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

1. If you are speaking under the Public Hearings, Appeals or Open Forum sections of the agenda, please observe the time limits indicated on the agenda.

2. Placards and posters are not permitted in the Chamber. Applause is not permitted except in connection with Awards and Presentations.

3. Please do not address Council from your seat. If asked by Council to speak to an issue, please do so from the podium.

4. Please do not pass notes to Council during the meeting.

5. Please be courteous to other members of the audience by keeping side conversations to a minimum.

6. The Fire Code prohibits anyone from standing in the aisles or in the back of the room.

7. If other seating is available, please do not occupy the seats reserved for individuals who are deaf/hard of hearing.

GENERAL AGENDA INFORMATION

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

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

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

B. Approval of Agenda with Additions and Deletions.

C. Consent Agenda (see attached)

Open Forum

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

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

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

Setting March 2, 2017 as the public hearing date for the following proposed Ordinance(s):

1. Approving a vacation of a 30-foot wide ingress/egress easement as dedicated by the Hollywood Park Subdivision First Addition Plat as recorded in Plat Book 74, Page 33, Public Records of Pinellas County, Florida. (City File 16-33000012)

2. An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement (JPA) for the Taxiway C Rehab Project (Project #15120), to be executed by the City, as a requirement for receipt of Florida Department of Transportation (FDOT) funds (Grant) including but not limited to the Aviation Program Assurances (Grant Assurances), which, inter alia, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed $19,600; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance.

3. An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement (JPA) for the Taxiway C South Ramp Project (Project #15617), to be executed by the City, as a requirement for receipt of Florida Department of Transportation (FDOT) funds (Grant) including but not limited to the Aviation Program Assurances (Grant Assurances), which, inter alia, require that the City make Albert Whitted Airport available as an airport for
public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed $308,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance.

4. An Ordinance calling a special election for May 2, 2017, for the purpose of holding a referendum regarding an agreement, with a term not exceeding 25 years and subject to certain conditions, for Al Lang Field to be used for the primary purpose of providing a home field for a Major League Soccer expansion team; authorizing the City Council to approve such an agreement following approval of the referendum by a majority vote; providing the referendum ballot title and summary; directing the City Clerk to provide notice of the special election; making findings; An ordinance calling a special election for May 2, 2017, for the purpose of holding a referendum regarding an agreement, with a term not exceeding 25 years and subject to certain conditions, for Al Lang Field to be used for the primary purpose of providing a home field for a Major League Soccer expansion team; authorizing the City Council to approve such an agreement following approval of the referendum by a majority vote; providing the referendum ballot title and summary; directing the City Clerk to provide notice of the special election; making findings; and providing an effective date.

E. Reports

1. Eckerd College Update
2. Police Quarterly Update
3. Sewer Reports
   (a) Accepting the bid from Youngquist Brothers, Inc., in the amount of $1,840,000 for the SWWRF Reclaimed Water & Injection Well Improvements Project (Engineering/CID Project No. 16110-111; Oracle No. 15838); and providing an effective date.
   (b) A Resolution approving an amendment to the contract between the City of St. Petersburg, Florida and Layne Inliner, LLC dated May 28, 2015 (as amended) to extend the term for an additional one year period and to increase the contract price in an amount not to exceed $1,000,000 for a total contract price not to exceed $5,220,000; authorizing the Mayor or his designee to execute the amendment and all documents necessary to effectuate this transaction; and providing an effective date.

4. 2017 Firestone Grand Prix - Race Days Resolution
   (a) Resolution pursuant to Section Three of Ordinance No. 702-G, as amended, establishing Race Days for the 2017 Firestone Grand Prix of St. Petersburg during which Race Zone and Clean Zone regulations and other regulations are in effect.

5. Authorizing a License Agreement with the Lynx Educational Foundation, Inc. for the docking and operation of the Tall Ship Lynx

F. New Business

1. Selection and Appointment of PSTA Board of Directors St. Pete Citizen Representative Position (Chair Rice)
2. Requesting the City Attorney draft and present a resolution opposing any legislation that would abolish Visit Florida. (Councilmember Gerdes)

3. Requesting the City Attorney draft and present a resolution opposing any legislation that would abolish Enterprise Florida. (Councilmember Gerdes)

G. Council Committee & Intergovernmental Reports

1. Co-Sponsored Events Committee (2/2/17)

   (a) An Ordinance amending Section 21-38(d) of the St. Petersburg City Code, allowing the consumption and sale of beer and wine Williams Park and Elva Rouse Park when activities are sponsored or co-sponsored by the City or which have received a park permit or other approval from the City.

   (b) A resolution in accordance with City Code Section 21-38(d) exempting Rebolution Fest (Vinoy Park) and Reggae Rise Up (Vinoy Park) from the beer and wine only restrictions in City Code Section 21-38(d) upon the issuance of a permit for alcoholic beverages (for on premises consumption only) to be sold, served, dispensed, possessed, used and/or consumed at their respective venues, during their events as set forth herein.

   (c) A resolution waiving the six month requirement of Section “D” of Resolution No. 2000-562, and payment of the waiver fee required by City Council Resolution No. 2009-353 as to Childhood Apraxia of Speech Association of North America authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.

   (d) A resolution approving events for co-sponsorship in name only by the City for FY2018; waiving the non-profit requirement of Resolution No. 2000-562(a)8 for the co-sponsored events to be presented by Design Ofresco Corp, Beach Drive Events, LLC., Paragon Fine Arts Festivals Inc., Local Shopper LLC., and Yachting Promotions, Inc.; authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.

   (e) A resolution in accordance with City Code Section 21-38(d) exempting Chillounge Night (North Straub Park), St. Pete Wine and Food (North Straub Park), Ribfest (Vinoy Park) and St. Pete Power and Sailboat Show (Albert Whitted Park) from the beer and wine only restrictions in City Code Section 21-38(d) upon the issuance of a permit for alcoholic beverages (for on premises consumption only) to be sold, served, dispensed, possessed, used and/or consumed at their respective venues, during their events as set forth herein.

   (f) A resolution waiving the six month requirement of Section “D” of Resolution No. 2000-562, and payment of the waiver fee required by City Council Resolution No. 2009-353 as to University of South Florida Foundation, Inc. authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.

   (g) A resolution approving events for co-sponsorship in name only by the City for FY17; waiving the non-profit requirement of Resolution No. 2000-562(a)8 for the co-sponsored events to be presented by Active Endeavors, Inc.; We Are Concerts LLC.; One More Rep Sports Performance and Weight Loss, LLC.; Wanderlust Festivals, LLC.; authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.
2. **Budget, Finance & Taxation Committee (2/9/17)**

   (a) A resolution of the City Council of the City of St. Petersburg, Florida authorizing the issuance of not to exceed $2,545,000 Non-Ad Valorem Revenue Note, Series 2017A to finance the acquisition, construction, reconstruction and equipping of various capital improvements to the City’s marina, and to pay associated transactional costs and not to exceed $3,290,000 Non-Ad Valorem Refunding Revenue Note, Series 2017B to refund the City’s outstanding loan related to First Florida Governmental Financing Commission Improvement and Refunding Revenue Bonds, series 2007, and to pay associated transactional costs; providing that such notes shall be limited obligations of the City payable solely from Non-Ad Valorem Revenues budgeted and appropriated as provided herein; providing for the rights, securities and remedies for the owners of such notes; designating an Escrow Agent and approving the form of and authorizing the execution of an Escrow Deposit Agreement; making certain covenants and agreements in connection therewith.

   (b) Approving the recommendation of the Budget, Finance and Taxation Committee to remove the Childs Park Lake Project from the Weeki Wachee Project List.

3. **Public Services & Infrastructure Committee (2/9/17)**

4. **Energy, Natural Resources & Sustainability Committee (2/9/17)**

5. **Homeless Leadership Board - (Oral) (Councilmember Foster)**

6. **Tampa Bay Regional Planning Council - (Oral) (Chair Rice)**

7. **Public Arts Commission - (Oral) (Councilmember Kornell)**

H. **Legal**

1. **Funding of potential Al Lang Stadium referendum.**

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

   **Public Hearings**

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

1. **Confirming the preliminary assessment for Lot Clearing Number(s): LCA 1574.**

2. **Confirming the preliminary assessment for Building Securing Number(s) SEC 1220.**

3. **Confirming the preliminary assessment for Building Demolition Number(s) DMO 446.**

4. **Ordinance 1090-V approving a vacation of street and alley rights-of-way generally located between 6th Avenue South and Interstate 275 between 22nd Street South and 24th Street South; more specifically a 16-foot east/west alley in the block bounded by 6th Avenue South and Fairfield Avenue South between 22nd Street South and 23rd Street South, a 16-foot east/west alley in the block bounded by Fairfield Avenue South and 7th Avenue**

5
South between 22nd Street South and 23rd Street South, a 10-foot east/west alley in the block bounded by 7th Avenue South and 8th Avenue South and by Interstate 275 between 22nd Street South and 24th Street South, a portion of Fairfield Avenue South between 22nd Street South and 23rd Street South a portion of 7th Avenue South between 22nd Street South and 23rd Street South, a portion of 23rd Street South between 7th Avenue South and 8th Avenue South and by Interstate 275, and a portion of 8th Avenue South located between 23rd Street South and by Interstate 275 and 24th Street South. (City File 16-33000015)

5. **Ordinance 258-H** approving a substantial change of use of park property within Woodlawn Park; allowing the reconstruction of the Pistol Range and the construction of training facilities and offices; allowing for construction of parking.

6. **Ordinance 259-H** of the City of St. Petersburg, Florida creating a new Section 20-125, regulation of e-cigarettes; prohibiting the sale of nicotine products and electronic cigarettes to minors; prohibiting self-service merchandising of liquid nicotine, tobacco products and electronic cigarettes; prohibiting the use of e-cigarettes within an enclosed indoor workplace.

**Second Reading and Second Public Hearings**

7. **Ordinance 256-H** amending the St. Petersburg City Code, Chapter 16, Land Development Regulations (LDRs) to reclassify self-storage facilities from a permitted, principle use to an accessory use when located within the RC-1, RC-2, RC-3 (Retail Center) and CCS-2 (Corridor Commercial Suburban) zoning classifications. Further, this amendment includes additional use restrictions and use-specific development standards when located within a designated activity center. (City File LDR-2016-02)

**Quasi-Judicial Proceedings**

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

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

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

8. **Ordinance 100-HL** approving the designation of the Aiken House, located at 118 5th Avenue North. (City File HPC 16-90300003)

9. **Ordinance 101-HL** approving the designation of the Pricer House, located at 126 5th Avenue North. (City File HPC 16-90300004)

10. **Ordinance 102-HL** approving the designation of the Burnside House, located at 136 5th Avenue North. (City File HPC 16-90300005)

11. **Ordinance 103-HL** approving the designation of the Henry House, located at 142-142 5th Avenue North. (City File HPC 16-90300006)

**J. Open Forum**
K. 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 the bid from Youngquist Brothers, Inc., in the amount of $1,840,000 for the SWWRF Reclaimed Water & Injection Well Improvements Project (Engineering/CID Project No. 16110-111; Oracle No. 15838); and providing an effective date. [MOVED TO REPORTS AS E-3(a)]
NOTE: The Consent Agenda contains normal, routine business items that are very likely to be approved by the City Council by a single motion. Council questions on these items were answered prior to the meeting. Each Councilmember may, however, defer any item for added discussion at a later time.

(City Development)

1. Resolution approving the plat of Gables on 7th, generally located on the north side of 7th Avenue Northeast between Bay Street Northeast and Oak Street Northeast; setting forth conditions for approval; and providing an effective date. (City File 16-20000001)

2. Resolution approving the plat of Sanderlings Townhomes, generally located on the south side of 11th Avenue Northeast between Locust Street Northeast and Cherry Street Northeast; setting forth conditions for approval; and providing an effective date. (City File 16-20000003)

3. Resolution authorizing the Mayor or his designee to execute Amendment 1 to Task Order No. 12-09-KHAT/T to the Architect/Engineering Agreement between the City of St. Petersburg and Kimley-Horn and Associates, Inc. in the amount of $25,000 for professional planning services to refine concepts for the St Pete Innovation District streetscape and connectivity plan.

4. Authorizing the Mayor, or his Designee, to execute a four (4) month License Agreement with the National Caravan Stage Company, Inc., a Florida not-for-profit organization ("Caravan"), to utilize certain City-owned submerged lands in the westerly basin of Bayboro Harbor and a portion of Poynter Park for anchoring the Caravan Theater Tall Ship, Amara Zee, for a nominal fee of $10.00 for the entire term, to allow for the production, rehearsal and presentation of free theatrical performances open to the public. (Requires affirmative vote of at least six (6) members of City Council.)

5. Authorizing the Mayor, or his Designee, to execute a one (1) year Lease Agreement with St. Petersburg Neighborhood Housing Services, Inc. ("SPNHS"), a Florida not-for-profit corporation, for the use of ±800 sq. ft. of space within SPNHS's Home Ownership Center, located at 1600 Dr. Martin Luther King, Jr. Street South, St. Petersburg, for the purpose of relocating the Bartlett Park Community Resource Center.

(Public Works)

6. Approving an amendment to the contract between the City of St. Petersburg, Florida and C-Squared Certified General Contractor, Inc. to extend the term and increase the contract price in an amount not to exceed $70,000 for a total contract price not to exceed $242,802.40; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date. (Engineering Project No. 17068-112; Oracle No. 15649)
7. A resolution acknowledging the selection of H.W. Lochner, Inc.; KCCS, Inc.; and Tierra, Inc. to provide miscellaneous Construction Engineering and Inspection (“CEI”) services on a continuing basis for the City of St. Petersburg (“City”); authorizing the Mayor or his designee to execute the City’s standard form architect/engineering agreement.

8. Approving Task Order 16-02 MC-W with McKim & Creed for the FY18 Stormwater Utility Rate Study in an amount not to exceed $99,870.

9. Approving Task Order 16-01 MC-W with McKim & Creed for the FY18 Water Resources Utility Rate Study in an amount not to exceed $89,320.

(Appointments)

10. Confirmation of Dr. Ricardo Davis Reappointment of to the South St. Petersburg CRA Citizen Advisory Committee.

(Miscellaneous)

11. City Council minutes of January 5, January 12, and January 19, 2017 City Council meetings.

12. Approving the purchase of a replacement sewer cleaning truck from Sun State International Trucks LLC for the Fleet Management Department, at a total cost of $198,663.

13. Approving the purchase of one replacement ambulance from Hall-Mark RTC for the Fire Rescue Department, at a total cost of $187,570.

14. Accepting a proposal from Tom Evans Environmental, Inc., a sole source provider, for two replacement distribution pumps for the Water Resources Department at a total cost of $150,000.

15. Accepting the bid from Riley Electric Co., Inc., in the amount of $98,015.68, for the Mirror Lake Shuffleboard Courts’ Lighting FY15 (Engineering/CID Project No. 15215-117; Oracle No. 14646); and providing an effective date.

16. Approving an increase to the allocation for neighborhood identity signs for Historic Uptown to Creative Sign Designs, LLC, a sole source supplier, for the Community Services Department, in the amount of $48,900, for a total contract amount of $82,182.

17. Approving the donation of four 2011 Ford Interceptor vehicles valued at approximately $6,000 to St. Petersburg College – Allstate Center (SPC).

18. Declaring Environmental Systems Research Institute Incorporated (ESRI) to be a sole source supplier for GIS software and support for the Police Department; accepting the proposal and approving a three year agreement (blanket agreement) with Environmental Systems Research Institute Incorporated (ESRI) for GIS software and support for the Police Department at an estimated annual cost not to exceed $132,950 for a total three-year contract amount not to exceed $398,850, and providing an effective date.

19. Awarding a contract to Niche Video Products, Inc., for media asset management equipment and software for St. Pete TV at a total cost of $66,861.
20. A resolution requesting that the Board of County Commissioners of Pinellas County, Florida investigate the viability and desirability of enacting a county-wide inclusionary zoning ordinance, subject to opt out provisions for cities.
Note: An abbreviated listing of upcoming City Council meetings.

**Budget, Finance & Taxation Committee**  
*Thursday, February 9, 2017, 8:00 a.m., Room 100*

**Public Services & Infrastructure Committee**  
*Thursday, February 9, 2017, 9:15 a.m., Room 100*

**Energy, Natural Resources & Sustainability Committee**  
*Thursday, February 9, 2017, 10:30 a.m., Room 100*

**CRA / Agenda Review**  
*Thursday, February 9, 2017, 1:30 p.m., Room 100*

**City Council Meeting**  
*Thursday, February 9, 2017, 3:00 p.m., Council Chamber*

**Committee of the Whole: Police Headquarters Update**  
*Thursday, February 16, 2017, 8:00 a.m., Room 100*

**Housing Services Committee**  
*Thursday, February 16, 2017, 10:30 a.m., Room 100*

**Budget, Finance & Taxation Committee**  
*Thursday, February 23, 2017, 10:00 a.m., Room 100*

**Public Services & Infrastructure Committee**  
*Thursday, February 23, 2017, 2:30 a.m., Room 100*

**CRA / Agenda Review**  
*Thursday, February 23, 2017, 1:30 p.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)

Nuisance Abatement Board
2 Alternate Members
(Terms expire 8/31/18 and 11/30/18)
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.
TO: The Honorable Darden Rice, Chair, and Members of City Council

SUBJECT: Ordinance approving a vacation of a 30-foot wide ingress/egress easement as dedicated by the Hollywood Park Subdivision First Addition Plat as recorded in Plat Book 74, Page 33, Public Records of Pinellas County, Florida (City File No.: 16-33000012).

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

RECOMMENDED CITY COUNCIL ACTION:
1) Conduct the first reading of the attached proposed ordinance; and
2) Set the second reading and public hearing for March 2, 2017.

The Request: The request is to vacate a 30-foot wide public ingress/egress easement. The existing easement provides vehicular access from 4th Street North to the mobile home park that is west of the subject property. The applicant will dedicate a new private ingress/egress easement along the north and a portion of the west side of the subject property that will replace the easement that will be vacated. The applicant’s goal is to redevelop the subject.

Discussion:
As set forth in the attached report provided to the Development Review Commission (DRC), Staff finds that vacating the subject easement would be consistent with the criteria in the City Code and the Comprehensive Plan. Staff is recommending approval of the vacation to City Council, subject to the suggested special conditions in the proposed ordinance.

Agency Review:
The application was routed to all affected City departments and outside utilities for review and comment. No objections were expressed.

DRC Action/Public Comments:
On September 7, 2016, the Development Review Commission (DRC) held a public hearing on the subject application. No person spoke in opposition to the request. After the public hearing, the DRC voted 7-0 to recommend approval of the proposed vacation.
RECOMMENDATION:
The Administration recommends APPROVAL of the vacation of the ingress/egress easement, subject to the following conditions:

1. Prior to recording the vacation ordinance, the applicant shall dedicate a new easement as depicted on the attached drawing ("Attachment B").
2. If the improvements are not made prior to the expiration of the vacation, the vacation is null and void.
ORDINANCE NO. _____

AN ORDINANCE APPROVING A VACATION OF A 30-FOOT WIDE INGRESS/EGRESS EASEMENT AS DEDICATED BY THE HOLLYWOOD PARK SUBDIVISION FIRST ADDITION PLAT AS RECORDED IN PLAT BOOK 74, PAGE 33, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. The following easement is hereby vacated as recommended by the Administration and the Development Review Commission:

A 30-foot wide ingress and egress easement as dedicated by the Hollywood Park Subdivision First Addition Plat as recorded in Plat Book 74, Page 33, Public Records of Pinellas County, Florida.

Section 2. The above-mentioned easement is not needed for public use or travel.

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

1. Prior to recording of the vacation ordinance, the applicant shall dedicate a new easement as depicted on the attached drawing (“Attachment B”).
2. If the improvements are not made prior to the expiration of the vacation, the vacation is null and void.

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

LEGAL: __________________________

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT: __________________________
VACATION OF INGRESS/EGRESS EASEMENT
PUBLIC HEARING

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

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on September 7, 2016, at 2:00 P.M. in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.: 16-33000012 PLAT SHEET: F-38

REQUEST: Approval of a vacation of a 30-foot wide ingress/egress easement as dedicated by the Hollywood Park Subdivision First Addition Plat as recorded in Plat Book 74, Page 33, Public Records of Pinellas County, Florida.

OWNER: Phoenix Triangle, LLC
PO Box 76267
Saint Petersburg, Florida 33734-6267

AGENT: Jonathan Dorman
StorCon Development
2106 Bispham Road #B
Sarasota, Florida 34231

ADDRESS: 7220 4th Street North; 30-30-17-40749-001-0010
7250 4th Street North; 30-30-17-40749-001-0020

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Suburban-1 (CCS-1)
DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate a 30-foot wide public ingress/egress easement. The existing easement provides vehicular access from 4th Street North to the mobile park that is west of the subject property. The area of the easement proposed for vacation is depicted on the attached map (Attachment "A"). The applicant's goal is to redevelop the subject property with a 3-story, 600-unit self-storage facility. The applicant will dedicate a new private ingress/egress easement along the north and a portion of the west sides of the subject property that will replace the easement that will be vacated ("Attachment B").

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

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

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

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

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

The application was routed to all affected City departments and outside utilities for review and comment. No objections were expressed.

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

If this application is approved, no substantial detrimental effect upon access to another lot of record is anticipated.

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

The vacation, if approved, will not result in adverse impacts to the existing network. Allowing these easement to be vacated will facilitate redevelopment of the subject property with a new project that is consistent with the overall goals of the CCS-1 zoning district.
4. The easement is not needed for the purpose for which the City has a legal interest and, for rights-of-way, there is no present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.

The subject ingress/egress easement was dedicated to accommodate vehicular access to a mobile home park that is located west of the subject property. The applicant proposes to dedicate a new private easement that will continue to provide access to the mobile park.

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

No other factors have been raised for consideration.

B. Comprehensive Plan

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

C. Adopted Neighborhood or Special Area Plans

There are no neighborhood or special area plans which affect vacation of right-of-way in this area of the City.

Comments from Agencies and the Public

The application was routed to all affected City departments and outside utilities for review and comment. No objections were expressed. No comments from the public have been received as of the date of this report.

RECOMMENDATION. Staff recommends APPROVAL of the proposed vacation of a 30-foot wide public ingress/egress easement. If the DRC is inclined to support the vacation, Staff recommends the following special conditions of approval:

1. Prior to recording the vacation ordinance, the applicant shall dedicate a new easement as depicted on the attached drawing ("Attachment B").

REPORT PREPARED BY:

COREY MALYSZKA, Urban Design & Development Coordinator
Development Review Services Division
Planning & Economic Development Department

REPORT APPROVED BY:

ELIZABETH ABERNETHY, AICP, Zoning Official (POD)
Planning and Economic Development
Development Review Services Division
LEGAL DESCRIPTION:
From the Southwest corner of Section 30, Township 30 South, Range 17 East, Pinellas County, Florida, run N.09'55'32"E., 1000.91 feet along the south line of Glenside Subdivision, as recorded in Plat Book 46 Page 55, Public Records of Pinellas County, Florida, to the Point of Beginning; thence continue N.09'55'32"E., along the south line of Glenside Subdivision, 200.00 feet to the west right-of-way line of 4th Street North (State Road 60); thence S.00'00"E., 330.99 feet along said west right-of-way line of 4th Street North to the north line of Dixie Terrace Subdivision, as recorded in Plat Book 9, Page 83, Public Records of Pinellas County, Florida; thence S.89'56'32"E., along said north line of Dixie Terrace Subdivision, 200.00 feet; thence N.00'00"E., 330.94 feet to the Point of Beginning.

DEDICATION:
The undersigned hereby certifies that he is the owner of the above described property and that besides his interest therein, there are no other outstanding interests in said property, which is hereby platted as HOLLYWOOD PARK SUBDIVISION FIRST ADDITION and that they dedicate all streets, easements, parks, and public places as shown on this plat to the use of the public in general. The party joining herein is Hal Lyons, owner.

STATE OF FLORIDA
COUNTY OF PINELLAS

I, the undersigned authority, personally appeared Hal Lyons to be known and known to me to be the individual executing the foregoing certificate of dedication and acknowledged to me that he executed the same for the purposes set out therein. Witness my hand and official seal at Pinellas County, Florida, this 53 day of February, 1984.

My Commission expires: 1-29-88
Notary Public: Alan H. Tannen

APPROVED by the Manager of Zoning and Subdivisions of the City of St. Petersburg, Pinellas County, Florida, this 5th day of April, 1984.

Manager: Lowry W. Moolenaar

APPROVED by the City Council of the City of St. Petersburg, Pinellas County, Florida, this 5th day of April, 1984.

City Manager: Column W. Moolenaar

APPROVED for the City of St. Petersburg, Pinellas County, Florida, this 29 day of April, 1984, provided that this plat has been filed for record in the office of the Clerk of the Circuit Court of Pinellas County, Florida, within six (6) months from the date of this approval.

STATE OF FLORIDA
COUNTY OF PINELLAS

I, Karleen F. DeBlaker, Clerk of the Circuit Court of Pinellas County, Florida, hereby certify that this plat has been examined and that its deficiencies in form and all the requirements of the Statutes of the State of Florida pertaining to maps and plat, and that this plat has been filed for record in Plat Book 9, Page 83, Public Records of Pinellas County, Florida this 53 day of February, 1984.

Karleen F. DeBlaker, Clerk
Pinellas County, Florida

SURVEYOR'S CERTIFICATE:
I, C. Fred Deuel, the undersigned Registered Land Surveyor, hereby certify that:
1. This plat was and is a true representation of the Surveyor's Certificate:
2. The property was surveyed and this plat is a true representation of the land described and shown, and that permanent monuments (PRM's) have been placed as indicated herein in accordance with the Statutes of the State of Florida pertaining thereto.
3. Also certify that the material and composition of this plat conforms to the requirements of Chapter 377.031 of the Florida Statutes.

C. Fred Deuel and Associates, Inc.
CONSULTING ENGINEERS - LAND PLANNERS - LAND SURVEYORS
BY: PETERSBURG - HUDDLE - ZEPHYRHILLS - CLEARWATER

Florida Engineer's Reg. No. 3089
Florida Surveyor's Reg. No. 02
1. Bearings are based on the westerly right-of-way line of 4th Street North being S.00°09'44"W. per plat book 74, page 33, Hollywood Park Subdivision First Addition.
2. There may be additional easements, restrictions, and/or matters not shown on this survey which may be found in the public records of this county.
3. This sketch and legal description is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
4. This is not a boundary survey.

SURVEYER'S CERTIFICATE

I hereby certify that the survey depicted hereon was prepared under my responsible charge on the date(s) shown, and meets the standards of practice set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes.

JOHN J. BELAND
Professional Surveyor and Mapper

DATE
7-27-16
Beginning at the Northwest corner of Lot 2, HOLLYWOOD PARK SUBDIVISION FIRST ADDITION, as recorded in Plat Book 74, Page 33, Public Records of Pinellas County, Florida; thence N.89°55'40"E., along the North line of said Lot 2, for 200.00 feet to the West right-of-way line of 4th Street North (State Road 687); thence S.00°09'44"W. along said right-of-way line, for 30.00 feet; thence S.89°55'40"W., departing said right-of-way and parallel to the North line of Lot 2, for 170.00 feet; thence S.00°09'44"W., parallel to the West line of Lot 2, for 125.05 feet; thence S.25°48'16"W., for 27.73 feet; thence S.89°55'40"W., parallel to the North line of Lot 2, for 18.00 feet to the West line of Lot 2; thence N.00°09'44"E. along the West line of Lot 2, for 180.00 feet to the Point of Beginning. Containing 10,350.27 square feet, more or less.
This narrative is provided to support the requested vacation and relocation of an existing ingress / egress easement located at 7220 4th Street North, between parcels 30-30-17-40749-001-0010 and 30-30-17-40749-001-0020. The easement was originally dedicated to the public as part of the plat for Hollywood Park Subdivision, First Addition (Plat Book 73, Page 33). While it currently bisects the two parcels, the easement and its driveway are proposed to be relocated to the north end of the property as part of the development of Budget Self Storage 4th Street, a proposed self storage facility which is currently under review by the City of St. Petersburg for a Special Exception (project number 16-32000013).

The easement currently serves the Hollywood Mobile Home Park, who has consented to its relocation by way of the "Amended, Restated, and Expanded Easement and Relocation Agreement" executed and recorded in 2014 (O.R. Book 18547, Page 1107) between the mobile home park owner and the owner of the property containing the subject easement.

The proposed relocated easement and driveway shall meet the City's requirements, and no adverse impacts are proposed or anticipated.
MEMORANDUM
CITY OF ST. PETERSBURG

City Council Meeting of February 16, 2017

TO: The Honorable Darden Rice, Chair, and Members of City Council
FROM: Clay Smith, Director, Downtown Enterprise Facilities Department
cdo-

SUBJECT: An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") for the Taxiway C Rehab Project (Project #15120), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds ("Grant") including but not limited to the Aviation Program Assurances ("Grant Assurances"), which, inter alia, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed $19,600; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

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

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

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

The Airport’s Airfield Pavement Management Program (“PMP”) specifies the need to rehabilitate the eastern half of Taxiway “C” which is currently in poor condition and continues to deteriorate. Exhibit “A” provides an aerial of the project area. The PMP primarily recommended pavement reconstruction due to the age and condition of the
Due to Federal Aviation Administration ("FAA") grant criteria, a little over half of the project area was deemed as not being eligible for federal funding. The Florida Department of Transportation ("FDOT") has agreed to participate in the federally eligible portion of this project by providing funding through the subject grant of this Ordinance. In addition, FDOT has agreed to provide funding for the non-federally eligible portion through an additional grant to be approved concurrently via a separate ordinance.

This FDOT grant provides up to $19,600 and will cover up to eighty percent (80%) of the City's ten percent (10%) match requirement or eight percent (8%) of the project's costs. The FAA will fund the remaining ninety percent (90%) of the project's costs through a separate federal grant which should be presented to City Council for approval later this summer. The estimated funding breakdown for this project is:

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>FAA (90%)</td>
<td>$220,500</td>
</tr>
<tr>
<td>FDOT (8%)</td>
<td>$19,600</td>
</tr>
<tr>
<td>City (2%)</td>
<td>$4,900</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$245,000</strong></td>
</tr>
</tbody>
</table>

The City's two percent (2%) match of $4,900 has already been appropriated for this project (Project #15120) within the Airport's CIP fund (4033).

Acceptance of any grants requires the City to meet certain grant assurances, including a 20-year commitment to keep the Albert Whitted Airport property as an operating airport.

Each ordinance may only address one encumbrance and requires the affirmative vote of six Council Members for adoption.

This is a first reading of the ordinance.

**RECOMMENDATION:** Administration recommends that City Council adopt the attached Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") for the Taxiway C Rehab Project (Project #15120), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds ("Grant") including but not limited to the Aviation Program Assurances ("Grant Assurances"), which, *inter alia*, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed $19,600; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.
Cost/Funding/Assessment Information: This project is part of the adopted CIP plan for the Airport. The City receives funding from the FDOT in the total amount of $19,600 which will be used to cover up to eight percent (8%) of the total costs of the Taxiway C Rehab Project (#15120). The City's two percent (2%) match of $4,900 is available within the Project #15120 under Award #81125 and/or Award #81253. The FAA's ninety percent (90%) portion of the project funding (estimated at $220,500) should be made available through to the City later this summer after the project has been bid.

Approvals:

Legal: 

Administration:

Budget:

Legal: 00306149.doc v. 1
EXHIBIT “A”: TAXIWAY “C” REHAB PROJECT AREA
Ordinance No. __________

An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") for the Taxiway C Rehab Project (Project #15120), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds ("Grant") including but not limited to the Aviation Program Assurances ("Grant Assurances"), which, inter alia, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed $19,600; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

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

Section Two. The Florida Department of Transportation has offered the City a grant in the amount of $19,600. This funding is to be used to provide up to eighty percent (80%) of the City's ten percent (10%) match requirement for a federal grant to be received later this year (or 8% of the total project costs) for the Taxiway C Rehab project (#15120).

Section Three. The restrictions which are set forth in the Joint Participation Agreement ("JPA"), including but not limited to the Aviation Program Assurances ("Grant Assurances") and any additional Supplemental Joint Participation Agreements ("JPAs") to be executed by the City, as a requirement for receipt of the Grant in an amount not to exceed $19,600 for the projects described in Section Two of this ordinance, which, inter alia, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment not to exceed 20 years from the effective date of the JPA are authorized.
Section Four. The Mayor or his designee is authorized to accept the grant from the FDOT in the amount of $19,600.

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

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

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

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

Approvals:

Legal: __________________________ Administration: __________________________

Budget: __________________________

Legal: 00306151.doc V. 1
TO: The Honorable Darden Rice, Chair, and Members of City Council
FROM: Clay Smith, Director, Downtown Enterprise Facilities Department

SUBJECT: An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") for the Taxiway C South Ramp Project (Project #15617), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds ("Grant") including but not limited to the Aviation Program Assurances ("Grant Assurances"), which, inter alia, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed $308,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

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

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

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

The Airport's Airfield Pavement Management Program ("PMP") specifies the need to rehabilitate the eastern half of Taxiway "C" which is currently in poor condition and continues to deteriorate. Exhibit "A" provides an aerial of the project area. The PMP primarily recommended pavement reconstruction due to the age and condition of the
pavement. Due to FAA grant criteria, a little over half of the project area was deemed as not being eligible for federal funding. Fortunately the Florida Department of Transportation ("FDOT") has agreed to provide funding for the non-federally eligible portion of the project through this grant. In addition, FDOT has agreed to provide funding for the federally eligible portion through an additional grant to be approved concurrently via a separate ordinance.

This FDOT grant provides $308,000 and will cover up to eighty percent (80%) of the project's costs. The City's twenty percent (20%) match of $77,000 has already been appropriated for this project (Project #15617) within the Airport's CIP fund (4033).

Acceptance of any grants requires the City to meet certain grant assurances, including a 20-year commitment to keep the Albert Whitted Airport property as an operating airport.

Each ordinance may only address one encumbrance and requires the affirmative vote of six Council Members for adoption.

This is a first reading of the ordinance.

RECOMMENDATION: Administration recommends that City Council adopt the attached Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") for the Taxiway C South Ramp Project (Project #15617), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds ("Grant") including but not limited to the Aviation Program Assurances ("Grant Assurances"), which, inter alia, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed $308,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

Cost/Funding/Assessment Information: This project is part of the adopted CIP plan for the Airport. The City receives funding from the FDOT in the total amount of $308,000 which will be used to cover up to eighty percent (80%) of the total costs of the Taxiway C South Ramp Project (#15617). The City's twenty percent (20%) match of $77,000 is available within the Project #15617 under Award #81253 ($81,000 available).

Approvals:
Legal: [Signature]
Administration: [Signature]
Legal: 00306154.doc v. 1
Budget: [Signature]
EXHIBIT "A": TAXIWAY "C" REHAB PROJECT AREA
An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") for the Taxiway C South Ramp Project (Project #15617), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds ("Grant") including but not limited to the Aviation Program Assurances ("Grant Assurances"), which, inter alia, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed $308,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

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

Section Two. The Florida Department of Transportation has offered the City a grant in the amount of $308,000. This funding is to be used to provide up to eighty percent (80%) of the total project costs for the Taxiway C South Ramp project (#15617).

Section Three. The restrictions which are set forth in the Joint Participation Agreement ("JPA"), including but not limited to the Aviation Program Assurances ("Grant Assurances") and any additional Supplemental Joint Participation Agreements ("JPAs") to be executed by the City, as a requirement for receipt of the Grant in an amount not to exceed $308,000 for the projects described in Section Two of this ordinance, which, inter alia, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment not to exceed 20 years from the effective date of the JPA are authorized.
Section Four. The Mayor or his designee is authorized to accept the grant from the FDOT in the amount of $308,000.

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

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

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

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

Approvals:

Legal:_________________________ Administration:_________________________

Budget:_________________________

Legal: 00306153.docv.1
Attached is a revised version of an ordinance regarding authorization for City Council to approve an agreement, with a term not exceeding 25 years and subject to certain conditions, for Al Lang Field to be used for the primary purpose of providing a home field for a Major League Soccer ("MLS") expansion team.

This revised version of the ordinance differs from the version of the ordinance distributed with the initial Council packet for this meeting as follows:

- References to the "Facility" have been revised to distinguish between the overall parcel and the stadium, as appropriate.

- References to the "Rowdies" have been revised for consistency with the initial notice sent to owners and occupants adjacent to Al Lang Field and to clarify that the referendum concerns an agreement for the use of Al Lang Field by an MLS expansion team.

- The findings in section 1 now include the date of the special election that would be called by the ordinance.

- The proposed authorization for an agreement provided in section 3 has been revised for consistency with the findings in section 1 and to clarify that the "conditions" referred to in the ballot summary include both the six-vote requirement for approval of the agreement and the 25-year limit on the term of the agreement.

- The text of the ballot summary in section 5 has been revised to include conditions from the ordinance concerning the use of Al Lang for an MLS expansion team and the limit on the use of City funding for stadium upgrades or expansion. This revised version remains compliant with the statutory limit of 75 words.

- Minor changes were made to correct typographical issues.

- The title has been revised to conform to the revised ordinance.
ORDINANCE NO. _______

AN ORDINANCE CALLING A SPECIAL ELECTION FOR MAY 2, 2017, FOR THE PURPOSE OF HOLDING A REFERENDUM REGARDING AN AGREEMENT, WITH A TERM NOT EXCEEDING 25 YEARS AND SUBJECT TO CERTAIN CONDITIONS, FOR AL LANG FIELD TO BE USED FOR THE PRIMARY PURPOSE OF PROVIDING A HOME FIELD FOR A MAJOR LEAGUE SOCCER EXPANSION TEAM; AUTHORIZING THE CITY COUNCIL TO APPROVE SUCH AN AGREEMENT FOLLOWING APPROVAL OF THE REFERENDUM BY A MAJORITY VOTE; PROVIDING THE REFERENDUM BALLOT TITLE AND SUMMARY; DIRECTING THE CITY CLERK TO PROVIDE NOTICE OF THE SPECIAL ELECTION; MAKING FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG ORDAINS THE FOLLOWING:

1. **Findings:** The City Council of the City of St. Petersburg, Florida, ("City Council") hereby makes the following findings:

   (a) Al Lang Field is identified as parcel 39 on the Park and Waterfront Map incorporated into the City Charter (the "Facility").

   (b) The City currently has an agreement with Big 3 Entertainment, LLC, for the management, maintenance, and operation of a portion of the Facility that expires on November 30, 2020 (the "Current Agreement").

   (c) Pursuant to the Current Agreement, the Facility is used for a variety of events, with its primary purpose being the home field for a professional soccer team that will compete in the United Soccer League during the upcoming season (the "Rowdies").

   (d) Major League Soccer ("MLS"), which is considered the top-tier soccer league in the United States, is engaged in the process of selecting four cities to receive expansion teams
and the Rowdies have submitted a bid to secure one of those MLS expansion teams for St. Petersburg.

(e) As part of their bid to join MLS, the Rowdies have proposed a privately-funded makeover and expansion for the Facility's stadium, and they have requested that the City authorize an agreement with a term not exceeding 25 years for the Facility to be used for the primary purpose of providing a home field for an MLS expansion team.

(f) Because the Facility is designated as waterfront property on the Park and Waterfront Map, section 1.02 of the Charter requires that a City-wide referendum be held to approve any agreement for the disposition of the Facility that exceeds 5 years.

(g) The Rowdies have agreed to cover the costs of a special election on May 2, 2017, for the purpose of holding this referendum as soon as possible.

(h) The City Council desires to seek authorization from the City's electors, in accordance with the Charter, to approve an agreement, with a term not exceeding 25 years and subject to the conditions set forth in this ordinance, for the Facility to be used primarily as the home field for an MLS expansion team.

(i) The procedure provided by the Charter for providing notice of this ordinance for the disposition of park and waterfront property has been followed, and the City Council has received proof of delivery of the required notice.

(j) The Director of the Census has determined that Pinellas County is subject to the bilingual election requirements of Section 203 of the Voting Rights Act (52 U.S.C. § 10503) with respect to people of Hispanic heritage. As a result, all information provided by the City concerning the special election and referendum must be provided in both English and Spanish.

2. **Special Election for Referendum:** The City Council hereby calls a special election for May 2, 2017, for the purpose of holding a City-wide referendum in accordance with applicable law, including section 1.02 of the City Charter and the terms of this ordinance.

3. **Authorization for Agreement:** If the referendum is approved by a majority vote, the City Council may approve a lease, license, use agreement, management agreement, or other type of agreement for the Facility subject to the following conditions (the "**New Agreement**"):  

(a) Approval requires the affirmative vote of at least six members of City Council.

(b) The term will not exceed 25 years.
(c) The Facility will continue to be used for a variety of events, with its primary purpose being a home field for an MLS expansion team.

(d) The New Agreement may go into effect only if the MLS selects St. Petersburg to receive an MLS expansion team.

(e) The City shall not pay for any upgrades to or expansion of the Facility's stadium that have been proposed as part of the Rowdies' bid for an MLS expansion team or that are required by MLS as a condition of selecting St. Petersburg to receive an expansion team.

(f) The City shall not pay, in whole or in part, any fees or other charges imposed by MLS as a condition of selecting St. Petersburg to receive an expansion team.

4. **Ballot Title:** On the special election ballot, the referendum question shall be titled as follows:

    Authorizing agreement not exceeding 25 years for Al Lang Field to host Major League Soccer

5. **Ballot Summary:** On the special election ballot, the referendum question shall be summarized as follows (with the number of this ordinance filled in upon adoption):

    May City Council approve an agreement regarding the disposition of Al Lang Field subject to conditions set forth in ordinance no. _________? These conditions include but are not limited to: agreement term not exceeding 25 years; primary purpose is a home field for a Major League Soccer expansion team; and City funding shall not be used for stadium upgrades or expansion proposed in bid for expansion team or required for award of expansion team.

    YES        NO

6. **Notice:** The City Clerk is hereby directed to provide notice of this special election and referendum as required by law and to take all other actions necessary or useful to carry out this election, including translation of the ballot title and text into Spanish and provision of all information concerning the electoral process in both English and Spanish in accordance with section 203 of the Voting Rights Act.

7. **Effective Date:** In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto 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:

[Signature]

City Attorney (Designee)
January 12, 2017

TO: The Honorable Members of City Council

SUBJECT: Eckerd College Update

PRESENTER: Dr. Eastman, President
           Eckerd College

SCHEDULE FOR COUNCIL ON:
   Agenda of February 16, 2017

Darden Rice, Council Chair
District 4
### Drug Stats

<table>
<thead>
<tr>
<th>DRUGS</th>
<th>GRAND TOTAL</th>
<th>TREND</th>
</tr>
</thead>
<tbody>
<tr>
<td>INCIDENTS</td>
<td>OCT, NOV, DEC: 531</td>
<td>-36.9%</td>
</tr>
<tr>
<td></td>
<td>LAST YEAR: 842</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CHANGE: -36.9%</td>
<td></td>
</tr>
<tr>
<td>ARRESTS</td>
<td>OCT, NOV, DEC: 353</td>
<td>-30.4%</td>
</tr>
<tr>
<td></td>
<td>LAST YEAR: 507</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CHANGE: -30.4%</td>
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</table>
## Robbery & Burglary Stats

<table>
<thead>
<tr>
<th></th>
<th>ROBBERY</th>
<th>GRAND TOTAL</th>
<th>TREND</th>
</tr>
</thead>
<tbody>
<tr>
<td>INCIDENTS</td>
<td>OCT, NOV, DEC: 174</td>
<td>143</td>
<td><strong>21.7%</strong></td>
</tr>
<tr>
<td></td>
<td>LAST YEAR:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CHANGE:</td>
<td>21.7%</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>ARRESTS</th>
<th>GRAND TOTAL</th>
<th>TREND</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>OCT, NOV, DEC: 29</td>
<td>30</td>
<td><strong>-3.3%</strong></td>
</tr>
<tr>
<td></td>
<td>LAST YEAR:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CHANGE:</td>
<td>-3.3%</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th></th>
<th>BURGLARY</th>
<th>GRAND TOTAL</th>
<th>TREND</th>
</tr>
</thead>
<tbody>
<tr>
<td>INCIDENTS</td>
<td>OCT, NOV, DEC: 501</td>
<td>541</td>
<td><strong>-7.4%</strong></td>
</tr>
<tr>
<td></td>
<td>LAST YEAR:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CHANGE:</td>
<td>-7.4%</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>ARRESTS</th>
<th>GRAND TOTAL</th>
<th>TREND</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>OCT, NOV, DEC: 86</td>
<td>79</td>
<td><strong>8.9%</strong></td>
</tr>
<tr>
<td></td>
<td>LAST YEAR:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CHANGE:</td>
<td>-8.9%</td>
<td></td>
</tr>
</tbody>
</table>
Auto Burglary Stats

**UCR AUTO BURGLARY INCIDENTS AND ARRESTS**

**AUTO BURGLARY INCIDENTS**
- OCT, NOV, DEC: 1,682
- LAST YEAR: 1,097
- CHANGE: 53.3%

**ARRESTS**
- OCT, NOV, DEC: 97
- LAST YEAR: 66
- CHANGE: 47%
Auto Theft Arrests
October – December 2016

- 84 Arrests
- 2 Repeat offenders (both juveniles)
- 1 Arrested for 4 different auto thefts
- 44 Juveniles
2nd Chance Program

October - December:

- 32 Juveniles Enrolled
- 30 Completed Successfully
Police Pursuits

2015
October......1
November...2
December...5

2016
October......0
November...1
December...0
Nuisance Abatement Update

October-December 2016

- Case 2016-02
  City of St. Petersburg v. Bayway Inn
  4400 34 Street South, St. Petersburg

October – December 2015

- Case 2015-04
  City of St. Petersburg v. Somethin’ Different
  2420 Central Avenue, St. Petersburg
Use of Force Incidents

**Use of Force = Any Hands-On Actions**

2015
- October......91
- November...78
- December...83

2016
- October......59
- November...73
- December...76
October – December Tip Total Comparison

2014: 312
2015: 689
2016: 672
Park, Walk & Talk
(October through December)

October
1,773

November
1,839

December
1,824

3 Month Total:
5,436

GPS Tracking of Officers’ Park, Walk & Talk
Equal Opportunity & Affirmative Action Goals

Labor Market Availability (LMA) Goals

- White Females: 7.7%
- Minority Males: 18.3%
- Minority Females: 4.3%
- Goal: 13%
- Actual: 4.9%

- Goal: 21.1%
- Actual: 4.3%
Police Overtime: Fiscal Year 2017 1st Quarter
(October – December 2016)

<table>
<thead>
<tr>
<th></th>
<th>2017 YTD</th>
<th>Budgeted Amount</th>
<th>Variance</th>
<th>2017 Budget</th>
<th>% of Total Budget Expended FYTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overtime</td>
<td>$ 606,490</td>
<td>$ 733,079</td>
<td>$ 126,589</td>
<td>$ 2,932,315</td>
<td>21%</td>
</tr>
<tr>
<td>OT-Off Duty</td>
<td>$ 269,350</td>
<td>$ 174,280</td>
<td>$(95,070)</td>
<td>$ 697,121</td>
<td>39%</td>
</tr>
<tr>
<td>OT-Special Event</td>
<td>$ 196,420</td>
<td>$ 165,643</td>
<td>$(30,777)</td>
<td>$ 662,571</td>
<td>30%</td>
</tr>
<tr>
<td>OT-Tropicana Field Events</td>
<td>$ 11,174</td>
<td>$ 204,056</td>
<td>$ 192,882</td>
<td>$ 816,224</td>
<td>1%</td>
</tr>
<tr>
<td>OT-Court Time</td>
<td>$ 57,573</td>
<td>$ 74,703</td>
<td>$ 17,130</td>
<td>$ 298,810</td>
<td>19%</td>
</tr>
<tr>
<td>OT-School Resource Officer</td>
<td>$ 8,462</td>
<td>$ 14,438</td>
<td>$ 5,976</td>
<td>$ 57,751</td>
<td>15%</td>
</tr>
<tr>
<td>Total</td>
<td>$ 1,149,468</td>
<td>$ 1,366,198</td>
<td>$ 216,730</td>
<td>$ 5,464,792</td>
<td>21%</td>
</tr>
</tbody>
</table>
Dog Obedience School
Citizens Police Academy
2017 Programs

Gang Initiative (Cohort of Champions)

Nuisance Abatement

Chief’s Youth Council

Traffic Enforcement
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Accepting the bid from Youngquist Brothers, Inc., in the amount of $1,840,000 for the SWWRF Reclaimed Water & Injection Well Improvements Project (Engineering/CID Project No. 16110-111; Oracle No. 15838); and providing an effective date.

Explanation: The Procurement Department received six bids for the construction of injection wells for the SWWRF Reclaimed Water & Injection Well Improvements Project. Bids were opened on January 31, 2017, and are tabulated as follows:

<table>
<thead>
<tr>
<th>Bidders</th>
<th>Base Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Youngquist Brothers, Inc. (Ft. Myers, FL)</td>
<td>$1,840,000</td>
</tr>
<tr>
<td>Florida Design Drilling Corporation (West Palm Beach, FL)</td>
<td>$1,872,150</td>
</tr>
<tr>
<td>Layne Christensen Company (Ft. Myers, FL)</td>
<td>$2,347,412</td>
</tr>
<tr>
<td>Rowe Drilling Company, Inc. (Tallahassee, FL)</td>
<td>$2,359,750</td>
</tr>
<tr>
<td>All Webbs Enterprises, Inc. (Jupiter, FL)</td>
<td>$2,694,300</td>
</tr>
<tr>
<td>Southeast Drilling Services, Inc. (Tampa, FL)</td>
<td>$2,842,050</td>
</tr>
</tbody>
</table>

The work consists of furnishing all labor, materials and equipment to drill one new injection well (IW-4) on the northeast side of the Southwest Water Reclamation Facility (SWWRF). The injection well will provide approximately 15 MGD additional capacity to increase the total disposal capacity of the SWWRF to 60 MGD of treated wastewater during high-flow weather events.

The Procurement Department, in cooperation with the Engineering and Capital Improvements Department, recommends an award to:

Youngquist Brothers, Inc. (Ft. Myers, FL) .......................................................... $1,840,000

Youngquist Brothers, Inc., the lowest responsible and responsive bidder, has met the specifications, terms and conditions of Bid No. 6346, dated December 28, 2016. They have performed similar work for the cities of St. Petersburg and Cape Coral, and have performed satisfactorily. Youngquist has met the City Ordinance requirements for SBE participation, 10% labor hours performed by disadvantaged workers and requested a good faith waiver of the apprentice workers' requirement under the Major Construction Project Requirements for Employing Apprentices.

The principals of Youngquist Brothers, Inc. are Tim Youngquist, President, Harvey Youngquist, Treasurer. Vice Presidents are Harvey Youngquist, Jr., Brett Youngquist and Charles Musselwhite.
Cost/Funding/Assessment Information: Funds have been previously appropriated in the Water Resources Capital Projects Fund (4003) (Engineering Project No. 16110-111; Oracle No. 15838).

Attachments: Resolution

Approvals:

[Signatures]
Administrative
Budget
WHEREAS, the Procurement & Supply Management Department received six bids for the construction of injection wells for the Southwest Water Reclamation Facility (SWWRF) Reclaimed Water & Injection Well Improvements Project pursuant to Bid No. 6346, dated December 28, 2016; and

WHEREAS, Youngquist Brothers, Inc. has met the specifications, terms and conditions of Bid No. 6346; and

WHEREAS, Youngquist Brothers, Inc. shall drill and construct one new injection well (IW-4) on the northeast side of the SWWRF; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Engineering & Capital Improvements 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 is hereby accepted and the award of an agreement to Youngquist Brothers, Inc. to drill and construct one new injection well (IW-4) on the northeast side of the Southwest Water Reclamation Facility in an amount not to exceed $1,840,000 is hereby approved.

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

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

[Signature]
City Attorney (Designee)
ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of February 16, 2017

TO: The Honorable Darden Rice, Chair and Members of City Council

SUBJECT: A Resolution approving an amendment to the contract between the City of St. Petersburg, Florida and Layne Inliner, LLC dated May 28, 2015 (as amended) to extend the term for an additional one year period and to increase the contract price in an amount not to exceed $1,000,000 for a total contract price not to exceed $5,220,000; authorizing the Mayor or his designee to execute the amendment and all documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: On April 16, 2015, City Council approved a contract with Layne Inliner, LLC in the amount of $1,870,000 for the Sanitary Sewer CIPP Lining Annual Contract – FY 2015 Project. The contract was executed on May 28, 2015 for an initial term of two-hundred-forty (240) days, and included a provision allowing the parties to extend the contract for up to two (2) additional one (1) year terms. The contract was subsequently extended on January 24, 2016 for one year in the amount of $2,350,000.

The work consisted of furnishing all labor, materials and equipment necessary to restore deteriorated 8-inch to 48-inch diameter sanitary sewer gravity pipe utilizing the trenchless Cured-in-Place-Pipe (CIPP) lining method. Repair locations are issued to the contractor on a work order basis, to address citywide priority repairs as determined by the Water Resources and Engineering and Capital Improvements Departments. CIPP lining provides a cost effective method of reducing inflow/infiltration and restoring the structural capacity and flow characteristics of deteriorated clay and concrete gravity sanitary sewer pipe under roadways, without the need for dewatering, sheeting and shoring, excavating, and roadway replacement. The work includes traffic control, bypass pumping for diversion of sanitary sewer flows, pipe cleaning, closed circuit television video inspection, construction of cured in place fiberglass pipe lining, and restoration of right-of-way. This Work is being completed as part of Mayor Kriseman’s Infrastructure Plan to reduce infiltration into the City’s Wastewater System.

Layne Inliner, LLC has agreed to a contract extension for FY 2017, and will receive an upward adjustment in unit prices of 3.9% as allowed in the contract and calculated based on the Engineering New Record Construction Cost Index. The contract extension will benefit the City by a reduction in project expenses for bidding the work, avoids a possible increase in construction costs, and hastens the commencement of the work. Further, Layne Inliner, LLC has demonstrated their ability to perform the work in accordance with the contract requirements. Administration recommends increasing the contract amount by $1,000,000 for total contract amount of $5,220,000, and extend the contract from January 24, 2017 through January 23, 2018. The Work is expected to be completed by July, 2017.

RECOMMENDATION: Administration approving an amendment to the contract between the City of St. Petersburg, Florida and Layne Inliner, LLC dated May 28, 2015 (as amended) to extend the term for an additional one year period and to increase the contract price in an amount not to exceed $1,000,000 for a total contract price not to exceed $5,220,000; authorizing the Mayor or his designee to execute the amendment and all documents necessary to effectuate this transaction; and providing an effective date.

(Engineering Project No. 15030-311; Oracle No. 15963)
COST/FUNDING/ASSESSMENT INFORMATION: Funds have been previously appropriated in the Water Resources Capital Projects Fund (4003), SAN Annual CIPP Lining FY17 Project (15963).

ATTACHMENTS: Resolution

APPROVALS: 

sm B Administrative

Budget
RESOLUTION NO. 2017-_____

A RESOLUTION APPROVING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND LAYNE INLINER, LLC DATED MAY 28, 2015 (AS AMENDED) TO EXTEND THE TERM FOR AN ADDITIONAL ONE YEAR PERIOD AND TO INCREASE THE CONTRACT PRICE IN AN AMOUNT NOT TO EXCEED $1,000,000 FOR A TOTAL CONTRACT PRICE NOT TO EXCEED $5,220,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE AMENDMENT AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City and Layne Inliner, LLC entered into a contract on May 28, 2015 for $1,870,000 for the Sanitary Sewer CIPP Lining Annual Contract – FY15 Project; and

WHEREAS, the contract had two one-year renewal options; and

WHEREAS, the first renewal option in the amount of $2,350,000 was approved by City Council on December 3, 2015; and

WHEREAS, the City and Layne Inliner, LLC desire to renew the contract for the final renewal option in order for Layne Inliner, LLC to perform sanitary sewer work in an amount not to exceed $1,000,000; and

WHEREAS, following City Council approval, the City and Layne Inliner, LLC will execute an amendment to the contract and thereafter, the City will issue Layne Inliner, LLC a notice to proceed to perform work in an amount not to exceed $1,000,000 for a total contract price not to exceed $5,220,000.

WHEREAS, Administration recommends approval of this resolution.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that an amendment to the contract between the City of St. Petersburg, Florida and Layne Inliner, LLC dated May 28, 2015 (as amended) to extend the term for an additional one year period and increase the contract price in an amount not to exceed $1,000,000 for a total contract price not to exceed $5,220,000 is hereby approved.

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

This resolution shall become effective immediately upon its adoption.

Approved by:  

By: (City Attorney or Designee)

Approved by:

By: (City Attorney or Designee)
MEMORANDUM

TO: The Honorable Darden Rice, Chair, and Members of City Council
FROM: Chris Ballestra, City Development Administration
RE: 2017 Firestone Grand Prix – Race Days Resolution
DATE: February 8, 2017

Attached please find the Race Days Resolution for the Firestone Grand Prix of St. Petersburg. This resolution formally adopts the race dates, effective March 9, 2017 at 12:01 a.m. ending at midnight March 12, 2017. Pursuant to the City’s Agreement with Green Sevoree Racing Promotions, Inc. to produce and conduct an annual automobile race on city streets and public lands, City Council adopted Ordinance No. 702-G on December 9, 2004, for a racing event under State Statutes, establishing a Race Zone (e.g. areas inside the event) and a Clean Zone (e.g. areas within a one block distance outside of the Race Area). Ordinance No. 1013-G, adopted on March 17, 2011, gives City Council the authority to adjust the race dates via resolution.

Following a very successful race event in 2016 and pursuant to annual contract obligations guided by Ordinance as noted, Administration recommends City Council approve the attached resolution.

cc: Alan DeLisle
    Jackie Kovlaritch
    Tony Leno
RESOLUTION NO

A RESOLUTION PURSUANT TO SECTION THREE OF ORDINANCE NO. 702-G, AS AMENDED, ESTABLISHING RACE DAYS FOR THE 2017 FIRESTONE GRAND PRIX OF ST. PETERSBURG DURING WHICH RACE ZONE AND CLEAN ZONE REGULATIONS AND OTHER REGULATIONS ARE IN EFFECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted Ordinance No. 702-G in December, 2004 which established a Race Zone and a Clean Zone and regulations to be in effect in each during the Grand Prix of St. Petersburg; and

WHEREAS, Section Three of Ordinance No. 702-G establishes the Race Days during which these Race Zone and Clean Zone regulations and other regulations shall be in effect; and

WHEREAS, Section Three of Ordinance No. 702-G was amended by Ordinance No. 1013-G in March, 2011 to allow City Council to change Race Days by resolution; and

WHEREAS, Section Three of Ordinance No. 702-G was amended in March, 2015 to allow City Council to establish Race Days by resolution.

WHEREAS, the 2017 Firestone Grand Prix of St. Petersburg is scheduled for March 9, 2017 through March 12, 2017.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that pursuant to Section Three of Ordinance No. 702-G, as amended, the Race Days for the 2017 Firestone Grand Prix of St. Petersburg are hereby established to be March 9, 2017 through March 12, 2017, and the Race Days shall begin at 12:01 a.m. on March 9, 2017 and end at midnight on March 12, 2017.

BE IT FURTHER RESOLVED by the City Council of the City of St. Petersburg, Florida that the Race Zone and Clean Zone regulations and other regulations shall be in effect as set forth in Ordinance No. 702-G, as amended.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND SUBSTANCE:

City Attorney (designee)
00307326
MEMORANDUM
CITY OF ST. PETERSBURG

City Council Meeting of February 16, 2017
Report Item

To: The Honorable Darden Rice, Chair, and Members of City Council

From: Joe Zeoli, Managing Director, City Development Administration

Subject: A Resolution authorizing the Mayor or his designee to execute a License Agreement between the City of St. Petersburg, Florida and the Lynx Educational Foundation, Inc. for docking and operation of the Tall Ship Lynx; and providing an effective date.

Explanation: On October 20, 2016, City Council adopted a resolution (Res. #2016-490) expressing support for making St. Petersburg the winter home of the Tall Ship Lynx ("Lynx") and requesting Administration engage in discussions with the Lynx Educational Foundation ("Foundation") in an effort to achieve that goal.

Subsequently, on December 15, 2016, City Council approved a resolution providing $65,000 of funding to perform the infrastructure improvements needed to dock the Lynx adjacent to the City's North Yacht Basin.

Administration and the Foundation have developed a License Agreement for the Lynx which contains the following key business points:

**Term:** The term of the License Agreement is for 4 years commencing upon execution of the Agreement and ending on April 30, 2021.

**License Fee:** In recognition of the community benefits the Lynx provides St. Petersburg, the license fees for the 2016/2017 partial-season and the first two full seasons (2017/2018 and 2018/2019) are waived. For the remaining two seasons (2019/2020, 2020/2021) the license fee is 10% of all ticket sales including sails, charters, and educational programs.

The Foundation shall be responsible for all utilities and other services associated with its use of the Premises.

**Use of Premises:** The Foundation is allowed the use of the Premises for docking of the Lynx from November 1st through April 30th each season, providing educational opportunities, tours, group charters and public sailings, and conducting recreational and social activities which promote the Foundation's programs.

The City shall have the rights to full use of the Premises outside of the Season each year.
**Maintenance:** The Foundation is responsible for all normal maintenance to keep the Premises in a clean, orderly and safe condition. The City has repair responsibility for the Gangway, the Floating Dock, and the Power Pedestal unless damage to these items is caused by Licensee’s actions.

**Insurance:** The Foundation shall maintain required insurance coverage throughout the Term, including Commercial General Liability, Protection and Indemnity, and Workers’ Compensation.

**Termination:** The License may be terminated without cause by either party with written notice no less than ninety days prior to the scheduled date of termination.

**Recommendation:** Administration recommends approval of the attached Resolution. Because the Premises is commercially zoned Park and Waterfront Property, Section 1.02 (c)(2) of the City Charter requires approval by the affirmative vote of at least six (6) members of City Council.

**Cost/Funding/Assessment Information:** Funding of $65,000 for the Premises improvements has already been approved by City council at the December 15, 2016 meeting (Res. # 2016-608)

**Approvals:**

**Administration:** [Signature]
A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG AND THE LYNX EDUCATIONAL FOUNDATION, INC., A CALIFORNIA NOT-FOR-PROFIT CORPORATION, FOR THE DOCKING AND OPERATION OF THE TALL SHIP LYNX IN THE NORTH YACHT BASIN FOR A TERM NOT TO EXCEED FIVE (5) YEARS; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE. (Requires an affirmative vote of at least six (6) members of City Council.)

WHEREAS, City Council, at its October 20, 2016, meeting adopted Resolution 2016-490 expressing support for making St. Petersburg the winter home of the Tall Ship Lynx ("Lynx"); and

WHEREAS, Real Estate & Property Management ("REPM") received a request from City Development Administration to create a License Agreement ("License") to allow for the use of a portion of City-owned upland and submerged lands located in and adjacent to the North Yacht Basin ("Premises") by the Lynx Educational Foundation, Inc., a California not-for-profit corporation ("Foundation") for an initial term not to exceed five (5) years ("Term"); and

WHEREAS, the License will permit the Foundation to dock and operate Lynx on City-owned lands in and adjacent to the North Yacht Basin from November through April each year during the Term; and

WHEREAS, the upland lands are zoned (DC-P) Downtown Center-Park; and

WHEREAS, as submerged lands have no zoning classification, they are governed by the classification of the abutting uplands which are zoned (DC-P) Downtown Center-Park; and

WHEREAS, this License is in compliance with Section 1.02(c)(2) of the City Charter which permits the leasing of commercially-zoned Park and Waterfront Property for a period not to exceed five (5) years with an affirmative vote of at least six (6) members of City Council.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his Designee, is hereby authorized to execute a License Agreement with the Lynx Educational Foundation, Inc., a California not-for-profit corporation,
for the docking and operation of the Tall Ship Lynx in the North Yacht Basin for a term not to exceed five (5) years; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)
Legal: 00308284.doc V. 3

APPROVED BY:

Joe Zeoli, Managing Director
City Development Administration

Bruce E. Grimes, Director
Real Estate and Property Management
LICENSE AGREEMENT
City as Owner/Licensor L-3280
(NOMINAL LICENSE)

THIS LICENSE AGREEMENT ("License"), made and entered into this __________ day of________________, 2017, by and between the CITY OF ST. PETERSBURG, a Municipal Corporation, existing by and under the laws of the State of Florida, ("City"), whose post office address is P.O. Box 2842, St. Petersburg, Florida 33731-2842, and LYNX EDUCATIONAL FOUNDATION, INC., a California not-for-profit organization, ("Licensee"), whose post office address is 22 Maple Street, Newmarket, NH 03857, (collectively "Parties").

WHEREAS, the Licensee operates the Tall Ship Lynx ("Ship") and provides hands-on educational programs that teach the history of America during the War of 1812 utilizing a comprehensive, interactive program featuring teamwork and the discipline of sail training; and

WHEREAS, the City will be the winter port of the Ship; and

WHEREAS, to provide a suitable berth for the Ship the City will be loaned a floating dock and an electrical pedestal, the City will purchase a gangplank to provide access to the floating dock, and the City will provide, at the City's sole expense, electrical service to the power pedestal

WITNESSETH:

NOW THEREFORE, in consideration of the covenants and promises contained herein and other good and valuable consideration, the receipt and adequacy which are hereby acknowledged, the Parties hereto agree as follows:

1. RECI TATIONS: The above recitations are true and correct and are incorporated herein by reference.

2. PREMISES: The City licenses to the Licensee, and the Licensee licenses from the City the property located in the City-owned North Yacht Basin ("North Basin") as depicted in Exhibit "A", attached hereto and incorporated herein by reference (collectively, "Premises"), subject to the terms, provisions, conditions, and limitations set forth in this License.

3. TERM; COMMENCEMENT; EXPIRATION: The term of this License ("Term") shall be for four (4) years, commencing on the 20th day of February, 2017 ("Commencement Date"), and ending on the 30th day of April, 2021 ("Expiration Date").

4. LICENSE FEE AND ADDITIONAL LICENSE FEE:

4.1. License Fee. The Licensee shall pay to the City the aggregate fee of $10.00 ("License Fee"), together with all applicable taxes, payable in full on or before the Commencement Date.

4.2. Percentage Rent. An amount determined by applying the Percentage Rent Schedule set forth herein to the Ticket Sales, as hereinafter defined, per month ("Percentage Rent"). Ticket Sales shall include all revenues received for sailings, charters,
and/or educational programs originating at the Premises, plus applicable sales tax during the Term ("Ticket Sales").

4.2.1. **Percentage Rent Schedule.** Effective November 1, 2019, the Licensee shall pay to the City percentage rent equal to 10% of all Ticket Sales for sailings, charters, and/or educational programs originating at the Premises ("Percentage Rent"). Said Percentage Rent shall be due and payable to the City by the fifteenth (15th) day of the month following the month in which the ticket sales occurred.

4.3. **Additional License Fee.** All other money to be paid by the Licensee to the City pursuant to this License shall be paid as an additional fee ("Additional License Fee"), which is due and payable by the fifteenth (15th) day of the month following the month in which it was incurred. If any Licensee Fee or Additional License Fees are received by the City after the fifth (5th) day of the month on which payment is due, Licensee shall pay the City a late fee of Five percent (5%) ("Late Fee"), which shall immediately become due and payable. In addition, City may assess a charge equal to the statutory limit allowed by law for any check from Licensee returned to City for insufficient funds. All Late Fees and fees for insufficient funds shall be collectible as Additional License Fee.

4.4. **Monthly Reporting.** Licensee shall provide to the City without demand or notice by the tenth (10th) day of each month:

4.4.1. An accounting of the previous month’s Ticket Sales, percentage rent calculation, and monthly percentage rent payment due, on a form approved by the City; and

4.4.2. A copy of the Licensee’s Florida Department of Revenue Form 15 (DR-15), or any subsequent replacement form utilized for reporting taxable sales to the State of Florida, that was submitted to the State of Florida for the previous month.

4.5. **Books and Records.** Licensee shall prepare in accordance with generally accepted accounting practice and keep at the Premises accurate books of accounts and records of Gross Revenues, including all federal, state, and local tax returns relating to Licensee’s Gross Revenues.

4.6. **City Audit.** City shall have the right to audit the books and records of Licensee relating to Rent and other performance requirements of this License, and Licensee, on request of City, shall make all such books and records, including tax returns, available for examination or audit at the Premises for a period of two (2) years following the Expiration Date. If City should have an audit made for any year and the Rent shall be found to be understated by more than five percent (5%) or contains any willful inaccuracies, then, in addition to immediately paying City the full amount of the understated Rent, Licensee shall pay to the City the cost of the audit. City shall have the right to terminate this License thirty (30) days after notice to Licensee if there should be more than two (2) audits during the Term which reveal understatements of Rent by Licensee of more than five percent (5%).
4.7. The provisions of this paragraph shall survive the expiration or earlier termination of this License.

5. USE OF PREMISES:

5.1. The Premises shall be used by the Licensee to:

5.1.1. dock the Ship at the Premises from November 1 through April 30 during the Term ("Season"); and

5.1.2. provide educational opportunities, tours, group charters, and public sailings; and

5.1.3. conduct recreational and social activities which promote the Licensee's Program and for no other purpose.

5.2. The City shall be responsible for the Premises outside of the Season and have full use of the Premises.

6. PREPARATION OF BERTH: The City, with support from several local businesses in the form of materials and labor, will perform the following actions in the Premises that contains submerged lands in North Basin ("Submerged Area") and in the Premises upland adjacent to the Submerged Area ("Uplands Area") in order to provide a suitable berth for the Ship:

6.1. The City will apply for all required permits and approvals from all applicable environmental and regulatory agencies; and

6.2. The City will provide, or cause to be provided, a floating dock of approximately 49' x 12' ("Dock") in the Submerged Area as depicted in Exhibit "A"; and

6.3. The City will provide, or cause to be provided, a gangway approximately 50' in length to connect the Upland Area to the Dock; and

6.4. The City will install, or cause to be installed, appropriate electric and water service, a power pedestal, sidewalks and other access aisles, seawall cap protection, and security fencing in the Upland Area.

6.5. In the event the local business support described in this paragraph fails to materialize, the City shall have the right to terminate this Agreement in accordance with Paragraph 26.2.

7. PERFORMANCE STANDARDS: During the Term of this License, Licensee shall operate in accordance with the performance standards set forth in Exhibit "B", which is attached hereto and made a part hereof.

8. UTILITIES/SERVICES:

8.1. Licensee shall pay all costs (including installation, deposits, and usage) for utilities and all other services including, but not limited to, electricity, telephone, internet service, water, gas, cable/satellite television, and sewerage, if any, associated with its use of the Premises.
8.2. Licensee shall at its sole cost and expense provide for the collection and disposal of trash associated with use of the Premises. All trash associated with the Licensee’s use of the Premises shall be stored in enclosed, secured, covered containers at all times. All trash in the containers must be in sealed plastic bags. All food waste must be double-bagged in sealed plastic bags. Licensee shall be responsible to clean the containers on a weekly basis and keep them free of odor.

8.3. Licensee shall pay all costs for passenger processing.

9. FEES AND TAXES: Licensee shall pay all fees and taxes, if any, levied on the Premises or its contents including, but not be limited to, applicable income tax, real property tax, personal property tax, sales tax and storm water fees. If the Licensee fails to pay all or any portion of the taxes and the City pays all or any portion of the taxes, Licensee must reimburse the City in full. Such reimbursement amount shall become due and collectible as Additional License Fee.

10. CONDITION OF PREMISES: Licensee has inspected the Premises and accepts the condition of the Premises in an "as is" condition. The City has made no representations, statements, or warranties, either expressed or implied, as to the condition of the Premises, or as to its fitness for a particular use.

11. LICENSEE’S MAINTENANCE OBLIGATIONS: Licensee shall, at its own cost and expense, keep the Premises and Licensee’s equipment and personal property in a clean, orderly and safe condition at all times. Licensee shall not permit any debris or litter to accumulate in or around the Premises resulting from the Licensee’s use of said Premises and shall use all reasonable precautions to prevent waste or damage to the Premises. Licensee shall also take the necessary steps to prevent any excessive wear and tear which normally would be considered caused by the Licensee’s occupancy. The Licensee shall assure that the Premises are maintained so as to meet all requirements of any City, County, State and Federal Laws and regulations applicable to the Premises and shall have a duty to warn all persons who enter on the Premises of any dangerous conditions thereon known to the Licensee. Licensee shall give prompt notice to the City in case of fire or accidents or other casualties on or about the Premises or of any defects in any fixtures or equipment therein. Failure to make necessary maintenance repairs or replacements shall be a material default of this License.

12. RETURN OF PREMISES ON EXPIRATION, TERMINATION OR CANCELLATION: Licensee shall, on or before the Expiration Date of this License, or at its earlier termination as provided herein, remove all goods and effects of Licensee, repair any damage caused by such removal and surrender and deliver up the Premises, broom clean and in good order, condition and repair, ordinary wear and tear and damage by fire or unavoidable casualty excepted. Any property not removed within twenty-four (24) hours after the Expiration Date of this License or its earlier termination as provided herein shall be deemed to have been abandoned by Licensee, and may be retained or disposed of by the City, as the City shall desire.

13. PROHIBITED USE: The Premises shall not be used for the manufacture or storage of flammable, explosive or hazardous materials, nor shall any occupation or other use be allowed which, in the sole discretion of the City, is deemed hazardous to persons or to the Premises or which will increase the City’s liability or cost for insurance.
14. **ENVIRONMENTAL COMPLIANCE:** As of the Commencement Date, City is unaware of any violations of any Environmental Laws on the Premises. The provisions under this paragraph shall survive the expiration or earlier termination of this License.

14.1. **Definitions.** For purposes of this License, the following words and phrases shall have the following meaning except where the text clearly indicates a contrary intention:

14.1.1. "Environment" shall mean soil, surface waters, groundwater, land, stream and sediments, surface or subsurface strata, ambient air, interior and/or exterior of any building or improvement and any environmental medium.

14.1.2. "Environmental Condition" shall mean any condition of the Environment with respect to the Premises that results from Licensee's possession, use, occupation, construction and/or improvement to or operation of Licensee’s business on the Premises.


14.1.4. "Hazardous Material" shall mean without limitation (i) those substances included within the definitions of "Hazardous Substances", "Hazardous Materials", "Toxic Substance", or "Solid Waste" in any Environmental Law; (ii) those substances listed in the United States Department of Transportation Table (49 CFR 172.101 and amendments thereto) or by the Environmental Protection Agency (or any successor agency) as hazardous substances (40 CFR Part 302 and amendments thereto); (iii) any materials,
waste, or substance which is (A) petroleum, petroleum by products, residuals of petroleum and petroleum degradation by products; (B) asbestos; (C) polychlorinated biphenyl's; (D) flammable explosives; or (E) radioactive materials; and (iv) such other substances, materials, and wastes which are or become regulated or controlled under any Environmental Law.

14.1.5. "Release" shall mean any releasing, spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, disposing, or dumping into the Environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any Hazardous Material).

14.2. Licensee's Obligation. Licensee shall not use, store, generate, transport, dispose, nor cause the release of any Hazardous Material in or upon the Premises, including but not limited to into any open surface water body, ditch, stream, conduit, storm sewer or sanitary sewer connected thereto or located thereon or knowingly permit any sublicensees or other persons or entities occupying the Premises to engage in such activities in or upon the Premises. However, the foregoing provision shall not prohibit the use, storage, maintenance, transportation to and from or handling within the Premises of Hazardous Material and other substances customarily used in the operation of the Premises or Licensee's operations, provided: (i) such substances shall be used, stored, maintained, transported, handled and disposed of only in accordance with Environmental Laws, (ii) such substances shall not be released in or upon the Premises in violation of Environmental Laws and the National Fire Protection Association ("NFPA") Code and local fire codes as they may be amended from time to time, and (iii) for purposes of removal and disposal of any such substances, Licensee shall be named as the owner and generator, obtain a waste generator identification number, and execute all permit applications, manifests, waste characterization documents and any other forms required by the appropriate state or federal environmental authority and hold City harmless.

14.3. Notification by City. City shall promptly notify Licensee of every demand, notice, summons, or other process received as to any Environmental Claim or legal proceeding that involves Licensee or the Premises.

14.4. Notification by Licensee. Licensee shall promptly notify City of every demand, notice, summons, or other process received as to any Environmental Claim or legal proceeding that involves City of the Premises, including: (i) any investigation or cleanup demanded or threatened by any government or regulatory authority with respect to the release of Hazardous Materials in or upon the Premises or the migration thereof to other property; and (ii) any demands or claims made or threatened by any party relating to any loss or injury resulting from any Hazardous Material in or upon the Premises. Licensee shall also promptly notify City of any violation of Environmental Law or incident that may or does result in an illegal release of Hazardous Materials.
14.5. **Cleanup and Remediation.** If any Hazardous Materials are released at, on or within the Premises by Licensee or any other occupant of the Premises in violation of Environmental Laws, Licensee shall timely notify City and immediately, properly and in compliance with Environmental Laws cleanup and remove the Hazardous Substances from the Premises and any other affected property. Such cleanup and removal shall be at Licensee's sole expense.

14.6. **Licensee Indemnity.** Licensee shall defend, pay on behalf of, indemnify and hold harmless City, its officers, directors, agents, or employees from and against all claims, damages, expenses (including reasonable attorneys' fees), liabilities and all other obligations including, without limitation, third party claims for personal injury or real or personal property damage (collectively, "Environmental Claims") arising from or connected with the violation of any Environmental Laws by Licensee or other occupants of the Premises except to the extent any of the foregoing Environmental Claims are attributable to the violation of Environmental Laws by City, its officers, directors, agents or employees. The City shall have control over the City's and Licensee's involvement in legal proceedings resulting from an environmental violation and covered by the indemnification agreement contained in this License. Licensee's duty to indemnify City shall survive the expiration or earlier termination of this License.

14.7. **Access to Premises.** Licensee shall allow authorized representatives of City or state and federal environmental personnel, at a reasonable time and with reasonable notice, access to the Premises for the following purposes:

14.7.1. Conducting an environmental audit or other inspections of the Premises.

14.7.2. Reviewing and copying of any records that must be kept under any environmental permit.

14.7.3. Viewing the facility, equipment, practices, or operations regulated or required under such permit.

14.7.4. Sampling or monitoring any substances or parameters at any location subject to any environmental permit or federal, state or municipal environmental law or regulation.

14.8. **Termination by City.** City may terminate this License by providing Licensee written notice of Licensee's default of this paragraph and providing Licensee not less than thirty (30) days to cure said default, or in the case of a default that cannot be cured within thirty (30) days, Licensee has commenced action to cure the default within thirty (30) days of City's written notice and diligently pursues a cure to the satisfaction of City. Failure by Licensee to cure said default within the time provided herein shall provide City the right, but not the obligation, to terminate this License without further notice.

14.9. **Survivability.** The provisions of this paragraph shall survive the expiration or earlier termination of this License.
14.10. **No Limitation.** Nothing in this License shall be interpreted as limiting the City's ability to seek contribution from any potentially responsible parties for any environmental violation.

15. **RADON GAS:** Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of Radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding Radon and Radon testing may be obtained from your county public health unit.

16. **REPLACEMENT FACILITY:** The City is under no obligation to locate or provide a replacement facility under any circumstances including, but not limited to, substantial damage to the Premises by fire, flood, hurricane, tornado, earthquake or other form of natural disaster, expiration or termination of this License.

17. **IMPROVEMENTS TO PREMISES:** Licensee shall not make or permit to be made any alterations, additions, improvements or changes ("Improvements") in the Premises without, in each case, first obtaining the written Approval of the City in accordance with Paragraph 46 of this License, in addition to required permits. All Improvements made to the Premises by either party shall immediately become the property of the City and shall remain so during the Term of this License and upon expiration or earlier termination thereof.

18. **SUBSTANTIAL DAMAGE:** If the Premises are damaged substantially by fire, flood or other cause so as to render the Premises untenable, either party may terminate this License without further liability other than those liabilities existing at termination.

19. **RIGHT OF ENTRY:** The City shall have the right, at all reasonable times, to enter, inspect and make such repairs or alterations to the Premises, accompanied by Licensee's authorized representatives, as the City may reasonably desire and to post a notice that the Premises is available for leasing at any and all times, up to three (3) months prior to the expiration of the Term. Licensee shall provide an authorized representative upon request by the City.

20. **INDEMNIFICATION:**

20.1. Licensee shall defend at its expense, pay on behalf of, hold harmless and indemnify the City, its officers, employees, agents, invitees, elected and appointed officials and volunteers (collectively, "Indemnified Parties") from and against any and all claims, demands, liens, liabilities, penalties, fines, fees, judgments, losses and damages, whether or not a lawsuit is filed, including but not limited to , costs, expenses and attorneys' and expert fees at trial and on appeal (collectively, "Claims") for damage to property or bodily or personal injuries, including death at any time resulting therefrom, sustained by any person or persons; which Claims are alleged or claimed to have arisen out of or in connection with, in whole or in part, directly or indirectly:

20.1.1. The ownership, occupancy or use of the Premises by the City or Licensee;

20.1.2. The performance of this License (including future changes and amendments thereto) by Licensee, its employees, agents, representatives, contractors, subcontractors or volunteers, including but not limited to the
Licensee’s duty to maintain and warn of dangerous conditions set forth in Paragraph 10 of this License;

20.1.3. The failure of Licensee, its employees, agents, representatives, contractors, subcontractors or volunteers to comply and conform with any applicable law, statute, ordinance or regulation now or hereinafter in force, including current or future amendments thereto, applicable to its use of the Premises or related to the performance of this License; or

20.1.4. Any negligent, reckless or intentional act or omission of the Licensee, its employees, agents, representatives, contractors, subcontractors or volunteers, whether or not such negligence is claimed to be either solely that of the Licensee, its employees, agents, representatives, contractors, subcontractors or volunteers or to be in conjunction with the claimed negligence of others, including that of any of the Indemnified Parties.

20.2. Insurance Obligations: The provisions of this paragraph are independent of, and shall not be limited by, any insurance obligations in this License, and shall survive the expiration or earlier termination of this License with respect to any claims or liability arising in connection with any event occurring prior to such expiration or termination. The purchase of insurance coverage required by this License, or otherwise, shall not relieve Licensee of any duties set forth in this paragraph.

21. DISCLAIMERS:

21.1. Risk of Loss: Licensee shall store its property and shall occupy the Premises at its own risk.

21.2. Licensee’s Staff Property Damage: The City shall not be responsible or liable at any time for any damage to Licensee’s staff equipment and personal property regardless of the cause, unless such damage is due to the City’s negligence or wrongful act.

21.3. Acts or Omissions of Third Parties: The City shall not be responsible or liable to Licensee for any damage to either person or property that may be occasioned by or through the acts or omissions of third parties.

21.4. Notice of Claim: Licensee shall give prompt notice to the City in case of fire or accidents or other casualties on or about the Premises.

21.5. Property Defects. The City and its respective agents and employees shall not be responsible or liable at any time for (a) any defects, latent or otherwise, in the Premises or any of the equipment, machinery, utilities, appliances or apparatus therein, or (b) for any loss of life, or injury or damage to any person or to any property or business of Contractor or those claiming by, through or under Contractor, caused by, or resulting from, the bursting, breaking, leaking, running, seeping, overflowing or backing up of water, steam, gas, sewage, snow or ice in any part of the Premises or caused by or resulting from, acts of God or the elements or the failure of any public utility in supplying utilities to the Property, or (c) any damage caused by or resulting from any defect or negligence in the occupancy, construction, operation or use of the Premises or of any improvements to the
Premises, or any of the equipment, fixtures, machinery, appliances or apparatus therein by any other person or by or from the acts of negligence of any occupant of the Property.

22. **WAIVER OF CITY’S LIABILITY:** The City shall not be responsible or liable for and Licensee hereby expressly waives all claims against the City for injury or death to persons or damage or destruction of property or any other interest of Licensee, regardless of the cause. All of Licensee’s property of every kind and description which may at any time be at the Premises shall be at Licensee’s sole risk.

23. **LIMITATION OF LIABILITY:** In no event shall the City 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 including, but not limited to, any special, incidental or consequential damages alleged or claimed to be related to or arising from any default by the City under this Agreement or the City’s operation, management, leasing, licensing, repair, development, improvement, renovation, construction, or alteration of the Premises (or any improvements thereto), or any other City property (or any improvements thereto).

24. **INSURANCE:**

   24.1. Licensee, commencing on the date the Licensee first enters upon the Premises in accordance with this License, shall maintain at Licensee’s cost, the following insurance, written by a firm that is authorized to conduct operations in the State of Florida, recognized by the State of Florida Insurance Department and accepted by the City. The policy or policies shall have following minimum coverages and limits:

      24.1.1. Commercial General Liability policy on an occurrence basis with at least a $1,000,000 per occurrence limit and $2,000,000 aggregate limit. Coverage shall include bodily injury and property damage for premises and operations, including but not limited to products and completed operations, personal injury, and contractual liability under this Agreement, protecting the City against all claims or demands that may arise or be claimed on account of Licensee’s use of the Premises.

      24.1.2. Protection and Indemnity policy of at least $1,000,000 per occurrence limit and $2,000,000 aggregate limit.

      24.1.3. Workers’ Compensation in compliance with the laws of the State of Florida, Employers Liability in an amount of $100,000 per accident, $100,000 per employee for disease, and $500,000 for all diseases, and United States Longshore and Harborworker’s Act Insurance including Jones Act and maintenance and Cure coverage

   24.2. Licensee shall provide the City with Certificates of Insurance on a standard ACORD form reflecting all coverages, with the exception of Workers Compensation, prior to commencing operations and at each subsequent policy renewal. At the City’s request, Licensee shall provide the City with a copy of each policy required by this License.
24.3. All policies, with the exception of Workers Compensation, shall name the City of St. Petersburg, Licensee, and persons contracting with Licensee, as an "Additional Insured" under the policy, provide contractual liability coverage, and provide that they shall not be subject to cancellation or any material change which would or could affect the City except for a minimum of thirty (30) days prior written notice to the City at the address set forth in Paragraph 32 of this License.

24.4. Licensee shall be responsible for securing, at its own expense, whatever insurance coverage it may desire on the contents of the Premises.

24.5. The insurance coverages and limits are set at the sole discretion of the City and are subject to change or revision as the need arises. The City may, at its sole discretion, change or increase the required insurance coverage and limits from time to time and shall provide thirty (30) days notice to Licensee. Failure of the Licensee to comply with any changes or increases within thirty (30) days of receipt of written notice from the City shall be considered a material default of this License. Approval by the City of any certificate of insurance does not constitute verification by the City that the insurance requirements have been satisfied or that the insurance policy shown on the certificate of insurance is in compliance with the requirements of this License. The City reserves the right to require a certified copy of the entire insurance policy including endorsements. When requested by the City, Licensee shall, within ten (10) days of request, provide copies of current policies.

24.6. If the Licensee fails to furnish certificates showing policies paid in full as provided in this License, the City may, after written notice to the Licensee and failure of the Licensee to provide the certificate within ten (10) days after such notice, obtain the insurance, and the premiums paid by the City for that insurance shall be deemed Additional License Fee to be paid by the Licensee.

25. **LIENS:**

25.1. **No Liens.** Neither Licensee nor anyone claiming by, through or under Licensee shall have the right to file or place any mechanic's or materialman's lien or other lien of any kind or character whatsoever upon the Premises or improvements thereon or upon the interest of Licensee herein. All contracts for improvements to the Premises shall provide for a payment and performance bond in accordance with Section 255.05, Florida Statutes or successor laws. Notice is hereby given that no contractor, subcontractor or any other person who may furnish any material, service or labor for any part of the Premises, improvement, alteration, repairs or any part thereof, or for the destruction or removals of any part of the Premises or structure, shall at any time be or become entitled to any lien on or against the Premises.

25.2. **City's Lien.** The City shall have a lien against all goods, equipment, furniture and other personal property of Licensee kept on the Premises at any time during the Term, in the aggregate amount of all fees, damages and the sums that may at any time be owed by the Licensee to the City under this License. The City, in the event of any default by the Licensee, may foreclose the lien. In that event, the Licensee shall be obligated for all court costs and reasonable attorney(s) fee(s).
26. **TERMINATION:**

26.1. This License may be terminated without cause by either party by providing the other party with written notice of intent to terminate said License no less than ninety (90) days prior to the scheduled date of termination. Upon termination all obligations under this License shall cease except those existing as of the date of termination.

26.2. In the event the local business support described in Paragraph 6 fails to materialize and the improvements described in Paragraph 6 are not completed, the City shall have the right to terminate this agreement with a ten (10) day written notice to the Licensee.

27. **DEFAULT:**

27.1. **Default by Licensee.**

27.1.1. **Events of Default.** Subject to Licensee's right to notice and opportunity to cure specified in Paragraph 24.2 of this License, Licensee shall be deemed to be in default of its obligations under this License upon the occurrence of any of the following:

27.1.1.1. Licensee's failure to pay License Fee, Additional License Fee or any other sums due under this License when due;

27.1.1.2. Licensee's failure to perform any covenant, promise or obligation contained in this License;

27.1.1.3. The appointment of a receiver or trustee for all or substantially all of Licensee's assets;

27.1.1.4. Licensee's voluntary petition for relief under, any bankruptcy or insolvency law;

27.1.1.5. The filing of an involuntary petition for relief under any bankruptcy or insolvency law that is not dismissed within sixty (60) days of filing.

27.1.1.6. The sale of Licensee's interest under this License by execution or other legal process;

27.1.1.7. The seizure, sequestration or impounding by virtue or under authority of any legal proceeding of all or substantially all of the personal property or fixtures of Licensee used in or incident to the operation of the Premises;

27.1.1.8. Licensee making an assignment of this License for the benefit of creditors;

27.1.1.9. Any sale, transfer, assignment, subleasing, concession, license, or other disposition prohibited under this License; or
27.1.1.10. Licensee doing or permitting to be done anything that creates a lien upon the Premises and shall fail to obtain the release of any such lien or bond off any such lien as required herein.

27.2. **Notice: Licensee’s Right to Cure.** Licensee shall be deemed in default of this License upon the Licensee’s failure to pay License Fee, Additional Licensee Fee, or any other monetary sum within ten (10) days after it is due, or commits a default of any other provision of this License, which is not cured within thirty (30) days after receipt of notice from the City, provided that if such default cannot be reasonably cured within such thirty (30) day period, then within such additional time up to sixty (60) days as is reasonably necessary provided that the Licensee continuously and in good faith proceeds to cure such default.

27.3. **City’s Remedies.** Upon Licensee’s default hereunder City may exercise all remedies at law and in equity.

27.4. **Default by City.** City shall be in default under this License if the City fails to substantially perform any of its obligations or materially defaults any of its covenants contained in this License and said failure or default continues for a period of thirty (30) days after written notice from Licensee to the City. This thirty (30) day period shall be extended for such reasonable period of time as is necessary to cure the default, if the alleged default is not reasonably capable of cure within the thirty (30) day period and the City commences and continues diligently to cure said default. Notwithstanding any provision to the contrary contained herein, the Licensee’s sole remedy for a default by the City shall be to terminate this License.

28. **ASSIGNMENT OR SUBLICENSE:**

28.1. **Assignment**

28.1.1. **Consent of the City.** Licensee shall not delegate performance nor assign this License or any of its rights under this License without first receiving the authorization of the City Council of St. Petersburg (“City Council”) which shall be granted or withheld in the City Council’s sole and absolute discretion. Any such purported delegation or assignment shall be null and void and shall constitute a material default of this License. Any purported involuntary assignment of this License or assignment by operation of law, whether by bankruptcy or insolvency, merger (whether as the surviving or disappearing business entity), consolidation, dissolution, reorganization, transfer of the Licensee or controlling interest in the Licensee, or court order effectuating such assignment or any other method, shall be null and void and shall constitute a material default of this License unless such underlying transaction is approved by the City Council which approval shall be in the sole discretion of the City Council.
28.1.2. **Assumption and Release.** Upon a permitted assignment under this paragraph, the assignee shall assume all rights and obligations of Licensee under this License. Any assignee of Licensee shall deliver to the City an assumption agreement in a form reasonably satisfactory to the City within ten (10) days after approval by the City Council of such assignment. Notwithstanding anything to the contrary contained in this License, upon a permitted assignment of this License, the assigning Licensee's liability under this License shall not terminate.

28.2. **Sublicense.** Licensee shall not have the right to sublicense or otherwise dispose of the Premises or this License or any part thereof, or of its right, title or interest therein or its power to execute this License or any amendment or modification thereto, to any person, company or corporation, without the City Council's prior written consent which shall be granted or withheld in the City Council's sole discretion. Any purported sublicense or other disposition which is not authorized by the City Council shall be void and shall be deemed a material default of this License and cause for immediate termination.

29. **NON-APPROPRIATION:** The obligations of the City as to any funding required pursuant to this License shall be limited to an obligation in any given year to budget and appropriate 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 License.

30. **LICENSEE ENTITY:** Licensee shall do all things necessary to comply with all the legal requirements to be a business entity authorized to operate within the State of Florida, including but not limited to active registration with the Florida Division of Corporations. If Licensee is a foreign entity, it shall also do all things necessary to comply with all the legal requirements to be a business entity authorized to operate in its state of domicile, including but not limited to required registrations and filings with that state. Should Licensee at any time fail to be in compliance with those legal requirements, said failure shall constitute a material default of this License and this License may be immediately terminated by the City in its sole discretion.

31. **LICENSEE AS NON-PROFIT CORPORATION:** Should Licensee at any time fail to qualify as a not for profit entity, said failure shall constitute a material default of this License and this License shall be subject to immediate termination in the sole discretion of the City.

32. **CURRENT OFFICERS:** Licensee shall during the Term or any Renewal Term provide the City with the name, title, address and telephone number of all of the organization's officers and directors in writing, within thirty (30) calendar days of their election or appointment to office. Should any of the officers or directors reside at more than one residence, all addresses and telephone numbers shall be supplied to the City.

33. **SUCCESSORS AND ASSIGNS:** This License shall be binding on the Parties and their successors and assigns.
34. **NOTICES:** Any notice, demand, request, or other instrument which may be or is required to be given or delivered under this License shall be in writing and shall be deemed to be delivered (i) whether or not actually received, five (5) days after deposited in the United States mail, postage prepaid, certified or registered mail, return receipt requested, or (ii) when received (or when receipt is refused) if delivered personally or sent by a nationally-recognized overnight courier, all charges prepaid, at the addresses of the City and Licensee as set forth in this paragraph. Such address may be changed by written notice to the other party in accordance with this paragraph.

**LICENSEE**  
Lynx Educational Foundation, Inc.  
Don Peacock, President  
22 Maple Street  
Newmarket, NH 03857

**CITY**  
City of St. Petersburg  
Real Estate & Property Management  
P.O. Box 2842  
St. Petersburg, Florida 33731-2842

And

Via Hand Delivery to the Ship

Refer to Real Estate & Property Management File No. L-3280 when making any inquiries to the City concerning this License.

35. **RELATIONSHIP BETWEEN PARTIES:** The relationship between the Parties is that of Owner/Licensor and Licensee.

36. **PERMITS AND LICENSES:** Licensee shall be responsible for obtaining any and all necessary permits, licenses, certifications and approvals which may be required by any government agency in connection with Licensee’s performance of this License. Upon request of the City, Licensee shall provide the City with written evidence of such permits, licenses, certifications, and approvals.

37. **COMPLIANCE WITH LAWS:** Licensee shall comply with all applicable federal, state, and local laws, ordinances, rules and regulations, the federal and state constitutions, and orders and decrees of any lawful authorities having jurisdiction over the matter at issue (collectively, "Laws"), with respect to the Premises and the Licensee’s use of the Premises including, but not limited to, the Florida public records law (i.e. Chapter 119, Florida Statutes).

38. **APPLICABLE LAW, VENUE AND JURISDICTION:** This License shall be governed by and be interpreted in accordance with the laws of the State of Florida. Venue for any action brought in state court shall be in Pinellas County, St. Petersburg Division. Venue for any action brought in federal court shall be in the Middle District of Florida, Tampa Division, unless a division shall be created in St. Petersburg or Pinellas County, in which case the action shall be brought in that division. Each party waives any defense of improper or inconvenient venue as to either court and consents to personal jurisdiction in either court.

39. **SEVERABILITY:** Should any section or any part of any section of this License be rendered void, invalid, or unenforceable by any court of law, for any reason, such determination shall not render void, invalid, or unenforceable any other section or any part of any section in this License.
40. **NON-DISCRIMINATION:** Licensee shall not discriminate against anyone in the use of the Premises on the basis of race, color, religion, gender, national origin, marital status, age, disability, sexual orientation, genetic information or other protected category.

41. **HEADINGS:** The section headings of the paragraphs of this License are inserted herein for convenience and reference only, and shall not be considered or referred to in resolving questions of interpretation.

42. **ENTIRE AGREEMENT:** This License, including attachments hereto, if any, constitutes the entire agreement between the City and Licensee. No change will be valid, unless made by supplemental written agreement, executed and approved by the Parties.

43. **RECORDATION:** This License shall not be recorded in the public records by either party.

44. **APPROVAL:** This License is subject to approval by the Mayor or his Designee, (or Mayor and City Council), as the City policies and procedures require.

45. **NO CONSTRUCTION AGAINST PREPARER OF LICENSE:** This License has been prepared by the City and reviewed by the Licensee and its professional advisors. The City, Licensee and Licensee's professional advisors believe that this License expresses their agreement and that it should not be interpreted in favor of either the City or Licensee or against the City or Licensee merely because of their efforts in preparing it.

46. **DUE AUTHORITY:** Each party to this License that is not a natural person represents and warrants to the other party(ies) that i) it is a duly organized, qualified and existing entity under the laws of the State of Florida, and ii) all appropriate authority exists so as to duly authorize the persons executing this License to so execute the same and fully bind the party(ies) on whose behalf they are executing.

47. **AMERICANS WITH DISABILITIES ACT OF 1990:** Licensee assumes all responsibility including, but not limited to, financial, construction and physical modification costs, provision of auxiliary aids, services and legal costs, for ensuring compliance of the Premises with all aspects of the Americans with Disabilities Act of 1990 (ADA) and any amendments thereto and regulations promulgated thereunder, including, but not limited to, Title II, Structural and Title III, Programmatic Accessibility Standards, as well as any future amendments.

48. **CITY CONSENT AND ACTION:**

48.1. **City Approval.** For the purposes of this License, any required written permission, consent, approval or agreement ("Approval") by the City means the Approval of the Mayor or his Designee unless otherwise set forth herein and such Approval shall be in addition to any and all permits and other licenses required by law or this License.

48.2. **City Action.** For the purposes of this License any right of the City to take any action permitted, allowed or required by this License, may be exercised by the Mayor or his Designee, unless otherwise set forth herein.
49. **CITY AS A MUNICIPAL CORPORATION:** Nothing contained herein shall be interpreted to require the City to take any action or refrain from taking any action that would be adverse to its status as a municipal corporation; or to take or refrain from taking any action in its capacity as a municipal corporation not specifically required by this License.

50. **NO WAIVER:** The exercise by the City of any right or remedy to collect Use Fees or Additional Fees, or enforce its rights under this License shall not constitute a waiver of, or preclude the exercise of, any other right or remedy afforded the City by this License or by statute or law. The failure of the City in one or more instances to insist on strict performance or observations of one or more of the covenants or conditions of this License, or to exercise any remedy, privilege or option conferred by this License on or reserved to the City, shall not operate or be construed as a relinquishment or future waiver of the covenant or condition or the right to enforce it or to exercise that privilege, option or remedy, but that right shall continue in full force and effect. The receipt by the City of fees, or any other payment or part of any payment required to be made by the Licensee, shall not act to waive any Additional Fees or payments then due. Nor shall receipt, though with the knowledge of the default of any covenant or condition of this License, operate as or be deemed to be a waiver of this default, and no waiver by the City of any of the provisions of this License or any of the City’s rights, remedies, privileges, or options under this License shall be deemed to have been made, unless made by the City in writing. No surrender of the Premises for the remainder of the Term shall be valid, unless accepted by the City in writing.

51. **MISCELLANEOUS:**

51.1. Bilge water containing oil wastes shall not be discharged into the North Yacht Basin or Tampa Bay. Solid wastes shall not be discharged into the North Yacht Basin or Tampa Bay. Liquid wastes containing contaminants shall not be discharged into the North Yacht Basin or Tampa Bay. All permanently installed sewage systems must be locked off while the vessel is docked and shall not allow toilet wastes to be discharged into the North Yacht Basin or Tampa Bay.

51.2. The Ship must receive fuel from a fuel delivery company approved in writing by the City. No fuel will be pumped/transfered between the Ship and containers on City owned property.

51.3. The Ship shall conform to all federal and state regulations concerning boat safety devices and equipment.
IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives as of the date and year first above written.

WITNESSES: (as to Licensee)

Witness Signature

Typed, Printed or Stamped Name

Witness Signature

Typed, Printed or Stamped Name

LICENSEE: Lynx Educational Foundation, Inc.

By: ____________________________

Don Peacock, President

Title: ____________________________

ATTEST:

By: ____________________________

Donald Grant, Corporate Secretary

(Affix Corporate Seal)
WITNESSES: (as to City)

Witness Signature

Typed, Printed or Stamped Name

Witness Signature

Typed, Printed or Stamped Name

CITY: City of St. Petersburg, Florida

Gary Cornwell
As its: City Administrator

ATTEST:

Chan Srinivasa, City Clerk

(City Seal)

REVIEWED:

Bruce E. Grimes, Director
Real Estate & Property Management

APPROVED AS TO CONTENT:

City Attorney (Designee)

RICHARD B. BADGLEY
Assistant City Attorney

APPROVED AS TO FORM:

City Attorney (Designee)

By: ________________________
Assistant City Attorney

Legal: 00308276.doc V. 4
EXHIBIT "B"
Performance Standards

1. The Licensee will operate the Ship out of its Home Port in the City's North Basin during the Season unless approved by the City to operate elsewhere.
2. The Lynx shall be open to the public at least 5 days per week during the Season.
3. The Licensee shall provide educational programs accessible to the general public and local schools throughout the Season.
4. The Lynx will set sail from the North Yacht Basin for public sailings at least two times per week.
COUNCIL AGENDA
NEW BUSINESS ITEM

TO: Members of City Council
DATE: February 8, 2017
COUNCIL DATE: February 16, 2017
RE: Selection and Appointment of PSTA Board of Directors St. Pete Citizen Representative Position

Darden Rice, Council Chair
District 4
COUNCIL AGENDA
NEW BUSINESS ITEM

TO: Members of City Council

DATE: February 10, 2017

COUNCIL DATE: February 16, 2017

RE: Resolution Opposing Legislation that would Abolish Visit Florida

ACTION DESIRED:

Respectfully requesting the City Attorney draft and present a resolution opposing any legislation that would abolish Visit Florida.

Charlie Gerdes
Council Member
TO:   Members of City Council

DATE:   February 10, 2017

COUNCIL DATE:   February 16, 2017

RE:   Resolution Opposing Legislation that would Abolish Enterprise Florida

ACTION DESIRED:

Respectfully requesting the City Attorney draft and present a resolution opposing any legislation that would abolish Enterprise Florida.

Charlie Gerdes
Council Member
Co-Sponsored Events Committee Meeting Report

The meeting was called to order by Charlie Gerdes, Chair of the committee. The following members were present: Councilmember Gerdes, Councilmember Wheeler-Bowman, Councilmember Montanari, Councilmember Kennedy, Councilmember Kornell, and Councilmember Foster. City staff members present were: Lynn Gordon, Parks & Recreation; Denis Burns, Parks & Recreation; Tony Leno, City Development Administration; Joe Zeoli, City Development Administration; Kevin King, Mayor’s Office; Cindy Sheppard, City Council Office; Cathy Davis, Assistant City Clerk.

Councilmember Gerdes was elected chair of the committee and Councilmember Montanari was elected vice-chair.

The committee considered for approval fifteen (15) events for FY 17; a waiver of the non-profit applicant requirement for four (4) of those events; a waiver of the late fee for two (2) of those events; and approval of liquor requests for two (2) of those events. City staff provided the committee with details about six (6) events which are new applicants. All applications and requests were unanimously approved, except that the application for St. Pete Pride was deferred to March 16 when the committee will meet again. This deferral was the result of discussions between the committee and staff regarding the location of the event. Kevin King informed the group that the Mayor hopes to have a resolution regarding the location of the event in the next couple of weeks.

The committee considered for approval seventeen (17) events for FY 18; a waiver of the non-profit applicant requirement for five (5) of those events; and approval of liquor requests for four (4) of those events. All applications and requests were unanimously approved.

The committee then held a brief discussion regarding an ordinance to amend Section 21-38(d) of the City Code to add Williams Park and Elva Rouse Park to list of approved parks for alcohol. The committee unanimously approved sending the ordinance to the full City Council for consideration.

Joe Zeoli informed the committee that at the March 16 meeting there will be a discussion regarding the RFP process for a race director for a City half marathon.

The meeting adjourned at 4:00pm.

