streets initiatives as part of the development review process
  • Events – balance the transportation/recreation angles, support safety and community-oriented events: murals, painted intersections, Co-op and other community-based rides, Open Streets
  • Design Guidance - Changes and additions needed to existing planning, design, maintenance, and operations guidance to address and incorporate the following specific topics and evolving state and national standards:
    • Neighborhood Greenways
    • Commercial Plazas
    • Parking Lots
    • Separated bikeways
    • Bike lane/intersection treatments
    • Lane Widths
    • Bicycle and pedestrian scale
    • wayfinding protocols
    • Shared Use Trails
    • Traffic Signals and Intelligent Transportation Systems
    • Roundabouts
    • Lane Conversions/Reassignment
    • Stormwater
    • Transit Access & station/stop elements
    • Bridges

• Facility Recommendations that consider the following:
  • Local context: Community land uses and anticipated user types
  • Proposed Modal Networks, including facility types, and planning-level cost estimates (for top tier projects only, year 1 through 3) for each segment/project
  • Establishing street typologies (does not include mapping)
  • Establishing flexible application processes
  • Complete Streets Functional Classification Overlay (does not include local streets)
  • Define Key City Corridors
    • Lane reductions/conversions
    • One-way conversions
    • Complete Streets Conversions
• Place making and Economic Development
• City Trails
• Safety
• Pedestrian
• Bicycle
• Bike Share
• Traffic calming
• Transit
• Freight

Deliverables:

• Project recommendations report section. This deliverable will not include the specific language changes to either the Comprehensive Plan or the Land Development Code; instead, it will include a summary of the needed changes so those changes can occur as a separate effort.

Task 9 – Implementation Action List

Kimley-Horn will work with the City PM and the Complete Streets Committee to develop a Draft and Final Complete Streets Implementation Plan. This will consist of a report document as well as a separate Executive Summary that highlight the Plan and what its goals and objectives are. The Final Plan will be completed after addressing one set of comments. These documents will be provided in electronic format. The report will include the following:

• Report and results from the previous tasks
• Policies & Project Delivery Next Steps
• Complete Streets Checklist Tool that provides guidance for applying flexible treatments based on the community land uses, applicability to relevant and related City initiatives, and available right-of-way (Brochure format).
• Actions required to be recognized for the City’s efforts, including: League of American Bicyclists (LAB) Bicycle Friendly Community Silver or Gold, Walk Friendly Community, Age-Friendly Community, etc.
• Infrastructure Prioritization & Project Selection Criteria
• 1-Year Work Program
  • Identifying Pilot Project(s)
  • 3R related projects (re-striping)
• 5-Year Work Program
  • Including scheduled Fiscal Year 2021 Complete Streets Implementation Plan Update
• 10-Year Work Program based on anticipated and dedicated funding
  • Unfunded Program (Needs Plan)
• Recommendations that update the Bicycle and Pedestrian Plan (Identified bike and pedestrian modal networks created at the completion of each work program tier)

Deliverables:

• Complete Streets Implementation Plan
• Bicycle and Pedestrian Plan Update

Task 10 – Draft Complete Streets Implementation Plan Report

Kimley-Horn will develop a Draft Complete Streets Implementation Plan Report and provide this to the City PM. The Draft Plan will be complete with narrative, graphics, photos, and all of the report content from the above tasks from the data collection to the recommendations. The Plan will also contain an executive summary. Based on the City PM's review and one round of comments, Kimley-Horn will revise the document and re-submit it to the City PM. Once completed, the City PM will provide this to the Complete Streets Committee for their review.
Deliverables:
- Draft Complete Streets Implementation Plan Report

**Task 11 – Final Complete Streets Implementation Plan Report**

Kimley-Horn will develop a Final Complete Streets Implementation Plan Report and provide this to the City PM. The Final Plan will be complete with revised narrative, graphics, photos, and all of the report content from the above tasks from the data collection to the recommendations. The Plan will also contain an executive summary. Based on the City PM’s review and one round of comments, Kimley-Horn will revise the document and re-submit it to the City PM. Once completed, this Final Plan will be provided and presented to the City Council for final adoption.

Deliverables:
- Final Complete Streets Implementation Plan Report

**Task 12 – Complete Streets Implementation Plan Infographic Executive Summary**

Kimley-Horn will develop a Complete Streets Implementation Plan Infographic Executive Summary and provide this to the City PM. This document will be a full color document that highlights the City’s accomplishments since the original Bike-Pedestrian Master Plan was developed in 2003. The document will include a set of maps or figures that depict what facilities have been added and what accomplishments have been made and based on the outcome of this project, what the vision is moving forward. The document will also provide information about how this project was developed, how stakeholders were involved, and what the final recommendations are. This document will include a narrative, graphics, photos, and highlights from the full report. Based on the City PM’s review and one round of comments, Kimley-Horn will revise the document and re-submit it to the City PM. Once completed, this document will be provided as an electronic (PDF) document to the City PM.

Deliverables:
- Complete Streets Implementation Plan Infographic Executive Summary

**Task 13 - Allowance**

This task will include additional services not provided in Tasks 1 through 12 requested by the City. This task may include additional services requested by the City but not specifically identified at this time.

---

**Project Budget Estimate:** $194,700, plus allowance tasks (if requested, TBD)

**Schedule:** 12 Months

The below tasks will be completed by the City:

**GIS Data Collection and Reconciliation**

The City staff will update the current City bicycle lane data through desktop analyses and field observations to confirm areas of the study area that cannot be confirmed through aerials. Other information or detailed field collection will be provided by City staff. The existing bicycle facility GIS will be updated to include facility type such as bicycle lanes, shared bicycle lane, separated bikeways, trails, non-standard bicycle facilities at a high level in regard to bicycle lanes that are not standard. City staff will provide a map mark-up of known areas that do not meet standards. Once this information is provided to Kimley-Horn, it will be consolidated into the
project GIS (by Kimley-Horn) to create a new set of bicycle facility GIS shapefiles. The City will also provide its traffic count inventory dataset. This will be used later in the analysis and recommendation tasks.

**Base Conditions and Data Collection (Non-GIS)**

City staff collect and summarize information relative to current, past, and ongoing projects, activities, and initiatives. These are outlined in the below table. The City will collect the existing information and it will be briefly summarized. The summary will provide the relevance and benefits to the Complete Streets Implementation Plan. In addition, possible partnerships, funding options will be summarized. This information will be provided to Kimley-Horn.

<table>
<thead>
<tr>
<th>CURRENT, PAST, AND ONGOING PROJECTS, ACTIVITIES, AND INITIATIVES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Progress since completion of 2003 Master Plan, by facility type and delivery method, including:</strong></td>
</tr>
<tr>
<td><strong>Existing Modal Networks:</strong></td>
</tr>
<tr>
<td><strong>LAB Bicycle Friendly Community designation:</strong></td>
</tr>
<tr>
<td><strong>Identify the relevant existing plans and projects of City and jurisdictional partners:</strong></td>
</tr>
<tr>
<td><strong>Identify existing transportation programs, organizations, and events to include:</strong></td>
</tr>
<tr>
<td>• New construction</td>
</tr>
<tr>
<td>• Resurfacing</td>
</tr>
<tr>
<td>• Development</td>
</tr>
<tr>
<td>• Economic Development</td>
</tr>
<tr>
<td>• Safety (Including PBCAT crash typing information)</td>
</tr>
<tr>
<td>• Safe Routes to School</td>
</tr>
<tr>
<td>• Neighborhood Transportation</td>
</tr>
</tbody>
</table>

The City will provide the following information:

- All existing GIS/CADD data
- Streets
- Sidewalks
- Designated Bike Lanes
- Shared use paths
- Cross walks
- Traffic volumes
- Signalized intersections
- Right-turn lanes
- Existing LOS standards
- Posted speed limits
- Facility types
- Functionally classified roadways
- Future land use map
- Existing land use map
- Zoning district maps
- Zoning overlays
- Planning Districts
- Home owner association maps
- CONA maps
- Special planning area maps
- Transit routes
- Transit stops by type
- Crash data, long and short forms for all roads
- Safe Routes to Schools Plans
- Current engineering design projects
• Current CIP
• Current Forward Pinellas TIP
• PSTA TDP
• PSTA Community Bus Plan
• Forward Pinellas LRTP
• Forward Pinellas Bike-Ped Master Plan and Facilities Element
• Current planning effort information
• Demographic information

• Roadway right-of-way data
• Roadway resurfacing schedule
• Wayfinding signage inventory
• Traffic counts from development reviews
• ArcGIS Online Access
• Secure and reserve meeting space for public workshops
• Advertisements for public workshops
• PBCAT Crash typing
<table>
<thead>
<tr>
<th>Organization</th>
<th>Named Delegate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transportation and Parking Management – Chair, non-voting</td>
<td>Cheryl Stacks (Alternate - Evan Mory)</td>
</tr>
<tr>
<td>Transportation and Parking Management</td>
<td>Lucas Cruse (Alternate - Kyle Simpson)</td>
</tr>
<tr>
<td>City Planning and Economic Development</td>
<td>Corey Malszka (Alternate - Elizabeth Aberneithy)</td>
</tr>
<tr>
<td>Engineering and Capital Improvements</td>
<td>Brejesh Prayman</td>
</tr>
<tr>
<td>Stormwater, Pavement and Traffic Operations</td>
<td>Sharon Wright</td>
</tr>
<tr>
<td>Neighborhood Affairs</td>
<td>John Norris</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>Christopher Lampey (Alternate - Rick Craft)</td>
</tr>
<tr>
<td>Urban Affairs</td>
<td>Nikta Capani</td>
</tr>
<tr>
<td>Office of Sustainability</td>
<td>Susan Ajoc</td>
</tr>
<tr>
<td>Fire Rescue</td>
<td>Lt. Ed Borelli</td>
</tr>
<tr>
<td>Police</td>
<td>Travis Norton (Alternate - Martha Boden)</td>
</tr>
<tr>
<td>St. Petersburg Area Chamber of Commerce</td>
<td>Marlene Murray (Alternate - Tom Lilly)</td>
</tr>
<tr>
<td>Council Of Neighborhood Association (CONA)</td>
<td>Jeff Johnson (Alternate - Michelle Cyr)</td>
</tr>
<tr>
<td>American Association of Retired Persons (AARP)</td>
<td>Al Bartolotta (Alternate - Sarah Ward)</td>
</tr>
<tr>
<td>Office of Sustainability</td>
<td>Alene Aaron</td>
</tr>
<tr>
<td>Local bicycle and pedestrian advocacy group</td>
<td>Vanessa Wheeler</td>
</tr>
<tr>
<td>CAPI Citizen Representative</td>
<td>Cathy Harrelson</td>
</tr>
<tr>
<td>St. Petersburg Sustainability Council</td>
<td>Justin Bean</td>
</tr>
<tr>
<td>Council Citizen-At-Large</td>
<td>Christopher Lampley (Alternate - Rick Craft)</td>
</tr>
<tr>
<td>Fire Rescue</td>
<td>Lt. Steve Lawrence</td>
</tr>
<tr>
<td>Police</td>
<td>Travis Norton (Alternate - Tom Lilly)</td>
</tr>
<tr>
<td>St. Petersburg Area Chamber of Commerce</td>
<td>Marlene Murray (Alternate - Tom Lilly)</td>
</tr>
<tr>
<td>Council Of Neighborhood Association (CONA)</td>
<td>Jeff Johnson (Alternate - Michelle Cyr)</td>
</tr>
<tr>
<td>American Association of Retired Persons (AARP)</td>
<td>Al Bartolotta (Alternate - Sarah Ward)</td>
</tr>
<tr>
<td>Office of Sustainability</td>
<td>Alene Aaron</td>
</tr>
<tr>
<td>Local bicycle and pedestrian advocacy group</td>
<td>Vanessa Wheeler</td>
</tr>
<tr>
<td>CAPI Citizen Representative</td>
<td>Cathy Harrelson</td>
</tr>
<tr>
<td>St. Petersburg Sustainability Council</td>
<td>Justin Bean</td>
</tr>
</tbody>
</table>
TO: The Honorable Amy Foster, Chair, and Members of City Council

SUBJECT: Approving an Agreement between the City and EndorFun Sports, LLC ("EndorFun") for Endorfun to produce and conduct an annual running event in St. Petersburg

EXPLANATION: The City issued a Request for Proposals in March 2016 soliciting firms to submit proposals for the organization and management of a half or full marathon event in St. Petersburg. Five firms submitted proposals. These proposals were initially reviewed by an evaluation committee made up of representatives from City Development Administration and its Event Recruitment Management Division, St. Pete Police Department, and Leisure Services Administration.

