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

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

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

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

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

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

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

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

GENERAL AGENDA INFORMATION

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

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

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

B. Approval of Agenda with Additions and Deletions.

C. Consent Agenda (see attached)

Open Forum

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

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

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

Setting September 21, 2017 as the public hearing date for the following proposed Ordinance(s):

1. Ordinance approving a vacation of a 22-foot segment of a 20-foot wide street and public utility easement generally located south of 6th Avenue South and east of 46th Street South. (City File 17-33000008)

2. Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement (JPA) and any additional Supplemental Joint Participation Agreements (collectively, JPAs), including but not limited to the Aviation Program Assurances (Grant Assurances), to be executed by the City, as a requirement for receipt of the Florida Department of Transportation (FDOT) funds in an amount not to exceed $21,600 (Grant) for the Taxiway C Rehab Project (Project #15120) and the Taxiway C South Ramp Project (Project #15617), which, inter alia, require that the City not sell, lease, encumber or otherwise transfer or dispose of any part of the City’s right, title or other interests in Albert Whitted Municipal Airport (Airport), make the 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 $21,600; approving a supplemental appropriation of $10,026 to the Taxiway C South Ramp Project (Project #15617) from the increase in the Airport Capital Fund (4033); authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.
3. Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement (JPA) and any additional Supplemental Joint Participation Agreements (collectively, JPAs), including but not limited to the Aviation Program Assurances (Grant Assurances), to be executed by the City, as a requirement for receipt of the Florida Department of Transportation (FDOT) funds in an amount not to exceed $290,000 (Grants) for the Terminal Hangar Project (Project #13279), which, inter alia, require that the City not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title or other interests in Albert Whitted Municipal Airport (Airport), make the 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 apply for and accept the Grants in an amount not to exceed $290,000; rescinding funding in the amount of $285,777 from the Airport Terminal Hangar Project (Project #13279) as a result of the expiration of a FDOT grant and approving a supplemental appropriation of $290,000 to the Airport Terminal Hangar Project (Project #13279) from the increase in the Airport Capital Fund (4033) from this new grant; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

4. Campaign Finance

(a) Ordinance to impose contribution limits entitled: An ordinance making findings regarding the need to enact campaign finance reform for municipal elections in the City of St. Petersburg; amending the City Code to add contribution limits for Municipal Elections; and providing an effective date.

(b) Ordinance to impose disclosure requirements in conjunction with contribution limits entitled: An ordinance making findings regarding the need to enact campaign finance reform for municipal elections in the City of St. Petersburg; amending the city code to add disclosure requirements for independent expenditures for municipal elections and disclaimers; and providing an effective date.

(c) Ordinance to impose standalone disclosure requirements entitled: An ordinance making findings regarding the need for increased disclosure of independent expenditures, expenditures for electioneering communications, and other campaign finance matters related to City elections; amending the City Code to require such disclosure; and providing an effective date.

5. Ordinance relating to utility rates and charges; amending Chapter 27, Subsections 27-142 (a) and Subsection 27-284 (a) and 27-284 (d) of the St. Petersburg City Code; amending wholesale water service charges for the City of Gulfport and corrected language; amending wastewater service charges for wholesale customers; providing for severability of provisions; providing an explanation of words struck through and underlined; establishing a date to begin calculating new rates for billing purposes.

6. Ordinance amending the St. Petersburg City Code, Chapter 16, Land Development Regulations (LDRs), making minor clarifications to the City’s Historic and Archaeological Preservation Overlay. (City File LDR-2017-05)

E. Reports
1. **Resolution initiating an amendment to the Official Zoning Map and Future Land Use Map designations for property generally located southwest of the intersection of 27th Street South and 5th Avenue South.**

2. **Sewer Report**

   (a) Accepting a proposal from Environmental Products Group, Inc., a sole source supplier, for sanitary sewer inspection equipment for the Water Resources Department, at a total cost of $107,228.

   (b) Authorizing the administration to negotiate an agreement with Jacobs Engineering Group Inc. for the Wastewater Program Management and Integrated Water Resource Planning project; (Engineering Project Number 17078-111; Oracle Project Number 15953).

   (c) Approving the First Amendment to the agreement between the City of St. Petersburg, Florida, and L.A. Consulting, Inc., dated May 18, 2017, for L.A. Consulting, Inc. to interview additional Water Resources employees for an amount not to exceed $8,152; authorizing the Chair of the BF&T Committee to execute the First Amendment.

F. **New Business**

   1. **Requesting Administration to provide an update on Commerce Park.** (Councilmember Wheeler-Bowman)

   2. **Requesting Administration to provide a report on the selection of The Callaloo Group for the Manhattan Casino.** (Councilmember Wheeler-Bowman)

   3. **Referring the Inflow/Infiltration Language for Wholesale Sewer Customers to the Public Services & Infrastructure Committee.** (Councilmember Kornell)

   4. **Referring the Pollution Prevention (P2) Project to the Public Services & Infrastructure Committee.** (Councilmember Kornell)

   5. **Referring to the Public Services & Infrastructure Committee a discussion in regards to our preparedness to respond to a natural disaster such as a hurricane.** (Councilmember Kornell)

   6. **Requesting to delay mandatory solar panel requirements discussions for one year.** (Chair Rice)

G. **Council Committee and Intergovernmental Reports**

   1. **Land Use & Transportation Report**

      (a) Forward Pinellas

      (b) Tampa Bay Transportation Management Area (TBTMA) (Councilmember Kennedy)

      (c) MPO Action Committee

      (d) PSTA - (Chair Rice)

      (e) Tampa Bay Area Regional Transportation Authority (TBARTA) - (Chair Rice)
2. Budget, Finance & Taxation Committee (8/24/17)

3. Public Services & Infrastructure Committee (8/24/17)

4. **Housing Services Committee (8/24/17)**

   (a) Authorizing the Mayor or his designee to convey the 39 city-owned, neighborhood stabilization program (“NSP”) vacant lots in the City’s land bank inventory (“Lots”) identified on the list attached hereto, to qualified developers for the purpose of constructing new, affordable homes, on the lots, to be purchased by low and moderate-income households in the City’s South St. Petersburg Community Redevelopment Area (“CRA”); providing that all lots will be conveyed for $1 to the qualified developers with the requirement that each property shall have an affordability period of a minimum of 10 years, as provided in a mortgage from the homebuyer or conveyance of the lot to an affordable housing land trust; authorizing the administration to provide funding up to $100,500 at 0% interest from available NSP funds to developers to construct each new home; authorizing the administration to prioritize the order of the conveyance of the lots; authorizing the administration to establish qualifications and procedures for developers to participate in the program; authorizing the administration to execute an agreement with each qualified developer that provides for its compliance with all of the applicable NSP-1 and NSP-3 program guidelines and the provision of a minimum of 33% of the cost to construct each home; authorizing the administration to convey the unimproved City-owned NSP parcel located at 331 45th Street South to Habitat for Humanity of Pinellas for $1 prior to the establishment of the new developer program described herein; authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution. [RESOLUTION DELETED]

5. **Co-Sponsored Events Committee (8/30/17)**

   (a) 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 Gulf to Bay Food Truck Association Inc.; authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.

   (b) 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, Inc.; authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.

   (c) A resolution approving events for co-sponsorship in name only by the city for fy2017 and fy2018; authorizing the mayor or his designee to execute all documents necessary to effectuate this resolution.

H. **Legal**

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. Ordinance 295-H of the City of St. Petersburg, amending Chapter 28, vehicles for hire to add transportation network company vehicles as exempt vehicles; deleting the requirement for a public vehicle drivers permit and references to said permit; removing some requirements for vehicles for hire to more closely align with state requirements for transportation network companies; amending categories relating to fees for public vehicles in Section 12-6(9).

First Reading and First Public Hearings

Setting September 21, 2017 as the second reading and second public hearing date for the following proposed Ordinance(s).

2. Fiscal Year 2018 Tentative Budget and Proposed Millage Rate

   (a) Resolution adopting a proposed millage rate for the Fiscal Year ending September 30, 2018.

   (b) Ordinance No. 298-H making appropriations for the fiscal year ending September 30, 2018; making appropriations for the payment of the operating expenses of the City of St. Petersburg, Florida, including its utilities, and for the payment of principal and interest of revenue bonds, and other obligations of the City of St. Petersburg, Florida; making appropriations for the Capital Improvement Program of the City of St. Petersburg, Florida; making appropriations for the dependent special districts of the City of St. Petersburg, Florida; adopting this appropriations ordinance as the budget for the City of St. Petersburg, Florida for the fiscal year ending September 30, 2018; and providing for related matters.

   (c) Resolution adopting the tentative budget for the Fiscal Year ending September 30, 2018.

J. Open Forum

K. Adjournment
Consent Agenda A  
September 7, 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.

(Procurement)

1. Approving the renewal of blanket purchase agreements with Dura-Cast Products, Inc., Iron Container LLC, Equipco Manufacturing, Inc., Wastequip Manufacturing Company LLC, and Otto Environmental Systems (NC) LLC, for refuse containers compactors and related products for the Sanitation Department, at an estimated two-year cost of $2,000,000, for a total contract amount of $4,200,000.

2. Approving the purchase of fuel from Mansfield Oil Company of Gainesville, Inc. for the Fleet Management Department, at an estimated annual cost of $4,007,645.

3. Approving the purchase of sanitation vehicles from Rush Truck Centers of Florida, Inc. and Ring Power Corporation for the Sanitation Department, at a total cost of $1,972,809.00.

4. Approving the renewal of blanket purchase agreements with Life Extension Clinics, Inc., dba Life Scan Wellness Centers and U.S. HealthWorks Medical Group of Florida, Inc. for medical examinations and health testing services for the Human Resources, Fire, Police, and Parks and Recreation Departments, at an estimated annual cost of $320,000, for a total contract amount of $1,570,000.


6. Accepting a proposal from PSX Inc, of Tampa (PSX) to provide garage revenue and access and control systems for Sundial, South Core and Municipal Services parking facilities in an amount not to exceed $640,000. [DELETED]
NOTE: The Consent Agenda contains normal, routine business items that are very likely to be approved by the City Council by a single motion. Council questions on these items were answered prior to the meeting. Each Councilmember may, however, defer any item for added discussion at a later time.

(Procurement)

1. Approving the renewal of agreements with Great Bay Distributors, Inc., Vansnax Distributors, Inc., J.J. Taylor Distributing Florida, Inc., Hamilton Distribution, Inc. and Freeman’s Independent Ice Co., Inc. for food and beverages for resale at an estimated annual cost of $60,000, for a total contract amount of $260,000.