Respectfully submitted,

Lynn Gordon
Parks & Recreation Manager & Co-Sponsored Events Committee Liaison
ORDINANCE NO. ________

AN ORDINANCE AMENDING SECTION 21-38(D) OF THE ST. PETERSBURG CITY CODE, ALLOWING THE CONSUMPTION AND SALE OF BEER AND WINE WILLIAMS PARK AND ELVA ROUSE PARK WHEN ACTIVITIES ARE SPONSORED OR CO-SPONSORED BY THE CITY OR WHICH HAVE RECEIVED A PARK PERMIT OR OTHER APPROVAL FROM THE CITY; AND PROVIDING AN EFFECTIVE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. Section 21-38(d) of the St. Petersburg City Code is hereby amended to read as follows:

(d) A permit to sell, serve, dispense, possess, use and/or consume beer or wine (for on-premise consumption only) may be issued in connection with City sponsored or co-sponsored events in:

1. Soreno/Straub Park;
2. Spa Beach;
3. Demens Landing Park;
4. Maximo Park;
5. The Pier Approach (east of Bayshore Drive);
6. Poynter Park;
7. Dell Holmes Park;
8. Vinoy Park and Mole;
9. Edgewater Waterfront Park;
10. That portion of North Shore Park lying east of Bayshore Drive to the seawall and north of Seventh Avenue Northeast (extended) to the seawall (excluding the playground area);
11. That portion of Lake Maggiore Park abutting the Education Center at 1101 Country Club Way South.

(12) Williams Park
(13) Elva Rouse Park

Nothing in this subsection shall prevent the issuance of a permit for alcoholic beverages (for on-premise consumption only) to be sold, served, dispensed, possessed, used and/or consumed in the foregoing parks, or portions thereof, which have been exempted from this restriction by resolution of the City Council. The resolution shall identify the event, its duration, hours of operation, and location, and any conditions placed on the permit related to the on-premises consumption of the alcoholic beverages.
Section 2. Words that are underlined are additions to the existing St. Petersburg City Code.

Section 3. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the Ordinance, in which case the Ordinance shall become effective immediately upon filling 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:

Legal: __________________________ Administration: __________________________

Legal 00307582.doc V. 2
A RESOLUTION IN ACCORDANCE WITH CITY CODE SECTION 21-38(D) EXEMPTING REBOLUTION FEST (VINOY PARK) AND REGGAE RISE UP (VINOY PARK) FROM THE BEER AND WINE ONLY RESTRICTIONS IN CITY CODE SECTION 21-38(D) UPON THE ISSUANCE OF A PERMIT FOR ALCOHOLIC BEVERAGES (FOR ON PREMISES CONSUMPTION ONLY) TO BE SOLD, SERVED, DISPENSED, POSSESSED, USED AND/OR CONSUMED AT THEIR RESPECTIVE VENUES, DURING THEIR EVENTS AS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Rebolution Fest and Reggae Rise Up have been approved as Co-Sponsored Events; and

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

WHEREAS, Rebolution Fest will take place August 24 & 25, 2017 between the hours of 1:00 p.m. and 10:00 p.m. in Vinoy Park; and

WHEREAS, Reggae Rise Up will take place March 4 & 5, 2017 between the hours of 1:00 p.m. and 10:00 p.m. in Vinoy Park; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that Rebolution Fest (Vinoy Park) and Reggae Rise Up (Vinoy Park) are exempt from the beer and wine only restrictions on the serving of alcoholic beverages in City Code Section 21-38 (d) upon the issuance of a permit for alcoholic beverages (for on premises consumption only) to be sold, served, dispensed, possessed, used and/ or consumed at their respective venues, during the times and on the dates of their events as set forth herein.

This Resolution shall become effective immediately upon its adoption.

Approvals:

Legal: __________________________ Administration: __________________________

Legal: 00307306.doc V. 1
Resolution No. 2017-_______

A RESOLUTION WAIVING THE SIX MONTH REQUIREMENT OF SECTION “D” OF RESOLUTION NO. 2000-562, AND PAYMENT OF THE WAIVER FEE REQUIRED BY CITY COUNCIL RESOLUTION NO. 2009-353 AS TO CHILDHOOD APRAXIA OF SPEECH ASSOCIATION OF NORTH AMERICA AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section “D” of City Council Resolution No. 2000-562, as amended, (“Section D”) requires that all requests for co-sponsorship must be made no fewer than six (6) months prior to the first date of the event; and

WHEREAS, City Council Resolution No. 2009-353 amended Section D to establish a $1,200 waiver fee for applicants seeking a waiver of the six (6) month requirement of Section D; and

WHEREAS, the application of Childhood Apraxia of Speech Association of North America did not meet the six (6) month requirement of Section D; and

WHEREAS, in order for City to enter into a contract with Childhood Apraxia of Speech Association of North America, the six (6) month requirement of Section D must be waived by the City Council; and

WHEREAS, Childhood Apraxia of Speech Association of North America has requested that City Council waive the payment of the $1,200 waiver fee for the following reason:

Although the event is typically been held in October, the group would like their local event to coincide with the National Apraxia Awareness Day as well as the National Speech and Hearing month.

WHEREAS, the Co-Sponsored Events Committee has reviewed Childhood Apraxia of Speech Association of North America application and has no opposition to the waiver of payment of the waiver fee.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the six month requirement of Section “D” of Resolution No. 2000-562, and payment of the waiver fee required by City Council Resolution No. 2009-353 as to Childhood Apraxia of Speech Association of North America is waived; and the Mayor or his designee is authorized to execute all documents necessary to effectuate this resolution.

This resolution shall become effective immediately upon its adoption.

Approvals:
Legal: __________________________ Administration: __________________________
Legal: 00307292.doc V. 1
A RESOLUTION APPROVING EVENTS FOR CO-SPONSORSHIP
IN NAME ONLY BY THE CITY FOR FY2018; WAIVING THE
NON-PROFIT REQUIREMENT OF RESOLUTION NO. 2000-
562(A)8 FOR THE CO-SPONSORED EVENTS TO BE
PRESENTED BY DESIGN OFRESCO CORP, BEACH DRIVE
EVENTS, LLC., PARAGON FINE ARTS FESTIVALS INC.,
LOCAL SHOPPER LLC. AND YACHTING PROMOTIONS, INC.;
AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE
ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS
RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, various entities have requested that the City co-sponsor their public events in
name only for FY18; and

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

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

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

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

;and

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

WHEREAS, Design Ofresco Corp, Beach Drive Events LLC., Paragon Fine Arts Festivals,
Inc., Local Shopper LLC., and Yachting Promotions, Inc. (collectively, “For Profit Entities”), do not
meet the non-profit requirement of Resolution No. 2000-562(a) 8; and

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

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the following events for co-sponsorship by the City in name only are approved for Fiscal Year 2018, provided that the For Profit Entities shall provide evidence to the City of partnering with a non-profit organization 45 days prior to the first day of the event:

**FY17 Events**

<table>
<thead>
<tr>
<th>Event Name</th>
<th>Non Profit</th>
<th>Profit Organization</th>
<th>Event Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chillounge Night</td>
<td>CREATIVE CLAY INC.</td>
<td>DESIGN OFRESCO CORP.</td>
<td>11/18/17</td>
</tr>
<tr>
<td>St Pete Wine and Food</td>
<td>ST. PETERSBURG ARTS ALLIANCE, INC.</td>
<td>BEACH DRIVE EVENTS, LLC</td>
<td>11/02/17 11/03/17 11/04/17 11/05/17</td>
</tr>
<tr>
<td>SPIFFS</td>
<td>ST. PETERSBURG INTERNATIONAL FOLK FAIR SOCIETY, INC.</td>
<td></td>
<td>10/26/17 - 10/27/17 10/28/17 10/29/17</td>
</tr>
<tr>
<td>Dragon Boat Races</td>
<td>LAO ARTS AND CULTURAL FOUNDATION, INC.</td>
<td></td>
<td>11/04/17</td>
</tr>
<tr>
<td>Ribfest</td>
<td>NORTHEAST EXCHANGE CLUB OF ST. PETERSBURG, FLORIDA, INC.</td>
<td></td>
<td>11/10/17 11/11/17 11/12/17</td>
</tr>
<tr>
<td>Folkfest St Pete</td>
<td>CREATIVE CLAY INC.</td>
<td></td>
<td>11/04/17 11/05/17</td>
</tr>
<tr>
<td>Making Strides</td>
<td>AMERICAN CANCER SOCIETY, INC.</td>
<td></td>
<td>11/14/17</td>
</tr>
<tr>
<td>Out of the Darkness Community Walk</td>
<td>AMERICAN FOUNDATION FOR SUICIDE PREVENTION, INC.</td>
<td></td>
<td>10/21/17</td>
</tr>
<tr>
<td>Purplestridge Run / Walk</td>
<td>PANCREATIC CANCER ACTION NETWORK, INC.</td>
<td></td>
<td>10/28/17</td>
</tr>
<tr>
<td>Boley Centers Jingle Bell Run</td>
<td>BOLEY CENTERS, INC.</td>
<td></td>
<td>12/13/17</td>
</tr>
<tr>
<td>St. Petersburg Holiday of the Arts</td>
<td>ST. PETERSBURG ARTS ALLIANCE, INC.</td>
<td>PARAGON FINE ARTS FESTIVALS, INC.</td>
<td>12/16/17 &amp; 12/17/17</td>
</tr>
<tr>
<td>Aids Walk St Pete</td>
<td>EMPATH HEALTH, INC.</td>
<td></td>
<td>12/10/16</td>
</tr>
<tr>
<td>SPCA Petwalk 3K</td>
<td>SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, TAMPA BAY, FLORIDA, INC.</td>
<td></td>
<td>10/7/17</td>
</tr>
<tr>
<td>Komen Suncoast Race for the Cure</td>
<td>FLORIDA SUNCOAST AFFILIATE OF THE SUSAN G. KOMEN BREAST CANCER FOUNDATION, INC.</td>
<td></td>
<td>10/7/17</td>
</tr>
<tr>
<td>Shopapalooza</td>
<td>CHART 411, INC.</td>
<td>LOCAL SHOPPER, LLC</td>
<td>11/18/17 &amp; 11/25/17</td>
</tr>
<tr>
<td>St. Pete Power and Sailboat Show</td>
<td>TBA</td>
<td>YACHTING PROMOTIONS, INC.</td>
<td>11/30/17-12/3/17</td>
</tr>
<tr>
<td>Craft Art Festival 2017</td>
<td>FLORIDA CRAFTSMAN</td>
<td></td>
<td>11/18/17-11/19/17</td>
</tr>
</tbody>
</table>
; and

BE IT FURTHER RESOLVED that the non-profit requirement of Resolution No. 2000-562(a) 8 is waived for the Co-sponsored Events to be presented in FY 2018 by Design Ofresco Corp, Beach Drive Events, LLC, Paragon Fine Arts Festivals, Inc., Local Shopper, LLC, and Yachting Promotions, Inc.;

and

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

This resolution shall become effective immediately upon its adoption.

Approvals:

Legal: ___________________________  Administration: ___________________________

Legal: 00307298.doc V. 1
Resolution No. 2017-______

A RESOLUTION IN ACCORDANCE WITH CITY CODE SECTION 21-38(D) EXEMPTING CHILLOUNGE NIGHT (NORTH STRAUB PARK), ST PETE WINE AND FOOD (NORTH STRAUB PARK), RIBFEST (VINOY PARK) AND ST PETE POWER AND SAILBOAT SHOW (ALBERT WHITTED PARK) FROM THE BEER AND WINE ONLY RESTRICTIONS IN CITY CODE SECTION 21-38(D) UPON THE ISSUANCE OF A PERMIT FOR ALCOHOLIC BEVERAGES (FOR ON PREMISES CONSUMPTION ONLY) TO BE SOLD, SERVED, DISPENSED, POSSESSED, USED AND/OR CONSUMED AT THEIR RESPECTIVE VENUES, DURING THEIR EVENTS AS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chillounge Night, St. Pete Wine and Food, Ribfest and St. Pete Power and Sailboat Show have been approved as Co-Sponsored Events; and

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

WHEREAS, Chillounge Night will take place November 18, 2017 between the hours of 5:00 p.m. and 11:00 p.m. in North Straub Park; and

WHEREAS, St. Pete Food and Wine will take place November 2 - 5, 2017 between the hours of 6:00 p.m. and 9:00 p.m. (Thursday), 4:30 p.m. and 9:30 p.m. (Friday), 12:00 p.m. and 6:00 p.m. (Saturday) and 12:00 p.m. and 6:00 p.m. (Sunday) in North Straub Park; and

WHEREAS, Ribfest will take place November 10-12, 2017 between the hours of 11:00 a.m. and 10:00 p.m. in Vinoy Park; and

WHEREAS, St. Pete Power and Sailboat Show will take place November 30 – December 3, 2017 between the hours of 10:00 a.m. and 7:00 p.m. daily in Albert Whitted Park; and

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

This Resolution shall become effective immediately upon its adoption.

Approvals:

Legal: __________________________ Administration: __________________________

Legal: 00307303.doc V. 1
A RESOLUTION WAIVING THE SIX MONTH REQUIREMENT OF SECTION “D” OF RESOLUTION NO. 2000-562, AND PAYMENT OF THE WAIVER FEE REQUIRED BY CITY COUNCIL RESOLUTION NO. 2009-353 AS TO UNIVERSITY OF SOUTH FLORIDA FOUNDATION, INC AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section “D” of City Council Resolution No. 2000-562, as amended, (“Section D”) requires that all requests for co-sponsorship must be made no fewer than six (6) months prior to the first date of the event; and

WHEREAS, City Council Resolution No. 2009-353 amended Section D to establish a $1,200 waiver fee for applicants seeking a waiver of the six (6) month requirement of Section D; and

WHEREAS, the application of University of South Florida Foundation, Inc. did not meet the six (6) month requirement of Section D; and

WHEREAS, in order for City to enter into a contract with University of South Florida Foundation, Inc. the six (6) month requirement of Section D must be waived by the City Council; and

WHEREAS, University of South Florida Foundation, Inc. has requested that City Council waive the payment of the $1,200 waiver fee for the following reason:

The Girls on the Run event was held in St. Petersburg for the first time in December 2016; previous events have always been held in Tampa. The event organizers were so pleased with the location of the event, as well as City staff and business support they received, that the organizers decided to move their May 2017 event to St. Petersburg instead of holding it in Tampa.

WHEREAS, the Co-Sponsored Events Committee has reviewed University of South Florida Foundation, Inc. application and has no opposition to the waiver of payment of the waiver fee.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the six month requirement of Section “D” of Resolution No. 2000-562, and payment of the waiver fee required by City Council Resolution No. 2009-353 as to University of South Florida Foundation, Inc. is waived; and the Mayor or his designee is authorized to execute all documents necessary to effectuate this resolution.

This resolution shall become effective immediately upon its adoption.

Approvals:
Legal:                      Administration: __________________________
Legal: 00307313.doc V. 1
Resolution No. 2017-________

A RESOLUTION APPROVING EVENTS FOR CO-SPONSORSHIP IN NAME ONLY BY THE CITY FOR FY17; WAIVING THE NON-PROFIT REQUIREMENT OF RESOLUTION NO. 2000-562(a)8 FOR THE CO-SPONSORED EVENTS TO BE PRESENTED BY ACTIVE ENDEAVORS, INC.; WE ARE CONCERTS LLC.; ONE MORE REP SPORTS PERFORMANCE AND WEIGHT LOSS, LLC.; WANDERLUST FESTIVALS, LLC.; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, various entities have requested that the City co-sponsor their public events in name only for FY17; and

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

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

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

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

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

WHEREAS, Active Endeavors, Inc., We Are Concerts, LLC, One More Rep Sports Performance and Weight Loss, LLC, and Wanderlust Festivals, LLC (collectively, “For Profit Entities”), do not meet the non-profit requirement of Resolution No. 2000-562(a) 8; and

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

WHEREAS, the Administration and the City Council Co-sponsored Events Committee have reviewed the events set forth below that have been proposed by the various entities and recognize them as events that will benefit the community and recommend approval of the events for co-sponsorship and that a waiver be granted to the For Profit Entities.
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the following events for co-sponsorship by the City in name only are approved for FY17, provided that the For Profit Entities shall provide evidence to the City of partnering with a non-profit organization 45 days prior to the first day of the event:

FY17 Events

<table>
<thead>
<tr>
<th>Event Name</th>
<th>Non Profit</th>
<th>Profit Organization</th>
<th>Event Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Painting in the Park 2017</td>
<td>MUSEUM OF FINE ARTS OF ST PETERSBURG, FLORIDA, INC.</td>
<td></td>
<td>4/30/17</td>
</tr>
<tr>
<td>Lord of the Wings Festival</td>
<td>PIER AQUARIUM INC</td>
<td>ACTIVE ENDEAVORS, INC.</td>
<td>4/1/17</td>
</tr>
<tr>
<td>Rebolution Fest</td>
<td>REFUGE MINISTRIES OF TAMPA BAY, INC.</td>
<td>WE ARE CONCERTS LLC</td>
<td>08/24/17 - 08/27/17</td>
</tr>
<tr>
<td>St. Petersburg Festival - SPF17</td>
<td>ST. PETERSBURG ARTS ALLIANCE, INC.</td>
<td></td>
<td>9/23/17</td>
</tr>
<tr>
<td>Battle at the Bay</td>
<td>KINGDOM OF GOD INTERNATIONAL CHURCH, INC.</td>
<td>ONE MORE REP SPORTS PERFORMANCE AND WEIGHT LOSS LLC</td>
<td>09/02/17</td>
</tr>
<tr>
<td>Girls on the Run 5K</td>
<td>UNIVERSITY OF SOUTH FLORIDA FOUNDATION, INC.</td>
<td></td>
<td>05/06/17</td>
</tr>
<tr>
<td>Tampa Bay Superheroes Unite</td>
<td>NATIONAL CHILDHOOD CANCER FOUNDATION DBA CANCER RESEARCH FOR CHILDREN</td>
<td></td>
<td>09/16/17</td>
</tr>
<tr>
<td>Nomadic Tempest</td>
<td>NATIONAL CARAVAN STAGE COMPANY, INC.</td>
<td></td>
<td>04/04/17 - 04/09/17</td>
</tr>
<tr>
<td>St Petersburg Wanderlust 108</td>
<td>TBA</td>
<td>WANDERLUST FESTIVALS, LLC</td>
<td>09/16/17</td>
</tr>
<tr>
<td>Lionfish Safari</td>
<td>REEF MONITORING, INC.</td>
<td></td>
<td>09/09/17 &amp; 09/10/17</td>
</tr>
<tr>
<td>One Step Closer 5K</td>
<td>CELMA MASTRY OVARIAN CANCER FOUNDATION, INC.</td>
<td></td>
<td>09/23/17</td>
</tr>
<tr>
<td>2017 TB Walk for Children with Apraxia</td>
<td>CHILDHOOD APRAXIA OF SPEECH ASSOCIATION OF NORTH AMERICA</td>
<td></td>
<td>5/13/17</td>
</tr>
<tr>
<td>Komen Florida Suncoast Pink Stiletto Run</td>
<td>FLORIDA SUNCOAST AFFILIATE OF THE SUSAN G. KOMEN BREAST CANCER FOUNDATION, INC.</td>
<td></td>
<td>05/20/17</td>
</tr>
<tr>
<td>Back to School Care Fair</td>
<td>THE JUNIOR LEAGUE OF ST. PETERSBURG FLA., INCORPORATED</td>
<td></td>
<td>7/29/17</td>
</tr>
</tbody>
</table>
; and

BE IT FURTHER RESOLVED that the non-profit requirement of Resolution No. 2000-562(a) 8 is waived for the Co-sponsored Events to be presented in FY17 by Active Endeavors, Inc., We Are Concerts, LLC, One More Rep Sports Performance and Weight Loss, LLC, and Wanderlust Festivals, LLC;

and

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

This resolution shall become effective immediately upon its adoption.

Approvals:
Legal: __________________________ Administration: __________________________

Legal: 00307588.doc V. 3
RESOLUTION NO. 2017-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. PETERSBURG, FLORIDA AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $2,545,000 NON-AD VALOREM REVENUE NOTE, SERIES 2017A TO FINANCE THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION AND EQUIPPING OF VARIOUS CAPITAL IMPROVEMENTS TO THE CITY’S MARINA, AND TO PAY ASSOCIATED TRANSACTIONAL COSTS AND NOT TO EXCEED $3,290,000 NON-AD VALOREM REFUNDING REVENUE NOTE, SERIES 2017B TO REFUND THE CITY’S OUTSTANDING LOAN RELATED TO FIRST FLORIDA GOVERNMENTAL FINANCING COMMISSION IMPROVEMENT AND REFUNDING REVENUE BONDS, SERIES 2007, AND TO PAY ASSOCIATED TRANSACTIONAL COSTS; PROVIDING THAT SUCH NOTES SHALL BE LIMITED OBLIGATIONS OF THE CITY PAYABLE SOLELY FROM NON-AD VALOREM REVENUES BUDGETED AND APPROPRIATED AS PROVIDED HEREIN; PROVIDING FOR THE RIGHTS, SECURITIES AND REMEDIES FOR THE OWNERS OF SUCH NOTES; DESIGNATING AN ESCROW AGENT AND APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF AN ESCROW DEPOSIT AGREEMENT; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1: Authority for this Resolution. This Resolution is adopted pursuant to the Constitution of the State of Florida, Chapter 166, Part II, Florida Statutes, the municipal charter of the City of St. Petersburg, Florida (the "Issuer") and other applicable provisions of law (collectively, the "Act").

Section 2: Definitions. All capitalized undefined terms shall have the same meanings as set forth in this Resolution, as hereinafter defined. In addition, the following terms,
unless the context otherwise requires, shall have the meanings specified in this section. Words importing the singular number shall include the plural number in each case and vice versa.


"Business Day" shall mean any day except any Saturday or Sunday or day on which the Principal Office of the Original Purchaser is lawfully closed.

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

"City Clerk" shall mean the City Clerk or any assistant or deputy City Clerk of the Issuer.

"Code" shall mean the Internal Revenue Code of 1986, as amended, and any Treasury Regulations, whether temporary, proposed or final, promulgated thereunder or applicable thereto.

"Debt Service Fund" shall mean the Debt Service Fund established with respect to the Notes pursuant to Section 10 hereof.

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

"Fiscal Year" shall mean the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed by law.

"Issuer" shall mean the City of St. Petersburg, Florida, a municipal corporation of the State of Florida.

"2017A Maturity Date" shall mean July 1, 2031.

"2017B Maturity Date" shall mean July 1, 2022.

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

"Non-Ad Valorem Revenues" shall mean all legally available revenues of the Issuer other than ad valorem tax revenues.

"2017A Note" shall mean the Issuer’s Non-Ad Valorem Revenue Note, Series 2017A authorized by Section 4 hereof.
"2017B Note" shall mean the Issuer’s Non-Ad Valorem Refunding Revenue Note, Series 2017B authorized by Section 4 hereof.

"Note Counsel" shall mean Bryant Miller Olive P.A., or other nationally recognized bond counsel firm.

"Notes" shall mean, collectively, the 2017A Note and 2017B Note.

"Original Purchaser" shall mean TD Bank, N.A.

"Owner" or "Owners" shall mean the Person or Persons in whose name or names the Notes shall be registered on the books of the Issuer kept for that purpose in accordance with provisions of this Resolution.

"Permitted Lender" shall mean any affiliate of the Original Purchaser or any bank, trust company, savings institution, insurance company or qualified institutional buyer under Rule 144A promulgated under the Securities Act of 1933.

"Person" shall mean natural persons, firms, trusts, estates, associations, corporations, partnerships and public bodies.

"Pledged Revenues" shall mean the Non-Ad Valorem Revenues budgeted, appropriated and deposited in the Debt Service Fund and any proceeds of the 2017A Note on deposit in the Project Fund as provided herein.

"Principal Office" shall mean with respect to the Original Purchaser, the office located at 2307 W. Kennedy Boulevard, Tampa, Florida, 33609, or such other office as the Original Purchaser may designate to the Issuer in writing.

"Project" shall mean the acquisition, construction, reconstruction and equipping of various capital improvements to the Issuer’s Marina.

"Project Fund" shall mean the Project Fund established with respect to the 2017A Note pursuant to Section 11 hereof.

"Resolution" shall mean this Resolution, pursuant to which the Notes are authorized to be issued, including any supplemental resolution(s).

"State" shall mean the State of Florida.

**Section 3: Findings.**

(A) For the benefit of its citizens, the Issuer finds, determines and declares that (i) it is beneficial for the continued preservation of the welfare and convenience of the Issuer and its citizens to finance the costs of the Project and (ii) it is in the best financial interests of the
Issuer to provide funds, together with other legally available funds of the Issuer, to refinance the Issuer’s loan related to the 2007 Bonds.

(B) Debt service on the Notes will be secured by a covenant to budget, appropriate and deposit Non-Ad Valorem Revenues as provided herein. The Pledged Revenues will be sufficient to pay the principal and interest on the Notes herein authorized, as the same become due, and to make all deposits required by this Resolution.

(C) The Issuer shall never be required to levy ad valorem taxes or use the proceeds thereof to pay debt service on the Notes or to make any other payments to be made hereunder or to maintain or continue any of the activities of the Issuer which generate user service charges, regulatory fees or any Non-Ad Valorem Revenues. The Notes shall not constitute a lien on any property owned by or situated within the city limits of the Issuer other than the Pledged Revenues.

(D) It is estimated that the Non-Ad Valorem Revenues will be available after satisfying funding requirements for obligations having an express lien on or pledge thereof and after satisfying funding requirements for essential governmental services of the Issuer, in amounts sufficient to provide for the payment of the principal of and interest on the Notes and all other payment obligations hereunder.

(E) The Issuer, after soliciting proposals in response to a request for loan proposals distributed by the Issuer on December 15, 2016 for financing the costs of the Project and refinancing the Issuer’s loan related to the 2007 Bonds and, and receiving multiple responses complying with the structure described in such request, has selected the Original Purchaser to purchase the Notes.

(F) In consideration of the purchase and acceptance of the Notes authorized to be issued hereunder by those who shall be the Owners thereof from time to time, this Resolution shall constitute a contract between the Issuer and the Original Purchaser or any subsequent Owners.

Section 4: Authorization of Notes, Project and Refinancing. Subject and pursuant to the provisions of this Resolution, an obligation of the Issuer to be known as the “City of St. Petersburg, Florida Non-Ad Valorem Revenue Note, Series 2017A” is hereby authorized to be issued under and secured by this Resolution in the principal amount of not to exceed $2,545,000 for the purpose of financing the costs of the Project, and paying the costs of issuing the 2017A Note. The use of the proceeds of the 2017A Note as heretofore described is authorized. The Project is also hereby authorized.

Subject and pursuant to the provisions of this Resolution, an obligation of the Issuer to be known as the “City of St. Petersburg, Florida Non-Ad Valorem Refunding Revenue Note, Series 2017B” is hereby authorized to be issued under and secured by this Resolution in the principal amount of not to exceed $3,290,000, together with other legally available funds of the Issuer, for the purpose of refinancing the Issuer’s loan related to the 2007 Bonds, and paying
the costs of issuing the 2017B Note. The use of the proceeds of the 2017B Note as heretofore described and the refinancing heretofore described is also authorized.

Because of the characteristics of the Notes, prevailing market conditions, and additional savings to be realized from an expeditious sale of the Notes, it is in the best interest of the Issuer to accept the offer of the Original Purchaser to purchase the Notes at a private negotiated sale, which was based upon a competitive selection process. Prior to the issuance of the Notes, the Issuer shall receive from the Original Purchaser a Purchaser’s Certificate, in substantially the form attached hereto as Exhibit B and a Disclosure Letter containing the information required by Section 218.385, Florida Statutes, in substantially the form attached hereto as Exhibit C.

Section 5: This Resolution toConsti tute Contract. In consideration of the acceptance of the Notes authorized to be issued hereunder by those who shall hold the same from time to time, this Resolution shall be deemed to be and shall constitute a contract between the Issuer and such Owners.

Section 6: Description of the Notes. The 2017A Note shall be dated the date of its execution and delivery, which shall be a date agreed upon by the Issuer and the Original Purchaser, subject to the following terms:

(A) 2017A Interest Rate. The 2017A Note shall have a fixed interest rate equal to 2.80% per annum (subject to adjustment upon the occurrence of certain events as provided in the 2017A Note) calculated on a 30/360-day basis.

(B) 2017A Principal and Interest Payment Dates. Interest on the 2017A Note shall be paid semi-annually on each January 1 and July 1, commencing July 1, 2017. Principal on the 2017A Note shall be paid in the amounts and on the dates set forth in the 2017A Note with a final maturity date of the 2017A Maturity Date.

(C) Prepayment of the 2017A Note. The 2017A Note shall be subject to prepayment as described in the 2017A Note.

(D) Form of the 2017A Note. The 2017A Note is to be in substantially the form set forth in Exhibit A-1 attached hereto, together with such non-material changes as shall be approved by the Mayor, such approval to be conclusively evidenced by the execution thereof by the Mayor.

(E) Original Denomination of the 2017A Note. The 2017A Note shall originally be issued in a single denomination equal to the original principal amount authorized hereunder.

The 2017B Note shall be dated the date of its execution and delivery, which shall be a date agreed upon by the Issuer and the Original Purchaser, subject to the following terms:
(F) **2017B Interest Rate.** The 2017B Note shall have a fixed interest rate equal to 1.76% per annum (subject to adjustment upon the occurrence of certain events as provided in the 2017B Note) calculated on a 30/360-day basis.

(G) **2017B Principal and Interest Payment Dates.** Interest on the 2017B Note shall be paid semi-annually on each January 1 and July 1, commencing July 1, 2017. Principal on the 2017B Note shall be paid in the amounts and on the dates set forth in the 2017B Note with a final maturity date of the 2017B Maturity Date.

(H) **Prepayment of the 2017B Note.** The 2017B Note shall be subject to prepayment as described in the 2017B Note.

(I) **Form of the 2017B Note.** The 2017B Note is to be in substantially the form set forth in Exhibit A-2 attached hereto, together with such non-material changes as shall be approved by the Mayor, such approval to be conclusively evidenced by the execution thereof by the Mayor.

(J) **Original Denomination of the 2017B Note.** The 2017B Note shall originally be issued in a single denomination equal to the original principal amount authorized hereunder.

**Section 7: Execution and Delivery of Notes.** The Notes shall be executed in the name of the Issuer by its Mayor and attested by its City Clerk, subject to the approval of the City Attorney as to form and correctness, and the corporate seal of the Issuer or a facsimile thereof shall be affixed thereto or reproduced thereon. In case any one or more of the officers of the Issuer who shall have signed or sealed the Notes shall cease to be such officer or officers of the Issuer before the Notes so signed and sealed shall have been actually sold and delivered, such Notes may nevertheless be sold and delivered as if the persons who signed or sealed such Notes had not ceased to hold such offices. The Notes may be signed and sealed on behalf of the Issuer by such person who at the actual time of the execution of such Notes shall hold the proper office, although at the date of such execution of the Notes such person may not have held such office or may not have been so authorized.

**Section 8: Registration and Exchange of the Notes; Persons Treated as Owners.** The Notes are initially registered to the Original Purchaser. So long as the Notes shall remain unpaid, the Issuer will keep books for the registration and transfer of the Notes. The Notes shall be transferable only upon such registration books. Notwithstanding anything herein to the contrary, the Original Purchaser may in the future make transfers, in whole or in part, or enter into participation agreements or securitization transactions with respect to the Notes; provided, however, such transfers shall be only to Permitted Lenders and the Notes may not be transferred in a denomination of less than $100,000 (or the total principal amount outstanding thereunder if less than $100,000).
The Persons in whose name the Notes shall be registered shall be deemed and regarded as the absolute Owners thereof for all purposes, and payment of principal and interest on such Notes shall be made only to or upon the written order of the Owners. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Notes to the extent of the sum or sums so paid.

Section 9: Payment of Principal and Interest; Limited Obligation. The Issuer promises that it will promptly pay the principal of and interest on the Notes at the place, on the dates and in the manner provided therein according to the true intent and meaning hereof and thereof. On parity and equal status with each other, the Notes are secured by a pledge of and lien upon the Pledged Revenues in the manner and to the extent described herein. The Notes shall not be or constitute a general obligation or indebtedness of the Issuer as a "bond" within the meaning of Article VII, Section 12 of the Constitution of Florida, but shall be payable solely from the Pledged Revenues in accordance with the terms hereof. No Owner of the Notes issued hereunder shall ever have the right to compel the exercise of any ad valorem taxing power or the use of ad valorem tax revenues to pay such Notes, or be entitled to payment of such Notes from any funds of the Issuer except from the Pledged Revenues as described herein.

Section 10: Covenant to Budget and Appropriate. (A) Subject to the next paragraph, the Issuer covenants and agrees and has a positive and affirmative duty to appropriate in its annual budget, by amendment, if necessary, from Non-Ad Valorem Revenues, and to deposit into the Debt Service Fund hereinafter created, amounts sufficient to pay principal of and interest on the Notes not being paid from other amounts as the same shall become due. Such covenant and agreement on the part of the Issuer to budget, appropriate and deposit such amounts of Non-Ad Valorem Revenues shall be cumulative to the extent not paid, and shall continue until such Non-Ad Valorem Revenues or other legally available funds in amounts sufficient to make all such required payments shall have been budgeted, appropriated, deposited and actually paid. No lien upon or pledge of such budgeted Non-Ad Valorem Revenues shall be in effect until such monies are budgeted, appropriated and deposited as provided herein. The Issuer further acknowledges and agrees that the obligations of the Issuer to include the amount of such amendments in each of its annual budgets and to pay such amounts from Non-Ad Valorem Revenues may be enforced in a court of competent jurisdiction in accordance with the remedies set forth herein.

Until such monies are budgeted, appropriated and deposited as provided herein, such covenant to budget and appropriate does not create any lien upon or pledge of such Non-Ad Valorem Revenues, nor does it preclude the Issuer from pledging in the future its Non-Ad Valorem Revenues (except as provided in Section 19 hereof), nor does it require the Issuer to levy and collect any particular Non-Ad Valorem Revenues, nor does it give the Owners of the Notes a prior claim on the Non-Ad Valorem Revenues as opposed to claims of general creditors of the Issuer. Such covenant to budget and appropriate Non-Ad Valorem Revenues is subject in all respects to the prior payment of obligations secured by a lien on and pledge of specific components of the Non-Ad Valorem Revenues heretofore or hereafter entered into (including the payment of debt service on bonds and other debt instruments). Anything in this Resolution to the contrary notwithstanding, it is understood and agreed that all obligations of the Issuer hereunder shall be payable solely from the portion of Non-Ad Valorem Revenues budgeted,
appropriated and deposited as provided for herein and nothing herein shall be deemed to pledge ad valorem tax power or ad valorem taxing revenues or to permit or constitute a mortgage or lien upon any assets owned by the Issuer and no holder of the Notes nor any other person, may compel the levy of ad valorem taxes on real or personal property within the boundaries of the Issuer or the use or application of ad valorem tax revenues in order to satisfy any payment obligations hereunder or to maintain or continue any of the activities of the Issuer which generate user service charges, regulatory fees, or any other Non-Ad Valorem Revenues. Notwithstanding any provisions of this Resolution or the Notes to the contrary, the Issuer shall never be obligated to maintain or continue any of the activities of the Issuer which generate user service charges, regulatory fees or any Non-Ad Valorem Revenues. The Issuer is prohibited by law from expending moneys not appropriated or in excess of its current budgeted revenues and surpluses. Until such monies are budgeted, appropriated and deposited as provided herein, neither this Resolution nor the obligations of the Issuer hereunder shall be construed as a pledge of or a lien on all or any legally available Non-Ad Valorem Revenues of the Issuer, but shall be payable solely as provided herein subject to the availability of Non-Ad Valorem Revenues after satisfaction of funding requirements for obligations having an express lien on or pledge of such revenues and funding requirements for essential governmental services of the Issuer.

There is hereby created and established the "City of St. Petersburg, Florida Non-Ad Valorem Revenue Note, Series 2017A and Non-Ad Valorem Refunding Revenue Note, Series 2017B Debt Service Fund," which fund shall be a trust fund held by the Finance Director, which shall be held solely for the benefit of the Owners of the Notes. The Debt Service Fund shall be deemed to be held in trust for the purposes provided herein for such Debt Service Fund. The money in such Debt Service Fund shall be continuously secured in the same manner as state and municipal deposits are authorized to be secured by the laws of the State. The designation and establishment of the Debt Service Fund in and by this Resolution shall not be construed to require the establishment of a completely independent, self-balancing fund as such term is commonly defined and used in governmental accounting, but rather is intended solely to constitute an earmarking of certain revenues and assets of the Issuer for certain purposes and to establish certain priorities for application of such revenues and assets as herein provided. The Issuer may at any time and from time to time appoint one or more depositaries to hold, for the benefit of the Owners of the Notes, the Debt Service Fund established hereby. Such depository or depositaries shall perform at the direction of the Issuer the duties of the Issuer in depositing, transferring and disbursing moneys to and from such Debt Service Fund as herein set forth, and all records of such depository in performing such duties shall be open at all reasonable times to inspection by the Issuer and its agent and employees. Any such depository shall be a bank or trust company duly authorized to exercise corporate trust powers and subject to examination by federal or state authority, of good standing, and having a combined capital, surplus and undivided profits aggregating not less than fifty million dollars ($50,000,000).

(B) Until applied in accordance with this Resolution, the Non-Ad Valorem Revenues of the Issuer on deposit in the Debt Service Fund and other amounts on deposit from time to time therein, plus any earnings thereon, are pledged to the repayment of the Notes, on parity and equal status with each other.
Section 11. Application of Proceeds of Notes; Approval of Escrow Agent and Escrow Deposit Agreement.

(A) The proceeds received from the sale of the 2017A Note shall be applied by the Issuer simultaneously with the delivery of the 2017A Note to the Original Purchaser, as follows:

(1) To the extent not reimbursed therefor by the Original Purchaser of the 2017A Note, the Issuer shall pay all costs and expenses in connection with the preparation, issuance and sale of the 2017A Note;

(2) Remaining proceeds shall be deposited in the Project Fund.

The Issuer covenants and agrees to establish a special fund to be designated "City of St. Petersburg, Florida Non-Ad Valorem Revenue Note, Series 2017A, Project Fund." The designation and establishment of the Project Fund by this Resolution shall not be construed to require the establishment of a completely independent, self-balancing fund as such term is commonly defined and used in governmental accounting, but rather is intended solely to constitute an earmarking of certain assets of the Issuer for certain purposes and to establish certain priorities for application of such assets as herein provided. Amounts on deposit from time to time in the Project Fund, plus any earnings thereon, are pledged to the repayment of the 2017A Note. Costs of the Project will be paid from the Project Fund.

(B) The proceeds received from the sale of the 2017B Note shall be applied by the Issuer simultaneously with the delivery of the 2017B Note to the Original Purchaser, as follows:

(1) To the extent not reimbursed therefor by the Original Purchaser of the 2017B Note, the Issuer shall pay all costs and expenses in connection with the preparation, issuance and sale of the 2017B Note.

(2) A sum specified in the Escrow Deposit Agreement that, together with other legally available funds of the Issuer, shall be sufficient to pay the principal of and interest on the loan made to the Issuer from proceeds of the 2007 Bonds, shall be deposited with the Escrow Agent pursuant to the Escrow Deposit Agreement.

Simultaneously with the delivery of the 2017B Note to the Original Purchaser, the Issuer shall enter into the Escrow Deposit Agreement with the U.S. Bank National Association, Orlando, Florida (the “Escrow Agent”) which shall provide for the deposit of sums, to be held uninvested, in an amount sufficient to make all the payments described in the Escrow Deposit Agreement. U.S. Bank National Association, Orlando, Florida is hereby appointed as Escrow Agent with respect to the loan made to the Issuer from proceeds of the 2007 Bonds. The execution of the Escrow Deposit Agreement in substantially the form attached hereto as Exhibit D is hereby approved, and the execution of the Escrow Deposit Agreement by the Mayor is hereby authorized, to be attested by the City Clerk, the form and correctness of which to be approved by the City Attorney. At the time of execution of the Escrow Deposit Agreement, the
Issuer shall furnish to the Escrow Agent named therein appropriate documentation to demonstrate that the sums being deposited will be sufficient for such purposes.

On the date of issuance of the 2017B Note, the Issuer may transfer funds which secured the loan made to the Issuer from proceeds of the 2007 Bonds and are legally available therefor to the Escrow Agent to be held on behalf of the Issuer and to be used pursuant to the terms of the Escrow Deposit Agreement.

Section 12: Tax Covenant. The Issuer covenants to the Owners of the Notes provided for in this Resolution that the Issuer will not make any use of the proceeds of the Notes at any time during the term of the Notes which, if such use had been reasonably expected on the date the Notes were issued, would have caused such Notes to be "arbitrage bonds" within the meaning of the Code. The Issuer will comply with the requirements of the Code and any valid and applicable rules and regulations promulgated thereunder necessary to ensure the exclusion of interest on the Notes from the gross income of the holders thereof for purposes of federal income taxation.

Section 13: Amendment. This Resolution shall not be modified or amended in any respect subsequent to the issuance of the Notes, except with the written consent of the Owners of a majority in outstanding principal amount of the Notes.

Section 14: Limitation of Rights. With the exception of any rights herein expressly conferred, nothing expressed or mentioned in or to be implied from this Resolution or the Notes is intended or shall be construed to give to any person other than the Issuer and the Owners any legal or equitable right, remedy or claim under or with respect to this Resolution or any covenants, conditions and provisions herein contained; this Resolution and all of the covenants, conditions and provisions hereof being intended to be and being for the sole and exclusive benefit of the Issuer and the Owners.

Section 15: Notes Mutilated, Destroyed, Stolen or Lost. In case the Notes shall become mutilated, or be destroyed, stolen or lost, the Issuer shall issue and deliver new Notes of like tenor as the Notes so mutilated, destroyed, stolen or lost, in exchange and in substitution for such mutilated Notes, or in lieu of and in substitution for the Notes destroyed, stolen or lost and upon the Owners furnishing the Issuer proof of ownership thereof and indemnity reasonably satisfactory to the Issuer and complying with such other reasonable regulations and conditions as the Issuer may prescribe and paying such expenses as the Issuer may incur. The Notes so surrendered shall be canceled.

Section 16: Impairment of Contract. The Issuer covenants with the Owners of the Notes that it will not, without the written consent of the Owners of a majority in outstanding principal amount of the Notes, enact any ordinance or adopt any resolution which repeals, impairs or amends in any manner adverse to the Owners the rights granted to the Owners of the Notes hereunder.

Section 17: Financial Information. Not later than 210 days following the close of each Fiscal Year, the Issuer shall provide the Original Purchaser of the Notes with its
Comprehensive Annual Financial Report including annual financial statements for each Fiscal Year of the Issuer, prepared in accordance with applicable law and generally accepted accounting principles and audited by an independent certified public accountant. Not later than 60 days following its adoption, the Issuer shall provide the Original Purchaser of the Notes with its Annual budget. Upon request, the Issuer shall provide such other financial information as the Original Purchaser may reasonably request. All accounting terms not specifically defined or specified herein shall have the meanings attributed to such terms under generally accepted accounting principles as in effect from time to time, consistently applied.

Section 18: Events of Default; Remedies of Owners of the Note. The following shall constitute "Events of Default": (i) if the Issuer fails to pay any payment of principal of or interest on the Notes or other debt payable from any Non-Ad Valorem Revenues as the same becomes due and payable; (ii) if the Issuer defaults in the performance or observance of any covenant or agreement contained in this Resolution or the Notes (other than set forth in (i) above) and fails to cure the same within thirty (30) days following notice thereof or from the date when the Issuer was required under the immediately succeeding paragraph to provide notice thereof to the Owners of the Notes; or (iii) filing of a petition by or against the Issuer relating to bankruptcy, reorganization, arrangement or readjustment of debt of the Issuer or for any other relief relating to the Issuer under the United States Bankruptcy Code, as amended, or any other insolvency act or law now or hereafter existing, or the involuntary appointment of a receiver or trustee for the Issuer, and the continuance of any such event for 90 days undismissed or undischarged.

Upon the Issuer obtaining knowledge of an Event of Default, the Issuer shall within 5 days of obtaining such knowledge, provide written notice of any such Event of Default to the Owners of the Notes.

Upon the occurrence and during the continuation of any Event of Default, the Owners of the Notes may, in addition to any other remedies set forth in this Resolution or the Notes, either at law or in equity, by suit, action, mandamus or other proceeding in any court of competent jurisdiction, protect and enforce any and all rights under the laws of the State, or granted or contained in this Resolution, and may enforce and compel the performance of all duties required by this Resolution, or by any applicable statutes to be performed by the Issuer.

The Issuer shall reimburse the Owners (and their agents) for all reasonable legal and collection costs incurred in the exercise of remedies hereunder, to collect payments due under the Notes or to enforce the provisions of this Resolution.

In case of (a) an Event of Default pursuant to clause (i) above or (b) the acceleration of any other debt of the Issuer which is secured by a covenant to budget and appropriate from legally available non-ad valorem revenues of the Issuer, upon written declaration of the Owners of at least 100% of the principal amount of the Notes, the entire debt then remaining unpaid under the Notes shall be immediately due and payable.

Section 19: Anti-Dilution Test. The Issuer may incur additional debt secured by all or a portion of the Non-Ad Valorem Revenues only if the total amount of Non-Ad Valorem

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Revenues for the prior Fiscal Year were at least 2.00 times the maximum annual debt service of all debt to be paid from Non-Ad Valorem Revenues (collectively, "Debt"), including any Debt payable from one or several specific revenue sources.

For purposes of calculating maximum annual debt service if the terms of the Debt are such that interest thereon for any future period of time is to be calculated at a rate which is not then susceptible of precise determination ("Variable Rate Debt"), interest on such Variable Rate Debt shall be computed as follows:

(a) if the principal amount of Variable Rate Debt (including any Variable Rate Debt proposed to be incurred) is less than or equal to 25% of the principal amount of all Debt (including the Debt proposed to be incurred), an interest rate equal to the higher of 12% per annum or The Bond Buyer 40 Index shall be assumed; or

(b) if the principal amount of Variable Rate Debt (including any Variable Rate Debt proposed to be incurred) is more than 25% of the principal amount of all Debt (including the Debt proposed to be incurred), the maximum rate which could be borne by such Variable Rate Debt shall be assumed.

For purposes of calculating maximum annual debt service, balloon indebtedness shall be assumed to amortize in up to 20 years (from the date of calculation) on a level debt service basis. In the event that the Issuer is required to fund a reserve fund, the funding of such reserve fund shall be included in the calculation of debt service. For purposes of this paragraph, “balloon indebtedness” includes indebtedness if 25% or more of the principal amount thereof comes due in any one year.

Section 20: Severability. If any one or more of the covenants, agreements or provisions of this Resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separate from the remaining covenants, agreements or provisions of this Resolution or of the Notes issued thereunder.

Section 21: Business Days. In any case where the due date of interest on or principal of Notes is not a Business Day, then payment of such principal or interest need not be made on such date but may be made on the next succeeding Business Day, provided that credit for payments made shall not be given until the payment is actually received by the Owners.

Section 22: Applicable Provisions of Law. This Resolution shall be governed by and construed in accordance with the laws of the State.

Section 23: Rules of Interpretation. Unless expressly indicated otherwise, references to sections or articles are to be construed as references to sections or articles of this instrument as originally executed. Use of the words "herein," "hereby," "hereunder," "hereof," "hereinbefore," "hereinafter" and other equivalent words refer to this Resolution and not solely to the particular portion in which any such word is used.
Section 24: Captions. The captions and headings in this Resolution are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Resolution.

Section 25: Members of the City Council Not Liable. No covenant, stipulation, obligation or agreement contained in this Resolution shall be deemed to be a covenant, stipulation, obligation or agreement of any present or future member, agent or employee of the Issuer in his or her individual capacity, and neither the members of the City Council nor any person executing the Notes shall be liable personally on the Notes or this Resolution or shall be subject to any personal liability or accountability by reason of the issuance or the execution of the Notes or this Resolution.

Section 26: Authorizations. The members of the City Council of the Issuer, the Mayor, the Finance Director and the Issuer's officers, attorneys and other agents and employees are hereby authorized to perform all acts and things required of them by this Resolution or desirable or consistent with the requirements hereof for the full, punctual and complete performance of all of the terms, covenants and agreements contained in the Notes and this Resolution, and they are hereby authorized to execute and deliver all documents which shall be required by Note Counsel or the Original Purchaser to effectuate the sale of the Notes. All action taken to date by the officers, attorneys and any other agents and employees of the Issuer in furtherance of the issuance of the Notes is hereby approved, confirmed and ratified.

Section 27: Jury Trial Waiver. The Issuer and the Owners, by acceptance of the Notes, knowingly, voluntarily, and intentionally waive any right either may have to a trial by jury, with respect to any litigation or legal proceedings based on or arising out of this Resolution or the Notes.

Section 28: Superseding of Inconsistent Resolutions. This Resolution supersedes all prior action of City Council inconsistent herewith. All resolutions or parts thereof in conflict herewith are hereby superseded to the extent of such conflict.

[Remainder of page intentionally left blank]
Section 29: Effective Date. This Resolution shall become effective immediately upon its adoption.

LEGAL:

DEPARTMENT:
EXHIBIT A-1

[FORM OF 2017A NOTE]

Dated Date: February 22, 2017

$2,525,000

Interest Rate 2.80%
(subject to adjustment as described herein)

STATE OF FLORIDA
CITY OF ST. PETERSBURG, FLORIDA
NON-AD VALOREM REVENUE NOTE, SERIES 2017A

KNOW ALL MEN BY THESE PRESENTS that the City of St. Petersburg, Florida (the "Issuer"), a municipal corporation created and existing pursuant to the Constitution and the laws of the State of Florida, for value received, promises to pay from the sources hereinafter provided, to the order of TD Bank, N.A., or registered assigns (hereinafter, the "Owner"), the principal sum of $2,525,000, on the dates and in the amounts as hereinafter described, together with interest on the principal balance at the "Interest Rate" described below, calculated on a 30/360-day basis, however, that such Interest Rate shall in no event exceed the maximum interest rate permitted by applicable law. This Note shall have a final "Maturity Date" of July 1, 2031.

The Interest Rate is equal to 2.80% (subject to adjustment as described herein).

Interest shall be payable to the Owner on each January 1 and July 1, commencing on July 1, 2017.

A final payment in the amount of the remaining principal balance, together with all accrued and unpaid interest hereon, shall be due and payable in full on the Maturity Date.

This Note may be prepaid on any Business Day in whole or in part upon thirty (30) days prior written notice to the Owner. In the event of any prepayment of this Note, whether by voluntary prepayment, acceleration or otherwise, the Borrower shall, at the option of the Owner, pay a "fixed rate prepayment charge" equal to the greater of (i) 1.00% of the principal balance being prepaid multiplied by the "Remaining Term," as hereinafter defined, in years or (ii) a "Yield Maintenance Fee" in an amount computed as follows:

The current cost of funds, specifically the bond equivalent yield for United States Treasury securities (bills on a discounted basis shall be converted to a bond equivalent yield) with a maturity date closest to the "Remaining Term", shall be subtracted from the "Stated Interest Rate". If the result is zero or a negative number, there shall be no Yield Maintenance Fee due and payable. If the result is a positive number, then the resulting percentage shall be multiplied by the amount being prepaid times the number of days in the "Remaining Term" and divided by 360. The resulting amount is the "fixed prepayment charge" due to the Owner.
upon prepayment of the principal of this Note plus any accrued interest due as of the
prepayment date and is expressed in the following calculation:

Yield Maintenance Fee = [Amount Being Prepaid x (Stated Interest Rate Current
Cost of Funds) x Days in the Remaining Term/360 days] + any accrued interest
due "Remaining Term."

"Remaining Term" as used herein shall mean the shorter of (i) the remaining term of this
Note, or (ii) the remaining term of the then current fixed interest rate period.

If any date for the payment of principal and interest hereon shall fall on a day which is
not a Business Day (as defined in the Resolution hereinafter defined) the payment due on such
date shall be due on the next succeeding day which is a Business Day, but the Issuer shall not
receive credit for the payment until it is actually received by the Owner.

All payments by the Issuer pursuant to this Note shall apply first to accrued interest, then
to other charges due the Owner, and the balance thereof shall apply to principal.

THIS NOTE DOES NOT CONSTITUTE A GENERAL INDEBTEDNESS OF THE
ISSUER WITHIN THE MEANING OF ANY CONSTITUTIONAL, STATUTORY OR
CHARTER PROVISION OR LIMITATION, AND IT IS EXPRESSLY AGREED BY THE
OWNER OF THIS NOTE THAT SUCH OWNER SHALL NEVER HAVE THE RIGHT TO
REQUIRE OR COMPEL THE EXERCISE OF THE AD VALOREM TAXING POWER OF
THE ISSUER OR TAXATION OF ANY REAL OR PERSONAL PROPERTY THEREIN OR
THE USE OF AD VALOREM TAX REVENUES FOR THE PAYMENT OF THE PRINCIPAL
OF AND INTEREST ON THIS NOTE OR THE MAKING OF ANY OTHER PAYMENTS
PROVIDED FOR IN THE RESOLUTION.

This Note is issued pursuant to Constitution of the State of Florida, Chapter 166, Part II,
Florida Statutes, the municipal charter of the Issuer and other applicable provisions of law, and a
resolution duly adopted by the Issuer on February 16, 2017, as amended and supplemented from
time to time (herein referred to as the "Resolution"), and is subject to all the terms and conditions
of the Resolution. All terms, conditions and provisions of the Resolution including, without
limitation, remedies in the Event of Default are by this reference thereto incorporated herein as a
part of this Note. Payment of the Note is secured by a covenant to budget, appropriate and
deposit Non-Ad Valorem Revenues of the Issuer and, on parity and equal status with the Issuer's
Non-Ad Valorem Refunding Revenue Note, Series 2017B, a pledge of and lien upon the Pledged
Revenues, in the manner and to the extent described in the Resolution. Terms used herein in
capitalized form and not otherwise defined herein shall have the meanings ascribed thereto in the
Resolution.
Unless earlier prepaid, the principal amount of this Note shall be paid in the following amounts on the following dates:

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<th>Dates</th>
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</tr>
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<td>07/01/2031</td>
<td>310,000</td>
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</table>

“Determination of Taxability” shall mean a final decree or judgment of any Federal court or a final action of the Internal Revenue Service determining that interest paid or payable on this Note is or was includable in the gross income of the Owner for Federal income tax purposes as a result of action or inaction of the Issuer; provided, no Determination of Taxability shall be deemed to occur unless the Issuer has been given written notice of such occurrence and, to the extent permitted by law, an opportunity to participate in and seek, at the Issuer’s own expense, a final administrative determination by the Internal Revenue Service or determination by a court of competent jurisdiction (from which no further right of appeal exists) as to the occurrence of such Determination of Taxability.

(i) In the event of a Determination of Taxability, the Interest Rate shall be adjusted to cause the yield on this Note to equal what the yield on this Note would have been absent such Determination of Taxability (the “Taxable Rate”) effective retroactively to the effective date of such Determination of Taxability. Within thirty (30) days of a Determination of Taxability, the Issuer agrees to pay to the Owner subject to such Determination of Taxability the Additional Amount (as defined herein). “Additional Amount” means (i) the difference between (a) interest on this Note for the period commencing on the date on which the interest on this Note (or portion thereof) loses its “tax-exempt” status and ending on the earlier of the date this Note ceases to be outstanding or such adjustment is no longer applicable to this Note (the “Taxable Period”) at a rate equal to the Taxable Rate and (b) the aggregate amount of interest payable on this Note for the Taxable Period under the provisions of this Note without considering the Determination of Taxability, plus (ii) any penalties and interest paid or payable by the Owner to the Internal Revenue Service by reason of such Determination of Taxability.

The Owner shall promptly notify the Issuer in writing of any adjustments pursuant hereto. Such adjustments shall become effective as of the effective date of the event causing such adjustment. Adjustments pursuant hereto may be retroactive. The Owner shall certify to the Issuer in writing the Additional Amount, if any, due to such Owner as a result of an adjustment pursuant hereto. Notwithstanding any provision hereto to the contrary, in no event shall the Interest Rate on this Note exceed the maximum rate permitted by law.
(ii) Subject to the provisions of clause (iii) below, the Owner shall afford Issuer the opportunity, at Issuer’s sole cost and expense, to contest any challenge to the validity of the tax exemption with respect to the interest on this Note, including the right to direct the necessary litigation contesting such challenge (including administrative audit appeals); provided that, in no event shall the Owner be required to make available its tax returns (or any other information relating to its taxes that it deems confidential) to Issuer or any other Person.

(iii) As a condition precedent to the exercise by Issuer of its right to contest as set forth in clause (ii) above, the Issuer shall, on demand, immediately reimburse the Owner for any and all expenses (including attorneys’ fees for services that may be required or desirable, as determined by the Owner in its sole discretion) that may be incurred by the Owner in connection with any such contest, and shall, on demand, immediately reimburse the Owner for any and all penalties or other charges payable by the Owner, as determined by the Owner for failure to include such interest in its gross income.

Amounts owing hereunder as a result of a Determination of Taxability shall survive payment on this Note until such time as the Federal statute of limitations under which interest on this Note could be declared taxable under the Code shall have expired.

In the enforcement of any remedy under this Note, to the extent permitted by law, the Owner shall be entitled to sue for, enforce payment of and receive any and all amounts then or during any default becoming due from the Issuer for principal, interest or otherwise under any of the provisions of this Note or of this Note then unpaid, at the Default Rate (as hereinafter defined), together with any and all costs and expenses of collection, enforcement of its rights under this Note and of all proceedings hereunder and under this Note (including, without limitation, reasonable legal fees in all proceedings, including administrative, appellate and bankruptcy proceedings), without prejudice to any other right or remedy of the Owner, and to recover and enforce any judgment or decree against the Issuer, for any portion of such amounts remaining unpaid and interest, costs, and expenses as above provided, and to collect in any manner provided by law, the moneys adjudged or decreed to be payable.

If any payment due the Owner is more than fifteen (15) days overdue, a late charge of six percent (6%) of the overdue payment shall be assessed.

Upon and during the continuance of an Event of Default, this Note shall bear interest at the Default Rate. For purposes of this Note, the term "Default Rate" shall mean the lesser of (i) 6% per annum in excess of the Prime Rate as quoted in the Wall Street Journal, or (ii) the maximum interest rate permitted by applicable law.

If at any time this Note is outstanding and the unenhanced long-term ratings on any outstanding debt of the Issuer (each a "Public Debt Rating") are withdrawn or suspended for credit-related reasons, or if no debt of the Issuer is rated at least Ba1, BBB+ or BBB+, by Moody’s Investors Service, Inc., S&P Global Inc., or Fitch Ratings Ltd., respectively (or if any such rating agencies change their categories, the rating category that most closely approximates the ratings currently in effect), by this Note shall bear interest at the Financial Distress Rate. For purposes of this Note, the term "Financial Distress Rate" shall mean the lesser of (i) 6% per

A-1-4
annum in excess of the Prime Rate as quoted in the Wall Street Journal, or (ii) the maximum interest rate permitted by applicable law. If the City no longer has any Public Debt Rating and the Financial Ratio (as defined below) (calculated as of September 30th of each year in that circumstance), is less than 1.50 times, this Note shall bear interest at the Financial Distress Rate. If the Issuer has no Public Debt Rating, the Issuer must calculate the Financial Ratio and provide such calculation to the Owner within 210 days of the end of the prior Fiscal Year. "Financial Ratio" means the total amount of Non-Ad Valorem Revenues for the prior Fiscal Year divided by the maximum annual debt service of all debt (including all long-term financial obligations appearing on the Issuer’s most recent audited financial statements and the debt proposed to be incurred) to be paid from Non-Ad Valorem Revenues (collectively, "Debt"), including any Debt payable from one or several specific revenue sources.

For purposes of calculating maximum annual debt service if the terms of the Debt are such that interest thereon for any future period of time is to be calculated at a rate which is not then susceptible of precise determination ("Variable Rate Debt"), interest on such Variable Rate Debt shall be computed as follows:

(a) if the principal amount of Variable Rate Debt (including any Variable Rate Debt proposed to be incurred) is less than or equal to 25% of the principal amount of all Debt (including the Debt proposed to be incurred), an interest rate equal to the higher of 12% per annum or The Bond Buyer 40 Index shall be assumed; or

(b) if the principal amount of Variable Rate Debt (including any Variable Rate Debt proposed to be incurred) is more than 25% of the principal amount of all Debt (including the Debt proposed to be incurred), the maximum rate which could be borne by such Variable Rate Debt shall be assumed.

For purposes of calculating maximum annual debt service, balloon indebtedness shall be assumed to amortize in up to 20 years (from the date of calculation) on a level debt service basis. In the event that the Issuer is required to fund a reserve fund, the funding of such reserve fund shall be included in the calculation of debt service. For purposes of this paragraph, “balloon indebtedness” includes indebtedness if 25% or more of the principal amount thereof comes due in any one year.

This Note may be exchanged or transferred by the Owner hereof to any Permitted Lender but only upon the registration books maintained by the Issuer and in the manner provided in the Resolution.

The Issuer to the extent permitted by law hereby waives presentment, demand, protest and notice of dishonor.

It is hereby certified, recited and declared that all acts, conditions and prerequisites required to exist, happen and be performed precedent to and in the execution, delivery and the issuance of this Note do exist, have happened and have been performed in due time, form and manner as required by law, and that the issuance of this Note is in full compliance with and does not exceed or violate any constitutional or statutory limitation.
IN WITNESS WHEREOF, the City of St. Petersburg, Florida, has issued this Note and has caused the same to be executed by its Mayor, attested by its City Clerk, approved as to form and correctness by its Assistant City Attorney, either manually or with their facsimile signatures, and the corporate seal of the City, or a facsimile thereof to be impressed, imprinted or otherwise reproduced hereon, all as of the dated date set forth above.

CITY OF ST. PETERSBURG, FLORIDA

(SEAL)

________________________
Rick Kriseman, Mayor

ATTESTED:

________________________
Chan Srinivasa, City Clerk

APPROVED AS TO FORM AND CORRECTNESS

________________________
Mark A. Winn, Assistant City Attorney
EXHIBIT A-2

[FORM OF 2017B NOTE]

Dated Date: February 22, 2017 $3,210,000
Interest Rate 1.76% (subject to adjustment as described herein)

STATE OF FLORIDA
CITY OF ST. PETERSBURG, FLORIDA
NON-AD VALOREM REFUNDING REVENUE NOTE, SERIES 2017B

KNOW ALL MEN BY THESE PRESENTS that the City of St. Petersburg, Florida (the "Issuer"), a municipal corporation created and existing pursuant to the Constitution and the laws of the State of Florida, for value received, promises to pay from the sources hereinafter provided, to the order of TD Bank, N.A., or registered assigns (hereinafter, the "Owner"), the principal sum of $3,210,000, on the dates and in the amounts as hereinafter described, together with interest on the principal balance at the "Interest Rate" described below, calculated on a 30/360-day basis, however, that such Interest Rate shall in no event exceed the maximum interest rate permitted by applicable law. This Note shall have a final "Maturity Date" of July 1, 2022.

The Interest Rate is equal to 1.76% (subject to adjustment as described herein).

Interest shall be payable to the Owner on each January 1 and July 1, commencing on July 1, 2017.

A final payment in the amount of the remaining principal balance, together with all accrued and unpaid interest hereon, shall be due and payable in full on the Maturity Date.

This Note may be prepaid on any Business Day in whole or in part upon thirty (30) days prior written notice to the Owner. In the event of any prepayment of this Note, whether by voluntary prepayment, acceleration or otherwise, the Borrower shall, at the option of the Owner, pay a "fixed rate prepayment charge" equal to the greater of (i) 1.00% of the principal balance being prepaid multiplied by the "Remaining Term," as hereinafter defined, in years or (ii) a "Yield Maintenance Fee" in an amount computed as follows:

The current cost of funds, specifically the bond equivalent yield for United States Treasury securities (bills on a discounted basis shall be converted to a bond equivalent yield) with a maturity date closest to the "Remaining Term", shall be subtracted from the "Stated Interest Rate". If the result is zero or a negative number, there shall be no Yield Maintenance Fee due and payable. If the result is a positive number, then the resulting percentage shall be multiplied by the amount being prepaid times the number of days in the "Remaining Term" and divided by 360. The resulting amount is the "fixed prepayment charge" due to the Owner.
upon prepayment of the principal of this Note plus any accrued interest due as of the prepayment date and is expressed in the following calculation:

Yield Maintenance Fee = [Amount Being Prepaid x (Stated Interest Rate Current Cost of Funds) x Days in the Remaining Term/360 days] + any accrued interest due "Remaining Term."

"Remaining Term" as used herein shall mean the shorter of (i) the remaining term of this Note, or (ii) the remaining term of the then current fixed interest rate period.

If any date for the payment of principal and interest hereon shall fall on a day which is not a Business Day (as defined in the Resolution hereinafter defined) the payment due on such date shall be due on the next succeeding day which is a Business Day, but the Issuer shall not receive credit for the payment until it is actually received by the Owner.

All payments by the Issuer pursuant to this Note shall apply first to accrued interest, then to other charges due the Owner, and the balance thereof shall apply to principal.

THIS NOTE DOES NOT CONSTITUTE A GENERAL INDEBTEDNESS OF THE ISSUER WITHIN THE MEANING OF ANY CONSTITUTIONAL, STATUTORY OR CHARTER PROVISION OR LIMITATION, AND IT IS EXPRESSLY AGREED BY THE OWNER OF THIS NOTE THAT SUCH OWNER SHALL NEVER HAVE THE RIGHT TO REQUIRE OR COMPEL THE EXERCISE OF THE AD VALOREM TAXING POWER OF THE ISSUER OR TAXATION OF ANY REAL OR PERSONAL PROPERTY THEREIN OR THE USE OF AD VALOREM TAX REVENUES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THIS NOTE OR THE MAKING OF ANY OTHER PAYMENTS PROVIDED FOR IN THE RESOLUTION.

This Note is issued pursuant to Constitution of the State of Florida, Chapter 166, Part II, Florida Statutes, the municipal charter of the Issuer and other applicable provisions of law, and a resolution duly adopted by the Issuer on February 16, 2017, as amended and supplemented from time to time (herein referred to as the "Resolution"), and is subject to all the terms and conditions of the Resolution. All terms, conditions and provisions of the Resolution including, without limitation, remedies in the Event of Default are by this reference thereto incorporated herein as a part of this Note. Payment of the Note is secured by a covenant to budget, appropriate and deposit Non-Ad Valorem Revenues of the Issuer and, on parity and equal status with the Issuer's Non-Ad Valorem Revenue Note, Series 2017A, a pledge of and lien upon the Pledged Revenues, in the manner and to the extent described in the Resolution. Terms used herein in capitalized form and not otherwise defined herein shall have the meanings ascribed thereto in the Resolution.
Unless earlier prepaid, the principal amount of this Note shall be paid in the following amounts on the following dates:

<table>
<thead>
<tr>
<th>Dates</th>
<th>Amounts</th>
</tr>
</thead>
<tbody>
<tr>
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<td>$190,000</td>
</tr>
<tr>
<td>07/01/2018</td>
<td>580,000</td>
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<td>595,000</td>
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<td>615,000</td>
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<tr>
<td>07/01/2022</td>
<td>625,000</td>
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</table>

“Determination of Taxability” shall mean a final decree or judgment of any Federal court or a final action of the Internal Revenue Service determining that interest paid or payable on this Note is or was includable in the gross income of the Owner for Federal income tax purposes as a result of action or inaction of the Issuer; provided, no Determination of Taxability shall be deemed to occur unless the Issuer has been given written notice of such occurrence and, to the extent permitted by law, an opportunity to participate in and seek, at the Issuer’s own expense, a final administrative determination by the Internal Revenue Service or determination by a court of competent jurisdiction (from which no further right of appeal exists) as to the occurrence of such Determination of Taxability.

(i) In the event of a Determination of Taxability, the Interest Rate shall be adjusted to cause the yield on this Note to equal what the yield on this Note would have been absent such Determination of Taxability (the “Taxable Rate”) effective retroactively to the effective date of such Determination of Taxability. Within thirty (30) days of a Determination of Taxability, the Issuer agrees to pay to the Owner subject to such Determination of Taxability the Additional Amount (as defined herein). “Additional Amount” means (i) the difference between (a) interest on this Note for the period commencing on the date on which the interest on this Note (or portion thereof) loses its “tax-exempt” status and ending on the earlier of the date this Note ceases to be outstanding or such adjustment is no longer applicable to this Note (the “Taxable Period”) at a rate equal to the Taxable Rate and (b) the aggregate amount of interest payable on this Note for the Taxable Period under the provisions of this Note without considering the Determination of Taxability, plus (ii) any penalties and interest paid or payable by the Owner to the Internal Revenue Service by reason of such Determination of Taxability.

The Owner shall promptly notify the Issuer in writing of any adjustments pursuant hereto. Such adjustments shall become effective as of the effective date of the event causing such adjustment. Adjustments pursuant hereto may be retroactive. The Owner shall certify to the Issuer in writing the Additional Amount, if any, due to such Owner as a result of an adjustment pursuant hereto. Notwithstanding any provision hereto to the contrary, in no event shall the Interest Rate on this Note exceed the maximum rate permitted by law.

(ii) Subject to the provisions of clause (iii) below, the Owner shall afford Issuer the opportunity, at Issuer’s sole cost and expense, to contest any challenge to the validity of the tax exemption with respect to the interest on this Note, including the right to direct the necessary litigation contesting such challenge (including administrative audit appeals); provided that, in no
event shall the Owner be required to make available its tax returns (or any other information relating to its taxes that it deems confidential) to Issuer or any other Person.

(iii) As a condition precedent to the exercise by Issuer of its right to contest as set forth in clause (ii) above, the Issuer shall, on demand, immediately reimburse the Owner for any and all expenses (including attorneys’ fees for services that may be required or desirable, as determined by the Owner in its sole discretion) that may be incurred by the Owner in connection with any such contest, and shall, on demand, immediately reimburse the Owner for any and all penalties or other charges payable by the Owner, as determined by the Owner for failure to include such interest in its gross income.

Amounts owing hereunder as a result of a Determination of Taxability shall survive payment on this Note until such time as the Federal statute of limitations under which interest on this Note could be declared taxable under the Code shall have expired.

In the enforcement of any remedy under this Note, to the extent permitted by law, the Owner shall be entitled to sue for, enforce payment of and receive any and all amounts then or during any default becoming due from the Issuer for principal, interest or otherwise under any of the provisions of this Note or of this Note then unpaid, at the Default Rate (as hereinafter defined), together with any and all costs and expenses of collection, enforcement of its rights under this Note and of all proceedings hereunder and under this Note (including, without limitation, reasonable legal fees in all proceedings, including administrative, appellate and bankruptcy proceedings), without prejudice to any other right or remedy of the Owner, and to recover and enforce any judgment or decree against the Issuer, for any portion of such amounts remaining unpaid and interest, costs, and expenses as above provided, and to collect in any manner provided by law, the moneys adjudged or decreed to be payable.

If any payment due the Owner is more than fifteen (15) days overdue, a late charge of six percent (6%) of the overdue payment shall be assessed.

Upon and during the continuance of an Event of Default, this Note shall bear interest at the Default Rate. For purposes of this Note, the term "Default Rate" shall mean the lesser of (i) 6% per annum in excess of the Prime Rate as quoted in the Wall Street Journal, or (ii) the maximum interest rate permitted by applicable law.

If at any time this Note is outstanding and the unenhanced long-term ratings on any outstanding debt of the Issuer (each a "Public Debt Rating") are withdrawn or suspended for credit-related reasons, or if no debt of the Issuer is rated at least Baa1, BBB+ or BBB+, by Moody’s Investors Service, Inc., S&P Global Inc., or Fitch Ratings Ltd., respectively (or if any such rating agencies change their categories, the rating category that most closely approximates the ratings currently in effect), by this Note shall bear interest at the Financial Distress Rate. For purposes of this Note, the term "Financial Distress Rate" shall mean the lesser of (i) 6% per annum in excess of the Prime Rate as quoted in the Wall Street Journal, or (ii) the maximum interest rate permitted by applicable law. If the City no longer has any Public Debt Rating and the Financial Ratio (as defined below) (calculated as of September 30th of each year in that circumstance), is less than 1.50 times, this Note shall bear interest at the Financial Distress Rate.
If the Issuer has no Public Debt Rating, the Issuer must calculate the Financial Ratio and provide such calculation to the Owner within 210 days of the end of the prior Fiscal Year. "Financial Ratio" means the total amount of Non-Ad Valorem Revenues for the prior Fiscal Year divided by the maximum annual debt service of all debt (including all long-term financial obligations appearing on the Issuer’s most recent audited financial statements and the debt proposed to be incurred) to be paid from Non-Ad Valorem Revenues (collectively, "Debt"), including any Debt payable from one or several specific revenue sources.

For purposes of calculating maximum annual debt service if the terms of the Debt are such that interest thereon for any future period of time is to be calculated at a rate which is not then susceptible of precise determination ("Variable Rate Debt"), interest on such Variable Rate Debt shall be computed as follows:

(a) if the principal amount of Variable Rate Debt (including any Variable Rate Debt proposed to be incurred) is less than or equal to 25% of the principal amount of all Debt (including the Debt proposed to be incurred), an interest rate equal to the higher of 12% per annum or The Bond Buyer 40 Index shall be assumed; or

(b) if the principal amount of Variable Rate Debt (including any Variable Rate Debt proposed to be incurred) is more than 25% of the principal amount of all Debt (including the Debt proposed to be incurred), the maximum rate which could be borne by such Variable Rate Debt shall be assumed.

For purposes of calculating maximum annual debt service, balloon indebtedness shall be assumed to amortize in up to 20 years (from the date of calculation) on a level debt service basis. In the event that the Issuer is required to fund a reserve fund, the funding of such reserve fund shall be included in the calculation of debt service. For purposes of this paragraph, “balloon indebtedness” includes indebtedness if 25% or more of the principal amount thereof comes due in any one year.

This Note may be exchanged or transferred by the Owner hereof to any Permitted Lender but only upon the registration books maintained by the Issuer and in the manner provided in the Resolution.

The Issuer to the extent permitted by law hereby waives presentment, demand, protest and notice of dishonor.

It is hereby certified, recited and declared that all acts, conditions and prerequisites required to exist, happen and be performed precedent to and in the execution, delivery and the issuance of this Note do exist, have happened and have been performed in due time, form and manner as required by law, and that the issuance of this Note is in full compliance with and does not exceed or violate any constitutional or statutory limitation.
IN WITNESS WHEREOF, the City of St. Petersburg, Florida, has issued this Note and has caused the same to be executed by its Mayor, attested by its City Clerk, approved as to form and correctness by its Assistant City Attorney, either manually or with their facsimile signatures, and the corporate seal of the City, or a facsimile thereof to be impressed, imprinted or otherwise reproduced hereon, all as of the dated date set forth above.

CITY OF ST. PETERSBURG, FLORIDA

(SEAL)

ATTESTED:

Rick Kriseman, Mayor

Chan Srinivasa, City Clerk

CORRECTNESS

APPROVED AS TO FORM AND

Mark A. Winn, Assistant City Attorney
EXHIBIT B

FORM OF PURCHASER’S CERTIFICATE

This is to certify that TD Bank, N.A. (the "Purchaser") has not required the City of St. Petersburg, Florida (the "Issuer") to deliver any offering document and has conducted its own investigation, to the extent it deems satisfactory or sufficient, into matters relating to business affairs or conditions (either financial or otherwise) of the Issuer in connection with the issuance by the Issuer of its $2,525,000 Non-Ad Valorem Revenue Note, Series 2017A (the "2017A Note"), and of its $3,210,000 Non-Ad Valorem Refunding Revenue Note, Series 2017B (the “2017B Note”, together with the 2017A Note, the “Notes”) no inference should be drawn that the Purchaser, in the acceptance of said Notes, is relying on Note Counsel or the City Attorney as to any such matters other than the legal opinions rendered by Note Counsel and by the Assistant City Attorney, Mark A. Winn, Esq. ("General Counsel"). Any capitalized undefined terms used herein not otherwise defined shall have the meaning set forth in a resolution adopted by the City Council of the Issuer on February 16, 2017 (the "Resolution").

We are aware that investment in the Notes involves various risks, that the Notes are not general obligations of the Issuer or payable from ad valorem tax revenues, and that the payment of the Notes is secured solely from the sources described in the Resolution (the "Note Security").

We have made such independent investigation of the Note Security as we, in the exercise of sound business judgment, consider to be appropriate under the circumstances.

We have knowledge and experience in financial and business matters and are capable of evaluating the merits and risks of our investment in the Notes and can bear the economic risk of our investment in the Notes.

We acknowledge that the Resolution is not being qualified under the Trust Indenture Act of 1939, as amended (the "1939 Act"), and is not being registered, in reliance upon the exemption from registration under Section 3(a)(2) of the Securities Act of 1933, Section 517.051(1), Florida Statutes, and/or Section 517.061(7), Florida Statutes, and that neither the Issuer, Note Counsel nor the General Counsel shall have any obligation to effect any such registration or qualification.

We are not acting as a broker or other intermediary, and are purchasing the Notes as investments for our own account and not with a present view to a resale or other distribution to the public. We understand that the Notes may be transferred in whole or in part; provided, however, we understand that the Notes may only be transferred in accordance with the limitations set forth in the Resolution.

We are a bank, trust company, savings institution, insurance company, dealer, investment company, pension or profit-sharing trust, or qualified institutional buyer as contemplated by Section 517.061(7), Florida Statutes. We are not purchasing the Notes for the direct or indirect
promotion of any scheme or enterprise with the intent of violating or evading any provision of 
Chapter 517, Florida Statutes.

We are an "accredited investor" within the meaning of the Securities Act of 1933, as 
amended, and Regulation D thereunder.

DATED this 22nd day of February, 2017.

TD BANK, N.A.

By: ________________________________
Name: Robert Catoe
Title: Vice President
EXHIBIT C

FORM OF DISCLOSURE LETTER

Following a competitive selection process, the undersigned, as purchaser, proposes to negotiate with City of St. Petersburg, Florida (the "Issuer") for the private purchase of its $2,525,000 Non-Ad Valorem Revenue Note, Series 2017A (the "2017A Note"), and of its $3,210,000 Non-Ad Valorem Refunding Revenue Note, Series 2017B (the “2017B Note”, together with the 2017A Note, the “Notes”). Prior to the award of the Notes, the following information is hereby furnished to the Issuer:

1. Set forth is an itemized list of the nature and estimated amounts of expenses to be incurred for services rendered to us (the "Purchaser") in connection with the issuance of the Notes (such fees and expenses to be paid by the Issuer):

   $6,500
   Holland & Knight LLP, Purchaser's Counsel
   Legal Fees

2. (a) No other fee, bonus or other compensation is estimated to be paid by the Purchaser in connection with the issuance of the Notes to any person not regularly employed or retained by the Purchaser (including any "finder" as defined in Section 218.386(1)(a), Florida Statutes), except as specifically enumerated as expenses to be incurred by the Purchaser, as set forth in paragraph (1) above.

   (b) No person has entered into an understanding with the Purchaser, or to the knowledge of the Purchaser, with the Issuer, for any paid or promised compensation or valuable consideration, directly or indirectly, expressly or implied, to act solely as an intermediary between the Issuer and the Purchaser or to exercise or attempt to exercise any influence to effect any transaction in the purchase of the Notes.

3. The amount of the underwriting spread expected to be realized by the Purchaser is $0.

4. The management fee to be charged by the Purchaser is $0.

5. Truth-in-Bonding Statement:

   You have disclosed to us that the 2017A Note is being issued primarily to finance the acquisition, construction, reconstruction and equipping of various capital improvements to the Issuer’s Marina. You have disclosed to us that the 2017B Note is being issued primarily to refinance the Issuer’s loan related to the First Florida Governmental Financing Commission Improvement and Refunding Revenue Bonds, Series 2007.
Unless earlier prepaid, the 2017A Note is expected to be repaid by July 1, 2031; at an interest rate of 2.80%, total interest paid over the life of the 2017A Note is estimated to be $745,074.17. Unless earlier prepaid, the 2017B Note is expected to be repaid by July 1, 2022; at an interest rate of 1.76%, total interest paid over the life of the 2017B Note is estimated to be $181,636.40.

The Notes will be payable solely from a covenant to budget, appropriate and deposit from Non-Ad Valorem Revenues sufficient to make such payments, appropriated and deposited as described in a resolution of the Issuer adopted on February 16, 2017 (the "Resolution"). See the Resolution for a definition of Non-Ad Valorem Revenues. Issuance of the Notes is estimated to result in an annual average of approximately $463,961.27 of revenues of the Issuer not being available to finance the services of the Issuer during the life of the Notes. This paragraph is provided pursuant to Section 218.385, Florida Statutes.

6. The name and address of the Purchaser is as follows:

TD Bank, N.A.
2307 W. Kennedy Boulevard
Tampa, Florida, 33609

IN WITNESS WHEREOF, the undersigned has executed this Disclosure Letter on behalf of the Purchaser this 22nd day of February, 2017.

TD BANK, N.A.

By: ____________________________________________
Name: Robert Catoe
Title: Vice President
RESOLUTION NO. ___

A RESOLUTION OF THE CITY COUNCIL
APPROVING THE RECOMMENDATION OF
THE BUDGET, FINANCE AND TAXATION
COMMITTEE TO REMOVE THE CHILDS PARK
LAKE PROJECT FROM THE WEEKI WACHEE
PROJECT LIST; AND PROVIDING AN
EFFECTIVE DATE.

WHEREAS, City Council adopted Article IV, Chapter 21, which created
procedures and criteria for the use of principal and investment proceeds from the sale of the
Weeki Wachee property; and

WHEREAS, Section 21-120(a), City Code, requires that removal of projects from
the Weeki Wachee project list are processed in the same manner as projects are added to the
project list which includes a recommendation in writing to City Council and referral to and
recommendation from the Budget, Finance and Taxation Committee; and

WHEREAS, a City Council member recommended in writing the removal of the
Childs Park Lake Project (Project) from the Weeki Wachee project list and the Budget, Finance
and Taxation Committee recommends that the Project is removed from the Weeki Wachee
project list.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of
St. Petersburg, Florida that the recommendation of the Budget, Finance and Taxation Committee
to remove the Childs Park Lake Project from the Weeki Wachee project list is hereby approved.

This resolution shall become effective immediately upon its adoption.

LEGAL:

_____________________________
City Attorney (designee)
00308291
City of St. Petersburg
Public Services & Infrastructure Committee
Meeting Minutes of February 9, 2017 – 9:15 a.m.
City Hall, Room 100

Members: Chair Steve Kornell, Vice-Chair Ed Montanari, Council Member Charlie Gerdes

Alternate(s): Council Member Jim Kennedy

Support Staff: Nina Mahmoudi, primary support staff; Judy Tenison, backup support staff, Michael Jeffries, Parks and Recreation Director, Phil Whitehouse, Parks and Recreation Operations Superintendent, Charles Claybaker, Claybaker DUSTOFF Foundation, Derek Kilborn, Historic Preservation Manager, Paul Palmer, Renker Eich Parks Architects, Michael Domante, Assistant City Attorney, Jacqueline Kovilaritch, City Attorney, Council Member Karl Nurse

1) Call to Order – 9:15 a.m.

2) Approval of Agenda - CM Kornell motion to switch order of NBIs, Motion for Approval by CM Gerdes, all in favor.

3) Approval of Minutes – Motion for Approval by CM Gerdes, all in favor.
   a) January 26, 2017

4) New Business – Brittany Gordon Veterans Memorial at Dell Holmes Park
   a) CM Gerdes reviewed the project, stating that Charles Claybaker is requesting to install a memorial for those St. Pete residents that were killed in action. The location for the memorial garden was inspired by the current Gordon tree memorial at Dell Holmes Park. Claybaker has come up with funding for the installation and maintenance and no taxpayer money would be used to fund the project. He commended the Parks department for the ‘institutional breakthrough’ and for their support of the project.
   b) Mike Jeffries stated the Claybaker’s project team brings a lot of credibility.
   c) Claybaker stated that the name of the memorial is flexible and noted that the construction and possible maintenance will be completed by a group called “cons helping cons,” which teaches work skills to cons reintegrating back into society successfully. The design has minimal impact to the environment and they are raising the area where the memorial will be constructed to reduce flooding.
   d) Jeffries stated that while the Veterans Memorial in Williams Park is great, this memorial will be more of a reflection garden within nature.
e) CM Kennedy asked if all war timelines will be covered by the two memorials combined. Jefferies noted they will make sure all timelines are covered.

f) CM Kennedy asked is they received public input. Jefferies noted that coming to PSI was their first step.

g) CM Kennedy asked if we need a public referendum. Legal stated this project fits within the legal use so they wouldn’t need a referendum.

h) CM Montanari asked if additional capacity would be available in addition to the six spots planned in the design. Claybaker said yes.

i) CM Montanari asked for confirmation that all honored Vets were from St. Pete. Claybaker indicated all but one from Gulfport, which is close to the park.

j) CM Gerdes asked if the Gordon family was in the loop. Claybaker said yes and they are enthusiastic about the project.

k) CM Montanari asked if Council should draft a resolution of support.

l) CM Gerdes made a motion for the committee to have Council recommend the project move to the application phase and for Council to draft a resolution. All were in favor.

m) Contact information for Claybaker’s organization is claybakerdustoff.org and 727-643-8556.

5) Historic Guidelines – Historic Preservation Design Guidelines

a) Derek Kilborn summarized the process that led to this revised historic design guidelines, stating that Council asked for the guidelines to be updated and attached to the ordinance. The document had not been updated since it was created decades ago. The goal of the update was to fix the deficiencies and provide additional information that would help city staff make more objective decisions and help educate residents. Paul Palmer, architect, explained more of the new version in detail. Staff added history and ‘anatomy of a house’ sections that explained terminology and helps understand the graphics in the document. They added enhancements, like more photos and graphics, to help make the guidelines more useful and create tools to help guide the public. The guide includes 10 history styles of houses, each with six pages including: a gallery of examples, massing and composition, walls, eaves and roofs, and windows and doors. They added a new style section – mid-century modern. Kilborn also noted that the old guide focused on only residential properties while the new guide also provided standards for commercial properties, which will also help staff in their review processes. They also added enhancements to the project planning section. The local historic district section helps define some key characteristics that will assist staff in their decision making. They also added district features as a new enhancement. Zoning will have an interdisciplinary role.

b) CM Nurse asked how we can make the guidelines flexible enough to account for hurricane and storm preparedness and efficiency. Palmer said that the complete guide
does addresses those issues and provides solutions, especially in the planning section of the guidelines.

c) Derek reviewed their timeline for implementing the new guidelines. He said that Florida Trust is holding their annual conference in May, so they would like to complete stakeholder feedback and approval from Council by then (Tentatively going to Council April 20).

d) CM Kennedy wanted to know if any community outreach had been done. Kilborn indicated that three meetings have already happened with the historic districts and that next they would follow-up with a public meeting before the Development Review committee workshop of March 1 and the Community Planning and Preservation group meeting on March 14. Kennedy asked if they had presented to the Chamber Public Policy group and St. Pete Preservation. Kilborn indicated that while they did not have specific meetings with them, the groups did provide their input. He noted that those groups’ concerns mainly relate to the regulations surrounding historic preservation and that this document is not regulatory.

e) CM Kennedy asked that percentages be added to the colorful graphical pie charts. Staff indicated yes.

f) CM Gerdes asked if the guide was designed to be understandable by the lay/average person. Palmer indicated that was exactly how the guide was designed and that it should be comprehensible just from pictures alone.

g) CM Nurse noted the goal of the guidelines should be to make them friendly enough that they encourages more areas to want to be designated historic. Palmer noted they are designed to be accessible and friendly. Kilborn said they eliminated a lot of “don’t” and “can’t” language and replaced it with positive language.

h) CM Montanari asked how it compares to other cities’ guidelines, like Savannah. Palmer indicated they are similar to Roanoke, VA and Louisiana’s guides.

i) CM Montanari asked why all the colors were not represented on the district maps, like in the pie charts. Kilborn indicated they did that as to not be perceived as too prescriptive or ‘boxed in.’

j) CM Kornell tentatively scheduled another, more comprehensive review of the guidelines at the March 9 PSI meeting. All members were in favor of that.

6) Adjournment – 10:28 a.m.
Chair Rice called the meeting to order and the following topics were discussed:

**Approval of January 19, 2017 Minutes:** Passed 4-0

**Emergency Management Follow Up**
Pinellas County is divided into 5 evacuation zones (A-E). It is important to note that the shelters available are based on these evacuation zones and are not municipality specific. In Pinellas County, approximately 47,136 persons are expected to seek space in a public risk shelter in a Level E evacuation (based on the State Regional Hurricane Evacuation Study, 2015 projections).

Currently there is a deficit of public shelter spaces in the event of a Level E evacuation. Due to a chronic deficit of risk shelter space, to calculate the number of available spaces in a shelter 15 sq. feet/person is used, rather than the Florida Department of Emergency Management (FDEM) recommended 20 sq. feet/person allowance. The available shelter space based on the 15 sq. feet/person calculation is 46,552, therefore closing the shortage gap. South Pinellas County has a capacity for 27,359 in a Level E evacuation at 14 shelters, 10 shelters located in St. Petersburg account for 14,818 of that total.

Footnotes:
1. Pinellas County is only at a deficit in a Level E evacuation.
2. Pinellas County Emergency Management is currently reevaluating sheltering based on National Hurricane Center - Sea, Lake, and Overland Surges from Hurricanes (SLOSH) study.

**Takeaway:**
In a worst case evacuation Level E, Pinellas County is projected to be about 615 places short, but decreasing required sf/person to 15 or 10/sf per person covers that gap. In any other scenario, the county is projected to have enough space. St. Petersburg shelters account for a little over 50% of the shelter space in South Pinellas County.

You cannot know everything for sure, but county does not anticipate turning anyone away.

**Misc. Sustainability/Resiliency Updates**
- Integrated Sustainability Action Plan (ISAP) will be out end of February
Preliminary work is under way including tree planting site evaluations, STAR metrics tracking, and energy efficiency analysis are all underway

- County Vulnerability Assessment RFP is out now
- STAR results report out set for City Council March 2, 2017
- Office of Sustainability planning a milestone event to bring all of the current efforts together and involve the community. The event will include a report out from local scientists, the Urban Land Institute, and more. The event will happen in March and kick start some momentum for Earth Day in April.

Chair Rice discussed the importance of finding ways for the community to engage, even though there are so many efforts going at once that may not always be a clearly delineated project to work on.

Councilmember Montanari suggested the idea of tying an event to Green Thumb Festival and Earth Day events. Sharon Wright responded that Office of Sustainability participated in both last year, and plan to do the same this year through staff and information sharing at the events.

**Pelican Mortality Update**
1/31/2017 Fish Wildlife Conservation Update

- Reports from Gulfport, Pass-A-Grille, Riviera Bay Lake #1, Coffee Pot Bayou, and Bayou Grande
- At least 70 dead or ill brown pelicans
- 24+ treated and ready for release
- Tests negative for avian flu and arboviruses; avian botulism pending
- Algae, red tide tests on going, but minor findings to date

2/6/2017 Update

- Significant nutrient impact on Riviera Bay Lake (a stormwater lake)
- Potential sources of nitrogen: fertilizers and animal waste
- Other possibilities like a pathogen are being investigated
- Best Management Practices (BMPs) are currently being developed to minimize nutrient issues

**Update Sources**
http://www.stpete.org/water/waterquality.php
@StPetePW

Councilmember Kornell raised the issue that it is good that the scientists are testing and doing the work so that we, as a community, are not jumping to what might seem obvious when, truly, there are a lot of ecosystem factors at play.

He also pointed out that the city be careful in how it communicates high nutrient levels for stormwater detentions ponds/lakes like Riviera Bay because collecting nutrients is a key part of their purpose.
Chair Rice further added that while sewage discharge is not being omitted as a possible factor to consider, there are also nutrient, inversion, and other factors to be evaluated before any conclusions will be made.

Councilmember Montanari mentioned his recent trip to Pass-A-Grille and a red tide event was noticeable there. He also reminded the committee that the next PSI meeting will be held at 2:30 in the afternoon in Room 100 and will include local scientists and other teams available to discuss water quality in more detail.

**Energy Efficiency Financing Options**
Sharon Wright provided an update on financing options that are currently being explored with city administration including Finance and Budget.

- **Qualified Energy Conservation Bonds (QECB)**
  - Additional vetting in progress with financial advisor & bond council
  - Authorized by Congress Oct 2008
  - Direct subsidy bonds similar to Build America Bonds (BABs)
  - $2,570,381 allocation available to St. Petersburg
  - Unclaimed allocations may be available from other communities
  - Broad projects: Building energy retrofits, renewable energy systems, “green community program

- **Energy Efficiency Program Fund – Bond Option**
  - Timing & methodology options being evaluated

- **Energy Savings Company (ESCO)/Performance Contracting**
  - Not pursuing at this time
  - More expensive
  - With good rating, financing does not make as much sense
  - Easy for guarantees to be rescinded when operations change

- **PACE** – reviewing provider info

Councilmember Nurse inquired about timing and could the city be ready with energy fund needs estimate in time to be bonded and included in current budget cycle and possibly with the Police Department bond issue in the next couple of months.

Tom Greene responded that staff believes they are close enough to discuss QECBs by next week’s COW on the Police Headquarters, but that we are working through the energy efficiency funding bond option.

Chair Rice reminded the committee that the solar pv feature of the police headquarters is not yet funded, and that will also be discussed at the 2/16 COW.

Councilmember Nurse moved to request staff research and create budget option and bring it back to City Council. Committee approved motion unanimously.

**Central Chiller Plant Feasibility Study (Part 2)**
Lisa Glover-Henderson provided a refresher of the Part 1 or preliminary study results reported in December 2016. In that study, Griner Engineering created a computer model and a simple payback method for $6,200 to use preliminary results to determine what next steps should be taken. That
study showed that a simple payback of a central chiller plant hooked to 10 government buildings would have a payback length of about 40 years. A larger plant with more consumers would make such a project more financially feasible.

Lisa then provided an overview of the next scope of work that would be needed for a deeper review that included a lifecycle cost analysis, code review, and more detailed strategy. The total cost for the study would be approximately $74,250.

Councilmember Gerdes commented that this type of study and project fits well with criteria for spending BP Settlement Funds toward sustainability projects that are one-time costs.

The committee had further discussion about the scalability of the study, how it would address locations and be attractive to developers and questions about how long the study would benefit the city with so many variables like Tropicana Field. Lisa commented that Griner will use the current stadium data in the study as a starting point.

Councilmember Kornell inquired about how fast the technology changes. Joe Griner responded that the basic concept for chiller plants has been the same since invented one hundred years ago, and that improvements occur, but not the type that would outdate such a study. He cited magnetic bearing technology as an example: it makes plants more efficient, but does not change their purpose or performance with other buildings.

Councilmember Nurse made a motion to bring the study to City Council as outlined for approval. Motion unanimously passed.

**Next Steps**
All business referral items are underway with the exception of earnest start of Green Fleets working group and program. That is on the list to start soon.

Since ENRS Committee does not meet again until April, Chair Rice asked that Sharon and staff stay in touch with committee related to suggested milestone event and other status updates.

**2017 Meeting Schedule:** Next ENRS Committee meeting is scheduled for **April 13, 2017 at 10:30 a.m.**

**Backup Attached for this Report:**

- Presentation slides
- Pelican Mortality Report 1/31/2017
- New releases related to water testing and pelican
- Scope of Work for Chiller Plant Feasibility work (Part 2)
Pinellas County is divided into 5 evacuation zones (A-E). It is important to note that the shelters available are based on these evacuation zones and are not municipality specific. In Pinellas County, approximately 47,136 persons are expected to seek space in a public risk shelter in a Level E evacuation (based on the State Regional Hurricane Evacuation Study, 2015 projections).

Currently there is a deficit of public shelter spaces in the event of a Level E evacuation. Due to a chronic deficit of risk shelter space, to calculate the number of available spaces in a shelter 15 sq. feet/person is used, rather than the Florida Department of Emergency Management (FDEM) recommended 20 sq. feet/person allowance. The available shelter space based on the 15 sq. feet/person calculation is 46,552, therefore closing the shortage gap. South Pinellas County has a capacity for 27,359 in a Level E evacuation at 14 shelters, 10 shelters located in St. Petersburg account for 14,818 of that total.

Footnotes:
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2. Pinellas County Emergency Management is currently reevaluating sheltering based on National Hurricane Center - Sea, Lake, and Overland Surges from Hurricanes (SLOSH) study.

EMERGENCY MANAGEMENT FOLLOW UP

Takeaway:
In a worst case evacuation Level E, Pinellas County is projected to be about 615 places short – decreasing required space covers that gap and any other scenario, the county is projected to have enough space. St. Petersburg shelters account for a little over 50% of the shelter space in South Pinellas County.
You cannot know everything for sure, but county does not anticipate turning anyone away.
SUSTAINABILITY/RESILIENCE PROCUREMENT STATUS

Integrated Sustainability Action Plan (ISAP)
- RFP out end of February
- Preliminary internal work – STAR metrics, tree planting/site evaluations, energy efficiency all under way

County Vulnerability Assessment
- RFP out now

STAR COMMUNITIES, ULI RESILIENCY/EQUITY, CLIMATE UPDATE

- STAR Communities
  - Results Report Out – City Council March 2
  - Certification & Benchmarking Report – Finalized in April
- Climate update, ULI Resiliency & Equity, STAR, Tree +more: Event/Celebration?

PELICAN MORTALITY UPDATE

1/31/2017 Fish Wildlife Conservation Update
- Reports from Gulfport, Pass-A-Grille, Riviera Bay Lake #1, Coffee Pot Bayou, and Bayou Grande
- At least 70 dead or ill brown pelicans
- 24+ treated and ready for release
- Tests negative for avian flu and arboviruses; avian botulism pending
- Algae, red tide tests on going, but minor findings to date
PELICAN MORTALITY UPDATE

2/6/2017 Update
- Significant nutrient impact on Riviera Bay Lake (a stormwater lake)
- Potential sources of nitrogen: fertilizers and animal waste
  - Other possibilities like a pathogen are being investigated
- Best Management Practices (BMPs) will be recommended to minimize nutrient issues

WATER QUALITY INFORMATION & UPDATES

http://www.stpete.org/water/waterquality.php
@StPetePW

ENERGY EFFICIENCY FINANCING OPTIONS: RESEARCH STATUS

- Qualified Energy Conservation Bonds (QECB)
  - Additional vetting in progress with financial advisor & bond council
- Energy Efficiency Program Fund – Bond Option
  - Timing & Methodology Options
- Energy Savings Company (ESCO)/Performance Contracting
  - Not pursuing at this time
  - More expensive
  - With good rating, financing does not make as much sense
  - Easy for guarantees to be rescinded when operations change
- PACE – reviewing provider info
ENERGY EFFICIENCY FINANCING OPTIONS:
RESEARCH STATUS

Qualified Energy Conservation Bonds (QECBs)
- Authorized by Congress Oct 2008
- Direct subsidy bonds similar to Build America Bonds (BABs)
- $2,570,381 allocation available to St. Petersburg
- Unclaimed allocations may be available from other communities
- Broad projects: Building energy retrofits, renewable energy systems, “green community program”

DISCUSSION

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www.nounproject.com
Thi Dieu Linh
Anthony Luu
Phancon
Til Trenck

ENERGY EFFICIENCY FINANCING OPTIONS:
RESEARCH STATUS

Energy Efficiency Program Bond – Methods to Estimate
- ASHRAE LEVEL 2 Audits (9 months – 1 year)
- ASHRAE LEVEL 1 Audits (2-3 months)
- Desktop Analysis (< 1 month)
LED STREET LIGHT RETROFITS

- Duke is finalizing cost estimates for roadways only – once complete will go to City Council
- Current crews will start on Central Avenue around 9th Street and head toward 20th
- Crews being mobilized
- 4,000 lumens for corridors
- 3,000 lumens for neighborhoods likely
LIFE CYCLE COST ANALYSIS PROPOSAL:
District Cooling Plant for The City of St. Petersburg

Preliminary Analysis Highlights

- $6,200 study, Task Order 13-03-GRI/SEM, Proj. No. 13198
- Griner Engineering, Inc.
- Computer modeled 10 government owned and operated buildings
- $10,518,880 total estimated cost to build the system
- Simple ROI 40.5 years, IRR -3.4%

Scope of Work LCCA

- Life cycle cost analysis for a baseline design and then compare to 3 designs
  - Baseline: 10 original buildings with current equipment
  - Design 1: 10 original buildings on District Cooling system
  - Design 2: 10 original buildings on District Cooling system with plant enhancements
  - Design 3: 10 original buildings on District Cooling system plus four (4) private buildings
- Estimate a cost to produce and sell chilled water commodity
- Analysis of codes, regulations, rebates, grants and tax credits
- Prepare bid document to solicit businesses interested in building and operating DCP
- Develop strategy to expand system
Cost Summary and Schedule

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<th>Description</th>
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<td>Griner Engineering</td>
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<td>Temporary Electrical Sub-metering</td>
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NTP

Month 1 | Month 2 | Month 3 | Month 4 | Month 5 & 6 | Month 7

Questions?
Pelican Mortality Update 1/31/2017

- Since January 11, 2017, FWC has received 35 reports about dead or ill pelicans across southern Pinellas County, including eight requests for information. Initial reports were received from Gulfport and Pass-A-Grille. FWC staff investigated subsequent reports from Riviera Bay Lake #1, Coffee Pot Bayou, and Bayou Grande and observed dead and sick pelicans.

- To date, we have confirmed reports of at least 70 dead or ill brown pelicans and at least one white pelican. (See map with locations of reports to date below.)

- FWC has been working with the City of St. Petersburg, Busch Gardens, Seaside Seabird Sanctuary, Owl's Nest Sanctuary for Wildlife, and other local rehabbers to respond to this event. At least 24 birds have been successfully treated in local wildlife rehabilitation centers and have been released or are ready to be released.

- FWC and partners have collected 23 pelicans for necropsy, although some are not useful due to the state of decomposition. FWC-FWRI staff at the Wildlife Lab in Gainesville and in St. Petersburg have necropsied five pelicans; veterinarians at SCWDS (the Southeastern Cooperative Wildlife Disease Study) in Georgia have necropsied four pelicans; and veterinarians at Busch Gardens have necropsied at least five pelicans.

- Gross necropsies did not yield any remarkable findings. All birds were in good nutritional condition. Tests for avian influenza in 13 birds and arboviruses in 4 birds have been negative. Other diagnostic tests (i.e. avian botulism) are still pending.

- FWC staff have been monitoring an ongoing bloom of the red tide alga, *Karenia brevis*, along Pinellas and Manatee counties (including areas in Lower Tampa Bay). Red tide was not detected in event response samples collected in Coffee Pot Bayou on 1/13 and just outside the Bayou on 1/18. Through targeted water sampling conducted on 1/18 in Mid and Lower Tampa Bay, and routine coastal sampling conducted weekly, FWC has confirmed that bloom levels of *Karenia brevis* persist in Lower Tampa Bay. Monitoring for harmful algal blooms is ongoing, and results are updated biweekly at [http://myfwc.com/redtidestatus](http://myfwc.com/redtidestatus).

- Samples from 15 pelicans were sent to FWC-FWRI staff in St. Petersburg for algal toxin testing to determine if these mortalities are potentially related to the ongoing red tide. Low levels of brevetoxin (the red tide toxin) were detected in the gastrointestinal contents of some of the pelicans, demonstrating some exposure, however tissue samples were negative for the toxin.
Testing is still in progress, and the results to date are inconclusive. Given the low levels measured and the lack of any other affected species, the deaths may not be related to red tide.

- Citizens observing sick or dead birds or other wildlife are encouraged to make an online bird mortality report or to call FWC’s Fish Kill Hotline at 1-800-636-0511.

Locations of sick or dead pelicans reported between January 11 and January 30, 2017.
CONTACT: Bill Logan, Public Works Communications Manager, 727-893-7250 (o); 813 610-8126 (c) or bill.logan@stpete.org

City of St. Petersburg Assisting With Discovery of Dead And Sick Pelicans:
Testing Water For Potential Cause

FOR IMMEDIATE RELEASE

ST. PETERSBURG, FL (January 16, 2017) – After more than one dozen pelicans have been found dead or sick in or near local waterways, the City of St. Petersburg Public Works Administration, which includes Water Resources and Stormwater departments, are working alongside the Florida Fish and Wildlife Conservation Commission and other local partners to remove the birds and identify the cause of the illness.

“We are testing the water for biological indicators and dissolved oxygen content and expect results on Tuesday. Per Mayor Rick Kriseman’s direction, we are also pursuing more extensive testing in order to better determine a cause prior to Florida Fish and Wildlife’s necropsy results,” said Interim Director of Water Resources John Palenchar.