Four of the five proposers were invited to make presentations before the committee. After the presentations, the firms were ranked as follows:

1) Competitor Group, Inc.
2) EndorFun Sports, LLC
3) Water Cross International d/b/a Florida Road Races
4) Best Damn Race, LLC

The top two firms were invited to submit Best and Final Offers, which were evaluated at the July 13, 2016 committee meeting. It was the unanimous recommendation of the committee to offer both firms distance running event agreements.

Competitor Group, Inc.
Competitor Group is the owner of the Rock ‘n Roll Marathon/ Half-Marathon series, a national and international series of road races held in over 30 locations including Dublin, Madrid, Montreal, Los Angeles, Chicago, and New Orleans.

After leaving the Florida market in 2014, Competitor Group has had a change in top management and corporate philosophy and now wishes to develop a long-term presence in St. Petersburg. Because of their busy race season currently underway, they have requested that City Administration bring their agreement forward for City Council approval in January 2017. The first Rock ‘n Roll St. Pete event is intended to be run in February or March 2018.
EndorFun Sports, LLC

EndorFun Sports is a LLC incorporated in 2002 with their company office in St. Petersburg. Over the last 15 years EndorFun has developed and produced several world class events in New Hampshire and Texas, such as: Ironman 70.3 Timberman (awarded "Best Large Triathlon in the U.S." by USA Triathlon), Big Lake Half-Marathon, Black Fly Triathlon Festival, and the Gritty Goddess Women’s 5K Obstacle/Mud Run. These events have attracted more than 200,000 participants and earned Keith Jordan, CEO of EndorFun “Race Director of the Year” by USA Triathlon New England.

The Endorfun proposal features a half-marathon, a 10K run, and a youth fun run with the theme of celebrating all that St. Petersburg has to offer including our parks, arts, restaurants, breweries and emerging neighborhoods and business districts. The inaugural race is being planned for November 2017. Included in the activities will be a two day health and fitness expo, currently planned to be held at Al Lang Stadium, which will also be the start/finish area for the races.

RECOMMENDATION: City Administration recommends approval of the Agreement with EndorFun Sports, LLC to produce and conduct an annual running event in St. Petersburg.

COST/FUNDING/ASSESSMENT INFORMATION: The proposed agreement provides $30,000 of annual City support for the production of the race events. Since the first race will occur in November 2017, this amount will be required to be included in the FY18 operating budget of the City’s Event Recruitment Management Division of City Development Administration (100.1773).

ATTACHMENTS: Resolution Agreement

APPROVALS:

[Signatures]
City Development Administration
Budget & Management
A RESOLUTION APPROVING A THREE YEAR AGREEMENT WITH TWO (2) ONE YEAR RENEWAL OPTIONS BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND ENDORFUN SPORTS, L.L.C. ("ENDORFUN") FOR ENDORFUN TO PRODUCE AND CONDUCT AN ANNUAL RUNNING EVENT IN ST. PETERSBURG BEGINNING IN NOVEMBER 2017; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Procurement and Supply Management Department issued a request for proposals for multi-year distance running event organization and management with the intent to negotiate a running event agreement with one or more offerors; and

WHEREAS, based on the proposals, presentations and best and final offers received, the selection committee selected The Competitor Group, Inc. and EndorFun Sports, L.L.C ("EndorFun") to produce and conduct running events in St. Petersburg; and

WHEREAS, the City and EndorFun desire to enter into a three year agreement for EndorFun to produce and conduct an annual running event in St. Petersburg beginning in November 2017; and

WHEREAS, in the agreement with EndorFun, the City has agreed to provide funding in the amount of $30,000 (to offset up to $30,000 of the costs and expenses for city services) for each running event to be produced and conducted in St. Petersburg in November during the term of the agreement; and

WHEREAS, EndorFun has agreed to the terms and conditions set forth in the agreement.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that a three year agreement with two (2) one year renewal options between the City of St. Petersburg, Florida, and EndorFun Sports, L.L.C. ("EndorFun") for EndorFun to produce and conduct an annual running event in St. Petersburg beginning in November 2017 is hereby approved.

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

This Resolution shall become effective immediately upon adoption.

Approved as to Form and Content:

[Signature]
City Attorney (designee)
AGREEMENT
Between
THE CITY OF ST. PETERSBURG, FLORIDA
and
ENDORFUN SPORTS, L.L.C.

THIS AGREEMENT ("Agreement") is made and entered into this ___ day of November, 2016 ("Execution Date"), by and between the City of St. Petersburg, Florida, a municipal corporation ("City"), and EndorFun Sports, L.L.C., a New Hampshire Corporation ("EndorFun") (City and EndorFun collectively referred to herein as the "Parties"), and is made in reference to the following facts:

1. The City desires to provide events that are of interest and benefit to the residents of the City and the City also wishes to expand national and international tourism to the City as well as otherwise enhance economic opportunities for the benefit of the City and its residents.

2. The City and EndorFun have agreed that EndorFun shall produce and conduct the Running Event (as defined herein) on certain streets and public land of the City pursuant to the terms and conditions set forth in this Agreement.

3. EndorFun shall conduct a Health & Fitness Expo (as defined herein) in conjunction with the Running Event pursuant to the terms and conditions set forth in this Agreement.

ARTICLE I: INTRODUCTORY TERMS

1.1 Recitals. The statements contained in the recitals of fact set forth above ("Recitals") are true and correct, and the Recitals are by this reference made a part of this Agreement.

1.2 Exhibits. The exhibits which are attached to this Agreement are by this reference made a part of this Agreement.

1.3 Abbreviations and Definitions. The following abbreviations and definitions will be used for purposes of this Agreement:

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

B. "City Services" means those services customarily provided by the City for its residents and its facilities, including without limitation, services for (i) police, fire and EMS services; (ii) garbage and refuse disposal; (iii) maintenance personnel; (iv) crowd control and traffic control, (vi) utilities, and (vii) any additional services as the City deems appropriate in its sole and absolute discretion.
C. "City Permit and Use Fees" means the fees and charges imposed by the City in connection with the issuance of permits and the fees and charges imposed by the City in connection with EndorFun's use of the Running Event Facilities (as defined herein).

D. "Concessions" means all concessions associated with the Running Event offered or provided on, over or within the Running Event Facilities, including, without limitation to, (1) food, (2) alcoholic beverages, (3) non-alcoholic beverages, (4) wearing apparel, (5) programs, (6) souvenirs, (7) seating, and (8) all other merchandise or services offered for sale in connection with a Running Event. The term Concessions specifically excludes (i) the activities of otherwise properly licensed St. Petersburg merchants and business persons (excluding sidewalk vendors) in conducting their trade or business at their regular business premises during the Running Event and (ii) the concessions offered by either the City or its licensees or parties with which it has contracted to provide concessions on an annual basis at any City owned property or facility.

E. "Health & Fitness Expo" means the health & fitness expo event to be held at Al Lang Stadium or other facility mutually agreed upon by both Parties in conjunction with the Running Event.

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

G. "Running Course" means the staging and route(s) mutually agreed upon in writing by the Parties. Once the staging and route(s) have been mutually agreed upon in writing by the Parties, the Running Course will be attached to this Agreement as Exhibit A.

H. "Running Event" means an athletic running event which will consist of a marathon and/or half marathon and may include other distance courses to be held in November during the Term (as mutually agreed upon by the Parties), commencing in the year 2017. The dates of the Running Event to be conducted in the year 2017 shall be November 17 through 19, 2017. The dates of the Running Events to be conducted in the year 2018 and year 2019 shall be mutually agreed to by the Parties.

I. "Running Event Facilities" means those lands, improvements, buildings, public or other rights of way, or property, owned, leased to or controlled by the City or under City authority as mutually agreed upon in writing by the Parties, to be used by EndorFun for the purpose of staging the Running Event. Once those lands, improvements, buildings, public or other rights of way, or property, owned, leased to or controlled by the City or under City authority have been mutually agreed upon in writing by the Parties, the Running Event Facilities will be attached to this Agreement as Exhibit B.
J. “Running Event Logo(s)” means the logo(s), mark(s), symbol(s), trademark(s), or trade name(s) used by EndorFun in connection with the Running Event.

K. “Running Event Period” means from 7:00 a.m. on the Thursday preceding the Running Event until 5:00 p.m. on the Monday following the Running Event.

L. “Ticket Sale Rights” means the right to sell tickets and otherwise charge for admission to or participation in the Running Event, and to sell tickets and otherwise charge for admission to or use of the Running Event Facilities in connection with the Running Event, excluding the right to sell tickets to the general public that are solely for parking.

ARTICLE II: WARRANTIES AND REPRESENTATIONS

2.1 Warranties and Representations by EndorFun. EndorFun warrants and represents to the City as follows:

A. EndorFun is a for-profit corporation, duly formed, presently existing and in good standing under the laws of the State of New Hampshire.

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

C. EndorFun has the financial capability to and shall conduct the Running Event and Health & Fitness Expo in accordance with this Agreement.

2.2 Warranties and Representations by City. The City warrants and represents to EndorFun as follows:

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

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

ARTICLE III: GENERAL TERMS

3.1 Right to Conduct Running Event. The City hereby grants to EndorFun the right to produce and conduct the Running Event in accordance with the terms and conditions of this Agreement. EndorFun hereby acknowledges that the City has police powers pursuant to applicable Laws to take reasonable and appropriate action in the event the conduct of the Running Event or any portion thereof is endangering the health, safety or welfare of the general public. The Parties acknowledge that it would not be reasonable
for the City to take any action in this regard if the Running Event only produces those effects which are normal and customary for events of this type. The safety of the Running Event participants shall be controlled by and be the sole responsibility of EndorFun.

3.2 **Concession Rights.** The City hereby grants EndorFun the right to operate, or to license (in whole or in part) to others, the Concessions associated with the Running Event during the Running Event Period. The City agrees not to hereafter extend any Concession rights to any person or entity other than EndorFun which would permit the operation or licensing of concessions, or the vending or offering for sale of any goods or services competitive with the Concessions; provided, however, the City shall have the right, should it desire, to operate a concession at the Running Event so long as such concession does not compete with the Concessions contemplated herein of EndorFun and its supporting sponsors. The City shall also be permitted to operate an informational booth from which Concessions are not sold.

3.3 **Ticket Sale Rights and City Rights.** The City hereby grants to EndorFun exclusive Ticket Sale Rights for the Running Event. EndorFun shall provide the City with four (4) registrations to each Running Event during the Term at no cost to the City.

3.4 **Media and Broadcast Rights.** The City hereby grants to EndorFun the rights to license any and all media coverage, television broadcasts, or other broadcasts, locally, nationally, internationally, or otherwise, related to the Running Event during the Term. EndorFun shall notify the City of the identity of media entities that will cover the Running Event. EndorFun shall endeavor to reflect in such coverage and broadcast the St. Petersburg location of the Running Event and the involvement of the City incident to this Agreement. The provisions of this article shall survive the termination of this Agreement.

3.5 **Running Event Logo(s).**

A. The City acknowledges that, as of the Execution Date, EndorFun is the owner of the Running Event Logo(s); provided, however, that EndorFun agrees to relinquish to the City all rights (including ownership rights) to the Running Event Logo(s) (i) at the end of the Term if the City provides funding in the amount of thirty thousand dollars ($30,000) for the Running Event to be conducted in 2017, 2018 and 2019 or (ii) if this Agreement is terminated by the City prior to the end of the initial Term because EndorFun fails to conduct and produce the annual Running in November in 2017, 2018 and 2019. In the event that EndorFun is required to relinquish to the City all rights (including ownership rights to the Running Event Logo(s), EndorFun shall execute any and all lawful documents which the City deems necessary or desirable to fully acknowledge the City's ownership of the Running Event Logo(s).

B. Prior to obtaining ownership of the Running Event Logo(s) pursuant to Article 3.5A., above, the City may use the Running Event Logo(s) for promotion of the City or the Running Event with EndorFun's prior written consent, which consent shall not be unreasonably withheld or delayed.

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

3.6 **No Interest in Land.** EndorFun rights pursuant to this Agreement shall not be construed as a lease, easement, or other interest in land, buildings or other property of the City.