2. Accepting a proposal from Montgomery Retirement Plan Advisors, Inc. for deferred compensation consulting services for the Human Resources Department, for a three-year contract amount of $118,500.

3. Rescinding a portion of an award to Stingray Chevrolet, LLC in the amount of $63,243, and awarding to Alan Jay Chevrolet-Cadillac, Inc., in the amount of $71,160.99, for a net increase of $7,917.99 in the total fleet purchase.

(City Development)

4. Resolution approving the plat of Tyrone Commercial, generally located on the north side of the intersection of 22nd Avenue North and Tyrone Boulevard North. (City File 16-20000005)

5. Resolution approving the plat of Wear The Fox Hat Farm Plat, generally located at 1045 25th Street North. (City File: 16-20000017)

6. Resolution approving the plat of Gandy Boulevard Self Storage, generally located on a portion of land lying within Section 19, Township 30 south, Range 17 east, Pinellas County, Florida; land lying southeast of Gandy Boulevard right-of-way, west of 2nd Street North right-of-way, and north of 99th Avenue North right-of-way. (City File: 17-20000007)

7. A Resolution approving a supplemental appropriation in the amount of $114,100 from the unappropriated balance of the Marina Capital Improvement Fund to the Pump-Out Boat Project (16075); authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

8. Authorizing the Mayor, or his designee, to execute a Lease and Development Agreement with Orange Belt Station, LLC, a Florida limited liability company, for City-owned property located at approximately 600 – 26th Street South, St. Petersburg.
9. **Granting Habitat for Humanity of Pinellas County, Inc.** an exception to the requirement, contained in the 2017 Special Assessment Lien Modification Program, Option "D", for the removal of principal and interest on special assessment liens subject to a Development Agreement, that a property must be located within the Southside Community Redevelopment Area to be eligible for release of Special Assessment Liens for a property located at 3030 – 21st Street North, St. Petersburg.

(Public Works)

10. **Approving a supplemental appropriation in the amount of $39,312** from the unappropriated balance of the Neighborhood & Citywide Infrastructure Fund (3027) to the Sidewalk Reconstruction/Expansion FY 17 Project (15626).

11. **Approving Amendment No. 1 to Task Order No. 12-19-AED/W, as revised (“Task Order”), to the Architect/Engineering Agreement dated July 1, 2014, between the City of St. Petersburg, Florida (“City”) and Advanced Engineering & Design, Inc. (“A/E”) for A/E to provide additional design services and re-permitting services for the Lift Station No. 11, Snell Isle Blvd. Rehabilitation Project in an amount not to exceed $22,110, for a total Task Order amount not to exceed of $79,650 (Engineering Project No. 16068-111; Oracle No. 14218); authorizing the Mayor or his designee to execute Amendment No. 1; and providing an effective date.

12. **Authorizing the mayor or his designee to execute Amendment No. 1 to Task Order No. 15-02-CAR/ENV (“Task Order”) to the architect/engineering agreement dated July 19, 2016, between the City of St. Petersburg, Florida (“City”) and Cardno, Inc. (“A/E”) FOR A/E to furnish professional engineering services for the Soil Assessment & Interim Source Removal Project in an amount not to exceed $83,214.42, for a total TASK ORDER amount not to exceed of $89,423.92; rescinding an unencumbered appropriation in the amount of $140,000 from the Infrastructure TBD FY17 Project (15675) in the City Facilities Capital Improvement Fund (3031); approving a supplemental appropriation in the amount of $140,000 from the unappropriated balance of the City Facilities Capital Improvement Fund (3031) resulting from this rescission to the Environ Cleanup Proj 16 (15199) to provide for the necessary funding for Amendment No. 1 to the Task Order, excavation and disposal services, and engineering project management costs (Engineering Project No. 17104-110; Oracle Nos. 14117, 14668 and 15119).

(Appointments)

13. **Confirming the reappointment of Charles E. Flynt and Ann Vickstrom as regular members to the Development Review Commission to serve a three-year term ending September 30, 2020.**

(Miscellaneous)

14. **Approving the 2017 Emergency Medical Services ALS First Responder Agreement between the City of St. Petersburg and the Pinellas County Emergency Medical Services Authority for fiscal years 2017/2018 and 2018/2019; authorizing the Mayor or his designee to execute the 2017 Emergency Medical Services ALS First Responder Agreement.**

15. **Authorizing the Mayor or his designee to credit bid on each property or properties that the City has been granted a final judgment for, up to the greater of just market value of the**
property as determined by the Pinellas County Property Appraiser or the amount of the City's final judgement on the property, at judicial sales.

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

17. A resolution authorizing the Mayor, or his designee, to execute a License Agreement with Greater Mt. Zion African Methodist Episcopal Church of St. Petersburg, Florida, Inc., a Florida non-profit corporation, for the use of unimproved City-owned property located at approximately 1120 – 16th Street South, St. Petersburg, for hosting a community event (tent revival services), for a nominal fee of $10.00.
Note: An abbreviated listing of upcoming City Council meetings.

**Budget, Finance & Taxation Committee**  
*Thursday, September 14, 2017, 8:00 a.m., Room 100*

**Public Services & Infrastructure Committee**  
*Thursday, September 14, 2017, 9:30 a.m., Room 100*

**Committee of the Whole: Foundation for a Healthy St. Petersburg**  
*Thursday, September 14, 2017, 10:30 a.m., Room 100*

**CRA / Agenda Review (9/21/17)**  
*Thursday, September 14, 2017, 1:30 p.m., Room 100*

**City Council Meeting**  
*Thursday, September 14, 2017, 3:00 p.m., Council Chamber*

**Committee of the Whole: Regional Transit Feasibility Plan**  
*Thursday, September 21, 2017, 9:00 a.m., Room 100*

**Youth Services Committee [CANCELED]**  
*Thursday, September 21, 2017, 11:00 a.m., Room 100*

**Energy, Natural Resources & Sustainability Committee**  
*Thursday, September 21, 2017, 11:00 a.m., Room 100*

**Legislative Affairs and Intergovernmental Relations Committee**  
*Thursday, September 21, 2017, 1:30 p.m., Room 100*

**City Council Meeting: Second Budget Public Hearing**  
*Thursday, September 21, 2017, 3:00 p.m., Council Chamber*
Civil Service Board
1 Alternate Member
(Term expires 6/30/17)

City Beautiful Commission
4 Regular Members
(Terms expire 12/31/16 and 12/31/18)
PROCEDURES TO BE FOLLOWED FOR QUASI-JUDICIAL PROCEEDINGS:

1. Anyone wishing to speak must fill out a yellow card and present the card to the Clerk. All speakers must be sworn prior to presenting testimony. No cards may be submitted after the close of the Public Hearing. Each party and speaker is limited to the time limits set forth herein and may not give their time to another speaker or party.

2. At any time during the proceeding, City Council members may ask questions of any speaker or party. The time consumed by Council questions and answers to such questions shall not count against the time frames allowed herein. Burden of proof: in all appeals, the Appellant bears the burden of proof; in rezoning and land use cases, the Property Owner or Applicant bears the burden of proof except in cases initiated by the City, in which event the City Administration bears the burden of proof; for all other applications, the Applicant bears the burden of proof. Waiver of Objection: at any time during this proceeding Council Members may leave the Council Chamber for short periods of time. At such times they continue to hear testimony because the audio portion of the hearing is transmitted throughout City Hall by speakers. If any party has an objection to a Council Member leaving the Chamber during the hearing, such objection must be made at the start of the hearing. If an objection is not made as required herein it shall be deemed to have been waived.

3. Initial Presentation. Each party shall be allowed ten (10) minutes for their initial presentation.
   a. Presentation by City Administration.
   b. Presentation by Applicant followed by the Appellant, if different. If Appellant and Applicant are different entities then each is allowed the allotted time for each part of these procedures. If the Property Owner is neither the Applicant nor the Appellant (e.g., land use and zoning applications which the City initiates, historic designation applications which a third party initiates, etc.), they shall also be allowed the allotted time for each part of these procedures and shall have the opportunity to speak last.
   c. Presentation by Opponent. If anyone wishes to utilize the initial presentation time provided for an Opponent, said individual shall register with the City Clerk at least one week prior to the scheduled public hearing. If there is an Appellant who is not the Applicant or Property Owner, then no Opponent is allowed.

4. Public Hearing. A Public Hearing will be conducted during which anyone may speak for 3 minutes. Speakers should limit their testimony to information relevant to the ordinance or application and criteria for review.

5. Cross Examination. Each party shall be allowed five (5) minutes for cross examination. All questions shall be addressed to the Chair and then (at the discretion of the Chair) asked either by the Chair or by the party conducting the cross examination of the appropriate witness. One (1) representative of each party shall conduct the cross examination. If anyone wishes to utilize the time provided for cross examination and rebuttal as an Opponent, and no one has previously registered with the Clerk, said individual shall notify the City Clerk prior to the conclusion of the Public Hearing. If no one gives such notice, there shall be no cross examination or rebuttal by Opponent(s). If more than one person wishes to utilize the time provided for Opponent(s), the City Council shall by motion determine who shall represent Opponent(s).
   a. Cross examination by Opponents.
   b. Cross examination by City Administration.
   c. Cross examination by Appellant followed by Applicant, followed by Property Owner, if different.

6. Rebuttal/Closing. Each party shall have five (5) minutes to provide a closing argument or rebuttal.
   a. Rebuttal by Opponents.
   b. Rebuttal by City Administration.
   c. Rebuttal by Appellant followed by the Applicant, followed by Property Owner, if different.
TO: The Honorable Darden Rice, Chair, and Members of City Council

SUBJECT: Ordinance approving a vacation of a 22-foot segment of a 20-foot wide street and public utility easement generally located south of 6th Avenue South and East of 46th Street South. (City File No.: 17-33000008)

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 September 21, 2017

The Request: The request is to vacate a 22-foot segment of a 20-foot wide street and public utility easement generally located south of 6th Avenue South and East of 46th Street South in Child's Park. The applicant is the City of St. Petersburg and the portion of the street and public utility easement proposed for vacation is to be used for construction of a new press box and storage facility at the Childs Park Athletic Complex.

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

Agency Review: As noted above City Departments did indicate that facilities may exist in the portion of the easement to be vacated and requested relocation at the applicant’s expense if the City’s water main is found to be within the portion of easement proposed for vacation.

Public Comments: Four calls were received from the public in response to the mailed public notice for the DRC hearing. None indicated any concerns with the project. The applicant will be required to provide an additional public notice prior to the public hearing before the City Council.