A cold-weather fish kill near Riviera Bay Lake last week was also accompanied by reports of sick pelicans. John Norris, Director for Stormwater, Pavement and Traffic Operations for the city said that more than one ton of fish were removed from the lake by his crew. “We have not yet determined if there is a connection between the fish kill in Riviera Bay and the pelicans found sick or dead in other parts of the city,” said Norris.

The Department of Environmental Protection has also been notified, although there are no reports of a recent spill or discharge into our waterways.

In an abundance of caution, signs with the following message have been posted along waterways from St. Petersburg’s downtown to Weedon Island.
WARNING
Unknown Potential Health Risk
DO NOT PLAY SWIM OR FISH IN THIS AREA
Due to recent Bird illnesses in this vicinity, residents and cautioned to avoid contact with surface water until further notice. Water Samples are being taken and the Florida Fish and Wildlife Conservation Commission is being apprised of the situation. FWCC can be contacted at 888-404-FWCC. The City Water Resources Department can be contacted at 727-893-7261.

-end-

17-10 bl
FOR IMMEDIATE RELEASE

St. Petersburg Brings in Additional Assistance to Investigate Sick Pelicans – Update #1

ST. PETERSBURG, FL (January 17, 2017) – In an effort to expedite and enhance current testing and investigation into a troubling discovery of sick birds near local waterways, the city of St. Petersburg is calling in an independent ecologist to assist.

Scientists with Arcadis U.S., based in Melbourne, Florida, have joined with St. Petersburg Water Resources and investigative crews from the Florida Fish and Wildlife Conservation Commission (FWCC) to gather clues into what is causing the Pelicans’ sickness.

“We want to have experts evaluating this,” said John Palenchar, Interim Water Resources Director, “Independently tasked to find out – as soon as possible – what’s causing this.”

St. Petersburg has been dealing with this situation since last week, when a fish-kill was reported on January 12, at a stormwater retention pond in the Riviera Bay area.

“RBLake #1” is a freshwater stormwater pond with many exotic tilapia, which are susceptible to low temperature and Dissolved Oxygen (DO) issues. Adequate dissolved oxygen is necessary for good water quality, as well as a necessary element to all forms of life. Natural stream purification processes require adequate oxygen levels in order to provide for aerobic life forms. As dissolved oxygen levels in water drop below 5.0 mg/l, aquatic life is put under stress. The lower the concentration, the greater the stress. Oxygen levels that remain below 1-2 mg/l for a few hours can result in large fish kills.

Preliminary data from that pond showed readings at approximately 0.32 mg/l, with 4,900 pounds of fish removed from Riviera Bay Lake.
FWCC have taken water and algae samples to test for quality and is also testing the birds that died to determine cause of death.

The second location is Coffee Pot Bayou, about 3 miles south of Riviera Bay. Scientists are investigating the probability that the affected birds initially fed on fish at RB Lake#1 and flew to Coffee Pot Bayou, which is near a substantial pelican habitat.

All testing -- by the FWCC, City of St.Petersburg, and now Arcadis -- will be coordinated and used to formulate a plan to keep the birds safe, as well as to alert residents and recreational water users to any potential problems. Further details and results will be released when they become available.

-end-

17-11 bl
FOR IMMEDIATE RELEASE

Riviera Bay, Coffee Pot Bayou Water Test Results Near Normal; Bird Testing Continues

ST. PETERSBURG, FL (January 17, 2017) – Initial test results from water samples taken from waters in and around Coffee Pot Bayou and Riviera Bay have shown no abnormalities.

“From all we’ve seen, the water there is in overall good shape,” said Interim Water Resources Director John Palenchar. “But we will continue testing, and so the signs will stay up for awhile.”

Warnings for recreational water users about the dead pelicans (first seen at a retention pond near Riviera Bay, then over the past weekend in and around Coffee Pot Bayou) were posted along the shore line from North Shore Park through Coffee Pot Bayou. The signs informed residents about the enhanced and cooperative testing being spearheaded by the city of St. Petersburg and the Florida Fish and Wildlife Conservation Commission (FWCC). The City has also brought in an independent biologist to further study what’s causing the birds to be sick.

Initial water samples from the retention pond where the sick birds were first encountered showed low levels of dissolved oxygen. Samples from nearby Riviera Bay and waters further south into Coffee Pot Bayou had normal levels of oxygen. In addition, the other tested elements fell within normal parameters for recreational waterways, with the exception of a lone site near the Coffee Pot Bayou boat ramp that showed poor water quality.

“We will continue to work with the FWCC and our independent partners to pinpoint the problem,” said Palenchar. Palenchar added that the incident is in no way related to last summer’s heavy rains and the subsequent discharge of potentially treated sewage water.
The latest information can be found at www.stpete.org/water/waterquality.php. More information will be released when it becomes available.

-end-

17-12
CONTACT: Bill Logan, St. Petersburg Public Works Communications Manager, 727-893-7250 (o); (813) 610-8126 (c) or bill.logan@stpete.org

FOR IMMEDIATE RELEASE

City Continues Water Testing Regarding Bird Deaths Alongside FWC Investigation

ST. PETERSBURG, FL (January 18, 2017) – St. Petersburg Public Works employees have collected 15 dead or dying pelicans since January 12. They’ve also stepped up to assist in the investigation as what’s making the birds so sick, working with the Florida Fish and Wildlife Conservation Commission, local rescue groups and learning institutions.

Since Stormwater, Pavement, and Traffic Operations Director John Norris and his crews responded to fish kill in a retention pond earlier this month near Riviera Bay, St. Petersburg Public Works staffers have assisted with everything from gathering water samples to sign placement – warning residents and recreational water users of the enhanced testing.

“The good news is that the water is in good shape,” said John Palenchar, Interim Water Resources Director. “We are continuing with follow-up sampling and data sharing with FWC and our environmental consultant.”

A reminder from the FWC: Citizens observing sick or dead birds or other wildlife are encouraged to make an online bird mortality report or to call FWC’s Fish Kill Hotline at 1-800-636-0511.

The City of St. Petersburg is continually updating our water quality samples and posting the information through the “Recreational Water Quality” tab at www.stpete.org/waterquality.php.

Further findings will be updated as they become available both at www.stpete.org and through @StPetePW.

-end-

17-14 bl
CONTACT: Bill Logan, Public Works Communications Manager, 727-893-7250 (o); 813- 610-8126 (c) or bill.logan@stpete.org

FOR IMMEDIATE RELEASE

Warning Signs Removed; Water Quality Testing Continues

ST. PETERSBURG, FL (January 19, 2017) – Following recent tests on water in and around Coffee Pot Bayou which have come back within normal ranges, Public Works crews have removed the warning signs around the shoreline. The warning signs had been recently placed around Coffee Pot Bayou as tests were being conducted following the discovery of numerous sick and dying brown pelicans.

“The water quality is not in question in Coffee Pot Bayou,” stated John Palenchar, Interim Water Resources Director. “And we are working with all concerned to try and find out what made the birds sick.”

A total of 17 pelicans have been sent to the Florida Fish and Wildlife Commission (FWC) Wildlife Lab in Gainesville for necropsy. Samples taken during necropsy will be sent to the Southeastern Cooperative Wildlife Disease Study (SCWDS) in Georgia for further testing and additional samples will be sent to FWC’s Fish and Wildlife Research Institute in St. Petersburg to be tested for algal toxins. Busch Gardens is sending blood, fecal, and tissue samples to the Fish and Wildlife Research Institute to be tested for algal toxins. Toxin analysis to determine if this is potentially related to red tide will be available 2-3 days after samples are received. Results from samples submitted to SCWDS will take longer, possibly weeks.

Today, biological testing experts from Arcadis are taking further samples for their independent testing.

“There is no pre-conceived notion as to what may be going on out here,” said Scott Lehman, Arcadis Senior Asset Consultant. “Our intent is to be that third party review to see if we find anything independent of what the city is finding.”
So far, Palenchar says the city has found that the water quality is “well within the parameters for recreational usage.”

The test results from the independent consultant Arcadis will likely be ready by early next week.

For updates, visit www.stpete.org/water/waterquality.php or follow us @StPetePW.

-end-

17-15 bl
CONTACT: Bill Logan, Public Works Communications Manager, 727-893-7250 (o); 813-610-8126 (c) or bill.logan@stpete.org

FOR IMMEDIATE RELEASE

Rehabilitated Pelicans Released; Studies Continue Into Avian Sickness

ST. PETERSBURG, FL (January 26, 2017) – Following two weeks of care and rehabilitation, seven brown pelicans have been released back into their native habitat – near the rookery at Snell Isle in the waters of Coffee Pot Bayou.

“I’m happy with that,” said Kris Porter with Owl’s Nest Sanctuary for Wildlife. Porter and her team of rescuers were responsible for nursing the sick pelicans back to health after almost 70 birds were found sick or dead near the site of a fish kill earlier this month in a retention pond near Riviera Bay located close to the pelican’s breeding colony at Snell Isle. That rookery is also home to hundreds of birds who have exhibited no ill effects since the initial discoveries.

Warning signs were posted by the city of St. Petersburg on January 15 as a precaution, while scientists took water samples and studied potential causes of the avian sickness. The signs were later removed as water quality test results were found to be well within the accepted parameters for recreational use. Studies by the Florida Fish and Wildlife Conservation Commission and Arcadis, an independent firm hired by the city, continue. Those results are expected within the week. So far, tests have ruled out a number of possibilities, but no specific reason has been found.

Porter, who has more than 40 years’ experience working with wildlife and wildlife rescues, says while the pelican deaths may actually be from natural causes, the nearby fish kill and red tide caused by the cold weather inversion, may also be factors. “It seems that we see pelican issues every January, but I’m just happy to have these birds better.”

More information will be released when results of toxicology and in-depth water testing are finalized.

-end-

17-22
CONTACT: Bill Logan, Public Works Communications Manager, 727-893-7250 (o); 813-610-8126 (c) or bill.logan@stpete.org

FOR IMMEDIATE RELEASE

Water Quality Tests Continue After Nanoplankton And Red Tide Found

ST. PETERSBURG, FL (January 20, 2017) – Warning signs have been removed from waters along Coffee Pot Bayou, but state-sponsored and independent scientists continue to study the water quality following the recent rash of pelican deaths.

Initial test results, compared with a recent baseline series of samples provided by the city of St. Petersburg, showed water was within recreational use parameters. Despite increased water testing in the area, recent events have not caused a decrease in visitors to Coffee Pot Park. Activity by residents on social media indicate that there is more fish and wildlife activity in the waters over the past week.

A water sample collected Thursday, January 19, by Florida Fish and Wildlife Conservation Commission staff at Riviera Lake #1, the site of an initial cold weather inversion-related fish kill last week which led to discoveries of sick or dead brown pelicans, has turned up bloom concentrations of nanoplankton. Meanwhile, a water sample collected at Bayou Grande, meanwhile, where a dead white pelican was found, showed background concentrations of *Karenia brevis*, or red tide. Results of those tests, as well as necropsies on the dead pelicans, should be ready by next week. Research teams from the city, state and an independent study group will continue to monitor the waters for any unusual activity during the weekend.

The latest information is available at www.stpete.org/water/waterquality.php.

-end-

17-19 bl
CONTACT: Bill Logan, Public Works Communications Manager, 727-893-7250 (o) or bill.logan@stpete.org

FOR IMMEDIATE RELEASE

 Tests Continue to Determine Cause of Pelican Deaths

ST. PETERSBURG, FL (February 3, 2017) – Scientists continue looking into the January illness and death of Pinellas County brown pelicans following initial inconclusive test results. A report released by the Florida Fish and Wildlife Conservation Commission indicates more testing is needed to determine the cause of death of the 70 brown and one white pelicans.

Since January 11th St. Petersburg Water Resources workers have collected water samples – with results showing water quality within acceptable ranges for recreational use. Also, independent biologists from Arcadis, brought in to investigate the water quality and to provide more in-depth testing, as well as the Florida Fish and Wildlife Conservation Commission (FWC), have continued their pursuit of a basis for the sickness.

To date, no definitive source has been identified, although tests for avian influenza and arboviruses, have been negative. Other diagnostic tests, including those for avian botulism, are still pending.

The full findings are detailed in the FWC Pelican Mortality Update, which is available at www.stpete.org/water/waterquality.php.

-end-

17-32 bl/jeb
FOR IMMEDIATE RELEASE

LATEST FINDINGS RELEASED IN PELICAN DEATHS

ST. PETERSBURG, FL (February 6, 2017) – After initial testing in and around a retention pond known as Riviera Bay Lake, independent biologists from Arcadis have discovered a potential cause.

“There’s a significant nutrient impact on this stormwater lake,” said Interim Water Resources Director John Palenchar, “A lot of nitrogen was seen in the analytical results that came back from this lake.”

Arcadis biologists say potential sources of the increased nitrogen could be from runoff containing fertilizers which create the neighborhood’s landscaping up to the lake shore, as well animal waste. They also point to a cold-weather snap that occurred the first week of January, which produced an inversion event. Inversion events occur when the surface water temperature drops dramatically and is replaced with a bottom layer of water, containing lower levels of oxygen. That led to a substantial fish kill in the lake – primarily of tilapia. Tilapia are mainly freshwater fish, known for an inability to survive in cooler waters, and inhabit shallow streams, ponds, rivers and lakes and less commonly found living in brackish water – and are a food source of pelicans.

“It was very likely some sort of pathogen within the freshwater fish that may have caused this,” said Palenchar. While studies continue to further pinpoint the problem, including tests on samples obtained along Coffee Pot Bayou, Palenchar is confident that Florida Fish and Wildlife Commission-initiated necropsies and future Arcadis findings will help chart a course of action to remedy the situation, including aerating dissolved oxygen in the lake.

“Being able to put in a fountain or a pump could actually alleviate that,” he said. “We are asking Arcadis to look at any best management practices or improvements that can be done to improve water quality.”

The latest findings from Arcadis, as well as updated recreational water quality results, are available at www.stpete.org/water/waterquality.php.
AMENDMENT NO. 1 TO TASK ORDER NO. 13-03-GRI/SEM
CENTRAL CHILLER PLANT FEASABILITY STUDY ENERGY, MECHANICAL, ELECTRICAL, PLUMBING AND FIRE PROTECTION
CITY PROJECT NO. 16097-110

This Amendment No. 1 to Task Order No. 13-03-GRI/SEM is made and entered into this ___ day of _______, 201__, pursuant to the ARCHITECT/ENGINEERING AGREEMENT FOR MISCELLANEOUS PROFESSIONAL SERVICES FOR ENERGY, MECHANICAL, ELECTRICAL, PLUMBING AND FIRE PROTECTION PROJECTS dated February 5, 2015 (“Agreement”) between GRINER ENGINEERING, INC. (“A/E”), and the City of St. Petersburg, Florida (“City”), and upon execution shall become a part of the Agreement.

I. DESCRIPTION OF PROJECT

The City of St. Petersburg is interested in developing sustainable community projects that will stimulate economic development, reduce greenhouse gas emissions and improve the reliability of air conditioning systems within the city. On November 22, 2016, the A/E was commissioned to perform a simple study of the feasibility of a district cooling plant serving the eastern St. Petersburg downtown core. The results of this study estimated a cost of $10,518,880 with a 40.5 year payback and -3.4% internal rate of return to build the plant and supporting infrastructure to connect ten (10) buildings to the new chilled water loop. The ten (10) buildings are publically owned and operated facilities which include six (6) City of St. Petersburg buildings, three (3) Pinellas County buildings and one (1) Florida State building.

In this Amendment, the A/E will provide a more thorough analysis of the system economics using supporting data to improve the already developed energy model. The result of this analysis will be a Study that includes a life cycle cost analysis with present value estimates. The baseline design for this Study will be the ten (10) buildings in the original Task Order as they stand today, compared to three options: Option 1 - the ten (10) buildings on the new loop, Option 2 – the ten (10) buildings with energy enhanced equipment in the Plant, and Option 3 – the ten (10) buildings plus four (4) privately owned buildings.

The ultimate goal of this enhanced study is for the City of St. Petersburg to fully understand if implementing a central chilled water plant in the downtown core is economically viable and provide the data necessary to make the decision of whether this concept should proceed into a design phase.

II. SCOPE OF SERVICES

Task No. 1 – Provide a Life Cycle Cost Analysis (LCCA) report for a baseline design and then compare the baseline design to three (3) options. Include a present value cost for a 25-year period and a simple payback for each option including the baseline.

A. Baseline: Do nothing – all 10 buildings currently identified stay stand alone
   - Update the energy model created in Phase 1 with actual building information to improve accuracy
   - Collect and use current maintenance costs (staff, contracts, parts, etc.) in LCCA
- Follow ASHRAE guidelines to complete utility bill analysis to include in LCCA. For buildings served by chillers, if specific data is required for the existing systems City will hire a sub-contractor to install temporary sub-meters to collect accurate data.
- Conduct site visits to collect age of equipment and estimate capital cost replacement for LCCA.

**B. 10 Buildings on DCP as designed**
- Assist City in securing letters of interest from County and State for their buildings to be part of the DCP loop.
- Review building HVAC infrastructure to improve accuracy of estimate to tie each building into the loop.
- Solidify piping path and costs by creating a plan and collecting rough order of magnitude budgets.
- Support City in identifying potential sites for DCP and include real estate costs in LCCA.

**C. 10 Buildings on DCP with enhancements to Plant**
- Conduct a LCCA with the following Plant enhancements to identify which are viable.
- Perform the analysis of each as stand-alone enhancements and then combined to give the best financially option available:
  - Thermal ice storage tanks
  - Ground source
  - Sea water

**D. 10 + private buildings on DCP**
- Assist City by attending meetings with potential private owners interested in DCP.
- Create new LCCA built on A-2 and A-3 (best combination only) when City identifies a new potential load from a private building.
- Estimate the cost to build in this capacity.

**Task No. 2** – Estimate a cost to produce and sell the chilled water commodity.
- Operation cost review of Plant
- Estimate a cost to produce based on LCCA scenarios
- Suggest sale price equivalent to current market of other DCP in the region

**Task No. 3** – Provide a thorough code review for building a district cooling plant in downtown St. Petersburg, FL.
- Perform codes and regulations review to summarize impacts based on the different options in A.

**Task No. 4** – Describe all rebate/grant/tax credit opportunities available for constructing a district cooling plant.
- Review availability and work into LCCA
- Include deadlines and other criteria

**Task No. 5** – Support the City as they work to identify potential private building owners interested in being connected to the new cooling loop.
- Participate in the survey of potential customers
- Provide up to four (4) LCCA for potential interested private building owners that will compare their current equipment to connecting to the new cooling loop.
- Present results in this report

**Task No. 6** – Produce bid documents for the City to run solicitation of businesses interested in building and operating a DCP.
- Identify companies interested in bidding for such a project.

**Task No. 7** – Develop ideas of how this plant could expand towards the Tropicana Field site and new police station or be prepared for new customers in the downtown core.
- Assuming the redeveloped Tropicana site has the same load capacity of the current field.
- Provide cost estimate figure that City can use to evaluate growth opportunities.
III. **SCHEDULE**

NTP + 4 weeks:
- Collect utility bills for 10 buildings and update model
- Conduct Site visits to collect age of equipment and estimate capital costs
- Work with City to Identify real estate location
- Collect relevant data from other local plants

NTP + 4-8 weeks:
- Install electrical sub-meters where needed
- Solidify piping layout based on real estate location
- Research code and regulation impacts
- Research grant and rebate possibilities
- Start to meet with potential customers, as set up by City

NTP + 8-12 weeks:
- Analyze sub-meter data and adjust models
- Build model for Task 3
- Conduct PV calculations for Task 1 – 3
- Analyze and model potential customers
- Develop strategy for growth

NTP + 13–16 weeks:
- Deliver results to potential customers
- Produce draft report
- Start solicitation document

NTP + 17-24 weeks:
- Complete solicitation document
- Produce final report

NTP + 25-28 weeks:
- Present results to City

IV. **A/E’S RESPONSIBILITIES**
- A/E will provide engineering analysis and support for items in Section II Scope of Services
- A/E will attend meetings and presentations in support of the project
- A/E will respond to Council questions and comments

V. **CITY’S RESPONSIBILITIES**
- CITY will provide A/E with utility information for the buildings to be included in the analysis
- CITY will provide A/E with assistance in obtaining information on existing HVAC equipment
- CITY will provide access to facilities for purposes of the analysis
- CITY will assign a local project representative and point of contact to communicate and coordinate with the A/E
- CITY will hire an electrical contractor to install sub-meters on equipment to define the electrical load better, as required
VI. **DELIVERABLES**
- A/E will deliver updates and analyses monthly or more often as needed
- A/E will deliver four (4) hard copies to the local project representative, and e-mail electronic copies to the local project representative, the City Council Administrative Service Officer and each City Council member.
- A/E will deliver eleven (11) hard copies – two (2) to the local project representative and nine (9) to each of the City Council Administrative Service Officer, and e-mail electronic copies to the local project representative, the City Council Administrative Service Officer and each City Council member
- A/E will include clear descriptions of all data utilized, methodology utilized and assumptions made. All calculations, specifications and quotes will be included as well.

VII. **A/E’S COMPENSATION**
- Architecture, Structural, Energy, Mechanical, Electrical, Plumbing Engineering: $49,250, lump sum
- Please see attached Task Fee Breakdown

VIII. **PROJECT TEAM**
- Griner Engineering

IX. **MISCELLANEOUS**

In the event of a conflict between this Amendment No. 1 to Task Order and the Agreement, the Agreement shall prevail.

**IN WITNESS WHEREOF** the Parties have caused this Task Order to be executed by their duly authorized representatives on the day and date first above written.

**ATTEST**

By: Chandrahasa Srinivasa
City Clerk

(SEAL)

**CITY OF ST. PETERSBURG, FLORIDA**

By: Brejesh Prayman, P.E., ENV SP, Director Engineering & Capital Improvements

DATE: __________________________

APPROVED AS TO FORM FOR CONSISTENCY WITH THE STANDARD TASK ORDER.
NO OPINION OR APPROVAL OF THE SCOPE OF SERVICES IS BEING RENDERED BY THE CITY ATTORNEY’S OFFICE

By: __________________________
City Attorney (Designee)
Griner Engineering Inc.  
(Company Name)

By: ________________________________
   (Signature)
   Joseph H. Griner III, President
   (Printed Name and Title)

Date: ______________________________

WITNESSES:

By: ________________________________
   (Signature)

___________________________________
   (Printed Name)

By: ________________________________
   (Signature)

___________________________________
   (Printed Name)
# St. Petersburg District Cooling Phase II

## Engineering Fee Breakdown

2/1/2017

<table>
<thead>
<tr>
<th>Phase</th>
<th>Hours</th>
<th>Rate</th>
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<tbody>
<tr>
<td><strong>A. 1. Baseline</strong></td>
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<tr>
<td>Mechanical</td>
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<td>40</td>
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<tr>
<td>Drafter</td>
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<tr>
<td>Designer</td>
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<td>65</td>
<td>$0</td>
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<tr>
<td>Engineer</td>
<td>100</td>
<td>75</td>
<td>$7,500</td>
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<tr>
<td>Principal</td>
<td>8</td>
<td>125</td>
<td>$1,000</td>
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<tr>
<td><strong>Subtotal</strong></td>
<td>136</td>
<td></td>
<td>$9,820</td>
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<tr>
<td><strong>A.2. Buildings on DCP as Designed</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Mechanical</td>
<td></td>
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<td>136</td>
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<tr>
<td><strong>A.3. 10 Buildings on DCP with Enhancements to the Plant</strong></td>
<td></td>
<td></td>
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<tr>
<td>Mechanical</td>
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<td><strong>A.4. 10 + Private Buildings on DCP</strong></td>
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<tr>
<td>Engineer</td>
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<td>75</td>
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<tr>
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<td><strong>Subtotal</strong></td>
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<td><strong>B. Cost to Produce and Sale Price</strong></td>
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<tr>
<td>Mechanical</td>
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**C. Code Review**

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**D. Rebate/Grant/Tax Credit Opportunities**

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<tr>
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**E. Customer Base I.D.**

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<td>Engineer</td>
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**F. Solicitation of Interest**

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<td>Designer</td>
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**G. Cost to Grow**

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<td>Drafter</td>
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<td>Role</td>
<td>Hours</td>
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<td>Amount</td>
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<td>------</td>
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<td>$0</td>
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<tr>
<td>Engineer</td>
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<tr>
<td><strong>Total</strong></td>
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## ESTIMATED COST FOR DESIGN PERSONNEL

**Project:** District Cooling Plant Amendment No. 1  
**Project No.:**  

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<th>Task</th>
<th>Director</th>
<th>Design Manager</th>
<th>Project Manager</th>
<th>Staff Engineer</th>
<th>Drafting</th>
<th>Admin</th>
<th>Total Hours Per Task</th>
<th>Total Cost Per Task</th>
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<td>2</td>
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**Total Hours Per Personnel**  
6 10 124 0 0 2 140 15,929.40  

**Total Cost Per Personnel**  
$1,098.00 $1,250.00 $13,497.40 $0.00 $0.00 $84.00 $15,929.40  

**DESIGN PERSONNEL COST TOTAL:** $16,000
MEMORANDUM

Council meeting of February 16, 2017

TO: City Council Chair, Darden Rice, and members of City Council

FROM: Brett B. Pettigrew, Assistant City Attorney

SUBJECT: Funding of potential Al Lang referendum

Al Lang Field is identified as parcel 39 on the Park and Waterfront Map incorporated into the City Charter (the “Facility”) and currently serves as the home field for the Tampa Bay Rowdies (the “Rowdies”). As part of the Rowdies’ bid to secure a Major League Soccer (“MLS”) expansion team for St. Petersburg, they have requested that the City authorize an agreement with a term not exceeding 25 years for the Facility to serve as the home field for an MLS expansion team, should the City receive one.

Because the Facility is designated as waterfront property on the Park and Waterfront Map, section 1.02 of the Charter requires that a City-wide referendum be held to authorize any agreement for the disposition of the Facility that exceeds 5 years. To expedite this referendum process, the Rowdies have agreed to cover the costs of a special election held on May 2, 2017, for the purpose of holding this referendum.

The City Clerk currently projects the cost of such a special election to be $270,543. As shown in the projected budget attached to this memorandum, this figure includes fees due to the Pinellas County Supervisor of Elections (“SOE”) as well as projected costs for translation required under the Voting Rights Act and various forms of notice required by law.

An ordinance has been drafted to call the special election and referendum for May 2, 2017 and to identify baseline conditions of the agreement for the Facility (term not exceeding 25 years, home field for MLS expansion team, limit on City funding for stadium expansion and upgrades, etc.). This ordinance is scheduled for first reading at the February 16th Council meeting and for second reading and public hearing at the March 2nd Council meeting. If the ordinance is approved on March 2nd, the City would need to submit the ballot language and payment to the SOE on the following day. As a result, the election funding promised by the Rowdies needs to be in escrow with the City in advance of the March 2nd meeting.

A resolution has been drafted to effectuate the funding for this special election and is attached to this memorandum. This resolution authorizes the City to escrow the projected election funding and enter into agreements with the Rowdies regarding the election funding and escrow
arrangements. This resolution should be taken up in conjunction with the first reading of the ordinance at the February 16 meeting so that the election funding can be escrowed in advance of the potential adoption of the ordinance on March 2.

If the ordinance calling the special election and referendum is adopted at the March 2 meeting, consideration of a second funding-related resolution would immediately follow. This second resolution would authorize transfer of the escrowed election funding into the General Fund (001) and a supplemental appropriation of that funding to make it available for the City Clerk to spend on election-related expenses (210-1725), including payment to the SOE. This second resolution would also authorize execution of the necessary agreements and documents with the SOE and with others, as needed to carry out the special election in accordance with applicable law. This resolution will be provided with the agenda materials for the March 2nd meeting.

Attachments:

1. Projected budget for special election

2. A resolution authorizing the escrow of funds from the Tampa Bay Rowdies intended to fund a special election that may be called for the purpose of holding a referendum regarding an agreement with a term not exceeding 25 years for Al Lang Field to be used for the primary purpose of providing a home field for a Major League Soccer expansion team; authorizing execution of agreements and other documents to effectuate the Tampa Bay Rowdies' funding of the special election and the escrow of the funds intended for that purpose; and providing an effective date.
# Projected 2017 Special Election Budget

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<th>Agency</th>
<th>Description</th>
<th>Amount</th>
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<td>Pinellas S.O.E.</td>
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<td>*</td>
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<td>Majestic Marketing</td>
<td>Mailing of Polling Place Change Notice</td>
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<tr>
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<td></td>
<td>AvantPage</td>
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<td>TBT Publishing</td>
<td>Election Advertisement</td>
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</table>

**TOTAL** $270,543.34

* Majestic Marketing Cost are based on the 2015 Election which was $1104.29. Cost may double based on Sec. 203 of the Voting Rights Act (Minority Language Requirement).

** AvantPage translation rough cost estimate is $201.28, however cost may double due to translating the change notices and polling place locations based on word count.

*** TBT Advertising cost are based on the 2015 Election which was $7013.64. Cost may double based on Sec. 203 of the Voting Rights Act (Minority Language Requirement)
RESOLUTION NO. 2017-______

A RESOLUTION AUTHORIZING THE ESCROW OF FUNDS FROM THE TAMPA BAY ROWDIES INTENDED TO FUND A SPECIAL ELECTION THAT MAY BE CALLED FOR THE PURPOSE OF HOLDING A REFERENDUM REGARDING AN AGREEMENT WITH A TERM NOT EXCEEDING 25 YEARS FOR AL LANG FIELD TO BE USED FOR THE PRIMARY PURPOSE OF PROVIDING A HOME FIELD FOR A MAJOR LEAGUE SOCCER EXPANSION TEAM; AUTHORIZING EXECUTION OF AGREEMENTS AND OTHER DOCUMENTS TO EFFECTUATE THE TAMPA BAY ROWDIES’ FUNDING OF THE SPECIAL ELECTION AND THE ESCROW OF THE FUNDS INTENDED FOR THAT PURPOSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Al Lang Field is identified as parcel 39 on the Park and Waterfront Map incorporated into the City Charter (the “Facility”) and currently serves as the home field for the Tampa Bay Rowdies, a professional soccer team (the “Rowdies”); and

WHEREAS, Major League Soccer (“MLS”), the top-tier soccer league in the United States, is engaged in the process of selecting four cities to receive expansion teams, and the Rowdies’ have submitted a bid to secure one of those MLS expansion teams for St. Petersburg; and

WHEREAS, as part of their bid to secure an MLS expansion team, the Rowdies have requested that the City authorize an agreement with a term not exceeding 25 years for the Facility to be used for the primary purpose of providing a home field for that MLS expansion team; and

WHEREAS, because the Facility is designated as waterfront property on the Park and Waterfront Map, section 1.02 of the Charter requires that a City-wide referendum be held to approve any agreement for the disposition of the Facility that exceeds 5 years; and

WHEREAS, in order to hold this referendum as soon as possible, the Rowdies have agreed to fund a special election on May 2, 2017, and to place into escrow with the City, in advance of City Council’s vote to call that election, an amount greater than or equal to the projected cost of the election; and
WHEREAS, the City Clerk currently projects the cost of such a special election to be $270,543.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of St. Petersburg, Florida, hereby authorizes the escrow of funds from the Rowdies, in an amount greater than or equal to $270,543, to be held by the City for the purpose of covering the costs of a special election that may be called for May 2, 2017.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the Mayor or his designee to execute any agreements or other documents necessary to effectuate the Rowdies’ funding of this special election and placement of funds from the Rowdies into escrow with the City before any vote by City Council to call the special election.

BE IT FURTHER RESOLVED that such agreements or other documents must require the Rowdies to reimburse the City for any costs of the special election that exceed the amount placed into escrow by the Rowdies in advance of the election.

This resolution will become effective immediately upon adoption.

Approved as to form and content:

[Signature]
City Attorney (Designee)
ST. PETERSBURG CITY COUNCIL

MEETING OF: February 16, 2017

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Lot Clearing Number(s) **LCA 1574**

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

**LCA:** 1574  
**NUMBER OF STRUCTURES:** 48  
**ASSESSABLE AMOUNT:** $12,057.44

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

COST/FUNDING/ASSESSMENT INFORMATION: The total assessable amount of **$12,057.44** will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: _______________________________

COUNCIL ACTION: _____________________

FOLLOW-UP: ___________________________  AGENDA NO. ___________


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<td>SUNSHINE R E O I LLC 5801 SW 185TH WAY FT LAUDERDALE FL 333321475</td>
<td>25 31 16 78750 000 0160 SAUNDER'S REPLAT LOT 16 &amp; S 2FT OF LOT 13 &amp; S 5FT OF LOTS 14 &amp; 15</td>
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### Special Assessments Division

#### FINAL ASSESSMENT ROLL

**2-16-2017**

<table>
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<tr>
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<td>OAKVILLE ON CA L7L 5N3</td>
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<td>BLK 3, N'LY 51.24FT OF LOT</td>
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<td>3 &amp; SW'LY 25.52FT OF LOT 4</td>
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<td>252 KEEN RD</td>
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<td>OR 975279520</td>
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<td>INDIAN ROCKS BEACH</td>
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<td>FL 337853823</td>
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<td>1836 KINGS ROW</td>
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<td>ATLANTA</td>
<td>W 60FT OF S 1/2 OF LOT 8</td>
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**TOTAL NUMBER OF ASSESSMENTS:** 48

**TOTAL ASSESSMENT AMOUNT:** 12,057.44
LOT CLEARING NUMBER 1574
COST / FUNDING / ASSESSMENT INFORMATION

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A RESOLUTION CONFIRMING AND
APPROVING PRELIMINARY ASSESSMENT
ROLLS FOR LOT CLEARING NO. 1574;
PROVIDING FOR AN INTEREST RATE ON
UNPAID ASSESSMENTS; AND PROVIDING
AN EFFECTIVE DATE.

WHEREAS, preliminary assessment rolls for Lot Clearing No. 1574 have been submitted by the Mayor to the City Council pursuant to St. Petersburg Code Section 16.40.060.4.4; and

WHEREAS, notice of the public hearing was duly published in accordance with St. Petersburg City Code Section 16.40.060.4.4; and

WHEREAS, City Council did meet at the time and place specified in the notice and heard any and all complaints that any person affected by said proposed assessments wished to offer; and

WHEREAS, City Council has corrected any and all mistakes or errors appearing on said preliminary assessment rolls.

NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the preliminary assessment rolls for Lot Clearing No. 1574 are approved; and

BE IT FURTHER RESOLVED that the principal amount of all assessment liens levied and assessed herein shall bear interest at the rate of 12% per annum from the date of this resolution.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)
ST. PETERSBURG CITY COUNCIL

MEETING OF: February 16, 2017

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Building Securing Number SEC 1220

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

SEC: 1220
NUMBER OF STRUCTURES 13
ASSESSABLE AMOUNT: $4,224.93

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

COST/FUNDING/ASSESSMENT INFORMATION:
The total assessable amount of $4,224.93 will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: ________________________________

COUNCIL ACTION: __________________________

FOLLOW-UP: _____________________________ AGENDA NO. ___________
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<tr>
<th>ASSESSMENT NUMBER</th>
<th>OWNER NAME</th>
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<td>TITAN DEVELOPMENT GROUP LLC</td>
<td>4118 CAUSEWAY VISTA DR TAMPA FL 336155416</td>
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<td>4659 QUEENSBORO AVE S</td>
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<td>ST ANTHONY'S PROF BLDGS &amp; SVC FISCAL SERVICES (SARC)</td>
<td>1200 7TH AVE N SAINT PETERSBURG FL 337051300</td>
<td>120.50</td>
<td>13 31 16 11196 001 0172 BRICKETT'S, C. E. BLK A, E 39FT OF W 92FT OF LOT 17</td>
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<td>SEC 1220 07702</td>
<td>TIM, DAVID L</td>
<td>2601 MIKOL TERRACE S SAINT PETERSBURG FL 33712</td>
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<td>27 31 16 15732 000 0060 CLARK &amp; BUTLER'S SUB NO. 2 LOT 5</td>
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<td>ZAROSA, ROMAN EST</td>
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<td>BELUGA INVESTMENTS LLC</td>
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TOTAL NUMBER OF ASSESSMENTS: 13

TOTAL ASSESSMENT AMOUNT: 4,224.93
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<td><strong>$4,224.93</strong></td>
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WHEREAS, the City of St. Petersburg has proceeded under the provision of Chapter 8, of the St. Petersburg City Code to secure certain properties; and

WHEREAS, the structures so secured are listed on Securing Building No. 1220 ("SEC 1220"); and

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

WHEREAS, the City Council has held a public hearing on February 16, 2017, to hear all persons who wished to be heard concerning this matter.

NOW THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council assesses the costs of securing listed on Securing Building No. 1220 ("SEC 1220") as liens against the respective real property on which the costs were incurred and that pursuant to Section 8-270 of the St. Petersburg City Code said liens shall be superior in dignity to all other liens except taxes; and

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute and record notice(s) of the lien(s) provided for herein in the public records of the County.

BE IT FURTHER RESOLVED that the Special Assessment Certificates to be issued hereunder shall bear interest at the rate of 12% per annum on the unpaid balance from the date of the adoption of this resolution.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

[Signature]
City Attorney (Designee)
TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Building Demolition Number DMO 446

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

DMO: 446
NUMBER OF STRUCTURES: 2
ASSESSABLE AMOUNT: $25,486.20

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

COST/FUNDING/ASSESSMENT INFORMATION:
The total assessable amount of $25,486.20 will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR:

COUNCIL ACTION:

FOLLOW-UP: AGENDA NO.________
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<th>ASSESSMENT NUMBER</th>
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<td>12 31 16 69102 016 0090 PINE CITY SUB REPLAT BLK 16, LOT 9 &amp; W 1/2 OF LOT 8</td>
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<td>HART, LEROY EST 4529 11TH AVE S SAINT PETERSBURG FL 337111937</td>
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TOTAL NUMBER OF ASSESSMENTS: 2

TOTAL ASSESSMENT AMOUNT: 25,486.20
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A RESOLUTION ASSESSING THE COSTS OF DEMOLITION LISTED ON BUILDING DEMOLITION NO. 446 ("DMO NO. 446") AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 8-270; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg has proceeded under the provision of Chapter 8, of the St. Petersburg City Code to demolish certain properties; and

WHEREAS, the structures so demolished are listed on Building Demolition No. 446 ("DMO No. 446"); and

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

WHEREAS, the City Council has held a public hearing on February 16, 2017, to hear all persons who wished to be heard concerning this matter.

NOW THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council assesses the costs of the demolition listed on Building Demolition No. 446 ("DMO No. 446") as liens against the respective real property on which the costs were incurred and that pursuant to Section 8-270 of the St. Petersburg City Code said liens shall be superior in dignity to all other liens except taxes; and

BE IT FURTHER RESOLVED that the Special Assessment Certificates to be issued hereunder shall bear interest at the rate of 12% per annum on the unpaid balance from the date of the adoption of this resolution.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute and record notice(s) of the lien(s) provided for herein in the public records of the County.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

[Signature]

City Attorney (Designee)
TO: The Honorable Darden Rice, Chair, and Members of City Council

SUBJECT: Approval of a vacation of street and alley rights-of-way generally located between 6th Avenue South and Interstate 275 between 22nd Street South and 24th Street South; more specifically a 16-foot east/west alley in the block bounded by 6th Avenue South and Fairfield Avenue South between 22nd Street South and 23rd Street South, a 16-foot east/west alley in the block bounded by Fairfield Avenue South and 7th Avenue South between 22nd Street South and 23rd Street South, a 10-foot east/west alley in the block bounded by 7th Avenue South and 8th Avenue South and by Interstate 275 between 22nd Street South and 24th Street South, a portion of Fairfield Avenue South between 22nd Street South and 23rd Street South, a portion of 7th Avenue South between 22nd Street South and 23rd Street South, a portion of 23rd Street South between 7th Avenue South and 8th Avenue South and by Interstate 275, and a portion of 8th Avenue South located between 23rd Street South and by Interstate 275 and 24th Street South (City File No.: 16-33000015).

RECOMMENDATION: The Administration recommends APPROVAL and the Development Review Commission will have a recommendation prior to First Reading.

RECOMMENDED CITY COUNCIL ACTION:
1) Conduct the second reading and public hearing; and
2) Approve the proposed ordinance.

The Request: The request is to vacate street and alley rights-of-way generally located between 6th Avenue South and Interstate 275 between 22nd Street South and 24th Street South; more specifically described above.

The area of the right-of-way proposed for vacation is depicted on the attached maps (Attachments “A” and “B”), Sketch and Legal Description (Exhibit “A” - 3 pages). The applicant’s goal is to consolidate the land for redevelopment and for the provision of workforce housing. The applicant is the City of St. Petersburg.
This area is within the South St. Petersburg Community Redevelopment Area (CRA). St. Petersburg Commerce Park is generally located south of 6th Avenue South and north of 8th Avenue South and Interstate 275, between 22nd Street South and 26th Street South. A Lease and Development Agreement for the subject property has been approved between the City of St. Petersburg and St. Petersburg Commerce Park, LLC.

**Discussion:** This case was originally heard by the Development Review Commission (DRC) on December 7, 2016. Since that time, the area to be vacated has been expanded. The revised case is scheduled to be heard by the DRC on February 1, 2017. As set forth in the attached report provided to the Development Review Commission (DRC), Staff finds that vacating the subject rights-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, and the applicable special area plan.

**Agency Review:** The prior application was routed to City Departments and private utility providers. The City's Engineering and Water Resource Departments indicated that there are city facilities in the rights-of-way proposed for vacation. TECO/Peoples Gas, Frontier, WOW and Duke Energy also indicated that they had facilities, and Level 3 indicated that they may have facilities in the area proposed for vacation. The applicant has indicated that they are willing to dedicate a public utility easement over the area of the alley to be vacated or relocate facilities as part of a future development plan. Associated special conditions of approval have been added to address these concerns.

**Public Comments:** Prior to the date of the December Public Hearing, three calls were received from the public.

Mr. Bruce Allums, who owns property north of Fairfield Avenue and east of 23rd Street, indicated that he wanted to attend the Public Hearing and oppose the vacation request. Mr. Allums and several other landowners have previously applied to vacate street and alley right-of-way north of Fairfield Avenue and have been advised by the City that any decision to vacate rights-of-way adjacent to the Pinellas Trail would need to wait until the Warehouse Arts District planning process is complete. At the hearing of December 7, 2016, Mr. Allums spoke in opposition to the request. Dave Goodwin spoke with Mr. Allums again the week of January 9, 2017, regarding the expanded scope of the request.

Pastor John Anderson, of the church located at 2361 7th Avenue South, called with concerns about vacating the portion of 7th Avenue between 22nd Street South and 23rd Street South given that the primary entrance to the Church is on 7th Avenue South. Prior to the hearing of December 7, 2016, Pastor Anderson indicated that his concerns had been addressed. Dave Goodwin spoke with Pastor Anderson again the week of January 9, 2017, regarding the expanded scope of the request.

A call was also received from Howard Curd where he requested a copy of the Staff Report and indicating at that time he owned property in the area.

The City's Neighborhood Transportation Division has reviewed the proposed vacation and has no objection. As noted above, there are both City and private utilities within the rights-of-way proposed for vacation. The City's Engineering and Water Resource Departments indicated that there are city facilities in the rights-of-way proposed for vacation. TECO/Peoples Gas, Frontier, WOW and Duke Energy also indicated that they had facilities, while Level 3 indicated that they may have facilities in the areas proposed for vacation.
DRC Action: On February 1, 2016, the Development Review Commission (DRC) will be holding a public hearing on the subject application. A revised brief will be provided to the City Council prior to the scheduled public hearing on February 16, 2017, which will include the DRC recommendation.

RECOMMENDATION: The Administration recommends APPROVAL of the street and alley right-of-way vacations, subject to the following conditions:

1. Prior to recording of the vacation ordinance, the applicant shall address the location of public utilities and services by either providing a public utility easement covering any portion of rights-of-way within the areas to be vacated which contain utilities, or relocating City and private utilities at the owner’s expense, or by granting a private easement to the subject utility company. In either case a written letter of no objection from the utility providers is required stating that the easement is sufficient for their interest, or that the facilities have been relocated.

2. Prior to the recording of the vacation ordinance, the vacated rights-of-way along with the abutting properties shall be re-platted.

3. Prior to recording of the vacation ordinance, the applicant shall provide an alternative approved by the City of St Petersburg’s Sanitation Department for sanitation pickup locations. Future sanitation locations shall be located behind proposed structures and shall not be visible from avenues and shall not be located in the City right-of-way.


5. As required City Code Section 16.70.050.1.1 G, approval of right-of-way vacations requiring replat shall lapse unless a final plat based thereon is recorded in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.

Attachments: Attachment A and Attachment B, Ordinance with Exhibit “A”, DRC Staff Report
Attachment “A”
City of St. Petersburg, Florida
Planning and Economic Development Department
Case No.: 16-33000015
Address: Between 6th Avenue South and Interstate 275
between 22nd Street South and 24th Street South
Attachment “B”
City of St. Petersburg, Florida
Planning and Economic Development Department
Case No.: 16-33000015
Address: Between 6th Avenue South and Interstate 275
between 22nd Street South and 24th Street South
ORDINANCE NO. _____

AN ORDINANCE APPROVING A VACATION OF STREET AND ALLEY RIGHTS-OF-WAY

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. The following right-of-way is hereby vacated as recommended by the Administration and the Development Review Commission on February 1, 2017 (City File No. 16-33000015):

Legal Description: See Attached Exhibit “A” – 3 pages

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

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

1. Prior to recording of the vacation ordinance, the applicant shall address the location of public utilities and services by providing a public utility easement covering any right-of-ways within the areas to be vacated which contain utilities, or relocating City and private utilities at the owner's expense, or granting a private easement to the subject utility company. In either case a written letter of
no objection from the utility providers is required stating that the easement is sufficient for their interest, or that the facilities have been relocated.

2. Prior to the recording of the vacation ordinance, the vacated right-of-ways along with the abutting properties shall be re-platted.

3. Prior to recording of the vacation ordinance, the applicant shall provide an alternative approved by the City of St. Petersburg’s Sanitation Department for sanitation pickup locations. Future sanitation locations shall be located behind proposed structures and shall not be visible from Avenues and shall not be located in the City right-of-way.


5. As required City Code Section 16.70.050.1.1 G, approval of right-of-way vacations requiring replat shall lapse unless a final plat based thereon is recorded in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.

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

LEGAL:

[Signature]

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT:

[Signature]
LEGAL DESCRIPTION

THAT 16 FOOT WIDE EAST—WEST ALLEY LYING WITHIN BLOCK 4, HIGH—LAND—CREST, AS RECORDED IN PLAT BOOK 1, PAGE 20, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, SAID ALLEY LYING BETWEEN 22ND STREET SOUTH AND 23RD STREET SOUTH.

TOGETHER WITH

7TH AVENUE SOUTH BETWEEN 22ND STREET SOUTH AND 23RD STREET SOUTH, EASTERN LIMITS OF SAID 7TH AVENUE SOUTH BEING THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 1, REPLAT OF 2ND ROYAL SUB’N G.C. PRATHER—OWNER, AS RECORDED IN PLAT BOOK 5, PAGE 46, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, WESTERN LIMITS OF SAID 7TH AVENUE SOUTH BEING THE SOUTHERLY EXTENSION OF THE WEST LINE OF BLOCK 4, HIGH—LAND—CREST, AS RECORDED IN PLAT BOOK 1, PAGE 20, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

TOGETHER WITH

23RD STREET SOUTH LYING SOUTHERLY OF 7TH AVENUE SOUTH AND LYING NORTHERLY OF THE NORTH RIGHT OF WAY OF INTERSTATE 275.

TOGETHER WITH

8TH AVENUE SOUTH LYING EASTERLY OF THE EAST LINE OF LOT 2, BLOCK 1, DOME INDUSTRIAL PARK REPLAT I, AS RECORDED IN PLAT BOOK 137, PAGES 23 AND 24, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND LYING WESTERLY OF 23RD STREET SOUTH, LESS ANY PORTION THEREOF LYING WITHIN THE RIGHT OF WAY OF INTERSTATE 275.

TOGETHER WITH

THAT 10 FOOT WIDE EAST—WEST ALLEY LYING SOUTHERLY OF LOTS 8 THROUGH 14 AND LOTS 73 THROUGH 77 AND NORTHERLY OF LOTS 15 THROUGH 21 AND LOTS 68 THROUGH 72, REPLAT OF 2ND ROYAL SUB’N G.C. PRATHER—OWNER, AS RECORDED IN PLAT BOOK 5, PAGE 46, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, SAID ALLEY LYING EASTERLY OF THE EAST LINE OF LOT 2, BLOCK 1, DOME INDUSTRIAL PARK REPLAT I, AS RECORDED IN PLAT BOOK 137, PAGES 23 AND 24, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND LYING WESTERLY OF 23RD STREET SOUTH.

TOGETHER WITH


ST PETERSBURG, FLORIDA.

LEGEND

LS LICENSED SURVEYOR
PSM PROFESSIONAL SURVEYOR AND MAPPER
LB LICENSED BUSINESS

NOTES

1. THIS SKETCH IS A GRAPHIC ILLUSTRATION FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO REPRESENT A FIELD SURVEY.
2. NOT A BOUNDARY SURVEY.
3. BASIS OF BEARINGS: N00°23'58"E ALONG THE EAST LINE OF LOT 2, BLOCK 1, DOME INDUSTRIAL PARK REPLAT 1, PLAT BOOK 137, PAGES 23 AND 24.
4. THIS SKETCH IS MADE WITHOUT THE BENEFIT OF A TITLE REPORT OR COMMITMENT FOR TITLE INSURANCE.
5. THIS MAP INTENDED TO BE DISPLAYED AT A SCALE OF 1" = 120'.
6. ADDITIONS OR DELETIONS TO SURVEY MAPS AND REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
7. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.


city of st. petersburg
blue sky communities, llc

June 2016

George F. Young, Inc.
289 Dr. Martin Luther King Jr. Street N, St. Petersburg, Florida 33701 Phone (727) 822-4317 Fax (727) 822-5916

ARCHITECTURE-ENGINEERING-ENVIRONMENTAL-LANDSCAPE-PLANNING-SURVEYS-UTILITIES
CANEYVILLE-LEXINGTON-RANCHO ORLANDO-PALM BEACH GARDENS-ST. PETERSBURG-TAMPA

Since 1915

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Since 1915
LEGAL DESCRIPTION

THAT 16 FOOT WIDE EAST—WEST ALLEY LYING WITHIN BLOCK 3, HIGH—LAND—CREST, AS RECORDED IN PLAT BOOK 1, PAGE 20, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, SAID ALLEY LYING BETWEEN 22ND STREET SOUTH AND 23RD STREET SOUTH

TOGETHER WITH

THAT PORTION OF FAIRFIEL AVENUE SOUTH (A 60.00 FOOT RIGHT OF WAY) LYING BETWEEN BLOCK 3 AND BLOCK 4, HIGH—LAND—CREST, AS RECORDED IN PLAT BOOK 1, PAGE 20, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, SAID PORTION OF FAIRFIELD AVENUE LYING BETWEEN 22ND STREET SOUTH AND 23RD STREET SOUTH

ST PETERSBURG, FLORIDA

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### LINE TABLE

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</table>

### LEGEND

- LS LICENSED SURVEYOR
- PSM PROFESSIONAL SURVEYOR AND MAPPER
- LB LICENSED BUSINESS

### NOTES

1. THIS SKETCH IS A GRAPHIC ILLUSTRATION FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO REPRESENT A FIELD SURVEY.
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3. BASIS OF BEARINGS: N00°23'58"E ALONG THE EAST LINE OF LOT 2, BLOCK 1, DOME INDUSTRIAL PARK REPLAT 1, PLAT BOOK 137, PAGES 23 AND 24.
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7. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

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![Map Diagram]
VACATION OF RIGHT-OF-WAY
PUBLIC HEARING

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

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on February 1, 2017, at 2:00 P.M. in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.: 16-33000015
PLAT SHEET: I-3 & I-5

REQUEST:
Approval of a vacation of street and alley rights-of-way generally located between 6th Avenue South and Interstate 275 between 22nd Street South and 24th Street South; more specifically a 16-foot east/west alley in the block bounded by 6th Avenue South and Fairfield Avenue South between 22nd Street South and 23rd Street South, a 16-foot east/west alley in the block bounded by Fairfield Avenue South and 7th Avenue South between 22nd Street South and 23rd Street South, a 10-foot east/west alley in the block bounded by 7th Avenue South and 8th Avenue South and by Interstate 275 between 22nd Street South and 24th Street South, a portion of Fairfield Avenue South between 22nd Street South and 23rd Street South, a portion of 7th Avenue South between 22nd Street South and 23rd Street South, a portion of 23rd Street South between 7th Avenue South and 8th Avenue South and by Interstate 275, and a portion of 8th Avenue South located between 23rd Street South and by Interstate 275 and 24th Street South.

OWNER:
City of St. Petersburg
Planning and Economic Development
PO Box 2842
Saint Petersburg, Florida 33731-4842

Gloria Moorer
2308 7th Avenue South
Saint Petersburg, Florida 33712-1754
Department of Transportation
11201 North McKinley Drive
Tampa, Florida 33612-6456

Luis Martinez
4111 70th Avenue East
Ellenton, Florida 34222-7331

Highland Crest LLC
2262 6th Avenue South
Saint Petersburg, Florida 33712-1748

AGENT:
Catherine Bosco
George F. Young, Inc.
299 Dr. Martin Luther King, Jr. Street North
Saint Petersburg, Florida 33701

ADDRESSES AND PARCEL ID NOS.:
2208 Fairfield Avenue South; 23-31-16-38528-004-0010
2222 Fairfield Avenue South; 23-31-16-38628-004-0030
656 23rd Street South; 23-31-16-38628-004-0090
2253 7th Avenue South; 23-31-16-38628-004-0100
2245 7th Avenue South; 23-31-16-38628-004-0110
2227 7th Avenue South; 23-31-16-38628-004-0130
651 22nd Street South; 23-31-16-38628-004-0140
2223 7th Avenue South; 23-31-16-38628-004-0141
2209 7th Avenue South; 23-31-16-38628-004-0142
2200 7th Avenue South; 26-31-16-72882-000-0010
2210 7th Avenue South; 26-31-16-72882-000-0020
2216 7th Avenue South; 26-31-16-72882-000-0030
2226 7th Avenue South; 26-31-16-72882-000-0040
2238 7th Avenue South; 26-31-16-72882-000-0050
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2254 7th Avenue South; 26-31-16-72882-000-0070
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2308 7th Avenue South; 26-31-16-72882-000-0090
2320 7th Avenue South; 26-31-16-72882-000-0100
2332 7th Avenue South; 26-31-16-72882-000-0110
2334 7th Avenue South; 26-31-16-72882-000-0120
2342 7th Avenue South; 26-31-16-72882-000-0130
2351 8th Avenue South; 26-31-16-72882-000-0150
2341 8th Avenue South; 26-31-16-72882-000-0160
2331 8th Avenue South; 26-31-16-72882-000-0180
2321 8th Avenue South; 26-31-16-72882-000-0190
2301 8th Avenue South; 26-31-16-72882-000-0210
2253 8th Avenue South; 26-31-16-72882-000-0220
None; 26-31-16-72882-000-0240
None; 26-31-16-72882-000-0250
LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Traditional (CCT-1)
          Industrial Traditional (IT)

DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate street and alley rights-of-way generally located between 6th Avenue South and Interstate 275, between 22nd Street South and 24th Street South which are more specifically described above.

A portion of this request was previously approved by the Development Review Commission (DRC) at the hearing of December 7, 2016. This revised request includes two additional portions of rights-of-way: a 16-foot east/west alley in the block bounded by 6th Avenue South and Fairfield Avenue South between 22nd Street South and 23rd Street South and a portion of Fairfield Avenue South between 22nd Street South and 23rd Street South.

The area of the rights-of-way proposed for vacation is depicted on the attached maps (Attachments “A” and “B” and “C”), Sketch and Legal Description (Exhibit “A” – 3 pages). The applicant’s goal is to consolidate the land for redevelopment and for the provision of workforce housing. The applicant is the City of St. Petersburg. This area was identified in the St. Petersburg Commerce Park Request for Proposals as an area available for vacation of rights-of-way (Attachment “D”).
This area is within the South St. Petersburg Community Redevelopment Area (CRA). St. Petersburg Commerce Park is generally located south of 6th Avenue South and north of 8th Avenue South and I-275, between 22nd Street South and 26th Street South. A Lease and Development Agreement for the subject property has been approved between the City of St. Petersburg and St. Petersburg Commerce Park, LLC.

The portion of the site generally located south of 6th Avenue South and north of 8th Avenue South and I-275, between 22nd Street South and 23rd Street South, has recently completed a Future Land Use Map change and rezoning to change the Future Land Use Map designation from Industrial General/Target Employment Center Overlay to Planned Redevelopment-Mixed Use/Target Employment Center Overlay and the Official Zoning Map designation from IT (Industrial Traditional) to CCT-1 (Corridor Commercial Traditional), or other less intensive use.

Analysis. Staff’s review of a vacation application is guided by:
   A. The City’s Land Development Regulations (LDR’s);
   B. The City’s Comprehensive Plan; and
   C. Any adopted neighborhood or special area plans.

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

A. Land Development Regulations

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

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

This application was routed to City Departments and private utility providers. The City’s Engineering and Water Resource Departments indicated that there are city facilities in the rights-of-way proposed for vacation. TECO/Peoples Gas, Frontier, WOW and Duke Energy also indicated that they had facilities and Level 3 indicated that they may have facilities in the area proposed for vacation. The applicant has indicated that they are willing to dedicate a public utility easement over the area of the alley to be vacated or relocate facilities as part of a future development plan. Associated special conditions of approval have been suggested at the end of this report.

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

The entire property abutting the rights-of-way proposed for vacation consists of 52 parcels under the ownership of five entities (see Attachment E):
   City of St. Petersburg (47 parcels)
   Florida Department of Transportation (FDOT) (one lot)
Luis Martinez, 2226 6th Avenue South (one parcel—two lots)
Highland Crest LLC, 2242 and 2262 6th Avenue South (two parcels, four lots)
Gloria Moorer of 2308 7th Avenue South (one lot)

The east-west alleys, which are proposed for vacation, are not currently used to access properties to the north and south of the alleys. The lot owned by FDOT is immediately adjacent to the Interstate, which will provide future access to that lot. The lot owned by Gloria Moorer is accessed from the portion of 7th Avenue South not proposed for vacation, and the alley to the south of her property proposed for vacation is unimproved. The parcels owned by Luis Martinez and by Highland Crest face on 6th Avenue South, which is not included in this proposal, and the alley to the south of these properties which is proposed for vacation is unimproved. The alleys proposed for vacation are undeveloped and have no curb cuts.

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

Vacation of the street and alley rights-of-way, if approved, is not anticipated to adversely impact the existing roadway network or substantially alter utilized travel patterns. Other similar requests have been approved in the surrounding blocks to facilitate land assembly. Access to 6th Avenue South and 7th Avenue South east of 23rd Street South will remain open.

The development of the interstate which cuts through the area just south of the rights-of-way proposed for vacation has already created dead end rights-of-way and termination of the historic grid development pattern.

During redevelopment of the blocks and through the platting process, traffic circulation and utilities will be addressed. Vacation of the street and alley rights-of-way will not detrimentally impact or impair access to any lot of record. An associated special condition of approval has been suggested at the end of this report.

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

The rights-of-way are not needed for the purpose for which the City has a legal interest and there is no known present or future need for the rights-of-way. The alleys were originally dedicated to provide a secondary means of access to the rear yards of the lots within the block and for public and private utilities. Redevelopment of the subject blocks will eliminate the need for access from the alleys for vehicular traffic. The vacation of the portion of Fairfield Avenue South and the portion of 7th Avenue South will facilitate redevelopment of the area. 23rd Street South and 24th Street South will provide access to the remaining portions of Fairfield Avenue South, 7th Avenue South and 8th Avenue South. At the time of development, traffic circulation within the areas to be vacated will be addressed.

A suggested condition of approval will require that the applicant either grant utility easements as required to protect City and private utilities in the vacated rights-of-way, or relocate the facilities.
5. The POD, Development Review Commission, and City Council shall also consider any other factors affecting the public health, safety, or welfare.

No other factors have been raised for consideration.

B. Comprehensive Plan

There are no Comprehensive Plan policies that affect vacation of right-of-way in this area.

C. Adopted Neighborhood or Special Area Plans

This site is located within the boundaries of the South St. Petersburg CRA. The South St. Petersburg CRA Dependent Special District was established to remedy blighting conditions within the South St. Petersburg Community Redevelopment Area.

The South St. Petersburg Redevelopment Plan adopted by St. Petersburg City Council on May 21, 2015, has related policies and plans. In Chapter Three - Redevelopment Action Plan under the Manufacturing Development category there are two land Acquisition and Disposition policies that affect vacation of right-of-way:

1. When acquiring property, priority should be given to facilitating the creation of larger holdings suitable for industrial and business use.
2. Promote block consolidation through street and alley vacations as well as utility relocations.

It is also noted in Chapter Four - Redevelopment Program and Funding Strategy that:

1. Land assembly, consolidation and site preparation is essential for encouraging residential, commercial and industrial development to the South St. Petersburg CRA.
2. The land assembly effort may also involve vacating streets, alleyways and associated utilities such as water, sewer and stormwater facilities.

The subject right-of-way is within the boundaries of the Palmetto Park Neighborhood Association. There are no neighborhood plans which affect vacation of right-of-way in this area of the city. The subject rights-of-way are also adjacent to the boundaries of the Melrose Mercy Neighborhood.

Comments from Agencies and the Public

Prior to the date of the December Public Hearing, three calls were received from the public.

Mr. Bruce Allums, who owns property north of Fairfield Avenue and east of 23rd Street, indicated that he wanted to attend the Public Hearing and oppose the vacation request. Mr. Allums and several other landowners have previously applied to vacate street and alley right-of-way north of Fairfield Avenue and have been advised by the City that any decision to vacate rights-of-way adjacent to the Pinellas Trail would need to wait until the Warehouse Arts District planning process is complete. At the hearing of December 7, 2016, Mr. Allums spoke in opposition to the request. Dave Goodwin spoke with Mr. Allums again the week of January 9, 2017, regarding the expanded scope of the request.

Pastor John Anderson, of the church located at 2361 7th Avenue South, called with concerns about vacating the portion of 7th Avenue between 22nd Street South and 23rd Street South given that the primary entrance to the Church is on 7th Avenue South. Prior to the hearing of
December 7, 2016, Pastor Anderson indicated that his concerns had been addressed. Dave Goodwin spoke with Pastor Anderson again the week of January 9, 2017, regarding the expanded scope of the request.

A call was also received from Howard Curd where he requested a copy of the Staff Report and indicating at that time he owned property in the area.

The City’s Neighborhood Transportation Division has reviewed the proposed vacation and has no objection. As noted above, there are both City and private utilities within the rights-of-way proposed for vacation. The City’s Engineering and Water Resource Departments indicated that there are city facilities in the rights-of-way proposed for vacation. TECO/Peoples Gas, Frontier, WOW and Duke Energy also indicated that they had facilities, while Level 3 indicated that they may have facilities in the areas proposed for vacation.

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

1. Prior to recording of the vacation ordinance, the applicant shall address the location of public utilities and services by either providing a public utility easement covering any portion of rights-of-way within the areas to be vacated which contain utilities, or relocating City and private utilities at the owner’s expense, or by granting a private easement to the subject utility company. In either case a written letter of no objection from the utility providers is required stating that the easement is sufficient for their interest, or that the facilities have been relocated.

2. Prior to the recording of the vacation ordinance, the vacated rights-of-way along with the abutting properties shall be re-platted.

3. Prior to recording of the vacation ordinance, the applicant shall provide an alternative approved by the City of St Petersburg’s Sanitation Department for sanitation pickup locations. Future sanitation locations shall be located behind proposed structures and shall not be visible from avenues and shall not be located in the City right-of-way.


5. As required City Code Section 16.70.050.1.1 G, approval of right-of-way vacations requiring replat shall lapse unless a final plat based thereon is recorded in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.
REPORT PREPARED BY:

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

REPORT APPROVED BY:

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

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between 22nd Street South and 24th Street South
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Planning and Economic Development Department
Case No.: 16-33000015
Address: Between 6th Avenue South and Interstate 275
between 22nd Street South and 24th Street South
Attachment “C”
City of St. Petersburg, Florida
Planning and Economic Development Department
Case No.: 16-33000015
Address: Between 6th Avenue South and Interstate 275
between 22nd Street South and 24th Street South
Attachment "E"

City of St. Petersburg, Florida
Planning and Economic Development Department
Case No.: 16-33000015
Address: Between 6th Avenue South and Interstate 275
between 22nd Street South and 24th Street South
LEGAL DESCRIPTION

THAT 16 FOOT WIDE EAST–WEST ALLEY LYING WITHIN BLOCK 4, HIGH–LAND–CREST, AS RECORDED IN PLAT BOOK 1, PAGE 20, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, SAID ALLEY LYING BETWEEN 22ND STREET SOUTH AND 23RD STREET SOUTH

TOGETHER WITH


TOGETHER WITH

23RD STREET SOUTH LYING SOUTHERLY OF 7TH AVENUE SOUTH AND LYING NORTHERLY OF THE NORTH RIGHT OF WAY OF INTERSTATE 275

TOGETHER WITH

8TH AVENUE SOUTH LYING EASTERLY OF THE EAST LINE OF LOT 2, BLOCK 1, DOME INDUSTRIAL PARK REPLAT 1, AS RECORDED IN PLAT BOOK 137, PAGES 23 AND 24, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND LYING WESTERLY OF 23RD STREET SOUTH, LESS ANY PORTION THEREOF LYING WITHIN THE RIGHT OF WAY OF INTERSTATE 275

TOGETHER WITH

THAT 10 FOOT WIDE EAST–WEST ALLEY LYING SOUTHERLY OF LOTS 8 THROUGH 14 AND LOTS 73 THROUGH 77 AND NORTHERLY OF LOTS 15 THROUGH 21 AND LOTS 68 THROUGH 72, REPLAT OF 2ND ROYAL SUB’N G.C. PRATHER–OWNER, AS RECORDED IN PLAT BOOK 5, PAGE 46, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, SAID ALLEY LYING EASTERLY OF THE EAST LINE OF LOT 2, BLOCK 1, DOME INDUSTRIAL PARK REPLAT 1, AS RECORDED IN PLAT BOOK 137, PAGES 23 AND 24, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND LYING WESTERLY OF 23RD STREET SOUTH

TOGETHER WITH

THAT 10 FOOT WIDE EAST–WEST ALLEY LYING SOUTHERLY OF LOTS 3 THROUGH 7 AND NORTHERLY OF LOTS 22 THROUGH 26, REPLAT OF 2ND ROYAL SUB’N G.C. PRATHER–OWNER, AS RECORDED IN PLAT BOOK 5, PAGE 46, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, SAID ALLEY LYING EASTERLY OF 23RD STREET SOUTH AND WESTERLY OF THE NORTH RIGHT OF WAY OF INTERSTATE 275

ST PETERSBURG, FLORIDA

LEGEND

LS LICENSED SURVEYOR
PSM PROFESSIONAL SURVEYOR AND MAPPER
LB LICENSED BUSINESS

NOTES

1. THIS SKETCH IS A GRAPHIC ILLUSTRATION FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO REPRESENT A FIELD SURVEY.
2. NOT A BOUNDARY SURVEY.
3. BASIS OF BEARINGS: NOO23'58"E ALONG THE EAST LINE OF LOT 2, BLOCK 1, DOME INDUSTRIAL PARK REPLAT 1, PLAT BOOK 137, PAGES 23 AND 24.
4. THIS SKETCH IS MADE WITHOUT THE BENEFIT OF A TITLE REPORT OR COMMITMENT FOR TITLE INSURANCE.
5. THIS MAP INTENDED TO BE DISPLAYED AT A SCALE OF 1" = 120'.
6. ADDITIONS OR DELETIONS TO SURVEY MAPS AND REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
7. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
LEGAL DESCRIPTION

THAT 16 FOOT WIDE EAST—WEST ALLEY LYING WITHIN BLOCK 3, HIGH—LAND—CREST, AS RECORDED IN PLAT BOOK 1, PAGE 20, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, SAID ALLEY LYING BETWEEN 22ND STREET SOUTH AND 23RD STREET SOUTH

TOGETHER WITH

THAT PORTION OF FAIRFIELD AVENUE SOUTH (A 60.00 FOOT RIGHT OF WAY) LYING BETWEEN BLOCK 3 AND BLOCK 4, HIGH—LAND—CREST, AS RECORDED IN PLAT BOOK 1, PAGE 20, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, SAID PORTION OF FAIRFIELD AVENUE LYING BETWEEN 22ND STREET SOUTH AND 23RD STREET SOUTH

ST PETERSBURG, FLORIDA

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NOTES

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2. NOT A BOUNDARY SURVEY.
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7. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
TO: Pamela Jones, Development Services  
FROM: Nancy Davis, Engineering Plan Review Supervisor  
DATE: January 17, 2017  
SUBJECT: Right of Way - Vacation 7th Ave S, 8th Ave S, 23rd St S, and E/W alleys  
FILE: 16-33000015 Revision 1 (to include two additional right of way vacations)

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REQUEST: Approval of a vacation of various street and alley rights-of-way generally located between 6th Avenue South and Interstate 275 between 22nd Street South and 24th Street South.

More specifically, the following right of way vacations have been requested:

- The 16-foot wide east/west alley in the block bounded by 6th Avenue South and Fairfield Avenue South between 22nd Street South and 23rd Street South.
- The 16-foot wide east/west alley in the block bounded by Fairfield Avenue South and 7th Avenue South between 22nd Street South and 23rd Street South.
- The 10-foot east/west alley in the block bounded by 7th Avenue South and 8th Avenue South and by Interstate 275 between 22nd Street South and 24th Street South.
- A portion of Fairfield Avenue South between 22nd Street South and 23rd Street South.
- A portion of 7th Avenue South between 22nd Street South and 23rd Street South.
- A portion of 23rd Street South between 7th Avenue South and 8th Avenue South by Interstate 275.
- A portion of 8th Avenue South located between 23rd Street South at Interstate 275 and 24th Street South.

COMMENTS: The Engineering and Capital Improvements Department has no objection to the vacation request provided that the following comments are added as conditions of approval:

1. The 16-foot wide east/west alley located north of Fairfield Avenue between 22nd Street South and 23rd Street South contains an 8" sanitary sewer main. The entire vacated alley right of way must be retained as public utility easement.
2. The 16-foot wide east/west alley between 22nd and 23rd Street South, and between Fairfield and 7th Avenue South to be vacated contains an 8" sanitary sewer main. The entire vacated alley right of way must be retained as public utility easement.

3. The 10-foot wide alley between I-275 and 24rd Street South and between 7th – 8th Avenue South to be vacated contains an 8" sanitary sewer main. The entire vacated alley right of way must be retained as public utility easement.

4. The right of way of Fairfield Avenue South to be vacated between 22nd Street South and 23rd Street South contains 15", 18", 24", and 54" storm sewer and a 2" potable water main. The entire vacated right of way must be retained as public utility easement.

5. City Utility maps indicate that the right-of-way of 7th Avenue South to be vacated contains a 12" & 6" potable water main, a 12" 18" & 24" storm sewer, and an 8" sanitary sewer main. The entire vacated right of way must be retained as public utility easement.

6. City Utility maps indicate that the right-of-way of 23rd Street South to be vacated contains an 8" sanitary sewer main, and a 24" storm sewer. The entire vacated right of way must be retained as public utility easement.

7. City Utility maps indicate that the right-of-way of 8th Avenue South to be vacated contains an 8" sanitary sewer, a 15" & 24" storm sewer, and a 6" potable water main. The entire vacated right of way must be retained as public utility easement.

8. Once redevelopment plans are available and a replat is provided, the developer may opt to abandon or relocate all or some of the existing utilities existing within the vacated rights of way provided that a plan for such work is prepared by the applicant’s Engineer and submitted to the City for approval. Also, as an option to dedicating the full width of the vacated right of way as public utility easement, all utilities may be field located by the developer and individual public easements must be dedicated, centered over the public utilities to remain. The width of required easement will be based on pipe size, location, and depth. Any future utility abandonment/relocation plans shall be in conformance with current City Engineering Standards and Specifications and shall be designed, permitted, and constructed by and at the sole expense of the developer.

9. Prior to the removal or alteration of existing road pavement within the vacated rights-of-way the applicant must submit plans for review of the existing grading and drainage systems. The applicant may be required to make necessary changes to the pavement grading and/or modifications to the drainage systems as necessary to accommodate the proposed changes.

10. Any existing adustabrick, granite curb or hex block sidewalk that is removed from the vacated rights-of-ways will remain the property of the City of St. Petersburg and must be returned to the City upon development or redevelopment of the property.

NED/MJR/jw

pc: Kelly Donnelly
Easement Vacation File 2016
Reading File
Correspondence File
ORDINANCE NO.____

AN ORDINANCE APPROVING A SUBSTANTIAL CHANGE OF USE OF PARK PROPERTY WITHIN WOODLAWN PARK; ALLOWING THE RECONSTRUCTION OF THE PISTOL RANGE AND THE CONSTRUCTION OF TRAINING FACILITIES AND OFFICES; ALLOWING FOR CONSTRUCTION OF PARKING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the St. Petersburg City Charter allows the City to substantially change the use of any Charter Park property only after approval by the City Council of an ordinance receiving an affirmative vote from at least six (6) Council Members; and

WHEREAS, Chapter 21 defines substantial change of use of park property; and

WHEREAS, Woodlawn Park is a Charter Park and is designated as an active park; and

WHEREAS, a pistol firing range of approximately 7100 sf and parking, primarily for police purposes, were constructed within Woodlawn Park prior to its’ designation as a Charter Park and need to be replaced; and

WHEREAS, in addition to the replacement construction of these facilities and parking, and the construction of a new police station at another location, the City has determined that it is necessary and appropriate to expand the police facilities at this location, currently to include training facilities and offices of approximately 7,100 sf by renovating the existing firing range building, constructing a new approximately 12,000 sf firing range and storage addition to the existing building, and constructing additional parking, for police purposes; and

WHEREAS, the portion of Woodlawn Park needed for these new facilities is shown on the attached Exhibit A; and

WHEREAS, the City has provided notice to owners and residents within 200 yards of Woodlawn Park and has conducted a public hearing.

THE CITY OF ST. PETERSBURG DOES ORDAIN;

Section One. The findings made in the foregoing recitals are adopted and incorporated herein as findings of fact by the City Council.

Section Two. The City Council approves a permanent substantial change of use of park property in Woodlawn Park for police purposes, currently for the construction of a new firing range and new training and office facilities with parking on the same general site as the
existing pistol range, with the boundaries of the area to be used for police purposes as shown on the attached Exhibit A.

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

Approved as to Form and Substance:

City Attorney (Designated)
AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA CREATING A NEW SECTION 20-125, REGULATION OF E-CIGARETTES; PROHIBITING THE SALE OF NICOTINE PRODUCTS AND ELECTRONIC CIGARETTES TO MINORS; PROHIBITING SELF-SERVICE MERCHANDISING OF LIQUID NICOTINE, TOBACCO PRODUCTS AND ELECTRONIC CIGARETTES; PROHIBITING THE USE OF E-CIGARETTES WITHIN AN ENCLOSED INDOOR WORKPLACE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section 1: The St. Petersburg City Code is hereby amended by adding a new Section 20-125 to read as follows:

Sec. 20-125. Electronic cigarettes

(a) Purpose and Intent

It is the intent of this section to promote, protect, and improve the health, safety, and general welfare of the citizens of the City of St. Petersburg by discouraging the unhealthy practice of using tobacco and related products and to help prevent the addiction to nicotine, especially by young people, through regulation of the sale, merchandising, and use of certain tobacco, nicotine, and related products. It is not the intent of this section to prohibit the sale or delivery of tobacco products which are otherwise lawful or regulated pursuant to Fla. Stat. chapter 569, and this section shall not be interpreted or construed to do so.

(b) Definitions

(1) Business as defined in Chapter 17 of this Code.

(2) Electronic cigarette and e-cigarette means any product that employs an electronic, chemical, or mechanical means that provides, or is manufactured to provide, a vapor of liquid nicotine or other substances mixed with propylene glycol or other substances delivered or deliverable to the user that he or she can inhale in simulation of smoking, vaping, or other inhalation mechanism. This term shall include every version and type of such devices whether they are manufactured or marketed as e-cigarettes, e-cigars, e-pipes, or under any other product name or description.
(3) **Liquid nicotine** means any liquid product composed either in whole or in part of pure nicotine and propylene glycol, chemicals, or other substances and manufactured for use with e-cigarettes.

(4) **Self-service merchandising** means the open display of e-cigarettes, liquid nicotine, or other similar products whether packaged or otherwise, to which the public has access without the intervention of the vendor, store owner, or other employee. Self-service merchandising also includes open display units, which are in a case, rack, shelf, counter, table, desk, kiosk, booth, stand, or other surface which allows direct public access to the product placed therein.

(c) **Prohibition of Sale to Minors and Purchase by minors**

1. No person under the age of 18 years shall knowingly purchase or possess an electronic cigarette, liquid nicotine, or other similar product.

2. No person, business, or other establishment shall sell, permit to be sold, or offer for sale any e-cigarette, liquid nicotine, or similar product to (1) any person under 18 years of age or to a person who appears to be under the age of 27 years without first examining identification to confirm that the recipient is at least 18 years of age.

3. Each person, business, or other establishment dealing in e-cigarettes, liquid nicotine, or similar products shall have located on the interior portion of the building a sign which can be readily seen and read by customers which is at least one foot by two feet containing substantially the following information:

   The sale of e-cigarettes, liquid nicotine, or tobacco products to a person under the age of 18 years of age is prohibited

(d) **Prohibition of Self-Service Merchandising**

1. No person, business, or other establishment engaged in the retail sale of e-cigarettes, liquid nicotine, or similar products shall sell, permit to be sold, offer for sale or display for sale e-cigarettes, liquid nicotine, or similar products by means of self-service merchandising.

2. No person, business, or other establishment engaged in the retail sale of e-cigarettes, liquid nicotine, or similar products shall place e-cigarettes, liquid nicotine, or similar products in an open display unit unless the same is located in an area that is inaccessible to customers, unless access to the premises by persons under the age of 18 is prohibited by the person, business, or other establishment or prohibited by law.

(e) **Prohibition of Use where smoking is prohibited**

1. A person may not use, consume, employ, or otherwise operate any e-cigarette, liquid nicotine, or similar products in any enclosed indoor workplace wherein smoking is prohibited pursuant to the Florida Clean Indoor Air Act, as defined in Chapter 386.203(5), Florida Statues, except for tobacco retailers and those
places listed in Florida Statute 386.2045, “Enclosed indoor workplaces; specific exemptions.”

(2) The use of any e-cigarette, liquid nicotine, or similar product is prohibited in all parks, baseball fields, or other athletic facility, as defined in this chapter, which is owned or controlled by the City.

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

Section 3. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the mayor notifies the City Council through written notice filed with the City Clerk that the mayor will not veto this Ordinance, in which case this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

________________________________________
City Attorney (Designee)
ST. PETERSBURG CITY COUNCIL

Meeting of February 16, 2017

TO: The Honorable Chair Darden Rice and Members of City Council

SUBJECT: City File LDR-2016-02: City-initiated application amending the St. Petersburg City Code, Chapter 16, Land Development Regulations ("LDRs") pertaining to self-storage facilities when located within the RC-1, RC-2, RC-3 (Retail Center) and CCS-2 (Corridor Commercial Suburban) zoning classifications and designated activity centers.

REQUEST: Second Reading and Second/Adoption Public Hearing of the attached ordinance amending the St. Petersburg City Code, Chapter 16, LDRs, to eliminate self-storage facilities as a permitted, principle use and allow as an accessory use when located within the RC-1, RC-2, RC-3 (Retail Center) and CCS-2 (Corridor Commercial Suburban) zoning classifications. Further, this amendment includes additional use restrictions and use-specific development standards when located within a designated activity center.

RECOMMENDATION:

Administration:

The Administration recommends APPROVAL.

Development Review Commission:

On March 2, 2016, the DRC reviewed the proposed amendments and voted unanimously to make a finding of consistency with the City’s Comprehensive Plan.

City Council:

On January 5, 2017, the City Council conducted a first reading of the proposed ordinance.

On January 19, 2017, the City Council conducted a second reading and first public hearing of the proposed ordinance. There were no public comments.
Public Notice:

- In accordance with City policy, e-mail notification of this amendment request was originally sent on February 21, 2016, to the following external individuals and organizations: Council of Neighborhood Associations; Central Avenue Council, Downtown Neighborhood Associations; Downtown Residents Civic Association; Federation of Inner City Community Organizations; St. Petersburg Area Chamber of Commerce; St. Petersburg Downtown Partnership; Pinellas Realtors Organization; and the Chair of the City’s Development Review Commission. An email notification shall be sent providing updated information about this public hearing date.

- In addition to the normal public notice requirements for the Development Review Commission, a notice shall be published in the Tampa Bay Times for each City Council public hearing.

Citizen Input:

As of this writing, the City received one phone call requesting more information.

Recommended City Council Action:

1. CONDUCT the second/adoption public hearing; and
2. APPROVE the proposed ordinance.

Attachments: Ordinance
               DRC Staff Report
               Housing Impact Statement
ORDINANCE NO. 256-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG
AMENDING THE CITY CODE; CHANGING THE USE
MATRIX RELATING TO PERMITTED USES; AMENDING
USE SPECIFIC DEVELOPMENT STANDARDS FOR
"STORAGE, SELF"; PROVIDING FOR SEVERABILITY;
AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. The allowable uses for ‘Storage, Self / Mini Warehouse’ for the CCS-2, RC-1, RC-2 and RC-3 zoning districts in the matrix in Section 16.10.020.1 of the St. Petersburg City Code are hereby amended to read as follows:

CCS-2 from P to A
RC-1, RC-2, RC-3 from P to A

Section 2. Section 16.10.020.1 of the St. Petersburg City Code pertaining to the definition for self-storage is hereby amended to read as follows:

Establishments consisting of a building(s) containing separate storage units of less than 400 square feet each and which are used for storage of personal property, subject to the applicable use restrictions set forth in this Chapter. Additional use restrictions apply when located within a designated activity center. (See Use Specific Development Standards)

Section 3. Section 16.50.400.1 of the St. Petersburg City Code pertaining to use specific development standards for self-storage is hereby amended to add the following sub-section:

16.50.400.5 – Located within a designated activity center.

1. When located within a designated activity center, identified by the City of St. Petersburg’s Comprehensive Plan and shown on the Future Land Use Map, accessory self-storage uses shall not exceed 25 percent (%) of the floor area of the allowable principal use.

Section 4. Coding: 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 5. 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 6. Effective Date. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until
the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

City Attorney (designee)
APPLICATION: LDR 2016-02

APPLICANT: City of St. Petersburg
175 5th Street North
St. Petersburg, FL 33701

REQUEST: Amend the City of St. Petersburg’s Land Development Regulations (“LDRs”) to eliminate self-storage facilities as a permitted, principal use and allow as an accessory use when located within the RC-1, RC-2, RC-3 (Retail Center) and CCS-2 (Corridor Commercial Suburban) zoning classifications. Further, this amendment includes an additional restriction limiting self-storage to no more than 25 percent (%) of the floor area of the allowable principal use or uses when located within a designated activity center.

AUTHORITY: Pursuant to Section 16.80.020.1 of the City Code of Ordinances, the DRC, acting as the Land Development Regulation Commission (“LDRC”), is responsible for reviewing proposed amendments to the LDRs, confirming consistency with the City of St. Petersburg’s Comprehensive Plan (“Comprehensive Plan”), and making a recommendation to the City Council.

EVALUATION:

Recommendation

The Planning & Economic Development Department finds that the proposed request is consistent with the Comprehensive Plan and recommends APPROVAL.

Background and Analysis

In September 2007, the City’s LDRs were established, establishing self-storage opportunities into the CCS-2 (Corridor Commercial Suburban), Retail Center (RC-1 & RC-2) and Downtown Center (DC-C and DC-1) zoning classifications, allowing this use to be classified as either a permitted,
principal or accessory use. Specifically, Section 16.10.020.1 titled "Use Permissions and Parking Requirements Matrix and Zoning Matrix" currently allows self-storage within the RC-1, RC-2, RC-3 (Retail Center) and CCS-2 (Corridor Commercial Suburban) zoning classifications as a permitted, principal use. Further, the Use Matrix allows self-storage as an accessory use within the DC-C and DC-1 (Downtown Center) categories.

Generally, the RC (Retail Center) and CCS-2 (Corridor Commercial Suburban) zoning classifications are the most intense mixed-use districts outside of the DC (Downtown Center), allowing greater residential density and increased floor area ratios:

- **RC (Retail Center)** – These districts are regional destinations, characterized by a collection of compatible and interrelated uses that include retail, dining, service, employment, and residential dwelling units.

- **CCS-2 (Corridor Commercial Suburban)** – Similar to the Retail Center districts, this district includes regional destinations, characterized by a collection of complimentary uses including retail, dining, service, employment, and residential dwelling units.

Self-storage as a permitted, principal use is not compatible with the intent and purpose of the RC and CCS-2 zoning classifications. Stand-alone self-storage developments are passive and do not generate a significant number of jobs, promote retail and dining activity, or attract hotels and offices. Moreover, stand-alone self-storage developments are incompatible with the dynamic, mixed-use objectives of designated activity centers, which often correspond geographically to the location of the RC and CCS-2 zoning classifications.

Activity centers facilitate a compact urban development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services. The purpose of this overlay designation is to recognize those areas that have been identified and planned for in a special and detailed manner, based on their unique location, intended use, appropriate development potential, and other pertinent planning considerations. In particular, it is the intent of this category to recognize those important, identifiable centers of business, public, and residential activity, as may be appropriate to the particular circumstance, that are the focal point of a community, and served by enhanced transit commensurate with the type, scale, and intensity of use.

There are currently six (6) activity centers recognized by Policy LU2.1 of the City of St. Petersburg’s Comprehensive Plan and shown on the Future Land Use Map. The following table illustrates the geographic correlation of the designated activity centers and the RC and CCS-2 zoning classifications:

<table>
<thead>
<tr>
<th>Activity Center</th>
<th>RC-2, RC-3</th>
<th>CCS-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gateway Activity Center</td>
<td>RC-2, RC-3</td>
<td>CCS-2</td>
</tr>
<tr>
<td>Intown Activity Center (downtown)</td>
<td>-</td>
<td>CCS-2</td>
</tr>
<tr>
<td>Tyrone Activity Center</td>
<td>RC-1, RC-2</td>
<td>-</td>
</tr>
<tr>
<td>Central Plaza Activity Center</td>
<td>-</td>
<td>CCS-2</td>
</tr>
<tr>
<td>Central Avenue Corridor Activity Center</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Skyway Marina District Activity Center</td>
<td>RC-1</td>
<td>CCS-2</td>
</tr>
</tbody>
</table>

Recently, the City of St. Petersburg received a private-initiated application requesting to expand stand-alone self-storage opportunities within the CCS-1 zoning classification. After careful consideration of the request, city staff recommended approval and the City Council subsequently adopted the requested change to amend self-storage from a **grandfathered** use to a **special**
exception use within the CCS-1 zoning classification (Ordinance 202-H; November 30, 2015). While a special exception requires public hearing review, this recent change expanded self-storage opportunities citywide adding more than 1,386 acres of potential land for development of new self-storage facilities.

This city-initiated application is an attempt to further recalibrate the allowances for self-storage in a way that compliments the intent and purpose for the RC and CCS-2 zoning classifications and activity centers while reserving the opportunity for self-storage to continue in a support capacity for the purpose of office record retention and other accessory purposes.

In order to achieve this objective, several changes are recommended to the City Code. First, self-storage within the RC and CCS-2 zoning classifications should be amended from a permitted, principal use to an accessory use. Second, regulating criteria for the self-storage use should be amended to further reinforce the accessory characteristics of the use type when located within a designated activity center. Similar to accessory uses within the Industrial Tradition (IT) zoning classification and Industrial General (IG) future land use, self-storage should not exceed 25 percent (%) of the floor area of the allowable principal use or uses.

Existing, self-storage facilities within the affected areas shall continue as grandfathered uses.

Compliance with the Comprehensive Plan

The following objectives and policies from the Comprehensive Plan are applicable to the proposed amendment:

Policy LU2.1: To facilitate compact urban development the City shall adopt the following activity centers as part of this Land Use Plan:

1. Gateway 3. Tyrone 5. Central Avenue Corridor

Policy LU2.2: The City shall concentrate growth in the designated Activity Centers and prioritize infrastructure improvements to service demand in those areas.

Policy LU3.4: The Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of physical and natural separators.

Policy LU3.5: The tax base will be maintained and improved by encouraging the appropriate use of properties based on their locational characteristics and the goals, objectives and policies within this Comprehensive Plan.

Objective LU21: The City shall, on an ongoing basis, review and consider for adoption, amendments to existing and/or new innovative land development regulations that can provide additional incentives for the achievement of Comprehensive Plan Objectives.

Policy LU21.1: The City shall continue to utilize its innovative development regulations and staff shall continue to examine new innovative techniques by working with the private sector, neighborhood groups, and special interest groups and by monitoring regulatory innovations to identify potential solutions to development issues that provide incentives for the achievement of the goals, objectives and policies of the Comprehensive Plan.
Policy LU23.4: The City's LDRs shall continue to support land development patterns that make possible a mixture of land use types resulting in employment, schools, services, shopping and other amenities located near residential development and neighborhoods.

**Housing Affordability Impact Statement**

The proposed amendments will have no impact on housing affordability, availability or accessibility. A Housing Affordability Impact Statement is attached.

**Adoption Schedule**

The proposed amendments require two (2) public hearings, conducted by the City of St. Petersburg City Council. The City Council shall consider the recommendation of the DRC and vote to approve, approve with modification or deny the proposed amendment:

- 03-17-2016: First (1st) Reading and First Public Hearing
- 04-07-2016: Second (2nd) Reading and Public Hearing

**Exhibits and Attachments**

1. Self-Storage Amendment Locations Map
2. Other Self-Storage Principal Use Locations Map
3. Ordinance
4. Housing Affordability Impact Statement
City of St. Petersburg
Housing Affordability Impact Statement

Each year, the City of St. Petersburg receives approximately $2 million in State Housing Initiative Partnership (SHIP) funds for its affordable housing programs. To receive these funds, the City is required to maintain an ongoing process for review of local policies, ordinances, resolutions, and plan provisions that increase the cost of housing construction, or of housing redevelopment, and to establish a tracking system to estimate the cumulative cost per housing unit from these actions for the period July 1–June 30 annually. This form should be attached to all policies, ordinances, resolutions, and plan provisions which increase housing costs, and a copy of the completed form should be provided to the City’s Housing and Community Development Department.

I. **Initiating Department:** Planning & Economic Development

II. **Policy, Procedure, Regulation, or Comprehensive Plan Amendment Under Consideration for adoption by Ordinance or Resolution:**

See attached proposed amendments to Chapter 16, City Code of Ordinances (City File LDR 2016-02).

III. **Impact Analysis:**

A. Will the proposed policy, procedure, regulation, or plan amendment, (being adopted by ordinance or resolution) increase the cost of housing development? (i.e. more landscaping, larger lot sizes, increase fees, require more infrastructure costs up front, etc.)

   No [X] (No further explanation required.)

   Yes [ ] Explanation:

   If Yes, the **per unit cost increase** associated with this proposed policy change is estimated to be: $______________________.

B. Will the proposed policy, procedure, regulation, plan amendment, etc. increase the time needed for housing development approvals?

   No [X] (No further explanation required)

   Yes [ ] Explanation:
IV: Certification

It is important that new local laws which could counteract or negate local, state and federal reforms and incentives created for the housing construction industry receive due consideration. If the adoption of the proposed regulation is imperative to protect the public health, safety and welfare, and therefore its public purpose outweighs the need to continue the community's ability to provide affordable housing, please explain below:

CHECK ONE:

X The proposed regulation, policy, procedure, or comprehensive plan amendment will not result in an increase to the cost of housing development or redevelopment in the City of St. Petersburg and no further action is required. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

[Signature]
For D.G.
Department Director (signature)

February 23, 2016
Date

OR

☐ The proposed regulation, policy, procedure, or comprehensive plan amendment being proposed by resolution or ordinance will increase housing costs in the City of St. Petersburg. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

[Signature]
Department Director (signature)

Date

Copies to: City Clerk
Joshua A. Johnson, Director, Housing and Community Development

LDR 2016-02: Use Amendments RE Self Storage Facilities
Section Nos. 16.20.010.1 and 16.50.400
Page 8
TO: The Honorable Chair Darden Rice, and Members of City Council

SUBJECT: Third party-initiated Historic Landmark Designation of the Grant and Maude Aiken House, located at 118 Fifth Avenue North (City File HPC 16-90300003).

An analysis of the request is provided in the attached Staff Report.

REQUEST: The request is to list the Grant and Maude Aiken House as a local historic landmark in the St. Petersburg Register of Historic Places.

RECOMMENDATION:

Administration: Administration does not recommend approval.

Community Planning and Preservation Commission: On January 10, 2017, the Community Planning and Preservation Commission held a public hearing on this matter, and voted 6 to 1 against recommending approval of the landmark designation to City Council.

Recommended City Council Action: 1) CONDUCT the second reading and final public hearing of the attached proposed ordinance; AND 2) DENY the proposed ordinance.

Attachments: Ordinance (including map), CPPC Draft Minutes, Staff Report to the CPPC, Designation Application
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE GRANT AND MAUDE AIKEN HOUSE (LOCATED AT 118 FIFTH AVENUE NORTH) AS A LOCAL HISTORIC LANDMARK AND ADDING THE PROPERTY TO THE ST. PETERSBURG REGISTER OF HISTORIC PLACES PURSUANT TO SECTION 16.30.070, CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The City Council finds that the Aiken House, which is recognized for its significance as a property associated with Grant and Maude Aiken and an example of the Craftsman style, meets at least one of the nine criteria listed in Section 16.30.070.2.5.D, City Code, for designating historic properties. More specifically, the Aiken House meets the following criteria:

(c) It is identified with a person who significantly contributed to the development of the city, state, or nation;
(e) Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; and
(f) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

SECTION 2. The City Council finds that the Aiken House meets at least one of the seven factors of integrity listed in Section 16.30.070.2.5.D, City Code, for designating historic properties. More specifically, the property meets the following factors of integrity:

(a) Location. The place where the historic property was constructed or the place where the historic event occurred;
(b) Setting. The physical environment of a historic property;
(e) Workmanship. The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
(f) Feeling. The property’s expression of the aesthetic or historic sense of a particular period of time, and
(g) Association. The direct link between an important historic event or person and a historic property.

SECTION 3. The Aiken House, located upon the following described property, is hereby designated as a local landmark, and shall be added to the St. Petersburg Register of Historic Places, a listing of designated landmarks, landmark sites, and historic and thematic districts which is maintained in the office of the City Clerk:

Designation Boundary
The official boundary of the local landmark designation shall encompass the entire parcel, generally described as Revised Map of St. Petersburg, Block 3, Lot 3, and as depicted on Exhibit “A.”

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

Approved as to Form and Substance:

City Attorney (or Designee) Date

Planning and Economic Development Department Date
QUASI-JUDICIAL PUBLIC HEARING

Note: Commissioner Wannemacher was recused from the following item (HPC 16-90300003) due to a conflict.

A. City File HPC 16-90300003

Contact Person: Laura Duvekot, 892-5451

Request: Third party request for a Local Historic Landmark designation of the Aiken House located at 118 – 5th Avenue North.

Staff Presentation

Laura Duvekot gave a PowerPoint presentation based on the staff report. To date, 17 public comments have been received by staff in response to this case as well the following three designation cases, with 14 in support and three in opposition.

Applicant Presentation

Emily Elwyn and Howard Hanson, representing the applicant, St. Petersburg Preservation Inc., spoke in support of the designation request. A letter from Peter Belmont, Vice-President of St. Petersburg Preservation, was received by staff supporting the designation of this property and the following three designation cases. Copies of the letter were distributed to the Commissioners prior to the meeting.

Owner Presentation

In Attorney John Anthony’s absence who is representing the owners, Suburban Federal Property LLC (70% ownership of Fuel Investment & Development II LLC, the listed owner) and First Street and Fifth Avenue LLC (senior mortgage holder), Allison Doucette, Attorney, gave a presentation in opposition of the designation. Ms. Doucette stated that Mr. Anthony will supply the affidavits upon his arrival.

Don Mastry, Attorney and representing the court-appointed receiver, Larry S. Hyman, gave a presentation in opposition of the designation request.

Public Hearing

Allison Stribling, representing St. Petersburg Preservation, and Sally Lawson, 135 5th Avenue North, spoke in support of the request.

Dan Harvey, Jr., 1425 Central Avenue, spoke in opposition of the request.
Cross Examination

By City Administration:
Waived

By Owner:
Waived

By Applicant:
Waived

Rebuttal/Closing Statement

By City Administration:
Waived

By Owner:
John Anthony, Attorney representing the owners, gave a closing statement consisting of the length of time a foreclosure process takes and that this litigation has been ongoing for eight years. A motion will be filed this week by his client for a final judgement of foreclosure. Mr. Anthony stated that his client is entitled to the benefit of being able to develop the parcels just like other developments in the neighborhood. When you have $5 million worth of property securing an $11 million first mortgage (in addition to a second and third mortgage), the investors are due a reasonable return or at least not more than a 50% loss on their investment. It is an inordinate burden to have people who don’t own his client’s property or loan documents try to dictate on how these parcels can be developed. He then offered to sell the structures to the applicant stating that they can move them to an area of their choosing.

Don Mastry, Attorney representing the receivership, reiterated staff’s recommendation that the subject property does not meet the conditions to be designated and then asked why designate when it is known that the property will be likely demolished under a COA. Mr. Mastry went on to say that this is confiscating development rights of this property and as the receiver object to that.

By Applicant:
Emily Elwyn stated that it is completely irrelevant to today’s decision on how much these parcels are worth or to have any discussion regarding finances as well as any discussion on zoning or zoning changes. Today’s hearing is only to determine if these properties meet the criteria for local landmark designation. All prior testimony needs to be disregarded. Mr. Elwyn went on to say that they respectfully disagree with staff on their recommendation for this parcel and any changes made prior to 1923 have to be considered historic; that is part of the Secretary of Interior Standards interpretation. Placing a landmark designation on a property does not prohibit redevelopment nor demolition; there is a COA process to address those issues after the property is landmarked. This house clearly meets the criteria for designation; both with the association with Grant Aiken and that there is nowhere else in the City associated with him or his wife, Maude, still in existence. Changing the porch before 1923 does not take away from its integrity nor do the replacement windows.
Executive Session

Commissioner Michaels asked for confirmation that criteria “G” and “H” only apply to an historic district designation, not to an individual property, to which Ms. Duvekot confirmed as correct.

Commissioner Michaels stated, in regards to criterion “C,” that Maude Aiken, whom he believes left a cultural imprint on this community with the opening of the City's first open air school, is the association that would be a reason to designate this building. Ms. Duvekot explained that Maude Aiken was not residing at the subject property when she formed the open air school; she had since moved from the subject property, therefore, did not meet the National Register criteria, of which this recommendation is based upon.

Commissioner Michaels asked in regards to criterion “E” if other buildings have been landmarked with the Japanese style bungalows, to which Ms. Duvekot replied that she is not aware of any in the City.

Commissioner Michaels asked about the alterations made prior to 1923. Ms. Duvekot stated that because of the presence of other craftsmen in the area and the way this home had been altered made it difficult to read the original footprint. Ms. Duvekot went on to say that there is certainly some historic importance to this building and it contributes to an important stretch of properties but, in her opinion, the alterations and the current conditions did not warrant individual nomination.

**MOTION:** Commissioner Michaels moved and Commissioner Burke seconded a motion approving the Local Landmark designation of the Aiken House located at 118 5th Avenue North.

**VOTE:**

YES – Michaels
NO – Bell, Burke, Rogo, Smith, Whiteman, Carter

Motion failed by a vote of 6 to 1.
STAFF REPORT

COMMUNITY PLANNING AND PRESERVATION COMMISSION

LOCAL DESIGNATION REQUEST

For Public Hearing and Recommendation to City Council on January 10, 2017 beginning at 3:00 P.M., Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

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

CASE NO.: HPC 16-90300003
STREET ADDRESS: 118 Fifth Avenue North
LANDMARK: Grant and Maude Aiken House
OWNER: Fuel Investment & Development II, LLC
APPLICANT: St. Petersburg Preservation, Inc.
REQUEST: Local Landmark Designation of the Aiken House

Grant and Maude Aiken House, 118 Fifth Avenue North
OVERVIEW
A non-owner initiated application for Local Historic Landmark designation of the Grant and Maude Aiken House (subject property), located at 118 Fifth Avenue North, was submitted by St. Petersburg Preservation, Inc. in July of 2016. Prepared by Howard Ferebee Hansen, the application provides thorough information regarding the building’s early ownership and its historic and architectural context. The subject property is listed as a contributing property to the Downtown St. Petersburg Historic District, which was added to the National Register of Historic Places on March 3, 2004.

STAFF FINDINGS
Staff finds that the Aiken House (118 Fifth Avenue North) is not eligible for individual designation as a Local Historic Landmark as nominated by the applicant. In St. Petersburg, Local Historic Landmark eligibility is determined based on evaluations of age, context, and integrity under a two-part text as found in Section 16.30.070.2.5(D) of the City Code. Under the first test, historic documentation demonstrates that the Aiken House was constructed over 100 years ago, surpassing the minimum required age of 50. However, staff does not concur that the subject property’s historic association and extant conditions merit individual designation. Beyond its individual significance, staff notes that the subject property’s significance under criteria G and H should be considered.

Historic Significance and Satisfaction of Contextual Criteria
The first portion of the two-part test to determine Local Historic Landmark eligibility examines a resource’s historic significance with relation to nine criteria. One or more of these criteria must be met in order for a property to qualify for designation as a Local Historic Landmark. The applicant contends that the property satisfies the criteria as follows.

<table>
<thead>
<tr>
<th></th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>G</th>
<th>H</th>
<th>I</th>
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</thead>
<tbody>
<tr>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
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</table>

Staff does not agree that there is sufficient historical documentation to warrant a finding that the subject property meets Criteria C, E, and F, which relate to the building's significance in the area of architecture and its association with noteworthy individuals.

C) It is identified with a person who significantly contributed to the development of the city, state, or nation.

The applicant suggests that the subject property is historically significant due, in part, to its association with attorney Grant J. Aiken (also frequently spelled "Aikin"). Aiken was involved in drafting the legislation re-incorporating St. Petersburg as a city in 1903, and in creating Pinellas County from a portion of Hillsborough. Aiken later served as City Attorney for St. Petersburg. Although the nomination application names Grant Aiken as the first City Attorney and states that he served in said role from 1903 until 1912, sources indicate that Edward Myers formally held this position from as early as 1903 until at least 1908¹ and that James Booth assumed the role in

1911. Grant Aiken was noted in a 1910 *Evening Independent* article as St. Petersburg's City Attorney and Myers's successor. The earliest primary source known to staff at the time of this report which names Myers as City Attorney is dated 1906, leaving open the possibility that the role was shared by multiple contractors in the city's early years, or that Aiken held the position for two, non-consecutive periods. Nonetheless, when considering available information, staff is reluctant to consider Aiken the first City Attorney. This is not mentioned to dismiss the significance of Mr. Aiken's contributions to St. Petersburg's early period of growth, but to note that more research may be needed in order to clarify the dynamics of the early members of St. Petersburg's staff.

The subject property's association with Aiken in the nomination paperwork is based on a "Wanted" advertisement for a nurse appearing in *The Evening Independent* on March 30, 1910, which states "Apply to Grant Aikin, 118 Fifth avenue north." However, multiple primary sources of historical documentation are in conflict with the advertisement's suggestion that Aiken was a resident of the subject property in 1910.

The City's original property cards for the subject property have been lost, leaving no records of this type predating 1919. However, available sources indicate a construction date between 1910 and 1913. The 1910 United States Census, information for which was collected in late April of that year, covers the immediate vicinity but does not list the subject property or any buildings on the south side of the 100 block of Fifth Avenue North. This suggests that the subject property and immediate surroundings had not yet been developed in April of 1910. The earliest Sanborn Map covering the area, which was drawn in 1913, does depict the subject property. Therefore, it stands to reason that the building was constructed after April 1910 and before the publication of the Sanborn Map in September of 1913.

Grant Aiken, wife Maude (spelled "Maud"), and children Merrill, Carlyle, Bernette (spelled "Burnette"), Caryl, and Horace, appeared in 1910 Census records as residents of the house at 143 Sixth Avenue North, a building which Grant Aiken is shown to own mortgage-free. Note that the 1910 Census (dated April 18-19, 1910) was enumerated several weeks after the "Wanted" ad mentioned above (March 30, 1910) was placed.

Grant Aiken's death occurred in late 1912. Also in 1912, Maude Aiken established the Aiken Open Air School at the home where she lived, which was located at 458 Bay Street Northeast, and remained open in that location for many years. This building is no longer extant.