3.7 **Funding by the City.**

A. **Subject to Article 8.13,** the City agrees to provide EndorFun (i) funding in an amount not to exceed thirty thousand dollars ($30,000) for the Running Event to be conducted in 2017; (ii) funding in an amount not to exceed thirty thousand dollars ($30,000) for the Running Event to be conducted in 2018; and (iii) funding in an amount not to exceed thirty thousand dollars ($30,000) for the Running Event to be conducted in 2019.

B. This Article 3.7 shall not be construed to limit EndorFun (i) from completing and returning to the City a co-sponsored events application or (ii) from soliciting funding from other sources.

3.8 **Health & Fitness Expo.** EndorFun shall produce and conduct an annual two-day Health & Fitness Expo during the Running Event Period every year during the Term, commencing in the year 2017. In the event that the Health & Fitness Expo is conducted at Al Lang Stadium, EndorFun acknowledges that Big 3 Entertainment, LLC (“Big 3”) operates and manages Al Lang Stadium pursuant to the Agreement, as amended, between Big 3 and the City of St. Petersburg, Florida, dated October 2, 2014. EndorFun further acknowledges that a separate agreement for the utilization of Al Lang Stadium for the Health & Fitness Expo must be executed between the EndorFun and Big 3. EndorFun shall be responsible for paying Big 3 for all event expenses incurred from using Al Lang Stadium for the annual Health & Fitness Expo, unless otherwise provided in the separate agreement between EndorFun and Big 3. EndorFun agrees to provide local health and fitness promoters the opportunity to purchase a booth at the Health & Fitness Expo. The City shall receive three (3) vendor spaces at each Health and Fitness Expo during the Term at no charge to support City initiatives.

3.9 **Exclusivity.** The City will not authorize, without EndorFun’s written permission, any running event of half marathon distance or greater, other than the Running Event organized and conducted by EndorFun, sixty (60) days before the Running Event and sixty (60) days after the Running Event throughout the Term.

**ARTICLE IV: TERM AND EXTENSION**

4.1 **Term and Extension.** This Agreement shall commence on the Execution Date and expire at midnight on December 31, 2019, unless earlier terminated as provided for herein. Provided that EndorFun is not in default of this Agreement, this Agreement may be extended under the same terms and conditions for two (2) one-year periods from the
date of expiration, provided that both Parties mutually agree in writing to such extension no later than sixty (60) days prior to the end of the then expiring term. All extension to this Agreement are subject to City Council approval. References in this Agreement to "Term" shall include the initial term and all extensions thereof.

ARTICLE V: SCHEDULING AND CONDUCTING A RUNNING EVENT

5.1 Obligation to Conduct A Running Event. EndorFun shall produce and conduct the marathon and/or half marathon portion of the annual Running Event on a Saturday and/or Sunday in November every year during the Term, commencing in the year 2017. The marathon and/or half marathon portion of the Running Event shall be conducted on the Running Course on Saturday and/or Sunday during the Running Event Period and shall be held during daylight hours only. The Running Event shall be conducted in accordance with the terms and conditions of this Agreement. EndorFun shall provide the City with written notice no later than December 30 during the Term advising the City whether or not it will stage the Running Event for the succeeding year, and if so, specifying the exact date of the Running Event, and a schedule of such events.

5.2 Set-Up, Operation and Dismantling Periods. EndorFun shall have the use of the Running Event Facilities during the Running Event Period for purposes of set-up of the facilities and apparatus associated with the Running Event; provided however that the Running Course will only be blocked off during the time necessary to conduct the Running Event. It is anticipated that all facilities and apparatus associated with the Running Event will be set-up and dismantled during the Running Event Period. In the event EndorFun requires additional time to dismantle the facilities and apparatus following the Running Event, EndorFun shall be permitted such additional time beyond the Running Event Period so long as EndorFun has commenced the dismantling during the Running Event Period and continues to proceed in a diligent manner to complete the dismantling. EndorFun shall provide the City with a schedule indicating the dates and location of set-up and dismantling of the facilities and apparatus associated with the Running Event, along with updates and changes thereto as soon as reasonably possible after the necessity for such updates and changes become known to EndorFun.

5.3 Cleanup and Restoration. EndorFun shall be responsible for cleaning up the Running Course and Running Event Facilities at the end of the Running Event. Such cleanup shall include, without limitation, removal of litter and debris from city streets and the Running Event Facilities.

5.4 Conditions of Running Event Facilities. EndorFun shall be responsible to promptly return the Running Events Facilities to the condition they were in immediately prior to the Running Event, reasonable wear and tear excepted. EndorFun shall be responsible to repair any damage to the Running Event Facilities during the Running Event by reason of EndorFun or its patrons.

5.5 City Services. The City shall provide City Services for the Running Event. The estimated costs and expenses for City Services and the City Permit and Use Fees shall be determined after the Parties mutually agree on the Running Course and the Running
Event Facilities. Once determined, the estimated costs and expenses for City Services and the City Permit and Use Fees shall be attached to this Agreement as Exhibit C. EndorFun shall pay the estimated costs and expenses for City Services and the City Permit and Use Fees, minus the funding by the City described in Article 3.7 of this Agreement, to the City thirty (30) days prior to the Running Event. If the costs and expenses for City Services and the City Permit and Use Fees exceed the estimated costs and expenses for City Services and the City Permit and Use Fees deposited by EndorFun, EndorFun shall pay the City the additional costs and expenses for City Services and the City Permit and Use Fees that exceed the estimated costs and expenses deposited by EndorFun within thirty (30) days after receiving an invoice from the City. In the event that the costs and expense for City Services and the City Permit and Use Fees are less than the estimated costs and expenses for City Services and the City Permit and Use Fees deposited by EndorFun, the City will reimburse EndorFun within sixty (60) days following the Running Event.

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

5.7 Liability for Expenses. Under no circumstances shall the City be liable for any costs or expenses incurred by EndorFun in any way related to or connected with the Running Event unless specifically provided for in this Agreement. Without limiting the generality of the foregoing, all obligations of EndorFun pursuant to this Agreement shall be performed by EndorFun at its sole cost and expense unless this Agreement specifically provides otherwise.

5.8 Payment of Taxes. Unless otherwise specifically provided for in this Agreement, EndorFun shall pay before they become delinquent all applicable taxes associated with the Running Event, including, without limitation, ad valorem taxes that may be assessed due to EndorFun’s use of the Running Event Facilities.

5.9 Authorizations. EndorFun shall be responsible for seeking and obtaining any and all permits, licenses, certifications, consents, or other authorizations required by any public or private entity or concern for the staging of the Running Event and all other matters in connection therewith.

5.10 Unanticipated Events and Needs. The Parties acknowledge that certain events, needs and changes related to the Running Event cannot be anticipated far in advance (e.g., weather conditions). Each party shall give the other reasonable notice under the circumstances of request for performance or modification of performance under this Agreement that could not reasonably have been anticipated pursuant to notice required or contemplated in other article of this Agreement. In the event such notice is given pursuant to this Article 5.10, the Parties shall attempt to negotiate such amendments to this Agreement that may be necessary.
ARTICLE VI: DEFENSE OF CLAIMS, INDEMNIFICATION AND INSURANCE

6.1 Indemnification.

A. EndorFun shall defend, pay on behalf of, indemnify and hold the City, its officers, agents, employees, elected and appointed officials, and volunteers (collectively, "Indemnified Parties") harmless from any and all claims, suits, demands, liabilities, losses, damages, liens and fines, regardless of whether a lawsuit is filed (collectively, "Claims"), arising out of or in any way connected with the Running Event, including but not limited to Claims arising from or in any way connected with set-up or dismantling activities; and from any and all Claims, which are alleged or claimed to be arising from or in connection with (i) the sole or contributory negligence (active or passive) of EndorFun, its agents, employees, contractors, subcontractors, concessionaires, licensees, patrons, spectators, volunteers, participants, or customers; (ii) the negligence of the Indemnified Parties arising out of Running Event; (iii) the intentional wrongful acts and omissions of EndorFun, its agents, employees, contractors, subcontractors, concessionaires, licensees, patrons, spectators, volunteers, participants or customers; (iv) the City's obligations pertaining to defective conditions in the Running Event Facilities and any allegations of dangerous condition of public property or premises liability for the property of the Indemnified Parties; (v) the failure of EndorFun, its agents, employees, contractors, subcontractors, concessionaires, licensees, patrons, spectators, volunteers, participants or customers to comply and conform with all applicable Laws; (vi) the Running Event or any portion thereof obstructing physical access to property; and (vii) the Running Event or any portion thereof causing a nuisance, including Claims in the nature of nuisance.

B. The provisions of this article are independent of, and will not be limited by, any insurance required to be obtained by EndorFun pursuant to this Agreement or otherwise obtained by EndorFun, and shall survive the expiration or earlier termination of this Agreement.

6.2 Insurance Coverage.

A. EndorFun shall obtain and keep in force at all times during the set-up, staging and dismantling of the Running Event the following minimum types and amounts of insurance at its own expense:

1) Commercial general liability insurance in an amount of at least One Million Dollars ($1,000,000) per occurrence, Two Million Dollars ($2,000,000) aggregate in occurrences form. This policy shall include coverage for (i) personal injury or death or property damage or destruction; (ii) fire legal liability in the minimum amount of One Hundred Thousand Dollars ($100,000); and (iii) contractual liability under this Agreement.
2) Automobile liability insurance of $1,000,000 combined single limit covering all owned, hired and non-owned vehicles.

3) Workers’ Compensation insurance as required by Florida law and Employers’ Liability insurance in an amount of at least $100,000 each accident, $100,000 per employee, and $500,000 for all diseases.

4) If approved to dispense alcohol, Liquor Liability Insurance in the amount of One Million Dollars ($1,000,000).

B. All of EndorFun insurance policies, except Workers’ Compensation, shall name the Indemnified Parties as additional insureds.

C. EndorFun shall provide the City with Certificates of Insurance on a standard ACORD form reflecting all required coverage. At the City’s request, EndorFun shall provide copies of current policies with all applicable endorsements.

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

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

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

ARTICLE VII - DEFAULT AND REMEDIES

7.1 Default. The following shall be deemed events of default (“Default”) under this Agreement:

A. By City. Failure of City to perform or comply with its obligations or responsibilities hereunder, which is not cured within thirty (30) days following receipt by City of written notice from the EndorFun specifying with particularity the Default so claimed, or if such Default cannot be reasonably cured within such thirty (30) day period, then so much additional time as is reasonably necessary provided that City commences to cure within such thirty (30) day period and thereafter diligently and continuously proceeds to cure the Default;
B. By EndorFun.

1) Failure of EndorFun to perform or comply with its obligations or responsibilities hereunder, which is not cured within thirty (30) days following receipt by EndorFun of written notice from the City specifying with particularity the Default so claimed, or if such Default cannot be reasonably cured within such thirty (30) day period, then so much additional time as is reasonably necessary provided that EndorFun commences to cure within such thirty (30) day period and thereafter diligently and continuously proceeds to cure the Default;

2) Failure of EndorFun to conduct the Running Event every year during the Term;

3) In the event EndorFun makes a voluntary assignment for the benefit of its creditors; and

4) In the event EndorFun shall file a voluntary petition in bankruptcy or becomes the subject of an involuntary petition in bankruptcy which is not discharged within sixty (60) days after the filing of such involuntary petition in bankruptcy.

7.2 Remedies.

A. In the event of a Default by a party in the performance of its obligations and duties as provided in this Agreement which is not cured within any curative period provided herein, the other party shall have the right to immediately file an action with a court of competent jurisdiction requesting an order granting any and all appropriate remedies, legal and equitable, including, without limitation, injunctive relief, specific performance, termination of this Agreement, damages and/or an order requiring or precluding the conduct of the Running Event or any portion thereof. The Parties hereto shall comply with the terms and conditions of any such order until the order is subsequently modified or revoked by such court or overruled pursuant to an appeal thereof filed by any party hereto; provided, however, that until a court order is obtained establishing the rights and obligations of the Parties pursuant to this Agreement and the Default of a party in the performance of its obligations and duties hereunder, no party shall be excused from performance of its respective obligations pursuant to this Agreement except as otherwise specifically provided in this Agreement to the contrary.

B. The provisions of this Section 7.2 are subject to the rights of termination set forth in Section 7.3 below.

C. In no event shall either party be liable for any loss of use, loss of time, inconvenience, lost profits or other special, incidental or consequential damages in any way related to or arising from this Agreement or the Running Event.
7.3 **Termination.** Notwithstanding anything contained in Section 7.2 above to the contrary, the applicable parties shall have the right to terminate this Agreement by written notice to the other parties as follows:

A. **By City.** The City may terminate this Agreement by written notice to EndorFun by reason of any Default specified in Section 7.1B.