DRC Action/Public Comments: On August 2, 2017, the Development Review Commission held a public hearing on the subject application. No person spoke in opposition to the request. After the public hearing, the DRC voted 7-0 to recommend approval of the proposed vacation. In advance of this report, no additional comments or concerns were expressed to the author.

RECOMMENDATION: The Administration recommends APPROVAL of the partial street and public utility easement vacation, subject to the following conditions:
1. Prior to issuance of construction permits for the press box, the applicant shall comply with condition number 1 in the Engineering Memorandum dated June 13, 2017.


3. As required City Code Section 16.70.050.1.1 F, Approval of right-of-way vacations shall lapse and become void unless the vacation ordinance is recorded by the City Clerk in the public records within 24 months from the date of such approval or unless an extension of time is granted by the commission designated in the Decisions and Appeals Table or, if appealed, by the City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one year. The vacation ordinance shall be recorded after any conditions precedent have been compiled with.

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 August 2, 2107, at 2:00 P.M. in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.: 17-33000008
PLAT SHEET: L-3

REQUEST: Approval of a Vacation of a 22-foot segment of a 20-foot street and public utility easement.

OWNER: City of St. Petersburg
Parks and Recreation
1 4th Street North
Saint Petersburg, Florida 33731-2842

AGENT: Catherine Bosco
George F. Young, Inc.
299 Dr. Martin Luther King, Jr. Street North
Saint Petersburg, Florida 33701

ADDRESS: 601 45th Street South

PARCEL ID NO.: 22-31-16-99091-001-0010

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional (NT-2)

DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate a 22-foot segment of a 20-foot street and public utility easement located within Child's Park, in order to build a press box for the football field. This 20-
foot street and public utility easement was dedicated by the Plat of Child's Park Athletic Field Complex in 2009.

The area of the right-of-way proposed for vacation is depicted on the attached maps (Attachments "A" and "B") and Sketch and Legal description (Exhibit "A"). The applicant's goal is to vacate this portion of the street and public utility easement in order to be able to construct a building.

**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 16.40.140.2.1 E 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 the standard list of City Departments and private utility providers. The City's Engineering Department has comments on the application. Private utility providers indicated that they had no objection to the vacation.

   An associated special condition of approval has been suggested at the end of this report which would ensure that the applicant complies with the Engineering conditions.

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 vacation of this portion of the street easement will not cause a detrimental effect upon or impair or deny access to any lot of record.

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 of this portion of the street easement will not adversely impact the existing roadway network or alter utilized travel patterns, or undermine the integrity of a historic plat.
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 portion of the street easement is not needed for the purpose for which the City has a legal interest and there is no known present or future need for this portion of the street easement.

The portion of the public utility easement may have City utilities within the area to be vacated and Engineering has asked for additional location verification. As a proposed condition of approval, the applicant will comply with the conditions in the Engineering Memorandum prior to release of construction permits.

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

The subject right-of-way is within the boundaries of the Child's Park Neighborhood Association and within the South St. Petersburg CRA. There are no neighborhood or special area plans which affect vacation of this street easement in this area of the City.

*Comments from Agencies and the Public:* Four calls were received from the public in response to the mailed public notice. Neither indicated any concerns with the project.

As noted above City Departments did indicate that facilities may exist in the portion of the easement to be vacated and requested relocation at the applicant's expense if the City's water main is found to be within the portion of easement proposed for vacation. The applicant will be required to provide an additional public notice prior to the public hearing before the City Council.

**RECOMMENDATION.** Staff recommends **APPROVAL** of the proposed street and public utility easement vacation. If the DRC is inclined to support the vacation, Staff recommends the following special conditions of approval:

1. Prior to issuance of construction permits for the press box, the applicant shall comply with condition number 1 in the Engineering Memorandum dated June 13, 2017.

3. As required City Code Section 16.70.050.1.1 F, Approval of right-of-way vacations shall lapse and become void unless the vacation ordinance is recorded by the City Clerk in the public records within 24 months from the date of such approval or unless an extension of time is granted by the commission designated in the Decisions and Appeals Table or, if appealed, by the City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one year. The vacation ordinance shall be recorded after any conditions precedent have been compiled with.

REPORT PREPARED BY:

KATHRYN YOUNKIN, AICP, LEED AP ED+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


Exhibits: “A” – Sketch and Legal Description of easement portion to be vacated
MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING DEPARTMENT

TO: Pamela Jones, Development Services
FROM: Nancy Davis, Engineering Plan Review Supervisor
DATE: June 13, 2017
SUBJECT: Right of way & Public utility easement - Vacation
FILE: 17-33000008

LOCATION: 601 45th Street South
AND PIN: 22/31/16/99091/001/0010

ATLAS: L-3
PROJECT: Right of Way & Easement - Vacation
REQUEST: Approval of a vacation of a 22-foot segment of a 20-foot street and public utility easement.

The Engineering department has the following comments regarding this vacation request:

1. City Utility Maps do not indicate the existence of any public utilities within the area requested for vacation, but previous plans from the Childs Park Athletic Complex (City Engineering foreign drawing #02-21-02) show a 6" & 8" potable water main within the easement. The applicant must verify the actual location of the existing 6" & 8" water main and if found existing within the area to be vacated, the water main will need to be relocated into the public right of way as a condition of the vacation request.

2. Surface drainage flow through existing private drainage swales which may exist (for the Childs Park Athletic Complex drainage system) within the area to be vacated must be redirected around proposed structures which may be constructed in the future. Reference George F. Young paving, grading, and drainage plan sheet C-4 (Job No. 0018-0096-01), also filed as City Engineering foreign drawing number 02-21-05.

NED/MJrw
pc: Kelly Donnelly
Easement Vacation File 2017
Reading File
Correspondence File
ORDINANCE NO. _____

AN ORDINANCE APPROVING A VACATION OF A 22-FOOT SEGMENT OF A 20-FOOT STREET AND PUBLIC UTILITY EASEMENT GENERALLY LOCATED SOUTH OF 6TH AVENUE SOUTH AND EAST OF 46TH STREET SOUTH; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. The following right-of-way is hereby vacated as recommended by the Administration and the Development Review Commission on August 2, 2017. (City File No. 17-33000008):

See Attached Description and Sketch – Exhibit “A” – 2 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 issuance of construction permits for the press box, the applicant shall comply with condition number 1 in the Engineering Memorandum dated June 13, 2017.


3. As required City Code Section 16.70.050.1.1 F, Approval of right-of-way vacations shall lapse and become void unless the vacation ordinance is recorded by the City Clerk in the public records within 24 months from the date of such approval or unless an extension of time is granted by the commission designated in the Decisions and Appeals Table or, if appealed, by the City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one year. The vacation ordinance shall be recorded after any conditions precedent have been compiled with.

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:
A portion of that certain 20 foot Street and Public Utility Easement as shown on Plot of CHILD'S PARK ATHLETIC FIELD COMPLEX as recorded in Plot Book 136, Pages 25 and 26, Public Records of Pinellas County, Florida described as follows:

From the Northwest corner of Lot 1, Block 1, of said CHILD'S PARK ATHLETIC FIELD COMPLEX, as the Point of Commencement, thence S.00'08'15"E. along the West line of said Lot 1, said line also being the East right-of-way line of 46th Street South, said line also being the West line of said 20 feet Street and Public Utility Easement, 368.72 feet to the POINT OF BEGINNING; thence continue S.00'08'15"E. along said East right-of-way line, and along the West line of said Lot 1, and along the West line of said 20 foot Street and Public Utility Easement, 22.00 feet; thence departing said East right-of-way line and the West line of said Lot 1 and the West line of said 20 foot Street and Public Utility Easement, N.89°51'45"E., 20.00 feet to a point of intersection with the East line of said 20 foot Street and Public Utility Easement; thence along said East line, N.00'08'15"W., 22.00 feet; thence departing said East line, S.89°51'45"W., 20.00 feet to the POINT OF BEGINNING.

Containing 440 square feet or 0.010 acre, more or less.

St. Petersburg, Florida

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: S.00'08'15"E. along the East right-of-way line of 46th Avenue South, as per record plot.

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" = 30'.

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.

LEGEND

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<th>Code</th>
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<tr>
<td>LB</td>
<td>Licensed Business</td>
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<tr>
<td>LS</td>
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<td>PSM</td>
<td>Professional Surveyor and Mapper</td>
</tr>
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<td>R/W</td>
<td>Right-of-way</td>
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</table>

George F. Young, Inc.
259 Dr. Martin Luther King Jr. Street N., St. Petersburg, Florida 33701-3126
Phone (727) 822-4317 Fax (727) 822-3919
LICENSED BUSINESS #11594
ARCHITECTURE, ENGINEERING, ENVIRONMENTAL, LANDSCAPE, PLANNING, SURVEYS, UTILITIES
GAINESVILLE, LAKEWOOD, MARGOença-PARIS, OMAHA-PALM BEACH-FT, PETERSBURG-SUNA
Exhibit "A" - Pg 2 of 2

POINT OF COMMENCEMENT
NORTHWEST CORNER LOT 1

6TH AVENUE SOUTH

POINT OF BEGINNING

NORTHWEST CORNER LOT 1

S00°08'15"E 388.72'

20.00'

S89°51'45"W

N89°51'45"E 20.00'

LOT 1
BLOCK 1
CHILD'S PARK ATHLETIC FIELD COMPLEX
(PLAT BOOK 136, PAGES 25 & 26)

FREEDOM TERRACE SOUTH
SOUTH R/W LINE

LOT 46
VICTORY TERMINALS
(PLAT BOOK 5, PAGE 96)

PREPARED FOR:
CITY OF ST. PETERSBURG

DESCRIPTION AND SKETCH

SECTION 22
TOWNSHIP 31 S.
RANGE 16 E.

George F. Young, Inc.

299 DR. MARTIN LUTHER KING JR. STREET N
ST. PETERSBURG, FLORIDA 33701-3126
PHONE (727) 822-4317 FAX (727) 822-2519
LICENSED ENGINEERS LG001
ARCHITECTURE, ENGINEERING, ENVIRONMENTAL, LANDSCAPE, PLANNING, SURVEYING, UTILITIES
GAINESVILLE, LAKEWOOD RANCH, ORLANDO, PALM BEACH, ST. PETERSBURG, TAMPA

Since 1919

SEE SHEET ONE OF
TWO FOR SIGNATURE,
SEAL, DESCRIPTION,
LEGEND AND NOTES

George F. Young, Inc.