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Although the standards of eligibility for Local Historic Landmark designation and listing in the National Register for Historic Places are not identical, the criteria discussed in St. Petersburg City Code Section 16.30.070.2.5 are based on the National Park Service's National Register Criteria for Evaluation. Under the National Register criteria, significance due to an association with a person must be reflective of a person who is individually significant within a historic context, and must be reflective of the period during which he or she achieved significance.11 Because of the existence of primary sources connecting the Aiken family to other residences in 1910, and from 1912 on, as well as the lack of additional evidence connecting Grant Aiken to the subject property, staff does not consider the "Wanted" ad discussed above to be sufficient evidence to warrant a determination of historic significance under Criterion C for Local Historic Landmark designation.

E) Its value as a building is recognized for the value of its architecture, and it retains sufficient elements showing its architectural significance.

The Local Historic Landmark nomination asserts that the subject property is a fine exemplar of the Craftsman style bungalow. The building has retained its overall historic scale and certain stylistic elements, such as its notched porch surround and upswept eaves. However, the alterations to the building's façade, which are discussed in depth below, have significantly deteriorated the subject property's ability to convey its historic design. Staff concludes that the subject property does not retain a sufficient degree of its historic aesthetic to merit individual status as a Local Historic Landmark.

Much of the applicant's narrative regarding this criterion hinges on the building's architectural significance when placed in dialogue with the neighboring three bungalows sharing the 100 block's southern frontage along Fifth Avenue North. While setting is an important element of integrity, the subject property's significance as a member of a concentration of similar homes is more appropriately seen to meet Criteria G and H, as reviewed below.

F) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

The applicant relates the history of the subject property to St. Petersburg's pre-World War I Land Boom. Once again, staff finds that considerable integrity has been lost due to alterations unnoted by the applicant. The number of essential distinguishing characteristics that have been removed or obscured by these changes is too high to justify individual Local Historic Landmark designation. However, as with the case of Criterion E, the building's architectural history, when considered in concert with its neighbors, merits a discussion of Criteria G and H.

Beyond a consideration of the above criteria, staff finds that the subject property meets two criteria which acknowledge the strong dialogue between the building and its surroundings. The subject property's eligibility under these criteria could not be considered by the applicant, as Section 16.30.070.2.5.B.2 of City Code requires evidence of support from the owners of 66 percent of tax parcels within a proposed district's boundaries, a written description and map of said boundaries, and a list of contributing and non-contributing properties, a process generally led by an association of homeowners. As a non-owner-supported application, therefore, the subject property cannot be designated under these criteria. However, the applicant notes the increasing scarcity of contiguous collections of single-family homes dating to the early twentieth century within the Downtown St. Petersburg Historic District. Staff proposes that the subject property's significance as a part of one such remaining cluster should, at the very least, be noted. Because

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of the intact nature of the subject property's immediate environs, staff suggests that it is eligible under the following criteria.

G) Its character is a geographically definable area possessing a significant concentration, or continuity of sites, buildings, objects or structures united in past events or aesthetically by plan or physical development.

The subject property is located within a concentrated area of bungalows dating to the 1910s, during which time St. Petersburg saw its first major building boom and the early stages of suburbanization. Both the Aiken House and the residences which surround it are notable for their relatively large scale and grand architecture. Other remaining concentrations of historic residential buildings in the Downtown St. Petersburg Historic District were originally constructed at a more affordable scale for families of their era, like Lang's Bungalow Court, or multi-family units meant to house seasonal residents, like the collection of apartment buildings surrounding Mirror Lake. The residences on the 100 block of Fifth Avenue North, however, were initially constructed for St. Petersburg's early upper middle class, including doctors, City Commissioners, and builders.

H) Its character is an established or geographically definable neighborhood, united in culture, architectural style or physical plan and development.

When considered in dialogue with its surrounds, the subject property contributes to the concentration of buildings representing the pre-World War I period of development in St. Petersburg. As compared to later Florida bungalows, the subject property and those surrounding it are relatively long and narrow, the result being that they feature larger interiors than one might guess from a glance at their facades. This characteristic was influenced by the pedestrian scale and deep, narrow lots that dominated the first-developed areas of St. Petersburg. Many of the buildings were used as boarding houses during the early-to mid-twentieth centuries, as was common practice for homes in or near downtown St. Petersburg. Despite their later reuse as multi-family residences or even commercial spaces, the area retains a historic continuity defined and united by a consistency of form and scale, historic hex block sidewalks, and historic landscaping that extends beyond the significance of each individual building. With the exception of the parcels at its east and west edges, the buildings on the 100 block of Fifth Avenue North are one to two stories in height and constructed for single-family residential use.

The bungalow form would remain immensely popular in St. Petersburg during the late 1910s and into the 1920s. The building type was particularly embraced as the young city spread to the north, south, and west of downtown with neighborhoods dominated by single-family residences, and high style houses within those neighborhoods generally feature wider footprints and more blatant horizontal massing. The Aiken House and its neighbors, however, are representative of a period of transition as the era of centralized downtown development shifted toward the suburbs that followed. It is worth noting that the buildings were built within five years following the expansion of streetcar lines along Second Street, only a few hundred feet from the subject property.12

As suggested above, the subject property and its surroundings appear to constitute the most intact collection of its type remaining within the Downtown St. Petersburg Historic District. In spite of its close proximity to continuing redevelopment, this cluster of residences provides a sense of immersion that is exceedingly rare in the city and cannot be replicated. Although staff does not concur with the applicant's determination of the subject property's individual Local Historic

12 James Buckley, Street Railways of St. Petersburg Florida, (Forty Fort, PA: Harold E. Cox, 1983); 8.
Landmark eligibility, were an application submitted for the area’s designation as a Local Historic District, staff would be in support of the subject property’s inclusion as a contributing resource.

**Historic Integrity**

A second test, which involves integrity, is begun when a property is determined to meet at least one of the criteria for significance. In order for a resource to pass the second test, at least one of the seven factors of integrity (location, design, setting, materials, workmanship, feeling, and association) must be met. In most cases, integrity of feeling and association by themselves rarely merit a property’s eligibility for designation, since these factors often rely on personalized experiences, emotions, and perceptions. In this case, the Aiken House meets five of these factors, albeit with several having been diminished over time, as follows.

<table>
<thead>
<tr>
<th>Location</th>
<th>Design</th>
<th>Setting</th>
<th>Materials</th>
<th>Workmanship</th>
<th>Feeling*</th>
<th>Association*</th>
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*Must be present in addition to at least one other factor.

**Location:** The building’s location remains unchanged.

**Design:** As detailed below, additions and alterations have degraded the subject property’s intended design.

**Setting:** The subject property lies at the east edge of a grouping of historic bungalows which comprise a continuous and concentrated representation of early twentieth century single-family residences.

**Materials:** Although a number of historic elements, such as gable end brackets and historic windows at the side elevations, have been retained, too many of the character-defining elements of the subject property have been removed, replaced, or obscured to consider it to retain integrity of historic material.

**Workmanship:** Though degraded by the alterations discussed herein, the methods used to create and apply the home’s Craftsman style details can still be read through its overall form, as well as surviving details such as upswept eaves, gable brackets, and notched porch surround.

**Feeling and Association:** Though individual integrity has been eroded, the building, when considered in its setting, does convey historic feeling and association.

**NARRATIVE DESCRIPTION AND BACKGROUND**

The subject property is a one and one-half story wood frame bungalow type house with an exterior treatment of wood siding, asphalt siding, and stucco and a front-gabled roof surfaced in asphalt shingles. Its façade is symmetrical, with one window at each side of a centered single action door with sidelights opening onto an integral front porch (Figure 1).
A unique and noteworthy feature of the building is the visible influence of Japanese style. Slightly upswept eaves and the notched circular cutouts that frame its porch are among the most evident features displaying this influence. Japanese influences were common in early bungalow design, especially those of more sophisticated or "high style" form. The gable end additionally features large brackets, a common and defining characteristic of the Craftsman bungalow style (Figure 2). The side and rear windows are primarily double-hung wood sash with one-over-one lights, though several have been replaced with non-historic single-hung sash windows. The windows and doors at the façade are all non-historic. A gable vent centered at the façade has been replaced with a fanlight window, and two non-historic shed dormers are visible at the roof's east and west turf.

---

ALTERATIONS
In the Local Historic Landmark nomination packet, the applicant notes several modern alterations dating to the 1980s, including the addition of two shed dormers to the roof’s eastern and western planes, replacement the façade gable vent with a vinyl fanlight window, the replacement of several windows, and the replacement of the front door. When considered conjointly, these changes erode the subject property's integrity of materials, of craftsmanship, and, especially in the case of the gable-end fanlight and shed dormers, of design.

In addition to the alterations documented by the applicant, staff finds the footprint of the house to have been altered significantly by the enclosure of portions of the integral front porch, as revealed by historic documentation. Shown in the 1913 map in Figure 3, the front porch (indicated by dashed lines) was originally U-shaped, wrapping around a central, projecting foyer (buildings' enclosures are denoted by solid lines).

By 1923, the porch's configuration had changed, as shown in Figure 4. Instead of a façade featuring an articulated central entrance, the northern elevation had been altered to extend the full width of the integral porch. The exact date of this alteration is not noted in property records.
A considerable impact on the building's overall integrity results from this enclosure. Porch enclosures are a somewhat common alteration to historic buildings and were typically undertaken to accommodate growing families or the conversion of single-family homes to multi-family residential use. However, many such expansions to historic living spaces were constructed in such a way that allows the original footprint of the porch to be "read" by a viewer. One such example, only two doors down, is the Burnside House at 136 Fifth Avenue North, which originally featured a porch spanning the full façade. The western portion of said porch has been enclosed with a bank of windows and masonry replicating that on the original building, but the porch's roof and cornice have been left intact, allowing the eye to identify the front porch as a single, horizontal element of the façade's design, and, therefore, maintain the building's integrity.

In the case of the enclosure at the Aiken House, the articulated entrance created by the wrapping porch was an essential physical feature, and a vital element of the building's design. The deep, three-sided overhang created by the wrapping porch, as constructed, linked the building's form and design to the high style bungalows being influenced by the Chicago School of architecture and would have showed references to the pagoda form that gained popularity in the United States following the Columbian Exposition of 1893. The enclosure of this character-defining footprint

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14 Sanborn Map Company, 1913.
leaves the addition undifferentiated from the original building and diminishes the subject property's association with high Craftsman style.

In recent years, the building has been used for commercial purposes, most recently as a florist beginning in the 1990s. A large pool enclosure, constructed in 1980, occupies the majority of the property's backyard (Figure 5).

Figure 5: 118 Fifth Avenue North and rear pool enclosure, facing northeast

PROPERTY OWNER CONSENT AND IMPACT OF DESIGNATION
The proposed Local Historic Landmark designation was submitted by St. Petersburg Preservation, Inc., a third party non-owner of the subject property. As required by Section 16.30.070.2.5.C.4 of City Code, the applicant included documentation showing that a copy of the application was provided to the registered owner via certified mail, when the application was submitted. Separately, a copy of the application and materials were provided by City Staff to Larry Hyman, who was officially appointed as receiver for the subject property by the court.

Benefits of Local Historic Landmark designation include increased heritage tourism through the maintenance and promotion of the city's historic character and significance. Certain relief from the requirements of the Florida Building Code and FEMA regulations are also available to designated Local Historic Landmarks, as are tax incentives such as the Ad Valorem Tax Exemption.
CONSISTENCY WITH ST. PETERSBURG'S COMPREHENSIVE PLAN AND EXISTING AND FUTURE LAND USE PLANS

The proposed local landmark designation is consistent with the City's Comprehensive Plan, relating to the protection, use and adaptive reuse of historic buildings. The proposed local landmark designation, will not affect the FLUM or zoning designations, nor will it significantly constrain any existing or future plans for the development of the City. The proposed local landmark designation is consistent with the following:

OBJECTIVE LU10: The historic resources locally designated by the St. Petersburg City Council and the commission designated in the LDRs, shall be incorporated into the Comprehensive Plan map series at the time of original adoption or through the amendment process and protected from development and redevelopment activities consistent with the provisions of the Historic Preservation Element and the Historic Preservation Ordinance.

Policy LU10.1 Decisions regarding the designation of historic resources shall be based on the criteria and policies outlined in the Historic Preservation Ordinance and the Historic Preservation Element of the Comprehensive Plan.

Policy HP2.3 The City shall provide technical assistance to applications for designation of historic structures and districts.

Policy HP2.6 Decisions regarding the designation of historic resources shall be based on National Register eligibility criteria and policies outlined in the Historic Preservation Ordinance and the Comprehensive Plan. The City will use the following selection criteria for City initiated landmark designations as a guideline for staff recommendations to the Community Planning and Preservation Commission and City Council:

• National Register or DOE status
• Prominence/importance related to the City
• Prominence/importance related to the neighborhood
• Degree of threat to the landmark
• Condition of the landmark
• Degree of owner support

The subject property has a Future Land Use Plan designation of CBD (Central Business District) and is zoned DC-2 (Downtown Center-2) on the City's Official Zoning Map. Maximum density in all DC categories is limited by Floor Area Ratio (FAR), rather than units per acre. CBD designation allows a mixture of high-intensity retail, office, industrial, service, and residential uses up to a FAR of 4.0 and a net residential density not to exceed the maximum allowable in the land development regulations. There are no known plans at the time of this report to change the allowable uses of the subject property, or those properties that border it.

This district comprises St. Petersburg's historic and original downtown core, and was platted to reflect the pedestrian-oriented scale that was necessary and typical of urban centers before mainstream automobile ownership. Redevelopment of properties in the surrounding area has been increasing over the past several years as part of a prospering local economy and booming real estate market. A number of extant historic buildings within this district have also been preserved, both with and without the protection of a Local Historic Landmark designation.
RECOMMENDATION

Staff DOES NOT RECOMMEND APPROVAL of the request to designate the Aiken House, located at 118 Fifth Avenue North, as an individual Local Historic Landmark, thereby referring the application to City Council for first and second reading and public hearing.
RESOURCES


*Evening Independent*. “County Division Still Alive.” August 8, 1908.


*Evening Independent*. “City Can Buy Bayboro Lots, Says City Attorney, and Payment Be Made from Last Bond Issue Voted.” July 17, 1911.


*St. Petersburg Times*. “City Council Proceedings: City Finances Were Main Subject.” November 10, 1906.

Community Planning and Preservation Commission

118 5th Avenue North

AREA TO BE APPROVED, SHOWN IN

CASE NUMBER
16-90300003

NOT TO SCALE
Community Planning and Preservation Commission
118 5th Avenue North

AREA TO BE APPROVED,
SHOWN IN

CASE NUMBER
16-90300003

NOT TO SCALE
APPENDIX B: DESIGNATION APPLICATION
Local Landmark Designation Application

1. NAME AND LOCATION OF PROPERTY

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2. PROPERTY OWNER(S) NAME AND ADDRESS

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3. NOMINATION PREPARED BY

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4. **BOUNDARY DESCRIPTION AND JUSTIFICATION**
Describe boundary line encompassing all man-made and natural resources to be included in designation (general legal description or survey). Attach map delimiting proposed boundary. (Use continuation sheet if necessary)

Lot 3 of Block 3 of the Revised Map of St. Petersburg as recorded in Plat Book 1, p. 49 of the official records of Hillsborough County, Florida of which Pinellas County was formerly a part.

The parcel of land known as lot 3 is the historic and present-day boundary of the Grant Aiken House.

**SEE ATTACHED MAP**

5. **GEOGRAPHICAL DATA**

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Aiken House
Name of Property

6. **FUNCTION OR USE**

<table>
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<tbody>
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<td>vacant</td>
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|                               |                               |
|                               |                               |
|                               |                               |
|                               |                               |
7. DESCRIPTION

Architectural Classification
Craftsman bungalow

Materials
wood
concrete block

Narrative Description

On one or more continuation sheets describe the historic and existing condition of the property use conveying the following information: original location and setting; natural features; pre-historic man-made features; subdivision design; description of surrounding buildings; major alterations and present appearance; interior appearance;

NEIGHBORHOOD SETTING
The Aiken House is located on Block 3 at the northern edge of the original plat of St. Petersburg that was surveyed in 1888. Fifth Avenue North a 100' r.o.w. street runs along the northern boundary of this original plat. This block is situated on a sandy ridge about 10' above sea level and lies about 1000' west of the original shoreline of Tampa Bay which since circa 1905 became Beach Drive NE. This northeastern section of the original town plat had sparse development before the first decade of the 20th century. Between 1905 and 1916 it became a residential neighborhood favored by the wealthy citizens and winter visitors because of its proximity to the waterfront and isolation from the congestion of the nearby downtown commercial district. The majority of the buildings in this area were built before the construction hiatus of 1917 caused by the Great War. These buildings were all residential, a combination of detached single family homes, tourist rental cottages, apartment buildings, and small winter tourist hotels. Generally they were of frame construction and one or two stories high. By the close of the Florida Land Boom in 1926 this neighborhood was “built out”. By the late 1920 and through the 1930s many of the single family homes were converted into small apartment buildings and boarding houses because the more affluent residents had moved north to the more fashionable new neighborhoods of the Old Northeast and Snell Isle. During the 1980s the city drastically changed the zoning of this area designating it “Central Business District 2” that granted high density construction and building heights to these properties. This triggered the demolition of many of the older structures and the
construction of high-rise condominiums. This area forms the northeastern corner of the National Register of Historic Places, Downtown St. Petersburg Historic District (8P10648) which was enacted in 2004 to help preserve the remaining historic resources here.

PHYSICAL DESCRIPTION OF PROPERTY
The Aikin House was built on a 50' X 123' lot of Block 3 of the Rev. Map of St. Petersburg. The house fronts north onto Fifth Avenue North which is a 100" right of way street and the rear of the lot faces a 20' wide alley. The public sidewalk along 5th Ave. is of hex-blocks, 3 mature Sabal palmettos occupy the 5th Ave. r.o.w. which are part of a historic row of such palms planted on both sides of 5th Ave. before 1920 that extends from Beach Drive to 2nd St. N. The front yard has an old poured in place concrete walkway from the sidewalk to its front porch. There are no historic fences or walls, ancillary buildings, structures, or objects that were observed on the lot.

The foundation is a poured in place concrete spread footing surmounted by a continuous foundation wall about 30" high of concrete blocks with stucco finish. The one story house is of balloon frame construction with exterior load bearing walls sheathed in clapboards. The floor is supported by wood joists and finished in wood strip flooring. Interior partitions are wood studs covered with wood lath and smooth plaster as are the ceilings. It is an irregular rectangle in plan, 32' wide and 70' long (N-S) with a recessed front porch about 8' wide and 32' long, in all it is of 2,009 sq. ft. The roof is a high pitched cross gable of wood trusses and sheathed in asphalt composition shingles, it has wide projecting eaves that change grade and flare, and are supported by decorative wood Craftsman style knee braces. Windows are wood double hung sash with one over one lights that have simple wood surrounds and sills. Two large front windows flank the central front door which has a pair of simple sidelights. The front door is of plain wood with a small central window with Craftsman style wood moldings it is flanked by a pair of sidelights. The front porch has a stuccoed concrete block apron wall about 30' high topped by a plain concrete cap, this wall has a decorative "scallop" and two projecting central piers about 36" high (likely supported urns or flower pots?). Two stuccoed concrete pillars at corners of the porch support a heavy wood cornice with decorative moldings. The gable end of the porch, is sheathed in shingles and has a central wood ventilator with Craftsman style details, 2 decorative knee braces support the porch eaves. The front porch floor is paved with concrete tiles and the steps (on east side) to it are concrete.

Historic (pre 1966) Alterations- None observed.

Modern (post 1966) Alterations- ca. 1980s addition of roof dormers on east and west sides, replacement of front (north) gable ventilator with a fan light window.
Replacement of western front (north) window, and a similar window on the north end of the west elevation. Replacement front door. 1980 construction of a swimming pool and fiberglass shed enclosure for it with retractible roof. 6' high wood fence around rear perimeter of lot (city "Property Card")

8. NUMBER OF RESOURCES WITHIN PROPERTY

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<tr>
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Contributing resources previously listed on the National Register or Local Register

- Buildings: 8Pi10451 is a contributing historic building to the N.R. Downtown St Petersburg Historic District (2004)
- 8Pi10648

Number of multiple property listings

N. A.

Aiken House

Name of Property
9. STATEMENT OF SIGNIFICANCE

Criteria for Significance
(mark one or more boxes for the appropriate criteria)

☐ Its value is a significant reminder of the cultural or archaeological heritage of the City, state, or nation.

☐ Its location is the site of a significant local, state, or national event.

X☐ It is identified with a person or persons who significantly contributed to the development of the City, state, or nation.

☐ It is identified as the work of a master builder, designer, or architect whose work has influenced the development of the City, state, or nation.

X☐ Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance.

X☐ It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

☐ Its character is a geographically definable area possessing a significant concentration, or continuity or sites, buildings, objects or structures united in past events or aesthetically by plan or physical development.

☐ Its character is an established and geographically definable neighborhood, united in culture, architectural style or physical plan and development.

☐ It has contributed, or is likely to contribute, information important to the prehistory or history of the City, state, or nation.
**Areas of Significance**  
(see Attachment B for detailed list of categories)

architecture

social history

Period of Significance
1909 to 1914

Significant Dates (date constructed & altered)
1909

Significant Person(s)
Grant J. Aiken (1864 -1912)

Maud Chase Aiken (1874 -1948)

Cultural Affiliation/Historic Period

Builder
unknown

Architect
unknown

**Narrative Statement of Significance**

(Explain the significance of the property as it relates to the above criteria and information on one or more continuation sheets. Include biographical data on significant person(s), builder and architect, if known. Please use parenthetical notations, footnotes or endnotes for citations of work used.)

**SUMMARY OF SIGNIFICANCE**

The Aiken House located at 118 Fifth Avenue North, meets three of the nine criteria necessary for designating historic properties listed in Section 16-525(d) of the City of St. Petersburg Code of Ordinances. These criteria are:
(3) IT IS IDENTIFIED WITH A PERSON OR PERSONS WHO SIGNIFICANTLY CONTRIBUTED TO THE DEVELOPMENT OF THE CITY, STATE, OR NATION; (5) Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; AND (6) IT HAS DISTINGUISHING CHARACTERISTICS OF AN ARCHITECTURAL STYLE VALUABLE FOR THE STUDY OF A PERIOD, METHOD OF CONSTRUCTION, OR USE OF INDIGENOUS MATERIALS.

Under Criterion 3 the house is significant for its association with Grant Aiken, a pioneer attorney who served as St. Petersburg’s first city attorney from 1903 until 1912. The house is significant as the home of Grant’s wife, Maud Chase Aiken who founded and operated the city’s first private day school from 1914 until 1936. The property is also significant under Criterion 5 and Criterion 6 because the residence is significant as a well-preserved Craftsman style bungalow that exhibits a high level of design and workmanship. The Aiken House’s architectural significance was determined in 2004 by listing it as one of the contributing historic buildings within the National Register of Historic Places “Downtown St. Petersburg Historic District” (8PI10648).

HISTORIC CONTEXT
During the First Boom Period in St. Petersburg, 1909-1914, the city of St. Petersburg experienced dramatic population growth and real estate development in the brief period beginning in 1909 and ending with the outbreak of World War I. The population was 4,500 in the 1910 Federal Census and rose to 14,237 in the 1920 Census, an increase of 245%. The county’s property tax evaluation for the city in 1911 was $3,546,130 and it grew to $8,977,930 in 1915 (Fuller, Walter, St. Petersburg and its People (1972) p. 142). In 1909 local voters approved a large municipal bond issuance that provided for major upgrades to the potable water, sewer system, and brick paving of city streets (Grismer, Karl, The Story of St. Petersburg (1948) p. 120). The City's western municipal limits in 1907 were at
7th Street N., jogging at Central Ave. to 12th St. S., but by 1914 the City stretched to Boca Ciega Bay (Fuller 1972:132). The city's trolley system grew from 3 miles in 1909 to 23 miles by 1917 (Arsenault, Raymond, St. Petersburg and the Florida Dream 1888-1950 (1988) p. 136). This explosive growth was the result of residential real estate subdivision projects created by local developers; H. Walter Fuller, Noel Mitchell, Perry Snell, and many smaller speculators (Arsenault 1988: 136). The expansion was in all directions from original plat of the town, bounded roughly by 5th Avenues North and South, west to 12th Street, and followed new streetcar lines largely financed by the private developers. The buyers of these 22,000 lots that existed in 1914 (Fuller 1972:131) were the seasonal winter tourists who were lured to the city in ever increasing numbers by a sophisticated national advertising campaign. An estimate of the 1910-1911 tourist season made by the Board of Trade, claimed 4,518 seasonal visitors registered at their welcome station, but this was likely only 50% of the real total. The majority came from Ohio, Indiana, Illinois, and New York (Evening Independent 7 Mar. 1911, p.6). A major difference between this real estate boom and the larger one of 1920 to 1926, was the emphasis on selling suburban houses versus selling vacant lots. These houses were intended as winter homes to be used as investment rentals until the owners retired to St. Petersburg. A brisk business for both residential and commercial properties began in the winter of 1908-1909. Each winter thereafter the demand increased. By the winter of 1912-1913 it became a "boomlet of the super-doozer variety" (Fuller 1972:131). This boom was short lived, by the fall of 1913 it began to taper off and during the early months of 1914 real estate advertising almost disappeared from the newspapers. The market had been oversold and there was a public fear that the country seemed headed for another depression. The outbreak of World War I in July 1914 completely stopped the boom. Although tourism remained strong during the 1914-1915 tourist season, buyers became reluctant to invest in vacation homes and bankers became stingy in extending more credit to the developers. There was no "crash" in the local real estate market, home prices and tax evaluations did not deflate, but cash flow problems crippled the developers who had to bide their time till the end of war in 1918 (Grismer 1948:235-6).

HISTORY OF 118 5th Avenue North
The Aiken House is located on Lot 3 of Block 3 of the Revised Map of St. Petersburg which was surveyed originally in 1888 and later revised. Fifth Avenue North was the northern boundary of the town's first subdivision and
development did not occur here until the first decade of the 20th century. The 1908 Sanborn Fire Insurance Co. map of this block shows no buildings or structures along its northern half that fronts onto Fifth Avenue North. The Thornton's Addition subdivision on the north side of Fifth Avenue in this block had a similar pattern of development, however the 1910 U.S. Census lists four houses here and no houses on the south side of the 100 block of 5th Avenue North. Construction in this area began in earnest with St. Petersburg's first real estate boom cycle that occured from 1909 until 1915.

Evidence suggests that the bungalow located at 118 5th Avenue North was built between 1908 and the end of 1909 since the house does not appear on the 1908 Sanborn Fire Insurance Map of this block and the newspaper ad placed by Grant Aiken at this address was made on 30 Mar. 1910. The original city "Property Card" for this parcel does not survive, so the architect and contractor of the house is unknown. The first evidence of this house is a newspaper classified advertisement; " Wanted, a white nurse girl - apply to Grant Aiken - 118 5th Avenue N" ("St. Petersburg Evening Independent", 30 Mar. 1910, p. 3, 'classified ads'). Grant Aiken appears in the 1910 federal census here with his wife, Maud and family of 5 young children. The ad for a nurse is a clue that Grant Aiken was suffering from the illness that later took his life at this house in 1912. Mrs. Aiken and children remained here until 1914 when she moved to the site of her new school nearby at 456 Bay Street NE (demolished 1965) ("St. Petersburg Times", 19 Aug. 1993, 'Obit of Burnette Aiken Beatty').

The next occupant of the house was Mrs. Isabella S. Brown who appears in the 1916 city directory. She was the widow of William H. Brown of Indianapolis president of the Brown-Ketchum Iron Works. She lived in the house until 1921 when it was occupied by a succession of new winter tourist renters each season through the 1930s. It became the single family residence of Mrs. Myrtle Householder by 1940 who lived there through 1964 (R. L. Polk, St. Petersburg City Directory 1916 to 1965, passim). The house became a retail florist shop during the 1980s and this is when modern alterations were made to the house and a swimming pool built in the rear yard (city "Property Card" 118 5th Ave. N.). The house was sold 7 Dec. 1993 for $60,000 by Joseph Del Grosso of N.Y. to Rosalee M. Neil. The house was sold on 25 Apr. 2006 by Dennis A. Farrell and Olive his wife to Fuel Investment & Development II LLC for $500,000 (Pinellas County, Fl, Tax Assessor website, entry for 118 5th Ave. N.).

BIOGRAPHY OF GRANT J. AIKEN (1864-1912)
Grant J. Aiken was born in 1864 in Mercer County Pennsylvania. His father immigrated from Ireland and eventually settled there as a farmer dying when Grant was aged 13. Grant aged 21 moved to Orange County Florida in 1885 in hopes of improving his health and owned a small citrus grove until the severe freezes of 1894-5 destroyed his trees. He moved to St. Petersburg where he worked as a clerk in Harrison Hardware and studied law in the evenings. In 1899 he married a local school teacher, Maud Chase. He passed his bar exam in October 1902. In 1903 he became the first lawyer employed by St. Petersburg. That year he prepared the bill for the state legislature to convert St. Petersburg from a town to a city charter and handled this reorganizarion. Grant served a term of six years as city clerk and tax collector. By 1909 he also enjoyed a lucrative law practice which gives special attention to the examination of land titles ("St Petersburg Evening Independent", 22 February 1909, p. 15 'Grant Aiken, City Attorney and Councillor at Law'). The 1908 city directory lists him as one of four attorneys in St. Petersburg his office was at 249 Central Avenue and his residence at 405 6th St. N (1908 St. Petersburg City Directory). In 1909 he complained to the press of the deplorable condition of the city's jail and inhumane treatment of sick inmates ("St Petersburg Evening Independent", p.1 'Man Dying in Jail Outrage, Conditions Deplorable, Dr. Rouse, Councilman Blocker, and City Attorney Aiken Speak Candidly'). In 1911 he worked with the firm of McMullen & McMullen to draft the bill for the state legislature to create Pinellas County from the western section of Hillsborough County ("St. Petersburg Times", 19 Aug. 1993, p.7 'obit Bernette Aiken Beatty'). "Death Expected at any Moment, Grant Aiken is Given up by his Physicians and is Sinking Rapidly - Grant Aiken formerly city tax collector and city attorney and one of the best known men in St. Petersburg is dying at his home in this city and it is feared he will not live through the day. Mr. Aikin has been in poor health for several years. His health broke down while he was city attorney'... ("St Petersburg Evening Independent", 14 Dec. 1912, p.1).

BIOGRAPHY OF MAUD CHASE AIKEN (1874 -1948)
"AIKEN, Mrs. MAUD, whose name is identified with and held in particular esteem for her work in behalf of education at Saint Petersburg, is a daughter of the late Capt. JOHN F. CHASE, a pioneer of Saint Petersburg, whose career is described at length on other pages. Mrs. AIKEN was born in Augusta, Maine, where she was reared and educated. Saint Petersburg was a small village when she and her parents came here in 1895. Prior to her marriage she engaged in teaching. Her husband was Mr. GRANT AIKEN of Pennsylvania, an attorney by
profession. He died in 1912. After her husband's death Mrs. Aiken opened what has since become famous as the Aiken Open Air School. Its first attendance consisted of three pupils. For a year or so its enrollment has been on average of two hundred each term. It is now a highly systematized school, with a staff of teachers, and doing the work in all the grades, beginning with the primary and fitting advanced pupils for entrance to any college or university. Mrs. Aiken is highly educated and beautifully accomplished. She is a member of the Women's Club, the Carreno Club and the Episcopal Church." (The History of Florida Past & Present (The Lewis Publishing Co., 1923) p. 145).

Maud was the daughter of Maj. John F. Chase a Union officer who received the Medal of Honor for his service at the Battle of Chancellorville he also lost an arm and an eye at Gettysburg. He came to St. Petersburg in 1885 with his family from Augusta, Maine. When the Disston City (present-day Gulfport) project failed, Chase devised a plan to turn the area into Veteran City, a retirement community for members of the Grand Army of the Republic. Although the veterans never showed up to buy land, the Veteran City trolley line built by F. A. Davis from downtown St. Petersburg to Boca Ciega Bay and became a popular tourist excursion that was linked to a ferry to carry passengers to Pass-A-Grille (Arsenault, Raymond, St. Petersburg and the Florida Dream (1988) p. 88).

Maude became a teacher at the town's public school in 1895 the year her family moved here. In 1899 she married Grant J. Aiken. Grant Aiken died in 1912 and left her aged 37 a widow with six young children to support; Merrill aged 10, Carlyle aged 8, Burdette aged 7, Caryl aged 4, Horace aged 2, and Dean an infant (1910 and 1920 U.S. Census, St. Petersburg, FL). In 1913 Maud decided to open the first private school in the city it catered to the children of winter tourists and offered high quality innovative educational methods. She obtained financing from the American Bank & Trust to buy a house on a large lot on Bay Street between 4th and 5th Avenues North ("St. Petersburg Times", 1 Aug. 1983, p. 37 'Private School was Result of Widow's Efforts to Preserve Family'). She ran an advertisement in the local newspaper in 1914 announcing its opening:

The St. Petersburg Open Air School
Montessori Class
Primary, Grammar, and High School Departments
Classes in Rythmic Dancing
Special Attention Given to Tutoring
No Tubercular Pupils Received
Mrs. Grant Aiken Principal
corner Fifth Avenue North and Bay Street
In 1915 Maud was hired to organize a girls' boarding school, the Southland Seminary in a new building erected by Snell & Hamlett on a large tract of their land at 1st Street and 32nd Avenue North located on the bayou at the terminus of the streetcar line. Snell hoped that the school would attract residential buyers for his land. The school venture failed by 1916 and the building was sold at a loss to the Masons who turned it into a retirement home for members, the Masonic Home of Florida (ibid. "SPT" 1 Aug. 1983). Maud Aiken became ill in 1936 and turned the operation of the school over to her daughter in law Martha Trice Aiken (Mrs. Dean Aiken). The Aiken Open Air School continued in operation until it was sold in 1965 for the site of the Presbyterian Tower retirement home. Maud Aiken died 1948 and is buried in the Chase family plot next to her husband and daughter in law, Beulah Aiken (1912 -1944) at St. Bartholomew Episcopal Church Cemetery, 2120 19th St. S. ("St. Petersburg Times", 19 Aug. 1993, 'Obit of Burnette Aiken Beatty').

ARCHITECTURAL SIGNIFICANCE
The Aiken House at 118 5th Avenue North is a textbook illustration of a classic Craftsman style bungalow. The exterior of the house has retained its historic appearance and integrity with only minor alterations to its fabric. The front (north) facade exhibits a high level of craftsmanship and ornamental detail that employ quintessential design elements of this style. The quality of this home's design when combined with the similar high-style design of the three adjacent Craftsman style houses creates a splendid collection of architectural artifacts of this style built between 1909 and 1916. There is no other grouping of Craftsman style residences of this quality surviving within the National Register listed St. Petersburg Downtown Historic District (2004) 8Pt10648. The only similar assemblage of Craftsman style houses of this period is the Lang Bungalow Court local landmark district (2014) HPC-14-90300002. However, the four houses in the 100 block of Fifth Avenue North were built for a wealthier class of clients than the houses of Lang Court and therefore were able to display a more expensive level of ornamental design and construction.

The American Craftsman style, or the American Arts and Crafts Movement, is an American domestic architectural, interior design, landscape design, applied arts, and decorative style and lifestyle philosophy that had its origins in the last decade of the 19th century. As a comprehensive design and arts movement it remained popular till the 1930s Great Depression. The Craftsman style took its
inspiration from the British Arts and Crafts movement founded on the philosophy and writings of William Morris (1834-1896). Morris was appalled by the shoddy workmanship and gaudy tastes of the Victorian era which were a result of mass production caused by the Industrial Revolution. In his opinion the beauty of an object, fabric, or building was the result of the handcrafted labor by skilled artisans who understood and respected the intrinsic qualities of the materials that they used. Yes, it was a nostalgic yearning for "the good old days" that appears naive, however the goal of preserving traditional artisanal skills via apprenticeship had a profound impact on the creation of vocational training schools across Europe and The U. S. The European proponents of the Arts and Crafts style were closely allied politically and philosophically with the growth of Socialism and its concern for the "working man" and attempting to improve the working conditions and housing of this class. This movement laid a special emphasis on the design of affordable, yet aesthetically pleasing, housing for the middle and working class that incorporated the latest innovations in sanitation and modern technology. Ironically the booming mill towns of Britain became the first laboratory for these new experiments in city planning, and affordable housing.

The American Craftsman style was formally born in 1897 when the non-profit American Society of Arts and Crafts was founded in Boston. The publications of this society and articles in American architecture journals featuring this "modern architecture" evolving across Europe introduced American architects and builders to this new aesthetic and design vocabulary. Elbert Hubbard (1856-1915) inspired by William Morris created the Roycroft artisan community in East Aurora, NY in 1895, one of the main products of this group was the Roycroft Press whose books also spread the concepts of this movement. Adventurous U. S. architects embraced the tenants of this style which had spread from Glasgow to Vienna, the most famous being Louis Sullivan (1856-1924) and Frank Lloyd Wright (1867-1959). In California which was booming with new construction in this era many architects began creating residences in the Arts and Crafts style. Bernard Maybeck (1862-1957) in San Francisco and the brothers Charles (1868-1957) and Henry Greene (1870-1954) of Pasadena by 1905 had created a synthetic new style and started calling these houses bungalows. They were adapted to function in a warm climate and well suited to the new "streetcar suburbs" springing up in southern California. And this housing type became instantly popular with the California public and when the bungalow style home spread to other parts of the country they were commonly called "California Bungalows". St. Petersburg's two great historic building
boom periods were 1909 to 1914 and 1921 to 1926 and both occurred during the height of this housing type's popularity. As a result this form of domestic architecture is the predominant style in most of the city's pre World War II neighborhoods.

The Craftsman bungalow style was synthesized from a wide range of sources which include; British Colonial era homes in India where the term “bungalow” originated and Japanese domestic architecture with its wood frame skeleton, open floor plan, widely projecting and flaring eaves, and large open porches. These exotic styles were grafted onto the common American one story frame vernacular style cottage and elements of high-style European Arts and Crafts were added for flair. This hybrid creation called the bungalow was coeval with the similar synthetic styles of early modern architecture known as Jugendstil in Germany, Secession in Vienna, Modernismo in Spain, and Art Nouveau in France. All of these styles had the common denominator of fusing together the best of local traditional “folk style” buildings with a new aesthetic derived from Asian art and applying the early modernist philosophy of “organic design” derived from nature. The novel experimental designs of architects; Charles Rennie Mackintosh in Scotland, Frank Lloyd Wright in Chicago, Josef Hoffmann in Vienna, Lluis Domenech y Montaner in Barcelona, and Sir Edward Lutyens in Britain although superficially different in appearance all sprang from the same aesthetic source as the Craftsman bungalow found along suburban streets across the U.S. In the state of Florida the Craftsman bungalow was generally built of wood frame construction with brick, concrete block, or oolitic limestone as secondary materials. Most were one story high, but the two story “aeroplane bungalow” with a second floor bedroom with banks of windows on all four sides was also popular. The use of wide roof eaves and many windows for cross-ventilation made these houses perfect for Florida in the era before air-conditioning.

**Craftsman style Characteristics**

- 1 - 2 stories
- Low-pitched roof, hipped, gabled, sometimes with a clipped gable. Roof lines may be complex and cross gabled.
- Broad eaves
- Heavy masonry porch piers supporting squat tapered pillars or paired posts
- Knee braces, exposed rafter tails and beams, elaborated rafter ends and verge boards, occasionally roof ridge finials are seen
- Natural materials indigenous to location (exception: kit homes)
• Open floor plan
• Dormers: shed, gabled, hipped, sometimes in combination
• Fireplace and chimny, brick or native stone
• Handcrafted, built-in cabinetry including as buffets, bookcases, colonnades
• Unique custom features such as inglenooks and window seats
• Substantial covered porches
• Windows, double-hung, multiple lights over single pane below. Multiple windows appear together in banks. Casement windows are also seen.
• Shingle, lapped, and stucco siding is common.

10. MAJOR BIBLIOGRAPHICAL REFERENCES

Please list bibliographical references.

(Please see contextual source citations)
APPENDIX C: ADDITIONAL PHOTOGRAPHS
Photograph 1: Upswept eaves, gable brackets, and removed gable vent at east elevation (left) and north façade (right), facing southwest.

Photograph 2: Subject property in relationship to neighboring bungalows, facing west.
Photograph 3: Façade and notched porch surround, facing southeast
APPENDIX D: PUBLIC COMMENT
Three comments in opposition of designation (attached, to follow) and none in support have been received as of January 3, 2017.
In re Historical Landmark Designation Applications:
118, 126, 136, 142, and 142 ½ 5th Avenue North, St. Petersburg, Florida

HPC 16-90300003
HPC 16-90300004
HPC 16-90300005
HPC 16-90300006

AFFIDAVIT OF CHANDRESH S. SARAIYA
AS MANAGER OF SUBURBAN FEDERAL PROPERTY, LLC

BEFORE ME, the undersigned authority, personally appeared Chandresh S. Saraiya, being first duly sworn, deposes and says:

1. This affidavit is submitted in opposition to the Local Landmark Designation Applications (together, the “Applications”) filed by St. Petersburg Preservation for the contiguous parcels of property located at 118, 126, 136, 142, and 142 ½ 5th Avenue North, St. Petersburg, Florida (together, the “Subject Property”), copies of which are attached hereto as Composite Exhibit “A.”

2. My name is Chandresh S. Saraiya, I am over the age of eighteen years old, and I am the Manager of Suburban Federal Property, LLC (“Suburban”), the seventy percent (70%) owner of Fuel Investment & Development II, LLC (“FID II”). Suburban was ten percent (10%) owner of FID II in 2006, but due to performance issues with the initial developer, Suburban ended up acquiring all of the developer’s interest and is now seventy percent (70%) owner of FID II.

3. FID II is the owner of the Subject Property, having purchased all applicable parcels between December 2005 and April 2006 for a total of $3,100,000, and an additional two contiguous parcels of property in November 2006 for $3,500,000, representing a total purchase price of $6,600,000.
4. In addition to being the majority owner in FID II, Suburban is a co-managing member of FID II. FID II has an additional three (3) co-managing members, who have not been consulted in the drafting of this Affidavit. I am unaware of whether or not any of the other co-managing members have received notice of the Applications.

5. The Applications were submitted on May 1, 2016 by Howard Ferebee Hansen of St. Petersburg Preservation ("St. Pete Preservation"), a non-profit organization whose mission is described as educating the public about local historic architecture resources, landmarking or assisting in the landmarking of "deserving" sites and structures, and preserving sites and structures previously landmarked.

6. St. Pete Preservation has no ownership or other interest in the Subject Property, and, to the best of my knowledge, submitted the Applications without any notice to or communication with any representative of FID II.

7. FID II purchased the Subject Property in order to redevelop the same and take a city block that has, even as acknowledged by the Applications, been blighted by neglect and crime.

8. During my involvement with the Subject Property as Manager of the majority owner and otherwise, I was unaware of any potential historical landmarks on any of the Subject Property.

9. After purchase of the Subject Property, FID II submitted applications for approval of two (2) separate projects, each of which were rejected by the City of St. Petersburg. In addition to issues with zoning and approval of FID II's development projects, and in large part because of the same, FID II experienced financial difficulties which resulted in (a) default on its
obligations to its lenders, (b) initiation of foreclosure on the Subject Property, and (c) two (2) bankruptcy proceedings.

10. As a result of these issues, the Subject Property has been the subject of a foreclosure action styled First Street and Fifth Avenue, LLC v. Fuel Investment & Development II, LLC, Case No. 09-16378-CI-15 (the “Foreclosure Action”), which has been pending before the Circuit Court for the Sixth Judicial Circuit in and for Pinellas County, Florida (the “State Court”) since August 15, 2009.

11. The Foreclosure Action has been pending for more than seven (7) years and has prevented any potential development of the Subject Property while it remains in limbo. The senior mortgage holder of the property, First Street and Fifth Avenue, LLC, holds a lien on the Subject Property in an amount exceeding $10,000,000.

12. FID II has been dissolved and non-operational since at least September 27, 2013.

13. As a result of the years of limbo and uncertainty created by the Foreclosure Action and lack of financial resources of FID II, the Subject Property has fallen further into disrepair.

14. On May 11, 2016, the City of St. Petersburg Code Enforcement department ("Code Enforcement") sent out two (2) notices of their intent to seek demolition of portions of the Subject Property (the “Demolition Notices”), copies of which are attached hereto as Composite Exhibit “B.”

15. I have personally walked the Subject Property with Code Enforcement in order to gain a better understanding of the issues associated with the Demolition Notices and other code enforcement violations.
16. On November 23, 2016, after hearings on August 22, 2016, and November 4, 2016, the State Court appointed Larry S. Hyman, CPA (the "Receiver") as receiver over the Subject Property in order to address the issues identified in the Demolition Notices, delinquent taxes, and other issues of the Subject Property.

17. Accordingly, the Receiver is in control of the Subject Property for the balance of the Foreclosure Action or until otherwise discharged by the State Court.

18. If the Applications are successful, the value of the Subject Property will be severely impaired and it is unlikely that any revitalization or improvement to the Subject Property will take place.

19. This will, in effect, leave half of a block in downtown St. Petersburg in a state of neglect that impacts the surrounding community, particularly where downtown St. Petersburg is in the middle of a redevelopment and revitalization effort that involves new construction and an influx of residents and businesses.

20. It would require an enormous amount of resources in order to clear the Demolition Notices and other Code Enforcement violations, and even more resources would be required in order to restore the Subject Property to even the most minimal of habitable condition.

21. If there is no possibility for future development on the Subject Property due to a Local Landmark status, it is unlikely that any entity would be willing to commit the appropriate resources in order to correct or maintain the Subject Property.

22. It is my understanding that the purpose of the City of St. Petersburg Code on "Preservation of Historic Properties" (Sec. 16.30.070.2) includes stabilizing and improving property values "in historic districts and in the City as a whole" (16.30.070.2.1.B.3), strengthening the economy of the City (16.30.070.2.1.B.5), and enhancing the "visual and
aesthetic character, diversity and interest of the City" (16.30.070.2.A.B.7). I do not believe that any of these purposes are furthered by the designation of the Subject Property as local landmarks.

23. At the very least, it is incumbent upon the City of St. Petersburg to delay any decision of the Historic Preservation committee to delay consideration of any of the Applications until the Foreclosure Action is resolved and a new and solvent owner of the Subject Property is identified to allow full due process to the owner.

24. I did not receive any formal notice of the Applications or any steps to consider the same by the City of St. Petersburg, and only received notice through proceedings involving appointment of the Receiver in the Foreclosure Action.

FURTHER AFFIANT SAYETH NOT.

Dated this 3rd day of January, 2017.

CHANDRESH S. SARAIYA

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

SWORN TO AND SUBSCRIBED before me this 3rd day of January, 2017, by Chandresh S. Saraiya, Manager of Suburban Federal Property, LLC, a Florida limited liability company. He is personally known to me or has produced personally as identification.

RENEE J. OSBORNE
Notary Public - State of Florida
My Comm. Expires Aug 26, 2017
Commission # FF 15486
Bonded Through National Notary Assn.

RENEE J. OSBORNE
Notary Public, State at Large
Serial Number and Seal
Exhibit “A”
To prevent redundancy within this packet, please refer to Appendix B: Designation Application.
Exhibit “B”
May 11, 2016

FUEL INVESTMENT & DEVELOPMENT II LLC
201 N FRANKLIN ST STE 2505
TAMPA FL 33602-5800

DEMOLITION CASE NO: 15-0022238
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 118 5TH AVE N
REV MAP OF ST PETERSBURG
BLK 3, LOT 3

STRUCTURE(S): DUPLEX & INGROUND POOL

This notice is directed to the above legal property owner(s) of record (responsible party) and additional copies are being provided to potentially interested parties including the person whose name and address appears at the top of this letter.

The property described above has been evaluated and determined to have conditions which appear to not comply with the City Code: CHAPTER 8, DIV. 4, SEC. 8-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES

The property owner or duly authorized representative must obtain permits to make repairs to the above referenced structure(s). The property owner may be required to retain a design professional to conduct an evaluation of the structure and produce a detailed written report with rehabilitation plans. A licensed contractor may also be required to provide a cost estimate and conduct the rehabilitation.

Permits to rehabilitate or to demolish the structure(s) must be obtained by June 20, 2016.

If these conditions are not corrected by the specified date, the City can take action to condemn and demolish the structure(s). All costs incurred in any condemnation action will be assessed as an interest bearing lien against the property. If additional time is needed to obtain permits for rehabilitation or demolition of the structure(s), contact me in writing with an outline of your plans before June 20, 2016.

Respectfully,

[Signature]

SHAUREEN PALMER (813-443- Area Code: "8") Building Demolition Coordinator
DEMOLITION VIOLATION NOTICE
Delivered via U.S. Certified and First Class Mail

May 11, 2016

FUEL INVESTMENT & DEVELOPMENT II LLC
PO BOX 273944
TAMPA FL 336883944

DEMOLITION CASE NO: 16-0000867
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 142 5TH AVE N
REV MAP OF ST PETERSBURG
BLK 3, LOT 6

STRUCTURE(S): SGL FAH RES & TRIPLEX

This notice is directed to the above legal property owner(s) of record (responsible party) and additional copies are being provided to potentially interested parties including the person whose name and address appears at the top of this letter.

The property described above has been evaluated and determined to have conditions which appear to not comply with the City Code: CHAPTER 8, DIV. 4, SEC. 9-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES

The property owner or duly authorized representative must obtain permits to make repairs to the above referenced structure(s). The property owner may be required to retain a design professional to conduct an evaluation of the structure and produce a detailed written report with rehabilitation plans. A licensed contractor may also be required to provide a cost estimate and conduct the rehabilitation.

Permits to rehabilitate or to demolish the structure(s) must be obtained by June 20, 2016.

If these conditions are not corrected by the specified date, the City can take action to condemn and demolish the structure(s). All costs incurred in any condemnation action will be assessed as an interest bearing lien against the property. If additional time is needed to obtain permits for rehabilitation or demolition of the structure(s), contact me in writing with an outline of your plans before June 20, 2016.

Respectfully,

[Signature]

[Name]
 Area Code  727, Building Demolition Coordinator
In re Historical Landmark Designation Applications:
118, 126, 136, 142, and 142 ½ 5th Avenue North, St. Petersburg, Florida

HPC 16-90300003
HPC 16-90300004
HPC 16-90300005
HPC 16-90300006

AFFIDAVIT OF CHANDRESH S. SARAIYA AS
PRESIDENT OF FIRST STREET AND FIFTH AVENUE, LLC

BEFORE ME, the undersigned authority, personally appeared Chandresh S. Saraiya, being first duly sworn, deposes and says:

1. This affidavit is submitted in opposition to the Local Landmark Designation Applications (together, the "Applications") filed by St. Petersburg Preservation for the contiguous parcels of property located at 118, 126, 136, 142, and 142 ½ 5th Avenue North, St. Petersburg, Florida (together, the "Subject Property"), copies of which are attached hereto as Composite Exhibit "A."

2. My name is Chandresh S. Saraiya, I am over the age of eighteen years old, and I am the President of First Street and Fifth Avenue, LLC ("FSFA"), the senior mortgage holder on the Subject Property, and the additional contiguous parcel located at 135 5th Avenue North.

3. FID II is the owner of the Subject Property, having purchased all applicable parcels between December 2005 and April 2006.

4. On November 6, 2006, FID II borrowed funds in the original principal amount of $4,800,000, and executed a "Mortgage, Assignment of Leases and Rents and Security Agreement" (the "Mortgage") in favor of Broadway Bank, a copy of which is recorded in the Official Records of Pinellas County, Florida at Official Records Book 15475, beginning at 1387.

5. After a series of assignments that are a matter of public record, on September 28, 2012, FSFA received an "Assignment of Mortgage and Loan Documents" assigning all right,
title, and interest in the Mortgage to FSFA. Accordingly, FSFA is now the owner and holder of the Mortgage and the associated rights thereunder.

6. The Applications were submitted on May 1, 2016 by Howard Ferebee Hansen of St. Petersburg Preservation ("St. Pete Preservation"), a non-profit organization whose mission is described as educating the public about local historic architecture resources, landmarking or assisting in the landmarking of "deserving" sites and structures, and preserving sites and structures previously landmarked.

7. St. Pete Preservation has no ownership or other interest in the Subject Property, and, to the best of my knowledge, submitted the Applications without any notice to or communication with any representative of FSFA.

8. The Subject Property has been the subject of a foreclosure action styled First Street and Fifth Avenue, LLC v. Fuel Investment & Development II, LLC, Case No. 09-16378-CI-15 (the "Foreclosure Action"), which has been pending before the Circuit Court for the Sixth Judicial Circuit in and for Pinellas County, Florida (the "State Court") since August 15, 2009.

9. The Foreclosure Action has been pending for more than seven (7) years and has prevented any potential development of the Subject Property while it remains in limbo.

10. During the pendency of the Foreclosure Action, the Subject Property, which was initially purchased as a development investment, has fallen further into disrepair.

11. On May 11, 2016, the City of St. Petersburg Code Enforcement department ("Code Enforcement") sent out two (2) notices of their intent to seek demolition of portions of the Subject Property (the "Demolition Notices"), copies of which are attached hereto as Composite Exhibit "B."
12. As a result of the Demolition Notices and other Code Enforcement violations, on July 29, 2016, FSFA filed “FSFA’s Emergency Motion for Appointment of Receiver to Maintain and Safeguard Assets” in the Foreclosure Action, seeking an order of the State Court appointing a receiver over the Subject Property and the remaining contiguous parcel covered by the Mortgage in order to correct code enforcement violations and protect the Subject Property from further serious issues during the pendency of the Foreclosure Action.

13. On November 23, 2016, after hearings on August 22, 2016, and November 4, 2016, the State Court appointed Larry S. Hyman, CPA (the “Receiver”) as receiver over the Subject Property in order to address the issues identified in the Demolition Notices, delinquent taxes, and other issues of the Subject Property.

14. Accordingly, the Receiver is in control of the Subject Property for the balance of the Foreclosure Action or until otherwise discharged by the State Court.

15. If the Subject Property is designated as a Local Landmark, the value of the Subject Property will be further impaired, impacting the Mortgage and the ability of FSFA to recover the sums due thereunder, which now exceeds $10,000,000.

16. Further, if the Subject Property is limited in its uses, there will be a limited market for sale of the Subject Property, and limited uses for the same, after foreclosure or otherwise, and this will in effect leave half of a block in downtown St. Petersburg in a state of neglect that impacts the surrounding community.

17. At the very least, it is incumbent upon the City of St. Petersburg to delay consideration of any of the Applications until the Foreclosure Action is resolved and a new and solvent owner of the Subject Property is identified to allow full due process to the owner.
18. FSFA did not receive any formal notice of the Applications or any steps to consider the same by the City of St. Petersburg, and only first received notice of the same through the proceedings involving appointment of the Receiver in the Foreclosure Action.

FURTHER AFFIANT SAYETH NOT.

Dated this 2\textsuperscript{nd} day of January, 2017.

\begin{center}
\textsc{Chandresh S. Saraiya}
\end{center}

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

SWORN TO AND SUBSCRIBED before me this 3\textsuperscript{rd} day of January, 2017, by Chandresh S. Saraiya, President of First Street and Fifth Avenue, LLC, a Florida limited liability company. He is personally known to me or has produced \underline{personally} as identification.

\textsc{Renee J. Osborne}

Notary Public, State at Large
Serial Number and Seal
Exhibit “A”
To prevent redundancy within this packet, please refer to Appendix B: Designation Application.
Exhibit “B”
DESTRUCTION VIOLATION NOTICE
Delivered via U.S. Certified and First Class Mail

May 11, 2016

FIRST STREET & FIFTH AVE LLC
15608 MONACO AVE
LUTZ FL 33558

DESTRUCTION CASE NO: 15-00022138
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 118 5TH AVE N
REV MAP OF ST PETERSBURG
BLK 3, LOT 3

STRUCTURE(S): D.B.P. & INGROUND POOL

This notice is directed to the above legal property owner(s) of record (responsible party) and additional copies are being provided to potentially interested parties including the person whose name and address appears at the top of this letter.

The property described above has been evaluated and determined to have conditions which appear to not comply with the City Code: CHAPTER 9, DIV. 4, SEC. 9-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES

The property owner or duly authorized representative must obtain permits to make repairs to the above referenced structure(s). The property owner may be required to retain a design professional to conduct an evaluation of the structure and produce a detailed written report with rehabilitation plans. A licensed contractor may also be required to provide a cost estimate and conduct the rehabilitation.

Permits to rehabilitate or to demolish the structure(s) must be obtained by June 20, 2016.

If these conditions are not corrected by the specified date, the City can take action to condemn and demolish the structure(s). All costs incurred in any condemnation action will be assessed as an interest bearing lien against the property. If additional time is needed to obtain permits for rehabilitation or demolition of the structure(s), contact me in writing with an outline of your plans before June 20, 2016.

Respectfully,

[Signature]
KATHLEEN SALTER 892-5438 [Area Code 813], Building Demolition Coordinator

VI
DEMOLITION VIOLATION NOTICE
Delivered via U.S. Certified and First Class Mail

May 11, 2016

FIRST STREET & FIFTH AVE LLC
15505 MONACO AVE
LUTZ FL 33558

DEMOLITION CASE NO: 16-0002671
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 142 5TH AVE N
REV MAP OF ST PETERSBURG
BLK 1, LCT 6

STRUCTURE(S): SGL FAM RES & TRIPLEX

This notice is directed to the above legal property owner(s) of record (responsible party) and additional copies are being provided to potentially interested parties including the person whose name and address appears at the top of this letter.

The property described above has been evaluated and determined to have conditions which appear to not comply with the City Code: CHAPTER 8, DIV. 4, SEC. 8-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES

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If these conditions are not corrected by the specified date, the City can take action to condemn and demolish the structure(s). All costs incurred in any condemnation action will be assessed as an interest bearing lien against the property. If additional time is needed to obtain permits for rehabilitation or demolition of the structure(s), contact me in writing with an outline of your plans before June 20, 2016.

Sincerely,

SANDRA L. PALMER
332-5438 (Area Code 727), Building Demolition Coordinator
Dear Ms Duvekot,

I'm am writing to you about the proposed homes located at 118, 126,136, and 142 5th Ave North has historic designation. I own a home located at 155 5th Ave N.

As an accomplished exterior designer from the area I am all for preserving historic homes, however, for 5th Ave I believe this ship has sailed. In other words to force upon owners historic designation which would require costly repairs to these homes is unfair due to the fact that they are now surrounded and continue to be surrounded with new luxury town homes and high rises which have now made their homes be worth the land value only. It's my belief that no one will pay the premium price for an older home with the extreme costs it would require for repairs to these homes on a street that has eclectically been transformed over the years at today's current market values. If historic preservation had taken place before many other homes had been destroyed for "newer bigger homes" the "habu" or highest and best value of the land would stand for square footage price. Within the confines of Old North East where designating historic homes have occurred I could agree because they are surrounded by like properties, however, on 5th the city is too little too late and should not fiscally strangle the owners of these homes by requiring them to keep these homes as is or repaired to their former grandeur. It's unfortunate but this is entirely an unfair proposal based on allowing these homes as well as my own to be surrounded by high rises and high end townhomes yet not allowing these owners to do the same to their land within the confines of building codes and requirements.

My suggestion would be to be more pointed about the style of architecture or vision for St. Petersburg and requiring new structures to fall into this realm of design. As far as I can see now it's free for all and not all what's being built is aesthetically cohesive or in many cases simply put bland and not attractive.

I am unable to attend this meeting and would like my voice heard. Is there anything else I can do to communicate my feelings?

Thank you in advance,
Kim Levell
813-810-5469

www.exteriordecorating.com

Please excuse the grammatical and spelling errors, auto correct is my editor. 😊
APPENDIX E: TIMELINE AND SUPPORTING INFORMATION

- circa 1903 – circa 1908: Edward Myers served as St. Petersburg’s City Attorney (Item 1 and Item 2).

- circa 1908 – circa 1911: Grant Aiken served as St. Petersburg City’s Attorney (Item 3).
City Attorney Grant Alkin and Acting City Attorney W. R. Howard Exonerated.

The report of the Auditor of the finances of the City of St. Petersburg as published in The Independent of May 27th, in regard to the Strowger paving certificates, to one not conversant with the facts may cast reflection upon City Attorney Grant Alkin, or former Acting City Attorney W. R. Howard. I desire to state that neither of these gentlemen are implicated in this matter in any respect. The certificates referred to were ordered turned over to E. H. Myers, who was at that time City Attorney, January 17, 1908, and were turned over to him February 6, 1908, by City Clerk Divine, and he deposited said certificates to his personal credit in the National Bank of St. Petersburg on or about March 28, 1908, after he went out of office. That the accounts of Grant Alkin, City Attorney, and W. R. Howard, acting City Attorney, have been checked by the auditor and found to be absolutely correct.

J. N. BROWN,
Chairman Finance Committee City of St. Petersburg.


Business Boosters

WANTED, a White Nurse Girl. Apply to Grant Alkin, 118 Fifth Avenue, north.

Item 4: Evening Independent, March 30, 1910
April 18-19, 1910: Maude and Grant Aiken, and children Merrill, Carlyle, Burnette, Caryl, and Horace, listed as residents of house at 143 Sixth Avenue North, which Grant owned mortgage-free (Item 5).

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<td>Horace</td>
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Item 5: Entry for Grant and Maude Aiken family, 1910 Census
• December, 1912: Death of Grant Aiken.

**DEATH EXPECTED AT ANY MOMENT**

GRANT AIKEN GIVEN UP BY HIS PHYSICIANS AND IS SINKING RAPIDLY TO END.

Grant Aikin, formerly city tax collector and city attorney and one of the best known men in St. Petersburg, is dying at his home in this city and it is feared that he will not live through the day. He has been unconscious all day and the end is expected at any time.

Mr. Aikin has been in poor health for several years. While he was city attorney his health broke down and he gave up the practice of law, going to North Carolina in search of health. His health improved very much there and came back to St. Petersburg, taking up his practice again. He was successful in his profession and now enjoys a good practice.

Mr. Aikin has a large number of warm friends in St. Petersburg and the news that he was dying soon spread over the business part of the city and caused profound regret. Many persons called at the house during the day to express their sympathy. It was not known, sincerely, until today that Mr. Aikin was in a serious condition. He has not been at his office for several days but his trouble was attributed to only a slight cold. which had caused some complications and his friends thought it was nothing serious.

This afternoon Mr. Aikin was sinking rapidly and the family were gathered at his bedside waiting for the end. "Every possible effort to prolong his life was tried but with faint hope of success."

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**Item 6: Evening Independent, December 4, 1912**

• 1912: Aiken Open Air School Opened

**AIKEN OPEN AIR SCHOOL**

Oldest private school in Florida
Established 1911, same location 99 years
Kindergarten, Grades 1-12, Boys' and Girls' Dormitories
Preparatory, Special Arts, Tutoring
FIFTH AVE. AND BAY ST., NORTHEAST

**Item 7: Evening Independent, April 2, 1938**
Private school was result of widow’s efforts to keep family together

Among the first actions of the new official was a ban on buying horses at sales held in the incorporated cities. If the purchase was not paid within six days, the horses were to be sold at public auction.

Cheese was a problem too. The beef was limited to 150 pounds per head and hay delivered to homes and rations of 9 pounds per capita. These two horses were raised at a cost of $87.44. This $1 to 3-hour structure of 8-inch planks was about 10 feet high.

In this frontier town settling, young Marie Cheese married Dennis Allen, city administrator. At the time of their marriage the resident population was 4,869, farmer population was 10,050 and city revenue was $3,593.50.

These figures appear in his handwriting on the back of a photograph of Mr. Allen.

Mrs. Cheese was honored and died in 1911, says his daughter, who was 6 at the time. He left his wife with five children, the youngest, a baby.

Willing to keep her family together, Mrs. Cheese was taken by train to her home. Although she had no running water, she had no running water, she bathed her children in the warm water from the streets and the rations of the school on a sunny day.

At first, family members probably used a school in central Maine. But the school was occupied for three years, and the children were homesick.

In these days, there were several schools in town including the local schools. But as time went by, and more schools opened, the school was occupied for three years, and the children were homesick.

The school was the year the "scooby" across Central Avenue between Second and Third streets was finally driven. The barn was about 10 years old, and the roof had sagged. The school was about 20 years old, and the roof had sagged. The school was about 20 years old, and the roof had sagged.

Just two years earlier the first classes had been held in a barn. When Allen Cheese, who was the principal, retired, he left the school to his daughter, who was the principal, retired, he left the school to his daughter, who was the principal, retired, he left the school to his daughter, who was the principal, retired, he left the school to his daughter.

AUCKIN OPEN AIR SCHOOL, at Fifth Avenue and Bay Street NE, was built in 1882, and the building was used until 1911. It was closed only in cold weather when farmers curtailed which were difficult to get up and keep the school open.

Mrs. Beatty says the school much grass and garbage, accompanying a barn that was renovated for the Allen family living quarters and, later, a smaller house next door was built for Mrs. Beatty and her family. The barn was used for storage, and a shed at the front of the barn was converted to a schoolhouse.

The school became the place the children of winter months, and the school was converted to a schoolhouse.

Mrs. Beatty recalls that her own house was a log and house and the school was converted to a schoolhouse.

Her mother moved in and I think the school was converted to a schoolhouse.

The school became the place the children of winter months, and the school was converted to a schoolhouse.

8 St. Petersburg Times, August 1, 1983
TO: The Honorable Chair Darden Rice, and Members of City Council

SUBJECT: Third party-initiated Historic Landmark Designation of the Pricer-Anderson House, located at 126 Fifth Avenue North (City File HPC 16-90300004).

An analysis of the request is provided in the attached Staff Report.

REQUEST: The request is to list the Pricer-Anderson House as a local historic landmark in the St. Petersburg Register of Historic Places.

RECOMMENDATION:

Administration: Administration recommends approval.

Community Planning and Preservation Commission: On January 10, 2017, the Community Planning and Preservation Commission held a public hearing on this matter, and voted 7 to 0 to recommend approval of the landmark designation to City Council.

Recommended City Council Action: 1) CONDUCT the second reading and final public hearing of the attached proposed ordinance; AND 2) APPROVE the proposed ordinance.

Attachments: Ordinance (including map), CPPC Draft Minutes, Staff Report to the CPPC, Designation Application
ORDINANCE NO. ______

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE PRICER-ANDERSON HOUSE (LOCATED AT 126 FIFTH AVENUE NORTH) AS A LOCAL HISTORIC LANDMARK AND ADDING THE PROPERTY TO THE ST. PETERSBURG REGISTER OF HISTORIC PLACES PURSUANT TO SECTION 16.30.070, CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The City Council finds that the Pricer-Anderson House, which is recognized for its significance as an example of the Craftsman style, meets at least one of the nine criteria listed in Section 16.30.070.2.5.D, City Code, for designating historic properties. More specifically, the Pricer-Anderson House meets the following criteria:

(e) Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; and
(f) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

SECTION 2. The City Council finds that the Pricer-Anderson House meets at least one of the seven factors of integrity listed in Section 16.30.070.2.5.D, City Code, for designating historic properties. More specifically, the property meets the following factors of integrity:

(a) Location. The place where the historic property was constructed or the place where the historic event occurred;
(b) Design. The combination of elements that create the form, plan, space, structure, and style of a property;
(c) Setting. The physical environment of a historic property;
(d) Materials. The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property;
(e) Workmanship. The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory;
(f) Feeling. The property's expression of the aesthetic or historic sense of a particular period of time, and
(g) Association. The direct link between an important historic event or person and a historic property.

SECTION 3. The Pricer-Anderson House, located upon the following described property, is hereby designated as a local landmark, and shall be added to the St. Petersburg Register of Historic Places, a list of designated landmarks, landmark sites, and historic and thematic districts which is maintained in the office of the City Clerk:

Designation Boundary

The official boundary of the local landmark designation shall encompass the entire parcel, generally described as Revised Map of St. Petersburg, Block 3, Lot 4, and as depicted on Exhibit "A."

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

Approved as to Form and Substance:

City Attorney (or Designee) Date

Planning and Economic Development Department Date
CITY OF ST. PETERSBURG
COMMUNITY PLANNING & PRESERVATION COMMISSION
PUBLIC HEARING
January 10, 2017

QUASI-JUDICIAL PUBLIC HEARING

Note: Commissioner Wannemacher was recused from the following item (HPC 16-90300004) due to a conflict.

B. City File HPC 16-90300004

Contact Person: Laura Duvekot, 892-5451

Request: Third party request for a Local Historic Landmark designation of the Pricer House located at 126 – 5th Avenue North.

Staff Presentation
Laura Duvekot gave a PowerPoint presentation based on the staff report.

Applicant Presentation
Emily Elwyn and Howard Hanson, representing the applicant, St. Petersburg Preservation Inc., spoke in support of the designation request.

Owner Presentation
John Anthony, Attorney and representing the owners, Suburban Federal Property LLC (70% ownership of Fuel Investment & Development II LLC, the listed owner) and First Street and Fifth Avenue LLC (senior mortgage holder), gave a presentation in opposition of the designation.

Don Mastry, Attorney and representing the receivership, Larry S. Hyman, gave a presentation in opposition of the designation request.

Public Hearing
Allison Stribling, representing St. Petersburg Preservation, and Sally Lawson, 135 5th Avenue North, spoke in support of the request.

Dan Harvey, Jr., 1425 Central Avenue, spoke in opposition of the request.

Cross Examination
By City Administration:
Waived

By Owner:
Waived
By Applicant:
Waived

**Rebuttal/Closing Statement**

By City Administration:
Waived

By Owner:
Waived

By Applicant:
Waived

**Executive Session**

*MOTION:* Commissioner Rogo moved and Commissioner Michaels seconded a motion approving the Local Landmark designation of the Pricer House located at 126 5th Avenue North in accordance with the staff report.

Commissioner Burke asked what is being built across the street from the subject property, to which Ms. Duvekot replied that she did not know.

Commissioner Burke asked Ms. Duvekot if her thinking changes in any way about the location, feeling, and setting criteria being met with some residential homes being taken down, a convenience store on the corner and some non-residential properties nearby. Ms. Duvekot replied, no, and that there are still a number of homes that face 5th Avenue and it still reads as a very historic, relatively intact corridor; it is really the last remaining stretch of homes of that type on 5th Avenue.

Commissioner Michaels stated that he will support the motion and then cited criterion “E” as a very powerful statement.

**VOTE:**

*YES* – Bell, Burke, Michaels, Rogo, Smith, Whiteman, Carter

*NO* – None

Motion passed by a vote of 7 to 0.
STAFF REPORT

COMMUNITY PLANNING AND PRESERVATION COMMISSION

LOCAL DESIGNATION REQUEST

For Public Hearing and Recommendation to City Council on January 10, 2017 beginning at 3:00 P.M., Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

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

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<th>CASE NO.:</th>
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<td>STREET ADDRESS:</td>
<td>126 Fifth Avenue North</td>
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<td>LANDMARK:</td>
<td>Dr. William E. and Emma Pricer House</td>
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<td>OWNER:</td>
<td>Fuel Investment &amp; Development II, LLC</td>
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<td>APPLICANT:</td>
<td>St. Petersburg Preservation, Inc.</td>
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<td>REQUEST:</td>
<td>Local Landmark Designation of the Pricer House</td>
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Dr. William E. and Emma Pricer House, 126 Fifth Avenue North
OVERVIEW
A non-owner initiated application for Local Historic Landmark designation of the Dr. William E. and Emma Pricer House (subject property), located at 126 Fifth Avenue North, was submitted by St. Petersburg Preservation, Inc. in July of 2016. Prepared by Howard Ferebee Hansen, the application provides thorough information regarding the building’s early ownership and its historic and architectural context. The subject property is listed as a contributing property to the Downtown St. Petersburg Historic District, which was added to the National Register of Historic Places on March 3, 2004.

STAFF FINDINGS
Staff finds that the Pricer House (126 Fifth Avenue North) is eligible for designation as a Local Historic Landmark. In St. Petersburg, Local Historic Landmark eligibility is determined based on evaluations of age, context, and integrity under a two-part text as found in Section 16.30.070.2.5(D) of the City Code. Under the first test, historic documentation demonstrates that the Pricer House was constructed approximately years ago, surpassing the minimum required age of 50. Further, staff concurs with the application’s assertion that the subject property satisfies criteria E and F in the area of architecture, and notes that its significance under criteria G and H should further be considered. Under the second test, staff finds that all of the seven factors of integrity are met.

Historic Significance and Satisfaction of Contextual Criteria
The first portion of the two-part test to determine Local Historic Landmark eligibility examines a resource’s historic significance with relation to nine criteria. One or more of these criteria must be met in order for a property to qualify for designation as a Local Historic Landmark. The applicant contends that the property satisfies the criteria as follows.

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Staff agrees with the applicant’s finding that the Pricer House meets criteria E and F, which relate to the building’s significance in the area of architecture.

E) Its value as a building is recognized for the value of its architecture, and it retains sufficient elements showing its architectural significance.

The Local Historic Landmark nomination demonstrates the subject property’s architectural significance as an exemplar of the Craftsman style bungalow with incredibly high retention of even its finest details. The impressions that the Craftsman style and bungalow form made on America’s architectural history are the result of a number of inter-related economic and cultural changes that were occurring at the turn of the twentieth century.¹ Unlike classically-inspired residential building forms, bungalows were designed with function in mind and broke from traditional conventions of massing and symmetry, especially when it came to the application of the Craftsman style, as in the subject property. Bungalows’ organic interior plans, which were generally reflected in their exterior footprints, represent efforts to modernize and add efficiency to domestic routines.² The

focus on the connection between the living room and porch or veranda as the home’s social core is visible in the Pricer House’s form, with its expansive, sheltered porch, onto which broad windows from the living room face.

F) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

The Local Historic Landmark nomination documentation shows that the subject property is a noteworthy example of an early Craftsman style bungalow in St. Petersburg. Visibly constructed for a relatively wealthy family, the subject property exhibits fine details which continue to successfully communicate the labor-intensive nature of its Craftsman style. The Craftsman style, which was popular in the United States between the turn of the twentieth century and the Great Depression, revolved around the three tenets of the Arts and Crafts philosophy – simplicity, harmony with nature, and the promotion of craftsmanship. The Craftsman style’s nationwide popularity coincided with a time of rapid growth in many of Florida’s coastal cities, and a number of its most common features made it well-suited for the local climate. Deep porches and wide eaves sheltered interiors from harsh sunlight, truncated columns set on high masonry pedestals withstood storms, and large windows encouraged cross-ventilation. The Pricer House embodies the Craftsman style with a grander approach than many of its contemporary residences in St. Petersburg, which exhibit a stronger focus on economy and often were constructed to serve as rental or winter residences.

Beyond its individual architectural significance as noted by the applicant, staff finds that the subject property meets two additional criteria which acknowledge the strong dialogue between the building and its surroundings. The subject property’s eligibility under these criteria could not be considered by the applicant, as Section 16.30.070.2.5.B.2 of City Code requires evidence of support from the owners of 66 percent of tax parcels within a proposed district’s boundaries, a written description and map of said boundaries, and a list of contributing and non-contributing properties, a process generally led by an association of homeowners. As a non-owner-supported application, therefore, the subject property cannot be designated under these criteria. However, the applicant notes the increasing scarcity of contiguous collections of single-family homes dating to the early twentieth century within the Downtown St. Petersburg Historic District. Staff recommends that the subject property’s significance as a part of one such remaining cluster should, at the very least, be noted. Because of the intact nature of the subject property’s immediate environs, staff suggests that it is eligible under the following criteria.

G) Its character is a geographically definable area possessing a significant concentration, or continuity of sites, buildings, objects or structures united in past events or aesthetically by plan or physical development.

The Pricer House is located within a concentrated area of bungalows dating to the 1910s, during which time St. Petersburg saw its first major building boom and the early stages of suburbanization. Both the Pricer House and the residences which surround it are notable for their large size and grand architecture. Other remaining concentrations of historic residential buildings in the Downtown St. Petersburg Historic District were originally constructed at a more affordable scale for families of their era, like Lang’s Bungalow Court, or multi-family units meant to house seasonal residents, like the concentration of apartment buildings surrounding Mirror Lake.

3 King, *The Bungalow*, 134.
residences on the 100 block of Fifth Avenue North, however, were initially constructed for St. Petersburg's early upper middle class, including doctors, City Commissioners, and builders.

H) Its character is an established or geographically definable neighborhood, united in culture, architectural style or physical plan and development.

When considered in dialogue with its surrounds, the subject property contributes to the concentration of buildings representing the pre-World War I period of development in St. Petersburg. As compared to later Florida bungalows, the subject property and those surrounding it are relatively long and narrow, the result being that they feature larger interiors than one might guess from a glance at their facades. This characteristic was influenced by the pedestrian scale and deep, narrow lots that dominated the first-developed areas of St. Petersburg. Many of the buildings were used as boarding houses during the early-to mid-twentieth centuries, as was common practice for homes in or near downtown St. Petersburg. Despite their later reuse as multi-family residences or even commercial spaces, the area retains a historic continuity defined and united by a consistency of form and scale, historic hex block sidewalks, and historic landscaping that extends beyond the significance of each individual building. With the exception of the parcels at its east and west edges, the buildings on the 100 block of Fifth Avenue North are one to two stories in height and constructed for single-family residential use.

The bungalow form would remain immensely popular in St. Petersburg during the late 1910s and into the 1920s. The building type was particularly embraced as the young city spread to the north, south, and west of downtown with neighborhoods dominated by single-family residences, and high style houses within those neighborhoods generally feature wider footprints and more blatant horizontal massing. The Pricer House and its neighbors, however, are representative of a period of transition as the era of centralized downtown development shifted toward the suburbs that followed. It is worth noting that the buildings were built within five years following the expansion of streetcar lines along Second Street, only a few hundred feet from the subject property.5

As noted above, the subject property and its surroundings appear to constitute the most intact collection of its type remaining within the Downtown St. Petersburg Historic District. In spite of its close proximity to continuing redevelopment, this cluster of residences provides a sense of immersion that is exceedingly rare in the city and cannot be replicated.

**Historic Integrity**

Once a potential resource has been found to meet at least one of the nine criteria for historical significance, a second test, which involves the property's integrity, is begun. In order for a resource to pass the second test, at least one of the seven factors of integrity (location, design, setting, materials, workmanship, feeling, and association) must be met. In most cases, integrity of feeling and association by themselves rarely merit a property's eligibility for designation, since these factors often rely on personalized experiences, emotions, and perceptions. The applicant does not individually discuss each element of integrity beyond noting alterations, as discussed below. Staff finds that the Pricer House does meet all seven of these factors, albeit with some having been diminished over time, as follows.

| Is at least one factor of the following factors of integrity met? |
|-----------------|-----------------|----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Location        | Design          | Setting         | Materials       | Workmanship     | Feeling*        | Association*    |
| Y               | Y               | Y               | Y               | Y               | Y               | Y               |

---

Location: The building’s location remains unchanged.

Design: Despite additions, the building’s overall form has been maintained, and its carved details have been preserved to a high degree.

Setting: The bungalows surrounding the subject property comprise a continuous and concentrated representation of early twentieth century single-family residences.

Materials: The building’s historic materials, including its lead glass windows and carved brackets and details, remain in place. Sacrificial materials, such as roof cladding, have been replaced as part of routine and necessary maintenance without detracting from the building’s overall appearance.

Workmanship: The methods used to create and apply the home’s Craftsman style details visibly tie it to its historic construction date.

Feeling: The subject property retains its overall historic appearance and continues to convey the feeling of a grand, single-family, Craftsman style residence.

Association: The subject property clearly communicates its association with the movements that characterized construction of its era.

NARRATIVE DESCRIPTION AND BACKGROUND

The subject property first appears on fire insurance maps drawn by the Sanborn Map Company in 1918. Although a 1910 notice appearing in the St. Petersburg Daily Times references the sale of a home at this address from Dr. William Pricer to Johannes Anderson, the absence of the subject property’s depiction on the 1913 Sanborn Map suggests that the 1910 notice may have been a speculative sale. This is reinforced by information from the 1910 U.S. Census, which does not list any houses on the south side of the 100 block of Fifth Avenue North, and lists Dr. Pricer as a resident of Ironton, Ohio. City directories list a building at this address, occupied by F.B. Welsh, in 1914; property cards suggest that the building had been constructed by 1916. A two-story garage apartment, constructed circa 1920, faced the alleyway to the south of the parcel. It was demolished in the 1980s.

The subject property is a one story wood frame residence with an exterior treatment of wood siding and rusticated concrete block and a front-gabled roof surfaced in asphalt shingles. Its façade is roughly symmetrical, with picture windows flanking a central single action door with sidelights opening onto an integral front porch (Figure 1). Its broad front gable and expansive integral porch place an emphasis on horizontality when viewed from Fifth Avenue North, despite its long and narrow footprint.

As the applicant details in the nomination report, the house features a number of remarkably intact crafted wooden details which are associated with the Craftsman style. The gable end at the façade is highlighted with five large wooden brackets and a trio of framed, louvered vents. The integral

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5 Sanborn Map Company, St. Petersburg, Pinellas County, Florida [map], 1918, ProQuest, LLC: 2016.
6 Polk’s City Directory, St. Petersburg, Pinellas County, Florida, 1914, on file, St. Petersburg Museum of History; City of St. Petersburg, Property Card for 126 5th Ave. N., on file, City of St. Petersburg, Florida.

5 6 7
porch below is framed by paired square truncated columns resting on rusticated concrete block pedestals. Above the columns, notched wooden brackets, a simple cornice, and a dentil row separate the porch opening from the wood siding at the gable end.

Fenestration along this porch includes a single-action wood door with a nine-light, high-set window; this door is flanked by leaded glass sidelights and centered between twin picture windows (Figure 2). The picture windows are separated into a single, large fixed pane with a fixed, leaded glass transom light above. The windows' surrounds are battered, adding to their solid and heavy appearance (Figure 3). Together, details such as the rusticated concrete block base, the battered window surrounds, and the high-set lights in the front door and transoms create the overall appearance of an incredibly sturdy, almost bottom-heavy structure. This imposing massing not only enhances the impression of high-quality construction, but emphasizes the building's sense of permanence and stability.

Figure 1: North façade of 126 Fifth Avenue North

NOTABLE CHARACTERISTIC FEATURES
Despite having been vacant for an extended period, the Pricer House continues to convey its historic significance as a fine and intact example of the Craftsman style. It retains a high degree of the historic and carefully crafted ornamentation that connect it to the style and era. The subject property's primary character-defining elements include:

- The building's broad, front-gabled plan, sturdy overall massing, and small setback,
- Exterior treatments, such as wood siding and rusticated concrete porch foundation and piers,
- Wide, integral front porch,
- Crafted wood details, including louvered gable vents, porch columns and brackets, and battered window frames,
• Fenestration pattern, placement, sizing, and materials of historic fixed and double-hung sash windows and wood frames, and
• Leaded glass details at façade.

ALTERATIONS
In the Local Historic Landmark nomination documentation, the applicant discusses the circa 1920 construction, and later demolition, of a two-story garage apartment building at the rear (southern end) of the subject property. Property records and historic maps additionally indicate the construction of additions in 1930 and 1934 while the home was owned by the Anderson family, and again in 1937 and 1939-1941 under the ownership of E.L. Savage. These additions have expanded the east, west, and south elevations (as can be seen when comparing the 1918 map in Figure 4 to the 1952 map in Figure 5). However, these additions have not obscured the building’s façade or significantly altered its overall appearance when viewed from Fifth Avenue North.

The width of the home has been expanded beyond the porch, which was originally the full width of the building, as depicted in Figure 6; the home’s rear elevation has also been extended, as shown in Figure 7. These alterations uphold the original front-gabled roofline and continue the original building’s intended fabric, including horizontal wood cladding and wood-framed windows. When considering the overall appearance of the building and the preservation of the character-defining features discussed above, staff finds sufficient architectural integrity for individual Local Historic Landmark designation despite these alterations.

9 Property Card for 126 5th Ave. N.
As noted on the Sanborn Maps above, the enlarged house was in use as an apartment building by 1952. Property records indicate that the building was later used as an assisted living facility in the 1980s. The only visible exterior alteration to suit this use is a wheelchair ramp appended to the rear addition (Figure 7).

---

10 Sanborn Map Company, 1918.
PROPERTY OWNER CONSENT AND IMPACT OF DESIGNATION

The proposed Local Historic Landmark designation was submitted by St. Petersburg Preservation, Inc., a third party non-owner of the subject property. As required by Section 16.30.070.2.5.C.4 of City Code, the applicant included documentation showing that a copy of the application was provided to the registered owner via certified mail, when the application was submitted. Separately, a copy of the application and materials were provided by City Staff to Larry Hyman, who was officially appointed as receiver for the subject property by the court.

Benefits of Local Historic Landmark designation include increased heritage tourism through the maintenance and promotion of the city's historic character and significance. Certain relief from the requirements of the Florida Building Code and FEMA regulations are also available to designated Local Historic Landmarks, as are tax incentives such as the Ad Valorem Tax Exemption.

CONSISTENCY WITH ST. PETERSBURG'S COMPREHENSIVE PLAN AND EXISTING AND FUTURE LAND USE PLANS

The proposed local landmark designation is consistent with the City's Comprehensive Plan, relating to the protection, use and adaptive reuse of historic buildings. The proposed local landmark designation, will not affect the FLUM or zoning designations, nor will it significantly constrain any existing or future plans for the development of the City. The proposed local landmark designation is consistent with the following:

OBJECTIVE LU10: The historic resources locally designated by the St. Petersburg City Council and the commission designated in the LDRs, shall be incorporated into the Comprehensive Plan map series at the time of original adoption or through the amendment process and protected from development and redevelopment activities consistent with the provisions of the Historic Preservation Element and the Historic Preservation Ordinance.

Policy LU10.1 Decisions regarding the designation of historic resources shall be based on the criteria and policies outlined in the Historic Preservation Ordinance and the Historic Preservation Element of the Comprehensive Plan.
Policy HP2.3  The City shall provide technical assistance to applications for designation of historic structures and districts.

Policy HP2.6  Decisions regarding the designation of historic resources shall be based on National Register eligibility criteria and policies outlined in the Historic Preservation Ordinance and the Comprehensive Plan. The City will use the following selection criteria for City initiated landmark designations as a guideline for staff recommendations to the Community Planning and Preservation Commission and City Council:

- National Register or DOE status
- Prominence/importance related to the City
- Prominence/importance related to the neighborhood
- Degree of threat to the landmark
- Condition of the landmark
- Degree of owner support

The subject property has a Future Land Use Plan designation of CBD (Central Business District) and is zoned DC-2 (Downtown Center-2) on the City's Official Zoning Map. Maximum density in all DC categories is limited by Floor Area Ratio (FAR), rather than units per acre. CBD designation allows a mixture of high-intensity retail, office, industrial, service, and residential uses up to a FAR of 4.0 and a net residential density not to exceed the maximum allowable in the land development regulations. There are no known plans at the time of this report to change the allowable uses of the subject property, or those properties that border it.

This district comprises St. Petersburg's historic and original downtown core, and was platted to reflect the pedestrian-oriented scale that was necessary and typical of urban centers before mainstream automobile ownership. Redevelopment of properties in the surrounding area has been increasing over the past several years as part of a prospering local economy and booming real estate market. A number of extant historic buildings within this district have also been preserved, both with and without the protection of a Local Historic Landmark designation.

RECOMMENDATION
Staff recommends APPROVAL of the request to designate the Pricer House, located at 126 Fifth Avenue North, as a Local Historic Landmark, thereby referring the application to City Council for first and second reading and public hearing.
RESOURCES


APPENDIX A: AERIAL AND STREET MAPS
Community Planning and Preservation Commission
126 5th Avenue North

AREA TO BE APPROVED, SHOWN IN

CASE NUMBER 16-90300004

NOT TO SCALE
APPENDIX B: DESIGNATION APPLICATION
Local Landmark
Designation Application

1. NAME AND LOCATION OF PROPERTY

<table>
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<tr>
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<td>Johannes Anderson House, 8Pi10452</td>
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2. PROPERTY OWNER(S) NAME AND ADDRESS

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3. NOMINATION PREPARED BY

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</tr>
<tr>
<td>e-mail</td>
<td><a href="mailto:fenford1@gmail.com">fenford1@gmail.com</a></td>
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4. BOUNDARY DESCRIPTION AND JUSTIFICATION
Describe boundary line encompassing all man-made and natural resources to be included in designation (general legal description or survey). Attach map delimiting proposed boundary. (Use continuation sheet if necessary)

Lot 4 of Block 3 of the Revised Map of St. Petersburg as recorded in Plat Book 1, p. 49 of the official records of Hillsborough County, Florida of which Pinellas County was formerly a part.

The parcel of land known as Lot 4 was the historic boundary of this property from the time of the construction of the house until today (2016).

SEE ATTACHED MAP

5. GEOGRAPHICAL DATA

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Dr. Pricer House
Name of Property

6. FUNCTION OR USE

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<td>DOMESTIC/ multi-family</td>
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7. DESCRIPTION
### Architectural Classification

(See Appendix A for list)

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### Materials

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### Narrative Description

On one or more continuation sheets describe the historic and existing condition of the property use conveying the following information: original location and setting; natural features; pre-historic man-made features; subdivision design; description of surrounding buildings; major alterations and present appearance; interior appearance;

### NEIGHBORHOOD SETTING

The Dr. Pricer House is located on Block 3 at the northern edge of the Revised Map of St. Petersburg that was surveyed in 1888. Fifth Avenue North a 100' r.o.w. street runs along the northern boundary of this original plat. This block is situated on a sandy ridge about 10' above sea level and lies about 1000' west of the original shoreline of Tampa Bay which since circa 1905 became Beach Drive NE. This northeastern section of the original town plat had sparse development before the first decade of the 20th century. Between 1905 and 1916 it became a residential neighborhood favored by the wealthy citizens and winter visitors because of its proximity to the waterfront and isolation from the congestion of the nearby downtown commercial district. The majority of the buildings in this area were built before the construction hiatus of 1917 caused by the Great War. These buildings were all residential, a combination of detached single family homes, tourist rental cottages, apartment buildings, and small winter tourist hotels. Generally they were of frame construction and one or two stories high. By the close of the Florida Land Boom in 1926 this neighborhood was “built out”. By the late 1920s and through the 1930s many of the single family homes were converted into small apartment buildings and boarding houses because the more affluent residents had moved north to the more fashionable new neighborhoods of the Old Northeast and Snell Isle. During the 1980s the city drastically changed the zoning of this area designating it “Central Business District 2” that granted high density construction and building heights to these properties. This triggered the demolition of many of the older structures and the construction of high-rise condominiums. This area forms the northeastern corner of the National Register of Historic Places, Downtown St. Petersburg Historic District (8P110648) which was enacted in 2004 to help preserve the remaining historic resources here.
PHYSICAL DESCRIPTION OF PROPERTY

The Dr. Pricer House was built on a 50' X 123' lot in the center of Block 3 of the Rev. Map of St. Petersburg. The house fronts north onto Fifth Avenue North which is a 100" right of way street and the rear of the lot faces a 20' wide alley. The public sidewalk along 5th Ave. is of hex-blocks, 2 mature Sabal palmettos occupy the 5th Ave. r.o.w. which are part of a historic row of such palms planted on both sides of 5th Ave. before 1920 that extends from Beach Drive to 2nd St. N. The front yard is paved with red, light grey, and dark grey hex-blocks from the sidewalk to its front porch. A small hexblock walkway extends from the public sidewalk to the curb of 5th Ave. There are no historic fences or walls, ancillary buildings, structures, or objects that were observed on the lot.

The foundation is a poured in place concrete spread footing surmounted by a continuous foundation wall about 24" of rusticated concrete blocks. The one story house is of balloon frame construction with exterior load bearing walls sheathed in clapboards. The floor is supported by wood joists and finished in wood strip flooring. Interior partitions are wood studs covered with wood lath and smooth plaster as are the ceilings. It is rectangular in plan, 37' wide and 66' long (N-S) with a projecting front porch 8' wide and 32' long, in all it is of 2,698 sq. ft. The roof is a simple high pitched gable of wood trusses and sheathed in asphalt composition shingles, it has wide projecting eaves that have exposed rafter ends and supported by decorative wood Craftsman style knee braces. Windows are wood double hung sash with one over one lights that have simple wood surrounds and sills. The two large front (north) facade windows have upper sashes filled with leaded diamond shaped clear glass as do the sidelights of the front door. The front door is of plain wood with a small central window with Craftsman style wood moldings it is flanked by a pair of sidelights. The front porch has an apron wall (with projecting piers) about 30' high of rusticated blocks topped by a plain concrete cap that support paired wood "Tuscan" pillars that support a heavy wood cornice with decorative moldings. The gable end of the porch, is sheathed in shingles and has three wood ventilators with Craftsman style details, 4 knee braces support the projecting porch eaves. The front porch floor is paved with concrete tiles and the steps to it are concrete.

Historic (pre 1966) Alterations- In 1920 Anderson pulled a permit for a $2,000 frame two story garage apartment to be built on the rear (south) of the lot adjacent the alley (city "Property Card").

Modern (post 1966) Alterations- In 1984 the garage apartment was demolished due to extensive fire damage (city "Property Card")
8. NUMBER OF RESOURCES WITHIN PROPERTY

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</table>
Dr. Pricer House
Name of Property

9. STATEMENT OF SIGNIFICANCE

Criteria for Significance
(mark one or more boxes for the appropriate criteria)

☐ Its value is a significant reminder of the cultural or archaeological heritage of the City, state, or nation.

☐ Its location is the site of a significant local, state, or national event.

☐ It is identified with a person or persons who significantly contributed to the development of the City, state, or nation.

☐ It is identified as the work of a master builder, designer, or architect whose work has influenced the development of the City, state, or nation.

☑ ☐ Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance.

☑ ☐ It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

☐ Its character is a geographically definable area possessing a significant concentration, or continuity or sites, buildings, objects or structures united in past events or aesthetically by plan or physical development.

☐ Its character is an established and geographically definable neighborhood, united in culture, architectural style or physical plan and development.

☐ It has contributed, or is likely to contribute, information important to the prehistory or history of the City, state, or nation.
Areas of Significance
(see Attachment B for detailed list of categories)

architecture

Period of Significance
1909

 Significant Dates (date constructed & altered)
1909

 Significant Person(s)

Cultural Affiliation/Historic Period
20th century

Builder
unknown

Architect
unknown

Narrative Statement of Significance
(Explain the significance of the property as it relates to the above criteria and information on one or more continuation sheets. Include biographical data on significant person(s), builder and architect, if known. Please use parenthetical notations, footnotes or endnotes for citations of work used.)

SUMMARY OF SIGNIFICANCE

The Dr. Pricer House located at 126 Fifth Avenue North, meets two of the nine criteria necessary for designating historic properties listed in Section 16-525(d) of the City of St. Petersburg Code of Ordinances. These criteria are:
(5) Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; and (6) it has distinguishing characteristics of an architectural style and valuable for the study of a period, method of construction, or use of indigenous materials. Under Criterion 5 and Criterion 6 the residence is significant as a well preserved Craftsman style bungalow that exhibits a high level design and workmanship. The Dr. Pricer House is also significant as one of the contributing historic buildings within the National Register of Historic Places "Downtown St. Petersburg Historic District" (8PI10648).

HISTORIC CONTEXT

During the First Boom Period in St. Petersburg, 1909-1914, the city of St. Petersburg experienced dramatic population growth and real estate development in the brief period beginning in 1909 and ending with the outbreak of World War I. The population was 4,500 in the 1910 Federal Census and rose to 14,237 in the 1920 Census, an increase of 245%. The county's property tax evaluation for the city in 1911 was $3,546,130 and it grew to $8,977,930 in 1915 (Fuller, Walter, St. Petersburg and its People (1972) p. 142). In 1909 local voters approved a large municipal bond issuance that provided for major upgrades to the potable water, sewer system, and brick paving of city streets (Grismer, Karl, The Story of St. Petersburg (1948) p. 120). The City's western municipal limits in 1907 were at 7th Street N., jogging at Central Ave. to 12th St. S., but by 1914 the City stretched to Boca Ciega Bay (Fuller 1972:132). The city's trolley system grew from 3 miles in 1909 to 23 miles by 1917 (Arsenault, Raymond, St. Petersburg and the Florida Dream 1888-1950 (1988) p. 136). This explosive growth was the result of residential real estate subdivision projects created by local developers; H. Walter Fuller, Noel Mitchell, Perry Snell, and many smaller speculators (Arsenault 1988: 136). The expansion was in all directions from original plat of the town, bounded roughly by 5th Avenues North and South, west to 12th Street, and followed new streetcar lines largely financed by the private developers. The buyers of these 22,000 lots that existed in 1914 (Fuller 1972:131) were the seasonal winter tourists who were lured to the city in ever increasing numbers by a sophisticated national advertising campaign. An estimate of the 1910-1911 tourist season made by the Board of Trade, claimed 4,518 seasonal visitors registered at their welcome station, but this was likely only 50% of the real total. The majority came from Ohio, Indiana, Illinois, and New York (Evening Independent 7 Mar. 1911, p.6). A major difference between this real estate boom and the larger one of 1920 to 1926, was the emphasis on selling suburban
houses versus selling vacant lots. These houses were intended as winter homes to be used as investment rentals until the owners retired to St. Petersburg. A brisk business for both residential and commercial properties began in the winter of 1908-1909. Each winter thereafter the demand increased. By the winter of 1912-1913 it became a "boomlet of the super-duper variety" (Fuller 1972:131). This boom was short lived, by the fall of 1913 it began to taper off and during the early months of 1914 real estate advertising almost disappeared from the newspapers. The market had been oversold and there was a public fear that the country seemed headed for another depression. The outbreak of World War I in July 1914 completely stopped the boom. Although tourism remained strong during the 1914-1915 tourist season, buyers became reluctant to invest in vacation homes and bankers became stingy in extending more credit to the developers. There was no "crash" in the local real estate market, home prices and tax evaluations did not deflate, but cash flow problems crippled the developers who had to bide their time till the end of war in 1918 (Grismer 1948:235-6).

**HISTORY OF 126 5th Avenue North**

The Dr. Pricer House is located on Lot 4 of Block 3 of the Revised Map of St. Petersburg which was surveyed originally in 1888 and later revised. Fifth Avenue North was the northern boundary of the town's first subdivision and development did not occur here until the first decade of the 20th century. The 1908 Sanborn Fire Insurance Co. map of this block shows no buildings or structures along its northern half that fronts onto Fifth Avenue North. The Thornton's Addition subdivision on the north side of Fifth Avenue in this block had a similar pattern of development, however the 1910 U.S. Census lists four houses here and no houses on the south side of the 100 block of 5th Avenue North. Construction in this area began in earnest with St. Petersburg's first real estate boom cycle that occurred from 1909 until 1915.

Evidence suggests that the bungalow located at 126 5th Avenue North was built between 1909 and early 1910 since the house does not appear on the 19 Apr. 1910 enumeration made by the federal census taker and the item below which shows that it was sold in September 1910. "Dr. W. E. Pricer has sold his residence property, 126 5th Avenue North, to Johannes Anderson of Alta, Iowa for $7,500 cash. The house which has five rooms and bath was sold fully furnished. The lot is 50 by 136 feet. Miss Florence Overly handled the deal." ("St. Petersburg Daily Times, 4 Sep. 1910, p. 10, 'Pricer Sells House to Johannes Anderson'). The 1918 city directory lists the resident of 126 5th Ave.
N. as Dr. W. E. Pricer (wife Emma C.), physician office 567 Central Ave. In 1917 a news article says, "Dr. William E. Pricer, Ironton, Ohio and family have gone to St. Petersburg, Florida." ("Journal of the American Medical Association", vol. 69 #2, 28 Nov. 1917, p. 1368). This evidence suggests that Pricer rented his former house seven years after the sale. Dr. William E. Pricer was born 19 May 1878 at Delphos, Allen Co., Ohio (Church of LDS, International Genealogical Index, database online, retrieved 20 Apr. 2016). He appears in the 1920 U.S. Census living at Ironton, Ohio and in the 1930 census living at Dayton, Ohio, he does not appear in the 1940 census.

A letter from S. G. Gilfillan, president of the Belfont Iron Works at Ironton, OH sent to St. Petersburg's Board of Trade in 1918 says ...."I want to say further that you have one of the greatest boosters for St. Petersburg I have ever known in Dr. W. E. Pricer of Ironton, OH who two winters ago went to St. Petersburg for his health, which he recovered, and last year went there and practiced throughout the winter and was very successful. It is my understanding that Dr. Pricer will return again early in December for the entire winter. Dr. Pricer has insisted on my going to St. Petersburg as there is no other place in Florida he advised and he has sent 10 to 20 other people to the city last winter." ("St. Petersburg Evening Independent", 13 Nov. 1918, p. 4).

The 1920-1 city directory lists the resident of 126 5th Ave. N. as Johannes Anderson (wife Ola). Johannes and Ola Anderson are listed in the 1920 U.S. Census at this residence, he is aged 72 born in Denmark and retired. Ola was born in Florida aged 46 and had two teenaged daughters from a previous husband named Yarnley (1920 U.S. Census, St. Petersburg). The 1922 city directory lists Charles R. Day living here and the 1926 directory shows a Jesse B. Green residing here, this suggests that the house was rented to winter tourist in this period. In 1938 Ola Anderson pulled a permit for a new roof on this house, this is the last evidence of their ownership. The 1940 city directory shows that the house was owner occupied by Ernest L. Savage who remained in the house until 1950. In 1970 it is listed as the Ridge Apts. (6 units), in 1980 it is listed as 7 apartment units, in 1990 it is listed with 6 units (R.L.Polk, St. Petersburg City Directory, 1920 to 1990, passim).

The city "Property Card" is incomplete before 1917, but it shows that the house functioned as rental apartments from the 1950s onwards until it became an assisted living facility during the 1980s. On 12 Nov. 1998 Yves Morency and Mireille his wife sold the house for $120,000 to Gary Adkinson. On 25 Apr. 2006
Adkinson sold the house to Fuel Investment & Development II LLC for $1,200,000. Fuel Investment attempted to finance and build a 20 story high hotel on this and 3 other adjacent parcels. However, this corporation went into Chapter 11 bankruptcy proceedings in 2013. The house has remained vacant and deteriorating due to neglect since 2008. (Pinellas County Tax Assessor, Property Database online, retrieved 21 Apr. 2016).

ARCHITECTURAL SIGNIFICANCE
The Dr. Pricer House at 126 5th Avenue North is a textbook illustration of a classic Craftsman style bungalow. The exterior of the house has retained its historic appearance and integrity with only minor alterations to its fabric. The front (north) facade exhibits a high level of craftsmanship and ornamental detail that employ quintessential design elements of this style. The quality of this home's design when combined with the similar high-style design of the three adjacent Craftsman style houses creates a splendid collection of architectural artifacts of this style built between 1909 and 1916. There is no other grouping of Craftsman style residences of this quality surviving within the National Register listed St. Petersburg Downtown Historic District (2004) 8P10648. The only similar assemblage of Craftsman style houses of this period is the Lang Bungalow Court local landmark district (2014) HPC-14-90300002. However, the four houses in the 100 block of Fifth Avenue North were built for a wealthier class of clients than the houses of Lang Court and therefore were able to display a more expensive level of ornamental design and construction.

The American Craftsman style, or the American Arts and Crafts Movement, is an American domestic architectural, interior design, landscape design, applied arts, and decorative style and lifestyle philosophy that had its origins in the last decade of the 19th century. As a comprehensive design and arts movement it remained popular till the 1930s Great Depression. The Craftsman style took its inspiration from the British Arts and Crafts movement founded on the philosophy and writings of William Morris (1834 -1896). Morris was appalled by the shoddy workmanship and gaudy tastes of the Victorian era which were a result of mass production caused by the Industrial Revolution. In his opinion the beauty of an object, fabric, or building was the result of the handcrafted labor by skilled artisans who understood and respected the intrinsic qualities of the materials that they used. Yes, it was a nostalgic yearning for “the good old days” that appears naive, however the goal of preserving traditional artisinal skills via apprenticeship had a profound impact on the creation of vocational training schools across Europe and The U. S. The European proponents of the Arts and
Crafts style were closely allied politically and philosophically with the growth of Socialism and its concern for the "working man" and attempting to improve the working conditions and housing of this class. This movement laid a special emphasis on the design of affordable, yet aesthetically pleasing, housing for the middle and working class that incorporated the latest innovations in sanitation and modern technology. Ironically the booming mill towns of Britain became the first laboratory for these new experiments in city planning, and affordable housing.