B. **By EndorFun.** EndorFun may terminate this Agreement by written notice to the City by reason of any Default specified in Section 7.1A.

C. **By Court.** A court of competent jurisdiction may terminate this Agreement pursuant to Section 7.2 above following any Default specified in Section 7.1A. or Section 7.1 B.1) above which is not cured within the applicable curative period provided therein.

**ARTICLE VIII - MISCELLANEOUS**

8.1 **Notices.**

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

EndorFun Sports, L.L.C.
1200 Eden Isle Blvd. N.E.
St. Petersburg, Florida 33704
512-608-5857
Attn: Keith Jordan

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

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

With a copy to:
City of St. Petersburg
P.O. Box 2842
St. Petersburg, Florida 33731
727-893-7401
Attn: City Attorney’s Office
C. All notices shall be deemed given or served upon receipt. Any party may change its address for the giving of notice pursuant to notice given in accordance with the provisions of this Article 8.1, which notice shall be effective upon receipt by the other party.

8.2 Assignment. EndorFun shall not assign this Agreement, or any part thereof, without first obtaining the written consent of City, which consent may be withheld by City at its sole discretion. Any assignment of this Agreement contrary to this Article 8.2, whether voluntary or involuntary, shall be void and shall confer no rights upon an assignee.

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

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

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

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

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

8.9 Relationship of Parties. This Agreement does not in any way constitute EndorFun as the agent, employee or legal representative of the City for any purpose whatsoever. EndorFun is in all respects an independent contractor and nothing contained in this Agreement shall create or be construed as creating a partnership or joint venture between the City and EndorFun.

8.10 Nondiscrimination. EndorFun shall not discriminate against anyone in the use of the Running Event Facilities or the participation in the Running Event or the Health & Fitness Expo because of race, color, religion, gender, national origin, marital status, age,
disability, sexual orientation, genetic information or other protected category.

8.11 **Force Majeure.** Each party shall be excused from performance of its obligations hereunder when such performance has been delayed, hindered or prevented by any cause or causes beyond such party's reasonable control, which shall include, without limitation, labor disputes, riots, civil commotion or insurrection, war, war-like operations, or terrorist acts, invasion, rebellion, military or usurped power, sabotage, governmental restrictions, regulations or controls, inability to obtain any materials or services, fire or other casualties, natural disasters or acts of God. In the event any Running Event Facility or portion thereof is destroyed or substantially damaged at any time during the Term by fire, casualty or other cause, the City shall not be required to repair or rebuild such Running Event Facility or portion thereof. If the Running Course set forth in Exhibit A and/or Running Event Facilities set forth in Exhibit B are unavailable due to circumstances beyond the City's control, the parties shall mutually agree in writing on a revised Exhibit A and/or Exhibit B.

8.12 **Consent and Action by City.**

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

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

8.13 **Non-Appropriation.** The obligations of the City as to any funding required pursuant to this Agreement shall be limited to an obligation in any given year to budget, appropriate and pay from legally available funds, after monies for essential City services have been budgeted and appropriated, sufficient monies for the funding that is required during that year. Notwithstanding the foregoing, the City shall not be prohibited from pledging any legally available non-ad valorem revenues for any obligations heretofore or hereafter incurred, which pledge shall be prior and superior to any obligation of the City pursuant to this Agreement.

8.14 ** Entire Agreement.** This Agreement and the documents to be delivered hereunder constitute the entire agreement between the Parties pertaining to the subject matters covered hereby and there are no oral representations, arrangements or understandings between or among the Parties relating to the subject matters of this Agreement.

8.15 **Amendment.** This Agreement may be amended only in writing executed by the Parties.

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

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

**CITY OF ST. PETERSBURG, FLORIDA:**

**ATTEST:**

By: __________________________
    Mayor or Designee

Print: __________________________

Title: __________________________

(CITY CLERK)

**ENDORFUN SPORTS, L.L.C.:**

**WITNESSES**

Sign: __________________________

Print: __________________________

Title: __________________________

Sign: __________________________

Print: __________________________

Approved as to Content and Form:

City Attorney (Designee)
Document No. 295195

Attachments:

Exhibit A - Running Course
Exhibit B – Running Event Facilities
Exhibit C - Estimated Costs and Expenses City Services and City Permit and Use Fees
November 1, 2016

TO:       The Honorable Members of City Council

SUBJECT:  Dr. Carter G. Woodson African American History Museum Report

PRESENTER: Terri Scott, Chair, Board of Directors

SCHEDULE FOR COUNCIL ON:
   Agenda of November 10, 2016

Steve Kornell
Council Member
TO: Members of City Council

DATE: November 3, 2016

COUNCIL DATE: November 10, 2016

RE: Green Bonds to Implement Energy Efficiency in City Buildings

ACTION DESIRED:

Respectfully requesting a referral to the ENRS Committee for consideration of using this strategy to further our work.

RATIONALE:

The City Council approved a plan to audit the energy use in City owned buildings. The next step should be to implement the energy efficiency and water use efficiencies outlined in energy audits. The City of Orlando is ahead of us in this process. They created a green energy and water efficiency bond fund to fund the efficiency upgrades. The bond was for $17.5 million with expected annual savings to be approximately $2.5 million when fully implemented. The savings will fund the repayment of the bonds.

Karl Nurse
Council Member
ST. PETERSBURG CITY COUNCIL
BUDGET, FINANCE & TAXATION COMMITTEE
Minutes
October 13, 2016
8:00 am. – City Hall – Room 100

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

Absent: None.

Also: City Council Chair Amy Foster; Council Member Steve Kornell; Council Member Lisa Wheeler-Bowman; Chief Assistant City Attorney Jeannine Williams; City Administrator Gary Cornwell; City Auditor Bradley Scott; Parks and Recreation Manager Linda Seufert; Assistant Fire Division Chief Dean Adamides; and Sr. Deputy City 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, Council Member Gerdes motioned that the agenda be approved. All were in favor of the motion.

C. Approval of Minutes

1. September 8, 2016

In connection with the approval of the September 8 meeting minutes, Council Member Gerdes motioned that the minutes be approved. All were in favor of the motion.

D. New/Deferred Business

1. October 13, 2016

a. 2016 Management Evaluation

Council Member Kennedy explained that the charter requires Council to consider if a Management Evaluation is needed. It is not required. There is $50,000 allocated in the budget for the study. No study was done in 2016, so the funds need to be allocated to the 2017 Management Evaluation or left to fall back in the General Fund cleanup. Brad Scott has provided two draft scope of works, one for the Procurement and Supply Management Department and one for the Water Resources Department.

Mr. Scott explained that at the October 8, 2015 BF&T meeting, the committee discussed the possibility of a Management Evaluation of the Water Resources
Department, and he began working on the scope of work after that meeting. Then, at the April 28, 2016 BF&T meeting, the committee discussed a potential Management Evaluation of the Procurement and Supply Management Department. A draft scope of work was developed related to this potential Management Evaluation area. This is the reason why there are two draft scopes of work. It is up to BF&T to decide what department, if any, should be evaluated.

Council Member Nurse supports an evaluation of the Water Resources Department and that the focus should be staffing, restructuring, technical skill level of staff, and qualification of staff.

Council Member Rice asked where in the scope are the concerns for water quality, testing, and posting of signage and communication issues addressed. She also asked about the process in putting together an RFP. Mr. Scott explained that the specifics have not been added yet but would be as part of the process moving forward. Mr. Scott will provide a chart on the process of an RFP for a Management Evaluation to the committee and also took time to explain the process.

Council Member Kornell would like the study to look at ways to use current staff and their expertise, look at training needs and how to better manage purchases.

Council Member Gerdes agrees with the Management Evaluation for the Water Resources Department, especially the areas of staffing, skill sets, and expertise. Council Member Gerdes explained that he has a practical business concern. The department is currently undergoing investigations by the City, D.E.P. and possibly by the E.P.A. Also, the department is being asked to expedite projects. By adding an evaluation, it may affect the ability of the department to do what is being asked of them.

Council Member Foster brought up the culture issue with inclusion and empowerment with the staff and agrees with the concerns mentioned by Council Member Gerdes that staff is under a lot of pressure and a lot is being asked of them.

Council Member Montanari shares in the concerns stated. He mentioned his concern for the people working in this department. There are a lot of good people, they are under a lot of pressure, and a lot is being asked of them. The study should include a way that staff can give feedback, similar to the staff survey done back in 2003. Staff should be able to express their concerns in a confidential level.

Council Member Wheeler-Bowman agrees with the comments made. Her concern is access to training and growth opportunities and that the training and opportunities are fair across the board.
Council Member Kennedy asked, if during an audit, the succession planning is reviewed. Mr. Scott stated that they currently do not. Gary Cornwell explained that it is talked about frequently with the directors, but there is not a formalized plan and that successional planning is being looked at citywide.

Council Member Kennedy brought up the concern that with the other investigations happening, what might be learned from those that would direct the Management Evaluation. He stated that a decision on a Management Evaluation does not need to be made today, but some direction on the 2016 funding should be made.

Additional discussion occurred on the extent of the evaluation: if the scope can be separated into different areas; move forward areas that would benefit staff; areas that may not be very difficult to obtain; and areas the current city investigation may be able to cover better during the investigation.

It was also suggested to have online surveys for employees, so as not to interfere too much with their work schedules. It was also discussed if the surveys can be confidential, or at least the employee name kept confidential but the content public record. Mr. Scott stated that the past survey was done by the consultant and it was confidential.

Council Member Kornell commented that the administrator has only been on the job for approximately six months and, as he learns the system and people, will probably have changes he would like to make. He should be given some more time to make changes he feels appropriate.

Concern also was expressed by Council Member Kornell about the biosolid project because the same administrator, director and consultant were on the biosolid project as well as the water resources report. Council Member Kornell would like to have an updated on the project.

Council Member Gerdes motioned that Internal Audit bring back to BF&T a revised scope of work for a Water Resource Department Management Evaluation study given the comments from Council today. All were in favor of the motion. Ayes: Kennedy, Nurse, Gerdes, and Rice. Nays: None.

Council Member Gerdes motioned that the 2016 funds for a Management Evaluation be rolled over to the 2017 budget to be used for the 2017 Management Evaluation. All were in favor of the motion. Ayes: Kennedy, Nurse, Gerdes, and Rice. Nays: None.
E. Continued Business

F. Upcoming Meetings Agenda and Tentative Issues

1. October 27, 2016
   a. Resiliency Partnership & the Integrated Sustainability Action Plan (Wright)
   b. Jordan Park Development Partners, Ltd, (Dove)

   a. Quarterly Financial Report (Fritz)
   b. Quarterly Grant Reports (Ojah-Maharaj)

G. New Business Item Referrals

Council Member Kennedy asked to add to the referral list the following items:
   • Establish a procedure for grants greater than $100K that would potentially require ongoing additional expenditures after the grant is completed.
   • Changes to purchasing requirements and modification to code including life cycle costs.
   • Use of TIF money for Water Resources projects.

Council Member Kennedy requested to add the Youth Sports Field at Thurgood Marshall Middle School to the Weeki Wachee project list.

Council Member Kennedy asked that the Mangrove Golf Course Improvements be removed from the Weeki Wachee project list.

H. Adjournment

There being no further business, the meeting was adjourned at 8:58 am.
ST. PETERSBURG CITY COUNCIL
BUDGET, FINANCE & TAXATION COMMITTEE

Minutes

October 27, 2016
8:00 – City Hall – Room 100

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

Absent: None.

Also: City Council Chair Amy Foster; Council Member Steve Kornell; Council Member Lisa Wheeler-Bowman; Chief Assistant City Attorney Jeannine Williams; Assistant City Attorney Brett Pettigrew; Assistant City Attorney Macall Dyer; City Administrator Gary Cornwell; Director Neighborhood Affairs Mike Dove; Sharon Wright Sustainability Manager; Manager Codes Compliance James Corbett; Parks and Recreation Manager Linda Seufert; Assistant Fire Division Chief Dean Adamides; and Sr. Deputy City 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, Council Member Gerdes motioned that the agenda be approved. All were in favor of the motion.