15Y25617SS

JOB NO

SHEET NO

2 OF 2
MEMORANDUM
CITY OF ST. PETERSBURG

City Council Meeting of September 7, 2017

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") and any additional Supplemental Joint Participation Agreements (collectively, "JPAs"), including but not limited to the Aviation Program Assurances ("Grant Assurances"), to be executed by the City, as a requirement for receipt of the Florida Department of Transportation ("FDOT") funds in an amount not to exceed $21,600 ("Grant") for the Taxiway C Rehab Project (Project #15120) and the Taxiway C South Ramp Project (Project #15617), which, inter alia, require that the City not sell, lease, encumber or otherwise transfer or dispose of any part of the City’s right, title or other interests in Albert Whitted Municipal Airport ("Airport"), make the 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 $21,600; approving a supplemental appropriation of $10,026 to the Taxiway C South Ramp Project (Project #15617) from the increase in the Airport Capital Fund (4033); 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 an 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
Earlier this year the City secured multiple Federal and State grants for the construction phases of the Taxiway C Rehab (Project #15120) and Taxiway C South Ramp (Project #15617) Projects. Based on the low bids received, these projects are a little short on providing full funding on the State side. Accordingly, the Florida Department of Transportation ("FDOT") has offered to provide the additional needed funds. FDOT funding provides up to eight percent (8%) of the total costs for the Taxiway C Rehab Project (#15120) and eighty percent (80%) toward the Taxiway C South Ramp Project (#15617).

Acceptance of any grants requires the City to meet certain grant assurances, including, but not limited to a 20-year commitment to make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and to maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment.

This is a first Reading of the Ordinance.

RECOMMENDATION: Administration recommends adoption of 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") and any additional Supplemental Joint Participation Agreements (collectively, "JPAs"), including but not limited to the Aviation Program Assurances ("Grant Assurances"), to be executed by the City, as a requirement for receipt of the Florida Department of Transportation ("FDOT") funds in an amount not to exceed $21,600 ("Grant") for the Taxiway C Rehab Project (Project #15120) and the Taxiway C South Ramp Project (Project #15617), which, inter alia, require that the City not sell, lease, encumber or otherwise transfer or dispose of any part of the City’s right, title or other interests in Albert Whitted Municipal Airport ("Airport"), make the 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 $21,600; approving a supplemental appropriation of $10,026 to the Taxiway C South Ramp Project (Project #15617) from the increase in the Airport Capital Fund (4033); 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: The City receives funding from the FDOT in an amount not to exceed $21,600 to provide full State participation in both referenced projects. The grant provides eight percent (8%) toward eligible project costs for the Taxiway C Rehab Project (#15120) with the Federal Aviation Administration ("FAA") providing a ninety percent (90%) match and the City providing the remaining two percent (2%) match. The grant also provides eighty percent (80%) toward eligible project costs for the Taxiway C South Ramp Project (#15617) with the City providing the remaining twenty percent (20%) match. Funding in the amount of $854,090 has been previously appropriated, including the FAA funding, prior FDOT funding and City’s matching funds.
Total funding in the amount of $864,116 will be available after supplemental appropriations in the amount of $10,026 to the Taxiway C South Ramp Project (Project #15617) from the increase in the Airport Capital Fund (4033) resulting from this grant.

Approvals:
Administration: [Signature]
Budget: [Signature]

Legal: 00338398.doc v1
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") and any additional Supplemental Joint Participation Agreements (collectively, "JPAs"), including but not limited to the Aviation Program Assurances ("Grant Assurances"), to be executed by the City, as a requirement for receipt of the Florida Department of Transportation ("FDOT") funds in an amount not to exceed $21,600 ("Grant") for the Taxiway C Rehab Project (Project #15120) and the Taxiway C South Ramp Project (Project #15617), which, inter alia, require that the City not sell, lease, encumber or otherwise transfer or dispose of any part of the City’s right, title or other interests in Albert Whitted Municipal Airport ("Airport"), make the 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 $21,600; approving a supplemental appropriation of $10,026 to the Taxiway C South Ramp Project (Project #15617) from the increase in the Airport Capital Fund (4033); 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 ("FDOT") has offered the City additional funding in an amount not to exceed $21,600 for the taxiway C Rehab (#15120) and Taxiway C South Ramp (#15617) Projects.

Section Three. The restrictions contained in assurances ("Grant Assurances") which are set forth in the grant documents to be executed by the City, as a requirement for receipt of FDOT grants in an amount not to exceed $21,600, for projects described in Section Two of this ordinance, which require that the City not sell, lease, encumber or otherwise transfer or dispose of any part of the City’s right, title or other interests in the Airport, make the 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.
Section Four. The Mayor or his designee is authorized to accept the grant from the FDOT for additional funding in an amount not to exceed $21,600.

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

Section Six. There is hereby approved from the increase in the unappropriated balance of the Airport Capital Improvement Fund (4033) resulting from these additional revenues, the following supplemental appropriations for the Fiscal Year 2017:

Airport Capital Improvement Fund (4033)

Taxiway C South Ramp (Project #15617) $10,026

Section Seven. 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: 00338402.doc v1
MEMORANDUM
CITY OF ST. PETERSBURG

City Council Meeting of September 7, 2017

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") and any additional Supplemental Joint Participation Agreements (collectively, "JPAs"), including but not limited to the Aviation Program Assurances ("Grant Assurances"), to be executed by the City, as a requirement for receipt of the Florida Department of Transportation ("FDOT") funds in an amount not to exceed $290,000 ("Grants") for the Terminal Hangar Project (Project #13279), which, inter alia, require that the City not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title or other interests in Albert Whitted Municipal Airport ("Airport"), make the 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 apply for and accept the Grants in an amount not to exceed $290,000; rescinding funding in the amount of $285,777 from the Airport Terminal Hangar Project (Project #13279) as a result of the expiration of a FDOT grant and approving a supplemental appropriation of $290,000 to the Airport Terminal Hangar Project (Project #13279) from the increase in the Airport Capital Fund (4033) from this new grant; 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 an 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:

Page 1 of 3
The general scope of the Terminal Hangar Project (Project #13279) involves the design and construction of a new ±7,350 sq/ft aircraft storage hangar located to the immediate southwest of the Galbraith Terminal Building. The exterior of the new hangar will be aesthetically enhanced to complement the Galbraith Terminal Building.

Design has been completed with the Notice to Proceed being issued to Caladesi Construction in May 2016. The original construction schedule had the project being completed in September 2016. However, due to sub-contractor issues, specifically a failure of the steel frame supplier and manufacturer to meet project scheduling and supply requirements, the project has had multiple delays. These have now been rectified and construction has resumed with the successful delivery of the steel framing this past month. The project is estimated to be completed before year’s end.

The City has secured two (2) grants from the Florida Department of Transportation (“FDOT”) for this project. The FDOT grants provide eighty percent (80%) toward the eligible project costs with the City’s match requirement of the remaining twenty percent (20%). One of these grants has recently expired. Although the FDOT would not agree to extend this grant, they have instead offered to issue a new grant to provide the residual funds that had been left on the original grant.

Acceptance of any grants requires the City to meet certain grant assurances, including, but not limited to a 20-year commitment to make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and to maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment.

This is a first Reading of the Ordinance.

RECOMMENDATION: Administration recommends adoption of 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”) and any additional Supplemental Joint Participation Agreements (collectively, “JPAs”), including but not limited to the Aviation Program Assurances (“Grant Assurances”), to be executed by the City, as a requirement for receipt of the Florida Department of Transportation (“FDOT”) funds in an amount not to exceed $290,000 (“Grants”) for the Terminal Hangar Project (Project #13279), which, inter alia, require that the City not sell, lease, encumber or otherwise transfer or dispose of any part of the City’s right, title or other interests in Albert Whitted Municipal Airport (“Airport”), make the 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 apply for and accept the
Grants in an amount not to exceed $290,000; rescinding funding in the amount of $285,777 from the Airport Terminal Hangar Project (Project #13279) as a result of the expiration of a FDOT grant and approving a supplemental appropriation of $290,000 to the Airport Terminal Hangar Project (Project #13279) from the increase in the Airport Capital Fund (4033) from this new grant; 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: The City receives funding from the FDOT in an amount not to exceed $290,000 which will be used to replace the residual funding that was left on the original grant at expiration. The grant provides eighty percent (80%) toward eligible project costs with the City responsible for the remaining twenty percent (20%) match. Funding in the amount of $1,146,500 has been previously appropriated, including the City matching funds. The total project funding in the amount of $1,150,723 will be available after a rescission in the amount of $285,777 from the Airport Terminal Hangar Project (Project #13279) and a supplemental appropriation in the amount of $290,000 to the Airport Terminal Hangar Project (Project #13279) from the increase in the Airport Capital Fund (4033) resulting from this grant.

Approvals:

Administration: ____________________ Budget: ____________________

Legal: 00338399.doc v1
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") and any additional Supplemental Joint Participation Agreements (collectively, "JPAs"), including but not limited to the Aviation Program Assurances ("Grant Assurances"), to be executed by the City, as a requirement for receipt of the Florida Department of Transportation ("FDOT") funds in an amount not to exceed $290,000 ("Grants") for the Terminal Hangar Project (Project #13279), which, inter alia, require that the City not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title or other interests in Albert Whitted Municipal Airport ("Airport"), make the 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 apply for and accept the Grants in an amount not to exceed $290,000; rescinding funding in the amount of $285,777 from the Airport Terminal Hangar Project (Project #13279) as a result of the expiration of a FDOT grant and approving a supplemental appropriation of $290,000 to the Airport Terminal Hangar Project (Project #13279) from the increase in the Airport Capital Fund (4033) from this new grant; 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 ("FDOT") has offered the City funding in an amount not to exceed $290,000 for the Terminal Hangar Project (Project #13279) which replaces the residual funds from the previous project grant which has expired.

Section Three. The restrictions contained in assurances ("Grant Assurances") which are set forth in the grant documents to be executed by the City, as a requirement for receipt of FDOT grants in an amount not to exceed $290,000, for projects described in Section Two of this ordinance, which require that the City not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title or other interests in the Airport, make the 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.

Section Four. The Mayor or his designee is authorized to accept the grant from the FDOT for additional funding in an amount not to exceed $290,000.