The American Craftsman style was formally born in 1897 when the non-profit American Society of Arts and Crafts was founded in Boston. The publications of this society and articles in American architecture journals featuring this "modern architecture" evolving across Europe introduced American architects and builders to this new aesthetic and design vocabulary. Elbert Hubbard (1856 -1915) inspired by William Morris created the Roycroft artisinal community in East Aurora, NY in 1895, one of the main products of this group was the Roycroft Press whose books also spread the concepts of this movement. Adventurous U. S. architects embraced the tenants of this style which had spread from Glasgow to Vienna, the most famous being Louis Sullivan (1856 -1924) and Frank Lloyd Wright (1867-1959). In California which was booming with new construction in this era many architects began creating residences in the Arts and Crafts style. Bernard Maybeck (1862-1957) in San Francisco and the brothers Charles (1868-1957) and Henry Greene (1870-1954) of Pasadena by 1905 had created a synthetic new style and started calling these houses bungalows. They were adapted to function in a warm climate and well suited to the new "streetcar suburbs" springing up in southern California. And this housing type became instantly popular with the California public and when the bungalow style home spread to other parts of the country they were commonly called "California Bungalows". St. Petersburg’s two great historic building boom periods were 1909 to 1914 and 1921 to 1926 and both occurred during the height of this housing type's popularity. As a result this form of domestic architecture is the predominant style in most of the city’s pre World War II neighborhoods.

The Craftsman bungalow style was synthesized from a wide range of sources which include; British Colonial era homes in India where the term "bungalow" originated and Japanese domestic architecture with its wood frame skeleton, open floor plan, widely projecting and flaring eaves, and large open porches. These exotic styles were grafted onto the common American one story frame
vernacular style cottage and elements of high-style European Arts and Crafts were added for flair. This hybrid creation called the bungalow was coeval with the similar synthetic styles of early modern architecture known as Jugendstil in Germany, Secession in Vienna, Modernismo in Spain, and Art Nouveau in France. All of these styles had the common denominator of fusing together the best of local traditional "folk style" buildings with a new aesthetic derived from Asian art and applying the early modernist philosophy of "organic design" derived from nature. The novel experimental designs of architects; Charles Rennie Mackintosh in Scotland, Frank Lloyd Wright in Chicago, Josef Hoffmann in Vienna, Lluís Domènech i Montaner in Barcelona, and Sir Edward Lutyens in Britain although superficially different in appearance all sprang from the same aesthetic source as the Craftsman bungalow found along suburban streets across the U.S. In the state of Florida the Craftsman bungalow was generally built of wood frame construction with brick, concrete block, or oolitic limestone as secondary materials. Most were one story high, but the two story "aeroplane bungalow" with a second floor bedroom with banks of windows on all four sides was also popular. The use of wide roof eaves and many windows for cross-ventilation made these houses perfect for Florida in the era before air-conditioning.

Craftsman style Characteristics

- 1 - 2 stories
- Low-pitched roof, hipped, gabled, sometimes with a clipped gable. Roof lines may be complex and cross gabled.
- Broad eaves
- Heavy masonry porch piers supporting squat tapered pillars or paired posts
- Knee braces, exposed rafter tails and beams, elaborated rafter ends and verge boards, occasionally roof ridge finials are seen
- Natural materials indigenous to location (exception: kit homes)
- Open floor plan
- Dormers: shed, gabled, hipped, sometimes in combination
- Fireplace and chimny, brick or native stone
- Handcrafted, built-in cabinetry including as buffets, bookcases, colonnades
- Unique custom features such as inglenooks and window seats
- Substantial covered porches
- Windows, double-hung, multiple lights over single pane below. Multiple windows appear together in banks. Casement windows are also seen.
- Shingle, lapped, and stucco siding is common.
10. MAJOR BIBLIOGRAPHICAL REFERENCES

Please list bibliographical references.

(Please see contextual source citations)
APPENDIX C: ADDITIONAL PHOTOGRAPHS
Photograph 1: Front porch and entrance, facing south

Photograph 2: Detail of porch columns, brackets, and dentil detailing at front porch, facing southwest
Photograph 3: Louvered gable vents above entrance, facing south

Photograph 4: East elevation, facing southwest
APPENDIX D: PUBLIC COMMENT
Three comments in opposition of designation (attached, to follow) and none in support have been received as of January 3, 2017.
In re Historical Landmark Designation Applications:  
118, 126, 136, 142, and 142 1/2 5th Avenue North, St. Petersburg, Florida

HPC 16-90300003
HPC 16-90300004
HPC 16-90300005
HPC 16-90300006

AFFIDAVIT OF CHANDRESH S. SARAIYA  
AS MANAGER OF SUBURBAN FEDERAL PROPERTY, LLC

BEFORE ME, the undersigned authority, personally appeared Chandresh S. Saraiya, being first duly sworn, deposes and says:

1. This affidavit is submitted in opposition to the Local Landmark Designation Applications (together, the “Applications”) filed by St. Petersburg Preservation for the contiguous parcels of property located at 118, 126, 136, 142, and 142 1/2 5th Avenue North, St. Petersburg, Florida (together, the “Subject Property”), copies of which are attached hereto as Composite Exhibit “A.”

2. My name is Chandresh S. Saraiya, I am over the age of eighteen years old, and I am the Manager of Suburban Federal Property, LLC (“Suburban”), the seventy percent (70%) owner of Fuel Investment & Development II, LLC (“FID II”). Suburban was ten percent (10%) owner of FID II in 2006, but due to performance issues with the initial developer, Suburban ended up acquiring all of the developer’s interest and is now seventy percent (70%) owner of FID II.

3. FID II is the owner of the Subject Property, having purchased all applicable parcels between December 2005 and April 2006 for a total of $3,100,000, and an additional two contiguous parcels of property in November 2006 for $3,500,000, representing a total purchase price of $6,600,000.
4. In addition to being the majority owner in FID II, Suburban is a co-managing member of FID II. FID II has an additional three (3) co-managing members, who have not been consulted in the drafting of this Affidavit. I am unaware of whether or not any of the other co-managing members have received notice of the Applications.

5. The Applications were submitted on May 1, 2016 by Howard Ferebee Hansen of St. Petersburg Preservation ("St. Pete Preservation"), a non-profit organization whose mission is described as educating the public about local historic architecture resources, landmarking or assisting in the landmarking of "deserving" sites and structures, and preserving sites and structures previously landmarked.

6. St. Pete Preservation has no ownership or other interest in the Subject Property, and, to the best of my knowledge, submitted the Applications without any notice to or communication with any representative of FID II.

7. FID II purchased the Subject Property in order to redevelop the same and take a city block that has, even as acknowledged by the Applications, been blighted by neglect and crime.

8. During my involvement with the Subject Property as Manager of the majority owner and otherwise, I was unaware of any potential historical landmarks on any of the Subject Property.

9. After purchase of the Subject Property, FID II submitted applications for approval of two (2) separate projects, each of which were rejected by the City of St. Petersburg. In addition to issues with zoning and approval of FID II's development projects, and in large part because of the same, FID II experienced financial difficulties which resulted in (a) default on its
obligations to its lenders, (b) initiation of foreclosure on the Subject Property, and (c) two (2) bankruptcy proceedings.

10. As a result of these issues, the Subject Property has been the subject of a foreclosure action styled First Street and Fifth Avenue, LLC v. Fuel Investment & Development II, LLC, Case No. 09-16378-CI-15 (the “Foreclosure Action”), which has been pending before the Circuit Court for the Sixth Judicial Circuit in and for Pinellas County, Florida (the “State Court”) since August 15, 2009.

11. The Foreclosure Action has been pending for more than seven (7) years and has prevented any potential development of the Subject Property while it remains in limbo. The senior mortgage holder of the property, First Street and Fifth Avenue, LLC, holds a lien on the Subject Property in an amount exceeding $10,000,000.

12. FID II has been dissolved and non-operational since at least September 27, 2013.

13. As a result of the years of limbo and uncertainty created by the Foreclosure Action and lack of financial resources of FID II, the Subject Property has fallen further into disrepair.

14. On May 11, 2016, the City of St. Petersburg Code Enforcement department (“Code Enforcement”) sent out two (2) notices of their intent to seek demolition of portions of the Subject Property (the “Demolition Notices”), copies of which are attached hereto as Composite Exhibit “B.”

15. I have personally walked the Subject Property with Code Enforcement in order to gain a better understanding of the issues associated with the Demolition Notices and other code enforcement violations.
16. On November 23, 2016, after hearings on August 22, 2016, and November 4, 2016, the State Court appointed Larry S. Hyman, CPA (the “Receiver”) as receiver over the Subject Property in order to address the issues identified in the Demolition Notices, delinquent taxes, and other issues of the Subject Property.

17. Accordingly, the Receiver is in control of the Subject Property for the balance of the Foreclosure Action or until otherwise discharged by the State Court.

18. If the Applications are successful, the value of the Subject Property will be severely impaired and it is unlikely that any revitalization or improvement to the Subject Property will take place.

19. This will, in effect, leave half of a block in downtown St. Petersburg in a state of neglect that impacts the surrounding community, particularly where downtown St. Petersburg is in the middle of a redevelopment and revitalization effort that involves new construction and an influx of residents and businesses.

20. It would require an enormous amount of resources in order to clear the Demolition Notices and other Code Enforcement violations, and even more resources would be required in order to restore the Subject Property to even the most minimal of habitable condition.

21. If there is no possibility for future development on the Subject Property due to a Local Landmark status, it is unlikely that any entity would be willing to commit the appropriate resources in order to correct or maintain the Subject Property.

22. It is my understanding that the purpose of the City of St. Petersburg Code on “Preservation of Historic Properties” (Sec. 16.30.070.2) includes stabilizing and improving property values “in historic districts and in the City as a whole” (16.30.070.2.1.B.3), strengthening the economy of the City (16.30.070.2.1.B.5), and enhancing the "visual and
aesthetic character, diversity and interest of the City” (16.30.070.2.1.B.7). I do not believe that any of these purposes are furthered by the designation of the Subject Property as local landmarks.

23. At the very least, it is incumbent upon the City of St. Petersburg to delay any decision of the Historic Preservation committee to delay consideration of any of the Applications until the Foreclosure Action is resolved and a new and solvent owner of the Subject Property is identified to allow full due process to the owner.

24. I did not receive any formal notice of the Applications or any steps to consider the same by the City of St. Petersburg, and only received notice through proceedings involving appointment of the Receiver in the Foreclosure Action.

FURTHER AFFIANT SAYETH NOT.

Dated this 3rd day of January, 2017.

CHANDRESH S. SARAIYA

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

SWORN TO AND SUBSCRIBED before me this 3rd day of January, 2017, by Chandresh S. Saraiya, Manager of Suburban Federal Property, LLC, a Florida limited liability company. He is personally known to me or has produced personally as identification.

RENEE J. OSBORNE
Notary Public - State of Florida
My Comm. Expires Aug 28, 2017
Commission # FF 15466
Bonded Through National Notary Assn.

RENEE J. OSBORNE
Notary Public, State at Large
Serial Number and Seal
Exhibit “A”
To prevent redundancy within this packet, please refer to Appendix B: Designation Application.
Exhibit “B”
DEMOLITION VIOLATION NOTICE
Delivered via U.S. Certified and First Class Mail

May 11, 2016

FUEL INVESTMENT & DEVELOPMENT II LLC
201 N FRANKLIN ST STE 2535
TAMPA FL 33602-3900

DEMOLITION CASE NO: 15-00022138
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 118 5TH AVE N
REV MAP OF ST PETERSBURG
BLK 3, LOT 3

STRUCTURE(S): DUPLEX & INGROUND POOL

This notice is directed to the above legal property owner(s) of record (responsible party) and additional copies are being provided to potentially interested parties including the person whose name and address appears at the top of this letter.

The property described above has been evaluated and determined to have conditions which appear to not comply with the City Code: CHAPTER 8, DIV. 4, SEC. 8-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES

The property owner or duly authorized representative must obtain permits to make repairs to the above referenced structure(s). The property owner may be required to retain a design professional to conduct an evaluation of the structure and produce a detailed written report with rehabilitation plans. A licensed contractor may also be required to provide a cost estimate and conduct the rehabilitation.

Permits to rehabilitate or to demolish the structure(s) must be obtained by June 20, 2016.

If these conditions are not corrected by the specified date, the City can take action to condemn and demolish the structure(s). All costs incurred in any condemnation action will be assessed as an interest bearing lien against the property. If additional time is needed to obtain permits for rehabilitation or demolition of the structure(s), contact me in writing with an outline of your plans before June 20, 2016.

Respectfully,

MAURICE PALMER 897-1432 Area Code 727, Building Demolition Coordinator
DEMOLITION VIOLATION NOTICE
Delivered via U.S. Certified and First Class Mail

May 11, 2016

FUEL INVESTMENT & DEVELOPMENT II LLC
PO BOX 273944
TAMPA FL 33603944

DEMOLITION CASE NO: 16-00008671
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 142 5TH AVE N
REV MAP OF ST PETERSBURG
BLK 3, LOT 6

STRUCTURE(S): SGL FAM RES & TRIPLEX

This notice is directed to the above legal property owner(s) of record (responsible party) and additional copies are being provided to potentially interested parties including the person whose name and address appears at the top of this letter.

The property described above has been evaluated and determined to have conditions which appear to not comply with the City Code: CHAPTER 9, DIV. 4, SEC. 8-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES

The property owner or duly authorized representative must obtain permits to make repairs to the above referenced structure(s). The property owner may be required to retain a design professional to conduct an evaluation of the structure and produce a detailed written report with rehabilitation plans. A licensed contractor may also be required to provide a cost estimate and conduct the rehabilitation.

Permits to rehabilitate or to demolish the structure(s) must be obtained by June 20, 2016.

If these conditions are not corrected by the specified date, the City can take action to condemn and demolish the structure(s). All costs incurred in any condemnation action will be assessed as an interest bearing lien against the property. If additional time is needed to obtain permits for rehabilitation or demolition of the structure(s), contact me in writing with an outline of your plans before June 20, 2016.

Respectfully,

[Signature]
JASON P. HAMLIN 852-5423 (Area Code 727), Building Demolition Coordinator
In re Historical Landmark Designation Applications:
118, 126, 136, 142, and 142 1/2 5th Avenue North, St. Petersburg, Florida

HPC 16-90300003
HPC 16-90300004
HPC 16-90300005
HPC 16-90300006

AFFIDAVIT OF CHANDRESH S. SARAIYA AS PRESIDENT OF FIRST STREET AND FIFTH AVENUE, LLC

BEFORE ME, the undersigned authority, personally appeared Chandresh S. Saraiya, being first duly sworn, deposes and says:

1. This affidavit is submitted in opposition to the Local Landmark Designation Applications (together, the "Applications") filed by St. Petersburg Preservation for the contiguous parcels of property located at 118, 126, 136, 142, and 142 1/2 5th Avenue North, St. Petersburg, Florida (together, the "Subject Property"), copies of which are attached hereto as Composite Exhibit "A."

2. My name is Chandresh S. Saraiya, I am over the age of eighteen years old, and I am the President of First Street and Fifth Avenue, LLC ("FSfA"), the senior mortgage holder on the Subject Property, and the additional contiguous parcel located at 135 5th Avenue North.

3. FID II is the owner of the Subject Property, having purchased all applicable parcels between December 2005 and April 2006.

4. On November 6, 2006, FID II borrowed funds in the original principal amount of $4,800,000, and executed a "Mortgage, Assignment of Leases and Rents and Security Agreement" (the "Mortgage") in favor of Broadway Bank, a copy of which is recorded in the Official Records of Pinellas County, Florida at Official Records Book 15475, beginning at 1387.

5. After a series of assignments that are a matter of public record, on September 28, 2012, FSfA received an "Assignment of Mortgage and Loan Documents" assigning all right,
title, and interest in the Mortgage to FSFA. Accordingly, FSFA is now the owner and holder of
the Mortgage and the associated rights thereunder.

6. The Applications were submitted on May 1, 2016 by Howard Ferebee Hansen of
St. Petersburg Preservation ("St. Pete Preservation"), a non-profit organization whose mission is
described as educating the public about local historic architecture resources, landmarking or
assisting in the landmarking of "deserving" sites and structures, and preserving sites and
structures previously landmarked.

7. St. Pete Preservation has no ownership or other interest in the Subject Property,
and, to the best of my knowledge, submitted the Applications without any notice to or
communication with any representative of FSFA.

8. The Subject Property has been the subject of a foreclosure action styled First
Street and Fifth Avenue, LLC v. Fuel Investment & Development II, LLC, Case No. 09-16378-
CI-15 (the "Foreclosure Action"), which has been pending before the Circuit Court for the Sixth
Judicial Circuit in and for Pinellas County, Florida (the "State Court") since August 15, 2009.

9. The Foreclosure Action has been pending for more than seven (7) years and has
prevented any potential development of the Subject Property while it remains in limbo.

10. During the pendency of the Foreclosure Action, the Subject Property, which was
initially purchased as a development investment, has fallen further into disrepair.

11. On May 11, 2016, the City of St. Petersburg Code Enforcement department
("Code Enforcement") sent out two (2) notices of their intent to seek demolition of portions of
the Subject Property (the "Demolition Notices"), copies of which are attached hereto as
Composite Exhibit "B."
12. As a result of the Demolition Notices and other Code Enforcement violations, on July 29, 2016, FSFA filed "FSFA’s Emergency Motion for Appointment of Receiver to Maintain and Safeguard Assets" in the Foreclosure Action, seeking an order of the State Court appointing a receiver over the Subject Property and the remaining contiguous parcel covered by the Mortgage in order to correct code enforcement violations and protect the Subject Property from further serious issues during the pendency of the Foreclosure Action.

13. On November 23, 2016, after hearings on August 22, 2016, and November 4, 2016, the State Court appointed Larry S. Hyman, CPA (the "Receiver") as receiver over the Subject Property in order to address the issues identified in the Demolition Notices, delinquent taxes, and other issues of the Subject Property.

14. Accordingly, the Receiver is in control of the Subject Property for the balance of the Foreclosure Action or until otherwise discharged by the State Court.

15. If the Subject Property is designated as a Local Landmark, the value of the Subject Property will be further impaired, impacting the Mortgage and the ability of FSFA to recover the sums due thereunder, which now exceeds $10,000,000.

16. Further, if the Subject Property is limited in its uses, there will be a limited market for sale of the Subject Property, and limited uses for the same, after foreclosure or otherwise, and this will in effect leave half of a block in downtown St. Petersburg in a state of neglect that impacts the surrounding community.

17. At the very least, it is incumbent upon the City of St. Petersburg to delay consideration of any of the Applications until the Foreclosure Action is resolved and a new and solvent owner of the Subject Property is identified to allow full due process to the owner.
18. FSFA did not receive any formal notice of the Applications or any steps to consider the same by the City of St. Petersburg, and only first received notice of the same through the proceedings involving appointment of the Receiver in the Foreclosure Action.

FURTHER AFFIANT SAYETH NOT.

Dated this 2nd day of January, 2017.

[Signature]

CHANDRESH S. SARAIYA

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

SWORN TO AND SUBSCRIBED before me this 3rd day of January, 2017, by Chandresh S. Saraiya, President of First Street and Fifth Avenue, LLC, a Florida limited liability company. He is personally known to me or has produced personally as identification.

[Signature]

RENEE J. OSBORNE
Notary Public, State at Large
Serial Number and Seal
Exhibit “A”
To prevent redundancy within this packet, please refer to Appendix B: Designation Application.
Exhibit "B"
DEMOlITION VIOLATION NOTICE
Delivered via U.S. Certified and First Class Mail

May 11, 2016

FIRST STREET & FIFTH AVE LLC
15608 MONACO AVE
LUTZ FL 33558

DEMOlITION CASE NO: 15-00022138
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 118 5TH AVE W
REV MAP OF ST PETERSBURG
BLK 3, LOT 3

STRUCTURE(S): DUPLEX & INGROUND POOL

This notice is directed to the above legal property owner(s) of record (responsible party) and additional copies are being provided to potentially interested parties including the person whose name and address appears at the top of this letter.

The property described above has been evaluated and determined to have conditions which appear to not comply with the City Code: CHAPTER 8, DIV. 4, SEC. 8-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES

The property owner or duly authorized representative must obtain permits to make repairs to the above referenced structure(s). The property owner may be required to retain a design professional to conduct an evaluation of the structure and produce a detailed written report with rehabilitation plans. A licensed contractor may also be required to provide a cost estimate and conduct the rehabilitation.

Permits to rehabilitate or to demolish the structure(s) must be obtained by June 20, 2016.

If these conditions are not corrected by the specified date, the City can take action to condemn and demolish the structure(s). All costs incurred in any condemnation action will be assessed as an interest bearing lien against the property. If additional time is needed to obtain permits for rehabilitation or demolition of the structure(s), contact me in writing with an outline of your plans before June 20, 2016.

Respectfully,

GREG PALMER 813-527-6424 (Area Code 813), Building Demolition Coordinator

VI
DEMOLITION VIOLATION NOTICE
Delivered via U.S. Certified and First Class Mail

May 11, 2016

FIRST STREET & FIFTH AVE LLC
1600B MONACO AVE
LUTZ FL 33558

DEMOLOITON CASE NO: 16-C0008671
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 142 5TH AVE W
REV MAP OF ST PETERSBURG
SLK 3, LOT 6

STRUCTURE(S): SGL FM RES & TRIPLEX

This notice is directed to the above legal property owner(s) of record (responsible party) and additional copies are being provided to potentially interested parties including the person whose name and address appears at the top of this letter.

The property described above has been evaluated and determined to have conditions which appear to not comply with the City Code: CHAPTER 8, DIV. 4, SEC. 8-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES

The property owner or duly authorized representative must obtain permits to make repairs to the above referenced structure(s). The property owner may be required to retain a design professional to conduct an evaluation of the structure and produce a detailed written report with rehabilitation plans. A licensed contractor may also be required to provide a cost estimate and conduct the rehabilitation.

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If these conditions are not corrected by the specified date, the City can take action to condemn and demolish the structure(s). All costs incurred in any condemnation action will be assessed as an interest bearing lien against the property. If additional time is needed to obtain permits for rehabilitation or demolition of the structure(s), contact me in writing with an outline of your plans before June 20, 2016.

Sincerely,

[Signature]

MAUREEN PALMER 692-5933 (Area Code 727), Building Demolition Coordinator
Laura Duvekot

From: kimmylevell@gmail.com
Sent: Tuesday, January 03, 2017 4:30 PM
To: Laura Duvekot
Subject: Amended version previous email. Please include this version.

Dear Ms Duvekot,
I'm am writing to you about the proposed homes located at 118, 126, 136, and 142 5th Ave North as historic designation. I own a home located at 155 5th Ave N. As an accomplished exterior designer from the area I am all for preserving historic homes, however, for 5th Ave I believe this ship has sailed. In other words to force upon owners historic designation which would require costly repairs to these homes is unfair due to the fact that they are now surrounded and continue to be surrounded with new luxury town homes and high rises which have now made their homes be worth the land value only. It's my belief that no one will pay the premium price for an older home with the extreme costs it would require for repairs to these homes on a street that has eclectically been transformed over the years at today's current market values. If historic preservation had taken place before many other homes had been destroyed for "newer bigger homes" the "habu" or highest and best value of the land would stand for square footage price. Within the confines of Old North East where designating historic homes have occurred I could agree because they are surrounded by like properties, however, on 5th the city is too little too late and should not fiscally strangle the owners of these homes by requiring them to keep these homes as is or repaired to their former grandeur. It's unfortunate but this is entirely an unfair proposal based on allowing these homes as well as my own to be surrounded by high rises and high end townhomes yet not allowing these owners to do the same to their land within the confines of building codes and requirements.
My suggestion would be to be more pointed about the style of architecture or vision for St. Petersburg and requiring new structures to fall into this realm of design. As far as I can see now it's a free for all and not all what's being built is aesthetically cohesive or in many cases simply put bland and not attractive. I am unable to attend this meeting and would like my voice heard. Is there anything else I can do to communicate my feelings?
Thank you in advance,
Kim Levell
813-810-5469

www.exteriordecorating.com

Please excuse the grammatical and spelling errors, auto correct is my editor. 😊
APPENDIX E: TIMELINE AND SUPPORTING INFORMATION

- 1914 – Occupied by F.B. Welsh.¹²
- 1916 – Owners Johannes and Ola Anderson "1-family duplex w/ 7 rooms and bath."¹³
- 1917 – 2-family garage apartment constructed.¹⁴
- 1930 – Porch and frame additions constructed.¹⁵
- 1936-1941 – Multiple additions and alterations by owners E.L. and Minnie Savage.¹⁶
- 1984 – 2 story frame garage apartment (156 %) demolished after extensive fire damage.¹⁷

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<thead>
<tr>
<th>SUBDIVISION</th>
<th>REVISED MAP</th>
<th>ELECTRICAL</th>
<th>PLUMBING</th>
</tr>
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<tbody>
<tr>
<td>PROPERTY CARD depicting dates and costs of additions to Pricer House</td>
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Item 1: Property Card depicting dates and costs of additions to Pricer House

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¹² Polk’s City Directory. St. Petersburg, Pinellas County, Florida. 1914, on file, St. Petersburg Museum of History.
¹³ City of St. Petersburg, Florida, Property Card for 126 Fifth Avenue North, on file, City of St. Petersburg.
¹⁴ Property Card.
¹⁵ Property Card.
¹⁶ Property Card.
¹⁷ Property Card.
TO: The Honorable Chair Darden Rice, and Members of City Council

SUBJECT: Third party-initiated Historic Landmark Designation of the John L. and Virginia Burnside House, located at 136 Fifth Avenue North (City File HPC 16-90300005).

An analysis of the request is provided in the attached Staff Report.

REQUEST: The request is to list the Burnside House as a local historic landmark in the St. Petersburg Register of Historic Places.

RECOMMENDATION:

Administration: Administration recommends approval.

Community Planning and Preservation Commission: On January 10, 2017, the Community Planning and Preservation Commission held a public hearing on this matter, and voted 7 to 0 to recommend approval of the landmark designation to City Council.

Recommended City Council Action: 1) CONDUCT the second reading and final public hearing of the attached proposed ordinance; AND 2) APPROVE the proposed ordinance.

Attachments: Ordinance (including map), CPPC Draft Minutes, Staff Report to the CPPC, Designation Application
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE JOHN L. AND VIRGINIA BURNSIDE HOUSE (LOCATED AT 136 FIFTH AVENUE NORTH) AS A LOCAL HISTORIC LANDMARK AND ADDING THE PROPERTY TO THE ST. PETERSBURG REGISTER OF HISTORIC PLACES PURSUANT TO SECTION 16.30.070, CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The City Council finds that the Burnside House, which is recognized for its significance resulting from association with Virginia Burnside and as an example of the Prairie style, meets at least one of the nine criteria listed in Section 16.30.070.2.5.D, City Code, for designating historic properties. More specifically, the Burnside House meets the following criteria:

(c) It is identified with a person who significantly contributed to the development of the city, state, or nation;
(e) Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; and
(f) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

SECTION 2. The City Council finds that the Burnside House meets at least one of the seven factors of integrity listed in Section 16.30.070.2.5.D, City Code, for designating historic properties. More specifically, the property meets the following factors of integrity:

(a) Location. The place where the historic property was constructed or the place where the historic event occurred;
(b) Design. The combination of elements that create the form, plan, space, structure, and style of a property;
(c) Setting. The physical environment of a historic property;
(d) Materials. The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property;
(e) Workmanship. The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory;
(f) Feeling. The property’s expression of the aesthetic or historic sense of a particular period of time, and
(g) Association. The direct link between an important historic event or person and a historic property.

SECTION 3. The Burnside House, located upon the following described property, is hereby designated as a local landmark, and shall be added to the St. Petersburg Register of Historic Place, a list of designated landmarks, landmark sites, and historic and thematic districts which is maintained in the office of the City Clerk:

Designation Boundary
The official boundary of the local landmark designation shall encompass the entire parcel, generally described as Revised Map of St. Petersburg, Block 3, Lot 5, and as depicted on Exhibit “A.”

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

Approved as to Form and Substance
City Attorney (or Designee)

1/23/17
Date

01.20.17
Date

Planning and Economic Development Department
QUASI-JUDICIAL PUBLIC HEARING

Note: Commissioner Wannemacher was recused from the following item (HPC 16-90300005) due to a conflict.

C. City File HPC 16-90300005  
   Contact Person: Laura Duvekot, 892-5451
   Request: Third party request for a Local Historic Landmark designation of the Burnside House located at 136 – 5th Avenue North.

Staff Presentation
Laura Duvekot gave a PowerPoint presentation based on the staff report.

Applicant Presentation
Emily Elwyn, representing the applicant, St. Petersburg Preservation Inc., spoke in support of the designation request.

Owner Presentation
John Anthony, Attorney and representing the owners, Suburban Federal Property LLC (70% ownership of Fuel Investment & Development II LLC, the listed owner) and First Street and Fifth Avenue LLC (senior mortgage holder), gave a presentation in opposition of the designation.

Don Mastro, Attorney and representing the receivership, Larry S. Hyman, gave a presentation in opposition of the designation request.

Public Hearing
Allison Stribling, representing St. Petersburg Preservation, spoke in support of the designation request.

Cross Examination
By City Administration:
Waived

By Owner:
Waived

By Applicant:
Waived
Rebuttal/Closing Statement

By City Administration:
Waived

By Owner:
Waived

By Applicant:
Waived

Executive Session

Commissioner Michaels noted that, in the opinion of staff and the applicant, this property meets three of the significant factors and all of the integrity factors.

**MOTION:** Commissioner Michaels moved and Commissioner Rogo seconded a motion approving the Local Landmark designation of the Burnside House located at 136 Sth Avenue North in accordance with the staff report.

**VOTE:**

YES – Bell, Burke, Michaels, Rogo, Smith, Whiteman, Carter

NO – None

Motion passed by a vote of 7 to 0.
STAFF REPORT

COMMUNITY PLANNING AND PRESERVATION COMMISSION

LOCAL DESIGNATION REQUEST

For Public Hearing and Recommendation to City Council on January 10, 2017 beginning at 3:00 P.M., Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

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

CASE NO.: HPC 16-90300005
STREET ADDRESS: 136 Fifth Avenue North
LANDMARK: John L. and Virginia Burnside House
OWNER: Fuel Investment & Development II, LLC
APPLICANT: St. Petersburg Preservation, Inc.
REQUEST: Local Landmark Designation of the Burnside House

John L. and Virginia Burnside House, 136 Fifth Avenue North
OVERVIEW

A non-owner initiated application for Local Historic Landmark designation of the John L. and Virginia Burnside House (subject property), located at 136 Fifth Avenue North, was submitted by St. Petersburg Preservation, Inc. in July of 2016. Prepared by Howard Ferebee Hanson, the application provides detailed information regarding the building's early ownership, as well as historic and architectural context. The subject property is listed as a contributing property to the Downtown St. Petersburg Historic District, which was added to the National Register of Historic Places on March 3, 2004.

STAFF FINDINGS

Staff finds that the Burnside House, located at 136 Fifth Avenue North, is eligible for designation as a Local Historic Landmark. In St. Petersburg, Local Historic Landmark eligibility is determined based on evaluations of age, context, and integrity under a two-part text as found in Section 16.30.070.2.5(D) of the City Code. Under the first test, historic documentation demonstrates that the Burnside House was constructed over 100 years ago, surpassing the minimum required age of 50. Further, staff concurs with the applicant's assessment that the subject property satisfies criteria C, E, and F, and recommends that its significance under criteria G and H should additionally be considered. Under the second test, staff finds that all of the seven factors of integrity are met.

Historic Significance and Satisfaction of Contextual Criteria

The first portion of the two-part test to determine Local Historic Landmark eligibility examines a resource's historic significance with relation to nine criteria. One or more of these criteria must be met in order for a property to qualify for designation as a Local Historic Landmark. The nomination documentation suggests that the property satisfies the criteria as follows.

<table>
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<th></th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
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</tbody>
</table>

Staff agrees with the applicant's finding that the Burnside House meets criteria C, E, and F.

C) It is identified with a person who significantly contributed to the development of the city, state, or nation.

The applicant references two separate individuals with historic ties to the subject property in the nomination documentation. The subject property was home to Virginia Burnside, the city's first female Commissioner, at the time of her election. Staff concurs that, as the first woman elected to serve for St. Petersburg's municipal government, Virginia Burnside was influential in the city's development.

The home was later co-owned by Dr. Florence Duckering and her sister, Mary Duckering. Florence Duckering, the first female member of the American College of Surgeons, continued her gynecological practice in Boston during this period, whereas Mary resided there on a fairly permanent basis. Dr. Florence Duckering retired from practice in 1946, at which point the sisters purchased another home in St. Petersburg. The building's association with not one, but two female trailblazers in Burnside and Duckering is an interesting, albeit coincidental, note in the history of the subject property. However, there does not appear to be sufficient merit for including Florence Duckering's role as a city, state, or national leader in the argument for the house's
historical significance, given the lack of connection between the accomplishments of her career and the subject property.

E) Its value as a building is recognized for the value of its architecture, and it retains sufficient elements showing its architectural significance.

The applicant notes that the Burnside House is representative of the Prairie style and features few modern alterations. Few buildings of the style and scale remain in the city; such examples are especially rare in the Downtown St. Petersburg Historic District.

F) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

The subject property, the applicant contends, is a noteworthy example of an early Prairie style bungalow in St. Petersburg. Fine details such as masonry veneer, box cornices, and grouped double hung sash windows have been retained and successfully convey the building's association with both the Prairie style and the city's pre-World War I land boom. The relative scarcity of Prairie style buildings in the area is owed, in part, to its short-lived popularity, which spanned roughly the first two decades of the twentieth century.¹

Beyond its individual architectural and social significance as presented by the applicant, staff finds that the subject property meets two additional criteria, which acknowledge the strong dialogue between the building and its surroundings. The subject property's eligibility under these criteria could not be considered by the applicant, as Section 16.30.070.2.5.B.2 of City Code requires evidence of support from the owners of 66 percent of tax parcels within a proposed district's boundaries, a written description and map of said boundaries, and a list of contributing and non-contributing properties, a process generally led by an association of homeowners. As a non-owner-supported application, therefore, the subject property cannot be designated under these criteria. However, given the increasing scarcity of contiguous collections of architecturally significant single-family homes dating to the early twentieth century within the Downtown St. Petersburg Historic District, staff recommends that the subject property's significance as a part of one such remaining cluster should, at the very least, be noted. Because of the intact nature of the subject property's immediate environs, staff suggests that it is eligible under the following criteria.

G) Its character is a geographically definable area possessing a significant concentration, or continuity of sites, buildings, objects or structures united in past events or aesthetically by plan or physical development.

The Burnside House is located within a concentrated area of bungalows dating to the early 1910s, during which time St. Petersburg saw its first major building boom and the early stages of suburbanization. Both the Burnside House and the residences which surround it are notable for their large size and grand architecture. Other remaining concentrations of historic residential buildings in the Downtown St. Petersburg Historic District were originally constructed at a more affordable scale for families of their era, like Lang's Bungalow Court, or multi-family units meant to house seasonal residents, like the concentration of apartment buildings surrounding Mirror Lake. The residences on the 100 block of Fifth Avenue North, however, were initially constructed

for St. Petersburg's early upper middle class, including doctors, City Commissioners, and builders.

H) Its character is an established or geographically definable neighborhood, united in culture, architectural style or physical plan and development.

When considered in dialogue with its surrounds, the subject property contributes to the concentration of buildings representing the pre-World War I period of development in St. Petersburg. Despite their later reuse as multi-family residences or even commercial spaces, the area retains a historic continuity defined and united by a consistency of form and scale, historic hex block sidewalks, and historic landscaping that extends beyond the significance of each individual building. The Burnside House is located within a continuous grouping of relatively grand, Craftsman-influenced bungalows constructed during the 1910s. With the exception of the parcels at its east and west edges, the buildings on the 100 block of Fifth Avenue North are one to two stories in height and constructed for single-family residential use.

Despite the buildings' evolution of use, this block collectively conveys the appearance of an upper-middle class residential street dating to St. Petersburg's first "Land Boom," which occurred during the early 1910s. Although Fifth Avenue North has been converted to a one-way street and carries somewhat heavy traffic, the block retains many of its historic granite curbs, historic street trees, and nearly all of its historic hex block sidewalks. The four houses fronting the south side of Fifth Avenue North adhere to a uniform setback from the street and feature similar massing and overall building heights, creating a prevailing sense of cohesiveness. When compared to later Florida bungalows, the subject property and those surrounding it are relatively long and narrow, the result being that they feature larger interiors than one might guess from a glance at their facades. This characteristic was influenced by the pedestrian scale and deep, narrow lots that dominated the first-developed areas of St. Petersburg.

The bungalow form would remain immensely popular in St. Petersburg during the late 1910s and into the 1920s. The building type was particularly embraced as the young city spread to the north, south, and west of downtown with neighborhoods dominated by single-family residences, and houses within those neighborhoods generally feature wider footprints and more blatant horizontal massing. The Burnside House and its neighbors, however, are representative of a period of transition as the era of centralized downtown development made way for the era suburbanization that followed. It is worth noting that the buildings were built within five years following the expansion of streetcar lines along Second Street, only a few hundred feet from the subject property.2

As noted above, the subject property and its surroundings appear to constitute the most intact collection of its type remaining within the Downtown St. Petersburg Historic District. In spite of its close proximity to continuing redevelopment, the experience of walking through this cluster of residences provides a sense of immersion that is exceedingly rare and cannot be replicated.

**Historic Integrity**

Once a potential resource has been found to meet at least one of the nine criteria for historical significance, a second test, which involves the property's integrity, is begun. In order for a resource to pass the second test, at least one of the seven factors of integrity (location, design, setting, materials, workmanship, feeling, and association) must be met. In most cases, integrity

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2 James Buckley, Street Railways of St. Petersburg Florida, (Forty Fort, PA: Harold E. Cox, 1983); 8.
of feeling and association by themselves rarely merit a property's eligibility for designation, since these factors often rely on personalized experiences, emotions, and perceptions.

The applicant does not methodically discuss integrity factors. However, staff finds that the Burnside House does meet all seven of these factors, though some have diminished over time, as follows.

<table>
<thead>
<tr>
<th>Location</th>
<th>Design</th>
<th>Setting</th>
<th>Materials</th>
<th>Workmanship</th>
<th>Feeling*</th>
<th>Association*</th>
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<tbody>
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</tr>
</tbody>
</table>

*Must be present in addition to at least one other factor.

**Location:** The building's location remains unchanged.

**Design:** Despite additions, the building's overall form has been maintained, and its carved details have been preserved to a high degree.

**Setting:** The bungalows surrounding the subject property comprise a continuous and concentrated representation of early twentieth century single-family residences.

**Materials:** The subject property's historic materials remain in place. Sacrificial materials, such as roof cladding, have been replaced as part of routine and necessary maintenance without detracting from the building's overall appearance.

**Workmanship:** The methods used to create and apply the home's Prairie style details visibly tie it to early twentieth century methods.

**Feeling:** The subject property retains its overall historic appearance and continues to convey the feeling of a single-family, Prairie style residence.

**Association:** The subject property clearly communicates its association with the movements that characterized construction of its era.

**NARRATIVE DESCRIPTION AND BACKGROUND**

The bungalow at 136 Fifth Avenue North, known herein as the Burnside House, is a two-story wood frame house with a stucco and masonry exterior and a hipped roof clad in asphalt shingles. The Burnside House, like many bungalows constructed in the early twentieth century, features the influences of an eclectic mix of architectural styles, rather than strictly following the inspiration of a single academic style. As noted by the applicant, the subject property's dominant style is the Prairie style, which is evident in the ground floor's horizontal masonry banding, as well as the wide and low massing emphasized by the expansive front porch and square truncated columns arranged in pairs and triplicate on masonry pedestals. However, the Burnside House exhibits an air of formality that references Colonial Revival elements, a stylistic influence that is noted in the residence's listing as part of the Downtown St. Petersburg Historic District National Register nomination. Elements such as the use of multiple small panes of glass in the windows' upper sashes and the appearance of a simple, essentially rectangular footprint from the façade speak...
to this reference. Colonial allusions were not infrequently incorporated into bungalow exteriors in the early twentieth century, even when their interior plans adhered to Craftsman tenets of design.\(^3\)

The building's deep eaves with box cornices are another unique and noteworthy feature. Though deep eaves are often associated with the broad, horizontal aesthetic promoted by prairie style, the bead board soffits at the subject property add a level of embellishment not typically seen and appear to conceal an integral gutter system (Figure 1). Although the building seems quite simple in form from the façade, as seen in the photograph on the cover page of this report, its rear footprint is actually irregular.

![Figure 1: Box cornice system, as seen at rear (south) elevation](image)

According to property records, the Burnside House was constructed circa 1914 with eight rooms and five bathrooms; a two-story garage apartment, since demolished, was built simultaneously.\(^4\) Both buildings appear on the 1918 Sanborn Map of the area; the presence of a masonry veneer on the subject property is indicated by a blue outline (Figure 2). The map suggests that, at that time, the subject property's front porch spanned the entire width of its façade.

The first known owners of the subject property are John L. and Virginia Burnside. The Burnsides, originally of Griggsville, Illinois, moved to St. Petersburg from Chicago in 1911, drawn by its temperate climate. Virginia Burnside became a prominent member of the community, was involved in the local chapter of the Red Cross, and became St. Petersburg's first female City Commissioner in 1920 while residing at the subject property.\(^5\) The Burnside family relocated within the city shortly thereafter.\(^6\) The 1920 United States Census enumeration for the property lists John

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\(^3\) Jan Cigliano, *Bungalow: American Restoration Style*, (Salt Lake City: Gibbs-Smith Publisher, 1998); 21.


\(^6\) *Evening Independent*, "Miss Mary W. Duckering arrived," September 10, 1921.
Burnside, a hat salesman, as the head of household, and Virginia, servant Hallie Clark, and seven boarders as additional residents.\(^7\)

The subject property was purchased in 1921 by sisters Mary W. Duckering and Dr. Florence W. Duckering.\(^9\) Records suggest that Mary lived in the property and managed it as a boarding house while Florence, the first female member of the American College of Surgeons,\(^10\) continued her medical practice in Boston.\(^11\) When Florence retired from medicine in 1946, the sisters sold the subject property and purchased a smaller home in the nearby North Shore neighborhood.\(^12\) The subject property remained in use as residential units until 1989, when a permit was granted for its use as commercial space.\(^13\)

**NOTABLE CHARACTERISTIC FEATURES**

Despite having been vacant for an extended period, the Burnside House continues to convey its historic significance as a fine and intact example of a grand, early twentieth century bungalow of the Prairie style. It retains a high degree of the historic elements that connect it to the style and era. Staff considers the building’s primary character-defining elements to be:

- Its two-story form and overall footprint,
- Its low, hipped roof with flat-roof porch,
- Masonry exterior treatment and porch piers,
- Tall masonry chimney,
- Paired square porch columns,
- Boxed cornice with wood trim, and
- Six-, nine-, and twelve-over one double-hung sash windows.

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\(^8\) Sanborn Map Company, *St. Petersburg, Pinellas County, Florida* [map], 1918, ProQuest, LLC: 2016.

\(^9\) *Evening Independent,* "Miss Mary W. Duckering Arrived from Boston," September 10, 1921.


\(^12\) *St. Petersburg Times,* "Woman Surgeon Known Here Dies," October 30, 1951.

\(^13\) Property Card.
ALTERATIONS

The applicant references the building's overall integrity, noting that minor changes to create a rear steel fire escape were made in 1956 and that a detached garage apartment was demolished in 1986. Property records and field observations confirm that few changes have been made to the building's exterior. In addition to those changes discussed by the applicant, documentation suggests that the sunroom at the western end of the front porch is not original to the building. As seen in the 1952 map in Figure 3, the original footprint, featuring a regular, squared façade and stepped rear, had been retained. The map suggests that the full-width front porch (indicated by dashed lines) remained open at the time it was drawn. Interior renovations by owner James Paul in 1953 and 1956 are noted in property records, so it is possible that the sunroom was created in conjunction with these improvements.

![Figure 3: 1952 Sanborn Map of the 100 block of Fifth Avenue North with parcel of 136 highlighted](image)

Based on the appearance, construction methods, and materials used in the sunroom, it is unlikely that the enclosure was constructed later than the 1950s (Figure 4). In fact, given the compatibility of the enclosure's materials with the subject property as a whole, it is possible that this alteration was performed between 1923, when the map was initially drawn, and its final update in 1952, but that the surveyor mistakenly neglected to note the change. The enclosure continues the masonry exterior treatment, the nine-over-one wood frame double hung sash windows, and the arrangement and rhythm of fenestration present in the original portion of the house. When taking into account the age and architecturally sympathetic nature of this alteration, staff does not consider the enclosure to reduce historic integrity to such an extent that the subject property's eligibility is affected.

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PROPERTY OWNER CONSENT AND IMPACT OF DESIGNATION

The proposed Local Historic Landmark designation was submitted by St. Petersburg Preservation, Inc., a third party non-owner of the subject property. As required by Section 16.30.070.2.5.C.4 of City Code, the applicant included proof that a copy of the application was provided to the registered owner via certified mail when the application was submitted. Separately, a copy of the application and materials were provided by City Staff to Larry Hyman, who was officially appointed as receiver for the subject property by the court.

Benefits of Local Historic Landmark designation include increased heritage tourism through the maintenance and promotion of the city’s historic character and significance. Certain relief from the requirements of the Florida Building Code and FEMA regulations are also available to designated Local Historic Landmarks, as are tax incentives such as the Ad Valorem Tax Exemption.

CONSISTENCY WITH ST. PETERSBURG’S COMPREHENSIVE PLAN AND EXISTING AND FUTURE LAND USE PLANS

The proposed Local Historic Landmark designation is consistent with the City’s Comprehensive Plan, relating to the protection, use and adaptive reuse of historic buildings. The proposed Local Historic Landmark designation will not affect the FLUM or zoning designations, nor will it significantly constrain any existing or future plans for the development of the City. The proposed local landmark designation is consistent with the following:

OBJECTIVE LU10: The historic resources locally designated by the St. Petersburg City Council and the commission designated in the LDRs, shall be incorporated into the Comprehensive Plan map series at the time of original adoption or through

Figure 4: Sunroom at western side of front porch
the amendment process and protected from development and redevelopment activities consistent with the provisions of the Historic Preservation Element and the Historic Preservation Ordinance.

Policy LU10.1 Decisions regarding the designation of historic resources shall be based on the criteria and policies outlined in the Historic Preservation Ordinance and the Historic Preservation Element of the Comprehensive Plan.

Policy HP2.3 The City shall provide technical assistance to applications for designation of historic structures and districts.

Policy HP2.6 Decisions regarding the designation of historic resources shall be based on National Register eligibility criteria and policies outlined in the Historic Preservation Ordinance and the Comprehensive Plan.

The subject property has a Future Land Use Plan designation of CBD (Central Business District) and is zoned DC-2 (Downtown Center-2) on the City’s Official Zoning Map. Maximum density in all DC categories is limited by Floor Area Ratio (FAR), rather than units per acre. CBD designation allows a mixture of high-intensity retail, office, industrial, service, and residential uses up to a FAR of 4.0 and a net residential density not to exceed the maximum allowable in the land development regulations. There are no known plans at the time of this report to change the allowable uses of the subject property, or those properties that border it.

This district comprises St. Petersburg’s historic and original downtown core, and was platted to reflect the pedestrian-oriented scale that was necessary and typical of urban centers before mainstream automobile ownership. Redevelopment of properties in the surrounding area has been increasing over the past several years as part of a prospering local economy and booming real estate market. A number of extant historic buildings within this district have also been preserved, both with and without the protection of a Local Historic Landmark designation.

RECOMMENDATION
Staff recommends APPROVAL of the request to designate the Burnside House, located at 136 Fifth Avenue North, as a Local Historic Landmark, thereby referring the application to City Council for first and second reading and public hearing.
RESOURCES

Dunlap, A.R. "Election of Mrs. C.G. Edwards recalls fact Virginia Burnside was City Commissioner in 1920." St. Petersburg Times, May 17, 1951.


Evening Independent. "Miss Mary W. Duckering Arrived from Boston..." September 10, 1921.


St. Petersburg Times. "Local Sales Remain Brisk; Five Deals Total $80,000." July 11, 1946.


APPENDIX A: AERIAL AND STREET MAPS
APPENDIX B: DESIGNATION APPLICATION
1. NAME AND LOCATION OF PROPERTY

<table>
<thead>
<tr>
<th>Historic name</th>
<th>John L. Burnside House</th>
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<td>Address</td>
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2. PROPERTY OWNER(S) NAME AND ADDRESS

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3. NOMINATION PREPARED BY

| Name/title              | Howard Ferebee Hansen              |
| Organization            | St. Petersburg Preservation        |
| Street and number       | P. O. Box 838                      |
| City or town            | St. Pete                            |
| State                  | Florida                             |
| Zip code               | 33703                               |
| Phone number (h)        | 727-323-1351                       |
| E-mail                 | fenford1@gmail.com                 |

4. BOUNDARY DESCRIPTION AND JUSTIFICATION

Describe boundary line encompassing all man-made and natural resources to be included in designation (general legal description or survey). Attach map delimiting proposed boundary. (Use continuation sheet if necessary)
Lot 5 of Block 3 of the Revised Map of St. Petersburg as recorded in Plat Book 1, page 49 of the official records of Hillsborough Co. Florida of which Pinellas County was formerly a part.

This lot constitutes the boundary of this historic resource from the time of its construction till 2016.

5. GEOGRAPHICAL DATA

| acreage of property | less than 1 acre  
|                     | (50'X123')        |
| property identification | 19-31-17-74466-003-00 |
| number               | 50                 |

Burnside -Duckering House
Name of Property

6. FUNCTION OR USE

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7. DESCRIPTION

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<td>(See Appendix A for list)</td>
<td>concrete block,</td>
</tr>
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</table>
**Narrative Description**

On one or more continuation sheets describe the historic and existing condition of the property use conveying the following information: original location and setting; natural features; pre-historic man-made features; subdivision design; description of surrounding buildings; major alterations and present appearance; interior appearance;

**NEIGHBORHOOD SETTING**

The Burnside-Duckering House is located on Block 3 at the northern edge of the original plat of St. Petersburg that was surveyed in 1888. Fifth Avenue North a 100’ r.o.w. street runs along the northern boundary of this original plat. This block is situated on a sandy ridge about 10’ above sea level and lies about 1000’ west of the original shoreline of Tampa Bay which since circa 1905 became Beach Drive NE. This northeastern section of the original town plat had sparse development before the first decade of the 20th century. Between 1905 and 1916 it became a residential neighborhood favored by the wealthy citizens and winter visitors because of its proximity to the waterfront and isolation from the congestion of the nearby downtown commercial district. The majority of the buildings in this area were built before the construction hiatus of 1917 caused by the Great War. These buildings were all residential, a combination of detached single family homes, tourist rental cottages, apartment buildings, and small winter tourist hotels. Generally they were of frame construction and one or two stories high. By the close of the Florida Land Boom in 1926 this neighborhood was “built out”. By the late 1920s and through the 1930s many of the single family homes were converted into small apartment buildings and boarding houses because the more affluent residents had moved north to the more fashionable new neighborhoods of the Old Northeast and Snell Isle. During the 1980s the city drastically changed the zoning of this area designating it “Central Business District 2” that granted high density construction and building heights to these properties. This triggered the demolition of many of the older structures and the construction of high-rise condominiums. This area forms the northeastern corner of the National Register of Historic Places, Downtown St. Petersburg Historic District (8PI10648) which was enacted in 2004 to help preserve the remaining historic resources here.

**DESCRIPTION OF PROPERTY**
The Burnside-Duckering House was built on a 50' X 123' lot in the center of Block 3 of the Rev. Map o St. Petersburg. The house fronts north onto Fifth Avenue North which is a 100" right of way street, the rear (south) of the property faces a 20' wide alley, adjacent to the east is a one story frame bungalow, and adjacent to the west is a two story frame and stucco bungalow. The house is two stories high, an irregular rectangle in plan. about 40' wide (E-W) and 44' long (N-S) containing about 3,254 square feet. The house is set back about 10' from the 5th Ave sidewalk and has about 5' setbacks from side property lines. A two story frame garage/ apartment occupies the SE corner of the lot with its doors facing the alley. There are no other ancillary buildings, structures, or objects on the lot. The public sidewalk along 5th Ave. is of hex-blocks, 2 mature Sabal palmettos occupy the 5th Ave. r.o.w. which are part of a historic row of such palms planted on both sides of 5th Ave. before 1920 that extends from Beach Drive to 2nd St. N. A hex-block walkway leads from the sidewalk to its front porch. A large old oak (Quercus virginiana) and a large mango tree occupy the rear porch, there are no historic fences or walls observed on the property.

BUILDING
The foundation is a poured in place concrete footing surmounted by a 24" high continuous concrete block foundation wall that has rectangular vent holes. The house's structural systems are load bearing exterior concrete block walls on the ground (first) floor and load bearing balloon frame wood exterior walls that are finished with wood wood lath and concrete stucco with a smooth sand finish on the first (second) floor. These stucco walls have ornamental 4" wide vertical wooden upright boards spaced at regular intervals to mimic "half-timbering". Interior floors throughout are wood joists and strip wood flooring. Interior walls and ceilings are finished in plaster. The exterior concrete block walls are laid in alternating courses of about 8" high blocks with about 4" blocks and the horizontal mortar joints are scored and indented while vertical joints are flush. The chimney which is located on the exterior east side of the house is of identical material and finish. The windows of the house are wood double hung sashes with 9 lights in upper sash and 1 light in lower sash. Exterior and interior window surrounds and sills are wood with simple detail. The front porch- The roof is of hip form made of wood trusses and has widely projecting eaves with wood soffits and fascia. The original roofing surface material is unknown, but likely was asphalt composition shingles. The front porch is one story with a similar hip roof to the house. The west end of the front porch is enclosed to form a "sun room" and has banks of windows. The open porch has a concrete apron wall about 30" high of concrete blocks identical to the house with two slightly projecting piers that support paired wood "Tuscan" style pillars that support the simple roof cornice. The front door is simple wood and flanked by sidelights. The porch floor is wood, but the steps are concrete.

ALTERATIONS
Historic (pre 1966) alterations- A steel fire escape and alteration of a window to form access door was permitted to owner, James Paul in 1956, located on rear (south) facade. Interior partition alterations made at this time to convert the house into rental apartments.


SOURCES
Site inspection of the exterior of 136 5th Ave. N. on 20 Apr. 2016 by Howard Ferebee Hansen
City of St. Petersburg “Property Card” 136 5th Ave. N.
Sanborn Fire Insurance Company, maps; 1908, 1913, 1918, and 1923.

8. NUMBER OF RESOURCES WITHIN PROPERTY

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<th>Noncontributing</th>
<th>Resource Type</th>
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9. **STATEMENT OF SIGNIFICANCE**

**Criteria for Significance**
(mark one or more boxes for the appropriate criteria)

- [ ] Its value is a significant reminder of the cultural or archaeological heritage of the City, state, or nation.

- [ ] Its location is the site of a significant local, state, or national event.

- [x] It is identified with a person or persons who significantly contributed to the development of the City, state, or nation.

- [ ] It is identified as the work of a master builder, designer, or architect whose work has influenced the development of the City, state, or nation.

- [x] Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance.

- [x] It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

- [ ] Its character is a geographically definable area possessing a significant concentration, or continuity or sites, buildings, objects or structures united in past events or aesthetically by plan or physical development.

- [ ] Its character is an established and geographically definable neighborhood, united in culture, architectural style or physical plan and development.

- [ ] It has contributed, or is likely to contribute, information important to the prehistory or history of the City, state, or nation.
Areas of Significance
(see Attachment B for detailed list of categories)

- architecture
- social history

Period of Significance
1916 to 1946

Significant Dates (date constructed & altered)
1916

Significant Person(s)
Virginia Burnside (Mrs. John L. Burnside)
Dr. Florenece A. Duckering MD

Cultural Affiliation/Historic Period
20th century

Builder
unknown

Architect
unknown

Narrative Statement of Significance
(Explain the significance of the property as it relates to the above criteria and information on one or more continuation sheets. Include biographical data on significant person(s), builder and architect, if known. Please use parenthetical notations, footnotes or endnotes for citations of work used.)
SUMMARY STATEMENT OF SIGNIFICANCE

The Burnside-Duckering House, located at 136 Fifth Avenue North, meets three of the nine criteria necessary for designating historic properties listed in Section 16-525(d) of the City of St. Petersburg Code of Ordinances. These criteria are; (3) It is identified with a person or persons who significantly contributed to the development of the City, state, or nation; (5) Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; (6) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

Under Criterion (3), the property is significant as the home of Virginia C. Burnside the first female city commissioner of St. Petersburg elected to office in 1920 and also the winter residence of Dr. Florence W. Duckering the first female surgeon to be admitted to the American College of Surgeons in 1913. Under Criteria (5) and (6) the house is significant as an important local example of the Prairie style of architecture that retains its original appearance and historic integrity.

NARRATIVE STATEMENT OF SIGNIFICANCE

HISTORIC CONTEXT

During the First Boom Period in St. Petersburg, 1909-1914, the city of St. Petersburg experienced dramatic population growth and real estate development in the brief period beginning in 1909 and ending with the outbreak of World War I. The population was 4,500 in the 1910 Federal Census and rose to 14,237 in the 1920 Census, an increase of 245%. The county's property tax evaluation for the city in 1911 was $3,546,130 and it grew to $8,977,930 in 1915 (Fuller, Walter, St. Petersburg and its People (1972) p. 142). In 1909 local voters approved a large municipal bond issuance that provided for major upgrades to the potable water, sewer system, and brick paving of city streets (Grismer, Karl, The Story of St. Petersburg (1948) p. 120). The City's western municipal limits in 1907 were at 7th Street N., jogging at Central Ave. to 12th St. S., but by 1914 the City stretched to Boca Ciega Bay (Fuller 1972:132). The city's trolley system grew from 3 miles in 1909 to 23 miles by 1917 (Arsenault, Raymond, St. Petersburg and the Florida Dream 1888-1950 (1988) p. 136). This explosive growth was the result of residential real estate subdivision projects created by local developers; H. Walter Fuller, Noel Mitchell, Perry Snell, and many smaller speculators (Arsenault 1988: 136). The expansion was in all directions from original plat of
the town, bounded roughly by 5th Avenues North and South, west to 12th Street, and followed new streetcar lines largely financed by the private developers. The buyers of these 22,000 lots that existed in 1914 (Fuller 1972:131) were the seasonal winter tourists who were lured to the city in ever increasing numbers by a sophisticated national advertising campaign. An estimate of the 1910-1911 tourist season made by the Board of Trade, claimed 4,518 seasonal visitors registered at their welcome station, but this was likely only 50% of the real total. The majority came from Ohio, Indiana, Illinois, and New York (Evening Independent 7 Mar. 1911, p.6). A major difference between this real estate boom and the larger one of 1920 to 1926, was the emphasis on selling suburban houses versus selling vacant lots. These houses were intended as winter homes to be used as investment rentals until the owners retired to St. Petersburg. A brisk business for both residential and commercial properties began in the winter of 1908-1909. Each winter thereafter the demand increased. By the winter of 1912-1913 it became a "boomlet of the super-dooper variety" (Fuller 1972:131). This boom was short lived, by the fall of 1913 it began to taper off and during the early months of 1914 real estate advertising almost disappeared from the newspapers. The market had been oversold and there was a public fear that the country seemed headed for another depression. The outbreak of World War I in July 1914 completely stopped the boom. Although tourism remained strong during the 1914-1915 tourist season, buyers became reluctant to invest in vacation homes and bankers became stingy in extending more credit to the developers. There was no "crash" in the local real estate market, home prices and tax evaluations did not deflate, but cash flow problems crippled the developers who had to bide their time till the end of war in 1918 (Grismer 1948:235-6).

HISTORY OF 136 5th Avenue North

The Burnside-Duckering House is located on Lot 5 of Block 3 of the Revised Map of St. Petersburg which was surveyed originally in 1888 and later revised. Fifth Avenue North was the northern boundary of the town's first subdivision and development did not occur here until the first decade of the 20th century. The 1908 Sanborn Fire Insurance Co. map of this block shows no buildings or structures along its northern half that fronts onto Fifth Avenue North. The Thornton's Addition subdivision on the north side of Fifth Avenue in this block had a similar pattern of development. Construction in this area began with St. Petersburg's first real estate boom cycle that occurred from 1909 until 1915.
The original city "Property Card" is lost so no reliable date of construction or names of contractor and architect survive, however the first surviving card notes; "1914, 1- concrete & frame res. 8 rooms, 5 baths, 2-2 story frame gar. apt." This house does not appear on the 1913 Sanborn Fire Insurance Co. map of this block. the house does not appear in the 1916 city directory which was field verified in late 1915. The house does appear in the 1918 city directory as the residence of John L. Burnside and his wife, Virginia. The 1916 city directory lists John and Virginia Burnside as occupants of 556 Beach Dr. NE (the landmark Jones-Laughner House). These data suggest a construction date between 1914 and 1916. The Burnsides are listed in the 1920 federal census at this address, John L. Burnside a white married male aged 62, born in Ohio, a commercial salesman of hats. Virginia Burnside a white married female aged 61, born in Illinois, no occupation. Also in the household was Hallie Clark a negro widowed female aged 46, born in Florida, servant. Four lodgers are listed; Mary Smith aged 70, Anne Boyce aged 44, Caroline Roster aged 53, and Samuel B. vanArsdale aged 46 (1920 U. S. Census, St. Petersburg). The presence of the four lodgers shows that Virginia was running a boarding house while her husband was away on business trips. A 1919 newspaper article says; "John Burnside of 136 5th Avenue North arrived home yesterday after an absence of three months on a business trip. He found on arrival, that Mrs. Burnside had been ill for several days with the influenza, but she is now better. Mr. Burnside will be here at least three months before going north." ("St. Petersburg Evening Independent", 24 Dec. 1919, p. 5). The Burnsides sold their house in 1921 to Mary Duckering and they moved to a house at 225 4th St. N. (now demolished) and lived there through her death in 1924. After this date John L. Burnside is not listed in local city directories (R.L. Polk, St. Petersburg City Directory 1921/2, 1923, 1924, 1925, and 1926, passim).

"Miss Mary Duckering arrived from Boston yesterday to make St. Petersburg her home. Miss Duckering and her sister spent last winter here and before leaving for Boston they bought from Lew B. Brown the handsome home at 136 Fifth Avenue North formerly occupied by Mr. & Mrs. John L. Burnside. Miss Duckering will remodel the house and furnish it for the winter season." ("St. Petersburg Evening Independent", 10 Sep. 1921, p. 5). City directory listings indicate that Mary Duckering remained in this house until 1946 when it was occupied by a new owner, James H. Paul a clerk at the Alexander Hotel on Central Avenue. Paul remained in the house through 1970. In 1980 it was owned by Loreny Wyscaver, in 1990 it is listed as "On the Avenue Antiques" retail shop and with rental apartments (R. L. Polk, St. Petersburg City Directory 1920 to 1990, passim).

The property was sold on 11 Dec. 2000 by Timothy V. Klein and Shirley his wife to Charles W. Ross for $240,000. The property was sold on 6 Dec. 2005 to Fuel Development & Investment II LLC by Harpo Holding Inc. for $800,000 (Pinellas Co. Tax Assessor website, retrieved 24 Apr. 2016). The property has been vacant and
deteriorating since about 2008 awaiting planned demolition to create a site for a 20 story hotel project that never happened.

BIOGRAPHY OF VIRGINIA CHEW BURNSIDE (1858 -1924)

Mary Virginia Chew Wilson was born on 9 Oct. 1858 at Griggsville, Illinois to Andrew Wilson (b. 1820 Boston, MA) and his wife, Almyra Chew (b. 1830 Georgetown, D.C.) (Florida Deaths 1877- 1939, database at Familysearch.org based on FL Death Certificate data. retrieved 26 Apr. 2016). The 1850 and 1860 federal census of Pike Co. IL shows that Andrew Wilson and Almyra residing in this county.

An article in a women's suffrage magazine states; "Mrs. John Burnside, city commissioner of St. Petersburg, Florida has the proud distinction of being the first woman commissioner ever elected south of Mason Dixon's Line. St. Petersburg gave its women municipal suffrage in April 1919. After a spendid campaign, Mrs. Burnside was elected by a good majority and assumed office July 1, 1920, almost two months before the 19th Amendment was ratified."
"Virginia Chew Burnside was born in Griggsville, Ill., educated at Illinois State Womens' College and Oxford University. She is the wife of a retired Chicago businessman and a grandmother. As president of the Red Cross, she won the hearts of the people during the war..." "During her career as commissioner, she worked for the city's better drainage and paving program, extension of the park system, public waterfront improvement, and municipally owned streetcars. She is now furthering efforts for a municipal lighting system and kindergartens. She is also an active member of the League of Women Voters. The women of St. Petersburg are petitioning mrs. Burnside to run for re-election in April.‖ ("The Woman's Journal", vol. 6, 8 Apr. 1922, p. 13).

Virginia Burnside died on 29 Apr. 1924 at St. Petersburg aged 66, she was buried at Royal Palm Cemetery on 4 May 1924. John L. Burnside died at St. Petersburg on 2 Jan. 1935 and was buried next to his wife on 4 Jan. 1935 (ibid. Fl. Deaths).

BIOGRAPHY OF MARY W. DUCKERING (1865-1958) and DR FLORENCE W. DUCKERING MD (1869 -1951)

Mary West Duckering was born in 1865 and Florence West Duckering born in 1869 they were the daughters of William Duckering (b. 1824) and his wife, Fanny of York, Yorkshire, UK. Mary Duckering immigrated to Boston, MA in 1890 and lived with her elder brother, Dr. William B. Duckering MD. She is listed in the 1900 and 1910 federal census as a single woman, not working "with her own income" living in William's household. Mary Duckering moved to St. Petersburg to become a permanent
resident in 1921. She and Florence purchased a house at 136 5th Ave. N. When Dr. Florence Duckering retired from practice in 1946 the sisters sold the house on 5th Avenue and moved to 506 21st Avenue NE.

"Woman Surgeon Known Here Dies - Dr. Florence West Duckering, 82, first woman member of the American College of Surgeons in 1913 died last Wednesday at her summer home in Hancock, NH. She was a winter resident here for years. Born in England, she received her nursing education there and came to Boston in 1895. She graduated from Tufts Medical School in 1901, interned at the Massachusetts Womens' Hospital and was then resident surgeon there two years. Later she joined the surgical staff of the New England Hospital for Women as assistant and later senior surgeon. She practiced medicine till 1946 when she retired to St. Petersburg and lived with her sister Miss Mary Duckering. Burial will be in Boston." ("St. Petersburg Times", 30 Oct. 1951, p. 10 'Woman Surgeon Known Here Dies').

ARCHITECTURAL SIGNIFICANCE

The Burnside-Duckering House is a good example of a Prairie style single family detached residence that has very few modern alterations. Prairie style building are rare in the city of St. Petersburg and this is one of the few remaining structures of this type within the St. Petersburg Downtown Historic District (2004) BPi10648. The house at 335 Lang Court (contributing building to local landmark Lang Bungalow Court District HPC- 14-90300002) is the other surviving building of this style within the Downtown Historic District. And houses of this type are also scarce in other city historic districts, the best examples being the Dr. Green House & Sanitorium in Roser Park, 250 Park St. N., and the Henry H. DuPont residence at 600 6th St. N. within the National Register Round Lake Historic District. The reason for this scarcity of Prairie style houses is the short duration of this style's popularity which lasted from 1900 till 1914.

The Prairie style is an American outgrowth of the Arts and Crafts Movement that had its origin with the Chicago School of architects whose founder was Louis Sullivan. The most famous exponent of this style was Frank Lloyd Wright. The Prairie style was inspired by the most avant-garde adherents of European Arts & Crafts architecture, especially the works of the Vienna Secession architects who were turning away from all superfluous ornament to a Modernist aesthetic. The 1910 essay by Adolf Loos "Ornament and Crime" summarizes the philosophy of this group. Even in the affluent turn of the century suburbs of Chicago this style was not common, it struck the general public of this era as a radical new form of architecture and it was appreciated mainly by an audience of wealthy clients who could display their sophistication with a trendy novel residence. This reluctance of the public to embrace modern domestic architectural styles was a trend that spanned the entire 20th century. However, the publishers of American architectural plan books and
magazines did offer plans of single family homes in this style during the first decades of the 20th century.

Houses designed in the Prairie style exhibit key design elements; a horizontal emphasis in massing and appearance, wide eaved hip or flat roofs, windows organized into banks, wide one story porches that extend from the main block of the house, the use of simple water and string courses to emphasize the horizontality of the facades, and a lack of ornamental details.

10. MAJOR BIBLIOGRAPHICAL REFERENCES

Please list bibliographical references.

(Please see contextual source citations)
APPENDIX C: ADDITIONAL PHOTOGRAPHS
Photograph 1: Front (north) entrance, facing southwest
Photograph 2: Front porch, facing southwest
Photograph 3: North façade
Photograph 4: North façade
Photograph 5: Open eastern side of front porch, facing south
Photograph 6: Rear (south) elevation, facing northeast
Three comments in opposition of designation (attached, to follow) and none in support have been received as of January 3, 2017.
In re Historical Landmark Designation Applications:  
118, 126, 136, 142, and 142 ½ 5th Avenue North, St. Petersburg, Florida

HPC 16-90300003  
HPC 16-90300004  
HPC 16-90300005  
HPC 16-90300006

AFFIDAVIT OF CHANDRESH S. SARAIYA  
AS MANAGER OF SUBURBAN FEDERAL PROPERTY, LLC

BEFORE ME, the undersigned authority, personally appeared Chandresh S. Saraiya, being first duly sworn, deposes and says:

1. This affidavit is submitted in opposition to the Local Landmark Designation Applications (together, the “Applications”) filed by St. Petersburg Preservation for the contiguous parcels of property located at 118, 126, 136, 142, and 142 ½ 5th Avenue North, St. Petersburg, Florida (together, the “Subject Property”), copies of which are attached hereto as Composite Exhibit “A.”

2. My name is Chandresh S. Saraiya, I am over the age of eighteen years old, and I am the Manager of Suburban Federal Property, LLC (“Suburban”), the seventy percent (70%) owner of Fuel Investment & Development II, LLC (“FID II”). Suburban was ten percent (10%) owner of FID II in 2006, but due to performance issues with the initial developer, Suburban ended up acquiring all of the developer’s interest and is now seventy percent (70%) owner of FID II.

3. FID II is the owner of the Subject Property, having purchased all applicable parcels between December 2005 and April 2006 for a total of $3,100,000, and an additional two contiguous parcels of property in November 2006 for $3,500,000, representing a total purchase price of $6,600,000.
4. In addition to being the majority owner in FID II, Suburban is a co-managing member of FID II. FID II has an additional three (3) co-managing members, who have not been consulted in the drafting of this Affidavit. I am unaware of whether or not any of the other co-managing members have received notice of the Applications.

5. The Applications were submitted on May 1, 2016 by Howard Ferebee Hansen of St. Petersburg Preservation ("St. Pete Preservation"), a non-profit organization whose mission is described as educating the public about local historic architecture resources, landmarking or assisting in the landmarking of "deserving" sites and structures, and preserving sites and structures previously landmarked.

6. St. Pete Preservation has no ownership or other interest in the Subject Property, and, to the best of my knowledge, submitted the Applications without any notice to or communication with any representative of FID II.

7. FID II purchased the Subject Property in order to redevelop the same and take a city block that has, even as acknowledged by the Applications, been blighted by neglect and crime.

8. During my involvement with the Subject Property as Manager of the majority owner and otherwise, I was unaware of any potential historical landmarks on any of the Subject Property.

9. After purchase of the Subject Property, FID II submitted applications for approval of two (2) separate projects, each of which were rejected by the City of St. Petersburg. In addition to issues with zoning and approval of FID II's development projects, and in large part because of the same, FID II experienced financial difficulties which resulted in (a) default on its
obligations to its lenders, (b) initiation of foreclosure on the Subject Property, and (c) two (2) bankruptcy proceedings.

10. As a result of these issues, the Subject Property has been the subject of a foreclosure action styled First Street and Fifth Avenue, LLC v. Fuel Investment & Development II, LLC, Case No. 09-16378-CI-15 (the “Foreclosure Action”), which has been pending before the Circuit Court for the Sixth Judicial Circuit in and for Pinellas County, Florida (the “State Court”) since August 15, 2009.

11. The Foreclosure Action has been pending for more than seven (7) years and has prevented any potential development of the Subject Property while it remains in limbo. The senior mortgage holder of the property, First Street and Fifth Avenue, LLC, holds a lien on the Subject Property in an amount exceeding $10,000,000.

12. FID II has been dissolved and non-operational since at least September 27, 2013.

13. As a result of the years of limbo and uncertainty created by the Foreclosure Action and lack of financial resources of FID II, the Subject Property has fallen further into disrepair.

14. On May 11, 2016, the City of St. Petersburg Code Enforcement department (“Code Enforcement”) sent out two (2) notices of their intent to seek demolition of portions of the Subject Property (the “Demolition Notices”), copies of which are attached hereto as Composite Exhibit “B.”

15. I have personally walked the Subject Property with Code Enforcement in order to gain a better understanding of the issues associated with the Demolition Notices and other code enforcement violations.
16. On November 23, 2016, after hearings on August 22, 2016, and November 4, 2016, the State Court appointed Larry S. Hyman, CPA (the “Receiver”) as receiver over the Subject Property in order to address the issues identified in the Demolition Notices, delinquent taxes, and other issues of the Subject Property.

17. Accordingly, the Receiver is in control of the Subject Property for the balance of the Foreclosure Action or until otherwise discharged by the State Court.

18. If the Applications are successful, the value of the Subject Property will be severely impaired and it is unlikely that any revitalization or improvement to the Subject Property will take place.

19. This will, in effect, leave half of a block in downtown St. Petersburg in a state of neglect that impacts the surrounding community, particularly where downtown St. Petersburg is in the middle of a redevelopment and revitalization effort that involves new construction and an influx of residents and businesses.

20. It would require an enormous amount of resources in order to clear the Demolition Notices and other Code Enforcement violations, and even more resources would be required in order to restore the Subject Property to even the most minimal of habitable condition.

21. If there is no possibility for future development on the Subject Property due to a Local Landmark status, it is unlikely that any entity would be willing to commit the appropriate resources in order to correct or maintain the Subject Property.

22. It is my understanding that the purpose of the City of St. Petersburg Code on “Preservation of Historic Properties” (Sec. 16.30.070.2) includes stabilizing and improving property values “in historic districts and in the City as a whole” (16.30.070.2.1.B.3), strengthening the economy of the City (16.30.070.2.1.B.5), and enhancing the “visual and
aesthetic character, diversity and interest of the City" (16.30.070.2.1.B.7). I do not believe that any of these purposes are furthered by the designation of the Subject Property as local landmarks.

23. At the very least, it is incumbent upon the City of St. Petersburg to delay any decision of the Historic Preservation committee to delay consideration of any of the Applications until the Foreclosure Action is resolved and a new and solvent owner of the Subject Property is identified to allow full due process to the owner.

24. I did not receive any formal notice of the Applications or any steps to consider the same by the City of St. Petersburg, and only received notice through proceedings involving appointment of the Receiver in the Foreclosure Action.

FURTHER AFFIANT SAYETH NOT.

Dated this 3rd day of January, 2017.

CHANDRESH S. SARAIYA

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

SWORN TO AND SUBSCRIBED before me this 3rd day of January, 2017, by Chandresh S. Saraiya, Manager of Suburban Federal Property, LLC, a Florida limited liability company. He is personally known to me or has produced personally as identification.

RENEE J. OSBORNE
Notary Public - State of Florida
My Comm. Expires Aug 26, 2017
Commission # FF 19468
Bonded Through National Notary Assn.

RENEE J. OSBORNE
Notary Public, State at Large
Serial Number and Seal
Exhibit “A”
To prevent redundancy within this packet, please refer to Appendix B: Designation Application.
Exhibit “B”
DEMOLITION VIOLATION NOTICE
Delivered via U.S. Certified and First Class Mail

May 11, 2016

FUEL INVESTMENT & DEVELOPMENT II LLC
201 N FRANKLIN ST STE 2505
TAMPA FL 336025300

DEMOLITION CASE NO: 15-00022238
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 118 5TH AVE N
REV MAP OF ST PETERSBURG
BLK 3, LOT 3

STRUCTURE(S): DUPLEX & INGROUND POOL

This notice is directed to the above legal property owner(s) of record (responsible party) and additional copies are being provided to potentially interested parties including the person whose name and address appears at the top of this letter.

The property described above has been evaluated and determined to have conditions which appear to not comply with the City Code: CHAPTER 8, DIV. 4, SEC. 8-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES

The property owner or duly authorized representative must obtain permits to make repairs to the above referenced structure(s). The property owner may be required to retain a design professional to conduct an evaluation of the structure and produce a detailed written report with rehabilitation plans. A licensed contractor may also be required to provide a cost estimate and conduct the rehabilitation.

Permits to rehabilitate or to demolish the structure(s) must be obtained by June 20, 2016.

If these conditions are not corrected by the specified date, the City can take action to condemn and demolish the structure(s). All costs incurred in any condemnation action will be assessed as an interest bearing lien against the property. If additional time is needed to obtain permits for rehabilitation or demolition of the structure(s), contact me in writing with an outline of your plans before June 20, 2016.

Respectfully,

HAUSEN PALMER 894-4489 Area Code "813", Building Demolition Coordinator
May 11, 2016

FUEL INVESTMENT & DEVELOPMENT II LLC
PO BOX 273944
TAMPA, FL 33683944

DEMOLITION CASE NO: 16-0009871
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 142 5TH AVE N
REV MAP OF ST PETERSBURG
BLK 3, LOT 6

STRUCTURE(S): SGL FAM RES & TRIPLEX

This notice is directed to the above legal property owner(s) of record (responsible party) and additional copies are being provided to potentially interested parties including the person whose name and address appears at the top of this letter.

The property described above has been evaluated and determined to have conditions which appear to not comply with the City Code: CHAPTER 8, DIV. 4, SEC. 8-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES

The property owner, or duly authorized representative must obtain permits to make repairs to the above referenced structure(s). The property owner may be required to retain a design professional to conduct an evaluation of the structure and produce a detailed written report with rehabilitation plans. A licensed contractor may also be required to provide a cost estimate and conduct the rehabilitation.

Permits to rehabilitate or to demolish the structure(s) must be obtained by June 20, 2016.

If these conditions are not corrected by the specified date, the City can take action to condemn and demolish the structure(s). All costs incurred in any condemnation action will be assessed as an interest bearing lien against the property. If additional time is needed to obtain permits for rehabilitation or demolition of the structure(s), contact me in writing with an outline of your plans before June 21, 2016.

Respectfully,

[Signature]

[NAME] [PHONE] 832-2523 (Area Code 727), Building Demolition Coordinator

VI
In re Historical Landmark Designation Applications:
118, 126, 136, 142, and 142 ½ 5th Avenue North, St. Petersburg, Florida

HPC 16-90300003
HPC 16-90300004
HPC 16-90300005
HPC 16-90300006

AFFIDAVIT OF CHANDRESH S. SARAIYA AS
PRESIDENT OF FIRST STREET AND FIFTH AVENUE, LLC

BEFORE ME, the undersigned authority, personally appeared Chandresh S. Saraiya, being first duly sworn, deposes and says:

1. This affidavit is submitted in opposition to the Local Landmark Designation Applications (together, the “Applications”) filed by St. Petersburg Preservation for the contiguous parcels of property located at 118, 126, 136, 142, and 142 ½ 5th Avenue North, St. Petersburg, Florida (together, the “Subject Property”), copies of which are attached hereto as Composite Exhibit “A.”

2. My name is Chandresh S. Saraiya, I am over the age of eighteen years old, and I am the President of First Street and Fifth Avenue, LLC (“FSFA”), the senior mortgage holder on the Subject Property, and the additional contiguous parcel located at 135 5th Avenue North.

3. FID II is the owner of the Subject Property, having purchased all applicable parcels between December 2005 and April 2006.

4. On November 6, 2006, FID II borrowed funds in the original principal amount of $4,800,000, and executed a “Mortgage, Assignment of Leases and Rents and Security Agreement” (the “Mortgage”) in favor of Broadway Bank, a copy of which is recorded in the Official Records of Pinellas County, Florida at Official Records Book 15475, beginning at 1387.

5. After a series of assignments that are a matter of public record, on September 28, 2012, FSFA received an “Assignment of Mortgage and Loan Documents” assigning all right,
title, and interest in the Mortgage to FSFA. Accordingly, FSFA is now the owner and holder of the Mortgage and the associated rights thereunder.

6. The Applications were submitted on May 1, 2016 by Howard Ferebee Hansen of St. Petersburg Preservation ("St. Pete Preservation"), a non-profit organization whose mission is described as educating the public about local historic architecture resources, landmarking or assisting in the landmarking of "deserving" sites and structures, and preserving sites and structures previously landmarked.

7. St. Pete Preservation has no ownership or other interest in the Subject Property, and, to the best of my knowledge, submitted the Applications without any notice to or communication with any representative of FSFA.

8. The Subject Property has been the subject of a foreclosure action styled First Street and Fifth Avenue, LLC v. Fuel Investment & Development II, LLC, Case No. 09-16378-CI-15 (the "Foreclosure Action"), which has been pending before the Circuit Court for the Sixth Judicial Circuit in and for Pinellas County, Florida (the "State Court") since August 15, 2009.

9. The Foreclosure Action has been pending for more than seven (7) years and has prevented any potential development of the Subject Property while it remains in limbo.

10. During the pendency of the Foreclosure Action, the Subject Property, which was initially purchased as a development investment, has fallen further into disrepair.

11. On May 11, 2016, the City of St. Petersburg Code Enforcement department ("Code Enforcement") sent out two (2) notices of their intent to seek demolition of portions of the Subject Property (the "Demolition Notices"), copies of which are attached hereto as Composite Exhibit "B."
12. As a result of the Demolition Notices and other Code Enforcement violations, on July 29, 2016, FSFA filed “FSFA’s Emergency Motion for Appointment of Receiver to Maintain and Safeguard Assets” in the Foreclosure Action, seeking an order of the State Court appointing a receiver over the Subject Property and the remaining contiguous parcel covered by the Mortgage in order to correct code enforcement violations and protect the Subject Property from further serious issues during the pendency of the Foreclosure Action.

13. On November 23, 2016, after hearings on August 22, 2016, and November 4, 2016, the State Court appointed Larry S. Hyman, CPA (the “Receiver”) as receiver over the Subject Property in order to address the issues identified in the Demolition Notices, delinquent taxes, and other issues of the Subject Property.

14. Accordingly, the Receiver is in control of the Subject Property for the balance of the Foreclosure Action or until otherwise discharged by the State Court.

15. If the Subject Property is designated as a Local Landmark, the value of the Subject Property will be further impaired, impacting the Mortgage and the ability of FSFA to recover the sums due thereunder, which now exceeds $10,000,000.

16. Further, if the Subject Property is limited in its uses, there will be a limited market for sale of the Subject Property, and limited uses for the same, after foreclosure or otherwise, and this will in effect leave half of a block in downtown St. Petersburg in a state of neglect that impacts the surrounding community.

17. At the very least, it is incumbent upon the City of St. Petersburg to delay consideration of any of the Applications until the Foreclosure Action is resolved and a new and solvent owner of the Subject Property is identified to allow full due process to the owner.
18. FSFA did not receive any formal notice of the Applications or any steps to consider the same by the City of St. Petersburg, and only first received notice of the same through the proceedings involving appointment of the Receiver in the Foreclosure Action.

FURTHER AFFIANT SAYETH NOT.

Dated this 2nd day of January, 2017.

[Signature]

CHANDRESH S. SARAIYA

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

SWORN TO AND SUBSCRIBED before me this 2nd day of January, 2017, by Chandresh S. Saraiya, President of First Street and Fifth Avenue, LLC, a Florida limited liability company. He is personally known to me or has produced personally as identification.

[Notary Seal and Signature]

RENEE J. OSBORNE
Notary Public, State at Large
Serial Number and Seal
Exhibit “A”
To prevent redundancy within this packet, please refer to Appendix B: Designation Application.
Exhibit “B”
May 11, 2016

FIRST STREET & FIFTH AVE LLC
15608 MONACO AVE
LUTZ FL 33558

DEMOLITION CASE NO: 15-00022133
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 118 5TH AVE N
REV MAP OF ST PETERSBURG
BLK 3, LOT 3

STRUCTURE(S): DUFLEX & INGSOUND POOL

This notice is directed to the above legal property owner(s) of record (responsible party) and additional copies are being provided to potentially interested parties including the person whose name and address appears at the top of this letter.

The property described above has been evaluated and determined to have conditions which appear to not comply with the City Code: CHAPTER 8, DIV. 4, SEC. 8-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES

The property owner or duly authorized representative must obtain permits to make repairs to the above referenced structure(s). The property owner may be required to retain a design professional to conduct an evaluation of the structure and produce a detailed written report with rehabilitation plans. A licensed contractor may also be required to provide a cost estimate and conduct the rehabilitation.

Permits to rehabilitate or to demolish the structure(s) must be obtained by June 20, 2016.

If these conditions are not corrected by the specified date, the City can take action to condemn and demolish the structure(s). All costs incurred in any condemnation action will be assessed as an interest bearing lien against the property. If additional time is needed to obtain permits for rehabilitation or demolition of the structure(s), contact me in writing with an outline of your plans before June 20, 2016.

Respectfully,

MAYREEN PALMER 813-241-58 (Area Code 2), Building Demolition Coordinator

VI
May 11, 2016

FIRST STREET & FIFTH AVE LLC
16605 MONACO AVE
LUTZ FL 33558

DEMOLITION CASE NO: 16-00002671
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 142 5TH AVE N
REV MAP OF ST PETERSBURG
BLK 1, LOT 6

STRUCTURE(S): SGL FAM RES & TRIPLEX

This notice is directed to the above legal property owner(s) of record (responsible party) and additional copies are being provided to potentially interested parties including the person whose name and address appears at the top of this letter.

The property described above has been evaluated and determined to have conditions which appear to not comply with the City Code: CHAPTER 8, DIV. 4, SEC. 8-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES.

The property owner or duly authorized representative must obtain permits to make repairs to the above referenced structure(s). The property owner may be required to retain a design professional to conduct an evaluation of the structure and produce a detailed written report with rehabilitation plans. A licensed contractor may also be required to provide a cost estimate and conduct the rehabilitation.

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If these conditions are not corrected by the specified date, the City can take action to condemn and demolish the structure(s). All costs incurred in any condemnation action will be assessed as an interest bearing lien against the property. If additional time is needed to obtain permits for rehabilitation or demolition of the structure(s), contact me in writing with an outline of your plans before June 20, 2016.

Pamela Palmer 813-246-8120 (Area Code 727), Building Demolition Coordinator

VI
Dear Ms Duvekot,

I'm am writing to you about the proposed homes located at 118, 126, 136, and 142 5th Ave North as historic designation. I own a home located at 155 5th Ave N. As an accomplished exterior designer from the area I am all for preserving historic homes, however, for 5th Ave I believe this ship has sailed. In other words to force upon owners historic designation which would require costly repairs to these homes is unfair due to the fact that they are now surrounded and continue to be surrounded with new luxury town homes and high rises which have now made their homes be worth the land value only. It's my belief that no one will pay the premium price for an older home with the extreme costs it would require for repairs to these homes on a street that has eclectically been transformed over the years at today's current market values. If historic preservation had taken place before many other homes had been destroyed for "newer bigger homes" the "habu" or highest and best value of the land would stand for square footage price. Within the confines of Old North East where designating historic homes have occurred I could agree because they are surrounded by like properties, however, on 5th the city is too little too late and should not fiscally strangle the owners of these homes by requiring them to keep these homes as is or repaired to their former grandeur. It's unfortunate but this is entirely an unfair proposal based on allowing these homes as well as my own to be surrounded by high rises and high end townhomes yet not allowing these owners to do the same to their land within the confines of building codes and requirements. My suggestion would be to be more pointed about the style of architecture or vision for St. Petersburg and requiring new structures to fall into this realm of design. As far as I can see now it's a free for all and not all what's being built is aesthetically cohesive or in many cases simply put bland and not attractive. I am unable to attend this meeting and would like my voice heard. Is there anything else I can do to communicate my feelings?

Thank you in advance,

Kim Levell
813-810-5469

www.exteriordecorating.com

Please excuse the grammatical and spelling errors, auto correct is my editor. 😊
APPENDIX E: TIMELINE AND SUPPORTING INFORMATION

- 1914 – Concrete and frame and concrete structure w/ 8 rooms and 5 baths; 2 story frame garage apartment.  
- 1920 – Virginia L. Burnside became first woman elected to St Pete City Commission while living at 136 Fifth Avenue North (Item 1).

Item 1: St. Petersburg Times, May 17, 1951 (left); Evening Independent, January 29, 1924 (right).

- 1921 – Mary W. Duckering, of Boston and her sister [Dr. Florence Duckering] purchased house from Lew B. Brown, formerly occupied by Mr. and Mrs. John L. Burnside (Item 2).  

| Miss Mary W. Duckering arrived from Boston yesterday to make St. Petersburg her home. Miss Duckering and her sister spent last winter here and before leaving for Boston they bought from Lew B. Brown the handsome house at 136 Fifth avenue north, formerly occupied by Mr. and Mrs. John L. Burnside. Miss Duckering will remodel the house and re-furnish it for the winter season. |
| Item 2: Evening Independent, September 10, 1921. |

- 1921-1946 – While Mary Duckering managed the subject property as a rooming house, Florence Duckering continued her surgical practice in Boston, becoming the first female member of the American College of Surgeons.  

- 1930 and 1940– Census records indicate that Mary Duckering was the owner and full-time resident of the subject property; Dr. Florence Duckering was noted to live and practice medicine in Boston.  

- 1945 – Subject property purchased from Duckering sisters by James H. Paul (Item 3). Mary and Florence Duckering purchased residence at 506 21st Avenue Northeast that same year when Florence retired from medical practice and joined her sister in spending winters in St. Petersburg.  

| James H. Paul recently purchased a large guest house at 136 Fifth avenue north, from Florence W. Duckering for an approximate $34,000. The price did not include furniture. Future plans for the building were not announced. Both Paul and Mrs. Duckering are vacationing in New England and are not expected to return until late summer or fall. |
| Item 3: St. Petersburg Times, July 11, 1946. |

- 1986 – Owners Mr. and Mrs. Hanson Hazelhand granted permit for demolition of garage apartment.  

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17 Evening Independent, "Miss Mary W. Duckering Arrived from Boston," September 10, 1921.
20 St. Petersburg Times, "Local Sales Remain Brisk; Five Deals Total $80,000," July 11, 1946.
22 Property Card for 136 5th Ave N.
Women Doctors Find Prejudice Against Feminine Surgeons Fast Disappearing

Need Ten Years of Hard Study for This Work

NEW YORK (NEA).—To be a surgeon a woman must have endurance, steady hands, calm nerves, singleness of purpose. She must be willing to devote at least 10 years to study and practice without remuneration.

This formula for success in surgery, a field of medicine where, as yet, comparatively few women have made their mark, was offered by three women members of the American College of Surgeons—among the half dozen of their sex who attended the clinical congress of the college here recently.

Face Prejudice.

"Women still must face considerable sex prejudice in the surgical field," admitted Dr. Emma K. Williams of San Francisco, who has practiced for 30 years at the hospital for women and children there and is now chief of the surgical staff. "Surgery being a more dramatic event in the life of the layman, has been one of the last departments of medicine to yield to women an equal standing with their male colleagues. This is entirely natural and women, by their distinguished performance, are rapidly winning confidence in every field of surgery."

Capable in Emergencies.

"Women's small hands and delicate touch give them advantages for the practice of surgery," added Dr. Louise Tingley, chief of obstetric surgery at the New England Deaconess hospital and the Massachusetts Women's Hospital in Boston.

"And women can rise to emergencies. Dr. Florence Duckering, veteran Boston surgeon. "People who say that women fail in this respect, speak from ignorance."

Must Concentrate.

As prejudice against women in business has gradually disappeared, so has the intolerance toward women in medicine vanished, the women surgeons agreed. They stressed the need for concentration and singleness of purpose in the approach to medicine. While several instances were cited of women surgeons who had married and raised children and continued their practice, for the most part they find that women have to choose between a surgical career and home-making—both full-time jobs.

Memos Sacrifice.

Dr. Tingley, who is married, warned young women who looked toward surgery as a profession that they would have to sacrifice much social life that they might otherwise participate in. She has successfully combined married life and career—but from the start ruled pets, pans and such domestic occupations from her daily schedule.

It is no longer a question of sex but of questions of individual ability and temperament that determines whether a woman is fitted to be a doctor or a surgeon, the women surgeons agreed. Although they were in the third generation of women physicians in America, they bowed a pioneer path. Now they see equal opportunity for women who are willing to make the sacrifices that the profession of surgery requires.

Trimly dressed, kindly faced, calm of manner, three women surgeons demonstrated that 30 years of satisfying practice had not taken toll from their zest for life, their humanity and nerves.

Item 4: Spokane Daily Chronicle, October 27, 1931.
ST. PETERSBURG CITY COUNCIL  
Meeting of February 16, 2017

TO: The Honorable Chair Darden Rice, and Members of City Council

SUBJECT: Third party-initiated Historic Landmark Designation of the Walter C. and Mamie Henry House, located at 142-142 ½ Fifth Avenue North (City File HPC 16-90300006).

An analysis of the request is provided in the attached Staff Report.

REQUEST: The request is to list the Henry House as a local historic landmark in the St. Petersburg Register of Historic Places.

RECOMMENDATION:

Administration: Administration recommends approval.

Community Planning and Preservation Commission: On January 10, 2017, the Community Planning and Preservation Commission held a public hearing on this matter, and voted 4 to 3 to recommend approval of the landmark designation to City Council. Since owner-opposed designations require a supermajority, this vote constitutes a vote to not recommend approval.

Recommended City Council Action: 1) CONDUCT the second reading and final public hearing of the attached proposed ordinance; AND 2) APPROVE the proposed ordinance.

Attachments: Ordinance (including map), CPPC Draft Minutes, Staff Report to the CPPC, Designation Application
AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE WALTER C. AND MAMIE HENRY HOUSE (LOCATED AT 142-142 ½ FIFTH AVENUE NORTH) AS A LOCAL HISTORIC LANDMARK AND ADDING THE PROPERTY TO THE ST. PETERSBURG REGISTER OF HISTORIC PLACES PURSUANT TO SECTION 16.30.070, CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The City Council finds that the Henry House, which is recognized for its significance resulting from association with developer Walter C. Henry and as an example of the Craftsman and Frame Vernacular styles, meets at least one of the nine criteria listed in Section 16.30.070.2.5.D, City Code, for designating historic properties. More specifically, the Burnside House meets the following criteria:

(c) It is identified with a person who significantly contributed to the development of the city, state, or nation;
(e) Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; and
(f) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

SECTION 2. The City Council finds that the Burnside House meets at least one of the seven factors of integrity listed in Section 16.30.070.2.5.D, City Code, for designating historic properties. More specifically, the property meets the following factors of integrity:

(a) Location. The place where the historic property was constructed or the place where the historic event occurred;
(b) Design. The combination of elements that create the form, plan, space, structure, and style of a property;
(c) Setting. The physical environment of a historic property;
(d) Materials. The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property;
(e) Workmanship. The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory;
(f) Feeling. The property’s expression of the aesthetic or historic sense of a particular period of time, and
(g) Association. The direct link between an important historic event or person and a historic property.

SECTION 3. The Henry House, located upon the following described property, is hereby designated as a local landmark, and shall be added to the St. Petersburg Register of Historic Place, a list of designated landmarks, landmark sites, and historic and thematic districts which is maintained in the office of the City Clerk:

Designation Boundary

The official boundary of the local landmark designation shall encompass the entire parcel, generally described as Revised Map of St. Petersburg, Block 3, Lot 6, and as depicted on Exhibit “A.”

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

Approved as to Form and Substance:

City Attorney (or Designee)                                        Date

Planning and Economic Development Department Date
Note: Commissioner Wannemacher was recused from the following item (HPC 16-90300006) due to a conflict.

D. City File HPC 16-90300006

Contact Person: Laura Duvekot, 892-5451

Request: Third party request for a Local Historic Landmark designation of the Henry House located at 142 – 5th Avenue North.

Staff Presentation

Laura Duvekot gave a PowerPoint presentation based on the staff report.

Commissioner Rogo stated that in regards to using the word “intact” for supporting the recommendation, he pointed out from a photo that the support for the left-hand side dormer is missing as well as a there is a demolition notice for this structure and asked how this enters into the integrity and significance of this particular house. Ms. Duvekot replied that there are conditions issue; however, there are beautiful hand-carved details with more tiny and fine details that pop out each time she visits the building and believes it shows enough of the historical appearance that could be brought back to life.

Applicant Presentation

Emily Elwyn and Howard Hanson, representing the applicant, St. Petersburg Preservation Inc., spoke in support of the designation request.

Owner Presentation

John Anthony, Attorney and representing the owners, Suburban Federal Property LLC (70% ownership of Fuel Investment & Development II LLC, the listed owner) and First Street and Fifth Avenue LLC (senior mortgage holder), gave a presentation in opposition of the designation.

Don Mastry, Attorney and representing the receivership, Larry S. Hyman, gave a presentation in opposition of the designation request.

Public Hearing

Allison Stribling, representing St. Petersburg Preservation, and Sally Lawson, 135 5th Avenue North, spoke in support of the request.

Dan Harvey, Jr., 1425 Central Avenue, spoke in opposition of the request.
Cross Examination
By City Administration:
Waived
By Owner:
Waived
By Applicant:
Waived

Rebuttal/Closing Statement
By City Administration:
Waived
By Owner:
Joim Anthony, Attorney and representing the owners, gave a closing statement stating that litigation is the reason his client has been unable to develop this property. Once settled, jobs will be created with the development and no money will be needed from the City nor state. It takes foresight when assembling five parcels and it is not right for someone to block development, jobs and the downtown tax base by looking from the road thinking that this may be a neighborhood with buildings with structural integrity; they don’t buy it.

By Applicant:
Emily Elwyn and Howard Hanson, gave closing statements stating that according to the ordinance a determination of being worthy of preservation and meeting the criteria is needed prior to determining if there is economic viability; the process needs to be followed. Rehabbing properties also create jobs and what is bringing people to this area is the combination of new and old; it’s that unique sense of place that people want in St. Petersburg.

Executive Session
Commissioner Whiteman asked if there is a requirement to make the repairs after being designated. Mr. Kilborn stated that they will continue to be processed through the City’s maintenance requirement and violations will continue to be processed through the Code Enforcement Board.

Commission Chair Carter asked about the City’s role in regards to the citations and fines assigned to this property and why, even in foreclosure, there was no visible enforcement of the maintenance of these properties. Mr. Kilborn stated that this is something that the Historic Preservation office struggles with and the condition of a building should have no bearing on the designation. It is the responsibility of the owner to maintain the property consistent with the maintenance requirement of the code; however, the enforcement is challenging and there are limits at the state-level on how much staff can do in terms of punitive assessments for negligence. There is an ongoing conversation with the City Attorney’s Office about other tools that they may be able to use, particularly as it relates to existing landmarks or properties that are potentially eligible for designation. Commission Chair Carter stated for the record that further dialog/meetings on this topic are needed.
Commissioner Michaels asked staff to talk about the perception that the DC-2 zoning designation somehow trumps the preservation ordinance. Mr. Kilborn stated that this has been talked about before with cases involving downtown property asserting that the zoning is the prevailing consideration and staff, in each of those cases, has disagreed by citing the City’s Vision element within the Comprehensive Plan which identifies 15 citizen-based themes. One of those themes regarding recommendations for downtown states “Preserve noteworthy buildings through renovation and adaptive reuse.” The second thing that is looked at is the Future Land Use element and for downtown, it is the Central Business District (CBD) which has an Activity Center Overlay, the categories implemented by the Intown Redevelopment Plan. When looking at the history of historic preservation within the Intown Redevelopment Plan when it was first instituted in 1982, there was reference to the importance of historic preservation, even at that time, predating the City’s historic preservation ordinance by four years (created in 1986). Since that time, there have been approximately 20 landmarks identified within the Intown Redevelopment Plan and in each of those evaluations, there was a determination that designation was entirely appropriate with the Intown Redevelopment Plan and the Future Land Use element; the Vision element did not come into effect until 2007.

Commissioner Rogo stated that according to the staff report there is a demolition notice for the big building, deeming it unfit and unsafe; therefore, having a hard time finding the integrity. Preservation is a noteworthy goal for a noteworthy structure; he is not sure if this is a noteworthy structure so he will not support the designation for 142 5<sup>th</sup> Avenue North.

Commissioner Michaels asked to hear staff’s response to Commissioner Rogo’s objection. Ms. Duvekot pointed out that some of the condition problems that have been brought up relate to what they consider in Preservation as sacrificial material (i.e. roofs will be replaced). What really makes this building significant and distinct is that the fine and intricate details defining the character of this Craftsman house still remain; the distinct design is still there.

Commissioner Whiteman stated that in hearing “sacrificial,” why would the City move forward with a demo if it is sacrificial. Ms. Duvekot stated that all of the code violation details were unknown to her and she did not have access to inside the building, but from her observation the details of the house have remained and are visible.

Commissioner Michaels stated that he feels there is not enough information on the demolition issue to make a decision today and then made the following motion.

**MOTION #1**: Commissioner Michaels moved and Commissioner Bell seconded a motion to defer this item until next month asking staff to give a full report on the building’s condition and the meaning of the demolition.

Commissioner Whiteman asked staff to respond to the motion. Mr. Kilborn stated that a copy of the demolition violation notice was included in the staff report. In May 2016, a citation by the City’s Code Compliance office was given; some of the violations being based on the physical appearance of the building observed from outside and perhaps some safety concerns related to the missing column from the front projection. When a designation application is filed (as in this case), an ongoing dialog begins between the two departments with Codes putting their case on hold until the designation process is complete.
Commissioner Rogo stated that he would not support the motion to defer; he thinks they have enough information to make a decision today.

\textit{VOTE:}  
\begin{itemize}
  \item YES – Michaels
  \item NO – Bell, Burke, Rogo, Smith, Whiteman, Carter
\end{itemize}

\textit{Motion failed by a vote of 6 to 1.}

\textit{MOTION #2:}  
Commissioner Michaels moved and Commissioner Whiteman seconded a motion approving the Local Landmark designation of the Henry House located at 142 5th Avenue North in accordance with the staff report.

\textit{VOTE:}  
\begin{itemize}
  \item YES – Burke, Michaels, Smith, Carter
  \item NO – Bell, Rogo, Whiteman
\end{itemize}

\textit{Motion failed by a vote of 4 to 3. A super-majority vote needed.}
CITY OF ST. PETERSBURG, FLORIDA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
URBAN PLANNING AND HISTORIC PRESERVATION DIVISION

STAFF REPORT

COMMUNITY PLANNING AND PRESERVATION COMMISSION
LOCAL DESIGNATION REQUEST

For Public Hearing and Recommendation to City Council on January 10, 2017 beginning at 3:00 P.M., Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

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

<table>
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<th>CASE NO.:</th>
<th>HPC 16-90300006</th>
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<tr>
<td>STREET ADDRESS:</td>
<td>142 and 142 ½ Fifth Avenue North</td>
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<tr>
<td>LANDMARK:</td>
<td>Walter C. and Mamie Henry House</td>
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<tr>
<td>OWNER:</td>
<td>Fuel Investment &amp; Development II, LLC</td>
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<tr>
<td>APPLICANT:</td>
<td>St. Petersburg Preservation, Inc.</td>
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<tr>
<td>REQUEST:</td>
<td>Local Landmark Designation of the Henry House</td>
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OVERVIEW
A non-owner initiated application for Local Historic Landmark designation of the Walter C. and Mamie Henry House (subject property), located at 142 Fifth Avenue North, was submitted by St. Petersburg Preservation, Inc. in July of 2016. Prepared by Howard Ferebee Hanson, the application provides detailed information regarding the building’s early ownership, as well as historic and architectural context. The subject property is listed as a contributing property to the Downtown St. Petersburg Historic District, which was added to the National Register of Historic Places on March 3, 2004. This application considers the designation of two residential buildings which share a single parcel. The subject property’s secondary building, a cottage facing the rear alleyway, is generally referred to as 142 ½ Fifth Avenue North, but is listed in certain historical documentation as 144 Fifth Avenue North. The two buildings have now been owned and operated together for over 100 years, warranting their consideration as two dwellings which comprise a single potential Landmark.

STAFF FINDINGS
Staff finds that the Henry House and its associated ancillary building, located at 142 Fifth Avenue North, is eligible for designation as a Local Historic Landmark. In St. Petersburg, Local Historic Landmark eligibility is determined based on evaluations of age, context, and integrity under a two-part test as found in Section 16.30.070.2.5(D) of the City Code. Under the first test, historic documentation demonstrates that the Henry House was constructed approximately 103 years ago, surpassing the minimum required age of 50. Further, staff concurs with the application that the subject property satisfies criteria C, E, and F, and recommends that its significance under criteria G and H should additionally be considered. Under the second test, staff finds that all of the seven factors of integrity are met.

Historic Significance and Satisfaction of Contextual Criteria
The first portion of the two-part test to determine Local Historic Landmark eligibility examines a resource’s historic significance with relation to nine criteria. One or more of these criteria must be met in order for a property to qualify for designation as a Local Historic Landmark. Nomination documentation suggests that the property satisfies the criteria as follows.

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Staff concurs with the applicant’s finding that the Burnside House meets criteria C, E, and F, which relate to the building’s significance in the area architecture and for its relationship with significant individuals.