C. Approval of Minutes
1. October 13, 2016
In connection with the approval of the October 13, meeting minutes, Council Member Gerdes motioned that the minutes be approved. All were in favor of the motion.

D. New/Deferred Business
1. October 27, 2016
   a. Resiliency Partnership & the Integrated Sustainability Action Plan (Wright)

Sharon Wright stated there was three areas to review today. The first item is the countywide Vulnerability Assessment. The county has secured $300,000 from RESTORE funds to do a vulnerability study and create a model. The study will look at one probable storm and three sea level rises scenarios. Sharon continued to explain how the model works and what questions could be answered using this model. Some of the examples of outputs that will be given include total acres impacted, impacts on assets, and critical facilities impacted.

Sharon continued to explain how partnering with the county, the city could enhance and build upon the scope of work the county has initiated. An additional line item, other optional services, has been added to the scope of work which would allow other partners
to add their own questions and scenarios. Some of those questions could include city economic impacts, vulnerable populations and impacts, and specific facilitates under varied scenarios.

Sharon explained how this assessment can work with other studies and plans such as the Stormwater Master Plan. Each study answers specific areas and, put together, will give a better overview not only citywide but countywide.

Funding requested is $300,000 which matches what the county has allocated. The expenditures of the funds will not be given to the county but controlled by the city and used for city initiatives.

Discussion and questions covered type of scenarios, adaptation areas, long-term and short-term impacts on projects, how to protect habitats and preservation areas, budget and possible reoccurring costs, and how the agreement with the county would be set up.

Council Member Gerdes motioned and Council Member Rice seconded that $300,000 be allocated for a more robust vulnerability assessment with the county. All were in favor of the motion. Ayes: Kennedy, Nurse, Gerdes, and Rice. Nays: None.

Discussion on topic two, allocating $250,000 for an Integrated Sustainability Action Plan and topic three, $250,000 for an Energy Efficiency Analysis. The Integrated Sustainability Action Plan will focus on baselining energy use for the city and community and strategies for reducing greenhouse gas emissions. The second part will use the STAR Communities baseline results to help prioritize items, city projects, and programs for the many other sustainability initiatives like natural systems and equity.

The Energy Efficiency Analysis would be completed by Sr. Energy Efficiency Engineer Lisa Glover-Henderson. The project would use approximately 25-30% of her time and she will look at data from Duke Energy and the city. This “energy audit” will provide information on what needs to be done and order of priority.


Council Member Nurse motioned that the Energy Efficiency Analysis be forwarded to Council. All were in favor of the motion. Ayes: Kennedy, Nurse, Gerdes, and Rice. Nays: None.

b. Jordan Park Development Partners, Ltd, (Dove)

Mr. Dove introduced Assistant City Attorney Brett Pettigrew for an oral report on the progress of negotiations with the Housing Authority. Brett explained that the Legal Department has been meeting with counsel for the Housing Authority to discuss the two agreements needed to transfer Jordan Park Apartments from the original developer, Jordan Park Development Partners, Ltd., to the Housing Authority. The first agreement is a termination agreement with the original developer that would terminate the original set of agreements between the original developer and the City and it would also forgive a $3.1 million promissory note that was put in place in conjunction with CDBG money that was used to put in infrastructure improvements at Jordan Park that the City now owns. The second agreement is with the Housing Authority and would provide terms for the
operation of Jordan Park following acquisition by the Housing Authority. Discussion continued on the structure of the deal, internally with the Housing Authority, Codes Compliance, and counsel for the Housing Authority, including a very productive call on Monday. There are a few items that still need to be worked out, but Brett believes an agreement is close and should have a draft to consider in the next week.

One of the significant issues to be resolved is who will actually own Jordan Park. In order to find funding for repairs and improvements, the Housing Authority will require the creation of a new corporate entity. It is likely that this entity would include the Housing Authority, a contractor to do the improvements, and one or more investors that would provide funding for the improvements, possibly with tax credits. This entity does not exist yet, and to address the fact that this entity does not exist yet, the City’s agreement with the Housing Authority will require any such ownership entity to execute an agreement to be bound by all the terms imposed upon the Housing Authority by the agreement currently being negotiated with the Housing Authority.

So far, the City and the Housing Authority have agreed to guarantee no retaliation against tenants who bring issues to Codes or members of Council, and that guarantee will be built into the lease with the tenants. Codes can continue to go into Jordan Park to investigate any complaints, following standard procedures. In addition, any management company would have an obligation to treat their records as public record and agree to non-interference with Codes.

There is discussion with the Housing Authority on some sort of voluntary inspection protocol, either in conjunction with the Housing Authority’s regular monthly inspections or at unit turnover. Also proposed is a renovation plan that would be a road map of the improvements to Jordan Park. The Housing Authority would have some time after the signed agreement to turn in the plan and update as the information becomes available. Details are still being worked out on this item.

Brett stated that he is hopeful that an agreement will be done in the next week and a draft will be put together shortly after to review and bring for final approval to Council in December.

Sandy McClemom and Melinda Perry spoke on behalf of the Housing Authority and explained concerns on funding for repairs, options for subsidies available to them through HUD, and that the Housing Authority, which has a long history of managing complexes such as this, would be the management company.

Council Member Montanari asked for a brief history of Jordan Park and how we got here. Brett stated he would meet with him to answer any questions.

Council Member Kornell expressed his desire to leverage this to include as many developments as possible and inquired as to the status of the new business items regarding an audit and acquisition of the museum property at no cost. Brett explained that HUD regulations normally require property to be sold at a fair market value but that an exception is available for a “commensurate public benefit.” This term is not well explained, and Legal is waiting for clarification from HUD as to what this means. Representatives from the Housing Authority noted that conveying the museum for free would remove the sale price of approximately $600,000 from the funds available for improvements to Jordan Park.
Council Member Kennedy was concerned that it appeared that the Housing Authority’s plan was driven by funding, rather than need. Brett explained that the goal of the renovation plan proposed by Legal was that it would require compliance with HUD standards for low-income housing and would not allow the Housing Authority to fall short, merely for lack of funding.

Brett explained that the City has the following options in order to move forward: continue working out agreements to facilitate the transfer to the Housing Authority; try to find a different, private buyer and negotiate a similar set of agreements to unwind the current arrangement with Jordan Park Development Partners; or enforce the current set of documents. The current documents state that the City has the right to make repairs and improvements needed and bill the developer. The City could also notify the developer that it is in default, give them 30 days to cure that default, and if they do not, the City can accelerate the mortgage and demand repayment or seek foreclosure and ultimately step into the shoes of the developer by owning and operating Jordan Park.

Council Member Nurse stated that the Housing Committee could meet on November 21 at 9 a.m. to continue discussion of this item.

E. Continued Business

F. Upcoming Meetings Agendas - Tentative Issues

1. November 10, 2016
   a. Quarterly Financial Report (Fritz)
   b. Quarterly Grant Reports (Ojah-Maharaj)

2. December 8, 2016
   a. 2017 Health Insurance Renewal (Guella)

G. New Business Item Referrals

H. Adjournment

There being no further business, the meeting was adjourned at 9:32 a.m.
Countywide Vulnerability Assessment

Project Goals & Outcomes (Draft)

1. Develop countywide, whole system approach to analyzing infrastructure vulnerabilities
2. Incorporate economic analysis
3. Identify "Adaptation Areas"
4. Evaluate vulnerable populations and various communities
5. Collaborate with regional partners to develop mitigation and adaptation solutions
"Adaptation Areas"

Section 153.336(1), Florida Statues Adaptation Action Areas or "Adaptation Areas" means a designation by the coastal management element of a local government's comprehensive plan which identifies one or more areas that experience coastal flooding due to extreme high tides and storms, and that are vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for related structure needs and adaptation planning.

Vulnerability Output Examples

- Total acres impacted
- Taxable value of property
- Impact on assets
- Miles of road by FDOT category
- Miles of pipe impacted
- Critical facilities impacted
- Critical habitat by category (mangroves, wetlands, etc.)
- Future Land Use categories by acre
- Mitigation strategies for various assets (asset funded currently)

Recent & Upcoming Studies

- Northeast Sanitary Sewer Overflow Control Evaluation Study
- Wet Weather Mitigation Overflow Studies
- Repetitive Loss Area Analysis
- Stormwater Master Plan
- Wastewater Master Plan
City Partnership – What questions can city ask

- Specific facilities under varied scenarios
- City economic impacts
- CRA, Innovation District – special area economic impacts
- Identify adaptation areas for priority funding
- Vulnerable populations - impacts
- Plug in tools
- Confirm/revise city system-wide plans (stormwater)
- City data development & refinement
- Support for specific mitigation and adaption strategies

Integrated Sustainability Action Plan

Umbrella Document for 3 Main Pieces

1. Energy use baseline – city, government & community-wide
   - Reducing GHG emissions
   - GHG emission reduction strategies
   - Roadmap to 100% Clean Energy
2. STAR Communities
   - Use results to prioritize policies, programs & projects
3. Resilience
   - Incorporate vulnerability assessment
   - Use STAR and other efforts to ask better questions

 Tasks at VTA Goals and Objectives

[Diagram of tasks and objectives]
ISAP – suggested add

- Task more specific to reviewing (within reason) related studies (LMS, CRS/Repetitive Loss) to outline a city resiliency approach and refine vulnerability assessment questions
- No cost added

Energy Efficiency Analysis & Retrofits

- Data collection, analysis, and system tracking development
- Qualify potential energy efficiency and GHG emission reduction strategies
- Measure & verify
- Internal coordination & collaboration
- USF Audit Team – Dr. Goswami, USF Clean Energy Research Center
- Implement projects

Urban Land Institute (ULI) Technical Assistance

- Purpose: Identify economic development strategies that improve the City of St. Petersburg’s resiliency. Economic & equity framework
- Mon/Tues, December 5&6
  - 2-day workshop
    - Stakeholder interaction
      - City/county staff
      - Community & business groups
    - City Council Workshop – Tuesday afternoon
    - Report writing
Recent/Current Efforts

- Tampa Bay Estuary/Restoration
- CRS & Local Mitigation & Adaptation Strategies
  - Pinellas County Local Mitigation Strategy (LMS) reviewed as part of CRS submission
  - Elevation
  - Environmental restoration
  - Conservation easements
  - More
- Disaster & Emergency Preparedness
- Zoning/Code Reviews

Recent/Current Efforts

- Upcoming Pinellas County Vulnerability Assessment
  - Critical Infrastructure
  - GIS decision-support
  - Pending Federal Treasury review, anticipated start this year
- Tampa Bay Regional Planning Council
- Hillsborough County MPO Vulnerability and Adaptation Pilot
- Florida Department of Economic Opportunity
- Regional Economic Model (REMI)
  - Cost of doing nothing
  - USFSP & SPC Programs

Recent/Current Efforts

- Tampa Bay Science Advisory Panel
  - "Data measured at the Ft. Pierce tide station show that water levels in Tampa Bay have increased approximately 6.5 inches or approximately 1 inch/decade."
  - "CSAP encourages local governments and other agencies to use multiple scenarios in order to allow experts and decision makers the flexibility to consider a variety of contextual factors, including the expected lifespan of the project, project cost, and criticality of function, when developing adaptation strategies."

Source: Recommended Projection of Sea Level Rise in the Tampa Bay Region, August 2015
To: The Honorable Amy Foster, Chair, and Members of City Council

Subject: Accepting proposals for educational and entrepreneurial training programs in accordance with the My Brothers/Sisters Keeper and Cohort of Champions Initiative from the Pinellas Ex-Offender Re-Entry Coalition, Inc. (PERC) for the amount of $350,000; the Board of Trustees of St. Petersburg College (SPC) for the amount of $109,210; and Art Conservatory for Teens (A.C.T.), d/b/a In Touch With Communities Around the World, for the amount of $50,000. The total project amount is $509,210.

Explanation: The Procurement Department received five proposals for educational and entrepreneurial training and the second chances enrichment initiative.

The programs will provide educational and entrepreneurial training and second chances enrichment for African-American youths from ages 12 to 24.

Proposals were received from:

1. Board of Trustees of St. Petersburg College (SPC)
2. David Khail d/b/a Mosaic Arts
3. Art Conservatory for Teens (A.C.T.) d/b/a In Touch With Communities Around The World, Inc.
4. Pinellas Ex-Offender Re-Entry Coalition, Inc. (PERC)
5. Ryan's Club, Inc.