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

Section Six. There is hereby rescinded the following unencumbered appropriations in the Airport Capital Improvement Fund (4033) resulting from the expired grant:

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<th>Fund Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Airport Terminal Hangar (Project #13279)</td>
<td>$285,777</td>
</tr>
</tbody>
</table>

Section Seven. There is hereby approved from the increase in the unappropriated balance of the Airport Capital Improvement Fund (4033) resulting from these additional revenues, the following supplemental appropriations for the Fiscal Year 2017:

<table>
<thead>
<tr>
<th>Fund Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airport Terminal Hangar (Project #13279)</td>
<td>$290,000</td>
</tr>
</tbody>
</table>

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

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

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

Approvals:
Attached, for the purpose of first reading as agenda item D-4(a) at the September 7, 2017, meeting of City Council, is a revised version of the “Defend Our Democracy Ordinance.”

Free Speech for People provided these revisions, which are shown in redline format, for the purpose of providing more specific attribution of the findings included in section 2 of the ordinance.
AN ORDINANCE MAKING FINDINGS REGARDING THE NEED TO ENACT CAMPAIGN FINANCE REFORM FOR MUNICIPAL ELECTIONS IN THE CITY OF ST. PETERSBURG; AMENDING THE CITY CODE TO ADD CONTRIBUTION LIMITS FOR MUNICIPAL ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG ORDAINS THE FOLLOWING:

SECTION 1—SHORT TITLE: This ordinance may be known and cited as the “Defend Our Democracy Ordinance.”

SECTION 2—FINDINGS: The City Council of the City of St. Petersburg, Florida, makes the following findings, as provided to City Council by Free Speech for People, an organization founded in 2010 to advance campaign finance reform in America:

(a) The U.S. government has concluded that the 2016 election was subject to extensive foreign involvement, as set forth in the U.S. Director of National Intelligence’s January 2017 report on “Assessing Russian Activities and Intentions in Recent US Elections.”

(b) The U.S. Congress, and the U.S. Supreme Court, have already recognized the need to protect U.S. elections (including local elections) from foreign influence, through the ban on contributions and expenditures by foreign nationals imposed by 52 U.S.C. 30121 and upheld by the Supreme Court in Bluman v. Federal Election Commission, 800 F. Supp. 2d 281 (D.D.C. 2011) (3-judge court), aff’d, 565 U.S. 1104 (2012).

(c) Current law does not adequately protect against foreign nationals (including foreign governments) from influencing elections through corporate political spending by U.S. corporations with significant foreign ownership, as explained by Federal Election Commissioner Ellen Weintraub, Professor John Coates, Professor Laurence Tribe, and Professor Charles Fried in letters submitted to the City Council in October 2016.

(d) Efforts to address this phenomenon through rulemaking at the Federal Election Commission that would apply to local elections have been unsuccessful, as summarized by

(e) Federal law and academic literature on corporate governance consider a single shareholder owning 5% or more to be in a position to influence corporate governance, as explained in the report appended by Professor Coates to his October 2016 letter to the City Council. Testimony by experts at a Federal Election Commission forum in June 2016 converged toward this threshold.

(f) Similarly, a corporation with a collection of foreign owners totaling 20% ownership would be unacceptably subject to foreign influence, as illustrated by 47 U.S.C. 310(b)’s 20% maximum of foreign ownership for broadcast licensees.

(g) Corporations with foreign ownership at these levels have been politically active in recent years, including in local elections around the country, as explained in the letter from Professor Coates in his October 2016 letter to the City Council.

(h) To protect the integrity of the democracy of St. Petersburg, it is necessary to ensure that corporations that spend money in city elections are not foreign-influenced.

(i) “Super PACs,” including independent expenditure political committees and electioneering communications organizations, are a growing phenomenon in local elections and in Florida, as explained in the October 2016 letter to the City Council from Professor Joseph Morrissey.

(j) Large contributions to super PACs pose the risk of quid pro quo corruption or the appearance of quid pro quo corruption, even if the super PAC’s media activities are not “coordinated” with political campaigns, as explained in the letter from Professor Albert Alschuler submitted to the City Council in October 2016.

(k) Florida-based donors are very active in contributing to federal and state super PACs. One such contribution has led to a criminal indictment for bribery against both the super PAC donor and the supported candidate. Regardless of the eventual outcome of that criminal proceeding, it demonstrates how large contributions to super PACs can yield quid pro quo corruption, as explained in the letter from Professor Morrissey.

(l) Super PACs have become an increasing phenomenon in local elections, including in Florida. They are used to circumvent local contribution limits, as explained in the letter from Professor Morrissey.
(m) To protect the integrity of the democracy of St. Petersburg, it is necessary to ensure that large contributions not fund municipally active outside spending groups.

SECTION 3—AMENDMENT OF CITY CODE: Chapter 10 of the St. Petersburg City Code is amended by inserting after article II, the following new article:

ARTICLE III. – CAMPAIGN FINANCING

Sec. 10-42. – Definitions.

The words, terms, and phrases used in this article shall have the meanings ascribed to them in the state statutes regulating elections, except that the following words, terms and phrases shall have the following meanings:

(a) “Chief executive officer” means the highest-ranking officer or decision-making individual with authority over the corporation’s affairs.

(b) “Corporation” means any corporation, company, limited liability company, limited partnership, business trust, business association, or other similar entity.

(c) “Foreign owner” means

(1) a foreign national, as defined in 52 U.S.C. § 30121(b); or

(2) a corporation wherein a foreign national, as defined in 52 U.S.C. § 30121(b), holds, owns, controls, or otherwise has directly or indirectly acquired beneficial ownership of equity or voting shares in an amount that is equal to or greater than 50 percent of the total equity or outstanding voting shares.

(d) “Foreign-influenced corporation” means any corporation wherein

(1) a foreign owner holds, owns, controls, or otherwise has directly or indirectly acquired beneficial ownership of equity or voting shares in an amount that is equal to or greater than 5 percent of the total equity or outstanding voting shares; or

(2) foreign owners hold, own, control, or otherwise have directly or indirectly acquired beneficial ownership of equity or voting shares in an amount that is equal to or greater than 20 percent of the total equity or outstanding voting shares; or
(3) one or more foreign owners participate in any way, directly or indirectly, in the corporation’s decision-making process with respect to the corporation’s political activities in the United States, including the corporation’s political activities in a municipal election.

(e) “Municipal candidate” means a candidate for Mayor or City Council.

(f) “Municipal election” means a primary or general election for Mayor or City Council.

(g) “Municipal expenditure for electioneering communication” means an expenditure for an electioneering communication, as defined in F.S. § 106.011(8), made with respect to a municipal candidate.

(h) “Municipal independent expenditure” means an independent expenditure, as defined in F.S. § 106.011(12), made with respect to a municipal candidate, but shall not include any expenditure for any activity or communication that qualifies under F.S. § 106.011(8)(b).

(i) “Municipal special election” means any special election for Mayor or City Council, including a special primary election under F.S. § 100.101, special election to fill a vacancy under Sec. 3.04 of Article VII of the St. Petersburg City Charter, or special recall election under F.S. § 100.361.

(j) “Municipally active outside-spending group” means a political committee, as defined in F.S. § 106.011(16)(a), or an electioneering communications organization, as defined in F.S. § 106.011(9), that either:

(1) makes a municipal independent expenditure or a municipal expenditure for electioneering communication; or

(2) mentions this city, either explicitly or by means susceptible of no reasonable interpretation other than this city, in a solicitation for a contribution or in a description of a planned independent expenditure or electioneering communication, that is distributed or otherwise made available to contributors or to the general public; or

(3) solicits contributions for, among other purposes, the purpose of municipal independent expenditures or municipal expenditures for electioneering communication; or
otherwise conveys, in solicitations for contributions or in materials otherwise made available to prospective or actual contributors, either explicitly or by means susceptible to no other reasonable interpretation, that contributions may be used for municipal independent expenditures or municipal expenditures for electioneering communication; or

accepts a contribution that has been specifically designated for partial or exclusive use in a municipal election or municipal special election.

Sec. 10-43. – Election spending by foreign-influenced corporations.

(a) This section applies to any corporation that:

(1) makes a municipal independent expenditure of $5,000 or more with respect to any municipal candidate in a municipal election or a municipal special election; or

(2) makes a municipal expenditure for electioneering communication of $5,000 or more with respect to any municipal candidate in a municipal election or municipal special election; or

(3) makes a contribution to a municipally active outside-spending group.

(b) The chief executive officer of any corporation subject to this section shall file with the City Clerk’s Office, within 30 days after making the contribution or expenditure, a statement of certification avowing that, after due inquiry and under penalty of perjury, the corporation is not a foreign-influenced corporation. The statement of certification shall include the following:

(1) the name and mailing address of the corporation,

(2) for each contribution or expenditure, the amount, date, and recipient,

(3) the statement “I certify, after due inquiry and under penalty of perjury, that, on the date(s) on which the referenced contribution(s) or expenditure(s) was/were made, [name of corporation] was not a foreign-influenced corporation as defined by the St. Petersburg City Code,” and
(4) the signature of the corporation’s chief executive officer.

(c) It shall be unlawful for a corporation that is subject to this section to fail to timely file the statement of certification.

Sec. 10-44. – Contribution limits for municipally active outside-spending groups.

(a) The treasurer of a municipally active outside-spending group shall separately designate, record, and account for, by any means consistent with state law, funds that are eligible for use for municipal independent expenditures or municipal expenditures for electioneering communications.

(b) The following shall not be designated as eligible for use for municipal independent expenditures or municipal expenditures for electioneering communications:

(1) any portion of a contribution to a municipally active outside-spending group that exceeds the aggregate of $5,000 per person per calendar year; or

(2) any contribution from a corporation to a municipally active outside-spending group for which the corporation fails to provide, within 30 days of making the contribution, a copy of the statement of certification required under Section 10-43.

(c) The treasurer of a municipally active outside-spending group shall ensure that disbursements for municipal independent expenditures or municipal expenditures for electioneering communications are made from funds designated as eligible for such use.

(d) It shall be unlawful for the treasurer of a municipally active outside-spending group to make or authorize disbursements in violation of this section.

(e) The treasurer of a municipally active outside-spending group shall advise contributors and prospective contributors of the limits in this section.

Sec. 10-45. – Severability clause.

If any provision of this article, or the application thereof to any person, entity, or circumstance, is held invalid, such determination shall not affect other provisions
or applications of this article, and to that end the provisions of this article are severable.

SECTION 4—EFFECTIVE DATE: In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it will 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 will 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 will not become effective unless the City Council overrides the veto in accordance with the City Charter, in which case it will become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

________________________________  ______________________________________
City Attorney (Designee)          Administration
ORDINANCE NO. ____

AN ORDINANCE MAKING FINDINGS REGARDING THE NEED TO ENACT CAMPAIGN FINANCE REFORM FOR MUNICIPAL ELECTIONS IN THE CITY OF ST. PETERSBURG; AMENDING THE CITY CODE TO ADD DISCLOSURE REQUIREMENTS FOR INDEPENDENT EXPENDITURES FOR MUNICIPAL ELECTIONS AND DISCLAIMERS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG ORDAINS THE FOLLOWING:

SECTION 1—SHORT TITLE: This ordinance may be known and cited as “The Truth in Outside Political Spending Disclosure Ordinance.”