C) It is identified with a person who significantly contributed to the development of the city, state, or nation.

The applicant details the subject property’s historic and long-lasting ties to the Walter C. Henry family in the nomination’s arguments for the subject property’s significance under Criterion C. Walter C. Henry was a prominent local developer who was responsible for the construction of St. Petersburg’s earliest brick-paved roads, numerous houses, and several noteworthy public buildings. Local Historic Landmarks including the Carnegie Mirror Lake Library (HPC9O-02), First Congregational Church (HPC 92-02), and the Henry-Bryan House (93-06), which was built as a gift to his son, were all constructed by Walter C. Henry. Henry appears to have constructed the
primary house and lived on the subject property (whether in the primary house or rear cottage), periodically until his death at the home in 1940; his widow and their descendants maintained ownership until 1984. Although a handful of extant buildings in St. Petersburg have associations with Walter C. Henry, no other residence is known to have so longstanding a connection.

E) Its value as a building is recognized for the value of its architecture, and it retains sufficient elements showing its architectural significance.

The applicant notes that the Henry House is representative of the Craftsman style and features few modern alterations. Only a small number of buildings of this style and grand scale remain in the city; such examples are especially rare in the Downtown St. Petersburg Historic District. The impressions that the Craftsman style and bungalow form made on America's architectural history are the result of a number of inter-related economic and cultural changes that were occurring at the turn of the twentieth century. Unlike some classically-inspired residential building forms, bungalows were designed with function in mind and broke from traditional conventions of massing and symmetry, especially when it came to the application of the Craftsman style, as in the subject property. Bungalows' organic interior plans, which were generally reflected in their exterior footprints, represent efforts to modernize and add efficiency to domestic routines.

F) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

The subject property, the applicant finds, is a noteworthy example of an early Craftsman style bungalow in St. Petersburg. It retains a high degree of integrity of its unique form and details, and successfully conveys its connection to the city's architectural evolution. The Craftsman style, which was popular in the United States between the turn of the twentieth century and the Great Depression, revolved around the three tenets of the Arts and Crafts philosophy — simplicity, harmony with nature, and the promotion of craftsmanship. The Craftsman style's nationwide popularity coincided with a time of rapid growth in many of Florida's coastal cities, and a number of its most common features made it well-suited for the local climate. Deep porches and wide eaves sheltered interiors from harsh sunlight, truncated columns set on high masonry pedestals withstood storms, and large windows encouraged cross-ventilation. The Henry House embodies the Craftsman style with a grander approach than many of its contemporary residences in St. Petersburg, which exhibit more of a focus on economy and often were constructed to serve as rental or winter residences.

Beyond its individual significance as noted by the applicant, staff finds that the subject property meets two additional criteria which acknowledge the strong dialogue between the building and its surroundings. The subject property's eligibility under these criteria could not be considered by the applicant, as Section 16.30.070.2.5.B.2 of City Code requires evidence of support from the owners of 66 percent of tax parcels within a proposed district's boundaries, a written description and map of said boundaries, and a list of contributing and non-contributing properties, a process generally led by an association of homeowners. As a non-owner-supported application, therefore, the subject property cannot be designated under these criteria. However, the applicant discusses the increasing scarcity of contiguous collections of architecturally significant single-family homes.

---

3 *The Bungalow,* 134.
dating to the early twentieth century within the Downtown St. Petersburg Historic District in the nomination report. Staff recommends that the subject property's significance as a part of one such remaining cluster should, at the very least, be noted. Because of the intact nature of the subject property's immediate environs, staff suggests that it is eligible under the following criteria.

G) Its character is a geographically definable area possessing a significant concentration, or continuity of sites, buildings, objects or structures united in past events or aesthetically by plan or physical development.

The Henry House is located within a concentrated area of bungalows dating to the early 1910s, during which time St. Petersburg saw its first major building boom and the early stages of suburbanization. Both the Henry House and the residences which surround it are notable for their large size and grand architecture. Other remaining concentrations of historic residential buildings in the Downtown St. Petersburg Historic District were originally constructed at a more affordable scale for families of their era, like Lang's Bungalow Court, or multi-family units meant to house seasonal residents, like the concentration of apartment buildings surrounding Mirror Lake. The residences on the 100 block of Fifth Avenue North, however, were initially constructed for St. Petersburg's early upper middle class, including doctors, City Commissioners, and builders.

H) Its character is an established or geographically definable neighborhood, united in culture, architectural style or physical plan and development.

When considered in dialogue with its surrounds, the subject property contributes to a concentration of buildings representing the pre-World War I period of development in St. Petersburg. Despite their later reuse as multi-family residences or even commercial spaces, the area retains a historic continuity defined by a consistency of form and scale, historic hex block sidewalks, and historic landscaping, that extends beyond the significance of each individual building. The Henry House is located within a continuous grouping of relatively grand, Craftsman-influenced bungalows constructed during the 1910s. With the exception of the parcels at its east and west edges, the buildings on the 100 block of Fifth Avenue North are one to two stories in height and constructed for single-family residential use.

Despite the buildings' evolution of use, this block collectively conveys the appearance of an upper-middle class residential street dating to St. Petersburg's first "Land Boom," which occurred during the early 1910s. Although Fifth Avenue North has been converted to a one-way street and carries somewhat heavy traffic, the block retains many of its historic granite curbs, historic street trees, and nearly all of its historic hex block sidewalks. The four houses fronting the south side of Fifth Avenue North adhere to a uniform setback from the street and feature similar massing and overall building heights, creating a sense of cohesiveness. When compared to later Florida bungalows, the subject property and those surrounding it are relatively long and narrow, the result being that they feature larger interiors than one might guess from a glance at their facades. This characteristic was influenced by the pedestrian scale and deep, narrow lots that dominated the first-developed areas of St. Petersburg.

The bungalow form would remain immensely popular in St. Petersburg during the late 1910s and into the 1920s. The building type was particularly embraced as the young city spread to the north, south, and west of downtown with neighborhoods dominated by single-family residences, and houses within those neighborhoods generally feature wider footprints and more blatant horizontal massing. The Henry House and its neighbors, however, are representative of a period of transition as the era of centralized downtown development made way for the era of suburbanization that followed. It is worth noting that the buildings, constructed between circa 1913 and 1916, were
The Henry House was built within five years following the expansion of streetcar lines along Second Street, only a few hundred feet from the subject property.\(^5\)

As noted above, the subject property and its surroundings appear to constitute the most intact collection of its type remaining within the Downtown St. Petersburg Historic District. In spite of its close proximity to continuing redevelopment, the experience of walking through this cluster of residences provides a sense of immersion that is exceedingly rare and cannot be replicated.

**Historic Integrity**

Once a potential resource has been found to meet at least one of the nine criteria for historical significance, a second test, which involves the property's integrity, is begun. In order for a resource to pass the second test, at least one of the seven factors of integrity (location, design, setting, materials, workmanship, feeling, and association) must be met. In most cases, integrity of feeling and association by themselves rarely merit a property's eligibility for designation, since these factors often rely on personalized experiences, emotions, and perceptions.

The applicant does not methodically discuss integrity factors in the nomination report. However, staff finds that the Henry House does meet all seven of these factors, although some have been diminished over time, as follows.

<table>
<thead>
<tr>
<th>Location</th>
<th>Design</th>
<th>Setting</th>
<th>Materials</th>
<th>Workmanship</th>
<th>Feeling(^*)</th>
<th>Association(^*)</th>
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\(^*\)Must be present in addition to at least one other factor.

**Location:** The primary residence's location remains unchanged. Although the rear cottage was likely moved, this relocation occurred before or during construction of the primary residence circa 1913, making its present location relevant to the property's period of significance.

**Design:** The buildings' overall forms remain unchanged. The intended aesthetics of both the primary residence's Craftsman style and the rear cottage's Frame Vernacular design are clearly legible.

**Setting:** The subject property lies at the west edge of a grouping of historic bungalows which comprise a continuous and concentrated representation of early twentieth century single-family residences.

**Materials:** The primary building's historic materials, including its double hung sash windows and the majority of its carved wooden detailing, remain in place. Sacrificial materials, such as roof cladding, have been replaced as part of maintenance without detracting from the building's overall appearance. However, the imminent threat of deterioration is highly visible, especially in the wooden elements of the building's front porch. Likewise, the rear cottage has retained the majority of its historic materials, including historic wood framed double hung sash windows and brick piers. Several incongruous repairs to the cottage have been made, most notably those changes made to the front (south) porch and steps. The added materials, however, look to be removable, making a full restoration feasible.

---

\(^5\) James Buckley, Street Railways of St. Petersburg Florida, (Forty Fort, PA: Harold E. Cox, 1983); 8.
Workmanship: The methods used to construct the buildings at the subject property visibly tie them to the period of significance.

Feeling: The subject property retains its overall historic appearance and continues to convey the feeling of a single-family, Craftsman style residence with associated secondary cottage.

Association: The subject property clearly communicates its association with the movements that characterized construction of its era.

NARRATIVE DESCRIPTION AND BACKGROUND SUMMARY
The primary building of the two residences which comprise the subject property is a circa 1913 one and one-half story bungalow of wood frame construction with a stucco and wood shingle exterior and asphalt shingle-clad cross gabled roof. Its windows are three-, four-, and five-over-one double hung wood frame sash, many of which are arranged in paired or tripartite units. The building's footprint is an irregular rectangle, though it appears symmetrical when viewed from its Fifth Avenue North façade. While the building primarily takes the Craftsman style, the strong vertical emphasis and dominant, projecting front gable are reminiscent of bungalows exhibiting Swiss Chalet influence. The placement of oriel above gracefully-sloping stucco supports at its east and west elevations reinforce this influence (Figure 1).

As elaborated by the applicant in the Local Historic Landmark nomination, the building's first known owner was Walter C. Henry, a local contractor and builder who was noted to reside there in 1914. After Walter Henry's death in 1940, his son, Mack L. Henry, and Mack's wife Myrtle Henry, retained ownership of the building until Myrtle's death in 1984.  

---

6 Polk's City Directory, St. Petersburg, Florida, 1914.
7 City of St. Petersburg, Florida. Property Card for 1425th Ave. N., on file, City of St. Petersburg, Florida.
The exact construction date and architect of the residence at 142 Fifth Avenue North are unknown. The building's footprint first appears on the Sanborn Map of the area produced in 1913, as shown in Figure 2.

In addition to the main residence, the subject property contains a smaller cottage which fronts the alley between Fourth and Fifth Avenues North. The building, referred to in modern property records as 142 ½ Fifth Avenue North, and sometimes historically with the street number 144, is a single story wood frame house with a gabled ell plan (Figure 3). It rests on a brick pier.

---

foundation. Its walls are clad in horizontal wood siding, its roof in asphalt shingles, and windows are two-over-two double-hung sash. A shed-roofed porch extends across the western, side-gabled portion of the building’s façade and is roughly flush with the ell projection. The cottage residence at 142 ½ Fifth Avenue North is Frame Vernacular in style, with minimal ornamentation and utilitarian design. It is presently divided into three apartments; property records indicate that it has been used as a triplex since at least the 1950s.

Figure 3: South façade of 142 ½ Fifth Avenue North

The construction date of this building remains unknown, but based on its design and construction methods, it is apparent that this building predates the main house on its parcel. The earliest Sanborn Map depicting the area shows the building with a roughly square footprint and lacking the ell gable that now projects at the eastern side of the building (Figure 4). Its front porch was present at that time.

Without the ell addition, the building took the form of a “saddlebag” house, a common house type constructed throughout the American South during the nineteenth and early twentieth centuries. This house type focused on simplicity and economy, and generally consisted of only two rooms flanking a central chimney. Though they were sometimes built with a single front door into an interior vestibule connecting the two rooms, two separate doors opening onto a wide front porch were commonly employed; such is the case of the cottage at 142 ½ Fifth Avenue North. The addition of a gabled ell, as was constructed here between 1913 and 1918, would have been a common expansion over the building’s lifespan (Figure 5).

---

9 Georgia SHPO, “House Types in Georgia,” p. 4.
As St. Petersburg evolved from a small outpost into a destination for wintering northerners during the 1910s and 1920s, simple wood frame houses and vacation cottages were rapidly replaced with more modern, higher-end buildings such as the main building at this property, apartment buildings or hotels, and commercial buildings. This rear cottage, which is located just within the city's original limits, may have been situated differently on its parcel before the construction of the main house, and moved to face the alley for use as a boarding or apartment house.

As noted above, the construction date of the building at 142 ½ Fifth Avenue North is not known. However, it is certain that it was constructed before 1913, as it appears on a map from that year (Figure 4). Based on its form and materials, staff concurs with the applicant's estimate that the cottage was constructed circa 1900.

The early additions constructed during the building's ownership by the Henry family are considered to have gained their own significance. Therefore, as in the case of the main building on this parcel, the period of significance continues until 1966, during which time it was owned by the Henrys and likely used as a source of rental income.

**NOTABLE CHARACTERISTIC FEATURES**

The primary building at 142 Fifth Avenue North is remains remarkably intact. Its character-defining features include:

- Steeply-pitched cross-gabled roof, brackets, and exposed rafter tails,

---

• Full-width integral porch and projecting front dormer with supporting square battered columns on masonry pedestals,
• Front steps sheltered by dormer,
• Exterior treatment of stucco and wood shingle details, and
• Original double-hung sash windows.

For its location, the building at 142 ½ Fifth Avenue North is a rare example of Frame Vernacular construction dating to early construction in St. Petersburg. Primary character-defining features include:

• The building’s gabled-ell plan,
• Shed-roof porch spanning the original façade,
• Separate entrances to the building’s two original rooms,
• Large two-over-two double-hung sash windows, and
• Louvered wooden vent at the circa 1918 addition.

ALTERNATIONS
The applicant notes the buildings’ overall integrity, noting that minor changes to create a rear steel fire escape were made in 1956 and that a detached garage apartment was demolished at an unknown date. Property records and field observations confirm that few changes have been made to either building’s exterior. As discussed above, an addition to the east elevation of the rear cottage at 142 ½ was constructed before 1918. The applicant additionally notes that a rear (north) porch was enclosed after 1945.

PROPERTY OWNER CONSENT AND IMPACT OF DESIGNATION
The proposed Local Historic Landmark designation was submitted by St. Petersburg Preservation, Inc., a third party non-owner of the subject property. As required by Section 16.30.070.2.5.C.4 of City Code, the applicant included proof that a copy of the application was provided to the registered owner via certified mail when the application was submitted. Separately, a copy of the application and materials were provided by City Staff to Larry Hyman, who was officially appointed as receiver for the subject property by the court.

Benefits of Local Historic Landmark designation include increased heritage tourism through the maintenance and promotion of the city’s historic character and significance. Certain relief from the requirements of the Florida Building Code and FEMA regulations are also available to designated Local Historic Landmarks, as are tax incentives such as the Ad Valorem Tax Exemption.

CONSISTENCY WITH ST. PETERSBURG’S COMPREHENSIVE PLAN AND EXISTING AND FUTURE LAND USE PLANS
The proposed Local Historic Landmark designation is consistent with the City’s Comprehensive Plan, relating to the protection, use and adaptive reuse of historic buildings. The proposed Local Historic Landmark designation will not affect the FLUM or zoning designations, nor will it significantly constrain any existing or future plans for the development of the City. The proposed local landmark designation is consistent with the following:

OBJECTIVE LU10: The historic resources locally designated by the St. Petersburg City Council and the commission designated in the LDRs, shall be incorporated into the Comprehensive Plan map series at the time of original adoption or through
the amendment process and protected from development and redevelopment activities consistent with the provisions of the Historic Preservation Element and the Historic Preservation Ordinance.

Policy LU10.1 Decisions regarding the designation of historic resources shall be based on the criteria and policies outlined in the Historic Preservation Ordinance and the Historic Preservation Element of the Comprehensive Plan.

Policy HP2.3 The City shall provide technical assistance to applications for designation of historic structures and districts.

Policy HP2.6 Decisions regarding the designation of historic resources shall be based on National Register eligibility criteria and policies outlined in the Historic Preservation Ordinance and the Comprehensive Plan.

The subject property has a Future Land Use Plan designation of CBD (Central Business District) and is zoned DC-2 (Downtown Center-2) on the City's Official Zoning Map. Maximum density in all DC categories is limited by Floor Area Ratio (FAR), rather than units per acre. CBD designation allows a mixture of high-intensity retail, office, industrial, service, and residential uses up to a FAR of 4.0 and a net residential density not to exceed the maximum allowable in the land development regulations. There are no known plans at the time of this report to change the allowable uses of the subject property, or those properties that border it.

This district comprises St. Petersburg's historic and original downtown core, and was platted to reflect the pedestrian-oriented scale that was necessary and typical of urban centers before mainstream automobile ownership. Redevelopment of properties in the surrounding area has been increasing over the past several years as part of a prospering local economy and booming real estate market. A number of extant historic buildings within this district have also been preserved, both with and without the protection of a Local Historic Landmark designation.

RECOMMENDATION
Staff recommends APPROVAL of the request to designate the Henry House, located at 142 Fifth Avenue North, as a Local Historic Landmark, thereby referring the application to City Council for first and second reading and public hearing.
RESOURCES


Georgia State Historic Preservation Office (SHPO). "House Types in Georgia." Georgia Historic Preservation Division, Department of Natural Resources. n.d.

Polk’s City Directory, St. Petersburg, Florida, 1914.


_St. Petersburg Times_, "Walter Henry." April 12, 1940.


APPENDIX A: AERIAL AND STREET MAPS
<table>
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APPENDIX B: DESIGNATION APPLICATION
City of St. Petersburg
Division of Urban Planning, Design,
and Historic Preservation
## Local Landmark Designation Application

### 1. NAME AND LOCATION OF PROPERTY

<table>
<thead>
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<td></td>
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### 2. PROPERTY OWNER(S) NAME AND ADDRESS

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### 3. NOMINATION PREPARED BY

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<tr>
<td>e-mail</td>
<td><a href="mailto:fenford1@gmail.com">fenford1@gmail.com</a></td>
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</tbody>
</table>

#### date prepared
1 May 2016

### 4. BOUNDARY DESCRIPTION AND JUSTIFICATION
Describe boundary line encompassing all man-made and natural resources to be included in designation (general legal description or survey). Attach map delimiting proposed boundary. (Use continuation sheet if necessary)

Lot 6 of Block 3 of the Revised Map of St. Petersburg as recorded in Plat Book 1, p. 49 of the official records of Hillsborough County, Florida of which Pinellas was formerly a part.

This parcel of land, lot 6, was the original and current boundary of this historic resource.

5. GEOGRAPHICAL DATA

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Henry House
Name of Property

6. FUNCTION OR USE

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<th>Current Functions</th>
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<td>vacant</td>
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<td>DOMESTIC/ multi-family</td>
<td></td>
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</table>

7. DESCRIPTION
Architectural Classification
(See Appendix A for list)
Craftsman style

Materials
wood
stucco

Narrative Description
On one or more continuation sheets describe the historic and existing condition of the property use conveying the following information: original location and setting; natural features; pre-historic man-made features; subdivision design; description of surrounding buildings; major alterations and present appearance; interior appearance;

NEIGHBORHOOD SETTING
The Henry House is located on Block 3 at the northern edge of the original plat of St. Petersburg that was surveyed in 1888. Fifth Avenue North a 100' r.o.w. street runs along the northern boundary of this original plat. This block is situated on a sandy ridge about 10' above sea level and lies about 1000' west of the original shoreline of Tampa Bay which since circa 1905 became Beach Drive NE. This northeastern section of the original town plat had sparse development before the first decade of the 20th century. Between 1905 and 1916 it became a residential neighborhood favored by the wealthy citizens and winter visitors because of its proximity to the waterfront and isolation from the congestion of the nearby downtown commercial district. The majority of the buildings in this area were built before the construction hiatus of 1917-8 caused by the Great War. These buildings were all residential, a combination of detached single family homes, tourist rental cottages, apartment buildings, and small winter tourist hotels. Generally they were of frame construction and one or two stories high. By the close of the Florida Land Boom in 1926 this neighborhood was "built out." By the late 1920 and through the 1930s many of the single family homes were converted into small apartment buildings and boarding houses because the more affluent residents had moved north to the more fashionable new neighborhoods of the Old Northeast and Snell Isle. During the 1980s the city drastically changed the zoning of this area designating it "Central Business District 2" that granted high density construction and building heights to these properties. This triggered the demolition of many of the older structures and the construction of high-rise condominiums. This area forms the northeastern
corner of the National Register of Historic Places, Downtown St. Petersburg Historic District (8PI10648) which was enacted in 2004 to help preserve the remaining historic resources here.

DESCRIPTION OF PROPERTY
The Henry House was built on a 50' X 123' lot in the center of Block 3 of the Rev. Map of St. Petersburg. The house fronts north onto Fifth Avenue North which is a 100" right of way street and the rear of the lot faces a 20' wide alley. The public sidewalk along 5th Ave. is of hex-blocks, 2 mature Sabal palmettos occupy the 5th Ave. right of way which are part of a historic row of such palms planted on both sides of 5th Ave. before 1920 that extends from Beach Drive to 2nd St. N. The house is set back about 10' from the 5th Ave. N. sidewalk, it is set back about 10' from its eastern lot line, and about 5' from its western lot line. The walkway from the 5th Ave sidewalk to the front porch steps is of small diamond shaped pavers set in a checkered pattern of dark and light pavers. A small hexblock walkway extends from the public sidewalk to the curb of 5th Ave. There are no historic fences or walls, structures, or objects that were observed on the lot except for the driveway described below.

Building 1 - The main house is one and ½ stories high, rectangular in plan about 35' wide (E-W) and 48' deep (N-S) and contains 2786 sq. ft. The foundation is a poured in place concrete spread footing surmounted by a continuous foundation wall about 36" high of concrete blocks that are finished with stucco. The one and one half story house is of balloon frame construction with exterior load bearing walls sheathed in wood lath and concrete in smooth sand finish stucco. The floor is supported by wood joists and finished in wood strip flooring. Interior partitions are wood studs covered with wood lath and smooth plaster as are the ceilings. The front door opens into a double parlor that is separated by a wide doorway which is flanked by a pair of wood Craftsman style pillars. The front parlor has a large brick fireplace that is ornamented by a pattern of raised brickwork. The roof is a high pitched cross gable of wood trusses and sheathed in asphalt composition shingles, it has wide projecting eaves that have exposed rafter ends and supported by decorative wood Craftsman style knee braces. The gable ends are sheathed in shingles. The front (north) gable end has a large wood ventilator with ornamental details. There is one chimney located at the center of the house. Windows are wood double hung sash with 5/1, 4/1, and 3/1 lights that have simple wood surrounds and sills. The centrally placed front door is of wood with a large single glass pane, it
is flanked by paired windows. The recessed front porch has an apron wall (with projecting piers) about 30' high of stuccoed concrete blocks topped by a plain concrete cap that support tapering wood "Tuscan" style pillars that support the roof and a pair of larger similar columns rise from the apron walls of the front steps to support a large central cantilevered dormer that projects from the roof over the front steps. The porch floor is wood as are the front steps. A 1916 newspaper article (see below) refers to 142 5th as "the white house" which indicates that it was originally painted white.

Historic (pre 1966) Alterations -1956 steel fire escape on the west side of house and alteration of a window into a door for it.

Modern Alterations - none observed on exterior of house. In 1987 the house was reroofed.

Building 2 - 142 ½ 5th Ave. N. - The cottage on the rear (south) of the property is one story high, rectangular in plan about 41' wide (E-W) and 36' deep (N-S) and contains 1490 sq. ft. The foundation is brick piers about 12' high that rest on concrete pad footers. The exterior load bearing walls are balloon frame construction finished in wood novelty siding. Windows are wood double hung sash 2/2 lights with plain sills and surrounds. The roof is a cross gable that kicks out (changes slope) to accommodate the front (south) and rear (north) porch, it is of wood truss construction sheathed in asphalt composition shingles. There are two brick chimneys located on the north roof slope. The front (south) porch is about 20' long and 8' deep, it has simple wood posts, railings, and steps leading to it. The rear (north) porch is about 6' wide, runs the length of the cottage (41') and was enclosed with wood siding and windows that date to the 1950s to 1980s.

Historic Alterations - None observed on the exterior.


A small one bay, one story concrete block garage with a flat roof was built in the rear yard of the property with its door facing 5th Ave. and a pair of poured in place concrete rails that form a driveway which runs out to 5th. It was demolished date unknown, but driveway remains.

8. NUMBER OF RESOURCES WITHIN PROPERTY
Contributing  Noncontributing  Resource Type  Contributing resources previously listed on the National Register or Local Register

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Building 8Pi10454 is a contributing building to the N. R. St. Petersburg Downtown Historic District (2004) 8Pi10648

Henry House
Name of Property

9. STATEMENT OF SIGNIFICANCE

Criteria for Significance
(mark one or more boxes for the appropriate criteria)

☐ Its value is a significant reminder of the cultural or archaeological heritage of the City, state, or nation.

☐ Its location is the site of a significant local, state, or national event.

☒ It is identified with a person or persons who significantly contributed to the development of the City, state, or nation.

☐ It is identified as the work of a master builder, designer, or architect whose work has influenced the development of the City, state, or nation.
Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance.

It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

Its character is a geographically definable area possessing a significant concentration, or continuity or sites, buildings, objects or structures united in past events or aesthetically by plan or physical development.

Its character is an established and geographically definable neighborhood, united in culture, architectural style or physical plan and development.

It has contributed, or is likely to contribute, information important to the prehistory or history of the City, state, or nation.
Areas of Significance
(see Attachment B for detailed list of categories)

architecture

Period of Significance
1912 to 1968

Significant Dates (date constructed & altered)
1912

Significant Person(s)
Walter C. Henry (1856-1940)

Cultural Affiliation/Historic Period
20th century

Builder
Walter C. Henry

Architect
unknown

Narrative Statement of Significance
(Explain the significance of the property as it relates to the above criteria and information on one or more continuation sheets. Include biographical data on significant person(s), builder and architect, if known. Please use parenthetical notations, footnotes or endnotes for citations of work used.)

Narrative Statement of Significance
(Explain the significance of the property as it relates to the above criteria and information on one or more continuation sheets. Include biographical data on
significant person(s), builder and architect, if known. Please use parenthetical notations, footnotes or endnotes for citations of work used.)

SUMMARY STATEMENT OF SIGNIFICANCE

The Henry House, located at 142 Fifth Avenue North, meets three of the nine criteria necessary for designating historic properties listed in Section 16-525(d) of the City of St. Petersburg Code of Ordinances. These criteria are; (3) It is identified with a person or persons who significantly contributed to the development of the City, state, or nation; (5) Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; (6) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

Under Criterion (3), the property is significant as the home of Walter C. Henry, pioneer St. Petersburg building contractor and Town Council member in 1901. Under Criteria (5) and (6) the main house is significant as an important local example of the Craftsman style of architecture that retains its original appearance and historic integrity. The rear cottage (142 ½ 5th) is significant as a rare surviving example of a circa 1900 winter tourist rental cottage.

NARRATIVE STATEMENT OF SIGNIFICANCE

HISTORIC CONTEXT

During the First Boom Period in St. Petersburg, 1909-1914, the city of St. Petersburg experienced dramatic population growth and real estate development in the brief period beginning in 1909 and ending with the outbreak of World War I. The population was 4,500 in the 1910 Federal Census and rose to 14,237 in the 1920 Census, an increase of 245%. The county's property tax evaluation for the city in 1911 was $3,546,130 and it grew to $8,977,930 in 1915 (Fuller, Walter, St. Petersburg and its People (1972) p. 142). In 1909 local voters approved a large municipal bond issuance that provided for major upgrades to the potable water, sewer system, and brick paving of city streets (Grismer, Karl, The Story of St. Petersburg (1948) p. 120). The City's western municipal limits in 1907 were at 7th Street N., jogging at Central Ave. to 12th St. S., but by 1914 the City stretched to Boca Ciega Bay (Fuller 1972:132).
The city's trolley system grew from 3 miles in 1909 to 23 miles by 1917 (Arsenault, Raymond, *St. Petersburg and the Florida Dream 1888-1950* (1988) p. 136). This explosive growth was the result of residential real estate subdivision projects created by local developers; H. Walter Fuller, Noel Mitchell, Perry Snell, and many smaller speculators (Arsenault 1988: 136). The expansion was in all directions from original plat of the town, bounded roughly by 5th Avenues North and South, west to 12th Street, and followed new streetcar lines largely financed by the private developers.

The buyers of these 22,000 new lots that existed in 1914 (Fuller 1972:131) were the seasonal winter tourists who were lured to the city in ever increasing numbers by a sophisticated national advertising campaign. An estimate of the 1910-1911 tourist season made by the Board of Trade, claimed 4,518 seasonal visitors registered at their welcome station, but this was likely only 50% of the real total. The majority came from Ohio, Indiana, Illinois, and New York (*Evening Independent* 7 Mar. 1911, p.6).

A major difference between the first real estate boom and the larger one of 1920 to 1926, was the emphasis on selling suburban houses versus selling vacant lots. These houses were intended as winter homes and to be used as investment rentals until the owners retired to St. Petersburg. A brisk business for both residential and commercial properties began in the winter of 1908-1909. Each winter thereafter the demand increased. By the winter of 1912-1913 it became a "boomer of the super-doo-doo variety." This boom was short lived, by the fall of 1913 it began to taper off and during the early months of 1914 real estate advertising almost disappeared from the newspapers. The market had been oversold and there was a public fear that the country seemed headed for another depression. The outbreak of World War I in July 1914 completely stopped the boom. Although tourism remained strong during the 1914-1915 tourist season, buyers became reluctant to invest in vacation homes and bankers became stingy in extending more credit to the developers. There was no "crash" in the local real estate market, home prices and tax evaluations did not deflate, but cash flow problems crippled the developers who had to bide their time till the end of war in 1918 (Grismer 1948:235-6).

**HISTORY OF 142 5th Avenue North**
*The house and rear cottage located at 142 and 142 ½ 5th Ave. N. is referred to by this author as the "Henry House" to distinguish it from the local landmark Henry-Bryan House also built by Walter C. Henry House which was formerly located on the SE corner of 4th Ave. & Rowland Court NE (now moved to MLK St. S.).

The Henry House is located on Lot 6 of Block 3 of the Revised Map of St. Petersburg which was surveyed originally in 1888 and later revised. Fifth Avenue North was the northern boundary of the town's first subdivision and development did not occur here until the first decade of the 20th century. The 1908 Sanborn Fire Insurance Co. map of this block shows no buildings or structures along its northern half that fronts onto Fifth Avenue North. The Thornton's Addition subdivision on the north side of Fifth Avenue in this block had a similar pattern of development. Construction in this area began with St. Petersburg's first real estate boom cycle that occurred from 1909 until 1915.

The original city "Property Card" is lost so no reliable date of construction or names of contractor and architect survive. However, it is almost certain that Walter C. Henry was the building contractor for his own house. This house and rear cottage appear on the 1913 Sanborn Fire Insurance Co. map of this block (with same footprint as existing buildings today) suggesting a construction date of 1912 for the stucco Craftsman style main house. However, the rear cottage (142 ½ 5th) is of earlier construction which is demonstrated by its building material which were in common use between 1895 and 1905. Since it does not appear on this site in the 1908 Sanborn map of this block, it was most likely moved to this property from another location. It is likely that Henry relocated a small winter cottage about to be demolished from somewhere downtown during this boom era and hauled in on a flatbed with mules to reuse as income property.

Walter C. Henry and his wife and children are listed in the 1912 city directory (compiled in late 1911) as living at 509 2nd Street North. It appears that this new house and cottage were intended as rental income property by Henry because the house appears in the 1916 City Directory occupied by Marion G. and Della Carter. "Mr. and Mrs. M. G. Carter who have been spending the winter in the Sunshine City will leave for their home in Toledo tomorrow. They have been located at "the white house" 142 Fifth Avenue North for the past winter. They were much pleased with this city, this being their first trip here, they will
probably return next season." ("St. Petersburg Evening Independent", 14 April 1916, p. 5 'The Day's Roundup').

The main house appears in the 1918 city directory as being occupied by Walter C. Henry and Mamie his wife. Their son Walter L. Henry occupied the rear cottage. In 1920 the city directory lists it as vacant, but Walter C. Henry is listed from 1925 to 1930 living in the main house and Walter L. Henry in the cottage and both appear at these locations in the 1930 federal census. The 1940 federal census lists two renters in the main house; Gertrude Rodgers aged 58, and Anna Hyland (her sister) aged 78, the census states that they paid $70 per month rent. Walter C. Henry is listed at 142 ½ 5th Ave. N. and the census states that the value of this owner occupied property was $500 (R. L. Polk, St. Petersburg City Directory 1920 to 1930, 1940 U. S. Census, St. Petersburg). The City Directory from 1947 to 1951 lists Mack and Myrtle Henry in the main house and the widow Mamie in the cottage. The City Directories in the 1950s and 1960s lists Mack Henry, furnished rooms at this address.

In 1980 the house was still owned Mrs. Myrtle Henry and offered "furnished rooms." In 1990 it was occupied by Louise Curry, owner and 3 renters R. L. Polk, St. Petersburg City Directory, 1947 to 1990, passim). Myrtle Henry (Mrs. Mack Henry) died in 1984 and the property was sold by her estate. On 7 April 1987 Darrell Curry and Louise his wife sold the property for $64,000. On 17 April 2000 Louise E. Duby sold the property to Helena M. Murphy for $225,000. On 25 Apr. 2006 Helena Murphy sold the property to Fuel Development & Investment II LLC for $600,000 (Pinelaas County Tax Assesor Database, retrieved 25 Apr. 2016). In 2007 the house and cottage were still functioning as rental rooms when a tenant, Clenton McKinney aged 60 who lived in an upper apartment was shot and died from multiple gunshot wounds. His brother, Theodore aged 56 was wounded in the foot. Another tenant of the house named Turner, was arrested for the crime in the St. Anthony Hospital emergency room where he sought aid for a gunshot wound to his leg ("Tampa Tribune", 4 Nov. 2007). The house has remained vacant and deteriorating since 2008.

**BIOGRAPHY OF WALTER C. HENRY (1856-1940)**

Walter Caldwell Henry was born near Mooresville, Iredell County, North Carolina in 1856, the son of William Henry and his wife, Mary (1870 U.S. Census, Iredell Co. NC). Walter moved to Sumter County, Florida aged 21. In 1881 he moved to Leesburg and became a carpenter (Grismer, Karl, *History of St. Petersburg* (1924) pp. 251-2). He moved to St. Petersburg in 1896 with his wife, Mamie and
children, and became a building contractor supervising the construction of many of the city's major buildings until his retirement in 1916. He was elected to the Town Council in 1901, but resigned to bid on and win the contract to construct the new city school a $10,000 project located on the site of today's City Hall. He also built the city's first high school in 1909 that cost $32,000. He was the contractor for the First Congregational Church on Fourth Street North. Mr. Henry's last contract in 1915 was the construction of the public library (Mirror Lake Library). Survivors are three sons; Walter L. Henry, Love L. Henry, and Mack L. Henry, and one daughter, Mrs. W. T. Baynard. ("St. Petersburg Evening Independent", 10 April 1940, p. 9 'Walter Henry, City Pioneer, Passes at 84').
Walter and Mamie Henry are buried beside each other in Greenwood Cemetery.

BIOGRAPHY OF MACK HENRY (1894-1968)
Mack Lee Henry was born in Sumter County, Florida in 1894 the son of Walter C. Henry and Mamie his wife, he came to St. Petersburg with his parents in 1896. He apprenticed as a carpenter under his father and worked for him until 1916. In the 1920 federal census he is living at 118 2nd Ave. NE with his parents and is married to Myrtle aged 25 and their two children; Evelyn aged 4 and Caldwell aged 1 (1920 U.S. Census, St. Petersburg, FL). The City Directory shows that he owned and lived from 1945 to his death in 1968, at 142 5th Ave. N. where he and his wife rented furnished rooms. His widow, Myrtle lived in the same house renting rooms until 1980 and died in 1984 (R. L. Polk, St. Petersburg City Directory 1945 to 1980, passim, State of Florida, death certificates, Mack L. Henry 7 Myrtle Henry).

ARCHITECTURAL SIGNIFICANCE
The Henry House at 142 5th Avenue North is a classic Craftsman style single family detached house. The exterior of the house has retained its historic appearance and integrity with only minor alterations to its fabric. The front (north) facade exhibits a high level of craftsmanship and ornamental detail that employ quintessential design elements of this style. The quality of this home's design when combined with the similar high-style design of the three adjacent Craftsman style houses creates a splendid collection of architectural artifacts of this style built between 1909 and 1916. There is no other grouping of Craftsman style residences of this quality surviving within the National Register listed St. Petersburg Downtown Historic District (2004) 8PI10648. The only similar assemblage of Craftsman style houses of this period is the Lang Bungalow Court local landmark district (2014) HPC-14-90300002. However, the four houses in the 100 block of Fifth Avenue North were built for a wealthier clients
than the houses of Lang Court and therefore were able to display a more expensive level of ornamental design and construction.

The American Craftsman style, or the American Arts and Crafts Movement, is an American domestic architectural, interior design, landscape design, applied arts, and decorative style and lifestyle philosophy that had its origins in the last decade of the 19th century. As a comprehensive design and arts movement it remained popular till the 1930s Great Depression. The Craftsman style took its inspiration from the British Arts and Crafts movement founded on the philosophy and writings of William Morris (1834-1896). Morris was appalled by the shoddy workmanship and gaudy tastes of the Victorian era which were a result of mass production made possible by the Industrial Revolution. In his opinion the beauty of an object, fabric, or building was the result of the handcrafted labor by skilled artisans who understood and respected the intrinsic qualities of the materials that they used. Yes, it was a nostalgic yearning for “the good old days” that appears naive, however the goal of preserving traditional artisanal skills via apprenticeship had a profound impact on the creation of vocational training schools across Europe and The U. S. The European proponents of the Arts and Crafts style were closely allied politically and philosophically with the growth of Socialism and its concern for the “working man” and attempting to improve the working conditions and housing of this class. This movement laid a special emphasis on the design of affordable, yet aesthetically pleasing, housing for the middle and working class that incorporated the latest innovations in sanitation and modern technology. Ironically the booming mill towns of Britain became the first laboratory for these new experiments in city planning, and affordable housing.

The American Craftsman style was formally born in 1897 when the non-profit American Society of Arts and Crafts was founded in Boston. The publications of this society and articles in American architecture journals featuring this “modern architecture” evolving across Europe introduced American architects and builders to this new aesthetic and design vocabulary. Elbert Hubbard (1856-1915) inspired by William Morris created the Roycroft artisanal community in East Aurora, NY in 1895, one of the main products of this group was the Roycroft Press whose books also spread the concepts of this movement. Adventurous U. S. architects embraced the tenants of this style which had spread from Glasgow to Vienna, the most famous being Louis Sullivan (1856-1924) and Frank Lloyd Wright (1867-1959). In California which was booming with new construction in this era many architects began creating residences in
the Arts and Crafts style. Bernard Maybeck (1862-1957) in San Francisco and the brothers Charles (1868-1957) and Henry Greene (1870-1954) of Pasadena by 1905 had created a synthetic new style and started calling these houses bungalows. They were adapted to function in a warm climate and well suited to the new "streetcar suburbs" springing up in southern California. And this housing type became instantly popular with the California public and when the bungalow style home spread to other parts of the country they were commonly called "California Bungalows". St. Petersburg's two great historic building boom periods were 1909 to 1914 and 1921 to 1926 and both occurred during the height of this housing type's popularity. As a result this form of domestic architecture is the predominant style in most of the city's pre World War II neighborhoods.

The Craftsman bungalow style was synthesized from a wide range of sources which include; British Colonial era homes in India where the term "bungalow" originated and Japanese domestic architecture with its wood frame skeleton, open floor plan, widely projecting and flaring eaves, and large open porches. These exotic styles were grafted onto the common American one story frame vernacular style cottage and elements of high-style European Arts and Crafts were added for flair. This hybrid creation called the bungalow was coeval with the similar synthetic styles of early modern architecture known as Jugendstil in Germany, Secession in Vienna, Modernismo in Spain, and Art Nouveau in France. All of these styles had the common denominator of fusing together the best of local traditional "folk style" buildings with a new aesthetic derived from Asian art and applying the early modernist philosophy of "organic design" derived from nature. The novel experimental designs of architects; Charles Rennie Mackintosh in Scotland, Frank Lloyd Wright in Chicago, Josef Hoffmann in Vienna, Lluis Domenech y Montaner in Barcelona, and Sir Edward Lutyens in Britain although superficially different in appearance all sprang from the same aesthetic source as the Craftsman bungalow found along suburban streets across the U.S.

In the state of Florida the Craftsman bungalow was generally built of wood frame construction with brick, concrete block, or oolitic limestone as secondary materials. Most were one story high, but the two story "aeroplane bungalow" with a second floor bedroom with banks of windows on all four sides was also popular. The use of wide roof eaves and many windows for cross-ventilation made these houses perfect for Florida in the era before air-conditioning.
The document contains a map with the title "MACK HENRY HOUSE BOUNDARY MAP" and a scale of 1" = 100'. The map includes details about street sections and numbers, indicating the boundaries of the property.
Photographs

Photo 1, Front

Photo 2, Rear
Craftsman style Characteristics

• 1 - 2 stories
• Low-pitched roof, hipped, gabled, sometimes with a clipped gable. Roof lines may be complex and cross gabled.
• Broad eaves
• Heavy masonry porch piers supporting squat tapered pillars or paired posts
• Knee braces, exposed rafter tails and beams, elaborated rafter ends and verge boards, occasionally roof ridge finials are seen
• Natural materials indigenous to location (exception: kit homes)
• Open floor plan
• Dormers: shed, gabled, hipped, sometimes in combination
• Fireplace and chimney, brick or native stone
• Handcrafted, built-in cabinetry including as buffets, bookcases, colonnades
• Unique custom features such as inglenooks and window seats
• Substantial covered porches
• Windows, double-hung, multiple lights over single pane below. Multiple windows appear together in banks. Casement windows are also seen.
• Shingle, lapped, and stucco siding is common.
APPENDIX C: ADDITIONAL PHOTOGRAPHS
Photograph 1: Front (north) entrance of primary residence, facing south
Photograph 2: Façade and west elevation of primary residence, facing southeast
Photograph 3: Façade and east elevation of primary residence, facing southwest
Photograph 4: Oriel at east elevation of primary residence, facing southwest
Photograph 5: South façade of cottage, facing northeast
Photograph 6: Front porch and west elevation of cottage, facing northeast
Photograph 7: Façade and east elevation of cottage, facing northwest
APPENDIX D: PUBLIC COMMENT
Three comments in opposition of designation (attached, to follow) and none in support have been received as of January 3, 2017.
In re Historical Landmark Designation Applications:
118, 126, 136, 142, and 142 ½ 5th Avenue North, St. Petersburg, Florida

HPC 16-90300003
HPC 16-90300004
HPC 16-90300005
HPC 16-90300006

AFFIDAVIT OF CHANDRESH S. SARAIYA
AS MANAGER OF SUBURBAN FEDERAL PROPERTY, LLC

BEFORE ME, the undersigned authority, personally appeared Chandresh S. Saraiya, being first duly sworn, deposes and says:

1. This affidavit is submitted in opposition to the Local Landmark Designation Applications (together, the "Applications") filed by St. Petersburg Preservation for the contiguous parcels of property located at 118, 126, 136, 142, and 142 ½ 5th Avenue North, St. Petersburg, Florida (together, the "Subject Property"), copies of which are attached hereto as Composite Exhibit “A.”

2. My name is Chandresh S. Saraiya, I am over the age of eighteen years old, and I am the Manager of Suburban Federal Property, LLC ("Suburban"), the seventy percent (70%) owner of Fuel Investment & Development II, LLC ("FID II"). Suburban was ten percent (10%) owner of FID II in 2006, but due to performance issues with the initial developer, Suburban ended up acquiring all of the developer’s interest and is now seventy percent (70%) owner of FID II.

3. FID II is the owner of the Subject Property, having purchased all applicable parcels between December 2005 and April 2006 for a total of $3,100,000, and an additional two contiguous parcels of property in November 2006 for $3,500,000, representing a total purchase price of $6,600,000.
4. In addition to being the majority owner in FID II, Suburban is a co-managing member of FID II. FID II has an additional three (3) co-managing members, who have not been consulted in the drafting of this Affidavit. I am unaware of whether or not any of the other co-managing members have received notice of the Applications.

5. The Applications were submitted on May 1, 2016 by Howard Ferebee Hansen of St. Petersburg Preservation ("St. Pete Preservation"), a non-profit organization whose mission is described as educating the public about local historic architecture resources, landmarking or assisting in the landmarking of "deserving" sites and structures, and preserving sites and structures previously landmarked.

6. St. Pete Preservation has no ownership or other interest in the Subject Property, and, to the best of my knowledge, submitted the Applications without any notice to or communication with any representative of FID II.

7. FID II purchased the Subject Property in order to redevelop the same and take a city block that has, even as acknowledged by the Applications, been blighted by neglect and crime.

8. During my involvement with the Subject Property as Manager of the majority owner and otherwise, I was unaware of any potential historical landmarks on any of the Subject Property.

9. After purchase of the Subject Property, FID II submitted applications for approval of two (2) separate projects, each of which were rejected by the City of St. Petersburg. In addition to issues with zoning and approval of FID II's development projects, and in large part because of the same, FID II experienced financial difficulties which resulted in (a) default on its
obligations to its lenders, (b) initiation of foreclosure on the Subject Property, and (c) two (2) bankruptcy proceedings.

10. As a result of these issues, the Subject Property has been the subject of a foreclosure action styled First Street and Fifth Avenue, LLC v. Fuel Investment & Development II, LLC, Case No. 09-16378-Cl-15 (the “Foreclosure Action”), which has been pending before the Circuit Court for the Sixth Judicial Circuit in and for Pinellas County, Florida (the “State Court”) since August 15, 2009.

11. The Foreclosure Action has been pending for more than seven (7) years and has prevented any potential development of the Subject Property while it remains in limbo. The senior mortgage holder of the property, First Street and Fifth Avenue, LLC, holds a lien on the Subject Property in an amount exceeding $10,000,000.

12. FID II has been dissolved and non-operational since at least September 27, 2013.

13. As a result of the years of limbo and uncertainty created by the Foreclosure Action and lack of financial resources of FID II, the Subject Property has fallen further into disrepair.

14. On May 11, 2016, the City of St. Petersburg Code Enforcement department (“Code Enforcement”) sent out two (2) notices of their intent to seek demolition of portions of the Subject Property (the “Demolition Notices”), copies of which are attached hereto as Composite Exhibit “B.”

15. I have personally walked the Subject Property with Code Enforcement in order to gain a better understanding of the issues associated with the Demolition Notices and other code enforcement violations.
On November 23, 2016, after hearings on August 22, 2016, and November 4, 2016, the State Court appointed Larry S. Hyman, CPA (the "Receiver") as receiver over the Subject Property in order to address the issues identified in the Demolition Notices, delinquent taxes, and other issues of the Subject Property.

Accordingly, the Receiver is in control of the Subject Property for the balance of the Foreclosure Action or until otherwise discharged by the State Court.

If the Applications are successful, the value of the Subject Property will be severely impaired and it is unlikely that any revitalization or improvement to the Subject Property will take place.

This will, in effect, leave half of a block in downtown St. Petersburg in a state of neglect that impacts the surrounding community, particularly where downtown St. Petersburg is in the middle of a redevelopment and revitalization effort that involves new construction and an influx of residents and businesses.

It would require an enormous amount of resources in order to clear the Demolition Notices and other Code Enforcement violations, and even more resources would be required in order to restore the Subject Property to even the most minimal of habitable condition.

If there is no possibility for future development on the Subject Property due to a Local Landmark status, it is unlikely that any entity would be willing to commit the appropriate resources in order to correct or maintain the Subject Property.

It is my understanding that the purpose of the City of St. Petersburg Code on "Preservation of Historic Properties" (Sec. 16.30.070.2) includes stabilizing and improving property values "in historic districts and in the City as a whole" (16.30.070.2.1.B.3), strengthening the economy of the City (16.30.070.2.1.B.5), and enhancing the "visual and
aesthetic character, diversity and interest of the City” (16.30.070.2.1.B.7). I do not believe that any of these purposes are furthered by the designation of the Subject Property as local landmarks.

23. At the very least, it is incumbent upon the City of St. Petersburg to delay any decision of the Historic Preservation committee to delay consideration of any of the Applications until the Foreclosure Action is resolved and a new and solvent owner of the Subject Property is identified to allow full due process to the owner.

24. I did not receive any formal notice of the Applications or any steps to consider the same by the City of St. Petersburg, and only received notice through proceedings involving appointment of the Receiver in the Foreclosure Action.

FURTHER AFFIANT SAYETH NOT.

Dated this 3rd day of January, 2017.

CHANDRESH S. SARAIYA

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

SWORN TO AND SUBSCRIBED before me this 3rd day of January, 2017, by Chandresh S. Saraiya, Manager of Suburban Federal Property, LLC, a Florida limited liability company. He is personally known to me or has produced personally as identification.

RENEE J. OSBORNE
Notary Public - State of Florida
My Comm. Expires Aug 26, 2017
Commission # FF 15466
Bonded Through National Notary Assn.

Notary Public, State at Large
Serial Number and Seal
Exhibit “A”
To prevent redundancy within this packet, please refer to Appendix B: Designation Application.
Exhibit “B”
DEMOlITION VIOLATION NOTICE
Delivered via U.S. Certified and First Class Mail

May 11, 2016

FUEL INVESTMENT & DEVELOPMENT II LLC
201 N FRANKLIN ST STE 2505
TAMPA FL 336023200

DEMOlITION CASE NO: 15-00022138
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 115 5TH AVE N
REV MAP OF ST PETERSBURG
BLK 3, LOT 3

STRUCTURE(S): DUPLEX & INGROUND POOL

This notice is directed to the above legal property owner(s) of record
(responsible party) and additional copies are being provided to potentially
interested parties including the person whose name and address appears at the
top of this letter.

The property described above has been evaluated and determined to have
conditions which appear to not comply with the City Code: CHAPTER 8, DIV. 4,
SEC. 8-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES

The property owner or duly authorized representative must obtain permits to
make repairs to the above referenced structure(s). The property owner may be
required to retain a design professional to conduct an evaluation of the
structure and produce a detailed written report with rehabilitation plans. A
licensed contractor may also be required to provide a cost estimate and
conduct the rehabilitation.

Permits to rehabilitate or to demolish the structure(s) must be obtained by
June 20, 2016.

If these conditions are not corrected by the specified date, the City can
take action to condemn and demolish the structure(s). All costs incurred in
any condemnation action will be assessed as an interest bearing lien against
the property. If additional time is needed to obtain permits for
rehabilitation or demolition of the structure(s), contact me in writing with
an outline of your plans before June 20, 2016.

Respectfully,

HAUREEN PALMER 813-843- Area Code 813, Building Demolition Coord.닉서
DESTRUCTION VIOLATION NOTICE
Delivered via U.S. Certified and First Class Mail

May 11, 2016

FUEL INVESTMENT & DEVELOPMENT II LLC
PO BOX 273944
TAMPA FL 33683-3944

DEMOLITION CASE NO: 16-00008671
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 142 5TH AVE N
REV MAP OF ST PETERSBURG
BLK 3, LOT 6

STRUCTURE(S): 5CL FAM RES & TRIPLEX

This notice is directed to the above legal property owner(s) of record (responsible party) and additional copies are being provided to potentially interested parties including the person whose name and address appears at the top of this letter.

The property described above has been evaluated and determined to have conditions which appear to not comply with the City Code: CHAPTER 8, DIV. 4, SEC. 8-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES

The property owner or duly authorized representative must obtain permits to make repairs to the above referenced structure(s). The property owner may be required to retain a design professional to conduct an evaluation of the structure and produce a detailed written report with rehabilitation plans. A licensed contractor may also be required to provide a cost estimate and conduct the rehabilitation.

Permits to rehabilitate or to demolish the structure(s) must be obtained by June 20, 2016.

If these conditions are not corrected by the specified date, the City can take action to condemn and demolish the structure(s). All costs incurred in any condemnation action will be assessed as an interest bearing lien against the property. If additional time is needed to obtain permits for rehabilitation or demolition of the structure(s), contact me in writing with an outline of your plans before June 21, 2016.

Respectfully,

[Signature]

KAREEM PALMER 892-5424 (Area Code 727), Building Demolition Coordinator
In re Historical Landmark Designation Applications:

118, 126, 136, 142, and 142 ½ 5th Avenue North, St. Petersburg, Florida

HPC 16-90300003
HPC 16-90300004
HPC 16-90300005
HPC 16-90300006

AFFIDAVIT OF CHANDRESH S. SARAIYA AS PRESIDENT OF FIRST STREET AND FIFTH AVENUE, LLC

BEFORE ME, the undersigned authority, personally appeared Chandresh S. Saraiya, being first duly sworn, deposes and says:

1. This affidavit is submitted in opposition to the Local Landmark Designation Applications (together, the “Applications”) filed by St. Petersburg Preservation for the contiguous parcels of property located at 118, 126, 136, 142, and 142 ½ 5th Avenue North, St. Petersburg, Florida (together, the “Subject Property”), copies of which are attached hereto as Composite Exhibit “A.”

2. My name is Chandresh S. Saraiya, I am over the age of eighteen years old, and I am the President of First Street and Fifth Avenue, LLC (“FSFA”), the senior mortgage holder on the Subject Property, and the additional contiguous parcel located at 135 5th Avenue North.

3. FID II is the owner of the Subject Property, having purchased all applicable parcels between December 2005 and April 2006.

4. On November 6, 2006, FID II borrowed funds in the original principal amount of $4,800,000, and executed a “Mortgage, Assignment of Leases and Rents and Security Agreement” (the “Mortgage”) in favor of Broadway Bank, a copy of which is recorded in the Official Records of Pinellas County, Florida at Official Records Book 15475, beginning at 1387.

5. After a series of assignments that are a matter of public record, on September 28, 2012, FSFA received an “Assignment of Mortgage and Loan Documents” assigning all right,
title, and interest in the Mortgage to FSFA. Accordingly, FSFA is now the owner and holder of the Mortgage and the associated rights thereunder.

6. The Applications were submitted on May 1, 2016 by Howard Ferebee Hansen of St. Petersburg Preservation ("St. Pete Preservation"), a non-profit organization whose mission is described as educating the public about local historic architecture resources, landmarking or assisting in the landmarking of "deserving" sites and structures, and preserving sites and structures previously landmarked.

7. St. Pete Preservation has no ownership or other interest in the Subject Property, and, to the best of my knowledge, submitted the Applications without any notice to or communication with any representative of FSFA.

8. The Subject Property has been the subject of a foreclosure action styled First Street and Fifth Avenue, LLC v. Fuel Investment & Development II, LLC, Case No. 09-16378-CI-15 (the "Foreclosure Action"), which has been pending before the Circuit Court for the Sixth Judicial Circuit in and for Pinellas County, Florida (the "State Court") since August 15, 2009.

9. The Foreclosure Action has been pending for more than seven (7) years and has prevented any potential development of the Subject Property while it remains in limbo.

10. During the pendency of the Foreclosure Action, the Subject Property, which was initially purchased as a development investment, has fallen further into disrepair.

11. On May 11, 2016, the City of St. Petersburg Code Enforcement department ("Code Enforcement") sent out two (2) notices of their intent to seek demolition of portions of the Subject Property (the "Demolition Notices"), copies of which are attached hereto as Composite Exhibit "B."
12. As a result of the Demolition Notices and other Code Enforcement violations, on July 29, 2016, FSFA filed "FSFA's Emergency Motion for Appointment of Receiver to Maintain and Safeguard Assets" in the Foreclosure Action, seeking an order of the State Court appointing a receiver over the Subject Property and the remaining contiguous parcel covered by the Mortgage in order to correct code enforcement violations and protect the Subject Property from further serious issues during the pendency of the Foreclosure Action.

13. On November 23, 2016, after hearings on August 22, 2016, and November 4, 2016, the State Court appointed Larry S. Hyman, CPA (the "Receiver") as receiver over the Subject Property in order to address the issues identified in the Demolition Notices, delinquent taxes, and other issues of the Subject Property.

14. Accordingly, the Receiver is in control of the Subject Property for the balance of the Foreclosure Action or until otherwise discharged by the State Court.

15. If the Subject Property is designated as a Local Landmark, the value of the Subject Property will be further impaired, impacting the Mortgage and the ability of FSFA to recover the sums due thereunder, which now exceeds $10,000,000.

16. Further, if the Subject Property is limited in its uses, there will be a limited market for sale of the Subject Property, and limited uses for the same, after foreclosure or otherwise, and this will in effect leave half of a block in downtown St. Petersburg in a state of neglect that impacts the surrounding community.

17. At the very least, it is incumbent upon the City of St. Petersburg to delay consideration of any of the Applications until the Foreclosure Action is resolved and a new and solvent owner of the Subject Property is identified to allow full due process to the owner.
18. FSFA did not receive any formal notice of the Applications or any steps to consider the same by the City of St. Petersburg, and only first received notice of the same through the proceedings involving appointment of the Receiver in the Foreclosure Action.

FURTHER AFFIANT SAYETH NOT.

Dated this 26th day of January, 2017.

\[Signature\]

CHANDRESH S. SARAIYA

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

SWORN TO AND SUBSCRIBED before me this 26th day of January, 2017, by Chandresh S. Saraiya, President of First Street and Fifth Avenue, LLC, a Florida limited liability company. He is personally known to me or has produced \underline{personally} as identification.

\[Signature\]

RENEE J. OSBORNE
Notary Public, State at Large
Serial Number and Seal
Exhibit “A”
To prevent redundancy within this packet, please refer to Appendix B: Designation Application.
Exhibit “B”
DEMOLITION VIOLATION NOTICE
Delivered via U.S. Certified and First Class Mail

May 11, 2016

FIRST STREET & FIFTH AVE LLC
16608 MONACO AVE
LUTZ FL 33558

DEMOLITION CASE NO: 15-00022132
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 118 5TH AVE N
REV MAP OF ST PETERSBURG
BLK 3, LOT 3

STRUCTURE(S): DUPLEX & INGROUND POOL

This notice is directed to the above legal property owner(s) of record (responsible party) and additional copies are being provided to potentially interested parties including the person whose name and address appears at the top of this letter.

The property described above has been evaluated and determined to have conditions which appear to not comply with the City Code: CHAPTER 8, DIV. 4, SEC. 8-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES

The property owner or duly authorized representative must obtain permits to make repairs to the above referenced structure(s). The property owner may be required to retain a design professional to conduct an evaluation of the structure and produce a detailed written report with rehabilitation plans. A licensed contractor may also be required to provide a cost estimate and conduct the rehabilitation.

Permits to rehabilitate or to demolish the structure(s) must be obtained by June 20, 2016.

If these conditions are not corrected by the specified date, the City can take action to condemn and demolish the structure(s). All costs incurred in any condemnation action will be assessed as an interest bearing lien against the property. If additional time is needed to obtain permits for rehabilitation or demolition of the structure(s), contact me in writing with an outline of your plans before June 20, 2016.

Sincerely,

MAureen PALMER 832-3433 (Area Code 727), Building Demolition Coordinator
DESTRUCTION VIOLATION NOTICE
Delivered via U.S. Certified and First Class Mail

May 11, 2016

FIRST STREET & FIFTH AVE LLC
1800 MONACO AVE
LUTZ FL 33558

DEMOLITION CASE NO: 16-0000671
RESPONSIBLE PARTY: FUEL INVESTMENT & DEVELOPMENT
PROPERTY IN VIOLATION: 1425 5TH AVE N
REV MAP OF ST PETERSBURG
BLK 2, LOT 6

STRUCTURE(S):
SGL, FAM RES & TRIPLEX

This notice is directed to the above legal property owner(s) of record (responsible party) and additional copies are being provided to potentially interested parties including the person whose name and address appears at the top of this letter.

The property described above has been evaluated and determined to have conditions which appear to not comply with the City Code: CHAPTER 8, DIV. 4, SEC. 8-263 - UNFIT OR UNSAFE DWELLINGS OR STRUCTURES

The property owner or duly authorized representative must obtain permits to make repairs to the above referenced structure(s). The property owner may be required to retain a design professional to conduct an evaluation of the structure and produce a detailed written report with rehabilitation plans. A licensed contractor may also be required to provide a cost estimate and conduct the rehabilitation.

Permits to rehabilitate or to demolish the structure(s) must be obtained by June 20, 2016.

If these conditions are not corrected by the specified date, the City can take action to condemn and demolish the structure(s). All costs incurred in any condemnation action will be assessed as an interest bearing lien against the property. If additional time is needed to obtain permits for rehabilitation or demolition of the structure(s), contact me in writing with an outline of your plans before June 20, 2016.

Respectfully,

MARLEN PALMER 852-5433 (Area Code 727), Building Demolition Coordinator

VI
Laura Duvekot

From: kimmylevell@gmail.com
Sent: Tuesday, January 03, 2017 4:30 PM
To: Laura Duvekot
Subject: Amended version previous email. Please include this version.

Dear Ms Duvekot,

I am writing to you about the proposed homes located at 118, 126, 136, and 142 5th Ave North has historic designation. I own a home located at 155 5th Ave N. As an accomplished exterior designer from the area I am all for preserving historic homes, however, for 5th Ave I believe this ship has sailed. In other words to force upon owners historic designation which would require costly repairs to these homes is unfair due to the fact that they are now surrounded and continue to be surrounded with new luxury town homes and high rises which have now made their homes be worth the land value only. It's my belief that no one will pay the premium price for an older home with the extreme costs it would require for repairs to these homes on a street that has eclectically been transformed over the years at today's current market values. If historic preservation had taken place before many other homes had been destroyed for "newer bigger homes" the "habu" or highest and best value of the land would stand for square footage price. Within the confines of Old North East where designating historic homes have occurred I could agree because they are surrounded by like properties, however, on 5th the city is too little too late and should not fiscally strangle the owners of these homes by requiring them to keep these homes as is or repaired to their former grandeur. It's unfortunate but this is entirely an unfair proposal based on allowing these homes as well as my own to be surrounded by high rises and high end townhomes yet not allowing these owners to do the same to their land within the confines of building codes and requirements.

My suggestion would be to be more pointed about the style of architecture or vision for St. Petersburg and requiring new structures to fall into this realm of design. As far as I can see now it's a free for all and not all what's being built is aesthetically cohesive or in many cases simply put bland and not attractive.

I am unable to attend this meeting and would like my voice heard. Is there anything else I can do to communicate my feelings?

Thank you in advance,

Kim Levell
813-810-5469

www.exteriordecorating.com

Please excuse the grammatical and spelling errors, auto correct is my editor.
APPENDIX E: TIMELINE AND SUPPORTING INFORMATION

• Circa 1900 – Cottage constructed.
• Circa 1913 – Main house constructed, most likely by William C. Henry.12
• Circa 1918 – Gabled ell constructed at eastern elevation of cottage.13
• Circa 1913-1984 – Henry family were listed as residents of main house and cottage, off and on.
  Boarders often occupied parts or all of at least one building.

The man who build the first school building in St. Petersburg and who put down the first brick streets here, streets that yet are good, is Walter C. Henry. He came here in the early days and has made money as the city grew from a little town into a real city. Mr. Henry has owned much valuable property at various times and is still a large holder of real estate here.

Mr. Henry was another of the sufferers from the freeze of 1895 who came to Pinellas county. He was born March 6, 1856 in Iredell county, North Carolina. He was educated in the little red school house and spent his early days on his father’s farm. Leaving the farm when he was 21 years old he learned the carpenter’s trade and in 1883 he came to Florida, locating in Leesburg. He began to build houses on contract and in many instances took second mortgages instead of cash for his pay. The freeze killed the business of that section and the second mortgages were not worth anything, so that Mr. Henry was practically broke. He went to Tampa but found that there was not much building being done. He had heard of St. Petersburg as a live and growing city so he came here in 1894.

Mr. Henry was offered a lot at Central avenue and Fifth street, where the First National bank building now stands, for $400. the pruner, Col. L. Y. Jenkins, manager of the St. Petersburg Land and Development company stipulating that a house must be built on it at once and $1,800 a year be paid for five years. Mr. Henry accepted the proposition and built a two story house there. In 6 years he sold it for $1,000. Mr. Henry then engaged in the general contracting business.

Mr. Henry and C. O. Wimbald put in a bid for the first paving job that ever was undertaken here. This was in July, 1894. Three blocks of paving, on Central avenue from Second to Fifth streets. The cost was $3.50 a square yard. The paving is as good as any in the city today.

Mr. Henry was elected to the council in 1901 for a two year term but resigned before his term was out so that he could bid on the contract to build a new school house here. A bond issue had been voted for $11,010 to erect the building. Mr. Henry got the contract and put up the building for $10,200. Mr. Henry also built the first high school building here in 1895 at the cost being $15,000. He was constructor on the public library here for the money for which was furnished by Andrew Carnegie.

Mr. Henry’s wife was Miss Isma Hinkin and they were married Feb. 16, 1888. They have four children: Love L. Henry, Alice L. Henry, Mrs. Bessie L. Baldwin and Walter L. Henry, all now living in St. Petersburg except Walter who is in Midland, Mich.

Mr. Henry is a member of the Elks Club and the Methodist Episcopal church. He is a member of the chamber of commerce.

Item 1: *Evening Independent*, April 29, 1924.

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Walter Henry

Walter Henry knew St. Petersburg in the days when it was a small village, not the bustling Sunshine City of today. His death will sadden the many oldtimers who were here when he came over from Tampa at the turn of the century and cast his lot with this community.

Walter Henry was a builder. He helped construct St. Petersburg business blocks and pave the city's streets. Most of Central Avenue was originally paved by his contracting firm. He constructed the building which now houses the Junior College; it was erected in 1909 as the first high school building. The public library was also built by Mr. Henry.

One of the leading pioneers of city and state, Walter Henry will be missed. He was typical of many citizens from states farther north who saw and capitalized on the advantages of Florida. Horace Greeley told the young men of his day to go west. Walter Henry and others came south instead.

Item 2: St. Petersburg Times, April 12, 1940.
SAINT PETERSBURG CITY COUNCIL

Meeting of February 16, 2017

TO: THE HONORABLE DARDEN RICE, CHAIR, AND MEMBERS OF CITY COUNCIL

SUBJECT: Resolution approving the plat of Gables on 7th, generally located on the North Side of 7th Avenue Northeast between Bay Street Northeast and Oak Street Northeast. (Our File: 16-20000001)

RECOMMENDATION: The Administration recommends APPROVAL.

DISCUSSION: The applicant is requesting approval of a plat to create three lots from a portion of Lot 8 and all of Lot 9 in the Bayshore Subdivision of St. Petersburg, Florida. Development of the subject lots was allowed through a redevelopment plan for the subject site. The site is located on the North Side of 7th Avenue Northeast between Bay Street Northeast and Oak Street Northeast. The property is zoned Neighborhood Traditional (NT-2).

The plat will assemble the lots for redevelopment.

The language in Condition 1 of the resolution clarifies that certain requirements may be completed after the plat is recorded. The language in Condition 2 notes that certain conditions must be met prior to a certificate of Occupancy.

Attachments: Map, Aerial, Resolution, Plat, Engineering Conditions dated January 24, 2017

APPROVALS:

Administrative: [Signature]
Budget: NA
Legal: [Signature]

City of St. Petersburg, Florida
Planning and Economic Development
Department
Gables on 7th
Case No.: 16-20000001
Address: 7th Avenue Northeast between Bay Street Northeast and Oak Street Northeast

N↑
(nts)
RESOLUTION NO. ______

A RESOLUTION APPROVING THE PLAT OF GABLES ON 7TH, GENERALLY LOCATED ON THE NORTH SIDE OF 7TH AVENUE NORTHEAST BETWEEN BAY STREET NORTHEAST AND OAK STREET NORTHEAST; SETTING FORTH CONDITIONS FOR APPROVAL; AND PROVIDING AN EFFECTIVE DATE. (City File 16-20000001)

BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the plat of The Gables on 7th, generally located on the North Side of 7th Avenue Northeast between Bay Street Northeast and Oak Street Northeast, is hereby approved, subject to the following conditions.

1. The applicants shall install the Lot Corners as required by F.S. 177 and City Code at their sole expense within one (1) year from the date of this approval. The applicant may provide a financial guarantee for this work in order to record the plat in advance of completion.


This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:

City Attorney (Designee) ___________________________ 1/31/17

Planning & Economic Development Dept. ___________________________ 1-30-17
GABLES ON 7TH
A REPLAT OF THE EAST 45 FEET OF LOT 8 AND ALL OF LOT 9, BLOCK 8, ACCORDING TO THE PLAT OF REVISED MAP OF THE BAYSHORE SUBDIVISION OF ST. PETERSBURG, FLORIDA, AS RECORDED IN PLAT BOOK 3, PAGE 81, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART.
LYING IN THE SOUTH 1/2 OF SECTION 18, TOWNSHIP 31 SOUTH, RANGE IV EAST, CITY OF ST. PETERSBURG, PINELLAS COUNTY, FLORIDA.

PROPERTY DESCRIPTION:

The approximate area covered by this Plat is 750 acres. The Plat contains 75 plots, each 5 acres in size. The Plat is located in the south 1/2 of section 18, township 31 south, range 4 east. The Plat is bounded by a road on the west and a stream on the east. The Plat is located in Pinellas County, Florida.

CONDITION OF THE REPLAT:

This Plat is a revised Plat of the bayshore subdivision of St. Petersburg, Florida, as recorded in Plat Book 3, page 81, of the Public Records of Hillsborough County, Florida. The Plat contains 75 plots, each 5 acres in size. The Plat is located in the south 1/2 of section 18, township 31 south, range 4 east. The Plat is bounded by a road on the west and a stream on the east. The Plat is located in Pinellas County, Florida.
GABLES ON 7TH
A REPLAT OF THE EAST 45 FEET OF LOT B AND ALL OF LOT B, BLOCK 5, ACCORDING TO
THE PLAT OF REVISED MAP OF THE BAYSHORE SUBDIVISION OF ST. PETERSBURG, FLORIDA.
AS RECORDED IN PLATE BOOK 3, PAGE 41, OF THE PUBLIC RECORDS OF HILLSBOROUGH
COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART.
LYING IN THE SOUTH 1/2 OF SECTION 18, TOWNSHIP 31 SOUTH, RANGE 17 EAST
CITY OF ST. PETERSBURG, PINELLAS COUNTY, FLORIDA

JOHN C. BRENDLA AND ASSOCIATES, INC.
Consulting Engineers and Land Surveyors

ABBREVIATIONS:
1 = CITY STREET
2 = COUNTY STREET
3 = PUBLIC UTILITY
4 =otence line
5 = URBAN AREA

BOUNDARY CORNER SYMBOL LEGEND AND NOTES:
1 = DIRECTION SET OF A PLOT MARK IS SHOWN STATED "PLOT LOT 2/18" UNLESS OTHERWISE INDICATED
2 = DIRECTION SET DIRECTION SHOWN STATED "LOT 10" SHOWN AND WITH CAP MARKED "LOT 10"
3 = DIRECTION SET "LOT 10" SHOWN AND "LOT 10" SHOWN AND "LOT 10" SHOWN AND COORDINATE SHOWN "LOT 10"
The Engineering Department has no objection to the proposed preliminary and final plat provided that the following special conditions and standard comments are added as conditions of approval:

**SPECIAL CONDITIONS OF APPROVAL:**

1. Per City Council Resolution, public hexagon block sidewalks are to be preserved in the National Register Historic district. Within ALL public right-of-way within the City of St. Petersburg, existing street and alley brick and granite curbing shall be preserved (not removed).

2. The applicant is required to provide sanitary sewer to each lot of record. Each lot must be connected to its own individual sanitary sewer service lateral (may not share a service lateral). If an existing service lateral is found not existing or not in compliance with current City Engineering Standards and Specifications, the applicant will be responsible to construct a new service lateral to the main and install a public clean out (at the property line) for each lot as applicable. The cost for design, permitting, and construction of required new service lateral(s) shall be by and at the sole expense of the applicant.

3. The applicant is required to provide potable water service to each proposed lot if not existing. The City shall install necessary potable water services (up to and including the necessary meter and backflow prevention device) as required to service the proposed lots at the expense of the applicant/property owner.

4. Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed driveways per current ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All public sidewalks must be restored or reconstructed as necessary to good and safe ADA compliant condition prior to Certificate of Occupancy.
5. Per land development code 16.40.140.4.6 (9), habitable floor elevations for commercial projects must be set per building code requirements to at least one foot above the FEMA elevation. Habitable floor elevations for projects subject to compliance with the Florida Building Code, Residential, shall be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be set by the engineering director. Adequate swales shall be provided on the lot in any case where filling obstructs the natural ground flow. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum.

6. A work permit issued by the City Engineering & Capital Improvements Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement including connection to the public sanitary sewer system. All work within right of way shall be in compliance with current City Engineering Standards and Specifications.

STANDARD COMMENTS: Water service is available to the site. The applicant’s Engineer shall coordinate potable water and/or fire service requirements through the City’s Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City’s Water Resources department or a variance is granted by the City Water Resources department). Note that the City’s Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City’s Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Wastewater reclamation plant and pipe system capacity shall be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from a proposed service or an increase in projected flow) as required to provide connection to a public collection system of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City’s Wastewater Tracking Form (available upon request from the City Engineering department; phone 727-893-7238). If an increase in flow of over 1000 gpd is proposed, the ADF information will be forwarded to the City Water Resources department for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the proposed civil utility connection plan, 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public conveyance system is found insufficient, the conveyance system must be upgraded to provide adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City’s Water Resources department for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.
Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right-of-way or easement.

Any future development shall be in compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030, if applicable. If applicable, submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body's impairment. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10 year 1-hour design storm.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer's Self Certification to FDEP.

It is the developer’s responsibility to file a CGP Notice of Intent (NOI) (DEP form 62-21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, if required for future development on this site. Plans and specifications are subject to approval by the Florida state board of Health.
TO: THE HONORABLE DARDEN RICE, CHAIR, AND MEMBERS OF CITY COUNCIL

SUBJECT: Resolution approving the plat of Sanderlings Townhomes, generally located on the south side of 11th Avenue Northeast between Locust Street Northeast and Cherry Street Northeast. (Our File: 16-20000003)

RECOMMENDATION: The Administration recommends APPROVAL.

DISCUSSION: The applicant is requesting approval of a plat to create eight lots and two tracts. This is a replat of a portion of Lot 1 of George Prestman's Subdivision. Development of the subject site was allowed through a redevelopment plan for the subject site. The site is located on the south side of 11th Avenue Northeast between Locust Street Northeast and Cherry Street Northeast.

The plat will assemble the lots for redevelopment.

The language in Condition 1 of the resolution clarifies that certain requirements may be completed after the plat is recorded. The language in Condition 2 notes that certain conditions must be met prior to a Certificate of Occupancy.

Attachments: Map, Aerial, Resolution, Plat, Engineering Memorandum dated January 17, 2017

APPROVALS:

Administrative: ___________________________  [Signature]
Budget: NA
Legal: ___________________________  [Signature]
City of St. Petersburg, Florida
Planning and Economic Development
Department
Sanderlings Townhomes
Case No.: 16-20000003
Address: 11th Avenue Northeast between Locust Street Northeast and Cherry Street Northeast
City of St. Petersburg, Florida
Planning and Economic Development Department
Sanderlings Townhomes
Case No.: 16-20000003
Address: 11th Avenue Northeast between Locust Street Northeast and Cherry Street Northeast
RESOLUTION NO. ______

A RESOLUTION APPROVING THE PLAT OF SANDERLINGS TOWNHOMES, GENERALLY LOCATED ON THE SOUTH SIDE OF 11TH AVENUE NORTHEAST BETWEEN LOCUST STREET NORTHEAST AND CHERRY STREET NORTHEAST; SETTING FORTH CONDITIONS FOR APPROVAL; AND PROVIDING AN EFFECTIVE DATE. (City File 16-2000003)

BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the plat of Sanderlings Townhomes, generally located on the south side of 11th Avenue Northeast between Locust Street Northeast and Cherry Street Northeast, is hereby approved, subject to the following conditions.

1. The applicants shall install the Lot Corners as required by F.S. 177 and City Code at their sole expense within one (1) year from the date of this approval. The applicant may provide a financial guarantee for this work in order to record the plat in advance of completion.


This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:

[Signature]

Planning & Economic Development Dept.  Date

[Signature]

City Attorney (Designee)  Date
SANDERLINGS TOWNHOMES
BEING A REPLAT OF LOT I, LESS THE WEST 100 FEET THEREOF, GEORGE PRESTMANN'S SURVEY, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK I, PAGE 18 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LYING IN THE SOUTH 1/2 OF SECTION 17, TOWNSHIP 31 SOUTH, RANGE 17 EAST, CITY OF ST. PETERSBURG, PINELLAS COUNTY, FLORIDA.

PROPERTY DESCRIPTION:

Being a replat of lot I, less the west 100 feet thereof, George Prestmann's survey, according to the map or plat therefor as recorded in plat book 1, page 18 of the public records of Pinellas County, Florida, lying in the south 1/2 of section 17, township 31 south, range 17 east, city of St. Petersburg, Pinellas County, Florida.

DEDICATION:
The undersigned herein, being the successors in interest to the original grantors, do hereby dedicate to the public use the lands described herein as a public road.

ACKNOWLEDGMENT:

The undersigned herein, being the successors in interest to the original grantors, do hereby acknowledge the deed of conveyance executed by the original grantors.

SURVEYOR'S CERTIFICATE:

I hereby certify that the plat or survey herein approved and described in this document is a true and correct representation of the lands as dedicated and to be dedicated by this plat.

CERTIFICATE OF APPROVAL BY CITY OF ST. PETERSBURG:

Approved for the city of St. Petersburg, Pinellas County, Florida and for public record.

CERTIFICATE OF APPROVAL BY COUNTY CLERK:

Approved by the county clerk of Pinellas County, Florida

CERTIFICATE OF APPROVAL OF THE CITY SURVEYOR:

Approved by the city surveyor of the city of St. Petersburg, Pinellas County, Florida.

CERTIFICATE OF APPROVAL OF THE CITY SURVEYOR:

Approved by the city surveyor of the city of St. Petersburg, Pinellas County, Florida.

John C. Bearden and Associates Inc.
Consulting Engineers and Land Surveyors
JCB
SANDERLINGS TOWNHOMES
BEING A REFLAT OF LOT 1, LESS THE WEST 110 FEET THEREOF. GEORGE PRESSTMAN'S SUBDIVISION, ACCORDING TO THE
MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 20 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.
LYING IN THE SOUTH 1/2 OF SECTION 17, TOWNSHIP 31 SOUTH, RANGE 17 EAST
CITY OF ST. PETERSBURG, PINELLAS COUNTY, FLORIDA

Bound of Construction

(SHEET 2 OF 2)
MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING DEPARTMENT

TO: Pamela Jones, Development Services
FROM: Nancy Davis, Engineering Plan Review Supervisor
DATE: January 17, 2017
SUBJECT: Preliminary Plat for Sanderlings Townhomes
FILE: 16-20000003 R4

LOCATION: 426 11th Avenue Northeast
PIN: 17/31/17/73098/000/0010
ATLAS: D-8
PROJECT: Final Plat for Sanderlings Townhomes
REQUEST: Approval of a Final Plat for Sanderlings Townhomes

The Engineering Department has no objection to the proposed final plat provided that the following special conditions and standard comments are added as conditions of approval:

SPECIAL CONDITIONS OF APPROVAL:
1. All utilities and stormwater ponds/systems within the boundary of the subdivision shall remain privately owned and maintained.

2. Per City Council Resolution, public hexagon block sidewalks are to be preserved in the National Register Historic district. Within ALL public right-of-way within the City of St. Petersburg, existing street and alley brick and granite curbing shall be preserved (not removed).

STANDARD COMMENTS: It is acknowledged that many of the following items have already been fulfilled (since the plat is being processed concurrently with construction), but must remain listed below as documentation of the standard conditions of plat approval.

Water service is available to the site. The applicant’s Engineer shall coordinate potable water and/or fire service requirements through the City’s Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City’s Water Resources department or a variance is granted by the City Water Resources department). Note that the City’s Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City’s Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).
Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from a proposed service or an increase in projected flow) as required to provide connection to a public collection system of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City's Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). If an increase in flow of over 1000 gpd is proposed, the ADF information will be forwarded to the City Water Resources department for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the proposed civil utility connection plan, 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public conveyance system is found insufficient, the conveyance system must be upgraded to provide adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City's Water Resources department for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right-of-way or easement.

A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications and shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City.

Development and redevelopment shall be in compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. Submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body's impairment. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10 year 1 hour design storm.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.

Per land development code 16.40.140.4.6 (9), habitable floor elevations for commercial projects must be set per building code requirements to at least one foot above the FEMA elevation. Habitable floor elevations for projects subject to compliance with the Florida Building Code, Residential, shall be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be as set by the engineering director. Adequate swales shall be provided on the lot in any case where
filling obstructs the natural ground flow. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer’s Self Certification to FDEP.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department with any plans for development on this site.

It is the developer’s responsibility to file a CGP Notice of Intent (NOI) (DEP form 62-21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed driveways per current ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All public sidewalks must be restored or reconstructed as necessary to good and safe ADA compliant condition prior to Certificate of Occupancy.

A work permit issued by the City Engineering & Capital Improvements Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement including connection to the public sanitary sewer system. All work within right of way shall be in compliance with current City Engineering Standards and Specifications.

The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for future development on this site. Plans and specifications are subject to approval by the Florida state board of Health.

NED/MJR:jw

pc: Kelly Donnelly
   Reading File
   Correspondence File
   Subdivision File – Sanderlings Townhomes
TO: The Honorable Darden Rice, Chair, and Members of City Council

SUBJECT: Authorizing the Mayor or his designee to execute Amendment 1 to Task Order No. 12-09-KHAT/T to the Architect/Engineering Agreement between the City of St. Petersburg and Kimley-Horn and Associates, Inc. in the amount of $25,000 for professional planning services to refine concepts for the St Pete Innovation District streetscape and connectivity plan.

EXPLANATION: City Council previously approved an Architect/Engineering Agreement dated May 13, 2014 with the professional consulting planning firm of Kimley-Horn and Associates, Inc. for miscellaneous professional services for Traffic Calming, Bicycle/Pedestrian and Development of Regional Impact Projects.

City Council approved Task Order No. 12-09-KHAT/T on April 21, 2016 for Kimley-Horn and Associates, Inc. to provide professional planning services to develop the St. Pete Innovation District Streetscape and Connectivity Plan, a comprehensive streetscape and connectivity plan that will create a District brand, develop the District’s sense of place, and improve the District’s internal and external connectivity.

The St. Pete Innovation District is a collaboration between twelve different organizations representing higher education, marine & life sciences, healthcare, business incubation, and media communication. The District lies immediately south of downtown and incorporates the Medical District, USFSP, and Bayboro Harbor.

Amendment 1 to Task Order No. 12-09-KHAT/T, in the amount of $25,000, will refine concepts developed as part of the streetscape and connectivity plan, beyond the original scope of services, based on feedback and direction from the St. Pete Innovation District Board of Directors. This amendment includes two tasks that will consist of refinements to the streetscape and connectivity concepts, prioritization, costing, and phasing and refinements to branding, signage, and wayfinding concepts. The project is expected to take approximately eight weeks to complete.

RECOMMENDATION: Administration recommends authorizing the Mayor or his designee to execute Amendment 1 to Task Order No. 12-09-KHAT/T to the Architect/Engineering Agreement between the City of St. Petersburg and Kimley-Horn and Associates, Inc. in the amount of $25,000 for professional planning services to refine concepts for the St Pete Innovation District streetscape and connectivity plan.
COST/FUNDING/ASSESSMENT INFORMATION: Funds have been previously appropriated in the General Fund (0001), Economic Development Department (3702609).

ATTACHMENTS: Resolution
Task Order No. 12-09-KHAT/T – Amendment 1

APPROVALS:

[Signatures]

Administrative

Budget
RESOLUTION NO. 2017-1

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT 1 TO TASK ORDER NO. 12-09-KHAT/T TO THE ARCHITECT/ENGINEERING AGREEMENT DATED MAY 13, 2014 BETWEEN THE CITY OF ST. PETERSBURG AND KIMLEY-HORN AND ASSOCIATES, INC. IN THE AMOUNT OF $25,000, FOR PROFESSIONAL PLANNING SERVICES TO REFINE CONCEPTS FOR THE ST. PETE INNOVATION DISTRICT STREETSCAPE AND CONNECTIVITY PLAN, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida and Kimley-Horn and Associates, Inc. ("Kimley") executed an A/E Agreement dated May 13, 2014 for Miscellaneous Professional Services for Traffic Calming, Bicycle/Pedestrian and Development of Regional Impact Projects; and

WHEREAS, Administration issued Task Order No. 12-09-KHAT/T ("Task Order") on April 21, 2016, in the amount of $151,500 for Kimley to provide professional planning services to develop the St. Pete Innovation District Streetscape and Connectivity Plan, a comprehensive streetscape and connectivity plan that will create a District brand, develop the District's sense of place, and improve the District's internal and external connectivity; and

WHEREAS, Administration desires to amend this Task Order for Kimley to provide additional professional planning services to refine initial concepts to the streetscape and connectivity plan based on direction from the St. Pete Innovation District Board of Directors for an amount not to exceed $25,000.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to execute Amendment 1 to Task Order No. 12-09-KHAT/T to the Architect/Engineering Agreement dated May 13, 2014 between the City of St. Petersburg and Kimley-Horn and Associates, Inc. in the amount of $25,000, for professional planning services to refine concepts for the St. Pete Innovation District Streetscape and Connectivity Plan.

This resolution shall become effective immediately upon its adoption.

Approved by:  

City Attorney (designee)  

Approved by:  

Administrative
This Task Order No. 12-09-KHAT - Amendment No. 1 is made and entered into this ______ day of ________________, 201____, pursuant to the ARCHITECT/ENGINEERING AGREEMENT FOR MISCELLANEOUS PROFESSIONAL SERVICES FOR TRAFFIC CALMING, BICYCLE/PEDESTRIAN AND DEVELOPMENT OF REGIONAL IMPACT PROJECTS dated May 13, 2014 ("Agreement") between Kimley-Horn and Associates, Inc. ("WE"), and the City of St. Petersburg, Florida ("City"), and upon execution shall become a part of the Agreement.

I. DESCRIPTION OF PROJECT

The St. Pete Innovation District ("ID" or "District") lies south of downtown St. Petersburg and incorporates the Medical District, USFSP, Dali and Bayboro Harbor. The City's Planning & Economic Development Department goals for the Plan include (1) Create a District brand; (2) Improve connectivity within the ID and with the surrounding area; and (3) Enhance the District's sense of place.

The project includes refining concepts developed as part of the Streetscape and Connectivity Concept Project. Streetscape, signage, and wayfinding concepts developed in the Streetscape and Connectivity Concept Project will be further refined based on city staff and St Pete Innovation District (SPID) committee direction. The project also includes coordination of budget and funding sources and prioritization of concepts with the changes to timing of some projects in the district. It has also been requested to provide concepts on additional streets. The purpose will be to further define and prioritize concepts to transition to a design phase.

II. SCOPE OF SERVICES

Task 1: Streetscape and Connectivity Concept Refinements and Prioritization

1. Funding and Budget Source Workshop with City staff
   - Up to two (2) Kimley-Horn staff will prepare and attend a meeting with city staff to review planning level costs generated as part of the Streetscape and Connectivity Concept Project. The purpose of the meeting will be to determine funding sources that can be utilized for the concepts.
   - A determination will also be made on concepts to prioritize the funding sources currently scheduled for Innovation District improvements.

2. Refinement to Gateway renderings
   - Refinement to up to three (3) gateway renderings based on work conducted by Walker Brands in Task 2.

3. Refinement to Costing and Phasing
   - Kimley-Horn will refine costs along 6th Avenue from 1st Street to MLK to include a more permanent option. The current concept includes a flexible design with paint and planters to provide a lower cost, short-term option. The other concept will

293108
include permanent installations including moving curb and full median separation including landscaping that may be longer-term in nature. One additional perspective rendering and plan view will be created included with a break-down of the cost. Consideration will be given to showing the perspective on the east side of the corridor.

- Kimley-Horn will refine and develop up to three (3) maps showing improvements and phasing:
  - Long-term (improvements along the five framework streets from the Streetscape and Connectivity Concept Project including 4th Street, 6th Avenue, 5th Street, 6th Street, and 3rd Street. In addition, streetscape concepts will be included for 1st Street and Dali Boulevard).
  - Mid-term (improvements along the five framework streets from the Streetscape and Connectivity Concept Project including 4th Street, 6th Avenue, 5th Street, 6th Street, and 3rd Street. In addition, streetscape concepts will be included for 1st Street and Dali Boulevard).
  - Short-term (recommended priorities using funding currently scheduled for Innovation District improvements).

4. Meeting Preparation and Attendance
   - Develop Draft Concept deliverable
   - Prepare presentation and attend two (2) Innovation District Board Meetings.

5. Finalize and Package Final Concepts
   - Prepare up to one (1) set of final revisions from the Innovation District Board Meeting.
   - Coordinate with Walker brands and develop Final Concept Revisions deliverable.
   - Provide presentation to city staff for the Innovation District Board to present to City Council.

Task 2: Branding: Signage and Wayfinding Concept Revisions (by Walker Brands)

1. Signage and Wayfinding Concept Refinements
   - Refinements to the signage and wayfinding concepts will be performed based on comments received by city staff. Walker Brands will develop and present concepts to Kimley-Horn. Based on feedback, up to one (1) round of minor revisions will be completed. The concept refinements include:

   **SPID Logo Color Palette**
   - Current signage concepts as part of the Streetscape and Connectivity Concept Project include the following colors:
     - Primary (from logo)
       - 6 Colors – 3 yellow and 3 blue of the SPID logo graphic
       - 2 Colors – Black and 1 gray of the SPID logo type
     - Secondary
       - 2 Colors – 1 green and 1 purple
   - Refinement: Eliminate purple and explore having no secondary palette, or an alternative to the purple, or just use the green as secondary.

   **Icons**
   - Current – Icons include:
     - Sun (for Sun), Book (for Education), Cross (for Health) Waves (for Marine), Quote Bubble (for Media)
   - Refinement – Explore alternative styles for the Cross (for Health) and replace the Waves with a Microscope (for Marine)
Monument Gateway Signs

- Current – Monument sign concepts are angled shapes, widening at the base
- Refinement – Using the content from preliminary monument concepts, provide perpendicular signs not widening at the base; show singularly and in a cluster.

Pole Banners

- Current – Banner concepts include banners on both sides of the pole with a concurrent design.
- Refinement
  - A single pole banner (complete two banners in the series)
  - The same single banner concept but also incorporates the identity of a SPID entity, such as USF, John’s Hopkins, Poynter (complete two banners in the series)
  - A both side of the pole banner concept that has SPID identity and message on one side and a template for an SPID entity message on the other side (complete two banner in the series).

2. Preliminary City of St. Petersburg Presentation

- Coordinate and schedule one (1) informal presentation of revised concepts with city staff to obtain approval.

3. Meeting Preparation and Attendance

- Complete updated slides and send to Kimley-Horn to incorporate into revised presentation for Kimley-Horn to present at the Innovation District Board meeting.

4. Finalize/Package Presentation

- After presentation of slides, complete one (1) set of minor refinements.
- Submit jpegs/slides to Kimley-Horn to incorporate into Final Concept Revisions deliverable.

Services Not Included

Services not specifically provided for in the above scope, as well as any changes the city requests, will be considered additional services. Additional services that can be provided will include, but will not be limited to, the following:

1. Design, Permitting, and Construction
   - Priority Project(s) Design and Permitting
   - Project Bid Package and Review
   - Construction Management
2. Additional public outreach not identified in this scope
3. Detailed Opinion of Probable Costs
4. City Council meetings with the City not included in the scope, additional Innovation Board meetings
5. Brand Plan and Brand Plan Execution.
6. Formal trademark search and registration is not included and can be estimated upon client determination of names to be searched
III. SCHEDULE

The project schedule for this contract scope is eight weeks (8) upon receipt of written notice to proceed from the City. Design, Permitting, and Construction services are not included in this scope of services.

IV. A/E’S RESPONSIBILITIES

The project team will provide deliverables as identified in VI.

V. CITY’S RESPONSIBILITIES

The City will provide all available existing data, plans, contract administration, project management, and technical support during the duration of the project. Responsibilities include:

- Provide meeting space for meetings;
- Provide information on funding and budget sources;
- Notification of Innovation District members;

VI. DELIVERABLES

Deliverables for this Task Order consist of the following:

- Funding and budget workshop and prioritized plan
- Draft Streetscape, Signage, and Wayfinding Concept Deliverable (provided in .PDF format)
- Two (2) Presentation to Innovation District Board
- Final Streetscape, Signage, and Wayfinding Concept Deliverable (provided in .PDF format)

VII. A/E’S COMPENSATION

For work under Task 1, the compensation is a lump sum amount of $20,000. For work under Task 2, the compensation is a lump sum amount of $5,000.

VIII. PROJECT TEAM

Kimley-Horn will conduct Task 1. Of this scope of services. Walker Brands is a sub-consultant and will conduct Task 2.

IX. MISCELLANEOUS

In the event of a conflict between this Task Order and the Agreement, the Agreement will prevail.
IN WITNESS WHEREOF the Parties have caused this Task Order to be executed by their duly authorized representatives on the day and date first above written.

ATTEST

By: Chandrahasa Srinivasa
City Clerk

(SEAL)

CITY OF ST. PETERSBURG, FLORIDA

By: Brejesh Prayman, P.E., Director
Engineering & Capital Improvements

DATE: __________________________

APPROVED AS TO FORM FOR CONSISTENCY WITH THE STANDARD TASK ORDER.
NO OPINION OR APPROVAL OF THE SCOPE OF SERVICES IS BEING RENDERED BY THE CITY ATTORNEY'S OFFICE

By: City Attorney (Designee)

Kimley-Horn and Associates, Inc.

By: Wayne White
Wayne White, Associate

(Printed Name and Title)

Date: 1/19/2017

WITNESSES:

By: Jared Schneider

(Signature)

(Date)

By: Vivian Beddick

Signature)

(Printed Name)

By: Vivian Beddick

(Signature)

(Printed Name)
TO: The Honorable Darden Rice, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute a four (4) month License Agreement with the National Caravan Stage Company, Inc., a Florida not-for-profit organization ("Caravan"), to utilize certain City-owned submerged lands in the westerly basin of Bayboro Harbor and a portion of Poynter Park for anchoring the Caravan Theater Tall Ship, Amara Zee, for a nominal fee of $10.00 for the entire term, to allow for the production, rehearsal and presentation of free theatrical performances open to the public; and to execute all documents necessary to effectuate same; and providing an effective date. *(Requires affirmative vote of at least six (6) members of City Council.)*

EXPLANATION: Real Estate & Property Management Department received a request from the City Event Recruitment & Management Division to initiate a license agreement with National Caravan Stage Company, Inc., a Florida not-for-profit organization ("Caravan"), to allow for the use of a portion of the City-owned submerged lands located in the westerly basin of Bayboro Harbor to anchor the Caravan Tall Ship, Amara Zee ("Ship"), and a portion of Poynter Park adjacent to Bayboro Harbor to stage a tech booth (collectively, "Premises") for the production of a play, as shown and legally described in the attached illustration.

Caravan was founded in 1970 and has toured the world presenting a variety of performances. From 1998 to 2002, the University of South Florida-Bayboro Campus and City-owned Poynter Park was the winter residence of the Ship. Caravan has proposed to once again utilize Poynter Park as a winter residence. During Caravan’s residency, Caravan will develop a new production for its 47th annual season creating a unique 75-minute play incorporating a musical score with live and recorded singing, video graphics projected onto the sails of the Ship, aerial artists performing from the rigging of the Ship, and transformation of the Ship’s stage environment during the course of the production. The production, Nomadic Tempest, will chronicle the journey and struggles of a band of Monarch butterflies as they travel from the United States to Canada.

During the creation and rehearsal of the new production, Caravan will invite local arts programs to observe special theatrical rehearsal workshops and participate in the show’s development and creation process. The world premiere of the production will occur from April 4 to April 9, 2017 in St. Petersburg.

After the world premiere performances in St. Petersburg have concluded, the Ship will set sail for New Orleans, Galveston and ultimately Vancouver, Canada where the production created in St. Petersburg will be a part of the Sesquicentennial Anniversary of Canada.
Caravan has executed a License Agreement ("License") for a term of four (4) months, subject to City Council approval. Caravan will pay a nominal fee of ten dollars ($10.00) for the entire term. Caravan will be permitted to anchor the Ship on City-owned submerged lands adjacent to Poynter Park; install a temporary security fence to secure the Ship; produce and rehearse a theatrical production aboard the Ship; install a tech booth in Poynter Park to support the theatrical performance; and present free performance(s) that will be open to the public. Caravan will maintain a commercial general liability insurance policy in the amount of $1,000,000 per occurrence and $2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of Caravan’s use of the Premises. Under the terms of the License, the City is under no obligation to provide a replacement facility under any circumstances.

The Parks and Recreation Department has approved this Caravan production as a co-sponsored event, for which the City customarily absorbs the cost for electrical service. Therefore, the City, at its sole cost and expense, will provide electrical service to the Premises.

As submerged lands have no zoning classification, it is governed by the classification of the abutting uplands which are zoned Institutional Center – (IC). This License is in compliance with Section 1.02(c)(2) of the City Charter which permits the leasing of commercially-zoned Park and Waterfront Property for a period not to exceed five (5) years with an affirmative vote of at least six (6) members of City Council.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a four (4) month License Agreement with the National Caravan Stage Company, Inc., a Florida not-for-profit organization ("Caravan"), to utilize certain City-owned submerged lands in the westerly basin of Bayboro Harbor and a portion of Poynter Park for anchoring the Caravan Theater Tall Ship, Amara Zee, for a nominal fee of $10.00 for the entire term to allow for the production, rehearsal and presentation of free theatrical performances open to the public; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

APPROVALS: Administration: ____________________________

Budget: ____________________________

Legal: ____________________________

(As to consistency w/attached legal documents) Legal: 00305436.doc V. 1
Upland and Submerged Lands Premise:
Beginning at the Northeast corner of Lot 5, Block 19, W.J. OVERMAN’S REARRANGEMENT OF J.P. TITCOMBS PLAN OF BAYBORO, as recorded in Plat Book 1, Page 19 of the public records of Pinellas County, Florida, thence East approximately 10 feet to the easterly edge of the seawall to a Point of Beginning, thence East 50 feet to a point in Bayboro Harbor, thence South 200 feet to a point in Bayboro Harbor, thence West 50 feet returning to the seawall, thence continuing West 15 feet, thence North 200 feet, thence East 15 feet returning to the Point of Beginning; and

Tech Booth Premises:
Beginning at the Northeast corner of Lot 6, Block 19, W.J. OVERMAN’S REARRANGEMENT OF J.P. TITCOMBS PLAN OF BAYBORO, as recorded in Plat Book 1, Page 19 of the public records of Pinellas County, Florida, thence West 70 feet along the North boundary of Lot 6, thence South 20 feet to a Point of Beginning, thence West 20 feet, then South 20 feet, thence East 20 feet, thence North 20 feet returning to the Point of Beginning.
Resolution No. 2017 - ___

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A FOUR (4) MONTH LICENSE AGREEMENT WITH THE NATIONAL CARAVAN STAGE COMPANY, INC., A FLORIDA NOT-FOR-PROFIT ORGANIZATION ("CARAVAN"), TO UTILIZE CERTAIN CITY-OWNED SUBMERGED LANDS IN THE WESTERLY BASIN OF BAYBORO HARBOR AND A PORTION OF POYNTER PARK FOR ANCHORING THE CARAVAN THEATER TALL SHIP, AMARA ZEE, FOR A NOMINAL FEE OF $10.00 FOR THE ENTIRE TERM, TO ALLOW FOR THE PRODUCTION, REHEARSAL AND PRESENTATION OF FREE THEATRICAL PERFORMANCES OPEN TO THE PUBLIC; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate & Property Management Department received a request from the City Event Recruitment & Management Division to initiate a license agreement with National Caravan Stage Company, Inc., a Florida not-for-profit organization ("Caravan"), to allow for the use of a portion of the City-owned submerged lands located in the westerly basin of Bayboro Harbor to anchor the Caravan Tall Ship, Amara Zee ("Ship"), and a portion of Poynter Park adjacent to Bayboro Harbor to stage a tech booth (collectively, "Premises") for the production of a play; and

WHEREAS, Caravan was founded in 1970 and has toured the world presenting a variety of performances; and

WHEREAS, from 1998 to 2002, the University of South Florida-Bayboro Campus and City-owned Poynter Park was the winter residence of the Ship; and

WHEREAS, Caravan has proposed to once again utilize Poynter Park as a winter residence; and

WHEREAS, during Caravan’s residency, Caravan will develop a new production for its 47th annual season creating a unique 75-minute play incorporating a musical score with live and recorded singing, video graphics projected onto the sails of the Ship, aerial artists performing from the rigging of the Ship, and transformation of the Ship’s stage environment during the course of the production; and
WHEREAS, the production, *Nomadic Tempest*, will chronicle the journey and struggles of a band of Monarch butterflies as they travel from the United States to Canada; and

WHEREAS, during the creation and rehearsal of the new production, Caravan will invite local arts programs to observe special theatrical rehearsal workshops and participate in the show's development and creation process; and

WHEREAS, the world premiere of the production will occur from April 4 to April 9, 2017 in St. Petersburg; and

WHEREAS, after the world premiere performances in St. Petersburg have concluded, the Ship will set sail for New Orleans, Galveston and ultimately Vancouver, Canada where the production created in St. Petersburg will be a part of the Sesquicentennial Anniversary of Canada; and

WHEREAS, Caravan has executed a License Agreement ("License") for a term of four (4) months, subject to City Council approval; and

WHEREAS, Caravan will pay a nominal fee of ten dollars ($10.00) for the entire term; and

WHEREAS, Caravan will be permitted to anchor the Ship on City-owned submerged lands adjacent to Poynter Park; install a temporary security fence to secure the Ship; produce and rehearse a theatrical production aboard the Ship; install a tech booth in Poynter Park to support the theatrical performance; and present free performance(s) that will be open to the public; and

WHEREAS, Caravan will maintain a commercial general liability insurance policy in the amount of $1,000,000 per occurrence and $2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Caravan's use of the Premises; and

WHEREAS, under the terms of the License, the City is under no obligation to provide a replacement facility under any circumstances; and

WHEREAS, the Parks and Recreation Department has approved this Caravan production as a co-sponsored event, for which the City customarily absorbs the cost for electrical service; and

WHEREAS, therefore, the City, at its sole cost and expense, will provide electrical service to the Premises; and
WHEREAS, since submerged lands have no zoning classification, it is governed by the classification of the abutting uplands which in this case are zoned Institutional Center – (IC); and

WHEREAS, this License is in compliance with Section 1.02(c)(2) of the City Charter which permits the leasing of commercially-zoned Park and Waterfront Property for a period not to exceed five (5) years with an affirmative vote of at least six (6) members of City Council.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his Designee, is hereby authorized to execute a four (4) month License Agreement with the National Caravan Stage Company, Inc., a Florida not-for-profit organization ("Caravan"), to utilize certain City-owned submerged lands in the westerly basin of Bayboro Harbor and a portion of Poynter Park for anchoring the Caravan Theater Tall Ship, Amara Zee, for a nominal fee of $10.00 for the entire term, to allow for the production, rehearsal and presentation of theatrical performances open to the public; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)

APPROVED BY:

Michael Jefferis, Director
Parks & Recreation

APPROVED BY:

Bruce E. Grimes, Director
Real Estate and Property Management
ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of February 16, 2017

TO: The Honorable Darden Rice, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute a one (1) year Lease Agreement with St. Petersburg Neighborhood Housing Services, Inc. ("SPNHS"), a Florida not-for-profit corporation, for the use of ±800 sq. ft. of space within SPNHS's Home Ownership Center, located at 1600 Dr. Martin Luther King, Jr. Street South, St. Petersburg, for the purpose of relocating the Bartlett Park Community Resource Center; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: The Real Estate & Property Management Department received a request from the St. Petersburg Police Department, Community Awareness Division ("SPPD") to develop a lease agreement between the City of St. Petersburg ("City") and St. Petersburg Neighborhood Housing Services, Inc. ("SPNHS"), for the purpose of utilizing space within the SPNHS's Home Ownership Center located at 1600 Dr. Martin Luther King, Jr. Street South, St. Petersburg ("Center"), to relocate and operate the Bartlett Park Community Resource Center ("CRC").