The proposals were evaluated based on background and experience of the offeror and subcontractor/sub-consultants; program approach; capacity to accomplish the work; past performance on similar programs; schedule; and costs. The evaluation committee included city staff and a citizen involved in community building.

SPC, A.C.T., PERC and Ryan's Club were short-listed and invited to make oral presentations before the evaluation committee. The proposal from Mosaic Arts was not considered as it was determined to be non-responsive. Their offer did not have the personnel, the experience or past performance for implementing the program. Following presentations, Ryan's Club was also removed from further consideration. Their offer lacked the program experience and financial resources required.

The evaluation committee determined that A.C.T., SPC and PERC offered proposals that best met the requirements and criteria of the RFP. These offerors have the qualifications, experience, personnel and financial capacity to successfully execute the program. In addition, they have also established partnerships that will enable them to reach the targeted community in order to meet the goals and outcomes established in the scope of services.

PERC, partnering with Pinellas County Urban League, and Mount Zion Human Services, will focus on the implementation of career readiness and entrepreneurial training programs, job placement and support services for participants and their families.

SPC's programs will focus on recruitment, advising, individualized educational plans, college, career success, computer literacy courses, post-secondary and certificate program enrollment and attainment, job placement and personal enrichment.

Continued on Page 2
A.C.T.’s programs will focus on building character through four core programs: (1) Teens Empowered Today (TET); (2) Building Opportunities to Self-Sufficiency (BOSS); (3) Teams of Teens; and (4) Banking As Necessary Knowledge (BANK).

The Administration recommends for award:

<table>
<thead>
<tr>
<th>Offeror</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pinellas Ex-Offender Re-Entry Coalition, Inc. (Clearwater)</td>
<td>$350,000</td>
</tr>
<tr>
<td>Board of Trustee of St. Petersburg College (St. Petersburg)</td>
<td>$109,210</td>
</tr>
<tr>
<td>A.C.T. d/b/a In Touch With Communities Around The World (Tampa/St. Petersburg)</td>
<td>$50,000</td>
</tr>
</tbody>
</table>

The Offerors have met the requirements of RFP No. 6180, dated August 16, 2016. They have implemented similar programs for the Florida Department of Corrections, Pinellas County Sheriff’s Office, Pinellas County Schools, University of South Florida and Studio@620 and performed satisfactorily. This agreement will be in effect from December 1, 2016, through November 30, 2017.

Cost/Funding/Assessment Information: Funds have been appropriated in the General Fund (0001) Mayor’s Office Urban Affairs account (020.1007).

Attachments: Technical Evaluation (5 pages)
Proposal Response Summary
Resolution

Approvals:
Summary Work Statement

The City received five proposals for RFP No. 6180: Educational and Entrepreneurial Training Programs. The successful offerors will provide educational and entrepreneurial training and second chances enrichment initiative programs for African-American youth ranging from 12 to 24 years old. The five proposals were received from:

1. Board of Trustees of St. Petersburg College
2. David Khalil d/b/a Mosaic Arts
3. Art Conservatory for Teens (A.C.T.)
   c/b/a In Touch With Communities Around The World, Inc.
4. Pinellas Ex-Offender Re-Entry Coalition, Inc.
5. Ryan’s Club, Inc.

Evaluation Committee

The evaluations of the five proposals were conducted by:

Kenneth Irby, Community Intervention Director
Gypsy Gallardo, CEO, 2020 Plan

Evaluation Criteria

The proposals were evaluated based on the following criteria:

• Background and experience of offeror and Sub-contractor/Sub-consultants
• Program’s approach
• Capacity to accomplish the work
• Past performance with similar programs
• Schedule
• Costs

Offerors’ Profiles

Below is a profile of each offeror and a summary of the strengths and weaknesses of each offeror as reported after the initial independent review.

The Board of Trustees of St. Petersburg College is headquartered in St. Petersburg, Florida, and is a public college of the State of Florida. The College was established in 1927 as a two-year institution of higher education. In 1931, the College became accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACS-COC) to award certificates and diplomas and selected associate and bachelor degrees. The College has 1,469 part-time and 2,554 full-time staff. The College’s career-focused curriculum is created to give students the skills they need to meet today’s employers. Their mission is to promote student success and enrich communities through education, career development and self-discovery and to provide struggling students with the additional resources they need to be successful. Its strengths include: track record of industry-leading achievement in educating and graduating disadvantaged students;
state and national honors recognition; a thorough approach to the proposed programs that is easily understood and is community-based; an unrivaled capacity that includes trained and credentialed staff, financial resources, data reporting and sufficient facilities; and the ability to launch the initiative within the timeframe prescribed by the City.

Weakness includes: offer that meets only the 18-24 year-olds of the target population with costs that minimally exceed the city’s budget.

The proposal meets the City’s requirements.

David Khalil D/B/A Mosaic Arts is headquartered in Tampa, Florida. Its registration with the State has expired. Mr. Khalil has been teaching mosaics as a trade for 19 years. Mr. Khalil’s strengths include: his gift as an artist; ability and capacity to train weekly in mosaic arts that is valuable as an enrichment activity and awakening sensibilities and with the potential to build soft skills of young people.

Weaknesses include: non-responsive to the scope of services requested; no reflected experience and past performance implementing the format of programming sought; lack of personnel and financial resources and the clarity of proposed schedule.

The proposal does not meet the City’s requirements.

Art Conservatory for Teens (A.C.T.) d/b/a In Touch With Communities Around The World is headquartered in St. Petersburg, Florida, and was incorporated in 2013. A.C.T. has been providing this service for four years and employs 10 people, including sub-contractors. Its strengths include: experience servicing target population; commitment to working with partners and stakeholders; stimulating community-based social accountability and engagement in service and leadership; and the ability to implement similar enrichment programs.

Weaknesses include: no reference to staff capacity; lack of reference to past performance; implementation of similar programs and proposed schedule; budget that seemed low for the service to 100 youth.

The proposal meets the City’s requirements.

Pinellas Ex-Offender Re-Entry Coalition, Inc. is headquartered in Clearwater, Florida; and was incorporated in 1999. The firm has been providing this service for 15 years and employs 21 people. Its strengths include: individual and collective experience with sub-contractors and partnerships; use of best practice and evidence-informed models for programs; involvement in widespread community engagement of young men in service and leadership roles; capacity to accomplish the proposed work; proposed detailed schedule for one program.

Weaknesses include: lack of reference to past performance with a similar program and a schedule for Wrap Around/Circles program.

The proposal meets the City’s requirements.

Ryan’s Club, Inc. is headquartered in St. Petersburg, Florida, and was incorporated in 2014. The firm has been providing this service for three years and has three employees and 12 volunteers. Its strengths include: a track record of professional experience in Cross-Fit training; ability to impact the lives of at-risk youth and provide learning opportunities; is community-based and offers
maximum convenience for participation and the ability to provide staff, facilities and partnership networking.

Weaknesses include: lack of financial resources and breakdown of proposed costs; lack of conformation to programs required; and lack of past performance with similar programs as well as clarity of schedule for high school-age youth.

The proposal meets the City's requirements.

Short-listing and Oral Presentations

The proposals were initially evaluated solely on the evaluation criteria established in the RFP. The proposals were then ranked and short-listed. On September 29, 2016, the four finalists were invited to make oral presentations before the evaluation committee for the purpose of clarifications and to ensure full understanding of the City's requirements. The presentations also enabled the committee to have a full understanding of the offerors' proposals and responses. Following the presentations, the evaluation committee ranked the proposals as follows:

<table>
<thead>
<tr>
<th>Rank</th>
<th>Firm</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Pinellas Ex-Offender Re-Entry Coalition, Inc.</td>
</tr>
<tr>
<td>2.</td>
<td>Board of Trustees of St. Petersburg College</td>
</tr>
<tr>
<td>3.</td>
<td>Art Conservatory for Teens d/b/a In Touch With Communities Around The World, Inc.</td>
</tr>
<tr>
<td>4.</td>
<td>Ryan's Club, Inc.</td>
</tr>
</tbody>
</table>

On October 3, 2016, the top three companies were invited to submit Best and Final Offers (BAFOs).

Recommendation for Award

On October 6, 2016, the evaluation committee met to evaluate the BAFOs. The evaluation committee recommended multiple awards to:

<table>
<thead>
<tr>
<th>Rank</th>
<th>Firm</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Pinellas Ex-Offender Re-Entry Coalition, Inc.</td>
</tr>
<tr>
<td>2.</td>
<td>Board of Trustees of St. Petersburg College</td>
</tr>
<tr>
<td>3.</td>
<td>Art Conservatory for Teens d/b/a In Touch With Communities Around The World, Inc.</td>
</tr>
</tbody>
</table>

These offerors have met the requirements of RFP No. 6180 and have been determined to be the most advantageous to the City, taking into consideration their proposed programs, price and the evaluation criteria set forth in the RFP.

Pinellas Ex-Offender and Re-Entry Coalition, Inc. was selected for the following reasons:

- Offeror, subcontractors and partnerships have years of experience serving the community
- Affiliations with subcontractors and network of partnerships allow for extensive programs
- A comprehensive approach that integrates community programs that leverage city dollars
- Use of best practice programs
- Their human resources demonstrate their ability to accomplish the work
• Their financial resources show their ability to effectively and responsibly manage financial resources with some additional contract monitoring

The Board of Trustees of St. Petersburg College was selected for the following reasons:

• Years of experience in engaging, educating and graduating disadvantaged students
• National and State recognitions
• Easy understanding of proposed approach that is community-based
• Their unrivaled human and financial capacity to implement programs
• An abundance of successes in the design and implementation of workforce development, career skill training and certification programs
• An ability to launch programs within the required timeframe
• Reasonable costs

Art Conservatory for Teens d/b/a In Touch With Communities Around the World was selected for the following reasons:

• Their vision, mission and core values will improve, educate, empower and enrich the participants
• Principals have years of experience serving the targeted population
• Commitment to working with partners and stakeholders in the community
• The offer of multiple programs that will engage the targeted population in service, leadership, and social accountability
• Promotion of the arts

All references have been checked and are satisfactory.

Kenneth Irby, Co-Chair  
Gypsy Gallardo, Co-Chair
• Their financial resources show their ability to effectively and responsibly manage financial resources with some additional contract monitoring.

The Board of Trustees of St. Petersburg College was selected for the following reasons:

• Years of experience in engaging, educating and graduating disadvantaged students
• National and State recognitions
• Easy understanding of proposed approach that is community-based
• Their unrivaled human and financial capacity to implement programs
• An abundance of successes in the design and implementation of workforce development, career skill training and certification programs
• An ability to launch programs within the required timeframe
• Reasonable costs

Art Conservatory for Teens d/b/a In Touch With Communities Around the World was selected for the following reasons:

• Their vision, mission and core values will improve, educate, empower and enrich the participants
• Principals have years of experience serving the targeted population
• Commitment to working with partners and stakeholders in the community
• The offer of multiple programs that will engage the targeted population in service, leadership, and social accountability
• Promotion of the arts

All references have been checked and are satisfactory.