SECTION 2—FINDINGS: The City Council of St. Petersburg makes the following findings:

(a) Independent expenditures by political committees and electioneering communications organizations are a growing phenomenon in local elections and in Florida.
(b) These independent expenditures and contributions can have large impacts in municipal elections and pose the risk of quid pro quo corruption or the appearance of quid pro quo corruption, even if they are not “coordinated” with political campaigns.
(c) Florida-based donors are very active in contributing to municipally active outside-spending groups.
(d) To help protect the integrity of the democracy of St. Petersburg, it is necessary to ensure that citizens have sufficient information about independent expenditures by political committees and electioneering communications organizations and the individuals who are contributing to them.
(e) Improved disclaimer and disclosure requirements will provide the citizens of St. Petersburg with better information about these individuals and organizations so that the electorate may make informed decisions.

SECTION 3—AMENDMENT OF CITY CODE: Chapter 10 of the St. Petersburg City Code is amended by inserting after article II, the following new article:

ARTICLE III. — CAMPAIGN FINANCING

Sec. 10-46. – Definitions

(a) The words, terms, and phrases used in subsections 10.47-10-48 shall have the meanings ascribed to them in the state statutes regulating elections, unless a word, term or phrase has been defined in subsection 10.42, in which case the definition(s) set forth in subsection 10.42 shall apply.
Sec. 10-47. – Disclosures regarding independent expenditures and contributions

(a) This section applies to any person, political committee, as defined in F.S. § 106.011(16)(a), electioneering communications organization, as defined in F.S. § 106.011(9), or corporation as defined in Section 10.42 that either:

(1) makes a municipal independent expenditure of $1,000 or more with respect to any municipal candidate in a municipal election or a municipal special election; or

(2) makes a municipal expenditure for electioneering communication of $1,000 or more with respect to any municipal candidate in a municipal election or municipal special election; or

(3) makes a contribution of $250 or more to a municipally active outside-spending group and is either an individual or entity or a business with which the individual or entity is associated that has a contract with the City that is valued at more than $1,000 or is a lobbyist or lobbying firm as defined under either F.S. § 11.045 or F.S. § 112.3215.

(b) In addition to statements of registration and/or any reporting required pursuant to F.S. § 106.03, F.S. § 106.071, and F.S. § 106.0703, any person, political committee, electioneering communications organization and/or corporation who makes an expenditure or contribution covered under subsection (a) shall file regular reports with the City Clerk of all contributions received or made and all expenditures made by or on behalf of the person or entity according to the time frames set forth for the filing of regular reports under F.S. § 106.0703.

(c) The report to the City Clerk shall include, in addition to the information required pursuant to F.S. § 106.03, F.S. § 106.071, and F.S. § 106.0703:

(1) an itemized accounting of each expenditure, including the full name and complete address of each payee, including, in any case where the payee contracts with another person, vendor or entity (a secondary payee) whenever the primary or principal payee is known to include charges which the primary payee has already paid or will pay directly to another person, vendor or entity, the amount and the purpose of the expenditure, the candidate or issue supported or opposed by the expenditure, whether the expenditure is made independently of the candidate or issue supported or is an in-kind contribution to the candidate or proponent of an issue, and a statement of the balance on hand or deficit, as the case may be;

(2) an itemized accounting of each expense incurred but not paid, provided if the expense is incurred by use of a credit card, the accounting shall include secondary payees, and the amount owed to each such payee;

(3) for each person or entity who makes an independent expenditure or contribution covered by subsection (a), a statement indicating whether the individual or entity, or a business with which the individual or entity is associated, has or is presently seeking any contract with the City that is valued at more than $1,000, and if so, each such contract;

(4) For each itemized contribution made by a lobbyist, the spouse of a lobbyist or any dependent child of a lobbyist who resides in the lobbyist’s household, a statement to that effect and a description of any lobbying activities related to business before the City;

(d) It shall be unlawful for a person or entity that is subject to this section to fail to timely file the report required under subsection (b).
(e) The City shall post a link on its Internet Web Site to any reports filed pursuant to the above provisions, and shall retain copies of these reports for no less than five years from the date such reports are filed.

Sec. 10-48. – Independent Expenditures; Disclaimers

(a) This section applies to any individual or entity covered under Section 10-47(a).

(b) Any political advertisement paid for by an independent expenditure made or incurred by a person, political committee, electioneering communications organization or corporation covered by subsection (a) of this section shall prominently state “Paid political advertisement paid for by (Name and address of person paying for advertisement, or in the case of a corporation or other entity, the name of the chief executive officer or equivalent) independently of any (candidate or committee).” The communication shall also state that additional information about the person making such communication may be found on the Florida Division of Elections Internet web site and the City Internet web site.

(c) In the case of any political advertisement paid for by an independent expenditure made or incurred by a person, political committee, electioneering communications organization or corporation covered by subsection (a) of this section during the ninety-day period immediately prior to the primary or election for which the independent expenditure is made, such communication shall also bear upon its face the names of the five persons who made the five largest aggregate contributions to the person or entity making such communication during the twelve-month period immediately prior to such primary or election as applicable.

(d) In addition to the requirements of subsections (b) and (c), and except as provided in this subsection, no municipally active outside-spending group shall make or incur an independent expenditure for (1) a video broadcast by television, satellite or Internet, (2) audio communication broadcast by radio, satellite or Internet, (3) pre-recorded telephone calls, or (4) live telephone calls, unless such video, audio, or telephone communication includes an audio statement with the disclaimer language required by subsections (b) and/or (c) according to the timing of the expenditure.

(e) For video broadcast communications as described in subsection (d), for a period of not less than four seconds, the audio statement required by subsection (d) shall also appear in writing, along with clearly identifiable video, photographic or similar image of the person making or incurring the expenditure or the chief executive officer or equivalent of the entity making the expenditure.
ORDINANCE NO. _______

AN ORDINANCE MAKING FINDINGS REGARDING THE NEED FOR INCREASED DISCLOSURE OF INDEPENDENT EXPENDITURES, EXPENDITURES FOR ELECTIONEERING COMMUNICATIONS, AND OTHER CAMPAIGN FINANCE MATTERS RELATED TO CITY ELECTIONS; AMENDING THE CITY CODE TO REQUIRE SUCH DISCLOSURE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG ORDAINS THE FOLLOWING:

SECTION 1—FINDINGS: The City Council of the City of St. Petersburg, Florida, makes the following findings:

(a) The campaign finance disclosure obligations established by the Florida Election Code (chapter 106, in particular) do not provide the City’s electors with sufficient information to evaluate the sources of independent expenditures and expenditures for electioneering communications, including matters of corporate control, foreign influence, and business relationships with the City.

(b) Because most political committees and electioneering communications organizations involved with City elections claim to have statewide interests, they file required reports of campaign finance activity with the Florida Division of Elections. These reports do not identify which contributions, expenditures, and other financial transactions are related to elections held in the City (as opposed to other areas of the state), making it impossible for the City’s electors to evaluate the extent to which these groups participate in and influence City elections.

(c) By instituting local campaign finance disclosure requirements that are designed to supplement the campaign finance disclosure requirements imposed by the Florida Election Code, the City can provide the City’s electors with access to meaningful information about the sources of funding behind independent expenditures and expenditures for electioneering communications that influence City elections.
(d) The local campaign finance disclosure requirements implemented by this ordinance are substantially related to the City’s important governmental interest in providing the City’s electors with access to information about those individuals and entities seeking to influence City elections through independent expenditures and expenditures for electioneering communications.

SECTION 2—DISCLOSURE: Chapter 10 of the St. Petersburg City Code is amended by reserving section numbers 10-42 through 10-50 as part of article II and inserting after article II the following new article:

ARTICLE III. — CAMPAIGN FINANCE DISCLOSURE

Sec. 10-51. — Definitions.

In this article:

(a) The following terms have the meanings provided by Florida Statutes chapter 106:

(1) Division.

(2) Electioneering communication.

(3) Electioneering communications organization.

(4) Expenditure.

(5) Independent expenditure.

(6) Person.

(7) Political committee.

(b) “Ballot question” means a referendum, initiative, recall, Charter amendment, or other ballot question put solely to the City’s electors.

(c) “Candidate” means a candidate for Mayor or City Council Member.

(d) “Covered communication” means (i) a political advertisement related to a covered election that is paid for, in whole or in part, through an independent expenditure or (ii) an electioneering communication related to a covered election.
(e) “Covered expenditure” means (i) an independent expenditure made with respect to a candidate or a ballot question or (ii) an expenditure for an electioneering communication made with respect to a candidate.

(f) “Covered election” means any election (regardless of whether it is a primary, general, or special election) in which the City’s electors vote on any of the following, alone or in combination: election of a Mayor, election of a City Council Member, or a ballot question.

(g) “Covered transaction” means any contribution, transfer of funds, loan, expenditure, or other financial transaction that (i) would be included in a statutory report and (ii) is related to a covered election.

(h) “Entity” means a person that is not a natural person.

(i) “Foreign national” means (i) a foreign national, as defined in 52 U.S.C. § 30121(b); or (ii) an entity for which a foreign national, as defined in 52 U.S.C. § 30121(b), holds, owns, controls, or otherwise has direct or indirect beneficial ownership of 50% or more of the equity or outstanding voting shares.

(j) “Foreign-influenced entity” means a corporation for which any of the following conditions is met:

1. a single foreign national holds, owns, controls, or otherwise has direct or indirect beneficial ownership of 5% or more of the total equity or outstanding voting shares of that corporation;

2. two or more foreign nationals, in aggregate, hold, own, control, or otherwise have direct or indirect beneficial ownership of 20% or more of the total equity or outstanding voting shares of that corporation; or

3. a foreign national participates directly or indirectly in the corporation’s decision-making process with respect to the corporation’s political activities in the United States, including the corporation’s political activities with respect to a covered election.

(k) “Independent spender” means any person who qualifies as such pursuant to section 10-52.
“Independent spending report” means any report filed with the City Clerk by an independent spender pursuant to this article. Notice of independent spender status filed with the City Clerk pursuant to section 10-53 is not an independent spending report.

“Individual” means a person who is a natural person.

“Statutory report” means any report of campaign finance activity described in F.S. §§ 106.07, 106.0703, or 106.071.