The CRC is currently located within a modular building ("Building") situated on property located at 642 – 22nd Avenue South, St. Petersburg. Since August 1999, the CRC had been utilized by the Bartlett Park Crime Watch & Neighborhood Association ("BPNA") and the Harbordale Neighborhood Association as an office to hold community meetings and conduct community policing through a lease with the City. In May 2005, the Building was conveyed to the City as a gift by the BPNA due to its lack of funds to support the expenses to continue its operations at the site. Subsequently, the lease was terminated in June 2005 upon the City taking ownership of the Building. SPPD has continued to utilize the building as a community resource center since that time and has decided to relocate the CRC due to deteriorating condition of the Building. SPPD met with the executive director of SPNHS to discuss using a portion of the Center to house the new location for the CRC. In accordance with the SPPD's needs, SPNHS has agreed to designate ±800 sq. ft. of space within the Center including the existing furnishings for use by SPPD ("Premises").

SPNHS has executed a Lease Agreement ("Lease") for a term of one (1) year ("Term"), subject to City Council approval, with the following major business points:

- Rent will be waived during the Term and any Renewal Term.
- The City may renew the Lease for additional twelve (12) month Terms.
• The Premises will be used for daily operations of SPPD volunteers, providing limited internet access to residents, written information on City services and crime prevention and to serve as a report writing and break area for SPPD officers.

• City shall have access to the break room and sink area during hours of operation between 9 A.M. and 5 P.M., with the option to reserve the SPNHS community meeting room, subject to availability, by providing advance notice in writing prior to intended use.

• Two parking spaces will be designated for the City (one (1) space for SPPD use and one (1) space for handicapped/disabled parking) at the Center.

• The City will be responsible for normal interior custodial services including the removal of trash, replacement of light bulbs and removal of plumbing blockages for the Premises.

• The City will obtain and pay for television, cable, technology and telephone services for the Premises.

• The City will pay a pro-rata share of electrical costs for the Premises.

• SPNHS will maintain all capital improvements, repairs and upgrades to the Center including, but not limited to, the roof, exterior, all glass, doors, heating, ventilation, air conditioning, plumbing and electrical systems.

• SPNHS will maintain all outdoor areas, the grounds (i.e., landscaping and irrigation), pest/rodent control, elevator maintenance and inspection, fire alarm and fire extinguisher maintenance and inspection for the Center.

• SPNHS will provide water and trash collection services for the Center.

• The City may unilaterally terminate this Lease, during the Term or any Renewal Term thereof, by providing SPNHS with thirty (30) days written notice.

• SPNHS may unilaterally terminate the Lease, during the Term or any Renewal Term thereof, by providing the City with ninety (90) days written notice.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a one (1) year Lease Agreement with St. Petersburg Neighborhood Housing Services, Inc. ("SPNHS"), a Florida not-for-profit corporation, for the use of ±800 sq. ft. of space within SPNHS's Home Ownership Center, located at 1600 Dr. Martin Luther King, Jr. Street South, St. Petersburg, for the purpose of relocating the Bartlett Park Community Resource Center; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

APPROVALS: Administration: ____________________________

Budget: ____________________________

Legal: ____________________________

(As to consistency w/attached legal documents)
Legal: 00306759.doc V. 1
ILLUSTRATION

1600 Dr. Martin Luther King Jr. Street South, St. Petersburg
St. Petersburg Neighborhood Housing Services Home Ownership Center

Break Room

St. Petersburg PD
Community Resource Center
Resolution No. 2017-____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A ONE (1) YEAR LEASE AGREEMENT WITH ST. PETERSBURG NEIGHBORHOOD HOUSING SERVICES, INC. ("SPNHS"), A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE USE OF ±800 SQ. FT. OF SPACE WITHIN SPNHS’S HOME OWNERSHIP CENTER, LOCATED AT 1600 DR. MARTIN LUTHER KING, JR. STREET SOUTH, ST. PETERSBURG, FOR THE PURPOSE OF RELOCATING THE BARTLETT PARK COMMUNITY RESOURCE CENTER; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Real Estate & Property Management Department received a request from the St. Petersburg Police Department, Community Awareness Division ("SPPD") to develop a lease agreement between the City of St. Petersburg ("City") and St. Petersburg Neighborhood Housing Services, Inc. ("SPNHS"), for the purpose of utilizing space within the SPNHS’s Home Ownership Center located at 1600 Dr. Martin Luther King, Jr. Street South, St. Petersburg ("Center"), to relocate and operate the Bartlett Park Community Resource Center ("CRC"); and

WHEREAS, the CRC is currently located within a modular building ("Building") situated on property located at 642 – 22nd Avenue South, St. Petersburg; and

WHEREAS, since August 1999, the CRC had been utilized by the Bartlett Park Crime Watch & Neighborhood Association ("BPNA") and the Harbordale Neighborhood Association as an office to hold community meetings and conduct community policing through a lease with the City; and

WHEREAS, in May 2005, the Building was conveyed to the City as a gift by the BPNA due to its lack of funds to support the expenses to continue its operations at the site; and

WHEREAS, subsequently, the lease was terminated in June 2005 upon the City taking ownership of the Building; and
WHEREAS, SPPD has continued to utilize the building as a community resource center since that time and has decided to relocate the CRC due to deteriorating condition of the Building; and

WHEREAS, SPPD met with the executive director of SPNHS to discuss using a portion of the Center to house the new location for the CRC; and

WHEREAS, in accordance with the SPPD's needs, SPNHS has agreed to designate ±800 sq. ft. of space within the Center including the existing furnishings ('Premises') for use by SPPD; and

WHEREAS, SPNHS has executed a Lease Agreement ('Lease') for a term of one (1) year ('Term'), subject to City Council approval, with the following major business points:

- Rent will be waived during the Term and any Renewal Term.
- The City may renew the Lease for additional twelve (12) month Terms.
- The Premises will be used for daily operations of SPPD volunteers, providing limited internet access to residents, written information on City services and crime prevention and to serve as a report writing and break area for SPPD officers.
- City shall have access to the break room and sink area during hours of operation between 9 A.M. and 5 P.M., with the option to reserve the SPNHS community meeting room, subject to availability, by providing advance notice in writing prior to intended use.
- Two parking spaces will be designated for the City (one (1) space for SPPD use and one (1) space for handicapped/disabled parking) at the Center.
- The City will be responsible for normal interior custodial services including the removal of trash, replacement of light bulbs and removal of plumbing blockages for the Premises.
- The City will obtain and pay for television, cable, technology and telephone services for the Premises.
- The City will pay a pro-rata share of electrical costs for the Premises.
- SPNHS will make all capital improvements, repairs and upgrades to the Center including, but not limited to, the roof, exterior, all glass, doors, heating, ventilation, air conditioning, plumbing and electrical systems.
- SPNHS will maintain all outdoor areas, the grounds (i.e., landscaping and irrigation), pest/rodent control, elevator maintenance and inspection, fire alarm and fire extinguisher maintenance and inspection for the Center.
- SPNHS will provide water and trash collection services for the Center.
- The City may unilaterally terminate this Lease, during the Term or any Renewal Term thereof, by providing SPNHS with thirty (30) days written notice.
- SPNHS may unilaterally terminate the Lease, during the Term or any Renewal Term thereof, by providing the City with ninety (90) days written notice.
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor, or his Designee, is hereby authorized to execute a one (1) year Lease Agreement with St. Petersburg Neighborhood Housing Services, Inc. ("SPNHS"), a Florida not-for-profit corporation, for the use of ±800 sq. ft. of space within SPNHS's Home Ownership Center, located at 1600 Dr. Martin Luther King, Jr. Street South, St. Petersburg, for the purpose of relocating the Bartlett Park Community Resource Center; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)

Legal: 00306759.doc V. 1

APPROVED BY:

Anthony Holloway, Chief
St. Petersburg Police Department

APPROVED BY:

Bruce E. Grimes, Director
Real Estate & Property Management
TO: The Honorable Darden Rice, Chair, and Members of City Council

SUBJECT: Approving an amendment to the contract between the City of St. Petersburg, Florida and C-Squared Certified General Contractor, Inc. to extend the term and increase the contract price in an amount not to exceed $70,000 for a total contract price not to exceed $242,802.40; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date. (Engineering Project No. 17068-112; Oracle No. 15649)

EXPLANATION: On November 12, 2015 City Council approved a contract with C-Squared Certified General Contractor, Inc. in the amount of $172,802.40 for the City Wide Transportation Improvements FY15 Project (Engineering Project Nos. 14080-112, 14083-112, 15014-112, 15016-112, 15039-112, 15050-112 and 15067-112; Oracle Nos. CP31144, 14623, 13288, 13765, 14616, 13282 and 12104). The work consisted of furnishing all labor, material and equipment necessary to perform mobilization, traffic control, and construct four landscaped medians, four concrete medians, 115 square yards of concrete sidewalks, four ADA pedestrian ramps, approximately 8,500 linear feet of thermoplastic pavement striping and markings, 26 signs, 7 pedestrian detector concrete foundations, 3,200 square feet of finished soil layer and 100 square yards of sod. All work was completed satisfactorily in January 2017.

The bid documents allow Administration, pursuant to City Council Award, to extend the contract for up to two additional three hundred sixty (360) day renewal periods, beyond the current initial term, and contract unit prices may be adjusted based upon the Engineering News Record Construction Cost Index. The amount of the contract renewal may be more or less than the original contract amount, based upon the City's available budget. The contractor has agreed to hold the original contract prices with no increase for this contract extension.

The original contract amount was $172,802.40. This extension will increase the total contract amount to $242,802.40 and extend the contract time an additional three hundred and sixty (360) days.

The contract renewal will benefit the City by reducing project expenses for bidding the work and will allow transportation improvement work, within the City Limits, to be started more quickly. C-Squared Certified General Contractor has demonstrated the ability to work in accordance with the contract terms and conditions. The principals of the firm are Sean D’Agostino, President and Michael D’Agostino, Secretary.

RECOMMENDATION: Administration recommends authorizing the Mayor or his designee to approve an amendment to the contract between the City of St. Petersburg, Florida and C-Squared Certified General Contractor, Inc. to extend the term and increase the contract price in an amount...
not to exceed $70,000 for a total contract price not to exceed $242,802.40; authorizing the mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date. (Engineering Project No. 17068-112; Oracle No. 15649)

COST/FUNDING/ASSESSMENT INFORMATION: Funds have been previously appropriated in the Transportation Impact Fees Capital Projects (3071) Traffic Safety Program FY17 Project (15649).

ATTACHMENT: Resolution

APPROVALS:

[Signatures]

Administrative

Budget
RESOLUTION NO. 2017-_______

APPROVING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND C-SQUARED CERTIFIED GENERAL CONTRACTOR, INC. TO EXTEND THE TERM AND INCREASE THE CONTRACT PRICE IN AN AMOUNT NOT TO EXCEED $70,000 FOR A TOTAL CONTRACT PRICE NOT TO EXCEED $242,802.40; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE. (ENGINEERING PROJECT NO. 17068-112; ORACLE NO. 15649)

WHEREAS, on December 7, 2015, the City of St. Petersburg, Florida ("City") and C-Squared Certified General Contractor, Inc. ("C-Squared") executed a contract for Citywide Transportation Improvements; and

WHEREAS, pursuant to the contract, C-Squared furnished labor, materials and equipment necessary to perform mobilization, traffic control, and construct four landscaped medians, four concrete medians, 115 square yards of concrete sidewalks, four ADA pedestrian ramps, approximately 8,500 linear feet of thermoplastic pavement striping and miring, 26 signs, 7 pedestrian detector concrete foundations, 3,200 square feet of finished soil layer and 100 square yards of sod; and

WHEREAS, C-Squared has agreed to extend the contract with no increase in the unit prices, and

WHEREAS, if approved by City Council, the City and C-Squared will execute an amendment to contract and following execution of such amendment, the City will issue C-Squared a notice to proceed to perform work in an amount not to exceed $70,000 for a total contract price not to exceed $242,802.40; and

WHEREAS, Administration recommends approval of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that an amendment to the contract between the City of St. Petersburg, Florida and C-Squared Certified General Contractor, Inc. to extend the term and increase the contract price in an amount not to exceed $70,000 for a total contract price not to exceed $242,802.40 is hereby approved.

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

This resolution shall become effective immediately upon its adoption.

Approved by:

[Signature]
Legal Department
By: (City Attorney or Designee)

Approved by:

[Signature]
Brijesh Rayman, P.E., ENV SP
Engineering & Capital Improvements Director
AGREEMENT

THIS AGREEMENT, made and entered into on the 16th day of December, 2015, by and between C-Squared Certified General Contractor, Inc., party of the first part and the City of St. Petersburg, Florida, party of the second part.

WITNESSETH:
That the first party, for the consideration hereinafter fully set out hereby agrees with the second party as follows:

a) That the first party shall furnish all material and perform all of the work for:

**Citywide Transportation Improvements**

St. Petersburg, Florida, Project No. 15051-112, and in full and complete accordance as provided by the following enumerated Plans, Specifications, and Documents which are made a part hereof as if fully contained herein:

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Instructions to Bidders</td>
<td>Public Construction Bond</td>
</tr>
<tr>
<td>Execution of the Contract</td>
<td>Certificates of Insurance</td>
</tr>
<tr>
<td>General Conditions</td>
<td>Addenda</td>
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<tr>
<td>Technical Specifications</td>
<td>Appendix</td>
</tr>
<tr>
<td>Bld Bond</td>
<td>Advertisement for Bids</td>
</tr>
<tr>
<td>Plans</td>
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b) That the Bidder proposes and agrees to commence Work under this Contract within ten (10) consecutive calendar days after the date contained in the written Notice to Proceed, and to fully complete all Work under this Contract within ninety (90) consecutive calendar days from (and including) the date contained in the Written Notice to Proceed.

c) The second party hereby agrees to pay at the time and in the manner set forth in the Specifications to the first party for the faithful performance of this Agreement, subject to additions and deductions as provided in the Specifications or Proposal, in lawful money of the United States, the price set forth in the Proposal One Hundred Seventy Two Thousand Eight Hundred Two Dollar and Forty Cents ($172,802.40) heretofore submitted to the City by the Contractor, a copy of said Proposal being a part of these Contract Documents.

d) It is mutually agreed between the parties hereto that time is of the essence in this Contract, and in the event that the Work is not completed within the time stipulated, it is further agreed that from the compensation otherwise to be paid to the Contractor, the second party may retain the amount specified in Article G-3, LIQUIDATED DAMAGES, of the General Conditions, for each calendar day that the Work remains incomplete beyond the time limit, which sum shall represent the actual damages which the Owner will have sustained per day by failure of the Contractor to complete the Work within the time stipulated, and this sum is not a penalty, being the stipulated damages the second party will have sustained in event of such default by first party.
It is further mutually agreed between the parties hereto that, if at any time after the execution of said Agreement and the Public Construction Bond hereto attached for its faithful performance, the second party shall deem the Surety or sureties upon such Public Construction Bond to be unsatisfactory or, if for any reason such bond ceases to be adequate to cover the performance of the Work, the first party shall, at its expense within ten (10) days after the receipt of notice from the second party so to do, furnish an additional bond or bonds in such form and amount, and with such Surety or sureties as shall be satisfactory to the second party. In such event, no further payment to the first party shall be deemed to be due under the Agreement until such new or additional security for the faithful performance of the Work shall be furnished in a manner and form satisfactory to the second party.

When the Work to be accomplished under this Contract has been completed in accordance with the Plans and Specifications and accepted by the City of St. Petersburg, it is mutually agreed and understood that the Contractor, together with his Surety, shall fully and unconditionally guarantee for a period of not less than one (1) year from date of final acceptance of Work by the City, all materials and labor (workmanship) incorporated in this project. (This guarantee shall be exclusive of any manufacturer's guarantees or warranties exceeding this period).

IN WITNESS WHEREOF the parties hereto have executed this Agreement on the day and date first above written in two (2) counterparts, each of which shall, without proof or accounting for the other counterpart, to be deemed an original contract.
Agreement

(Acknowledgment of Contractor, if a Corporation)

(State of Florida)
(County of Manatee)
(City of Bradenton)

The foregoing instrument was acknowledged before me this 23 day of November 2015, by Sean D'Agostino - President (name and title of officer or agent)

and ___________________________ of C-Squared Certified General Contractor, Inc. (name and title of officer or agent)

(name of corporation)

of a Florida Corporation, on behalf of the corporation he/she is (state of incorporation) (select)

personally known to me or has produced ___________________________ as identification and (type of identification) (select)

______________________ take an oath; and appeared before me at the time of notarization.

Did (Did not)

The undersigned warrants that he/she is authorized by the Board of Directors of (select)

said C-Squared Certified General Contractor, Inc. (name of corporation)

______________________ to execute this Contract.

NOTARY PUBLIC:

Sign: Amanda Kelly
Print/Type: Amanda Kelly

(Seal)
TO: The Honorable Darden Rice, Chair, and Members of City Council

SUBJECT: A resolution acknowledging the selection of H.W. Lochner, Inc.; KCCS, Inc.; and Tierra, Inc. to provide miscellaneous Construction Engineering and Inspection ("CEI") services on a continuing basis for the City of St. Petersburg ("City"); authorizing the Mayor or his designee to execute the City's standard form architect/engineering agreement; and providing an effective date.

EXPLANATION: On November 16, 2016, the Selection Committee met to review the Statement of Qualifications received from ten firms. The Selection Committee selected five firms to be shortlisted: AECOM Technical Services, Inc.; Genesis CE&I Services, LLC; H.W. Lochner, Inc.; KCCS, Inc.; and Tierra, Inc.

On November 21, 2016, the Selection Committee selected three firms, H.W. Lochner, Inc.; KCCS, Inc.; and Tierra, Inc., to provide miscellaneous CEI services.

Professional architectural/engineering services under the A/E Agreements will provide for the construction phase contract administration, inspection, materials sampling, material testing, and other related services. This RFQ and Selection Process was reviewed and approved by Florida Department of Transportation ("FDOT") and Federal Highway Administration ("FHWA") to allow use of these firms for Federally Funded projects requiring compliance monitoring.

The consultants' services under the A/E Agreements will be described in task orders. Each task order, after Council approval (if required) and execution, shall become a supplement to and part of the A/E Agreement with the firm. The A/E Agreement is for one (1) year and shall automatically renew for three (3) additional one (1) year periods unless otherwise terminated by either party, or until each authorized task order has been completed.

RECOMMENDATION: Administration recommends acknowledging the selection of H.W. Lochner, Inc.; KCCS, Inc.; and Tierra, Inc. to provide miscellaneous Construction Engineering and Inspection ("CEI") services on a continuing basis for the City of St. Petersburg ("City"), authorizing the Mayor or his designee to execute the City's standard form architect/engineering agreement; and providing an effective date.

COST: Funds have been previously appropriated in projects and programs, and user agencies, or will be appropriated at the time a task order is approved by City Council.

ATTACHMENTS: Resolution

APPROVALS: Administrative

Budget
RESOLUTION NO. 2017-____

A RESOLUTION ACKNOWLEDGING THE SELECTION OF H.W. LOCHNER, INC.; KCCS, INC.; AND TIERRA, INC. TO PROVIDE MISCELLANEOUS CONSTRUCTION ENGINEERING AND INSPECTION SERVICES ON A CONTINUING BASIS FOR THE CITY OF ST. PETERSBURG ("CITY"); AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE CITY'S STANDARD FORM PROFESSIONAL SERVICES AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Engineering and Capital Improvements Department issued a request for qualifications ("RFQ") in accordance with the requirements set forth in Florida Statute §287.055 (the Consultant's Competitive Negotiation Act) to engage the most qualified firms to provide miscellaneous Construction Engineering and Inspection services on a continuing basis for the City of St. Petersburg ("City"); and

WHEREAS, the selection committee selected H.W. Lochner, Inc.; KCCS, Inc.; and Tierra, Inc. as the most qualified firms; and

WHEREAS, the most qualified firms selected pursuant to the RFQ process are required to execute the City's form professional services agreement ("Agreement"); and

WHEREAS, the Agreement is for one (1) year and shall automatically renew for three (3) additional one (1) year periods unless otherwise terminated by either party; and

WHEREAS, H.W. Lochner, Inc.; KCCS, Inc.; and Tierra, Inc. have agreed to the terms and conditions set forth in the Agreement; and

WHEREAS, from time to time the City issues task orders to such firms to perform miscellaneous construction engineering and inspection services in accordance with the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the selection of H.W. Lochner, Inc.; KCCS, Inc.; and Tierra, Inc. to provide miscellaneous Construction Engineering and Inspection services is hereby acknowledged.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the City's form professional services agreement.

This resolution shall become effective immediately upon its adoption.
CITY OF ST. PETERSBURG, FLORIDA

ARCHITECT/ENGINEERING AGREEMENT

WITH

FOR

MISCELLANEOUS PROFESSIONAL SERVICES
FOR CONSTRUCTION ENGINEERING & INSPECTION PROJECTS

2017
ARCHITECT/ENGINEERING AGREEMENT

THIS ARCHITECT/ENGINEERING AGREEMENT ("Agreement"), made and entered into this ___ day of ____________, 20___ ("Execution Date"), by and between the City of St. Petersburg, Florida (the "City") and _____________________ (the "A/E").

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

SECTION 1.0 – DEFINITIONS

1.1 "A/E" shall mean ________________________.

1.2 "A/E Representative" shall mean any employee, agent, subcontractor, subconsultant, consultant, or other representative of the A/E.

1.3 "City" shall mean the City of St. Petersburg, Florida.

1.4 "City’s Project Manager" shall mean the individual designated in a Task Order (as defined herein) as the City’s Project Manager.

1.5 "Day(s)" or "day(s)" shall means calendar days, unless otherwise set forth in this Agreement.

1.6 "Deliverables" shall mean all data, reports, design calculations, studies, permit documents, correspondence, design documents, the construction documents, and all other materials produced and developed by the A/E pursuant to this Agreement.

1.7 "Force Majeure Event" shall mean an act of God, act of governmental body or military authority, fire, explosion, power failure, flood, storm, epidemic, riot or civil disturbance, war or terrorism, sabotage, insurrection, blockade, or embargo.

1.8 "Parties" shall mean the City and the A/E.

1.9 "Project" shall mean the project identified in a Task Order.

1.10 "Scope of Services" means those services set forth in Section 4.0 and a Task Order that are required to be performed by the A/E in accordance with the terms and conditions of this Agreement.

1.11 "Task Order" shall mean a written document that specifically describes the Project services to be provided by the A/E, a schedule or timeline for completion of such
services, the lump sum or not to exceed fees and costs for such services and any other terms and conditions required by the City for such services, and any amendments to such Task Order (to the extent such Task Order amendments are permitted pursuant to Section 18).

1.12 “Work” shall mean all the work to construct the Project that is required to be performed by the contractor pursuant to a construction agreement between the City and contractor.

SECTION 2.0 — TERM OF AGREEMENT

2.1 The initial term of this Agreement shall commence on the Execution Date and remain in effect for one year. The Agreement shall automatically renew for successive one (1) year periods unless either party sends the other a notice of non-renewal at least thirty (30) days prior to the expiration of the then current term; provided, however, that if this Agreement has not previously expired, it shall expire at the end of the third renewal term (i.e., four (4) years after the Execution Date).

2.2 Notwithstanding Section 2.1 above, this Agreement shall remain in effect for the period necessary for the A/E to complete Project services pursuant to a Task Order issued prior to the expiration of the Term of this Agreement (all services pursuant to a Task Order shall be for the same Project as required by Section 18.2).

2.3 References in this Agreement to “Term” shall include the initial term of this Agreement and all renewal terms.

2.4 Terms and conditions of this Agreement remain in effect and unchanged during renewal terms unless there is a Contract Adjustment (as defined herein) in accordance with Section 18.

2.5 Nothing in this section shall limit or affect the City's right to terminate this Agreement (and all services being performed pursuant to Task Orders) in accordance with the termination section set forth in this Agreement.

SECTION 3.0 — REPRESENTATIONS, WARRANTIES AND ACKNOWLEDGMENTS

3.1 The A/E is professionally qualified to provide the Scope of Services and is licensed to practice architecture or engineering in the State of Florida by all public entities having jurisdiction over the A/E and the Project.

3.2 The A/E shall be responsible for signing and sealing plans and specifications required by this Agreement.
3.3 The NE shall maintain all necessary licenses, permits or other authorizations necessary to act as the NE and which are required to provide the Scope of Services during the Term of this Agreement.

3.4 The NE will become familiar with the Project site(s) and the local conditions under which the Project shall be designed, constructed, and operated.

3.5 The NE shall exercise that degree of care and skill ordinarily exercised by members of the same profession and shall perform the Scope of Services using reasonable skill and judgment in accordance with sound business, ethical and professional standards.

3.6 The NE represents that it has or will secure, at its own expense, all personnel required to perform the Scope of Services required by this Agreement.

3.7 The NE warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the NE to solicit or secure this Agreement and that the NE has not paid or agreed to pay any person, company corporation, individual, or firm, other than a bona fide employee working solely for the NE any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this Agreement.

3.8 The NE acknowledges that the A/E is responsible for the acts and omissions (including negligent, reckless, or intentionally wrongful acts and omissions) of any NE Representative in the performance of the Scope of Services required by this Agreement.

3.9 The NE accepts the relationship of trust and confidence established between it and the City by this Agreement. The NE covenants with the City to cooperate to furnish professional efforts during the Term of this Agreement that are consistent with reasonable professional practices and the best interest of the City.

3.10 The NE shall be responsible for the professional quality, technical accuracy and the coordination of all Deliverables furnished, produced and developed by the NE under this Agreement.

3.11 The NE acknowledges that the City reserves the right to enter into agreements with other firms or entities to assist the City with its review of the Deliverables, any Project component(s), and the Work.

3.12 The NE acknowledges that the NE shall prepare design Deliverables that can be constructed within the City's budget for construction, which shall be determined by the City in its sole and absolute discretion. The NE shall monitor costs during the design of the Project and shall advise the City's Project Manager immediately of
any deviations from the City's budget for construction. If at any time a cost estimate exceeds the City's budget for construction, the A/E shall submit to the City's Project Manager a written explanation for the reasons for the overage and identify all options available to the City to bring the estimate back within the budget for construction. The City, in its sole and absolute discretion, will determine the option to be followed.

3.13 The A/E represents and warrants that it has the right to access and use all equipment, services, software, computer models, data, routines, technology, other intellectual property incident to providing the Scope of Services required by this Agreement (collectively, the "Intellectual Property"). The A/E is responsible for any infringement or claim of infringement of any patent, trademark, copyright, trade secret, or other proprietary interest arising out of the A/E's use of the Intellectual Property.

SECTION 4.0 — SCOPE OF SERVICES

4.1 The professional services to be performed by the A/E are to be on a continuing basis as directed by the City with the emphasis of the Scope of Services placed on the items and categories set forth in Appendix A.

4.2 The detailed services that the A/E shall perform for the City shall be set forth in a Task Order, which, after execution by the A/E and the City, shall be incorporated and made a part of this Agreement. A Task Order shall only be amended in strict accordance with this Agreement.

SECTION 5.0 — CITY'S RESPONSIBILITIES

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

SECTION 6.0 — COMPENSATION; INVOICE

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

6.2 The A/E shall invoice the City on a monthly basis and the City shall pay the A/E within forty-five (45) days of receipt of such invoice (provided the A/E is in
compliance with the terms and conditions of this Agreement and a Task Order). The monthly invoice shall be in the form and contain the detail required by the City's Project Manager.

6.3 The not to exceed amount set forth in a Task Order may be increased only in strict accordance with this Agreement. Nothing in this Agreement shall be construed as placing any obligation on the City to pay any fees and costs to the A/E incurred beyond the not to exceed amount set forth in a Task Order or any amendment thereto without the Parties following the Contract Adjustments (as defined herein) procedure set forth in Section 18 of this Agreement.

SECTION 7.0 — NON-COMPENSATED SERVICES

7.1 The A/E shall not be compensated for any services required to correct errors, omissions, or deficiencies in the Deliverables caused by the A/E or any A/E Representative.

7.2 The A/E shall not be compensated for any services required to bring any Deliverable(s) in compliance with applicable Laws (e.g., Americans with Disabilities Act and Florida Building Code) in effect at the time such Deliverable(s) was provided to the City in accordance with this Agreement.

7.3 If all responsive and responsible bids for the construction of the Work exceed the City's budget for construction by more than ten percent (10%), the A/E shall be responsible for all fees and costs associated with modifying any and all Deliverables in order for the City to obtain a responsive and responsible bid within its budget for construction and for all fees and costs for assisting the City in rebidding the Project.

SECTION 8.0 — INDEMNIFICATION

8.1 The A/E shall indemnify and hold harmless the City, and its officers and employees, (collectively, the "Indemnified Parties") from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorneys' fees, to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of the A/E or any A/E Representative in the performance of this Agreement.

8.2 The provisions of this paragraph are independent of, and will not be limited by, any insurance required to be obtained by the A/E pursuant to this Agreement or otherwise obtained by the A/E.
SECTION 9.0 — INSURANCE

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

9.1.1 Commercial General Liability Insurance Policy protecting the City against all claims or demands that may arise in an amount of at least $1,000,000 per occurrence and $2,000,000 aggregate. This policy shall include coverage for personal injury, death, damage to property, and destruction of property. This policy shall also include contractual liability coverage that provides and pays for a defense for all claims or demands covered by A/E's indemnification obligations under this Agreement and that is in an amount sufficient to cover the A/E's indemnification obligations under this Agreement.

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

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

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

9.1.5 Professional Liability Insurance including Errors and Omissions for the Scope of Services required to be performed by the A/E pursuant to this Agreement with a limit of $1,000,000 per occurrence, or if the policy is on a claims made basis with a limit of $1,000,000 and an extended reporting period of at least 90 days. Whether an occurrence or a claims made policy, in addition to the certification of insurance a letter from insurer as to the amount of claims payments and reserves chargeable to the aggregate amount of the liability coverage is required.

9.2 All insurance companies furnishing insurance coverage required by this Agreement shall be licensed and authorized to do business under the laws of the State of Florida and have no less than an "A-" Financial Rating or higher according to the most current edition of AM Best's Insurance Reports or similar.

9.3 The A/E shall provide the City with Certificate(s) of Insurance on all the required policies of insurance and renewals thereof in a form(s) acceptable to the City. All policies shall name the Indemnified Parties as additional insureds with the exception of Worker's Compensation and Professional Liability.
9.4 Each policy shall provide that the insurance company shall provide the City at least thirty (30) days prior written notice of any reduction, cancellation, or material change in the policy.

9.5 The A/E hereby waives all subrogation rights of its insurance carriers in favor of the Indemnified Parties. This provision is intended to waive fully, and for the benefit of the Indemnified Parties, any rights or claims which might give rise to a right of subrogation in favor of any insurance carrier.

9.6 The City reserves the right to change or alter the above insurance requirements as it deems necessary.

SECTION 10.0 — OWNERSHIP OF DELIVERABLES

10.1 The City shall solely own all Deliverables, including the copyright and all other associated intellectual property rights, produced and developed by the A/E pursuant to the terms and conditions set forth in this Agreement. All Deliverables shall be submitted to the City prior to the City issuing final payment to the A/E.

10.2 The City acknowledges that the Deliverables are not intended or represented to be suitable for revision by the City, or others, for purposes other than that for the Scope of Services which said Deliverables were prepared. Any reuse or modification of the Deliverables without written verification or adaptation by the A/E for the specific purpose intended will be at the City’s sole risk and the A/E shall not be liable or responsible for any claims arising from the City’s reuse or modification of the Deliverables without written verification or adaptation by the A/E.

SECTION 11.0 — SUBCONTRACTS

11.1 The A/E may hire or use subcontractors or subconsultants in connection with the performance of the A/E’s obligations under this Agreement. Unless context clearly indicates otherwise, the terms “subcontractor” and “subconsultant” shall be interchangeable in this Agreement, and the terms “subcontract agreement” and “subconsulting agreement” shall likewise be interchangeable in this Agreement.

11.2 The A/E shall give advance notification to the City’s Project Manager of any proposed subcontract agreement or any change to any existing subcontract agreement. Such advance notice shall include the following:

11.2.1 A description of the supplies or services called for by the subcontract or change to an existing subcontract.

11.2.2 Identification of the proposed subcontractor and an explanation of why and how the proposed subcontractor was selected.
11.2.3 The proposed subcontractor price.

11.3 The A/E shall be responsible for negotiating the terms and conditions of each subcontract agreement. The A/E is also solely responsible for ensuring that each subcontractor acts in a manner consistent with and in accordance with the terms and conditions of this Agreement. The A/E shall require each subcontractor to (i) obtain the same types and amount of insurance and comply with all insurance provisions that are required of the A/E pursuant to this Agreement and (ii) indemnify and hold harmless the Indemnified Parties to the same extent as the A/E under this Agreement. The A/E’s retention of a subcontractor does not relieve the A/E of any of its duties, obligations, or representations under this Agreement.

11.4 The A/E shall not change a subcontract agreement without the prior written consent of the City’s Project Manager. Any consent of the City’s Project Manager does not relieve the A/E from any obligations under this Agreement and does not constitute a waiver of any of the City’s rights under this Agreement. The City’s Project Manager may, at its discretion, ratify in writing any such subcontract which shall constitute the consent of the City’s Project Manager as required by this section 11.4.

SECTION 12.0 — DISPUTES

12.1 Except as otherwise provided in this Agreement, any dispute concerning a question of fact arising under this Agreement, which is not disposed of by a supplemental agreement, shall be decided by the City’s Project Manager, who shall provide a written decision to the A/E. The decision of the City’s Project Manager shall be final and conclusive, unless within fifteen (15) days from the date of receipt of such copy, the A/E mails or otherwise furnishes to the City’s Project Manager a written notice of dispute.

12.2 In the event a decision of the City’s Project Manager is the subject of a dispute, such dispute may be settled by appropriate legal proceeding or, if the Parties mutually agree in writing, through arbitration or administrative process. Pending any binding arbitrative or administrative decision, appeal, or judgment referred to in this Section or the settlement of any dispute arising under this Agreement, the Parties shall proceed diligently with the performance of this Agreement.

12.3 Each party shall be responsible for its own costs and expenses, including legal fees, of any arbitration, administrative proceedings, appeal or suit prosecuted by either party.
14.1.2 Upon receipt of the notice of termination, the A/E shall, unless the notice of termination directs otherwise, immediately discontinue performance of the Scope of Services required by this Agreement and shall proceed to promptly cancel all existing orders and contracts insofar as such orders or contracts are chargeable to this Agreement.

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

14.2 TERMINATION FOR DEFAULT

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

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

14.2.3 Nothing contained in this Section 14.0 shall be construed as limiting the City’s rights and remedies in the event of termination of this Agreement.
SECTION 13.0 — SUSPENSION OF SERVICES

13.1 The City's Project Manager may, at any time, by written order to the A/E, require the A/E to suspend, delay, or interrupt all or any part of the Scope of Services required by this Agreement. Any such order shall be specifically identified as a suspension of services order ("Suspension of Services Order"). Upon receipt of a Suspension of Services Order, the A/E shall forthwith comply with its terms and immediately cease incurring of further costs and fees allocable to the services covered by the Suspension of Services Order during the period of stoppage of services. This shall include the involvement of any and all subcontractual relationships.

13.2 If a Suspension of Services Order issued under this Section is canceled, the A/E shall resume the Scope of Services within fifteen (15) days after a Suspension of Services Order is canceled. If an adjustment to the Scope of Services or any other term and condition of this Agreement is required due to a suspension of services pursuant to this Section, the Parties shall follow the Contract Adjustments (as defined herein) procedure as described in Section 18 of this Agreement. Failure to agree to any Contract Adjustments shall be a dispute concerning a question of fact pursuant to Section 12.

13.3 If a Suspension of Services Order is not canceled and this Agreement is terminated by the City for convenience, the City shall pay the A/E costs and fees for services performed up to the effective date of termination, provided such costs and fees are owed to the A/E pursuant to this Agreement. The A/E shall provide the City all completed or partially completed Deliverables prior to the receipt of payment for services performed up to the effective date of termination. The foregoing payment shall constitute the A/E's sole compensation in the event of termination of this Agreement and the City shall have no other liability to the A/E related to termination of this Agreement. Without limiting the generality of the foregoing, the City shall have no liability to the A/E for lost profits or lost opportunity costs in the event of termination of this Agreement.

SECTION 14.0 — TERMINATION

14.1 TERMINATION FOR CONVENIENCE

14.1.1 The performance of the Scope of Services under this Agreement may be terminated in whole or in part by the City whenever for any reason the City's Project Manager shall determine that such termination is in the best interest of the City. Termination shall be effective fifteen (15) days after delivery to the A/E of a notice of termination specifying the extent to which performance of Scope of Services under this Agreement is terminated.
SECTION 15.0 — PROHIBITED INTEREST

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

SECTION 16.0 — FINDINGS CONFIDENTIAL

16.1 Subject to the requirement of Florida laws regarding public records and section 22.0 of this Agreement, all Deliverables produced or developed by the A/E or any City data available to the A/E pursuant to this Agreement shall not be made available to any individual or organization, other than the A/E or any A/E Representative, by the A/E without prior written consent from the City.

SECTION 17.0 — GENERAL PROVISIONS

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

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

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

17.4 This Agreement shall be interpreted and construed in accordance with the laws of the State of Florida and shall inure to and be binding upon the Parties, their successors and assigns. Venue for any action brought in state court shall be in Pinellas County, St. Petersburg Division. Venue for any action brought in federal court shall be in the Middle District of Florida, Tampa Division, unless a division shall be created in St. Petersburg or Pinellas County, in which case the action shall be brought in that division. The Parties consent to the personal jurisdiction of the aforementioned courts and irrevocably waive any objections to said jurisdiction.

17.5 The A/E shall comply with all applicable federal, state, and local laws, ordinances, rules, and regulations; the federal and state constitutions; and orders and decrees of any lawful authorities having jurisdiction over the matter at issue (collectively, "Laws"), including those related to licensing and permitting, the Americans with Disabilities Act, the Florida Building Code, Florida Executive Order 11-02, and...
Florida laws regarding public records. The A/E shall also comply with the City's policies, procedures, and executive orders and with any technical standards provided to the A/E by the City.

17.6 This Agreement has been prepared by the City and reviewed by the A/E and its professional advisors. The City, the A/E and the A/E's professional advisors believe that this Agreement expresses their agreement and that it should not be interpreted in favor of either the City or the A/E or against the City or the A/E merely because of their efforts in preparing it.

17.7 The headings are for convenience only and shall not control or affect the meaning or construction of any of the provisions of this Agreement.

17.8 The A/E shall keep accurate books, records and documentation related to this Agreement at the address for delivery of notices set forth in this Agreement. All such books, records and documentation shall be kept by the A/E and shall be open to examination, audit and copying by the City during the Term of this Agreement and for the retention periods set forth in the most recent General Records Schedule GS1-SL for State and Local Government Agencies, following termination or expiration of this Agreement. The A/E shall bear the costs associated with the retention of books, records and documentation. Nothing in this section 17.8 shall be construed to allow destruction of records that may be required to be retained longer by the statutes of the State of Florida.

17.9 All obligations and rights of any party arising during or attributable to the period prior to expiration or earlier termination of this Agreement, including but not limited to those obligations and rights related to indemnification, shall survive such expiration or earlier termination.

17.10 This Agreement may be amended only in writing executed by the Parties.

17.11 This Agreement constitutes the entire agreement between the Parties and supersedes all prior and contemporaneous agreements, whether oral or written, between them.

17.12 Each appendix and Task Order to this Agreement, including attachments to an appendix or Task Order and materials referenced in an appendix or Task Order, is an essential part hereof and is incorporated herein by reference.

17.13 No term or condition of this Agreement shall be deemed waived, and no breach of this Agreement excused, unless the waiver or consent is in writing signed by the party granting such waiver or consent.
17.14 In the event that either party is delayed in the performance of any act or obligation pursuant to or required by this Agreement by reason of a Force Majeure Event, the time for required completion of such act or obligation shall be extended by the number of days equal to the total number of days, if any, that such party is actually delayed by such Force Majeure Event. The party seeking delay in performance shall give notice to the other party specifying the anticipated duration of the delay, and if such delay shall extend beyond the duration specified in such notice, additional notice shall be repeated no less than monthly so long as such delay due to a Force Majeure Event continues. Any party seeking delay in performance due to a Force Majeure Event shall use best efforts to rectify any condition causing such delay and shall cooperate with the other party to overcome any delay that has resulted.

17.15 The A/E shall not take any action that will result in a lien being placed against the City or to any services or Deliverables being provided to the City. In the event the City is placed on notice of an intent to lien or placed on notice of a lien by the A/E or any A/E Representative, the A/E will take immediate action at the A/E's expense to respectively prevent or remove and discharge the lien.

17.16 Subject to the requirements of Florida public records Laws, neither party shall use the other party's name in conjunction with any endorsement, sponsorship, or advertisement without the prior written consent of the named party.

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

17.18 All Deliverables shall be made available to the City upon request and shall be considered public records unless they are exempt from disclosure under Florida laws regarding public records.

17.19 Time is of the essence of this Agreement and each of its provisions.

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

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

SECTION 18.0 — CONTRACT ADJUSTMENTS

18.1 Either party may propose additions, deletions or modifications to the Scope of Services, a Task Order or the other terms and conditions of this Agreement (e.g., the A/E's project manager or key personnel required pursuant to Section 21 of this Agreement, or direct salary rate or overhead multiplier identified in Appendix B), ("Contract Adjustments") in whatever manner such party determines to be reasonably necessary for the proper completion of the services. Proposals for Contract Adjustments shall be submitted to the non-requesting party on a form provided by the City. Contract Adjustments shall be effected through written amendments to this Agreement or by an amendment to the Task Order signed by authorized representatives of the Parties.

18.2 Each Project requires a separate Task Order. Notwithstanding Section 18.1 above, a Task Order cannot be amended to add an additional Project or to substitute the original Project with a different Project.

18.3 There shall be no modification of the lump sum or not to exceed amount set forth in a Task Order on account of any Contract Adjustment made necessary or appropriate as a result of the mismanagement, improper act, or other failure of the A/E or any A/E Representatives to properly perform their obligations and functions under this Agreement.

18.4 Notwithstanding anything to the contrary contained in this Agreement, there shall be no change in the fees and costs set forth in Appendix B or the lump sum or not to exceed amount set forth in a Task Order except through a written amendment to this Agreement or by an amendment to the Task Order signed by authorized representatives of the Parties.

SECTION 19.0 — NOTICE

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

**CITY:**
City of St. Petersburg
Engineering and Capital Improvements Department
P. O. Box 2842
St. Petersburg, FL 33731
Attention: ______________________
Phone: ______________________
Fax: (727) 892-5476
Email: ______________________

**WITH A COPY TO:**
City of St. Petersburg
Engineering and Capital Improvements Department
P.O. Box 2842
St. Petersburg, FL 33731
Attention: Brejesh Prayman, P.E.
Director, Engineering & Capital Improvements
Phone: (727) 892-5383
Fax: (727) 892-5476
Email: brejesh.prayman@stpete.org

**A/E:**
______________________________
______________________________
______________________________
Attention: ______________________
Phone: ______________________
Fax: ______________________
Email: ______________________

19.2 Either party may change its authorized representative or address for receipt of notices by providing the other with written notice of such change. The change shall become effective five (5) days after receipt by the non-changing party of the written notice of change. Unless otherwise agreed to by the Parties in writing, electronic submission of notices does not relieve either party of the requirement to provide notice in writing as required in Section 19.1 above.
SECTION 20.0 — SCHEDULE

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

SECTION 21.0 — PERSONNEL

21.1 The NE shall assign the key personnel identified in a Task Order to perform the Scope of Services in accordance with this Agreement. The NE shall not, without the City’s prior written consent, transfer, reassign, redeploy or otherwise remove any key personnel; provided, however, that removal of any key personnel due to their incapacity or termination shall not constitute a violation of this Section. If any of the key personnel are incapacitated or are terminated, the A/E shall, within ten (10) days, replace such person with another person approved by the City and that is at least as well qualified as the person who initially performed that person’s role. The A/E shall provide for a transition period of at least one (1) week (or such shorter period of time approved by the City) during which time any key personnel being replaced shall familiarize their replacement(s) with the work required to be performed by the replacement(s). The A/E shall be solely responsible for all costs associated with replacement of key personnel. Without limiting the generality of the foregoing, if any change in key personnel causes a delay, the A/E shall be solely responsible for any and all of its increased costs associated with such delay.

21.2 The City may require the A/E to replace any persons performing the Scope of Services, including but not limited to any A/E Representative, whom the City determines is not performing the Scope of Service to the City’s satisfaction. Before a written request is issued, authorized representatives of the City and the A/E will discuss the circumstance. Upon receipt of a written request from an authorized representative of the City, the A/E shall be required to proceed with the replacement. The replacement request will include the required replacement date and the reason for the replacement. The A/E shall use its best efforts to effect the replacement in a manner that does not degrade service quality. This Section will not be deemed to give the City the right to require the A/E to terminate a person’s employment. Rather, this Section is intended to give the City only the right to require that the A/E discontinue using persons in the performance of the Scope of Services under this Agreement.

SECTION 22.0 — PUBLIC RECORDS

22.1 The A/E shall (i) keep and maintain public records (as defined in Chapter 119, Florida Statutes) required by the City to perform the services pursuant to this Agreement; (ii) upon request from the City Clerk’s Office, provide the City (at no cost to the City) with a copy of the requested records or allow the records to be
inspected or copied within a reasonable time at a cost that does not exceed the cost provided under Florida laws regarding public records or other applicable Laws; (iii) ensure that public records in the A/E’s possession that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by applicable Laws for the Term and after the expiration or earlier termination of this Agreement; and (iv) after the expiration or earlier termination of this Agreement, at the City’s request, either transfer, at no cost, to the City all public records in the A/E’s possession within ten (10) days following the City’s request and/or keep and maintain any public records required by the City to perform the services pursuant to this Agreement. If the A/E transfers all public records to the City upon the expiration or earlier termination of this Agreement, the A/E shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the A/E keeps and maintains public records upon the expiration or earlier termination of this Agreement, the A/E shall meet all applicable requirements for retaining public records in accordance with this Agreement and all applicable Laws. At the City’s request, all public records stored electronically by the A/E shall be provided to the City in a format approved by the City.

22.2 IF THE A/E HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, AS TO THE A/E’S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CITY CLERK’S OFFICE (THE CUSTODIAN OF PUBLIC RECORDS) AT (727) 893-7448, CITY.CLERK@STPETE.ORG, OR 175 FIFTH ST. N., ST. PETERSBURG FL 33701.

22.3 Nothing contained herein shall be construed to affect or limit the A/E’s obligations including but not limited to the A/E’s obligations to comply with all other applicable Laws and to maintain books and records pursuant to this Agreement.

SECTION 23.0 — REPORTS TO CITY COUNCIL

23.1 When the A/E provides any draft or final report (including technical memoranda) to the City’s Project Manager or to any other member of City staff, the A/E shall also provide copies of such report to City Council as follows:

23.1.1 For a draft report, the A/E shall send an electronic copy to the City Council Administrative Service Officer via email to council@stpete.org and to each City Council member via email to his or her individual City email address. The A/E may obtain Council members’ individual email addresses from the City Council Administrative Service Officer.
23.1.2 For a final report, in addition to providing electronic copies in the same manner that is required for a draft report, the A/E shall also deliver nine (9) hard copies of the report to the City Council Administrative Service Officer.

23.2 At a minimum, the A/E shall include a description of the following in all draft and final reports: data utilized, methodology utilized and assumptions made. The A/E shall also verify in all draft and final reports that the A/E's reliance on and utilization of such data, methodology, and assumptions are consistent with the A/E's professional standards. The A/E shall mark all draft reports with a draft watermark, version number, and date.

23.3 If requested by City Council, the A/E shall attend one or more City Council meetings to provide an update on the status of a project and/or make a presentation on a report. Unless otherwise agreed by City Council, no Task Order shall be issued, amended, or revised for the A/E to receive compensation for attendance at City Council meetings.

[Signature page follows]
IN WITNESS WHEREOF the Parties hereto have executed this Agreement on the day and date first above written.

A/E
Sign: __________________________
Print: __________________________
Title: __________________________

WITNESSES
Sign: __________________________
Print: __________________________

CITY OF ST. PETERSBURG, FLORIDA
Sign: __________________________
Print: Brejesh Prayman, P.E.
Title: Director, Engineering & Capital Improvements

ATTEST
______________________________
City Clerk

Approved by the City’s Project Manager
Sign: __________________________
Print: __________________________

Approved as to Content and Form

________________________________
City Attorney (Designee)
POWER OF EXECUTION

I, ______________________________, certify that I am the ______________ of ______________________________, that ______________________________ who signed this Agreement, was authorized to so execute this Agreement; that said Agreement was duly signed for and on behalf of said ______________________________.

By: ______________________________

Date Executed: ______________________________

00301985 (01/06/17)
Process Synopsis
This Project Selection Process comprised of the following Teams/Committees:

Selection Committee
Brejesh Prayman, P.E. Engineering & Capital Improvements Department
Michael Ryle, P.E. Engineering & Capital Improvements Department
Ziba Mohammadi, P.E., CBI Engineering & Capital Improvements Department
Paris Fogg, Engineering & Capital Improvements Department
Cheryl Stacks, P.E. Transportation & Planning Department

Sealed Qualifications were received on November 09th 2016. Ten Statement of Qualifications were received, in alphabetical order, from AECOM Technical Services, Inc.; Calvin, Giordano & Associates, Inc.; DRMP, Inc.; Genesis CE&I Services, LLC; HDR Construction Control Corporation; H.W. Lochner, Inc.; Johnson, Mirmiran & Thompson, Inc.; KCI Technologies, Inc.; KCCS, Inc.; and Tierra, Inc.

On November 16th 2016, the Selection Committee, in a publically advertised meeting, met to review the Statement of Qualifications received from the ten firms. The Selection Committee selected five firms to be shortlisted and were later notified via email on that day.

On November 21st 2016, the Selection Committee, in a publically advertised meeting, met with the five shortlisted firms to review the qualifications and determine a final ranking.

The Selection Committee unanimously voted to seek concurrence with FDOT for entering into a contract with the following three firms; H.W. Lochner, Inc., KCCS, Inc., and Tierra, Inc.

Attachments
A RFQ Advertisement
B Submittal of Qualifications Deadline
C Submittals Received
D Shortlisting Meeting and Final Ranking Meeting Notification
E Shortlisted Firms
F Score Sheets
G Final Ranking Summary
REQUEST FOR QUALIFICATIONS
MISCELLANEOUS PROFESSIONAL SERVICES FOR CONSTRUCTION ENGINEERING AND INSPECTION (CEI) PROJECTS

I. LEGAL ADVERTISEMENT
The City of St. Petersburg, Florida ("City") is requesting a Statement of Qualifications from qualified firms or individuals interested in performing miscellaneous professional engineering services on a continuing basis for the City's Construction Engineering and Inspection (CEI) services.

A written Statement of Qualifications will be accepted by the City of St. Petersburg at the Engineering and Capital Improvements Department, 7th Floor, Municipal Services Center, One Fourth Street North, St. Petersburg, Florida 33701, until 4:00 pm on Wednesday, November 9, 2016.

Detailed Information and data to be submitted with a Statement of Qualifications are available by e-mail from Colleen Mazzo, Capital Improvements Assistant, Engineering and Capital improvements Department at colleen.mazzo@stpete.org or by calling (727) 893-7854. The City reserves the right at any time to modify, waive, or otherwise vary the terms and conditions of this Request for Qualifications including, but not limited to, the deadlines for submission, the submission requirements, and the Scope of Work. The City further reserves the right to reject any or all submittals, to cancel or withdraw this Request for Qualifications at any time. Selection is dependent upon the negotiation of a mutually acceptable contract with the successful proposer(s).

CITY OF ST. PETERSBURG, FLORIDA
APPROVED: BREJESH PRAYMAN, P.E.
ENGINEERING & CAPITAL
IMPROVEMENTS
INTERIM DIRECTOR
10/12/2016

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully if changes are needed, please contact us prior to deadline at or email at vmarshall@tampabay.com.
REQUEST FOR QUALIFICATIONS

MISCELLANEOUS PROFESSIONAL SERVICES FOR CONSTRUCTION ENGINEERING AND INSPECTION (CEI) PROJECTS

I. LEGAL ADVERTISEMENT

The City of St. Petersburg, Florida ("City") is requesting a Statement of Qualifications from qualified firms or individuals interested in performing miscellaneous professional engineering services on a continuing basis for the City's Construction Engineering and Inspection (CEI) services.

A written Statement of Qualifications will be accepted by the City of St. Petersburg at the Engineering and Capital Improvements Department, 7th Floor, Municipal Services Center, One Fourth Street North, St. Petersburg, Florida 33701, until 4:00 pm on Wednesday, November 9, 2016.

Detailed information and data to be submitted with a Statement of Qualifications are available by e-mail from Colleen Mazzo, Capital Improvements Assistant, Engineering and Capital Improvements Department, at colleen.mazzo@stpete.org or by calling 727-893-7295.

The City reserves the right at any time to modify, waive, or otherwise vary the terms and conditions of this Request for Qualifications including, but not limited to, the deadlines for submission, the submission requirements, and the Scope of Work. The City further reserves the right to reject any or all submittals, to cancel or withdraw this Request for Qualifications at any time. Selection is dependent upon the negotiation of a mutually acceptable contract with the successful proposer(s).

CITY OF ST. PETERSBURG, FLORIDA
BREJESH PRAYMAN, P.E.
ENGINEERING & CAPITAL IMPROVEMENTS INTERIM DIRECTOR

APPROVED: 

[Signature]

Engineering & Capital Improvements Department
Brejesh Prayman, Interim Director

Date: 10/27/16
II. INSTRUCTIONS

A. REQUEST FOR QUALIFICATIONS ("RFQ") SUMMARY

1. **RFQ Scope:** The City of St. Petersburg, Florida ("City"), is requesting Statements of Qualifications (SOQ) and intends to select a maximum of three (3) qualified firms or individuals interested in performing the professional services described in this RFQ. A detailed description of the Scope of Services is contained in Appendix A.

2. **RFQ Schedule:** The proposed schedule for the selection of a maximum of three (3) qualified firms or individuals is set forth below:

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
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<tbody>
<tr>
<td>Wednesday, October 12, 2016</td>
<td>RFQ Distribution/Legal Advertisement</td>
</tr>
<tr>
<td>Wednesday, November 9, 2016</td>
<td>Written SOQ six (6) hard copies and one (1) digital copy in PDF format on a CD or USB flash drive due by 4:00 pm at the office of the Engineering &amp; Capital Improvements Director, 7th Floor, Municipal Services Center, One Fourth Street North, St. Petersburg, Florida 33701</td>
</tr>
<tr>
<td>Wednesday, November 16, 2016</td>
<td>Selection Committee Shortlisting Meeting. All of those who submitted a SOQ will be contacted via email to inform them of outcome of meeting and shortlisting.</td>
</tr>
<tr>
<td>Monday, November 21, 2016</td>
<td>Interviews with those shortlisted and final ranking.</td>
</tr>
<tr>
<td>November/December, 2016</td>
<td>Contract Negotiation</td>
</tr>
<tr>
<td>December, 2016</td>
<td>City Council Approval and Award</td>
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3. **Minimum Qualifications:** Firms or individuals shall be prequalified by FDOT in Roadway Construction Engineering Inspection Work Category (10.1).

B. GENERAL INSTRUCTIONS

1. **News Releases:** Public disclosure regarding this RFQ, the SOQ and subsequent awards, will be coordinated by the City.

2. **Inquiries:** Questions regarding the RFQ may arise as proposing firms or individuals are preparing their documents. Please direct questions to:

   Brejesh Prayman, P.E., Interim Director  
   City of St. Petersburg  
   Engineering & Capital Improvements Department  
   One 4th Street North, 7th Floor  
   St. Petersburg, Florida 33701  
   Telephone: (727) 892-5383
Written Statement of Qualifications Received for
Construction Engineering & Inspection Projects Services
November 9, 2012

<table>
<thead>
<tr>
<th>Firm</th>
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<tr>
<td>AECOM Technical Services, Inc.</td>
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</tr>
<tr>
<td>Calvin, Giordano &amp; Associates, Inc.</td>
<td>Clearwater, FL</td>
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<td>DRMP, Inc.</td>
<td>Lakeland, FL</td>
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<td>Genesis CE&amp;I Services, LLC</td>
<td>Tampa, FL</td>
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<tr>
<td>HDR Construction Control Corporation</td>
<td>Tampa, FL</td>
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<tr>
<td>H. W. Lockner, Inc.</td>
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<tr>
<td>Johnson, Mirmiran &amp; Thompson, Inc.</td>
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<tr>
<td>KCI Technologies, Inc.</td>
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<tr>
<td>KCCS, Inc.</td>
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<tr>
<td>Tierra, Inc.</td>
<td>Tampa, FL</td>
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Prepared by: C. Mazzo
November 16, 2016

The Consultant Selection Committee has met and shortlisted the firms scheduled below for the Construction Engineering & Inspection Projects. The Consultant Selection Committee was impressed with the overall quality of the submittals and appreciative of the efforts made by all of the firms that provided Statements of Qualification.

If your firm was shortlisted, please confirm with Colleen Mazzo (727-893-7295 or colleen.mazzo@stpete.org) that you will be able to meet with the Committee.

Presentations will be on Monday, November 21, 2016 in Conference Room 600, Municipal Services Building, One 4th Street North, St. Petersburg, Florida. The Committee requests that the presenters include the proposed Project Manager and two (2) team members. Additional team members may present, however they are not required. PowerPoint presentations are not required or desired. The format will be an informal tabletop discussion of the proposed projects with the Selection Committee. Consultants will have fifteen (15) minutes for presentation followed by twenty (20) minutes of questions by the Selection Committee. There will be ten (10) minutes between presentations.

**Consultant Interviews** (Format – 15 minutes present/20 Q&A/10 break)

**Monday, November 21, 2016**

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<td>11:30 am</td>
<td>12:05 pm</td>
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<tr>
<td>12:15 pm</td>
<td>Deliberations/Ranking</td>
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During the presentations, firms are asked to address the following:

1. Staff availability and clarity on roles of subconsultants
2. Project Approach
3. Project delivery, including schedule and budget controls
4. Reporting and documentation compliance
5. Recent experience with federally-funded projects

Once again, thank you for participating in the City's consultant selection process.

Brejesh Prayman

Brejesh Prayman, P.E.
Engineering & Capital Improvements Interim Director
Shorlisted Firms for November 21st Meeting

AECOM Technical Services, Inc.
Genesis CE&I Services, LLC
H.W. Lochner, Inc.
KCCS, Inc.
Tierra, Inc.
## Team Background and Experience

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<td>d) Firm's experience with conducting, reporting and compliance for EEO</td>
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**Total** 100 85

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Committee Member

**Brjesh Rayman**

**Brjesh Rayman**

Date

01/31/10
### SELECTION COMMITTEE - CONSTRUCTION ENGINEERING AND INSPECTION

**A/E Firm:** KCCS, Inc.

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**Total:** 100  **85**

**Committee Member:**

**Date:** 11/29/16
**SELECTION COMMITTEE - CONSTRUCTION ENGINEERING AND INSPECTION**

A/E Firm

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Committee Member

Brijesh Pajman

Date

4/21/15
Team Background and Experience.

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Committee Member

Date

4/10/16
**SELECTION COMMITTEE - CONSTRUCTION ENGINEERING AND INSPECTION**

A/E Firm

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Total 100 80

Committee Member

Brijesh Prayson

Date

4/27/16
Team Background and Experience.
a) Experience with Federally and FDOT funded project CEI services

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Total 100 91

Committee Member: Cheryl Stack

Date: 11/21/11
**Team Background and Experience.**

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Committee Member: Cheryl Starks

Date: 11/21/16
# Team Background and Experience

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**Total** 100 91

**Committee Member**  
Cheryl Stack

**Date** 11/21/16
**Team Background and Experience.**

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Committee Member: 

Committee Member: **Cheryl Stacks**

Date: 11-09-16
**Team Background and Experience.**

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**Total** 100 87

Committee Member

Cheryl Stacks

Date

11/21/14
### Team Background and Experience

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**Total** | **100** | **83**

### Committee Member

**M. Ryle**

### Date

**11-21-2016**
**Team Background and Experience.**

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**Committee Member**

MIKE RYLE

**Date**

11-21-2016
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**Total** | **100** | **79**

Committee Member

Date

/1-21-2016
## Team Background and Experience

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**Committee Member:** Mike Ryle

**Date:** 11-21-2016
Team Background and Experience.

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Committee Member: MIKE RYCE

Date: 11-21-2016
## Team Background and Experience

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### Committee Member

Date 21 November 2016
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Committee Member

Date 21 November 2016
**Team Background and Experience.**

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**Committee Member**

Signature: [Signature]

**Date**

21 November 2016
### Team Background and Experience

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**Total** 100

**Score: 85**

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**Committee Member**

[Signature]

**Date**

21 November 2011
## Team Background and Experience

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| b) Services and Approach to Performing Services | 20 |
| c) Availability of FDOT certified personnel to | 25 |
| d) Firm's experience with conducting, reporting and compliance for EEO | 30 |

**Committee Member**

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**SELECTION COMMITTEE - CONSTRUCTION ENGINEERING AND INSPECTION**
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Committee Member: Ziby Mohammed

Date: 11/28/16
Team Background and Experience.

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Available Points: 95

Committee Member: Ziba Mohammad

Date: 11/24/16
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Committee Member: Ziba Mohammadi

Date: 11/2/16
**SELECTION COMMITTEE - CONSTRUCTION ENGINEERING AND INSPECTION**

**A/E Firm**

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**Committee Member**

Zia Mohammadi

**Date**

11/28/16
Consultant Selection Final Presentations
Construction Engineering & Inspection Projects

November 21, 2016

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Committee Member:  

Date: 11/21/16.
ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of February 16, 2017

To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving Task Order 16-02 MC-W with McKim & Creed for the FY18 Stormwater Utility Rate Study in an amount not to exceed $99,870.

Explanation: McKim & Creed and the utility rate firm of Stantec Consulting Services, Inc. (Stantec), as their subconsultant, will once again provide consulting services related to the Stormwater Utility Rate Study.

Last year, McKim & Creed and Stantec (formerly Burton & Associates and recently Hawksley Consulting) provided utility rate consulting services to the Stormwater Department for the first time. Previously, the utility fees were prepared in-house. As part of the rate study, McKim & Creed and Stantec will prepare a Revenue Sufficiency Analysis to assess the adequacy of revenues provided by the utility's monthly Stormwater fee. Stantec's proprietary rate model provides dynamic rate analysis that allows the City to engage in interactive sessions to provide numerous financial scenarios in real time.

The Stormwater fee is based on a flat rate for residential properties and a fee based on square feet of impervious surface areas for non-residential properties based on measurements calculated in 1989. As requested by City Council during last year’s rate study review, the consultants will provide analysis of a tiered fee structure for residential properties by selecting a sample set (up to 1,000 single family residential parcels and 230 condominium common areas) within the City. Sampling data will be used to estimate square footage of residential impervious surface by parcel using impervious area to parcel size ratios. However, it is recommended that the impervious area for all City parcels be updated over the next year if it is decided to implement a tiered structure. Additionally, a billing system implementation effort will be required to resolve inconsistencies, validate all residential parcel area calculations using more detailed data, identify needed billing system changes, develop appropriate billing practices, and develop area adjustment and tracking procedures for updating commercial impervious areas. This additional work is not included in the scope of services in Task Order 16-02 MC-W being approved in the agenda item.

Administration recommends approval of Task Order 16-02 MC-W with McKim & Creed for the FY18 Stormwater Utility Rate Study in an amount not to exceed $99,870.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Stormwater Operating Fund (4011).

Attachments: Resolution
Task Order No. 16-02-MC/W
Approvals:

[Signature]
Administrative

[Signature]
Budget

[Signature]
This Task Order No. 16-02-MCNV is made and entered into this _____ day of ________, 201__, pursuant to the ARCHITECT/ENGINEERING AGREEMENT FOR MISCELLANEOUS PROFESSIONAL SERVICES FOR POTABLE WATER, WASTEWATER AND RECLAIMED WATER PROJECTS dated December 5, 2016 ("Agreement") between McKim & Creed, Inc. ("A/E"), and the City of St. Petersburg, Florida ("City"), and upon execution shall become a part of the Agreement.

I. DESCRIPTION OF PROJECT

The City of St. Petersburg (City) is required to convey and treat stormwater runoff before it enters local bays and surface waters. In order to cover the costs of this requirement, the City charges user fees based upon the amount of impervious surface found on properties. Residential properties are charged a flat rate (in large part due to the lack of individual parcel impervious area data) and all others are charged a fee based on square feet of impervious area. Impervious surface area for non-residential properties is based on measurements calculated in 1989. While it is recommended that the City update this area in the near future, such an update is not part of the scope of this study.

The City is interested in considering a tiered fee structure for residential properties as part of its planned FY 2018 Stormwater Utility Rate Study. To do so, the City will need to estimate the impervious surface for each of its residential properties. As such, the City is requesting comprehensive and integrated services that will first create an estimated impervious surface layer for all residential properties based upon a sampling approach (Work Element I) that can be relied upon as part of a detailed rate analysis that will update the level of the City's existing stormwater fees and evaluate alternative residential fee structures as part of the FY 2018 budget process (Work Element II).

It is important to note that the scope of work for Work Element I is intended to be of sufficient detail to support the rate study request of the City. However, should the City decide to move forward with a tiered fee structure, a billing system implementation effort will be required that would include, but not be limited to, resolving any inconsistencies, validating all residential parcel area calculations using more detailed data, identifying needed billing system changes, developing appropriate billing practices and area adjustment/tracking procedures, updating commercial impervious area, etc.
II. SCOPE OF SERVICES

Work Element I: Residential Impervious Area Analysis

TASK 1 — DIGITAL MAPPING

1.1 Visually interpret 2016 Pinellas County imagery and digitize polygons delineating impervious surfaces for selected residential parcels within the City. Collaborate with City staff to select appropriate homogenous geographic areas in which sample mapping can be used to apply averages for entire areas. Includes mapping impervious surfaces on up to 1,000 single family residential parcels and 230 condominium common areas. Impervious surfaces will be digitized at a (1:300 or 1 inch equals 25 feet scale).

TASK 2 — RESIDENTIAL IMPERVIOUS AREA CALCULATIONS

1.2 Estimate the impervious surface for all individual residential properties within City based upon the results of Task 1.1. Sampling data will be used to estimate square footage of residential impervious surface by parcel using impervious area to parcel size ratios identified in Task 1.1. Individual residential parcel impervious area data will be processed into a MS Excel format for use in Work Element II.

Work Element II: Rate Analysis

TASK 1 - PROJECT INITIATION

1.1 Meet with City staff (1 meeting) to finalize project objectives, establish project monitoring and control procedures and begin data gathering.

1.2 Review current and historical financial data, system configuration/customer base, customer billing statistics, capital improvement programs and other relevant information.

TASK 2 - REVENUE SUFFICIENCY ANALYSIS

2.1 Verify and input financial and billing data into Stantec's proprietary FAMS XL model, run the model, and produce preliminary output, including a five year financial management program and schedule of proposed annual percentage rate adjustments (includes 1 meeting). Results will include the following:

a. Capital Improvements Program
   - Project listing by year
b. Borrowing Program
   - Borrowing required to fund CIP projects not funded by other sources to include but not necessarily be limited to revenue bonds and State or other programs
   - Timing of bond(s)/loan(s) to provide required funds and/or refinancing
c. Revenue Sufficiency Analysis
   - Annual rate plan to provide sufficient revenues, including rate indexing options
   - Sensitivity analysis of alternative debt service coverage, capital transfers, and/or reserve levels
   - Detailed review and reconciliation of debt service coverage calculations (per bonds and for cash flow purposes)

d. Sources and Uses of Funds Analysis

e. Funds Analysis
   - Spend down limits (minimum reserve requirements) by fund
   - Beginning and ending funds balances by fund by year

**TASK 3 – COST ALLOCATION AND RATE DETERMINATION**

3.1 Conduct a cost of service allocation analysis:

a. Allocate FY 2018 cost of service into defined functions (i.e. customer, operations, capital, public engagement, etc.).

b. Allocate costs of each function to residential and non-residential customer classes based upon units of service (i.e. impervious area, # of accounts, etc.)

c. Review cost allocations with City staff and make adjustments to the cost allocations where appropriate.

d. Compare cost allocations to revenues generated by current rates/fees for each customer class.

3.2 Calculate residential & non-residential rates per the FY 2018 revenue requirements from Task 2 and the cost allocations in Task 3.1:

a. Review and reconcile FY 2016 billing records for each account as compared to updated impervious area per Work Element I.

b. Quantify impacts of impervious area changes in terms of revenue and specific customer billings.

c. Prepare impervious area property distribution to identify largest customers and inform potential residential impervious area tier sizing.

d. Populate stormwater rate design model and evaluate updated rate schedules/adjustments for the followings charges:
   - Potential for a customer charge
   - Alternative residential impervious area fee structures, including various tier structures.
   - Updated non-residential charges, including possibility of tiered system.
   - Other as identified during the study.

e. Prepare detailed customer/bill impact schedules and updated rate schedules/adjustments as appropriate.

f. Review results with consulting team and perform adjustments.

g. Review the preliminary results with City staff in an interactive work session.

h. Make adjustments based upon input from City staff.
i. Review the adjusted results with City staff in an interactive work session.

3.3 Update existing credits/incentives and identify potential new credits and incentive programs.

   a. Review basis of existing credits and compiled list of common credits of other agencies with City staff.
   b. Gather additional data and calculate credits/incentives (existing and new) per discussions with City staff.
   c. Identify potential parameters/details of each credit and incentive program.
   d. Review results of analysis with City staff and adjust as required.

TASK 4 – ADJUST ANALYSIS FOR MAYOR’S INPUT

4.1 Prepare summary materials for review with Mayor, including rate surveys and scenarios.

4.2 Present findings and results of analysis to Mayor.

4.3 Make adjustments to the analysis based upon input from the Mayor.

TASK 5 – PARTICIPATE IN PRESENTATIONS TO CITY COUNCIL & ADVISORY BOARDS

5.1 Prepare PowerPoint presentation/slides for use during presentation of study results and recommendations to Council and/or Advisory Boards.

5.2 Prepare adjustments to presentation/slides per City staff review and comment.

5.3 Prepare for and present initial results/options of study to Budget Finance & Taxation Committee (BF&TC).

5.4 Prepare adjustments to analysis per guidance/direction from BF&TC and prepare revised/requested materials.

5.5 Prepare for and present revised results of study to BF&TC.

5.6 Prepare final adjustments to analysis per guidance/direction from BF&TC and prepare revised materials for public hearing process.

5.7 Prepare for and present results of study to City Council in regular meetings (public hearings) - 2 meetings
TASK 6— PREPARE AND PRESENT A FINAL REPORT OF THE RATE STUDY

6.1 Prepare a Draft Report to document the results of the Rate Study, including detailed cost allocation tables and charts.

6.2 Make adjustments and prepare a Final Draft Report per comments from City staff.

6.3 Make adjustments and prepare the Final Report per comments from City staff.

III. SCHEDULE

1. Draft Rate Study Report Submittal: 200 calendar days after Project Kick-off Meeting.
2. Final Rate Study Report Submittal: 225 calendar days after Project Kick-off Meeting (assuming City's review of Draft Rate Study completed in 14 calendar days after receipt).

IV. A/E'S RESPONSIBILITIES

A/E will assign a Project Manager, along with other personnel as necessary, to assure faithful execution and timely delivery of services pursuant to the requirements of this study.

Much of the scope of this project relies on Pinellas County Property Appraiser data. The City acknowledges that the accuracy of this data may be suspect, and A/E accepts no responsibility for errors in the deliverable data of this project, found to be resulting from errors in the underlying Property Appraiser data.

Areas that meet the following criteria will be considered impervious:
- Asphalt shingles, and concrete, tile, and metal roof structures will be considered impervious.
- Continuous asphalt and concrete sidewalk and driveway surfaces will be considered impervious.
- Stone, brick, lime rock, and other "pieced" hard sidewalk and driveway surfaces will be considered impervious.
- Swimming pools will be considered impervious.
- Vehicles and other movable objects located on grass or bare earth will not be considered impervious.
- Tree canopy and any other vegetative cover will not be considered impervious, except where an underlying surface or structure can reasonably be expected to exist, such as a through roadway that can be observed on either side of an obscuring tree canopy.
- Mobile homes will be considered impervious surface.

For condominium parcels, impervious areas will be reported by calculating the entire impervious surface area for the common area and then dividing by the number of units with each unit receiving an equal share of the entire impervious surface.
Obscuring cover is defined for this project as ground area that cannot be mapped due to any of the following reasons: structural or vegetative overhang, vertical displacement, shadowing, image processing, and atmospheric variations.

The Client acknowledges that in some instances tree canopy, other obscuring features, lack of imagery resolution or color contrast, or complete lack of available imagery may make verification and/or mapping of some impervious surfaces impossible. These areas will be noted in the deliverable dataset as CNV, for "Could not Verify". Manual verification services for these instances are not covered within this scope, but can be provided under a separate additional services authorization.

Services to transcribe impervious square footage data into a customer billing database are not covered within this scope. Services to edit or modify property boundaries based upon aerial interpretation, deeds, surveys or other legal documents are not covered in this scope. Modifications to parcel line work shall not be covered in this scope and can be provided under an additional services authorization. Where records must be manually entered one at a time, remote computer access to a billing application and data entry training must be provided by City staff.

V. CITY'S RESPONSIBILITIES

The City will provide the A/E with all available prior rate study reports, current and historical financial data, system configuration, customer billing statistics, capital improvement program and other relevant information in the City's possession required by the A/E to execute the project. Moreover, the City will assign a Project Manager who will be the primary point of contact for the project. The City will make the appropriate staff available for meetings and reviews of interim and final deliverables.

VI. DELIVERABLES

1. Geodatabase with impervious surface area for sampled residential properties.
2. Geodatabase with impervious surface layer containing estimates of impervious area for all residential properties based upon extrapolation of sampling, Excel spreadsheet containing residential impervious area estimates by parcel for use in rate structure analysis in Work Element II. Technical memorandum on methodology applied for sampling and calculations.
3. Screen capture summaries from the FAMS XL © model will be provided for as many scenarios as requested by City staff;
4. "Assumptions Workbook" for City staff to review and validate information;
5. Comparative rate survey;
6. 1st Cost Allocation & Rate Calculation Workshop Summary;
7. 2nd Cost Allocation & Rate Calculation Workshop Summary;
8. Presentation materials for review with Mayor, Council, and Advisory Boards
9. Draft Rate Study Report;
10. Final Draft Rate Study Report;
11. Final Rate Study Report (six (6) copies and one (1) electronic copy to City);
VII. **A/E'S COMPENSATION**

For the above-described SCOPE OF SERVICES, the City will compensate the A/E on an hourly not-to-exceed basis as detailed in Attachment 1 in accordance with the ARCHITECT/ENGINEERING AGREEMENT FOR MISCELLANEOUS PROFESSIONAL SERVICES, Section 6. The total amount of the CITY Task Order No. 16-02-MC/W is $99,870.00 which will not to be exceeded without further written authorization.

Monthly payment for services performed will be billed based upon A/E's time utilized for each task and will be based upon the hourly rates shown plus overhead and profit as indicated. Subcontractor services will be billed at actual invoice costs plus a five (5) percent administrative charge. Invoices shall include a brief description of the work performed during the billing period.

VIII. **PROJECT TEAM**

Stantec Consulting Services, Inc. ("Stantec") will be utilized as a subconsultant to perform this work given their past similar experience with the City and efficiency from the use of their customized modeling system previously set up for the City. Subconsultant's task description and budget are attached as reference.

IX. **MISCELLANEOUS**

In the event of a conflict between this Task Order and the Agreement, the Agreement shall prevail.
IN WITNESS WHEREOF the Parties have caused this Task Order to be executed by their duly authorized representatives on the day and date first above written.

ATTEST

By: _______________________________________
    Chandrahasa Srinivasa
    City Clerk

(SEAL)

CITY OF ST. PETERSBURG, FLORIDA

By: _______________________________________
    Brejesh Prayman, P.E., Director
    Engineering & Capital Improvements

DATE: _______________________________________

APPROVED AS TO FORM FOR CONSISTENCY WITH THE STANDARD TASK ORDER.
NO OPINION OR APPROVAL OF THE SCOPE OF SERVICES IS BEING RENDERED BY THE CITY ATTORNEY’S OFFICE

By: _______________________________________
    City Attorney (Designee)

McKim & Creed, Inc.
(Company Name)

By: _______________________________________
    (Signature)
    Street Lee, P.E, Senior Vice President
    (Printed Name and Title)

Date: 11/20/17

WITNESSES:

By: _______________________________________
    (Signature)
    Brooke Trautman
    (Printed Name)

By: _______________________________________
    (Signature)
    Digne T. Achinelli
    (Printed Name)
## WORK TASK BREAKDOWN - TASK ORDER NO. 16-02-MC/W

**FY18 STORMWATER RATE STUDY**

### DIRECT BILLING RATE

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Subtotal All Tasks: 4 12 16 $820.00

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ASL - A. Street Lee, PE  JT - John Thompson
## WORK TASK BREAKDOWN - TASK ORDER NO. 16-02-MC/W

**FY18 STORMWATER RATE STUDY**

### (A) SALARY COST

### (B) SALARY COST W/2.85 MULTIPLIER

### (C) PROFIT 10%

### (D) (B)+(C)=(D) TOTAL PAYROLL COST

### (E) OUTSIDE SERVICE EXPENSES

### (F) OUTSIDE SERVICE + 5%

### (G) OUTSIDE SERVICE ALLOWANCE

### (H) (D)+(E)+(F)+(G)+(H)=I TOTAL COST W/EXPENSES

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<td>$233.70</td>
<td>$2,570.70</td>
<td>$86.10</td>
<td>-</td>
<td>*</td>
<td>$2,656.80</td>
</tr>
<tr>
<td>Stantec*</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$92,584.00</td>
<td>$4,629.20</td>
<td>$97,213.20</td>
</tr>
<tr>
<td>TOTAL COST</td>
<td>$820.00</td>
<td>$2,337.00</td>
<td>$233.70</td>
<td>$2,570.70</td>
<td>$86.10</td>
<td>$92,584.00</td>
<td>$4,629.20</td>
<td>$99,870.00</td>
</tr>
</tbody>
</table>

* See Work Task Breakdown attached for Stantec Consulting Services for details of sub-consultant costs
<table>
<thead>
<tr>
<th>PROJECT TASKS</th>
<th>ESTIMATED LABOR-HOURS</th>
<th>FINANCIAL SERVICES</th>
<th>GIS SERVICES</th>
<th>Total Task</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hourly rate</td>
<td>Project Director</td>
<td>Project Manager</td>
<td>Project Consultant</td>
</tr>
<tr>
<td>WORK ELEMENT I</td>
<td></td>
<td>$350</td>
<td>$250</td>
<td>$190</td>
</tr>
<tr>
<td>TASK 1 Digital Mapping</td>
<td>Visually interpret 2016 Pinellas County imagery and digitize polygons delineating impervious surfaces for selected residential parcels within the City. Collaborate with City staff to select appropriate homogenous geographic areas in which sample mapping can be used to apply averages for entire areas. Includes mapping impervious surfaces on up to 1,000 single family residential parcels and 230 condominium common areas. Impervious surfaces will be digitized at a (1:300 or 1 inch equals 25 feet scale).</td>
<td>24</td>
<td>40</td>
<td>16</td>
</tr>
<tr>
<td>TASK 2 Residential Impervious Surface Calculations</td>
<td>Estimate the impervious surface for all individual residential properties within City based upon the results of Task 1.1. Sampling data will be used to estimate square footage of residential impervious surface by parcel using impervious area to parcel size ratios identified in Task 1.1. Individual residential parcel impervious area data will be processed into a MS Excel format for use in Work Element II.</td>
<td>40</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>WORK ELEMENT II</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TASK 1 Project Initiation</td>
<td>Meet with City staff (1 meeting) to finalize project objectives, establish project monitoring and control procedures and begin data gathering. Review current and historical financial data, system configuration/customer base, customer billing statistics, capital improvement programs and other relevant information.</td>
<td>2</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>TASK 2 Revenue Sufficiency Analysis</td>
<td>Verify and input financial and billing data into Stantec's proprietary FAMS XL© model, run the model, and produce preliminary output, including a five year financial management program and schedule of proposed annual percentage rate adjustments (includes 1 meeting). Results will include the following:</td>
<td>2</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>o Capital Improvements Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Project Listing</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Borrowing Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Borrowing required (by source) to fund CIP projects not funded by other sources to include but not necessarily be limited to revenue bonds and State or other programs.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Timing of bond issue(s)/loan(s) to provide required borrowed funds</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Annual debt service of bond issue(s)/loan(s)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Revenue Sufficiency Analysis</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Annual rate plan to provide sufficient revenues</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Sensitivity analysis of alternative debt service coverage, capital transfers, and/or reserve levels</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Detailed review and reconciliation of debt service coverage calculations (per bonds and for cash flow requirements)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Sources and Uses of Funds Analysis</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Funds Analysis</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TASK 3 Cost Allocation and Rate Determination</td>
<td>Perform a cost of service allocation and compute proposed rates.</td>
<td>3</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>3.1 Conduct a cost of service allocation analysis:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a Allocate FY 2018 cost of service into defined functions (i.e. customer, operations, capital, public engagement, etc.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### CITY OF ST. PETERSBURG

**FY 2018 STORMWATER RATE STUDY**

<table>
<thead>
<tr>
<th>PROJECT TASKS</th>
<th>Hourly rate</th>
<th>FINANCIAL SERVICES</th>
<th>ESTIMATED LABOR-HOURS</th>
<th>GIS</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Project Director</td>
<td>Project Manager</td>
<td>Project Consultant</td>
<td>Project Analyst</td>
<td>Clerical</td>
</tr>
<tr>
<td></td>
<td>Annual Rate</td>
<td>Annual Rate</td>
<td>Annual Rate</td>
<td>Annual Rate</td>
<td>Annual Rate</td>
</tr>
<tr>
<td>b. Allocate costs of each function to residential and non-residential customer classes based upon units of service (i.e., impervious area per Work Element 1, number of accounts, etc.)</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>c. Review cost allocations with City staff and make adjustments to the cost allocations where appropriate.</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>d. Compare cost allocations to revenues generated by current rates/fees for each customer class.</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>3.2 Calculate residential &amp; non-residential rates per the FY 2018 revenue requirements from Task 2 and the cost allocations in Task 3.1:</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>a. Review and reconcile FYE 2016 billing records for each account as compared to updated impervious area per Work Element 1.</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>b. Quantity impacts of impervious area changes in terms of revenue and specific customer billings.</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>c. Prepare impervious area property distribution to identify largest customers and inform potential residential impervious area tier sizing.</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>d. Populate stormwater rate design model and evaluate updated rate schedules/adjustments for the following's charges:</td>
<td>2</td>
<td>3</td>
<td>6</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>o Potential for a customer charge</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>o Alternative residential impervious area fee structures, including tier structures,</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>o Updated non-residential charges, including possibility of tiered system.</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>o Other as identified during the study.</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>e. Prepare detailed customer bill impact schedules and updated rate</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>f. Review results with consulting team and perform adjustments.</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>g. Review the preliminary results with City staff in an interactive work session.</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>h. Make adjustments based upon input from City staff.</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>i. Review the adjusted results with City staff in an interactive work session.</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>3.3 Update existing credits/incentives and identify potential new credits &amp; incentive programs:</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>a. Review basis of existing credits and compiled list of common credits of other agencies with City staff.</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>b. Gather additional data and calculate credits/incentives (existing and new) per discussions with City staff.</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>c. Identify potential parameters/details of each credit and Incentive program.</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>d. Review results of analysis with City staff and adjust as required.</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

**TASK 4 Adjust Analysis for Mayor's Input**

4.1 Prepare summary materials for review with Mayor, including rate surveys and scenarios. | 2 | 3 | 2 | 1 | 2 | 10 |

**TASK 5 Participate in Presentations to City Council**

5.1 Prepare PowerPoint presentation/slides for use during presentation of study | 2 | 2 | 1 | 1 | 1 | 7 |

5.2 Prepare adjustments to presentation/slides per City staff review and comment. | 1 | 1 | 1 | 1 | 0 | 4 |

5.3 Prepare for and present initial results/options of study to Budget Finance & Taxation Committee (BF&T). | 2 | 2 | 2 | 2 | 0 | 8 |

5.4 Prepare adjustments to analysis per guidance/direction from BF&T and prepare revised/requested materials. | Included in FY 2018 Water Resources Scope of Services |

5.5 Prepare for and present revised results of study to BF&T. | Included in FY 2018 Water Resources Scope of Services |
### CITY OF ST. PETERSBURG
#### FY 2018 STORMWATER RATE STUDY

**FEE ESTIMATE**

<table>
<thead>
<tr>
<th>PROJECT TASKS</th>
<th>FINANCIAL SERVICES</th>
<th>ESTIMATED LABOR-HOURS</th>
<th>GIS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Project Director</td>
<td>Project Manager</td>
<td>Project Analyst</td>
</tr>
<tr>
<td></td>
<td>Burnham</td>
<td>Gru</td>
<td>(Various)</td>
</tr>
<tr>
<td>5.6</td>
<td>$350</td>
<td>$200</td>
<td>$150</td>
</tr>
<tr>
<td>5.7</td>
<td>Prepare final adjustments to analysis per guidance/direction from BF&amp;TC and prepare revised materials for public hearing process.</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>TASK 6 Final Report of Rate Study</td>
<td>Prepare and present a final report of the Rate Study.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.1</td>
<td>Prepare a Draft Report to document the results of the Rate Study, including detailed cost allocation tables and charts.</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>6.2</td>
<td>Make adjustments and prepare a Final Draft Report per comments from City staff.</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>6.3</td>
<td>Make adjustments and prepare the Final Report per comments from City staff.</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

**TOTAL ESTIMATED LABOR-HOURS - TOTAL PROJECT**

| 40 | 60 | 75 | 65 | 10 | 64 | 44 | 24 | 60 | 210 |
| 952 |

**TOTAL ESTIMATED COST - TOTAL PROJECT**

| $14,000 | $12,000 | $12,000 | $7,800 | $800 | $9,600 | $6,160 | $3,144 | $6,780 | $18,900 |
| $91,184 |

**TOTAL ESTIMATED EXPENSES - TOTAL PROJECT**

| $1,400 |

**TOTAL ESTIMATED COST - TOTAL PROJECT**

| $92,584 |
RESOLUTION 2017-_____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE TASK ORDER NO. 16-02 MC-W TO THE ARCHITECT/ENGINEERING AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG AND MCKIM & CREED, INC. IN AN AMOUNT NOT TO EXCEED $99,870 TO PROVIDE PROFESSIONAL ENGINEERING CONSULTING SERVICES AS RELATED TO THE STORMWATER UTILITY RATE STUDY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") and McKim & Creed, Inc. entered into an Architect/Engineering Agreement on December 5, 2016, for McKim & Creed to provide Miscellaneous Professional Services for Potable Water, Wastewater and Reclaimed Water Projects; and

WHEREAS, Administration desires to execute Task Order No. 16-02 MC-W, in an amount not to exceed $99,870 for McKim & Creed and their subconsultant, Stantec Consulting Services, Inc. (Stantec) to perform a revenue sufficiency analysis to determine the appropriate Stormwater fee for residential and non-residential customers, and provide professional consulting services related to the Stormwater Utility Rate Study; and

WHEREAS, this rate analysis will also include evaluating the feasibility of a tiered fee structure for residential and nonresidential properties by selecting a sample set of parcel information for each within the City.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is hereby authorized to execute Task Order No. 16-02-MC-W to the Architect/Engineering Agreement between the City of St. Petersburg and McKim & Creed, Inc. in an amount not-to-exceed $99,870 to provide professional engineering consulting services as related to the Water Resources Utility Rate Study.

This resolution shall become effective immediately upon its adoption.

APPROVALS:

Legal Department
By: City Attorney or Designee
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving Task Order 16-01 MC-W with McKim & Creed for the FY18 Water Resources Utility Rate Study in an amount not to exceed $89,320.

Explanation: McKim & Creed and the utility rate firm of Stantec Consulting Services, Inc. (Stantec), as their subconsultant, will once again provide consulting services related to the Water Resources Utility Rate Study.

Since 2006, the City has retained the services of Burton & Associates (now Stantec and recently, Hawksley Consulting) to perform comprehensive annual utility rate studies. As part of the rate study, McKim & Creed and Stantec will perform a Revenue Sufficiency Analysis to assess the adequacy of revenues provided by water, wastewater and reclaimed water rate revenue versus revenue requirements. Additionally, a Cost of Service Analysis is performed to update the rates charged to retail and wholesale customer classes so that the rates for each customer class reflect the appropriate cost of service based allocation. Stantec's proprietary rate model provides dynamic rate analysis that allows the City to engage in interactive sessions to provide numerous financial scenarios in real time. McKim & Creed and Stantec also serve an integral part in preparing necessary coverage calculations in the financing of utility bonds, which fund a large portion of the Water Resources Capital Improvement Fund projects. Additionally, this consulting team provides the annual true-up analysis required by the Interlocal Agreement with the City of St. Pete Beach.

Administration recommends approval of Task Order 16-01 MC-W with McKim & Creed for the FY18 Water Resources Utility Rate Study in an amount not to exceed $89,320.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Water Resources Operating Fund (4001).

Attachments: Resolution
Task Order No. 16-01-MC/W

Approvals: Administrative / Budget
This Task Order No. 16-01-MC/W is made and entered into this _____ day of _____________, 201_, pursuant to the ARCHITECT/ENGINEERING AGREEMENT FOR MISCELLANEOUS PROFESSIONAL SERVICES FOR POTABLE WATER, WASTEWATER AND RECLAIMED WATER PROJECTS dated December 5, 2016 ("Agreement") between McKim & Creed, Inc. ("A/E"), and the City of St. Petersburg, Florida ("City"), and upon execution shall become a part of the Agreement.

I. DESCRIPTION OF PROJECT

This Task Order is for financial analyses necessary for a FY 18 Water Resources Utility Rate Study for the City.

II. SCOPE OF SERVICES

TASK 1 - PROJECT INITIATION

1.1 Meet with City staff (1 meeting) to finalize project objectives, establish project monitoring and control procedures and begin data gathering.

1.2 Review current and historical financial data, updates to water and wastewater systems configuration/customer base, customer billing statistics, capital improvement programs and other relevant information.

TASK 2 - REVENUE SUFFICIENCY ANALYSIS

2.1 Verify and input financial and billing data into Stantec's proprietary FAMS XL © model, run the model, and produce preliminary output, including a five year financial management program and schedule of proposed annual percentage rate adjustments (includes 1 meeting). The results will include the following:

a. Capital Improvements Program
   • Project listing by year

b. Borrowing Program
   • Borrowing required (by source) to fund CIP projects not funded by other sources to include but not necessarily be limited to revenue bonds and State or other programs
   • Timing of bond issue(s)/loan(s) to provide required borrowed funds
   • Annual debt service of bond issue(s)/loan(s)

c. Revenue Sufficiency Analysis
   • Allowance for elasticity of water demand relative to price increases
• Annual Tampa Bay Water expense projections
• Annual rate plan to provide sufficient revenues
• Sensitivity analysis of alternative debt service coverage, capital transfers, and/or reserve levels
• Detailed review and reconciliation of debt service coverage calculations (per bonds and for cash flow requirements)
• Customer consumption analysis

d Sources and Uses of Funds Analysis

e. Funds Analysis
  • Spend down limits (minimum reserve requirements) by fund
  • Beginning and ending funds balances by fund by year

TASK 3 - COST ALLOCATION AND RATE DETERMINATION

Perform a cost of service allocation and compute proposed rates.

3.1 Conduct a cost of service allocation analysis:

a. Update cost allocation analysis to allocate costs to services, based on water, wastewater, and reclaimed water costs and retail and wholesale customer classes.

b. Update facility original cost/fixed asset database (including depreciation) to update certain cost allocations based upon investment ratios.

c. Review cost allocations with City staff and make adjustments in the cost allocations where appropriate.

d. Update comparison of previous allocation percentages with detailed explanations of changes as appropriate.

e. Update definition manual describing allocation percentage, basis, and methodology and tracking date of implementation.

3.2 Calculate retail and wholesale rates based upon the FY 2018 revenue requirements from Task 2, and cost allocations in Task 3.1:

a. Review and validate FYE 2016 billing records for each account for water, wastewater, and wastewater service.

b. Develop potential wastewater infrastructure charge (flat fee per bill, scaled by meter size, usage rate, % of total bill, etc.).

c. Populate reclaimed water rate model and evaluate potential changes to rate structure (incl. tiered rates & rates as % of water rates).

d. Populate water/sewer rate design model and evaluate updated rate schedules/adjustments for the followings charges:
  • Fixed monthly charges, to include customer and capacity charges,
  • Commodity Charge per unit of (such as per 1,000 gallons of metered water), including alternative tiered rates for water service,
  • Wholesale rates,
  • Treated Water Rate for sale of water to TBW,
  • Other as identified during the study.
e. Prepare detailed bill impact schedules and updated rate schedules/adjustments as appropriate.

f. Review results with consulting team and perform adjustments.

g. Review the preliminary results with City staff in an interactive work session.

h. Make adjustments based upon input from City staff.

i. Review the adjusted results with City staff in an interactive work session.

3.3 Review results of cost of service study and resulting wholesale rates with wholesale customers:

   a. Prepare summary materials to review results with wholesale customers.
   b. Review results of analysis with wholesale customers.

TASK 4 – PERFORM TRUE-UP CALCULATION FOR ST. PETE BEACH WHOLESALE RATES FOR FY 2016

4.1 Perform true-up calculation for St. Pete Beach wholesale rates for FY 2016.

   b. Review with City staff.
   c. Make adjustments and finalize the true-up calculation.
   e. Review the Draft Report with City staff.
   g. Prepare/provide supporting electronic files, tables, schedules, etc. formatted or distribution to St. Pete Beach.

TASK 5 – ADJUST ANALYSIS FOR MAYOR’S INPUT

5.1 Prepare summary materials for review with Mayor, including rate surveys and scenarios.

5.2 Present findings and results of analysis to Mayor.

5.3 Make adjustments to the analysis based upon input from the Mayor.

TASK 6 – PARTICIPATE IN PRESENTATIONS TO CITY COUNCIL & ADVISORY BOARDS

6.1 Prepare PowerPoint presentation/slides for use during presentation of study results and recommendations to Council and/or Advisory Boards.

6.2 Prepare adjustments to presentation/slides per City staff review and comment.

6.3 Prepare for and present initial results/options of study to Budget Finance & Taxation Committee (BF&TC).
6.4 Prepare adjustments to analysis per guidance/direction from BF&TC and prepare revised/requested materials.

6.5 Prepare for and present revised results of study to BF&TC.

6.6 Prepare final adjustments to analysis per guidance/direction from BF&TC and prepare revised materials for public hearing process.

6.7 Prepare for and present results of study to City Council in regular meetings (public hearings) - 2 meetings.

TASK 7 – PREPARE AND PRESENT A FINAL REPORT OF THE RATE STUDY

7.1 Prepare a Draft Report to document the results of the Rate Study, including detailed cost allocation tables and charts.

7.2 Make adjustments and prepare a Final Draft Report per comments from City staff.

7.3 Make adjustments and prepare the Final Report per comments from City staff.

III. SCHEDULE

1. Draft Rate Study Report Submittal: 200 calendar days after Project Kick-off Meeting.
2. Final Rate Study Report Submittal: 225 calendar days after Project Kick-off Meeting (assuming CITY's review of Draft Rate Study completed in 14 calendar days after receipt).

IV. A/E'S RESPONSIBILITIES

A/E will assign a Project Manager, along with other personnel as necessary, to assure faithful execution and timely delivery of services pursuant to the requirements of this study.

V. CITY'S RESPONSIBILITIES

The City will provide the A/E with all available prior rate study reports, current and historical financial data, system configuration, customer billing statistics, capital improvement program and other relevant information in the City's possession required by the A/E to execute the project. Moreover, the City will assign a Project Manager who will be the primary point of contact for the project. The City will make the appropriate staff available for meetings and reviews of interim and final deliverables.
VI. DELIVERABLES

1. Kick Off Meeting Summary;
2. Screen capture summaries from the FAMS XL © model will be provided for as many scenarios as requested by City staff;
3. "Assumptions Workbook" for City staff to review and validate information;
4. Comparative cost allocation summary;
5. Cost allocation manual;
6. Comparative rate survey;
7. 1st Cost Allocation & Rate Calculation Workshop Summary;
8. 2nd Cost Allocation & Rate Calculation Workshop Summary;
9. Presentation and supporting schedules regarding Rate Study results for review with wholesale customers.
10. St. Pete Beach True-up Draft Letter Report;
12. St. Pete Beach True-up supporting schedules, electronic files, tables appropriate for distribution to St. Pete Beach;
13. Presentation materials for review with Mayor, Council, and Advisory Boards
14. Draft Rate Study Report;
15. Final Draft Rate Study Report;
16. Final Rate Study Report (six (6) copies and one (1) electronic copy to City);

VII. A/E'S COMPENSATION

For the above-described SCOPE OF SERVICES, the City will compensate the A/E on an hourly not-to-exceed basis as detailed in Attachment 1 in accordance with the ARCHITECT/ENGINEERING AGREEMENT FOR MISCELLANEOUS PROFESSIONAL SERVICES, Section 6. The total amount of the CITY Task Order No. 16-01-MC/W is $89,320.00 which will not to be exceeded without further written authorization.

Monthly payment for services performed will be billed based upon A/E's time utilized for each task and will be based upon the hourly rates shown plus overhead and profit as indicated. Subcontractor services will be billed at actual invoice costs plus a five (5) percent administrative charge. Invoices shall include a brief description of the work performed during the billing period.

VIII. PROJECT TEAM

Stantec Consulting Services, Inc. ("Stantec") will be utilized as a subconsultant to perform this work given their past similar experience with the City and efficiency from the use of their customized modeling system previously set up for the City. Subconsultant's task description and budget are attached as reference.
IX. MISCELLANOUS

In the event of a conflict between this Task Order and the Agreement, the Agreement shall prevail.

IN WITNESS WHEREOF the Parties have caused this Task Order to be executed by their duly authorized representatives on the day and date first above written.

ATTEST

By: ________________________________
    Chandrakasa Srinivasan
    City Clerk

(SEAL)

CITY OF ST. PETERSBURG, FLORIDA

By: ________________________________
    Brejesh Prayman, P.E., Director
    Engineering & Capital Improvements

DATE: ______________________________

APPROVED AS TO FORM FOR CONSISTENCY WITH THE STANDARD TASK ORDER.
NO OPINION OR APPROVAL OF THE SCOPE OF SERVICES IS BEING RENDERED BY THE CITY ATTORNEY'S OFFICE

By: ________________________________
    City Attorney (Designee)

McKim & Creed, Inc.

(Company Name)

By: ________________________________
    Street Lee, PE, Senior Vice President
    (Signature)
    (Printed Name and Title)

Date: 1/20/17

WITNESSES:

By: ________________________________
    Brooke Trautman
    (Signature)
    Brooke Trautman
    (Printed Name)

By: ________________________________
    Diane L. Achilles
    (Signature)
    Diane L. Achilles
    (Printed Name)
<table>
<thead>
<tr>
<th>TASK</th>
<th>COMMENTS</th>
<th>PRINCIPAL ASL</th>
<th>ADMIN. ASSIST. DA</th>
<th>TOTAL HOURS</th>
<th>SALARY COST</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PROJECT INITIATION</td>
<td>1</td>
<td>3</td>
<td>4</td>
<td>$205.00</td>
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<tr>
<td>2</td>
<td>REVENUE SUFFICIENCY ANALYSIS</td>
<td>1</td>
<td>3</td>
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<td>$205.00</td>
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<tr>
<td>3</td>
<td>COST ALLOCATION AND RATE DETERMINATION</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>$170.00</td>
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<tr>
<td>4</td>
<td>PERFORM TRUE-UP CALCULATION FOR ST. PETE BEACH WHOLESALE RATES</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>$170.00</td>
</tr>
<tr>
<td>5</td>
<td>ADJUST ANALYSIS FOR MAYOR'S INPUT</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>$100.00</td>
</tr>
<tr>
<td>6</td>
<td>PARTICIPATE IN PRESENTATIONS TO CITY COUNCIL &amp; ADVISORY BOARDS</td>
<td>1</td>
<td>4</td>
<td>5</td>
<td>$240.00</td>
</tr>
<tr>
<td>7</td>
<td>PREPARE AND PRESENT A FINAL REPORT OF RATE STUDY</td>
<td>1</td>
<td>4</td>
<td>5</td>
<td>$240.00</td>
</tr>
</tbody>
</table>

Subtotal Tasks 1-7: 5 12 17 $920.00

SUB-CONSULTANT - STANTEC CONSULTING SERVICES, INC.

SUBTOTALS: 5 12 17 $920.00

ASL - A. Street Lee, PE  
JT - John Thompson
### Work Task Breakdown - FY18 Water Resources Rate Study

<table>
<thead>
<tr>
<th>TASK</th>
<th>(A) SALARY COST</th>
<th>(B) SALARY COST W/2.85 MULTIPLIER</th>
<th>(C) PROFIT 10%</th>
<th>(D) (B)+(C) TOTAL PAYROLL COST</th>
<th>(E) OUTSIDE SERVICE</th>
<th>(F) EXPENSES</th>
<th>(G) OUTSIDE SERVICE + 5% ALLOWANCE</th>
<th>(H) (D)+(E)+(F)+(G) TOTAL COST W/EXPENSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$205.00</td>
<td>$584.25</td>
<td>$58.43</td>
<td>$642.68</td>
<td>$19.28</td>
<td>$-</td>
<td>$-</td>
<td>$661.96</td>
</tr>
<tr>
<td>2</td>
<td>$205.00</td>
<td>$584.25</td>
<td>$58.43</td>
<td>$642.68</td>
<td>$19.28</td>
<td>$-</td>
<td>$-</td>
<td>$661.96</td>
</tr>
<tr>
<td>3</td>
<td>$170.00</td>
<td>$484.50</td>
<td>$48.45</td>
<td>$532.95</td>
<td>$15.99</td>
<td>$-</td>
<td>$-</td>
<td>$548.94</td>
</tr>
<tr>
<td>4</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
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<td>$-</td>
</tr>
<tr>
<td>5</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
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<tr>
<td>6</td>
<td>$100.00</td>
<td>$285.00</td>
<td>$28.50</td>
<td>$313.50</td>
<td>$9.41</td>
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<td>$-</td>
<td>$322.91</td>
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<td>7</td>
<td>$240.00</td>
<td>$684.00</td>
<td>$68.40</td>
<td>$752.40</td>
<td>$19.85</td>
<td>$-</td>
<td>$-</td>
<td>$772.25</td>
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<td></td>
<td><strong>Subtotal 1-7</strong></td>
<td>$920.00</td>
<td>$262.20</td>
<td>$2,884.20</td>
<td>$83.80</td>
<td>$-</td>
<td>$-</td>
<td>$2,968.00</td>
</tr>
<tr>
<td>Stantec*</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$82,240.00</td>
<td>$4,112.00</td>
</tr>
<tr>
<td>TOTAL COST</td>
<td>$920.00</td>
<td>$2,622.00</td>
<td>$262.20</td>
<td>$2,884.20</td>
<td>$83.80</td>
<td>$82,240.00</td>
<td>$4,112.00</td>
<td>$89,320.00</td>
</tr>
</tbody>
</table>

* See Work Task Breakdown attached for Stantec Consulting Services for details of sub-consultant costs
CITY OF ST. PETERSBURG
FY 2018 WATER RESOURCES RATE STUDY

PROJECT TASKS

Estimate of Total Labor-Hours

<table>
<thead>
<tr>
<th>Project Director</th>
<th>Project Manager</th>
<th>Project Analyst</th>
<th>Project Consultant</th>
<th>Clerical</th>
</tr>
</thead>
<tbody>
<tr>
<td>$350</td>
<td>$200</td>
<td>$120</td>
<td>$120</td>
<td>$60</td>
</tr>
</tbody>
</table>

Meet with City staff (1 meeting) to finalize project objectives, establish project monitoring and control procedures and begin data gathering. Review current and historical financial data, updates to water and wastewater systems configuration/customer base, customer billing statistics, capital improvement programs and other relevant information.

**TASK 1 Project Initiation**
- Verify and input financial and billing data into Stantec's proprietary FAMS XL model, run the model, and produce preliminary output, including five year financial management program and schedule of proposed annual percentage rate adjustments (includes 1 meeting). Results will include the following:
  - Capital improvements Program
    - Project listing by year
  - Borrowing Program
    - Borrowing required (by source) to fund CIP projects not funded by other sources to include but not necessarily limited to revenue bonds and State or other programs,
    - Timing of bond issue(s)/loan(s) to provide required borrowed funds
  - Annual debt service of bond issue(s)/loan(s)

**TASK 2 Revenue Sufficiency Analysis**
- Review results of cost of service study and resulting wholesale rates with wholesale customers:
  - Calculate retail and wholesale rates based upon the FY 2018 revenue requirements from Task 2 and the cost allocations in Task 3.1.
  - Verify and input financial and billing data into Stantec’s proprietary FAMS XL model, run the model, and produce preliminary output.
  - Meet with City staff (1 meeting) to finalize project objectives, establish project monitoring and control procedures and begin data gathering. Review current and historical financial data, updates to water and wastewater systems configuration/customer base, customer billing statistics, capital improvement programs and other relevant information.