Kenneth Irby, Co-Chair
Gypsy Gallardo, Co-Chair
<table>
<thead>
<tr>
<th>Offerors</th>
<th>Board of Trustees of St. Petersburg College</th>
<th>David M. Khalil dba Mosaic Arts</th>
<th>In Touch With Communities Around The World, Inc.</th>
<th>Pinellas Ex-Offender Re-Entry Coalition, Inc.</th>
<th>Ryan's Club Inc</th>
</tr>
</thead>
<tbody>
<tr>
<td>State &amp; Date of Incorporation</td>
<td>Responded N/A</td>
<td>Responded N/A</td>
<td>Responded N/A</td>
<td>Responded N/A</td>
<td>Responded N/A</td>
</tr>
<tr>
<td>Corporate Headquarters</td>
<td>St. Petersburg, FL</td>
<td>Tampa, FL</td>
<td>St. Petersburg, FL</td>
<td>St. Petersburg, FL</td>
<td>St. Petersburg, FL</td>
</tr>
<tr>
<td>Location Servicing the City</td>
<td>St. Petersburg, FL</td>
<td>N/A</td>
<td>St. Petersburg, FL</td>
<td>St. Petersburg, FL</td>
<td>St. Petersburg, FL</td>
</tr>
<tr>
<td>No. of employees locally &amp; nationally</td>
<td>1469 FTE</td>
<td>None</td>
<td>10</td>
<td>79</td>
<td>3 employees</td>
</tr>
<tr>
<td>Length of Time Providing Services</td>
<td>Junior College 1927</td>
<td>Mosaic - 19 years</td>
<td>4 years</td>
<td>15</td>
<td>3 years</td>
</tr>
<tr>
<td>Resume of Key Staff</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Minimum Requirements:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cover Letter: Authorized Signature</td>
<td>Yes</td>
<td>No</td>
<td>None</td>
<td>None</td>
<td>Yes</td>
</tr>
<tr>
<td>References</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Confidential/Proprietary/Trade Secrets</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>None</td>
</tr>
<tr>
<td>Disclosure of Prior Contract Failures</td>
<td>None</td>
<td>None</td>
<td>N/A</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Audited Financial Statements</td>
<td>Yes</td>
<td>Tax Returns</td>
<td>Income Statement &amp; Tax Returns</td>
<td>Tax Returns</td>
<td>Tax Returns</td>
</tr>
<tr>
<td>Offerors Bank of Record</td>
<td>Fifth Third Bank</td>
<td>Bank of America</td>
<td>Wells Fargo</td>
<td>Synovus Bank</td>
<td>C1 Bank</td>
</tr>
<tr>
<td>Federal ID Number</td>
<td>086-48-2432 (SSN)</td>
<td>59-1211409</td>
<td>59-3643636</td>
<td>46-4996728</td>
<td></td>
</tr>
<tr>
<td>Registered with State</td>
<td>No</td>
<td>Expired 2009</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Registered with State</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Acceptance of T &amp; Cs (Exceptions)</td>
<td>None</td>
<td>Responded N/A</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Cost or Fee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Educational Training</td>
<td>228,816.00</td>
<td>150,000.00</td>
<td>60,000.00</td>
<td>3,500.00</td>
<td></td>
</tr>
<tr>
<td>Entrepreneurial Training</td>
<td>-</td>
<td>-</td>
<td>40,000.00</td>
<td>328,779.00</td>
<td></td>
</tr>
<tr>
<td>Second Chances/Enrichment Initiative</td>
<td>228,816.00</td>
<td>150,000.00</td>
<td>100,000.00</td>
<td>502,647.00</td>
<td>288,600.00</td>
</tr>
<tr>
<td>Total</td>
<td>228,816.00</td>
<td>150,000.00</td>
<td>100,000.00</td>
<td>502,647.00</td>
<td>288,600.00</td>
</tr>
<tr>
<td>BAFO</td>
<td>219,112.00</td>
<td>Successful Offeror</td>
<td>100,000.00</td>
<td>496,509.00</td>
<td>288,600.00</td>
</tr>
<tr>
<td>Reduced Budget</td>
<td>109,210.00</td>
<td>Not Applicable</td>
<td>50,000.00</td>
<td>350,000.00</td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>

Non-Compliant/Non-Responsive - David Khalil dba Mosaic Arts

Notice of Violation/Unsuccessful Offeror:

Ryan's Club, Inc.

Recommendations:

Initial Ranking
1. Pinellas Ex Offender Re Entry Coalition, Inc.
2. Board of Trustees of St. Petersburg College
3. In Touch With Communities Around The World, Inc.
4. Ryan's Club, Inc.
A RESOLUTION ACCEPTING THE PROPOSALS AND APPROVING THE AWARD OF ONE-YEAR AGREEMENTS TO IN TOUCH WITH COMMUNITIES AROUND THE WORLD, INC. D/B/A ART CONSERVATORY FOR TEENS (A.C.T.) IN AN AMOUNT NOT TO EXCEED $50,000, THE BOARD OF TRUSTEES OF ST. PETERSBURG COLLEGE IN AN AMOUNT NOT TO EXCEED $109,210, AND THE PINELLAS EX-OFFENDER RE-ENTRY COALITION, INC. IN AN AMOUNT NOT TO EXCEED $350,000, FOR A TOTAL PROJECT AMOUNT OF $509,210 TO PROVIDE EDUCATIONAL AND ENTREPRENEURIAL TRAINING PROGRAMS IN ACCORDANCE WITH THE MY BROTHERS/SISTERS KEEPER AND COHORT OF CHAMPIONS INITIATIVE; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to provide educational and entrepreneurial training and second chances enrichment initiatives for African-American youths from ages 12 to 24; and

WHEREAS, the Procurement Department issued a Request for Qualifications (RFP) for educational and entrepreneurial training services in accordance with the My Brothers/Sisters Keeper and Cohort of Champions Initiative and received five (5) proposals in response to RFP No. 6180 (“RFP”), dated August 16, 2016; and

WHEREAS, an Evaluation Committee (“Committee”) comprised of City staff and one citizen involved in community development was formed to evaluate, deliberate and determine a final ranking of proposals; and

WHEREAS, the Committee discussed the proposals and shortlisted In Touch with Communities Around the World, Inc. d/b/a Art Conservatory for Teens (A.C.T.) (“ACT”), The Board of Trustees of St. Petersburg College (“SPC”), Pinellas Ex-Offender Re-Entry Coalition, Inc. (“PERC”) and Ryan’s Club Inc. (“RCI”), all of which were invited to participate in an oral presentation, resulting in the elimination of RCI; and
WHEREAS, the Committee determined that ACT, SPC, and PERC best met the requirements and criteria of the RFP, in addition, these companies have also established partnerships that will enable them to reach the targeted community in order to meet the goals and outcomes established in the scope of services; and

WHEREAS, the Administration recommends approval of these awards.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the award of one-year agreements to In Touch With Communities Around the World, Inc. d/b/a Art Conservatory for Teens (A.C.T.) in an amount not to exceed $50,000, The Board of Trustees of St. Petersburg College in an amount not to exceed $109,210, and the Pinellas Ex-offender Re-entry Coalition, Inc. in an amount not to exceed $350,000 for a total project amount of $509,210 to provide educational and entrepreneurial training programs in accordance with the My Brothers/Sisters Keeper and Cohort of Champions initiative.

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

This Resolution shall become effective immediately upon its adoption.

Approved as to form and content:

[Signature]
City Attorney (designee)
00294128
To: The Honorable Amy Foster, Chair, and Members of City Council

Subject: Approving an increase in allocation for construction inspection and plan review services with Joe Payne, Inc. in the amount of $200,000 which increases the total contract amount to $470,000.

Explanation: On December 3, 2015, City Council approved a two-year agreement for construction, inspection and plan review services through June 15, 2017. On August 25, 2016 City Council approved an increase in allocation of $90,000. The additional allocation is requested due to an anticipated increase to the level of permitting activity through the remainder of the contract term. The additional contract staff resources are needed to enable the City plans examiners and inspectors to continue to offer next day inspection services and to complete building plan reviews for businesses and homeowners within a reasonable timeframe.

The vendor provides residential and commercial construction plan review, construction inspections and re-inspections for building, electrical, mechanical and plumbing trade categories on an as-needed basis for city building code enforcement purposes.

The Procurement Department recommends approval:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Agreement</td>
<td>$180,000</td>
</tr>
<tr>
<td>1st Allocation Request Increase</td>
<td>90,000</td>
</tr>
<tr>
<td>2nd Allocation Request Increase</td>
<td>200,000</td>
</tr>
<tr>
<td>New Contract Total Amount</td>
<td>$470,000</td>
</tr>
</tbody>
</table>

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Building Special Revenue Fund (1151) Construction Service & Permitting (3701553).

Attachments: Resolution

Approvals:

[Signatures] Administratif [Signature] Budget
A RESOLUTION APPROVING AN INCREASE TO THE ALLOCATION OF THE BLANKET PURCHASE AGREEMENT WITH JOE PAYNE, INC. IN THE AMOUNT OF $200,000 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $470,000 FOR CONSTRUCTION INSPECTION AND PLAN REVIEW SERVICES FOR THE ECONOMIC DEVELOPMENT DEPARTMENT; AUTHORIZING THE MAYOR OR MAYOR’S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 3, 2015, City Council approved a two-year agreement (blanket agreement) with Joe Payne, Inc. to provide construction and plan review services for the Economic Development Department, effective through June 15, 2017; and

WHEREAS, on August 25, 2016, City Council approved an increase to the allocation of the agreement in the amount of $90,000 for a total contract amount of $270,000; and

WHEREAS, due to an increase in the level of permitting activity, the forecasted amount is expected to exceed the original estimate prior to the end of the term of the agreement in the amount of $200,000 for a total contract amount of $470,000; and

WHEREAS, the Procurement & Supply Management Department, recommends an increase to the allocation in the amount of $200,000 for a total contract amount of $470,000.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that an increase to the allocation of the Blanket Purchase Agreement with Joe Payne, Inc. in the amount of $200,000 for a total contract amount not to exceed $470,000 for construction inspection and plan review services for the Economic Development Department, is hereby approved and the Mayor or the Mayor’s designee is authorized to execute all documents necessary to effectuate these transactions.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

[Signature]
City Attorney (Designee)
To: The Honorable Amy Foster, Chair, and Members of City Council

Subject: Approving an increase in allocation for debt collection services to Forest Recovery Services, LLC in the amount of $180,000, for a total contract amount of $270,000.

Explanation: On February 1, 2015, administration approved a three-year agreement for debt collection services with Forest Recovery Services, LLC. The agreement is effective through February 28, 2018. Due to a greater than anticipated amount of recovered debt, commission paid to the vendor is expected to exceed the original estimate. Therefore, approval is requested for this increase in allocation.

The vendor provides debt collection services for accounts that are over 60 days past due, to include, city invoices, city utilities, cost or other type judgments, parking tickets, and returned checks. The percentage of commission paid to the vendor is 22.5% for all accounts, and 40% for accounts requiring legal action. Since inception of the agreement, the vendor has recovered over $500,000 in debt.

The Procurement Department, in cooperation with the Billing and Collections Department, recommends approval:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Agreement</td>
<td>$90,000</td>
</tr>
<tr>
<td>Allocation Increase Request</td>
<td>180,000</td>
</tr>
<tr>
<td>New Contract Total Amount</td>
<td>$270,000</td>
</tr>
</tbody>
</table>

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Billing & Collections fund (5021), City Collections Administration (3501989) False Alarm Collections (3502029), the General Fund (0001), Codes Compliance (1101125), Marina Operating Fund (4041), Downtown Enterprise Facilities Marina (2821885), Jamestown Complex fund (4081), Downtown Enterprise Facilities Jamestown Complex Management (2821113), and the Parking Revenue Fund (1021), Transportation & Parking Management (2811961).

Attachments: Resolution

Approvals:

[Signatures]

[Administrative] [Budget]
A RESOLUTION APPROVING AN INCREASE TO THE ALLOCATION OF THE BLANKET PURCHASE AGREEMENT WITH FOREST RECOVERY SERVICES LLC IN THE AMOUNT OF $180,000 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $270,000 FOR DEBT COLLECTION SERVICES FOR THE BILLING AND COLLECTIONS DEPARTMENT; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 1, 2015, City Council approved a three-year agreement (blanket agreement) with Forest Recovery Services LLC to provide debt collection services for the Billing and Collections Department, effective through February 28, 2018; and

WHEREAS, due to an increase in recovered debt, commission paid to the vendor is expected to exceed the original forecasted amount prior to the end of the term of the agreement; and

WHEREAS, the Procurement & Supply Management Department, recommends an increase to the allocation in the amount of $180,000 for a total contract amount of $270,000.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that an increase to the allocation of the Blanket Purchase Agreement with Forest Recovery Services LLC in the amount of $180,000 for a total contract amount not to exceed $270,000 for debt collection services for the Billing and Collections Department, is hereby approved and the Mayor or the Mayor's designee is authorized to execute all documents necessary to effectuate these transactions.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

[Signature]
City Attorney (Designee)
To: The Honorable Amy Foster, Chair, and Members of City Council

Subject: Accepting a bid from Trinova, Inc. for a mass flow meter measuring system for the Northeast Wastewater Reclamation Facility (NEWRF) for the Water Resources Department at a total cost of $67,773.84.

Explanation: The Procurement Department received one bid for a Coriolis mass flow meter measuring system.

The vendor will provide a Coriolis type mass flow meter system, which will be used to precisely measure the percentage of suspended solids in sludge flows at NEWRF.

The system consists of four Coriolis flow meters, two digester-to-screw-press meters, one clarifier-to-gravity-belt-thickener meter and one gravity-belt-thickener-to-digester meter. The system also includes two six-inch pinch valves, and four two-inch flanged stainless steel ball valves. Water Resources personnel will install the system. The supplier will provide the City with installation drawings for each meter location, one-day manufacturer’s start-up assistance, engineering manuals, and operation and maintenance manuals. The system will include a one-year manufacturer warranty, as well as a three-year extended warranty on the meters.