“Supervisor of elections” means the Pinellas County Supervisor of Elections.

Sec. 10-52. – Scope and Purpose of Disclosures

A person is considered an independent spender for a particular covered election once that person has made aggregate covered expenditures of $5,000 or more with respect to any candidate or ballot question for that covered election.

Once a person is considered an independent spender for a particular covered election, that person shall comply with the disclosure obligations imposed by this article.

The disclosure obligations for independent spenders imposed by this article are intended to supplement disclosure obligations established by the Florida Election Code by providing information to the City’s electors that is not available through statutory reports.

The disclosure obligations for independent spenders imposed by this article are intended to be carried out in conjunction with (and not instead of) the disclosure obligations established by the Florida Election Code. Accordingly, the City shall promulgate forms and procedures to be used in conjunction with forms and procedures established by the Florida Election Code and the division.

The disclosure obligations for independent spenders imposed by this article are not intended to be perpetual and are based on statutory reporting schedules, as more particularly described in section 10-54, and statutory disclaimer obligations, as more particularly described in section 10-57.
Sec. 10-53. – Notice of Independent Spender Status

(a) **Timing.** Once a person has qualified as independent spender for a covered election pursuant to section 10-52, that person shall provide notice of its status as independent spender for that covered election by filing the information described in this section 10-53 with the City Clerk no later than the date of filing its first independent spending report for a covered election.

(b) **Statement of Organization.** If, pursuant to F.S. § 106.03, an independent spender is required to file a statement of organization with the division, the supervisor of elections, or any election officer in the state other than the City Clerk, that independent spender shall file a copy of that statement of organization to the City Clerk.

(c) **Information in Lieu of Statement of Organization.** If an independent spender is not required to file with the City Clerk with a copy of a statement of organization filed in another jurisdiction pursuant to subsection (b) or file a statement of organization directly with the City Clerk pursuant to F.S. § 106.03, that independent spender shall file the following information with the City Clerk in lieu of a statement of organization:

   (1) The name, mailing address, street address, telephone number, and e-mail address of the independent spender.

   (2) If the independent spender is an individual, (i) the independent spender’s occupation and (ii) the name, mailing address, street address, telephone number, and e-mail address of the independent spender’s employer.

   (3) If the independent spender is an entity, the name, mailing address, street address, and relationship of any organization affiliated with or connected to the independent spender.

   (4) If the independent spender is an entity and has a custodian of books and accounts or other individual officially responsible for the entity’s recordkeeping, the name, mailing address, street address, telephone number, and e-mail address of that individual.

   (5) If the independent spender is an entity and has any principal officers or other individuals who are officially responsible for the operation
and control of the entity, the name, mailing address, street address, telephone number, and e-mail address of each such individual.

(6) The name, address, office sought, and party affiliation of any candidate the independent spender is supporting or opposing, as well as an indication of support or opposition for that candidate.

(7) Any ballot question the independent spender is supporting or opposing, as well as an indication of support or opposition for that ballot question.

(8) If the independent spender is supporting all candidates from a particular party, a statement to that effect and the name of the party.

(d) Relationship with City. An independent spender shall provide the following information about itself to the City Clerk as part of the notice requirement established by this section:

(1) Whether the independent spender or an entity owned by, controlled by, or affiliated with that independent spender either (i) has a current contract with the City for the provision of goods or services valued in excess of [$1,000] or (ii) expects to bid, within the following 12 months, on any contract with the City for the provision of goods or services valued in excess of [$1,000].

(2) Whether the independent spender or an entity owned by, controlled by, or affiliated with that independent spender is a lobbyist or a lobbying firm with respect to the City under F.S. §§ 11.045, 112.3215.

(e) Corporate information. An independent spender that is an entity shall provide the following information to the City Clerk as part of the notice requirement established by this section:

(1) The URL for the entity’s website, if any.

(2) The type of entity (e.g., corporation, LLC, etc.) and the state of formation.

(3) The tax-exempt status of the entity.

(4) Whether the entity is a foreign-influenced entity.
(5) The name of any principal owner of the entity.

(6) The name of each officer, board member, or equivalent for the entity.

(7) The name, mailing address, street address, telephone number, and e-mail address of at least one individual in charge of making decisions regarding covered spending for the entity.

(8) The name, mailing address, street address, telephone number, and e-mail address of the agent for service of process in Florida for the entity.

(9) The name, mailing address, street address, telephone number, and e-mail address of the person filing the notice on behalf of the entity.

Sec. 10-54. – Filing Schedule for Independent Spending Reports

An independent spender shall file each independent spending report with the City Clerk as follows:

(a) Political committee. If the independent spender is a political committee required to file a statutory report pursuant to F.S. § 106.07, that independent spender shall file each independent spending report with the City Clerk according to the statutory reporting schedule established pursuant to F.S. § 106.07.

(b) Electioneering communications organization. If the independent spender is an electioneering communications organization required to file statutory reports pursuant to F.S. § 1106.0703, that independent spender shall file each independent spending report with the City Clerk according to the statutory reporting schedule established pursuant to F.S. § 106.0703.

(c) Other independent spending. If the independent spender is required to file statutory reports pursuant to F.S. § 106.071, that independent spender shall file each independent spending report with the City Clerk according to the statutory reporting schedule established pursuant to F.S. § 106.071.

(d) No statutory reporting requirement. If the independent spender is not required to file a statutory reports pursuant to F.S. §§ 106.07, 106.0703, or 106.071, the independent spender shall file each independent spending report with the City Clerk according to the reporting schedule established by the Clerk for political committees pursuant to F.S. § 106.07.
Sec. 10-55. – Contents of Independent Spending Reports

(a) Statutory reporting. Each independent spending report must include information identified in the Florida Election Code as part of the statutory reporting process as follows:

(1) If an independent spender is a political committee required to file a statutory report with the division or the supervisor of elections pursuant to F.S. § 106.07, that independent spender shall file a version of that report with the City Clerk that is limited to covered transactions.

(2) If an independent spender is an electioneering communications organization required to file a statutory report with the division or the supervisor of elections pursuant to F.S. § 106.0703, that independent spender shall file a version of that report with the City Clerk that is limited to covered transactions.

(3) If an independent spender is required to file a statutory report with the division or the supervisor of elections pursuant to F.S. § 106.071, that independent spender shall file a version of that report with the City Clerk that is limited to covered transactions.

(4) Otherwise, the independent spender shall file with the City Clerk the statutory report required to be filed with the City Clerk by F.S. §§ 106.07, 106.0703, or 106.071, as applicable.

(b) Bifurcated transactions. To the extent that any covered transaction filed with the City Clerk pursuant to subsection (a) is only partially applicable to a covered election, the independent spender shall identify what percentage of the covered transaction is applicable to the covered election.

(c) Supplemental information regarding contributions. For each contribution filed with the City Clerk pursuant to subsection (a), the independent spending report must also include the following information about that contribution:

(1) If the contributor is an entity, the name of an individual serving as president, managing member, or CEO or who otherwise exercises
control over the entity, along with the name of that individual’s position or a description of that individual’s role in controlling the entity.

(2) If the contributor’s aggregate contributions to the independent spender over the preceding 12 months exceeds [$1,000], the information listed in section 10-53(d) with respect to that contributor.

(3) If the contributor is an entity and the contributor’s aggregate contributions to the independent spender over the preceding 12 months exceeds [$5,000], the information listed in section 10-53(e) with respect to that contributor.

(d) Certification. The person filing an independent spending report with the City Clerk shall certify the correctness of all information contained in that independent spending report in the same manner as the applicable statutory report described in subsection (a).

Sec. 10-56. – Filing Process

(a) The following materials must be filed with the City Clerk electronically unless an alternative filing procedure has been promulgated by the City Clerk:

(1) any report of campaign finance activity that must be filed with the City Clerk pursuant to Florida Statutes chapter 106 and

(2) any notice, report, or other disclosure information that must be filed with the City Clerk pursuant to this article.

(b) The City Clerk may promulgate any rule, form, procedure, and other guidance appropriate for the submission of any materials described in subsection (a).

(c) The City Clerk shall not accept any materials described in subsection (a) unless they have been filed with the City Clerk in accordance with applicable law and any applicable rule, form, procedure, or other guidance promulgated pursuant to this section.
Sec. 10-57. – Disclaimers

(a) **Requirement.** This section requires that additional information be incorporated into disclaimers already required by the Florida Election Code as follows:

(1) If an independent spender is required to include a disclaimer on a political advertisement pursuant to F.S. § 106.071, that independent spender shall incorporate into the disclaimer required by that statute, on any version of that political advertisement distributed in the City, the supplemental information required by this section.

(2) If an independent spender is required to include a disclaimer on an electioneering communication pursuant to F.S. § 106.1439, that independent spender shall incorporate into the disclaimer required by that statute, on any version of that electioneering communication that is distributed in the City, the supplemental information required by this section.

(3) Any information that must be incorporated in a disclaimer pursuant to this section must be presented in the same manner as the information required by the applicable statute with respect to size, duration, placement, and other applicable characteristics.

(b) **Control of Entity.** If the disclaimer must, pursuant to the applicable statute, include name of a person who paid for the covered communication and that person is an entity, the disclaimer must also include the name of an individual who is an officer or who is otherwise officially responsible for the operation and control of the entity.

(c) **Identification of Top Donors.** For purposes of this section, an independent spender’s “top donors” are its largest aggregate contributors who, during the preceding 12 months, have each contributed an aggregate amount of $5,000 or more to the independent spender for use in making covered expenditures, listed in descending order by aggregate amount.

(d) **Listing of Top Donors.** If there are no top donors at the time a covered communication is distributed, no additional information is required by this section. Otherwise, the independent spender shall identify top donors in the disclaimer as follows:
(1) The disclaimer must include the three top donors, if that many exist. Otherwise, the one or two existing top donors must be included.

(2) If the third largest donor has donated the same amount as the fourth largest donor, the independent spender may choose which three top donors to include, so long as no donor is included that has donated less than any other donor that is not included.

(3) The disclaimer must identify the top donors by name and identify them as “top donors.”

(4) If any top donor is an entity, the disclaimer must also include the name of an individual serving as president, managing member, or CEO of that entity or who otherwise exercises control over that entity.

Sec. 10-58. – Records

For a period of three years following the applicable covered election or for any longer period imposed by applicable law, an independent spender shall keep any record needed to verify any disclosure information filed with the City Clerk pursuant to this article and make any such record available to the City Clerk and the [Codes Compliance / Police] Department upon request.