**TASK 3 Cost Allocation and Rate Determination**
- Perform a cost of service allocation and compute proposed rates.
  - Conduct a cost of service allocation analysis:
    - Update cost allocation analysis to allocate costs to services, based on water, wastewater, and reclaimed water costs and retail and wholesale customer classes.
    - Update facility original cost/asset database (including depreciation) to update certain cost allocations based upon investment ratios.
    - Review cost allocations with City staff and make adjustments to the cost allocations where appropriate.
  - Update comparison of previous allocation percentages and new allocation percentages with detailed explanations of changes as appropriate.
  - Update definition manual describing allocation percentage, basis, and methodology and tracking date of implementation.
  - Calculate retail and wholesale rates based on the FY 2018 revenue requirements from Task 2 and the cost allocations in Task 3.1:
    - Review and validate FYE 2016 billing records for each account for water, wastewater, and wastewater service.
    - Develop potential wastewater infrastructure charge (flat fee per bill, scaled by meter size, usage rate, % of total bill, etc.).
    - Update reclaimed water rate model and evaluate potential changes to rate structure (incl. tiered rates & rates as % of water rates).
    - Update facility original cost/fixed asset database (including depreciation) to update certain cost allocations based upon investment ratios.
    - Update cost allocation analysis to allocate costs to services, based on water, wastewater, and reclaimed water costs and retail and wholesale customer classes.
    - Prepare detailed bill impact schedules and updated rate schedules/adjustments as appropriate.
    - Review results with consulting team and perform adjustments.
    - Review the preliminary results with City staff in an interactive work session.
    - Make adjustments based upon input from City staff.
    - Review the adjusted results with City staff in an interactive work session.

**Project Listing by Year**

- Borrowing required (by source) to fund CIP projects not funded by other sources to include but not necessarily limited to revenue bonds and State or other programs.
- Customer consumption analysis.
- Sources and Uses of Funds Analysis.
- Funds Analysis.
- Spend down limits (minimum reserve requirements) by fund.
- Beginning and ending fund balances by fund by year.
- Project listing by year.
CITY OF ST. PETERSBURG
FY 2018 WATER RESOURCES RATE STUDY
FEE ESTIMATE

<table>
<thead>
<tr>
<th>PROJECT TASKS</th>
<th>ESTIMATED LABOR-HOURS</th>
<th>Project Director</th>
<th>Project Manager</th>
<th>Project Consultant</th>
<th>Project Analyst</th>
<th>Clerical</th>
<th>Total Project</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Hourly Rate</strong></td>
<td>$20</td>
<td>$20</td>
<td>$15</td>
<td>$12</td>
<td>$10</td>
<td>$10</td>
</tr>
<tr>
<td>a. Prepare summary materials to review results with wholesale customers.</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>b. Review results of analysis with wholesale customers.</td>
<td>3</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>TASK 4 Perform True-up Calculation for St. Pete Beach</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.1 Perform true-up calculation for St. Pete Beach wholesale rates for FY 2016.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Perform true-up calculation for St. Pete Beach wholesale rates for FY 2016</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Review with City staff.</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>c. Make adjustments and finalize true-up calculation.</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>6</td>
<td>0</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>d. Prepare Draft Report of true-up calculation</td>
<td>2</td>
<td>4</td>
<td>1</td>
<td>6</td>
<td>0</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>e. Review the Draft Report with City staff.</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>f. Make adjustments and prepare a Final Draft Report.</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td>0</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>g. Prepare/provide supporting electronic files, tables, schedules, etc. formatted for distribution to St. Pete Beach.</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>TASK 5 Adjust Analysis for Mayor's Input</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.1 Prepare summary materials for review with Mayor, including rate surveys and scenarios.</td>
<td>2</td>
<td>4</td>
<td>1</td>
<td>4</td>
<td>4</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>5.2 Present findings and results of analysis to Mayor</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>5.3 Make adjustments to the analysis based upon input from the Mayor.</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>TASK 6 Participate in Presentations to City Council</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.1 Prepare PowerPoint presentation/slides for use during presentation of study results/recommendations to Council and/or Advisory Boards.</td>
<td>2</td>
<td>3</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>6.2 Prepare adjustments to presentation/slides per City staff review and comment.</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>6.3 Prepare for and present initial results/options of study to City Budget Finance &amp; Taxation Committee (BF&amp;T).</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>6.4 Prepare adjustments to analysis per guidance/direction from BF&amp;T and prepare revised/requested materials.</td>
<td>2</td>
<td>4</td>
<td>1</td>
<td>6</td>
<td>1</td>
<td>14</td>
<td></td>
</tr>
<tr>
<td>6.5 Prepare for and present revised results of study to BF&amp;T.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>6.6 Prepare final adjustments to analysis per guidance/direction from BF&amp;T and prepare revised materials for public hearing process.</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td>0</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>6.7 Prepare for and present results of study to City Council in regular meetings (public hearings) - 2 meetings</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>TASK 7 Final Report of Rate Study</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.1 Prepare a Draft Report to document the results of the Rate Study, including detailed cost allocation tables and charts.</td>
<td>3</td>
<td>8</td>
<td>2</td>
<td>12</td>
<td>3</td>
<td>28</td>
<td></td>
</tr>
<tr>
<td>7.2 Make adjustments and prepare a Final Draft Report per comments from City staff.</td>
<td>2</td>
<td>4</td>
<td>1</td>
<td>6</td>
<td>2</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>7.3 Make adjustments and prepare the Final Report per comments from City staff.</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>8</td>
<td></td>
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<tr>
<td>TOTAL ESTIMATED LABOR-HOURS - TOTAL PROJECT</td>
<td>75</td>
<td>115</td>
<td>65</td>
<td>155</td>
<td>15</td>
<td>425</td>
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<tr>
<td>TOTAL ESTIMATED CONSULTING FEE - TOTAL PROJECT</td>
<td>$26,250</td>
<td>$23,000</td>
<td>$10,400</td>
<td>$18,600</td>
<td>$1,200</td>
<td>$79,450</td>
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<tr>
<td>ESTIMATED EXPENSES - TOTAL PROJECT</td>
<td>35%</td>
<td>35%</td>
<td>35%</td>
<td>35%</td>
<td>35%</td>
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<td></td>
</tr>
<tr>
<td>TOTAL ESTIMATED COST - TOTAL PROJECT</td>
<td>$35,820</td>
<td>$31,050</td>
<td>$15,160</td>
<td>$27,660</td>
<td>$1,680</td>
<td>$118,440</td>
<td></td>
</tr>
</tbody>
</table>
RESOLUTION 2017- 

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE TASK ORDER NO. 16-01 MC-W TO THE ARCHITECT/ENGINEERING AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG AND MCKIM & CREED, INC., IN AN AMOUNT NOT TO EXCEED $89,320 TO PROVIDE PROFESSIONAL ENGINEERING CONSULTING SERVICES AS RELATED TO THE WATER RESOURCES UTILITY RATE STUDY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") and McKim & Creed, Inc. entered into an Architect/Engineering Agreement on December 5, 2016, for McKim & Creed to provide Miscellaneous Professional Services for Potable Water, Wastewater and Reclaimed Water Projects; and

WHEREAS, Administration desires to execute Task Order No. 16-01 MC-W, in an amount not to exceed $89,320 for McKim & Creed and their subconsultant, Stantec Consulting Services, Inc. (formerly Burton & Associates and recently Hawksley Consulting) to provide professional consulting services related to the Water Resources Utility Rate Study, including a revenue sufficiency analysis, cost of service analysis, debt service coverage analysis and the end of year true-up analysis for the City of St. Pete Beach.

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. 16-01-MC-W to the Architect/Engineering Agreement between the City of St. Petersburg and McKim & Creed, Inc. in an amount not-to-exceed $89,320 to provide professional engineering consulting services as related to the Water Resources Utility Rate Study.

This resolution shall become effective immediately upon its adoption.

APPROVALS:

Legal Department
By: City Attorney or Designee
MEMORANDUM

TO: The Honorable Chair Rice and Members of City Council

FROM: Mayor Rick Kriseman

DATE: January 19, 2017

RE: Confirmation of Dr. Ricardo Davis Reappointment of to the South St. Petersburg CRA Citizen Advisory Committee

I respectfully request that City Council confirm the following reappointment to the Citizen Advisory Committee (CAC) for the South St. Petersburg Community Redevelopment Area.

<table>
<thead>
<tr>
<th>Appointment</th>
<th>Term</th>
<th>Term Ending</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Ricardo Davis</td>
<td>3 years</td>
<td>January 31, 2020</td>
</tr>
</tbody>
</table>

For your information, Dr. Davis' biography was provided in 2015 to City Council’s office when he was originally appointed.

Attachment

cc: Alan DeLisle, City Development Administrator
    Dave Goodwin, Director, Planning and Economic Development Department
    Nikki Gaskin-Capehart, Director, Urban Affairs Department
    Rick D. Smith, CRA Coordinator, Planning and Economic Development Department
BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that this Council hereby confirms the following appointment to the Citizen Advisory Committee for the South St. Petersburg Community Redevelopment Area with date ending his second term of service:

<table>
<thead>
<tr>
<th>Appointment</th>
<th>Term</th>
<th>Term Ending</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Ricardo Davis</td>
<td>3 years</td>
<td>January 31, 2020</td>
</tr>
</tbody>
</table>

This resolution shall become effective immediately upon its adoption.

Approved as to form and content

City Attorney or Designee
ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of February 16, 2017

TO: City Council Chair & Members of City Council

SUBJECT: City Council Minutes

EXPLANATION: City Council minutes of January 5, January 12, and January 19, 2017 City Council meetings.
A RESOLUTION APPROVING THE MINUTES OF THE CITY COUNCIL MEETINGS HELD ON JANUARY 5, JANUARY 12, AND JANUARY 19, 2017; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the minutes of the City Council meetings held on January 5, January 12, and January 19, 2017 are hereby approved.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND SUBSTANCE:

City Attorney or Designee
Chair Amy Foster called the meeting to order with the following members present: Charles Gerdes, James R. Kennedy, Jr., Steve Kornell, Ed Montanari, Darden Rice, Karl Nurse, Lisa Wheeler-Bowman and Amy Foster. Mayor Rick Kriseman, City Attorney Jacqueline Kovilaritch, City Administrator Dr. Gary Cornwell, Chief Assistant City Attorney Jeannine Williams, Assistant City Attorney Michael Dema, City Clerk Chan Srinivasa and Senior Deputy City Clerk Cathy Davis were also in attendance. Absent. None.

A moment of silence was observed to remember the following fallen Firefighters and Police Officers of the City of St. Petersburg that lost their lives in the line of duty during this month: Officer Jeffrey Yaslowitz — January 24, 2011, Sergeant Thomas Baitinger — January 24, 2011.

In connection with the Election of City Council Chair and Council Vice-Chair, the Honorable Thomas H. Minkoff administered the Oath of Office to City Council Chair Darden Rice and Council Vice-Chair Lisa Wheeler-Bowman. Councilmember Nurse moved with the second of Councilmember Rice that the following resolution be adopted:

2017-01 A RESOLUTION OF THE CITY COUNCIL OF ST. PETERSBURG, FLORIDA ELECTING COUNCIL MEMBER DARDEN RICE AS CITY COUNCIL CHAIR AND COUNCIL MEMBER LISA WHEELER-BOWMAN AS CITY COUNCIL VICE CHAIR FOR A ONE-YEAR TERM ENDING JANUARY 2, 2018; AND PROVIDING AN EFFECTIVE DATE.

In connection with the approval of the agenda, Councilmember Gerdes moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida that Council approve the agenda with the following changes as amended:

MOVED CA-2 Accepting a proposal from Humana Insurance Company for voluntary dental DHMO and PPO insurance at an estimated annual premium of $1,190,452; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction. [MOVED TO REPORTS AS G-8]

MOVED CA-6 A resolution approving an Architect/Engineering (A/E) Agreement between the City of St. Petersburg and ASRus, LLC to provide professional engineering services for the NWWRF Reclaimed Water and Injection Wells Improvements Project for an amount not to exceed $1,173,000; authorizing the Mayor or his designee to execute the A/E Agreement; providing an effective date. (Engineering Project No. 17053-111; Oracle No. 15927) [MOVED TO REPORTS AS G-9]

MOVED CB-1 Approving a blanket purchase agreement with BLD Services, LLC, for Sanitary (SAN) Sewer Lateral Lining FY 2017 for the Water Resources Department, at an estimated annual cost of $450,000. [MOVED TO REPORTS AS G-10]

MOVED CB-6 Accepting a proposal from Humana Insurance Company for vision insurance at an estimated annual premium of $188,508; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction. [MOVED TO REPORTS AS G-11]

MOVED CB-10 A resolution authorizing the Mayor, or his Designee, to execute a Restrictive Covenant with the Florida Department of Environmental Protection for the City-owned property known as the former Atherton Oil Site located at approximately 638 - 26th Street South, St. Petersburg. [MOVED TO REPORTS AS G-12]

MOVED CB-11 Authorizing the Mayor or his designee to execute Task Order No. 16-01-GFY/W to the Architect/Engineering Agreement (A/E) between the City of St. Petersburg (City) and George F. Young, Inc. (GFY) in an amount not to exceed $181,810 for Downtown Water Main Replacement Project (Engineering Project No. 17054-111; Oracle No. 15939); approving a supplemental appropriation in the amount of $222,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the DIS Downtown Main Replace FY17 Project (15939) to provide the necessary funding for Task Order No. 16-01-GFY/W and other project related costs such as engineering services, contingency and other soft costs. [MOVED TO REPORTS AS G-13]
MOVED CB-12 Approving an Architect / Engineering Agreement between the City of St. Petersburg, Florida and AECOM Technical Services, Inc. (A/E) for the A/E to provide engineering services for the NWWRF Effluent Filters Improvements Project (A/E Agreement) in an amount not to exceed $________ and authorizing the Mayor or his designee to execute the Agreement. (Engineering Project No. 17052-111; Oracle No. 15926) [MOVED TO REPORTS AS G-14]

MOVED CB-13 Authorizing the Mayor or his designee to execute Amendment No. 2 to Task Order No. 12-06-AID/AWA to the agreement between the City of St. Petersburg (City) and American Infrastructure Development, Inc. (AID), in an amount not to exceed $82,906.00 for design phase services related to hangar redevelopment at Albert Whitted Airport (SPG). (Engineering Project 15052-113; Oracle No. 14168) [MOVED TO REPORTS AS G-15]

MOVED CB-14 Approving the selection of HDR, Inc. to provide professional engineering services for the AWWRF Capacity Analysis Report Project in an amount not to exceed $158,006.00; authorizing the Mayor or his designee to execute an Architect/Engineering Agreement and all other documents necessary to effectuate this transaction. (Engineering Project No. XXXXX-XXX, Oracle Project No. _____) [MOVED TO REPORTS AS G-16]

MOVED CB-15 Authorizing the Mayor or his Designee to execute Amendment 1 to the City’s State Revolving Fund Loan Agreement executed February 3, 2016 (WW520630), increasing the loan amount by $9,884,249 plus capitalized interest in the amount of $306,200 for a total loan amount of $50,190,449, plus the loan service fee of 2%. [MOVED TO REPORTS AS G-17]

MOVED CB-16 Authorizing the Mayor to execute the Hurricane Hermine Disaster Declaration (fema-4280-dr-fl) Federally Funded Public Assistance State Agreement with the State of Florida, Division of Emergency Management, and all other documents concerning disaster relief funding for federal and state assistance for Hurricane Hermine (Hermine Documents); authorizing the Mayor to delegate signature authority to the City Administrator for the purpose of executing the Hermine documents; and providing an effective date. [MOVED TO REPORTS AS G-18]

MOVED CB-17 Authorizing the Mayor to execute the Hurricane Hermine Disaster Declaration (fema-4280-dr-fl) Federally Funded Public Assistance State Agreement with the State of Florida, Division of Emergency Management, and all other documents concerning disaster relief funding for federal and state assistance for Hurricane Hermine (Hermine Documents); authorizing the Mayor to delegate signature authority to the City Administrator for the purpose of executing the Hermine documents; and providing an effective date. [MOVED TO REPORTS AS G-18]

ADD CB-20 Authorizing the Mayor or his designee to accept a grant from Walmart Stores, Inc., in the amount of $1,500 for purchase of age appropriate items to distribute to children/teens to foster a positive image of law
enforcement, and to execute all documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $1,500.00 from the increase in the unappropriated balance of the Police Grant Trust Funds (1702), resulting from these additional revenues, to the Police Department, Community Awareness Division (140-1381), Walmart Community Grant Project (TBD)

**ADD E-2** Happy Workers Learning Center Update

**DELETE F-2** Ordinance 250-H 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.

**DELETE F-3** Ordinance 251-H 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.

**DELETE F-4** Ordinance 253-H of the City of St. Petersburg, Florida amending Chapter 17, Article IV of the City Code relating to local business taxes; creating a definition of employee; reorganizing sections to clarify intent; reorganizing the tax schedule to enhance readability and more closely align with categories and classifications of the equity study; correcting scriveners errors.

**DELETE G-4** Report on the City of St. Petersburg Early Childhood Education mini-grant program

**INFO G-5** An Ordinance approving a substantial change of use of park property within the 31st Street Sports Complex; allowing the construction of two deep injection wells and associated site improvements. [RENUMBERED AS G-3(a)]

**REVISED I-2** Requesting an ordinance from staff co-naming 1st Street North as Florida Orchestra Way from 5th Avenue North to 5th Avenue South. (Councilmember Nurse) [Title revision only.]

**ADD I-7** Requesting City Council, by resolution, ask the City Attorney to reach out to the Miami Beach Legal Department to offer our assistance in fighting the attempt to kill Miami Beach's minimum wage. (Councilmember Nurse)

In connection with approval of the Consent Agenda, Councilmember Kornell moved with the second of Councilmember Nurse that the following resolutions be adopted approving the attached Consent Agenda as amended.


In connection with the Open Forum portion of the agenda, the following person(s) came forward:

1. Mike Witoshynsky, 340 Pinellas Bayway South, expressed his concerns regarding neighborhood noise.
2. Vince Cocks, 2950 63rd Avenue South, expressed his concerns regarding the Al Lang expansion.
3. Bill Garth, 870 Sand Pine Drive NE, expressed his support regarding the Florida Orchestra.
4. Valerie Scott Knaust, 416 2nd Street North, expressed her support for the Happy Workers Learning Center.
5. Carole Keys, expressed her support for the Happy Workers Learning Center.

In connection with the Awards and Presentation portion of the agenda, Mr. Michael Pastreich, President and CEO of the Florida Orchestra presented the Florida Orchestra Update. Chair Rice asked if there were any person(s) wishing to be heard, the following person(s) came forward:

1. Susan Betzer, 1830 Crescent Lake Drive, spoke in support of the Florida Orchestra.
2. Susan Luehrs, 6365 Bahia del Mar Boulevard, spoke in support of the Florida Orchestra.
3. James Gillespie, 4804 Windmill Palm Terrace NE, spoke in support of the Florida Orchestra.

In connections with reports, Lendel Bright, ADA & Diversity Coordinator presented the Committee to Advocate for Persons with Impairments (CAPI) 2014/2015 Bi-Annual Report. No action was taken.

In connection with reports, Lendel Bright, ADA & Diversity Coordinator presented the ADA Transition Plan. Councilmember Gerdes moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-18 A RESOLUTION OF THE CITY OF ST. PETERSBURG SUPPORTING THE ADOPTION OF THE AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN; AND PROVIDING AN EFFECTIVE DATE.

In connection with a Legal item, Chair Rice introduced outside attorney Doug Manson. No action was taken.

In connection with a Legal item, Chair Rice announced an Attorney-Client Session, to be heard at 10:00 a.m. or as soon thereafter as the same may be heard, pursuant to Florida Statute 286.011(8), will be held in conjunction with the lawsuit styled Suncoast Waterkeeper, Our Children’s Earth Foundation, and Ecological Rights Foundation, Case No. 816-cv-3319-JDW-AEP.

The meeting was closed at 10:23 a.m.

The meeting was reopened at 10:48 a.m. and the Attorney/Client Session was terminated with the following members present: Charles Gerdes, James R. Kennedy, Jr., Ed Montanari, Darden Rice, Steve Kornell, Karl Nurse, Lisa Wheeler-Bowman and Amy Foster.

In connection with a Consent Agenda item, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Kornell that the following resolution be adopted:

2017-19 A RESOLUTION CONFIRMING THE REAPPOINTMENT AND APPOINTMENT OF REGULAR AND ALTERNATE MEMBERS TO THE COMMUNITY PLANNING AND PRESERVATION COMMISSION; AND PROVIDING AN EFFECTIVE DATE.


In connection with the Awards and Presentations portion of the agenda, Maria Scruggs, Vice-President of Happy Workers Learning Center, Inc. presented the Happy Workers Learning Center Update. Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Rene Clark, 1992 Illinois Avenue NE, spoke in support of Happy Workers Learning Center, Inc.
2. Richard Davis, 1992 Illinois Avenue NE, spoke in support of Happy Workers Learning Center, Inc.
3. Heather Tinnaro, 3040 11th Street North, spoke in support of Happy Workers Learning Center, Inc.
4. Andy Schlauch, 416 2nd Street North #2, spoke in support of Happy Workers Learning Center, Inc.
5. Shomira Burton, 5602 18th Way Unit B, spoke in support of Happy Workers Learning Center, Inc.
6. Regina Rosier Brown, 1326 Preston Street South, spoke in support of Happy Workers Learning Center, Inc.

The following person(s) were present but did not wish to speak:

1. Keisha Bell, was in support of the Happy Workers Learning Center, Inc.

Councilmember Kornell moved with the second of Councilmember Nurse that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council refer to the Youth Services Committee and afterwards to the Budget, Finance & Taxation Committee for consideration to consider a discussion on funding Happy Workers Learning Center, Inc.


In connection with public hearings, the Clerk read the title of proposed Ordinance 1088-V. Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Cynthia Lawson, expressed her support for the proposed Ordinance.

Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 1088-V entitled:

PROPOSED ORDINANCE NO. 1088-V

AN ORDINANCE APPROVING A VACATION OF A 16-FOOT WIDE "L" SHAPED ALLEY LOCATED AT THE SOUTHEAST CORNER OF 4TH STREET NORTH AND 41ST STREET NORTH; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.


In connection with the Public Arts Commission report, Councilmember Kornell moved with the second of Councilmember Kennedy that the following resolution be adopted:
BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Public Arts Commission report presented by Councilmember Kornell.


In connection with reports, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-20 A RESOLUTION ACCEPTING THE PROPOSAL AND APPROVING THE AWARD OF AN AGREEMENT (BLANKET AGREEMENT) WITH ONE TWO-YEAR RENEWAL OPTION TO HUMANA INSURANCE COMPANY AT AN ESTIMATED ANNUAL PREMIUM OF $188,508 WITH A 12-MONTH RATE GUARANTEE FOR EMPLOYEE VISION INSURANCE; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.


In connection with reports, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-21 A RESOLUTION ACCEPTING THE PROPOSAL AND APPROVING THE AWARD OF AN AGREEMENT (BLANKET AGREEMENT) WITH ONE TWO-YEAR RENEWAL OPTION TO HUMANA INSURANCE COMPANY AT AN ESTIMATED ANNUAL PREMIUM OF $188,508 WITH A 12-MONTH RATE GUARANTEE FOR EMPLOYEE VISION INSURANCE; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.


In connection with reports, Brad Scott, City Auditor gave a presentation to Council regarding disaster relief. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. 2017-14

Chair Rice recessed the meeting at 12:32 for a lunch break.

Chair Rice reconvened the meeting at 1:26 p.m.
In connection with reports, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-22  A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A RESTRICTIVE COVENANT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE CITY-OWNED PROPERTY KNOWN AS THE FORMER ATHERTON OIL SITE LOCATED AT APPROXIMATELY 638 - 26TH STREET SOUTH, ST. PETERSBURG; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.


In connection with reports, Richard Lesniak, Airport Manager gave a presentation to Council regarding hangar development at Albert Whitted Airport. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Kornell moved with the second of Councilmember Montanari that the following resolution be adopted:

2017-23  A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT NO. 2 TO TASK ORDER NO. 12-06-AID/AWA, AS AMENDED, TO THE ARCHITECT/ ENGINEERING AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND AMERICAN INFRASTRUCTURE DEVELOPMENT, INC. DATED SEPTEMBER 3, 2014 IN AN AMOUNT NOT TO EXCEED $82,906 FOR DESIGN PHASE SERVICES RELATED TO HANGAR REDEVELOPMENT AT ALBERT WHITTED AIRPORT (SPG); AND PROVIDING AN EFFECTIVE DATE (ENGINEERING PROJECT 15052-113; ORACLE NO. 14168)


In connection with reports, Claude Tankersley, Public Works Administrator gave a presentation to Council regarding the NWWRF Reclaimed Water and Injection Wells Improvements Projects. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Gerdes moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-24  A RESOLUTION APPROVING AN ARCHITECT/ ENGINEERING AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND ASRus, LLC ("A/E") FOR A/E TO PROVIDE PROFESSIONAL ENGINEERING
SERVICES FOR THE NWWRF RECLAIMED WATER AND INJECTION WELLS IMPROVEMENTS PROJECT FOR AN AMOUNT NOT TO EXCEED $1,173,000 ("A/E AGREEMENT"); AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE A/E AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. (ENGINEERING PROJECT NO. 17053-111; ORACLE NO. 15927).


In connection with reports, Claude Tankersley, Public Works Administrator gave a presentation to Council regarding Sanitary Sewer Lateral Lining. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Kornell moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-25 A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT (BLANKET AGREEMENT) TO BLD SERVICES LLC AT A TOTAL COST NOT TO EXCEED $450,000 FOR SANITARY (SAN) SEWER LATERAL LINING FY2017 FOR THE WATER RESOURCES DEPARTMENT; UTILIZING THE CITY OF LARGO, FLORIDA BID NO. 16-B-534 DATED SEPTEMBER 11, 2015; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.


In connection with reports, Claude Tankersley, Public Works Administrator gave a presentation to Council regarding the Downtown Water Main Replacement Project. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Gerdes moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council consider support of a resolution to Move and Amend resolution approving projects costs for the Downtown Water Main Replacement Project and the DIS Downtown Main Replace FY17 Project and that the matter be deferred until the January 19, 2017 City Council Meeting.

In connection with reports, Claude Tankersley, Public Works Administrator gave a presentation to Council regarding the NWWRF Effluent Filters Improvements Projects. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Kornell moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-25  A RESOLUTION APPROVING AN ARCHITECT/ENGINEERING AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND AECOM TECHNICAL SERVICES, INC. ("A/E") FOR A/E TO PROVIDE ENGINEERING SERVICES FOR THE NWWRF EFFLUENT FILTERS IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED $269,870 ("A/E AGREEMENT"); AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE A/E AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. (ENGINEERING PROJECT NO. 17052-111; ORACLE NO. 15926)


In connection with reports, John Palenchar, Interim Public Works Director gave a presentation to Council regarding the AWWRF Capacity Analysis Report Project. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Kornell moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-27  A RESOLUTION APPROVING AN ARCHITECT/ENGINEERING AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND HDR ENGINEERING, INC. ("A/E") FOR A/E TO PROVIDE PROFESSIONAL ARCHITECT/ENGINEERING SERVICES FOR THE AWWRF CAPACITY ANALYSIS REPORT PROJECT FOR AN AMOUNT NOT TO EXCEED $158,006.85; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (ENGINEERING PROJECT NO. 17057-111, ORACLE NO. 15955).


In connection with reports, Claude Tankersley, Public Works Administrator gave a presentation to Council regarding the City's State Revolving Fund Loan Agreement. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Gerdes moved with the second of Councilmember Kornell that the following resolution be adopted:
A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT 1 TO THE STATE REVOLVING FUND LOAN AGREEMENT EXECUTED FEBRUARY 3, 2016 (WW520630), INCREASING THE LOAN AMOUNT BY $9,884,249 PLUS CAPITALIZED INTEREST IN THE AMOUNT OF $306,200 FOR A TOTAL LOAN AMOUNT OF $50,190,449, PLUS THE LOAN SERVICE FEE OF 2%; IDENTIFYING PLEDGED REVENUES FOR REPAYMENT OF THE LOAN; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO SIGN AND CERTIFY ALL DOCUMENTS NECESSARY TO EXECUTE THE AMENDMENT, SUBJECT TO THE APPROVAL OF THE CITY ATTORNEY AND DIRECTOR OF FINANCE; AUTHORIZING THE MAYOR TO DELEGATE RESPONSIBILITY TO CITY STAFF FOR ACTIVITIES ASSOCIATED WITH THE LOAN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.


In connection with reports, the Clerk read the title of proposed Ordinance 254-H. Claude Tankersley, Public Works Administrator presented the Sewer Update. Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Walter Donnelly, 6 South Academy Way, expressed his concerns regarding the

Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting January 19, 2017 as the first public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 254-H

AN ORDINANCE APPROVING A SUBSTANTIAL CHANGE OF USE OF PARK PROPERTY WITHIN THE 31ST STREET SPORTS COMPLEX; ALLOWING THE CONSTRUCTION OF TWO DEEP INJECTION WELLS AND ASSOCIATED SITE IMPROVEMENTS; AND PROVIDING AN EFFECTIVE DATE.


In connection with the Land Use and Transportation Committee report presented by Councilmember James R. Kennedy, Jr. and Chair Rice, Councilmember Kennedy moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:
BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Land Use and Transportation report presented by Councilmember Kennedy and Council Vice-Chair Rice.


In connection with new ordinances, the Clerk read the title of proposed Ordinance 1089-V. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Gerdes that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting January 19, 2017 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 1089-V

AN ORDINANCE APPROVING A VACATION OF A 20-FOOT EAST/WEST ALLEY, THREE (3) 10-FOOT NORTH/SOUTH ALLEYS, AND A 5-FOOT NORTH/SOUTH PUBLIC UTILITY EASEMENT/RIGHT-OF-WAY IN THE BLOCK BETWEEN 5TH AVENUE SOUTH AND 6TH AVENUE SOUTH BETWEEN 3RD STREET SOUTH AND 4TH STREET SOUTH; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING AN EFFECTIVE DATE.


In connection with new ordinances, the Clerk read the title of proposed Ordinance 1090-V. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting January 19, 2017 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 1090-V

AN ORDINANCE APPROVING A VACATION OF STREET AND ALLEY RIGHTS-OF-WAY GENERALLY LOCATED BETWEEN FAIRFIELD AVENUE SOUTH AND INTERSTATE 275 BETWEEN 22ND STREET SOUTH AND 24TH STREET SOUTH; MORE SPECIFICALLY A 16-FOOT EAST/WEST ALLEY IN THE BLOCK BOUNDED BY FAIRFIELD AVENUE SOUTH AND 7TH AVENUE SOUTH BETWEEN 22ND STREET SOUTH AND 23RD STREET SOUTH, A 10-FOOT EAST/WEST ALLEY IN THE BLOCK BOUNDED BY 7TH
AVENUE SOUTH AND 8TH AVENUE SOUTH AND BY INTERSTATE 275 BETWEEN 22ND STREET SOUTH AND 24TH STREET SOUTH, A PORTION OF 7TH AVENUE SOUTH BETWEEN 22ND STREET SOUTH AND 23RD STREET SOUTH, A PORTION OF 23RD STREET SOUTH BETWEEN 7TH AVENUE SOUTH AND 8TH AVENUE SOUTH AND BY INTERSTATE 275 AND A PORTION OF 8TH AVENUE SOUTH LOCATED BETWEEN 23RD STREET SOUTH AND BY INTERSTATE 275 AND 24TH STREET SOUTH; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING AN EFFECTIVE DATE.


In connection with new ordinances, the Clerk read the title of proposed Ordinance 255-H. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting January 19, 2017 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 255-H

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(C)(3), ST. PETERSBURG CITY CHARTER, AUTHORIZING THE GRANT OF A PUBLIC UTILITY EASEMENT TO DUKE ENERGY FLORIDA, INC., A FLORIDA CORPORATION, D/B/A DUKE ENERGY, WITHIN THE CITY-OWNED HISTORIC MIRROR LAKE RECREATION COMPLEX LOCATED AT 559 MIRROR LAKE DRIVE NORTH, ST PETERSBURG; AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.


In connection with new ordinances, the Clerk read the title of proposed Ordinance 099-HL. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting January 19, 2017 as the public hearing date for the following proposed Ordinance(s):
PROPOSED ORDINANCE NO. 099-HL

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE JOHN GASSMAN HOUSE (LOCATED AT 630 14TH AVENUE SOUTH) AS A LOCAL HISTORIC LANDMARK AND ADDING THE PROPERTY TO THE LOCAL REGISTER PURSUANT TO SECTION 16.30.070, CITY CODE; AND PROVIDING AN EFFECTIVE DATE.


In connection with new ordinances, the Clerk read the title of proposed Ordinance 256-H. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting January 19, 2017 as the first public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 256-H

AN ORDINANCE OF THE CITY OF ST PETERSBURG AMENDING THE CITY CODE; CHANGING THE USE MATRIX RELATING TO PERMITTED USES; AMENDING USE SPECIFIC DEVELOPMENT STANDARDS FOR “STORAGE, SELF”; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.


In connection with a new business item presented by Vice-Chair Lisa Wheeler-Bowman, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Wheeler-Bowman moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council refer to the Budget, Finance & Taxation Committee for consideration to consider additional funding for the St. Petersburg Police Department’s Homicide Division.

In connection with a new business item presented by Councilmember Nurse, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Gerdes that the following resolution be adopted:

2017-29  A RESOLUTION EXPRESSING THE INTENT OF CITY COUNCIL TO SUPPORT THE REVIEW OF CO-NAMING A PORTION OF 1st STREET NORTH, BETWEEN 5th AVENUE NORTH AND CENTRAL AVENUE “FLORIDA ORCHESTRA WAY NORTH” AND A PORTION OF 1ST STREET SOUTH, BETWEEN CENTRAL AVENUE AND 5TH AVENUE SOUTH “FLORIDA ORCHESTRA WAY SOUTH.”


In connection with a new business item presented by Councilmember Steve Kornell, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Foster moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-30  A RESOLUTION OPPOSING PENDING LEGISLATION THAT WOULD PREVENT A FLORIDA HIGH SCHOOL GRADUATE FROM PAYING IN-STATE TUITION AT A FLORIDA UNIVERSITY ON THE BASIS OF THAT GRADUATE’S STATUS AS AN UNDOCUMENTED IMMIGRANT; REQUESTING THE CITY CLERK TO DELIVER COPIES OF THIS RESOLUTION TO PRESIDING OFFICERS OF BOTH CHAMBERS OF THE FLORIDA LEGISLATURE AND TO THE GOVERNOR; AND PROVIDING AN EFFECTIVE DATE.


In connection with a new business item presented by Councilmember Karl Nurse, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council refer to the Budget, Finance & Taxation Committee for consideration to consider a requirement for city contractors securing future contracts of at least $2,000,000 to provide a minimum wage of at least $10.00 per hour with a schedule to raise this over time.

In connection with a new business item presented by Chair Darden Rice, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kennedy moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council request an amendment to the City Council Procedures Manual – Chapter 7 to provide consistency in the number of members on City Council Committees.


In connection with a new business item presented by Chair Darden Rice, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council request a discussion and immediate action on the proposed amendment to the City Council Procedures Manual regarding backup requirements.


In connection with a new business item presented by Chair Darden Rice, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kennedy moved with the second of Councilmember Gerdes that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council request Legal meet with Administration and Council Chair to discuss backup requirements.


In connection with a new business item presented by Councilmember Karl Nurse, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council request the City Attorney to reach out to the Miami Beach Legal Department to offer our assistance in fighting the attempt to kill Miami Beach’s minimum wage.
01/05/2017


In connection with the Housing Services Committee report, Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Housing Services Committee report of December 15, 2016 presented by Councilmember Nurse.


In connection with the Energy, Natural Resources and Sustainability Committee report, the Clerk read the title of proposed Ordinance 257-H. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Gerdes that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting January 19, 2017 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 257-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA CREATING A NEW SECTION 20-124, REGULATION OF SMOKELESS TOBACCO PRODUCTS; CREATING DEFINITIONS OF ORGANIZED SPORTING EVENT, ATHLETIC FACILITY, AND SMOKELESS TOBACCO PRODUCT; PROHIBITING THE USE OF SMOKELESS TOBACCO PRODUCTS AT ATHLETIC FACILITIES AND ORGANIZED SPORTING EVENTS; AND PROVIDING AN EFFECTIVE.


In connection with the Energy, Natural Resources and Sustainability Committee report, Councilmember Kennedy moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Energy, Natural Resources and Sustainability Committee report of December 15, 2016 presented by Chair Rice.

In connection with the Committee of the Whole: 2017 Calendar / Election of Chair and Vice-Chair, Councilmember Kennedy moved with the second of Councilmember Kornell that the following resolution be adopted:

2017-31  A RESOLUTION APPROVING THE CITY OF ST. PETERSBURG FEBRUARY 2017 THROUGH JANUARY 2018 CITY COUNCIL MEETING SCHEDULE; AND PROVIDING AN EFFECTIVE DATE.

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

1. Renewing an agreement with UnitedHealthcare Insurance Company for group health program administrative services at an estimated annual cost of $1,319,017; authorizing the Mayor or his designee to pay claims and fund health reimbursement accounts associated with the self-funded program, estimated at $46,418,716; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction.

2. Accepting a proposal from Humana Insurance Company for voluntary dental DHMO and PPO insurance at an estimated annual premium of $1,190,452; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction. [MOVED TO REPORTS AS G-8]

3. Approving the purchase from Pierce Manufacturing two replacement fire apparatus for the Fire Rescue Department, Inc. at a total cost of $1,113,788.

4. Renewing blanket purchase agreements with Ring Power Corporation, Tampa Crane & Body, Inc., Bay Area Truck Sales, Inc., dba Kenworth of Central Florida, Inc., and 10 other companies for automotive, repair and maintenance services in an amount not to exceed $600,000.

5. Approving an increase to the allocation for industrial maintenance and repair service agreements to Mader Electric, Inc. and Apollo Construction & Engineering Services, Inc., in the amount of $200,000, for a total contract amount of $500,000.

6. A resolution approving an Architect/Engineering ("A/E") Agreement between the City of St. Petersburg and ASRus, LLC to provide professional engineering services for the NWWRF Reclaimed Water and Injection Wells Improvements Project for an amount not to exceed $1,173,000; authorizing the Mayor or his designee to execute the A/E Agreement; providing an effective date. (Engineering Project No. 17053-111; Oracle No. 15927) [MOVED TO REPORTS AS G-9]

7. Amending City Council Resolution No. 2016-264 to increase the amount of the 0% interest forgiven loan authorized therein to Pinellas Affordable Living, Inc., for development and construction of Phase 1 of the Preserves at Clam Bayou Apartments to be located at 4110 34th Avenue South to $965,790; providing that all other provisions of Resolution No. 2016-264 not amended herein shall remain in full force and effect; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction.
CONSENT AGENDA
COUNCIL MEETING
CITY OF ST. PETERSBURG

Consent Agenda B
January 5, 2017

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.

1. Approving a blanket purchase agreement with BLD Services, LLC, for Sanitary (SAN) Sewer Lateral Lining FY 2017 for the Water Resources Department, at an estimated annual cost of $450,000. [MOVED TO REPORTS AS G-10]

2. Approving the purchase from Hall-Mark RTC for two replacement ambulances for the Fire Rescue Department at a total cost of $375,140.

3. Approving a five-year blanket purchase agreement with Ricoh USA Inc. for the lease and maintenance of printers for the Department of Technology Services, at an amount not to exceed $355,000.

4. Accepting a bid from Westscapes, LLC for Mangrove Bay Golf Course greens renovations for the Golf Courses at a total cost of $319,949.50.

5. Approving a contract amendment to Creative Mailbox Designs, LLC, dba Creative Sign Designs in an amount not to exceed $112,128, for the Mahaffey Theater Entryway Marquee for a total contract amount of $312,128.00 (Engineering Project No. 15216-119; Oracle Project No. 14659 and 15112); and providing an effective date.

6. Accepting a proposal from Humana Insurance Company for vision insurance at an estimated annual premium of $188,508; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction. [MOVED TO REPORTS AS G-11]

7. Approving the purchase of ballistic hard plate armor carriers from Galls LLC, a sole source supplier, for the Police Department at a total cost of $142,000.

8. Accepting a proposal for maintenance and support of a Geographic Information System from Environmental Systems Research Institute Incorporated (ESRI) a sole source supplier, for the Department of Technology Services, at a total cost of $71,500.19.
9. Accepting a proposal from ForeverLawn of Florida, Inc., a sole source supplier, for synthetic turf for the Parks and Recreation Department, at a total cost of $57,609.

10. A resolution authorizing the Mayor, or his Designee, to execute a Restrictive Covenant with the Florida Department of Environmental Protection for the City-owned property known as the former Atherton Oil Site located at approximately 638—26th Street South, St. Petersburg. [MOVED TO REPORTS AS G-12]

11. Authorizing the Mayor or his designee to execute Task Order No. 16-01-GFY/W to the Architect/Engineering Agreement (A/E) between the City of St. Petersburg (City) and George F. Young, Inc. (GFY) in an amount not to exceed $181,810 for Downtown Water-Main Replacement Project (Engineering Project No. 17054-111; Oracle No. 15939); approving a supplemental appropriation in the amount of $222,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the DIS Downtown Main Replace FY17 Project (15939) to provide the necessary funding for Task Order No. 16-01-GFY/W and other project-related costs such as engineering services, contingency and other soft costs. [MOVED TO REPORTS AS G-13]

12. Approving an Architect/Engineering Agreement between the City of St. Petersburg, Florida and AECOM Technical Services, Inc. (A/E) for the A/E to provide engineering services for the NWWRF Effluent Filters Improvements Project (A/E Agreement) in an amount not to exceed $182,906.00 and authorizing the Mayor or his designee to execute the Agreement. (Engineering Project No. 17052-111; Oracle No. 15926) [MOVED TO REPORTS AS G-14]

13. Authorizing the Mayor or his designee to execute Amendment No. 2 to Task Order No. 12-06-AID/AWA to the agreement between the City of St. Petersburg (City) and American Infrastructure Development, Inc. (AID), in an amount not to exceed $82,906.00 for design phase services related to hangar redevelopment at Albert Whitted Airport (SPG). (Engineering Project 15052-113; Oracle No. 14168) [MOVED TO REPORTS AS G-15]

14. Approving the selection of HDR, Inc. to provide professional engineering services for the AWWRF Capacity Analysis Report Project in an amount not to exceed $158,006.00; authorizing the Mayor or his designee to execute an Architect/Engineering Agreement and all other documents necessary to effectuate this transaction. (Engineering Project No. XXXXX-XXX, Oracle Project No. ————) [MOVED TO REPORTS AS G-16]

15. Authorizing the Mayor or his Designee to execute Amendment 1 to the City's State Revolving Fund Loan Agreement executed February 3, 2016 (WWS20630), increasing the loan amount by $9,884,249 plus capitalized interest in the amount of $306,200 for a total loan amount of $50,190,449, plus the loan service fee of 2%. [MOVED TO REPORTS AS G-17]
16. Confirmation of Appointment and Re-Appointments to the Community Planning & Preservation Commission: Will Michaels (Regular Member), Gwen Reese (Regular Member), Lisa Wannemacher (Alternate Member), Tom Whiteman (Alternate Member) and Sharon Winters (Alternate Member).

17. Authorizing the Mayor to execute the Hurricane Hermine Disaster Declaration (fema-4280-dr-b) Federally Funded Public Assistance State Agreement with the State of Florida, Division of Emergency Management, and all other documents concerning disaster relief funding for federal and state assistance for Hurricane Hermine (Hermine Documents); authorizing the Mayor to delegate signature authority to the City Administrator for the purpose of executing the Hermine documents; and providing an effective date. [MOVED TO REPORTS AS G-18]

18. Approval of a one-year agreement between the City of St. Petersburg, Florida ("City") and the St. Petersburg Arts Alliance, Inc. ("Arts Alliance") for the Arts Alliance to provide artistic consulting services to the City in an amount not to exceed $115,000.

19. Accepting a grant from the Foundation for a Healthy St. Petersburg (FHSP) in the amount of $10,000 to pay the participation fee for the International Well Building Institute (IWBI) Vanguard Program; authorizing the Mayor or his designee to execute a grant agreement and all other documents necessary to effectuate this transaction with FHSP; approving an appropriation in the amount of $10,000 to the General Fund (0001) Mayor’s Office (020-1005), to participate in the development of a well community standard.

20. Authorizing the Mayor or his designee to accept a grant from Walmart Stores, Inc., in the amount of $1,500 for purchase of age appropriate items to distribute to children/teens to foster a positive image of law enforcement, and to execute all documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $1,500.00 from the increase in the unappropriated balance of the Police Grant Trust Funds (1702), resulting from these additional revenues, to the Police Department, Community Awareness Division (140-1381), Walmart Community Grant Project (TBD)

There being no further business, Chair Rice adjourned the meeting at 5:10 p.m.

Darden Rice, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: Chan Srinivasa, City Clerk
Chair Darden Rice called the meeting to order with the following members present: Charles Gerdes, James R. Kennedy, Jr., Steve Kornell, Ed Montanari, Darden Rice, and Lisa Wheeler-Bowman. Deputy Mayor Dr. Kanika Tomlin, City Administrator Gary Cornwell, Chief Assistant City Attorney Jeannine Williams, Senior Deputy City Clerk Cathy Davis and Office Systems Specialist Paul Traci were also in attendance. Absent: Amy Foster. Karl Nurse.

In connection with the approval of the agenda, Councilmember Wheeler-Bowman moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda with the following changes as amended:

DELETE C-4 Procurement Month Proclamation


Councilmember Nurse entered the meeting at 3:08 p.m.

In connection with the Awards and Presentations portion of the agenda, City Administrator Dr. Gary Cornwell presented a Proclamation proclaiming the month of January 2017 as St. Petersburg Mentoring Month.

In connection with the Awards and Presentations portion of the agenda, Olga Bof, Founder and Director of Keep St. Pete Local gave a presentation to Council regarding Localtopia. Deputy Mayor Dr. Kanika Tomlin presented a Proclamation proclaiming February 4, 2017 as Localtopia Day.
In connection with the Awards and Presentations portion of the agenda, Paula Orandash, Chair of Committee to Advocate for Persons with Impairments recognized members of the St. Petersburg Police Department’s Volunteer Road Patrol. No action was taken.

There being no further business, Chair Rice adjourned the meeting at 3:54 p.m.

Darden Rice, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: 
Chan Srinivasa, City Clerk
Chair Darden Rice called the meeting to order with the following members present: Charles Gerdes, James R. Kennedy, Jr., Steve Komell, Ed Montanan, Darden Rice, Karl Nurse, Lisa Wheeler-Bowman and Amy Foster. City Attorney Jacqueline Kovilaritch, City Administrator Dr. Gary Cornwell, Chief Assistant City Attorney Jeannine Williams, City Clerk Chan Srinivasa and Senior Deputy City Clerk Cathy Davis were also in attendance. Absent. None.

In connection with the approval of the agenda, Councilmember Gerdes moved with the second of Councilmember Kennedy that the following resolution be adopted:

**BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida that Council approve the agenda With the following changes as amended:**

**MOVED CA-1** Renewing a blanket purchase agreement with Central Parking System of Connecticut, Inc., f/k/a Central Parking System of Florida, Inc., for parking facilities management services, in an estimated renewal amount of $1,247,874, for a total contract amount of $5,524,789. [MOVED TO REPORTS]

**REVISED CA-3** Accepting a bid from Veolia Water Technologies, Inc., formerly I. Kruger, Inc., in the amount of $2,795,430, for the Southwest Water Reclamation Facility (SWWRF) Tertiary Filters Capacity Improvements Project. (Engineering Project No. 16093-111; Oracle No.15928). Rescinding an unencumbered appropriation from the Water Resources Capital Projects Fund (4003), SAN #87 Childs Park FM FY15 Project (14807), in the amount of $610,000, rescinding an unencumbered appropriation in the amount of $40,000 from the Water Resources Capital Projects Fund (4003), LST #87 Childs Park Master FY15 Project (14809), and approving a supplemental appropriation, in the amount of $650,000, from the unappropriated balance of the Water Resources Capital Project Fund (4003) resulting from these rescissions to the WRF SW New Filters FY17 Project (15928). [MOVED TO SEWER REPORT AS E-3(b)]

**MOVED CB-1** Awarding a blanket purchase agreement to Rowland Inc., in the amount of $440,000, for Sanitary Sewer Manhole Rehabilitation FY17 (Engineering Project No. 16088-111; Oracle No. 15812). [MOVED TO SEWER REPORT AS ITEM E-3(a)]
Renewing a blanket purchase agreement with Lighthouse Advisors, Inc., a sole source supplier, for design and cost evaluation services for the Pier District, for an estimated renewal amount of $96,000, and a total contract amount of $192,000. [MOVED TO REPORTS AS ITEM E-5]

A resolution releasing the special assessment liens on one (1) unimproved property located at 1045 Melrose Avenue South, St. Petersburg, authorizing the Mayor, or his designee, to execute all related documents.

Confirming City Council Chair appointments to Intergovernmental Agencies.

Confirming Mayoral appointments to City Committees.

Authorizing the Mayor or his designee to execute Task Order No. 16-01-GFY/W to the Architect/Engineering Agreement (A/E) between the City of St. Petersburg (City) and George F. Young, Inc. (GFY) in an amount not to exceed $177,931 to the Downtown Water Main Replacement Project (Engineering Project No. 17054-111; Oracle No. 15939); approving a supplemental appropriation in the amount of $222,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the DIS Downtown Main Replace FY17 Project (15939) to provide the necessary funding for Task Order No. 16-01-GFY/W and other project related costs such as engineering services, contingency and other soft costs; and providing an effective date. (Revised language.)

Referring to the Public Services & Infrastructure Committee a discussion of requiring our wholesale sewer customers to make certain budget commitments on an annual basis to reduce the amount of infiltration/inflow in their sewer collection systems. (Councilmember Kornell)

Requesting to remove the Public Arts Ordinance discussion from the Budget, Finance & Taxation referral list. (Chair Rice)

Requesting to remove the Childs Park Lake Project from the Weeki Wachee Project List. (Vice-Chair Wheeler-Bowman)

Requesting to remove the discussion for additional funding for the Police Department's Cold Case Initiative from the Budget, Finance & Taxation referral list. (Vice-Chair Wheeler-Bowman)

Creation of an Ad Hoc Capital Improvement Assessment Committee (Councilmember Kennedy)

Youth Services Committee report

Ordinance 1090-V approving a vacation of street and alley rights-of-way generally located between Fairfield Avenue South and Interstate 275 between 22nd Street South and 24th Street South; more specifically a 16-foot east/west alley in the block bounded by Fairfield Avenue South and 7th Avenue South between 22nd Street South and 23rd Street South, a 10-foot east/west alley in the block bounded by 7th Avenue South and 8th Avenue.
South and by Interstate 275 between 22nd Street South and 24th Street South, a portion of 7th Avenue South between 22nd Street South and 23rd Street South, a portion of 23rd Street South between 7th Avenue South and 8th Avenue South and by Interstate 275, and a portion of 8th Avenue South located between 23rd Street South and by Interstate 275 and 24th Street South. (City File 16-33000015)


In connection with approval of the Consent Agenda, Councilmember Gerdes moved with the second of Councilmember Kornell that the following resolutions be adopted approving the attached Consent Agenda as amended.


In connection with the Open Forum portion of the agenda, the following person(s) came forward:

2. Walter McCanless, 3123 29th Avenue North #207, spoke regarding the proposed St. Petersburg Pier.
3. Earl Waters, 2901 3rd Avenue North, spoke regarding the St. Pete Pride Parade.
4. Philip Dobson, 3100 3rd Avenue North, spoke regarding the St. Pete Pride Parade.
5. Tawnee Walling, 2529 Central Avenue, spoke regarding the St. Pete Pride Parade.
6. Mitch Faber, 2451 Central Avenue, spoke regarding the St. Pete Pride Parade.
7. Darrel Gordon, 2934 Burlington Avenue, spoke regarding the St. Pete Pride Parade.
8. Ron Rotella, 2150 2nd Avenue North, spoke regarding the St. Pete Pride Parade.
10. Eric Stains, 2227 Central Avenue, spoke regarding the St. Pete Pride Parade.
11. Hal Freedman, 1 Beach Drive S.E., spoke regarding the St. Pete Pride Parade.
13. Charlot Crib, spoke regarding the St. Pete Pride Parade.

In connection with reports, Raul Quintana, City Architect gave a presentation to Council regarding a blanket purchase agreement with Lighthouse Advisors, Inc. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Kennedy moved with the second of Councilmember Montanari that the following resolution be adopted:
A RESOLUTION APPROVING THE FIRST ONE-YEAR RENEWAL OPTION TO THE AGREEMENT (BLANKET AGREEMENT) WITH LIGHTHOUSE ADVISORS, INC. FOR DESIGN AND COST EVALUATION SERVICES FOR THE PIER DISTRICT AT AN ESTIMATED ANNUAL COST NOT TO EXCEED $96,000 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $192,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.


In connection with the Homeless Leadership Board report, Councilmember Gerdes moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Homeless Leadership Board report presented by Councilmember Foster.


In connection with reports, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Kornell that the following resolution be adopted:

A RESOLUTION APPROVING THE FIRST ONE-YEAR RENEWAL OPTION TO THE AGREEMENT (BLANKET AGREEMENT) WITH CENTRAL PARKING SYSTEM OF CONNECTICUT, INC. FOR PARKING FACILITIES MANAGEMENT SERVICES AT AN ESTIMATED ANNUAL COST NOT TO EXCEED $1,247,874 FOR A TOTAL CONTRACT AMOUNT TO DATE NOT TO EXCEED $5,524,789; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.


In connection with reports, Claude Tankersley, Public Works Administrator presented the Sewer Report. Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Walter Donnelly, 6 Academy Way South, spoke regarding the Sewer Report.

Councilmember Kornell moved with the second of Councilmember Kennedy that the following resolution be adopted:
A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT (BLANKET AGREEMENT) WITH TWO ONE-YEAR RENEWAL OPTIONS TO ROWLAND INC. AT AN ESTIMATED ANNUAL COST NOT TO EXCEED $440,000 FOR THE SANITARY SEWER MANHOLE REHABILITATION — FY17 PROJECT; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.


Councilmember Kornell moved with the second of Councilmember Kennedy that the following resolution be adopted:

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO VEOLIA WATER TECHNOLOGIES, INC. (FORMERLY I. KRUGER, INC.) FOR THE SOUTHWEST WATER RECLAMATION FACILITY AND NORTHWEST WATER RECLAMATION FACILITY TERTIARY FILTERS CAPACITY IMPROVEMENTS PROJECTS AT A TOTAL COST NOT TO EXCEED $2,795,430 (ENGINEERING PROJECT NO. 16093-111; ORACLE NO. 15928); AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; RESCINDING UNENCUMBERED APPROPRIATIONS IN THE AMOUNT OF $610,000 FROM THE WATER RESOURCES CAPITAL PROJECTS FUND (4003), SAN #87 CHILDS PARK FM FY15 PROJECT (14807) AND $40,000 FROM THE WATER RESOURCES CAPITAL PROJECTS FUND (4003), LST #87 CHILDS PARK MASTER FY15 PROJECT (14809); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $650,000 FROM THE UNAPPROPRIATED BALANCE OF THE WATER RESOURCES CAPITAL PROJECT FUND (4003) RESULTING FROM THESE RESCISSIONS TO THE WRF SW NEW FILTERS FY17 PROJECT (15928); AND PROVIDING AN EFFECTIVE DATE.


In connection with public hearings, the Clerk read the title of proposed Ordinance 254-H. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 254-H entitled:
PROPOSED ORDINANCE NO. 254-H

AN ORDINANCE APPROVING A SUBSTANTIAL CHANGE OF USE OF PARK PROPERTY WITHIN THE 31ST STREET SPORTS COMPLEX; ALLOWING THE CONSTRUCTION OF TWO DEEP INJECTION WELLS AND ASSOCIATED SITE IMPROVEMENTS; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.


In connection with reports, Claude Tankersley, Public Works Administrator gave a presentation to Council regarding the Downtown Water Main Replacement Project. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Gerdes moved with the second of Councilmember Nurse that the following resolution be adopted:

2017-46

A RESOLUTION APPROVING TASK ORDER NO. 16-01-GFY/W TO THE ARCHITECT/ENGINEERING AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG AND GEORGE F. YOUNG, INC. FOR AN AMOUNT NOT TO EXCEED $177,931 FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE DOWNTOWN WATER MAIN REPLACEMENT PROJECT (ENGINEERING PROJECT NO. 17054-111; ORACLE NO. 15939); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $222,000 FROM THE UNAPPROPRIATED BALANCE OF THE WATER RESOURCES CAPITAL PROJECTS FUND (4003) TO THE DIS DOWNTOWN MAIN REPLACE FY17 PROJECT (15939) TO PROVIDE THE NECESSARY FUNDING FOR TASK ORDER NO. 16-01-GFY/W AND OTHER PROJECT RELATED COSTS; AND PROVIDING AN EFFECTIVE DATE.


In connection with public hearings, the Clerk read the title of proposed Ordinance 257-H. Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Dr. Greg Savel, spoke regarding the Tobacco Free Coalition.
2. Judith Warren, spoke regarding the Tobacco Free Coalition.
3. Anthony Jackson, spoke regarding the Tobacco Free Coalition.

Councilmember Gerdes moved with the second of Councilmember Komell that the following resolution be adopted:
BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 257-H entitled:

PROPOSED ORDINANCE NO. 257-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA CREATING A NEW SECTION 20-124, REGULATION OF SMOKELESS TOBACCO PRODUCTS; CREATING DEFINITIONS OF ORGANIZED SPORTING EVENT, ATHLETIC FACILITY, AND SMOKELESS TOBACCO PRODUCT; PROHIBITING THE USE OF SMOKELESS TOBACCO PRODUCTS AT ATHLETIC FACILITIES AND ORGANIZED SPORTING EVENTS; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.


In connection with public hearings, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Kornell that the following resolutions be adopted:

2017-47 A RESOLUTION CONFIRMING AND APPROVING PRELIMINARY ASSESSMENT ROLLS FOR LOT CLEARING NO. 1573; PROVIDING FOR AN INTEREST RATE ON UNPAID ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

2017-48 A RESOLUTION ASSESSING THE COSTS OF SECURING LISTED ON SECURING BUILDING NO. 1219 ("SEC 1219") AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 8-270; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

2017-49 A RESOLUTION ASSESSING THE COSTS OF DEMOLITION LISTED ON BUILDING DEMOLITION NO. 445 ("DMO NO. 445") AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 8-270; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

In connection with public hearings, the Clerk read the title of proposed Ordinance 1089-V. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 1089-V entitled:

PROPOSED ORDINANCE NO. 1089-V

AN ORDINANCE APPROVING A VACATION OF A 20-FOOT EAST/WEST ALLEY, THREE (3) 10-FOOT NORTH/SOUTH ALLEYS, AND A 5-FOOT NORTH/SOUTH PUBLIC UTILITY EASEMENT / RIGHT-OF-WAY IN THE BLOCK BETWEEN 5TH AVENUE SOUTH AND 6TH AVENUE SOUTH BETWEEN 3RD STREET SOUTH AND 4TH STREET SOUTH; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

be adopted on second and final reading.


In connection with public hearings, the Clerk read the title of proposed Ordinance 255-H. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 255-H entitled:

PROPOSED ORDINANCE NO. 255-H

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(C)(3), ST. PETERSBURG CITY CHARTER, AUTHORIZING THE GRANT OF A PUBLIC UTILITY EASEMENT TO DUKE ENERGY FLORIDA, INC., A FLORIDA CORPORATION, D/B/A DUKE ENERGY, WITHIN THE CITY-OWNED HISTORIC MIRROR LAKE RECREATION COMPLEX LOCATED AT 559 MIRROR LAKE DRIVE NORTH, ST. PETERSBURG; AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

In connection with public hearings, the Clerk read the title of proposed Ordinance 256-H. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting February 2, 2017 as the second public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 256-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING THE CITY CODE; CHANGING THE USE MATRIX RELATING TO PERMITTED USES; AMENDING USE SPECIFIC DEVELOPMENT STANDARDS FOR "STORAGE, SELF"; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.


The Clerk administered the oath to those present wishing to present testimony in connection with the quasi-judicial proceedings.

The Chair reviewed the Quasi-Judicial process to be followed. A presentation was made by Laura Duvekot, Historic Preservationist regarding Ordinance No. 099-HL (City File HPC 16-90300007). The Clerk read the title of proposed Ordinance No. 099-HL. Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Peter Belmont, 102 Fareham Place North, spoke in support of the proposed Ordinance.

Councilmember Wheeler-Bowman moved with the second of Councilmember Nurse that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 099-HL entitled:

PROPOSED ORDINANCE NO. 099-HL

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE JOHN GASSMAN HOUSE (LOCATED AT 630 14TH AVENUE SOUTH) AS A LOCAL HISTORIC LANDMARK AND ADDING THE PROPERTY TO THE LOCAL REGISTER PURSUANT TO SECTION 16.30.070, CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

In connection with a new business item presented by Councilmember Steve Kornell, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Wheeler-Bowman moved with the second of Councilmember Gerdes that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council refer to the Public Services & Infrastructure Committee for consideration to consider a discussion regarding our wholesale sewer customers to make certain budget commitments on an annual basis to reduce the amount of infiltration/inflow in their sewer collection systems


In connection with a new business item presented by Chair Rice, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council request to remove the Public Arts Ordinance discussion from the Budget, Finance & Taxation referral list.


In connection with a new business item presented by Vice-Chair Wheeler-Bowman, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council request to remove the Childs Park Lake Project from the Weeki Wachee Project List.


In connection with a new business item presented by Vice-Chair Wheeler-Bowman, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Wheeler-Bowman moved with the second of Councilmember Nurse that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council request to remove the discussion for additional funding for the Police Department's Cold Case Initiative from the Budget, Finance & Taxation referral list.
In connection with the Budget, Finance and Taxation report, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the January 12, 2017 Budget, Finance and Taxation Committee report presented by Councilmember Charles Gerdes.

In connection with the Public Services & Infrastructure report, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the January 12, 2017 Public Services & Infrastructure report presented by Councilmember Steve Kornell.

In connection with the Youth Services Committee report, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Wheeler-Bowman moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the January 12, 2017 Youth Services Committee report presented by Councilmember Amy Foster.
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.

1. Renewing a blanket purchase agreement with Central Parking System of Connecticut, Inc., f/k/a Central Parking System of Florida, Inc., for parking facilities management services, in an estimated renewal amount of $1,247,874, for a total contract amount of $5,524,789. [MOVED TO REPORTS]

2017-32

2. Approving the purchase of riding lawn mowers from Wesco Turf, Inc. for the Fleet Department, at a total cost of $738,315.27.

3. Accepting a bid from Veolia Water Technologies, Inc., formerly I. Kruger, Inc., in the amount of $2,795,430, for the Southwest Water Reclamation Facility (SWWRF) Tertiary Filters Capacity Improvements Project (Engineering Project No. 16093-111, Oracle No. 15928). Rescinding an unencumbered appropriation from the Water Resources Capital Projects Fund (4003), SAN #87 Childs Park FM FY15 Project (14807), in the amount of $610,000, rescinding an unencumbered appropriation in the amount of $40,000 from the Water Resources Capital Projects Fund (4003), LST #87 Childs Park Master FY15 Project (14809), and approving a supplemental appropriation, in the amount of $650,000, from the unappropriated balance of the Water Resources Capital Project Fund (4003) resulting from these rescissions to the WRF-SW-New Filters FY17 Project (15928). [MOVED TO SEWER REPORT E-3(b)]
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.

1. Awarding a blanket purchase agreement to Rowland Inc., in the amount of $440,000, for Sanitary Sewer Manhole Rehabilitation FY17 (Engineering Project No. 16088-111; Oracle No. 15812); [MOVED TO SEWER REPORTS E-3(a)]

2. Accepting a bid from Viktor Construction, Corp. for water tank painting and repairs for the Water Resources Department, at a total cost of $360,599.00 (Base Bid and Additive Alternates 1, 2, and 3) and approving a supplemental appropriation, in the amount of $365,000, from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the COS Tank Paint Elv WT/OB FY16 Project (15274) to provide the necessary funding.

3. Renewing a blanket purchase agreement with Lighthousc Advisors, Inc., a sole source renewal amount of $96,000, and a total contract amount of $192,000. [MOVED TO REPORTS AS E-5]

4. Renewing a blanket purchase agreement with LESC, Inc., dba Law Enforcement Supply Co. Inc., for police and fire accessories, at an estimated annual amount of $60,000, for a total contract amount of $170,000.

5. Accepting a proposal from Capitol Alliance Group, Inc. for lobbying consultant services for the Mayor’s Office, at an estimated annual cost of $50,000, for a total contract amount of $150,000.

6. Awarding blanket purchase agreements to SRT Supply Inc., Red the Uniform Tailor, Signal 15, Inc., and LESC, Inc., dba Law Enforcement Supply Co. Inc., for protective body armor vests for the Police Department, at an estimated annual amount of $125,000.

7. Approving the purchase of mobile public safety records management software and support from Intergraph Corporation, a sole source supplier, for the Police Department, at a total cost of $72,660.

38
8. Authorizing the Mayor or his designee to accept a grant from the Tampa Bay Regional Planning Council through the Florida Department of Transportation District Seven for a Lake Maggiore Environmental Education Center Watershed Exhibit Project ("Project") at Boyd Hill Nature Preserve at a maximum reimbursement amount of $15,000, and to execute the Tampa Bay Regional Planning Council's Purchase Order for the Project and all other documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $15,000 from the increase in the unappropriated balance of the General Fund (0001), resulting from these additional revenues, to the Parks & Recreation Boyd Hill Nature Trail (1902389), Lake Maggiore Environmental Education Center Watershed Exhibit Project (TBD).

9. Waiver of the requirements of Section 112.313(7), Florida Statutes as to Bob Devin Jones ("Jones") for the City of St. Petersburg, Florida to provide grant money to The Studio @ 620, Inc., a business entity with which Jones is employed.

10. A resolution releasing the special assessment liens on one (1) unimproved property located at 1045 Melrose Avenue South, St. Petersburg, authorizing the Mayor, or his designee, to execute all related documents.

11. Confirming City Council Chair appointments to Intergovernmental Agencies.

12. Confirming Mayoral appointments to City Committees.

There being no further business, the Chair adjourned the meeting at 7:58 p.m.

________________________________________
Darden Rice, Chair-Councilmember
Presiding Officer of the City Council

ATTEST:
Chan Srinivasa, City Clerk
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving the purchase of a replacement sewer cleaning truck from Sun State International Trucks LLC for the Fleet Management Department, at a total cost of $198,663.

Explanation: This purchase is being made from the Sheriffs Association Contract No. FSA16-VEH14.0.

The vendor will furnish and deliver a sewer cleaning truck with a 750-gallon water tank mounted on a 33,000# GVWR cab and chassis, with a Cummins B6.7 260 HP engine and automatic transmission. The vehicle’s pump injects foaming chemicals through the sewer pipes to clear debris such as tree roots.

This sewer cleaning truck will be used by the Water Resources Department to maintain and clean wastewater pipes. The new vehicle has a life expectancy of 10 years. The old 9-year-old vehicle, with an original purchase price of $138,892, has reached the end of its economic service life and will be sold at public auction.

The Procurement Department, in cooperation with the Fleet Department, recommends an award utilizing Florida Sheriffs Association Contract No. FSA16-VEH14.0:

Sun State International Trucks LLC ..........................................................$198,663

Cab & Chassis:
2017 International Durastar (Base Price) 1 EA @  $ 59,945

Options:
Engine Upgrade Cummins B6.7 260 hp. Allison 2500 RDS 1 EA @  3,150
Back-Up Camera system, 3.5” monitor rear view camera 1 EA @  1,500
33,000 GVWR 108” CA, Inc. 120,000 PSI frame 1 EA @  1,010
Full Size Spare Wheel and Tire 1 EA @  850
LED Light Package 1 EA @  550
Air Drier, Bendix AD-IP or equal 1 EA @  490
Air Ride Driver Seat and Fixed Passenger Seat 1 EA @  475
Fuel Water Separator 1 EA @  430
New State Tag 1 EA @  295
Exterior Grab Handles 1 EA @  245
2-Year Subscription to ON COMMAND, web support parts/service 1 EA @  175
Body Builder Wiring to Rear of Frame 1 EA @  175
Exhaust Brake 1 EA @  160
Moisture Ejectors, Bendix DV-2 1 EA @  115
Air Horn 1 EA @  95
Circuit Breakers in lieu of Fuses 1 EA @  95
Third Key 1 EA @  18

Body
Vactor Ramjet Truck Series - 750 gal 1 EA @  $ 127,640
Upgrade Camera System: Brigade Backeye360 1 EA @  1,250

Continued on Page 2
The vendor has met the specifications, terms and conditions of the Florida Sheriffs Association Contract No. FSA16-VEH14.0, effective through September 30, 2017. This purchase is made in accordance with Section 2-256 (3) of the Procurement Code, which authorizes the Mayor or his designee to utilize the Florida Sheriffs Association Negotiated Purchasing Program.

**Cost/Funding/Assessment Information:** Funds have been previously appropriated in the Equipment Replacement Fund (5002), Fleet Maintenance, Fleet Mechanical Cost (8002527).

**Attachments:** Price History
Price Summary
Resolution

**Approvals:**

[Signatures]

[Administrative]

[Budget]
<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Qty.</th>
<th>2007</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>2017 International Durastar with Vactor Ram Jet Rodder/Foamer attachment</td>
<td>1</td>
<td>$138,892</td>
</tr>
<tr>
<td>No.</td>
<td>Description</td>
<td>Qty.</td>
<td>Department</td>
</tr>
<tr>
<td>-----</td>
<td>------------------------------------------------------------</td>
<td>------</td>
<td>------------------</td>
</tr>
<tr>
<td>1</td>
<td>2017 International Durastar with Vactor Ram Jet</td>
<td>1</td>
<td>Water Resources</td>
</tr>
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</table>
A RESOLUTION APPROVING THE PURCHASE OF ONE REPLACEMENT SEWER CLEANING TRUCK FROM SUN STATE INTERNATIONAL TRUCKS, LLC AT A TOTAL COST NOT TO EXCEED $198,663 FOR THE FLEET MANAGEMENT DEPARTMENT, UTILIZING THE FLORIDA SHERIFFS ASSOCIATION CONTRACT NO. FSA16-VEH14.0; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to purchase one new sewer cleaning truck to replace one 9-year old vehicle that has reached the end of its economic life and will be sold at auction; and

WHEREAS, pursuant to Section 2-256(3) of the City Code, the City is permitted to purchase automotive equipment from the Sheriffs Association and the Florida Association of Counties negotiated programs for vehicles; and

WHEREAS, Sun State International Trucks, LLC has met the specifications, terms and conditions of the Florida Sheriffs Association Contract No. FSA16-VEH14.0; and

WHEREAS, the Procurement Department, in cooperation with the Fleet Management Department, recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the purchase of one replacement sewer cleaning truck from Sun State International Trucks, LLC at a total cost not to exceed $198,663 for the Fleet Management Department, utilizing the Florida Sheriffs Association Contract No. FSA16-VEH14.0 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

[Signature]

City Attorney (Designee)
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving the purchase of one replacement ambulance from Hall-Mark RTC for the Fire Rescue Department, at a total cost of $187,570.

Explanation: This purchase is being made from Florida Sheriffs Association Contract No. FSA16-VEF12.0.

The vendor will furnish and deliver one light-duty patient transport capable Type I MAV ambulance. This vehicle will be mounted on a 20,000# GVWR chassis, equipped with 6.7L 260 HP Cummins engine and Allison 2200 electronic transmission.

This ambulance will be assigned to Fire Station No. 1 and will be used to respond to emergency medical calls. The new vehicle has a life expectancy of seven years and is replacing one six-year-old vehicle. The old vehicle will be placed in reserve status and one reserve vehicle will be retired and sold at auction.

In FY16, the Fire Rescue Department purchased two light-duty, non-transport-capable units to replace an existing Type I MAV ambulance. In late FY16, the County approved funding for two new Peak Load Units (PLUs) for the Fire Rescue Department. Thus, the two light-duty units were redirected to be used for the new PLUs. This additional replacement Type I MAV ambulance is needed to realign the organization with the capital replacement plan prescribed in the Advance Life Support Fire Response (ALSFR) Agreement. The Agency will closely monitor the performance, cost, and longevity of the light-duty rescues to determine the practicality of future and/or expanded use.

The Procurement Department, in cooperation with the Fire Rescue Department, recommends an award utilizing Florida Sheriffs Association Contract No. FSA16-VEF12.0:

<table>
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<tr>
<th>Item Description</th>
<th>Quantity</th>
<th>Unit Price ($161,448.00)</th>
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<tr>
<td>Ambulance, 2017 Freightliner M2 &quot;MAV&quot; Chassis, with Wheeled Coach body (base)</td>
<td>1</td>
<td>161,448.00</td>
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<tr>
<td>Custom Graphics including Chevron</td>
<td>1</td>
<td>4,100</td>
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<td>LED Lighting Package</td>
<td>1</td>
<td>3,424</td>
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<tr>
<td>Performance Load with floor plate (non-charging)</td>
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<td>3,138</td>
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<tr>
<td>Additional Side Scene Lighting</td>
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<td>2,570</td>
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<tr>
<td>Paint Red</td>
<td>1</td>
<td>1,916</td>
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<tr>
<td>Inverter</td>
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<td>1,250</td>
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<tr>
<td>Air Horn w switching</td>
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<td>1,150</td>
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<tr>
<td>70&quot; Headroom in Patient Area</td>
<td>1</td>
<td>1,070</td>
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<tr>
<td>Additional shelves &amp; compartment upgrades</td>
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<td>1,053</td>
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<tr>
<td>Front Facing LED scene lights</td>
<td>1</td>
<td>884</td>
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<tr>
<td>LED Domes</td>
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<td>Howler Siren</td>
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<tr>
<th>Item Description</th>
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<td>MagneGrip Exhaust</td>
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<td>LED Load Lights</td>
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<td>Custom width exterior compartments</td>
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<td>$700</td>
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<td>Attendant Seat with 3 point harness</td>
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<td>$625</td>
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<td>Custom interior cabinet layout</td>
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<td>$605</td>
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<tr>
<td>Cylinder holds</td>
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<tr>
<td>Aluminum Rims</td>
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<td>$600</td>
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<tr>
<td>Squad Seat</td>
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<td>Mass Casualty installed</td>
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<tr>
<td>Power Door locks/chrome handles</td>
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<td>$480</td>
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<tr>
<td>Street-side Compartment doors-offset</td>
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<td>$475</td>
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<tr>
<td>Auto Dump</td>
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<td>$425</td>
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<tr>
<td>Dri-Dek in Compartment Bottoms</td>
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<td>$385</td>
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<tr>
<td>Compartment lighting</td>
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<td>$380</td>
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<tr>
<td>Intercom</td>
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<td>$330</td>
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<tr>
<td>Cast Speakers in Bumper ILOS</td>
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<td>$305</td>
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<td>Double Step</td>
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<td>Emergency Master Switch</td>
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<td>Delivery $250 per unit</td>
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<td>Cigarette Lighters (3) IATS</td>
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<td>Two Antenna Bases</td>
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<td>Lexan Sliders</td>
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<td>Headliner Recessed</td>
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<td>Rear Scene light to activate w/reverse</td>
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<td>Headliner Flasher Circuit</td>
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<td>Relay Control Circuit</td>
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<td>$153</td>
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<tr>
<td>Less loyalty/multi-vehicle discount</td>
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<td>($7,000)</td>
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</table>

The vendor has met the specifications, terms and conditions of the Florida Sheriffs Association Contract No. FSA16-VEF12.0, effective through March 31, 2017. This purchase is made in accordance with Section 2-256(3) of the Procurement Code, which authorizes the Mayor or his designee to purchase from the Sheriffs Association and Florida Association of Counties negotiated purchase programs for vehicles.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Emergency Medical Services Fund (1009), Fire Rescue Department, Emergency Medical Services (1501513) for FY17.

Attachments: Price History
Resolution

Approvals:

[Signature]
[Signature]
Price History: St. Petersburg Freightliner M2 ambulance
Wheeled Coach/REV, RTC Hallmark

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>2013</th>
<th>2014</th>
<th>2017</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Freightliner M2 built to St. Petersburg Specs</td>
<td>$166,539</td>
<td>$171,801</td>
<td>$187,570</td>
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A RESOLUTION APPROVING THE PURCHASE OF ONE REPLACEMENT AMBULANCE FROM REV RTC, INC. D/B/A HALL-MARK RTC AT A TOTAL COST NOT TO EXCEED $187,570 FOR THE FIRE RESCUE DEPARTMENT, UTILIZING THE FLORIDA SHERIFFS ASSOCIATION CONTRACT NO. FSA16-VEF12.0; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to purchase one new ambulance to replace one 6-year old vehicle that will be placed on reserve status; and

WHEREAS, pursuant to Section 2-256(3) of the City Code, the City is permitted to purchase automotive equipment from the Sheriffs Association and the Florida Association of Counties negotiated programs for vehicles; and

WHEREAS, REV RTC, Inc. d/b/a Hall-Mark RTC has met the specifications, terms and conditions of the Florida Sheriffs Association Contract No. FSA16-VEF12.0; and

WHEREAS, the Procurement Department, in cooperation with the Fire Rescue Department, recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the purchase of one replacement ambulance from REV RTC, Inc. d/b/a Hall-Mark RTC at a total cost not to exceed $187,570 for the Fire Rescue Department, utilizing the Florida Sheriffs Association Contract No. FSA16-VEF12.0 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

[Signature]

City Attorney (Designee)
A RESOLUTION DECLARING TOM EVANS ENVIRONMENTAL, INC. TO BE A SOLE SOURCE SUPPLIER FOR PEERLESS DISTRIBUTION PUMPS FOR THE WATER RESOURCES DEPARTMENT; ACCEPTING THE PROPOSAL AND APPROVING THE PURCHASE FROM TOM EVANS ENVIRONMENTAL, INC. OF TWO REPLACEMENT PEERLESS DISTRIBUTION PUMPS FOR THE WATER RESOURCES DEPARTMENT AT A TOTAL COST NOT TO EXCEED $150,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City wishes to purchase two replacement Peerless distribution pumps for use in the City's Reclaimed Water System for the Water Resources Department; and

WHEREAS, Tom Evans Environmental, Inc. is the sole authorized representative for Peerless pumps in the region and installation of a pump from another manufacturer would necessitate an additional expense for modifications; and

WHEREAS, Section 2-249 of the City Code provides requirements for sole source procurement of a supply or service over $50,000 without competitive bidding if it has been determined that the supply or service is available from only one source; and

WHEREAS, the Procurement and Supply Management Department, in cooperation with the Water Resources Department, recommends approval of the award to Tom Evans Environmental, Inc. as a sole source supplier; and

WHEREAS, the Mayor or his designee has prepared a written statement to the City Council certifying the condition and circumstances for the sole source purchase.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that Tom Evans Environmental, Inc. is a sole source supplier; and

BE IT FURTHER RESOLVED that the proposal is accepted and the purchase from Tom Evans Environmental, Inc. of the purchase of two replacement Peerless distribution pumps for the Water Resources Department at a total cost not to exceed $150,000 is hereby approved and the Mayor or Mayor's designee is authorized to execute all documents necessary to effectuate these transactions.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Accepting the bid from Riley Electric Co., Inc., in the amount of $98,015.68, for the Mirror Lake Shuffleboard Courts' Lighting FY15 (Engineering/CID Project No. 15215-117; Oracle No. 14646); and providing an effective date.

Explanation: The Procurement Department received three bids for electrical upgrades for the historic Mirror Lake Shuffleboard Court Lighting Project. The Bids were opened on December 15, 2016, and tabulated as follows:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Riley Electric Co., Inc. (Largo, FL)</td>
<td>$98,015.68</td>
</tr>
<tr>
<td>Hodge Management, LLC. (Seminole, FL)</td>
<td>$151,260.00</td>
</tr>
<tr>
<td>Himes Electrical Service, Inc. (Lutz, FL)</td>
<td>$170,400.00</td>
</tr>
</tbody>
</table>

The vendor will provide all labor, materials and equipment to extend the electrical service (panel and controls), remove/reinstall pavers, trench and install conduit and wiring for new light poles and luminaires, and install concrete pole bases, light poles and LED luminaires on eighteen (18) currently unlit shuffleboard courts on the northwest side of the Mirror Lake Shuffleboard Complex. The completed work will allow night play on these eighteen (18) courts. The new controller will give patrons ease of operation from switches in a low voltage cabinet. The new light poles and fixtures will be historically accurate for this district and have been approved by City Historic Preservation staff. The poles consist of 6” diameter aluminum poles and are centered between two courts. Pendant type fixtures are extended from a horizontal crossbar mounted to the poles at the scoring side of each court.

On October 6, 2016, City Council approved a contract for the new electrical service at the Mirror Lake Complex which includes the service for these new lighted courts. On October 26, 2016, the City issued Bid No. 6116-2 for the installation of a new lighting system for the unlit shuffleboard courts on the west side of the historic Mirror Lake Shuffleboard Complex. This work is necessary because of the increase in popularity of the shuffleboard courts.

The Procurement Department, in cooperation with the Engineering and Capital Improvements Department, recommends an award to:

Riley Electric Co., Inc. (Largo, FL) .......................................................... $98,015.68

Riley Electric Co., Inc., the lowest responsible and responsive bidder, has met the specifications, terms and conditions of Bid No. 6116-2, dated October 26, 2016. They have done work for the City in the past and have performed satisfactorily. Riley Electric Co., Inc. is a City Certified SBE. The principal of Riley Electrical Co., Inc. is Michael Riley, President.

The contractor will begin work on the project within approximately ten calendar days from written Notice to Proceed. Construction period will be seventy-five calendar days starting when a notice to proceed is issued.
Cost/Funding/Assessment Information: Funds have been previously appropriated in the Recreation and Culture Capital Improvement Fund (3029), Mirror Lake Shuffleboard Courts' Lighting FY15 (Engineering/CID Project No. 15215-117; Oracle No. 14646).

Attachments: Resolution

Approvals:

[Signatures]
A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO RILEY ELECTRIC CO., INC. AT A TOTAL COST NOT TO EXCEED $98,015.68 FOR THE MIRROR LAKE SHUFFLEBOARD COURTS’ LIGHTING FY15; 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 three bids for electrical upgrades for the historic Mirror Lake Shuffleboard Court Lighting Project pursuant to Bid No. 6116-2, dated October 26, 2016; and

WHEREAS, Riley Electric Co., Inc. has met the specifications, terms and conditions of Bid No. 6116-2; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Engineering & Capital Improvements 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 is accepted and the award of an agreement to Riley Electric Co., Inc. at a total cost not to exceed $98,015.68 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving an increase to the allocation for neighborhood identity signs for Historic Uptown to Creative Sign Designs, LLC, a sole source supplier, for the Community Services Department, in the amount of $48,900, for a total contract amount of $82,182.

Explanation: On March 1, 2016, Administration approved an agreement in the amount of $29,722 for phase one of the identity street sign project for the Historic Uptown Neighborhood. Pursuant to City Council's December 19, 2013, approval of the Historic Uptown Neighborhood Plan Update, the project included design, branding, fabrication and installation of monument face signs.

Based on the response from residents in the community, the Neighborhood Association has decided to use the remaining implementation dollars from the plan for additional street name signs for phase two. Since consistency of appearance in the continuation of this project is critical, a sole source procurement is recommended.

Since the combined total of phases one and two of the Historic Uptown branding projects will exceed the $50,000 City Council approval threshold, approval is requested.

The Procurement Department, in cooperation with the Community Services Department, recommends approval:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract Amount</td>
<td>$29,722</td>
</tr>
<tr>
<td>1st allocation increase</td>
<td>$3,560</td>
</tr>
<tr>
<td>Revised Contract Amount</td>
<td>$33,282</td>
</tr>
<tr>
<td>2nd allocation increase</td>
<td>$48,900</td>
</tr>
<tr>
<td>New Contract Amount</td>
<td>$82,182</td>
</tr>
</tbody>
</table>

This purchase is made in accordance with Section 2-249 of the Procurement Code, which authorizes City Council to approve the purchase of a supply or service over $50,000 without competitive bidding, if it has been determined that the supply or service is available from only one source.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Neighborhood and Citywide Infrastructure Improvement Fund (3027), Neighborhood Enhancement FY13 Project (13777) $48,900 for the purchase of neighborhood identity signs from Creative Sign Design.

Attachments: Sole Source Resolution

Approvals:

[Signature]
Administrative

[Signature]
Budget
City of St. Petersburg
Sole Source Request
Procurement & Supply Management

Department: Community Services
Requisition No. 5364790

Check One: x Sole Source
Proprietary Specifications

Proposed Vendor: Creative Sign Designs LLC

Estimated Total Cost: $48,900

Description of Items (or Services) to be purchased:
Phase II of Neighborhood Identity Signs for Historic Uptown

Purpose of Function of items:
Implementation of Branding Project identified within the Historic Uptown Neighborhood Plan Update

Justification for Sole Source of Proprietary specification:
Creative Sign Designs completed initial phase of branding project when neighborhood decided they wanted to continue with the design already developed.

I hereby certify that in accordance with Section 2-249 of the City of St. Petersburg Procurement Code, I have conducted a good faith review of available sources and have determined that there is only one potential source for the required items per the above justification. I also understand that under Florida Statute 838.22(2) it is a second degree felony to circumvent a competitive bidding process by using a sole-source contract for commodities or services.

[Signatures and dates]
Department Director

Date

Administrator/Chief

Date

Louis Moore, Director
Procurement & Supply Management

Date
WHEREAS, the City wishes to purchase additional neighborhood signs for Phase Two of the Identify Street Sign Project ("Project") for the Historic Uptown Neighborhood ("Neighborhood") as an approved neighborhood plan project; and

WHEREAS, City Council previously approved the Historic Uptown Neighborhood Plan Update ("Plan Update") on December 19, 2013; and

WHEREAS, on March 1, 2016, Administration approved an agreement with Creative Sign Designs, LLC in the amount of $29,722 to complete Phase One of the Project as outlined in the Plan Update; and

WHEREAS, on August 2, 2016, Administration approved an increase to the allocation of the agreement in the amount of $3,560 for additional neighborhood signs as part of Phase One of the Project for a total contract amount of $33,282; and

WHEREAS, an increase to the allocation of the agreement is requested by the Neighborhood Association to expend the remaining funds from the Plan to purchase additional street name signs for Phase Two of the Project in the amount of $48,900 for a final contract amount of $82,182; and

WHEREAS, Creative Sign Designs, LLC is the sole provider of the neighborhood identity signs designed and installed in Phase One of the Project and consistency of appearance in the continuation of Phase Two is critical; and

WHEREAS, Section 2-249 of the City Code provides requirements for sole source procurement of a supply or service over $50,000 without competitive bidding if it has been determined that the supply or service is available from only one source; and

WHEREAS, the Procurement and Supply Management Department, in cooperation with the Community Services Department recommends approval of the award to Creative Sign Designs, LLC as a sole source supplier; and

WHEREAS, the Mayor or his designee has prepared a written statement to the City Council certifying the condition and circumstances for the sole source purchase.
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that Creative Sign Designs LLC is a sole source supplier for neighborhood identity signs in the Historic Uptown Neighborhood; and

BE IT FURTHER RESOLVED that an increase to the allocation of the agreement with Creative Sign Designs LLC in the amount of $48,900 for a total contract amount not to exceed $82,182 for neighborhood identity signs in the Historic Uptown Neighborhood for the Community Services 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 Substance:

[Signature]

City Attorney (Designee)
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving the donation of four 2011 Ford Interceptor vehicles valued at approximately $6,000 to St. Petersburg College – Allstate Center (SPC).

Explanation: It is recommended that four 2011 Ford Interceptors be donated to St. Petersburg College – Allstate Center. These vehicles will be used by the College to update their aging fleet of driving instruction vehicles, as they are several years newer than their current vehicles. All St. Petersburg Police Department cadets are sent to SPC for Basic Recruit Training. This donation would serve to provide newer training vehicles for our cadets to use.

The 2011 Ford Interceptors were purchased in May 2011 at a cost of $25,565 each. The retired vehicles have odometer readings of: (P3153)-97,818; (P3160)-94,776; (P3185)-111,484; and (P3195)-101,109 miles. All vehicles are in good condition, and are valued at approximately $1,500 each. The Fleet Department will transfer the title of the vehicle and all liability and maintenance responsibility to St. Petersburg College.

Cost/Funding/Assessment Information: The four vehicles are valued at approximately $1,500 each. The VN numbers associated with these vehicles are as follows:
2FABP7BVX113888 – Asset #P3153; 2FABP7BV9BX113929 – Asset #P1360;
2FABP7BV0BX113849 – Asset #P3185; 2FABP7BV9BX113932.

Attachments: Donation Letters Resolution

Approvals: Administrative Budget
MEMORANDUM

DATE: February 3, 2017

TO: Louis Moore, Director
    Procurement

FROM: Michael Kovacsev, Assistant Chief
      Administrative Services Bureau

SUBJECT: Vehicle Donation

The Police Department will be donating four (4) Ford Interceptor/Crown Victoria police cruisers identified to be retired, to St. Petersburg College – Allstate Center to update their aging fleet of driving instruction vehicles. The four (4) vehicles identified are all in good condition and estimated to be valued at approximately $1,500 each. The vehicles identified to be donated after being retired from the fleet include:

- P3153
- P3160
- P3185
- P3195

St. Petersburg College (SPC) – Allstate Center is where we send all of our police cadets for Basic Recruit Training. These donated vehicle would be several years newer than what they have at the present time and would be used by our cadets.

If there are any questions regarding this donation, I can be reached at x5129.
February 6, 2017

Carol A. Everson  
St. Petersburg Police Department  
1300 First Avenue North  
St. Petersburg, FL 33705

Re: Donation of Vehicles to St. Petersburg College

Dear Ms. Everson:

Following is the information requested for the donation of four (4) vehicles from the St. Petersburg Police Department to St. Petersburg College - Allstate Center.

1. **Contact Information:** Dr. Scott Fronrath, Provost

2. **Organization’s Name:**

   St. Petersburg College  
   PO Box 13489  
   St. Petersburg, FL 33733

   St. Petersburg College, Allstate Center  
   3200 34 Street South  
   St. Petersburg, FL 33711

   [http://www.spcollege.edu/](http://www.spcollege.edu/)

3. **Mission Statement:**

   “Promote student success and enrich our communities through education, career development and self-discovery.”

4. **Florida EIN:** 59-1211489

Should you need any further information, please do not hesitate to contact me.

Sincerely,

[Signature]

Dr. Scott Fronrath  
Provost  
Allstate Center

Mailing Address: Post Office Box 13489, St. Petersburg, FL 33733-3489 • An Equal Access/Equal Opportunity Institution.
A RESOLUTION APPROVING THE DONATION OF FOUR 2011 FORD INTERCEPTOR VEHICLES VALUED AT APPROXIMATELY $6,000 TO ST. PETERSBURG COLLEGE – ALLSTATE CENTER (“SPC”) TO UPDATE SPC’S DRIVING INSTRUCTION VEHICLES WHICH SERVE THE ST. PETERSBURG POLICE DEPARTMENT’S CADETS DURING BASIC RECRUIT TRAINING; AUTHORIZING THE MAYOR OR MAYOR’S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to donate four 2011 Ford Interceptor vehicles to the St. Petersburg College – Allstate Center to update SPC’s driving instruction vehicles which serve the St. Petersburg Police Department’s cadets during basic recruit training; and

WHEREAS, the City’s Fleet Management Department will transfer vehicle title, liability and risk of loss to St. Petersburg College.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the donation of four 2011 Ford Interceptor vehicles valued at approximately $6,000 to St. Petersburg College – Allstate Center (“SPC”) to update SPC’s driving instruction vehicles which serve the St. Petersburg Police Department’s cadets during basic recruit training is hereby approved; and the Mayor or Mayor’s designee is authorized to execute all documents necessary to effectuate this transaction.

This resolution shall take effect immediately upon its adoption.

Approved as to form and content:

City Attorney (designee)
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Declaring Environmental Systems Research Institute Incorporated (ESRI) to be a sole source supplier for GIS software and support for the Police Department; accepting the proposal and approving a three year agreement (blanket agreement) with Environmental Systems Research Institute Incorporated (ESRI) for GIS software and support for the Police Department at an estimated annual cost not to exceed $132,950 for a total three-year contract amount not to exceed $398,850, and providing an effective date.

Explanation: The vendor will provide all licenses, software, services, maintenance, documentation and nontransferable licenses for the Police Department's Information and Technology Services division.

Geographic Information System (GIS) software is currently used by Engineering & Capital Improvements, Water Resources and the Planning departments for location-based imagery for zoning, utilities and service area boundaries. The Police Department will implement a platform specific to public safety and law enforcement agencies. The software will be utilized to quickly analyze crime patterns and crime trends, provide operational awareness, assist in coordinating law enforcement activities, and provide information to aid in public safety planning through visual information and location analytics.

The technology will be utilized by analysts and GIS personnel, as well as all members of the Police Department from the officer on the street to senior department personnel. This system is already utilized by numerous law enforcement agencies, including Pinellas, Hillsborough, Lake and Broward County. A sole source procurement is recommended because ESRI's Server, Imaging and Desktop Services are only provided and supported by ESRI.

The Procurement Department, in cooperation with the Police Department, recommends for award:

Environmental Systems Research Institute Incorporated, Inc..........$398,850.00
(3 years @ $132,950 per year)

This purchase is made in accordance with Section 2-249 Sole Source Procurement of the Procurement Code, which authorizes City Council to approve the purchase of a supply or service over $50,000 without competitive bidding if it has been determined that the supply or service is available from only one source. A blanket purchase agreement will be issued to the vendor and will be binding for the actual services provided. The agreement will be effective from the date of award through February 23, 2020.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Local Law Enforcement State Trust Fund (1601-140) $94,100 and the Federal Justice Forfeiture Fund (1602-140) $38,850.

Attachments: Sole Source Quotation Resolution

Proof & Signature: [Signature]

Administrative: [Signature]

Budget: [Signature]
City of St. Petersburg

Sole Source Request
Procurement & Supply Management

Department: Police

Requisition No. __________________________

Check One: X Sole Source __________________________ Proprietary Specifications

Proposed Vendor: Environmental Systems Research Institute, Inc. (Esri)

Estimated Total Cost: $132,950.00 each year for three years

Description of Items (or Services) to be purchased:


Purpose of Function of items:

The Police Department’s Information and Technology Services division is acquiring Environmental Systems Research Institute's (Esri) products Licenses and Service. The purpose of acquiring this Geographic Information System (GIS) is to provide the Police Department with technology to quickly analyze crime patterns and crime trends, provide operational awareness, assist in coordinating law enforcement activities, and provide information to aid in public safety planning through visual information and location analytics. Use of the system is not restricted to analyst or GIS personnel, but to all members of the Police Department from the officer on the street to senior department personnel. This system is already utilized by numerous law enforcement agencies, including few that are local to the St. Petersburg area.

Justification for Sole Source of Proprietary specification:

Esri's Premier software (Server, Imaging and Desktop) and Services are proprietary and are only provided and supported by Esri.

I hereby certify that in accordance with Section 2-249 of the City of St. Petersburg Procurement Code, I have conducted a good faith review of available sources and have determined that there is only one potential source for the required items per the above justification. I also understand that under Florida Statute 838.22(2) it is a second degree felony to circumvent a competitive bidding process by using a sole-source contract for commodities or services.

Manager/Chief

Louis Moore, Director

02/07/17
Date

2/1/17
Date

2/11/17
Date
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<td>Esri Enterprise Advantage Program (EEAP) - Annual subscription designed to provide enterprise-wide visioning and geospatial enablement through technical advisory, an annual planning meeting, a collaboratively developed technical work plan, and access to exclusive quarterly technology webcasts. The program also provides access to a combination of consulting, premium support, and training services. This configuration includes a one day annual planning session; up to 100 Technical Advisor hours; Quarterly Technology Webcasts and 100 Learning and Services Credits. Subject to the terms &amp; conditions of the attached Enterprise Advantage Program Agreement (E125). Year 1.</td>
<td>$80,000.00</td>
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</tbody>
</table>

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact: Ali Fain
Email: afain@esri.com
Phone: (561) 832-4116 x8742

The items on this quotation are subject to the terms set forth herein and the terms of your signed agreement with Esri, if any, or, where applicable, Esri's standard terms and conditions at www.esri.com/legal, which are incorporated by reference. Federal government entities and government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Acceptance is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's products and services.

If sending remittance, please address to: Esri, File No. 54630, Los Angeles, Ca 90074-4630

FAINA
### Quotation # 20492327

**Date:** August 8, 2016  
**Customer # 507069**  
**Contract #:**

**City of Saint Petersburg**  
Police Dept  
1300 1st Ave N  
Saint Petersburg, FL 33705-1509

**ATTENTION:** Bonnie Bush  
**PHONE:** (727) 892-5948  
**FAX:**

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**To expedite your order, please attach a copy of this quotation to your purchase order.**  
**Quote is valid from:** 08/08/2016 **To:** 02/28/2017

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<table>
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**Item Total:** 398,850.00  
**Subtotal:** 398,850.00  
**Sales Tax:** 0.00  
**Estimated Shipping & Handling(2 Day Delivery):** 0.00  
**Contract Pricing Adjust:** 0.00  
**Total:** $398,850.00

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Esrı may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

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**For questions contact:** Ali Fair  
**Email:** afain@esri.com  
**Phone:** (561) 832-4116 x8742

The items on this quotation are subject to the terms set forth herein and the terms of your signed agreement with Esri, if any, or, where applicable, Esri's standard terms and conditions at www.esri.com/legal, which are incorporated by reference. Federal government entities and government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Acceptance is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's products and services.

*If sending remittance, please address to: Esri, File No. 54630, Los Angeles, Ca 90074-4630*

FAINA
A RESOLUTION DECLARING ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE INCORPORATED (ESRI) TO BE A SOLE SOURCE SUPPLIER FOR GIS SOFTWARE AND SUPPORT FOR THE POLICE DEPARTMENT; ACCEPTING THE PROPOSAL AND APPROVING A THREE YEAR AGREEMENT (BLANKET AGREEMENT) WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE INCORPORATED (ESRI) FOR GIS SOFTWARE AND SUPPORT FOR THE POLICE DEPARTMENT AT AN ESTIMATED ANNUAL COST NOT TO EXCEED $132,950 FOR A TOTAL THREE-YEAR CONTRACT AMOUNT NOT TO EXCEED $398,850; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City wishes to purchase GIS software and support for the Police Department which will be utilized to quickly analyze crime patterns and trends, provide operational awareness, assist in coordinating law enforcement activities, and provide information to aid in public safety planning; and

WHEREAS, Environmental Systems Research Institute Incorporated (ESRI) is the sole provider and support of the Police Department’s Server, Imaging and Desktop Services; and

WHEREAS, Section 2-249 of the City Code provides requirements for sole source procurement of a supply or service over $50,000 without competitive bidding if it has been determined that the supply or service is available from only one source; and

WHEREAS, the Procurement and Supply Management Department, in cooperation with the Police Department, recommends approval of the award to Environmental Systems Research Institute Incorporated as a sole source supplier; and

WHEREAS, the Mayor or his designee has prepared a written statement to the City Council certifying the condition and circumstances for the sole source purchase.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that Environmental Systems Research Institute Incorporated is a sole source supplier; and

BE IT FURTHER RESOLVED that the proposal is accepted and the award of a three year agreement (blanket agreement) with Environmental Systems Research Institute Incorporated (ESRI) for GIS software and support for the Police Department at an estimated annual cost not to exceed $132,950 for a total three-year contract amount not to exceed $398,850 is hereby approved and the Mayor or Mayor's designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Awarding a contract to Niche Video Products, Inc., for media asset management equipment and software for St. Pete TV at a total cost of $66,861.

Explanation: The Procurement Department received one bid for media asset management equipment and software.

The vendor will furnish, install and provide training for equipment and software that will be used as a central repository to store, retrieve, preview, and access the City's digital broadcast assets over all device platforms. In addition, the equipment and software will also allow St. Pete TV to edit and playback video using 100% fiber optic 10 gigabyte Internet Protocol backbone. Editors will be able to copy content into the central repository, edit final content either locally or centrally and then push the ready-for-consumption clips to an additional location on the central media asset management system for distribution to playout servers, internal clients and external hosting.

The Procurement Department recommends:

Niche Video Products, Inc..........................................................$66,861

Niche Video Products, Inc., the lowest responsive and responsible bidder, has met the specifications, terms and conditions of Bid No. 6194 dated September 13, 2016. This company was incorporated in 1991 and is located in Marietta, Georgia.

The vendor will deliver the equipment approximately 30 calendar days from issuance of purchase order.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Technology and Infrastructure Fund (5019), Department of Technology Services Network Support (8502565).

Attachments: Resolution

Approvals:
A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO NICHE VIDEO PRODUCTS, INC. AT A TOTAL COST NOT TO EXCEED $66,861 FOR MEDIA ASSET MANAGEMENT EQUIPMENT AND SOFTWARE FOR ST. PETE TV; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City wishes to purchase media asset management equipment and software for St. Pete TV which will allow staff to edit and playback video using 100% fiber optic 10 gigabyte Internet Protocol backbone; and

WHEREAS, Niche Video Products, Inc. has met the specifications, terms and conditions of Bid No. 6194 dated September 13, 2016; and

WHEREAS, the Procurement 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 is accepted and the award of an agreement to Niche Video Products, Inc. at a total cost not to exceed $66,861 for media asset management equipment and software for St. Pete TV 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:

[Signature]

City Attorney (designee)
Resolution No. 2017 -

A RESOLUTION REQUESTING THAT THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA INVESTIGATE THE VIABILITY AND DESIRABILITY OF ENACTING A COUNTY-WIDE INCLUSIONARY ZONING ORDINANCE, SUBJECT TO OPT OUT PROVISIONS FOR CITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, there is an acute need for additional affordable housing in Pinellas County and the City of St. Petersburg ("St. Petersburg") that is not adequately addressed by current laws and regulations; and

WHEREAS, the City Council of St. Petersburg ("City Council") is seeking ways to encourage the construction of affordable housing; and

WHEREAS, Pinellas County and St. Petersburg are growing again, with St. Petersburg gaining 5,000 people since 2010; and

WHEREAS, over the next 20 years, St. Petersburg is projected to add approximately 20,000 new residents; and

WHEREAS, for-sale housing unit median prices in Pinellas County increased 16% or $36,250 year over year between 2015 and 2016, with much of the new housing being sold at $500,000 and above, which only the more affluent can afford; and

WHEREAS, the average rental cost for a two bedroom apartment in St. Petersburg has increased $40 per month over the previous year, with new rental housing being built renting at $1,500 per month and above, which a majority of tenants cannot afford.; and

WHEREAS, Pinellas County has a surplus of retirement oriented 2 bedroom housing with two-thirds of St. Petersburg's housing units being 2 bedrooms/1 bath; and

WHEREAS, there is a growing need for family oriented 3 bedroom/2 bath homes at moderate prices; and

WHEREAS, the housing market is only meeting the demand for the more upscale housing which is driving up rents and sales prices; and

WHEREAS, Approximately 500 communities around the country have passed inclusionary zoning ordinances to make sure that a balanced mix of housing is built; and

WHEREAS, inclusionary zoning is a proven tool to insure that new housing developments include either a balanced mix of housing stock or sufficient funding to build the less expensive housing off site; and
WHEREAS, an inclusionary zoning ordinance would produce affordable housing by requiring new residential development to include a certain percentage of affordable housing units, on site, or at an alternate site; and

WHEREAS, an inclusionary zoning ordinance would greatly enhance the ability of Pinellas County and St. Petersburg to provide housing for a wide range of residents as the economy improves to fill needed jobs; and

WHEREAS, this City Council is committed to enacting policies that will meet its need for quality, affordable homes for a growing and socioeconomically diverse population, and to help ensure equitable access to affordable housing; and

WHEREAS, this City Council has determined that the need for affordable housing is a problem that can be addressed in conjunction with other governmental bodies; and

WHEREAS, the County has the legal authority to establish county-wide ordinances, subject to opt out provisions for cities, to address this issue; and

WHEREAS, this City Council believes that the establishment of inclusionary zoning by the County would be an important step in addressing the need for affordable housing in St. Petersburg and throughout Pinellas County; and

WHEREAS, this City Council desires that the County investigate the viability and desirability of enacting a county-wide inclusionary zoning ordinance.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that this City Council requests that the Board of County Commissioners of the Pinellas County, Florida, investigate the viability and desirability of enacting a county-wide inclusionary zoning ordinance, subject to opt out provisions for cities.

This resolution shall become effective immediately upon its adoption.

Approvals: ____________________________  ____________________________
Legal:  Administration:

Legal: 00308152.doc V.2

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