This new system will be used to improve process efficiency by measuring flow by mass, which will enhance the current volume-based sludge measuring system data. It will provide precise flow rate, density, temperature, and viscosity measurements of sludge flows; which will be used to optimize the reclamation process.

The Procurement Department in cooperation with the Water Resources Department, recommends:

Trinova, Inc..........................................................$67,773.84

Trinova, Inc., has met the specifications, terms and conditions of Quote No. 6218 dated September 20, 2016.

Cost/Funding/Assessment Information: Funds have been appropriated in the Water Resources Fund (4001) Capital Equipment account (5650110).

Attachments: Bid Tabulation
Resolution

Approvals:

[Signatures]
<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Manufacturer</th>
<th>Model No.</th>
<th>Qty.</th>
<th>UOM</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Mass Flow Meter, Digester to Screw Press</td>
<td>E+H</td>
<td>B3150-AAAAAACBABA</td>
<td>2</td>
<td>EACH</td>
<td>$14,101.73</td>
<td>$28,203.46</td>
</tr>
<tr>
<td>2</td>
<td>Mass Flow Meter, Clarifier to Gravity Belt Thickener</td>
<td>E+H</td>
<td>B3150-AAAAACBABA</td>
<td>1</td>
<td>EACH</td>
<td>14,101.73</td>
<td>14,101.73</td>
</tr>
<tr>
<td>3</td>
<td>Mass Flow Meter, Gravity Belt Thickener to Digester</td>
<td>E+H</td>
<td>B3150-AAAAACBABA</td>
<td>1</td>
<td>EACH</td>
<td>14,101.73</td>
<td>14,101.73</td>
</tr>
<tr>
<td>4</td>
<td>Pinch Valves, 6 inch</td>
<td>RF Valve</td>
<td>RE5 M150-353 NR</td>
<td>2</td>
<td>EACH</td>
<td>3,072.00</td>
<td>6,144.00</td>
</tr>
<tr>
<td>5</td>
<td>Ball Valves, Flanged Stainless Steel, 2 inch</td>
<td>SVF</td>
<td>B41C666AGRF1C000000</td>
<td>4</td>
<td>EACH</td>
<td>355.73</td>
<td>1,422.92</td>
</tr>
<tr>
<td>6</td>
<td>Manufacturer's Start Up Service</td>
<td>E+H</td>
<td>XD21BL-ABA41J</td>
<td>1</td>
<td>DAY</td>
<td>1,700.00</td>
<td>1,700.00</td>
</tr>
<tr>
<td>7</td>
<td>Shop Drawings (4 Sets)</td>
<td></td>
<td></td>
<td>1</td>
<td>LOT</td>
<td>1,800.00</td>
<td>1,800.00</td>
</tr>
<tr>
<td>8</td>
<td>Freight</td>
<td></td>
<td></td>
<td>1</td>
<td>LOT</td>
<td>300.00</td>
<td>300.00</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$67,773.84</td>
</tr>
</tbody>
</table>

Award Pending
A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO TRINOVA, INC. FOR THE PURCHASE OF A CORIOLIS TYPE MASS FLOW METER SYSTEM AT A TOTAL COST NOT TO EXCEED $67,773.84 FOR THE WATER RESOURCES DEPARTMENT; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received one bid for the purchase of a Coriolis type mass flow meter system for the Water Resources Department pursuant to Quote No. 6218 dated September 20, 2016; and

WHEREAS, Trinova, Inc. has met the specifications, terms and conditions of Quote No. 6218; and

WHEREAS, the Procurement Department in cooperation with the Water Resources Department, recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the bid and award of an agreement to Trinova, Inc. for the purchase of a Coriolis type mass flow meter system at a total cost not to exceed $67,773.84 for the Water Resources Department is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved as to form and content:

City Attorney (designee)
City of St. Petersburg  
Mayor’s Signature Report - Contracts

TO: Gary G. Cornwell, City Administrator

FROM: Ben Shirley, Director Sanitation

RE: 2017 Pinellas County Waste Management Recycling Program

DATE: October 25, 2016

Summary:
The City of St. Petersburg has been awarded $191,393.01 from the 2017 Pinellas County Waste Management Recycling Program. The funds can be used to offset the cost of recycling programs. Reimbursable expenditures include, construction cost for recycling facilities, recycling equipment, recycling service contract payments, recycling staff salary and benefits, public education and marketing of recycling programs, and purchase of products made with post-consumer recycled content.

Grant administration requirements include quarterly report submissions for reimbursement, and tracking of tonnage data attributed to the grant program.

Date Approved by City Council: November 03, 2016 - Adds/Deletes

Financial Impact to the City: Grant Funding Awarded - $191,393.01

The funds will be used to off-set the expenses for the City’s recycling programs in the Sanitation Department.

The below-signed officials have read the above-described documents and recommend signature by the City Administrator:
Ben Shirley
Sanitation Director
Regenia E. Williams
Sanitation Administrative Services Manager

Asst. City Attorney Responsible For Contract
City Attorney Or Chief Asst. City Attorney

A COPY OF THIS COMPLETED REQUEST FORM SHOULD BE ATTACHED TO EACH CITY COPY OF THE DOCUMENT AND RETAINED IN THE MAYOR’S OFFICE.

AFTER SIGNATURE BY CITY ADMINISTRATOR PLEASE FORWARD DOCUMENT TO:

☐ 1. CITY CLERK’S OFFICE for execution
☐ 2. LEGAL
☐ 3. RETURN TO: Sanitation

ATTN: Regenia E. Williams

EXT: 7409
If a municipality intends to participate in the Municipal Recycling Reimbursement Grant Program, please complete, sign, and return this form to Jan Tracy, Pinellas County Solid Waste, 3095 114th Ave. N., St. Petersburg, FL 33716 or scan and email to jtracey@pinellascounty.org no later than December 16, 2016. For questions, please contact Jan Tracy at 727-464-7533 or email jtracey@pinellascounty.org.

Based upon the Initial Allocation of Pinellas County Municipal Recycling Grant Funds available to municipalities \$191,393.01 (print/type grant amount listed on Attachment A) has been allocated to City of St. Petersburg (print/type name of municipality) for the fiscal year beginning October 1, 2016, and ending September 30, 2017. A final allocation amount will be determined after all of the Intent to Participate Forms have been received.

These funds are available by reimbursement for expenses related to the municipality’s recycling programs. Examples of reimbursable expenses include construction costs for recycling facilities, recycling equipment purchases, recycling service contract payments, recycling staff salaries and benefits, public education and marketing of recycling programs, and purchases of products made with post-consumer recycled content.

Reimbursement requests should be sent to the address on this form and must include the following:

1) A signed Reimbursement Request Form (Attachment C)
2) Proof of payment (copy of the check, general ledger, copy of invoice stating paid status or credit card statement)
3) An explanation (when necessary) to show how or what portion of a payment is related to the municipality’s recycling program

Reimbursement requests for personnel expenses are eligible and require a copy of the payroll with a statement regarding the percentage of time the employee spends in recycling related support activities. The requests for personnel expenses should be for actual hours worked and not for vacation and other types of leave. Expenses for a contract hauler for recycling services are also eligible and require a copy of the invoice and proof of payment for grant reimbursement.

It is understood that if a municipality indicates that it will participate, but does not request any reimbursements, the municipality’s allocation will NOT be available to any other municipality and that all unspent funds will be deposited in the Pinellas County Solid Waste reserve account at the end of the fiscal year. Work periods and reimbursement request deadlines are listed below:

<table>
<thead>
<tr>
<th>Work Period</th>
<th>Reimbursement Request Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 1, 2016 – December 31, 2016</td>
<td>January 13, 2017</td>
</tr>
<tr>
<td>October 1, 2016 – March 31, 2017</td>
<td>April 14, 2017</td>
</tr>
<tr>
<td>October 1, 2016 – June 30, 2017</td>
<td>July 14, 2017</td>
</tr>
<tr>
<td>October 1, 2016 – September 30, 2017</td>
<td>September 15, 2017 (Final Request)</td>
</tr>
</tbody>
</table>

As a representative of City of St. Petersburg (municipality), the city/town intends to participate in this grant program by submitting reimbursement requests for recycling expenses as discussed above.

Gary G. Cornwell
Print/Type name of authorized municipal representative with whom Pinellas County shall communicate in this regard

City Administrator
Title

Email Address

Phone

Signature

Date
## Pinellas County Municipal Recycling Reimbursement Grant

**Attachment A - Initial Allocation of Grant Funds FY 2016 - 2017**

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Population Estimate FY 16-17</th>
<th>Grant Allocation FY 16-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belleair</td>
<td>3,889</td>
<td>$2,699.82</td>
</tr>
<tr>
<td>Belleair Beach</td>
<td>1,563</td>
<td>$1,165.44</td>
</tr>
<tr>
<td>Belleair Bluffs</td>
<td>2,052</td>
<td>$1,530.06</td>
</tr>
<tr>
<td>Belleair Shore</td>
<td>107</td>
<td>$79.78</td>
</tr>
<tr>
<td>Clearwater</td>
<td>110,679</td>
<td>$82,527.29</td>
</tr>
<tr>
<td>Dunedin</td>
<td>35,783</td>
<td>$26,681.43</td>
</tr>
<tr>
<td>Gulfport</td>
<td>12,222</td>
<td>$9,113.28</td>
</tr>
<tr>
<td>Indian Rocks Beach</td>
<td>4,203</td>
<td>$3,133.95</td>
</tr>
<tr>
<td>Indian Shores</td>
<td>1,424</td>
<td>$1,061.80</td>
</tr>
<tr>
<td>Kenneth City</td>
<td>5,040</td>
<td>$3,758.05</td>
</tr>
<tr>
<td>Largo</td>
<td>80,747</td>
<td>$60,206.63</td>
</tr>
<tr>
<td>Madeira Beach</td>
<td>4,341</td>
<td>$3,236.85</td>
</tr>
<tr>
<td>North Redington Beach</td>
<td>1,418</td>
<td>$1,057.33</td>
</tr>
<tr>
<td>Oldsmar</td>
<td>13,993</td>
<td>$10,433.82</td>
</tr>
<tr>
<td>Pinellas Park</td>
<td>51,790</td>
<td>$38,616.98</td>
</tr>
<tr>
<td>Redington Beach</td>
<td>1,438</td>
<td>$1,072.24</td>
</tr>
<tr>
<td>Redington Shores</td>
<td>2,152</td>
<td>$1,604.63</td>
</tr>
<tr>
<td>Safety Harbor</td>
<td>17,103</td>
<td>$12,752.77</td>
</tr>
<tr>
<td>St. Pete Beach</td>
<td>9,412</td>
<td>$7,018.01</td>
</tr>
<tr>
<td>St. Petersburg</td>
<td>256,681</td>
<td>$191,393.01</td>
</tr>
<tr>
<td>Seminole</td>
<td>18,231</td>
<td>$13,593.86</td>
</tr>
<tr>
<td>South Pasadena</td>
<td>5,081</td>
<td>$3,788.62</td>
</tr>
<tr>
<td>Tarpon Springs</td>
<td>24,421</td>
<td>$18,209.41</td>
</tr>
<tr>
<td>Treasure Island</td>
<td>6,790</td>
<td>$5,062.93</td>
</tr>
</tbody>
</table>

**TOTAL**                  | 670,560                     | $500,000.00               |

**Unincorporated Area**   | 274,411                     | NA                        |

**Pinellas County Population** | 944,971                     | NA                        |

A Resolution Accepting a Grant from the Pinellas County Solid Waste Operations in the Amount of $191,393.01 for Recycling Reimbursement; Authorizing the Mayor or His Designee to Execute an Agreement and All Documents Necessary to Effectuate This Transaction; and Providing an Effective Date.

WHEREAS, the Pinellas County Solid Waste Operations has awarded a grant to the City of St. Petersburg in the amount of $191,393.01 to fund recycling and recycling education programs; and

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 grant from the Pinellas County Solid Waste Operations in the amount of $191,393.01 for recycling reimbursement; and

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute an agreement and all other documents necessary to effectuate this transaction with the Pinellas County Solid Waste Operations.

This Resolution shall take effect immediately upon its adoption.

Approvals:

Legal: ___________________________________ Administration: ____________

Budget: ________________________________