Sec. 10-59. – Enforcement

(a) If the City Clerk determines that a potential violation of this article may have occurred, the City Clerk shall refer that potential violation to the [Codes Compliance / Police] Department for enforcement.

(b) The penalty for each violation of this article is a fine of $500, and all other provisions of section 1-7 apply to each violation of this article.

(c) If the amount appropriated for enforcement of this article has been completely expended but additional enforcement expenses are expected, the City Clerk and the [Codes Compliance / Police] Department shall jointly prepare and submit to City Council an estimate of future enforcement costs, and the City Council shall consider that estimate in its decision to appropriate additional funds for the enforcement of this article.
Sec. 10-60. – Severability.

The provisions of this article are intended to be severable, and a determination that any portion of this ordinance is invalid should not affect the validity of the remaining portions of this article.

SECTION 3—EFFECTIVE DATE: If this ordinance is not vetoed by the Mayor in accordance with the City Charter, it will become effective on January 1, 2018. If this ordinance is vetoed by the Mayor in accordance with the City Charter, it will not become effective unless the City Council overrides the veto in accordance with the City Charter, in which case it will become effective on January 1, 2018.

Approved as to form and content:

___________________________________
City Attorney (Designee)
MEMORANDUM

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

FROM: Mayor Rick Kriseman

SUBJECT: Wholesale Utility Rates for FY 2018 (First Reading)

Attached is the Wholesale Utility Rate Memorandum that reflects the recommended wholesale rate changes for water and wastewater. This report was reviewed at BF&T on July 27, 2017 and today, the First Reading is scheduled. The final adoption of the wholesale customer rates will take place in a Public Hearing held on September 21, 2017. There is one Ordinance that requires action.

The attached memo provides information for the proposed wholesale rates. The proposed wholesale water and wastewater rates have changed slightly since the July 27th BF&T meeting, each decreasing by $1 due to adjustments to the FY18 proposed retail rates. For all wholesale customers besides St. Pete Beach, a 4.77% increase is proposed for the wholesale water rate and a 4.19% increase for the wholesale wastewater rate. For St. Pete Beach, the monthly capital charge will increase by 120.18% and the O&M charge by 3.25%, for a monthly average bill increase of 28.90%.

CDT/emm
Attachments
MEMORANDUM

TO: Mayor Rick Kriseman
FROM: Claude D. Tankersley, P.E. 
Public Works Administrator
DATE: July 20, 2017
SUBJECT: FY2018 Wholesale Utility Rates (Water Resources)

Executive Summary
City staff and the financial rate team of McKim & Creed, P.A. and Stantec are currently conducting a revenue sufficiency analysis and cost of service rate study for the water, wastewater, and reclaimed water systems. Based on their analysis, the proposed wholesale customer rate changes for FY18 are listed in Attachment 1.

Wholesale Customer Notifications and Committee Review
Letters have been sent to the wholesale water and wastewater customers notifying them of the proposed adjustments. Following review by the Budget, Finance, and Taxation Committee on July 27, 2017, it is anticipated that the proposed rates will be considered at a First Reading on September 7, 2017 and a Public Hearing on September 21, 2017. If the proposed rates are approved on September 21st, they would go into effect October 1st. [Note: Wholesale rates only.]

Recommended Action
Attached is one rate ordinance. This ordinance reflects the proposed wholesale rate changes for water and wastewater.

It is recommended that City Council conduct a first reading of the proposed rate ordinance on September 7, 2017 and consider the proposed rate for final adoption following a public hearing on September 21, 2017. This will allow the wholesale rates to be effective as of October 1, 2017, as included within the FY18 revenue projections.

Ordinances for the proposed FY 18 retail water, wastewater, and reclaimed water rates and changes to the stormwater utility fee are scheduled to be reviewed by the Budget, Finance, and Taxation Committee on September 28, 2017 and then again on November 9, 2017 (if needed). It is then anticipated that the proposed rates will be considered at a First Reading on November 20,
2017 and a Public Hearing on December 7th, 2017. If the proposed retail rates are approved on December 7th, they would go into effect January 1, 2018. [Note: Retail rates only.]

CDT/EMM

Attachment 1: Wholesale Rates
Chapter 27 Rate Ordinance
## Summary of Current & Proposed Wholesale Rates

<table>
<thead>
<tr>
<th>Wholesale Customer Type</th>
<th>Current Rate</th>
<th>Proposed Rate</th>
<th>Variance</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>WATER</td>
<td>$4,862</td>
<td>$5,094</td>
<td>$232</td>
<td>4.77%</td>
</tr>
<tr>
<td>WASTEWATER (excl. St. Pete Beach)</td>
<td>$3,008</td>
<td>$3,134</td>
<td>$126</td>
<td>4.19%</td>
</tr>
<tr>
<td>ST. PETE BEACH</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital Charge (Monthly)</td>
<td>$51,884</td>
<td>$114,236</td>
<td>$62,352</td>
<td>120.18%</td>
</tr>
<tr>
<td>O&amp;M Rate</td>
<td>$2,032</td>
<td>$2,098</td>
<td>$66</td>
<td>3.25%</td>
</tr>
<tr>
<td>Average Monthly Bill</td>
<td>$236,457</td>
<td>$304,804</td>
<td>$68,347</td>
<td>28.90%</td>
</tr>
</tbody>
</table>

*Note: All rates and variances are per million gallons of demand/flow unless stated otherwise.*
AN ORDINANCE RELATING TO UTILITY RATES AND CHARGES; AMENDING CHAPTER 27, SUBSECTIONS 27-142 (a) AND SUBSECTIONS 27-284 (a) AND 27-284 (d) OF THE ST. PETERSBURG CITY CODE; AMENDING WHOLESALE WATER SERVICE CHARGES FOR THE CITY OF GULFPORT AND CORRECTED LANGUAGE; AMENDING WASTEWATER SERVICE CHARGES FOR WHOLESALE CUSTOMERS; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING AN EXPLANATION OF WORDS STRUCK THROUGH AND UNDERLINED; ESTABLISHING A DATE TO BEGIN CALCULATING NEW RATES FOR BILLING PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Subsection 27-142 (a) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-142. - Wholesale water customers.

(a) Wholesale water service shall be provided to the City of Gulfport at a uniform volume rate of $1,862.00 5,094.00 per million gallons effective October 1, 2017. Upon expiration of the existing contract with the City of Gulfport, a twenty-five percent (25%) outside the City surcharge shall be applied to the total wastewater charges billed. Additional charges and surcharges may be added to the uniform volume rate in accordance with the City of Gulfport's water service agreement with the City of St. Petersburg.

SECTION 2. Subsections 27-284 (a) and 27-284 (d) of the St. Petersburg City Code are hereby amended to read as follows:

Sec. 27-284. - Wholesale wastewater customers.

(a) Wholesale wastewater service shall be provided to the City of Gulfport; the City of South Pasadena; Bear Creek Sanitary Sewer District, Pinellas County; Ft. Desoto, Pinellas County; the City of Treasure Island; and Tierra Verde Utilities, Inc. at a uniform volume rate of $3,008.00 3,134.00 per million gallons for wholesale wastewater service effective October 1, 2017, based upon metered wastewater flows.

(d) Wholesale wastewater service shall be provided to the City of St. Pete Beach at an estimated rate including a uniform operation and maintenance volume rate of $2,032.00 2,098.00 per million
gallons and a monthly capital charge of $51,884.00 114,236.00 for wholesale wastewater service effective October 1, 2016 2017. At the end of each fiscal year, actual rates for the fiscal year will be determined in accordance with the terms of the agreement for wholesale wastewater service between the City of St. Petersburg and the City of St. Pete Beach.

SECTION 3. That the unconstitutionality or invalidity of any word, sentence, or portion of this ordinance shall not affect the validity of the remaining portions.

SECTION 4. That words in struck through type are deletions from the existing St. Petersburg City Code and words that are underlined are additions.

SECTION 5. That the rates and charges established by this ordinance shall be utilized in calculating customers’ bills beginning on November 1, 2017 for water consumed during the preceding month.

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

LEGAL:                         ADMINISTRATION:

City Attorney (designee)
TO: The Honorable Darden Rice, Chair, and Members of City Council

SUBJECT: City File LDR-2017-05: City-initiated application amending the St. Petersburg City Code, Chapter 16, Land Development Regulations ("LDRs") Section 16.30.070, Historic and Archaeological Preservation Overlay.

REQUEST: First reading of the attached ordinance amending Section 16.30.070, Historic and Archaeological Preservation Overlay, making minor text amendments to help clarify the existing regulations and remove ambiguity that has been identified since implementation of the 2015 update.

RECOMMENDATION:

Administration:

The Administration recommends APPROVAL.

Development Review Commission:

On August 8, 2017, the Community Planning and Preservation Commission ("CPPC") unanimously voted to make a finding of consistency with the City's Comprehensive Plan.

Special Note: Five (5) Year Prohibition and City-Initiated Applications.

In addition to their finding of consistency, the CPPC also voted 4-1 requesting the City Council consider amending Section 16.30.070.2.5.C. This section relates to the filing of a designation application that is the same or substantially similar to a failed decision within the preceding five (5) years.

Following the CPPC public hearing, Section 16.30.070.2.5.C (see ordinance page 5) was amended to explicitly authorize the City Council to city-initiate a designation application at any time, regardless of the five (5) year prohibition for a non-owner.

City Administration and Staff has no objection to the proposed change.

Recommended City Council Action:

1. CONDUCT the first reading of the proposed ordinance; and
2. SET the second reading and adoption public hearing for September 21, 2017.

Attachments: Ordinance
CPPC Staff Report
Housing Affordability Impact Statement
ORDINANCE

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE HISTORIC AND ARCHAEOLOGICAL PRESERVATION OVERLAY (SECTION 16.30.070 OF THE CITY CODE); CLARIFYING THE APPLICATION REQUIREMENTS AND OTHER PROCEDURES FOR DESIGNATING LOCAL LANDMARKS; REVISING THE REQUIREMENTS FOR CERTIFICATES OF APPROVAL; CODIFYING INTERPRETATIVE LANGUAGE AND CLARIFICATIONS FOR INTERNAL CONSISTENCY; CORRECTING TYPOGRAPHICAL, GRAMMATICAL AND SCRIVENERS ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. Section 16.30.070 of the St. Petersburg City Code is hereby amended to read as follows:

SECTION 16.30.070. - HISTORIC AND ARCHAEOLOGICAL PRESERVATION OVERLAY

Sections:

16.30.070.1. - Generally.

16.30.070.2. - Preservation of historic properties.

16.30.070.2.1. Purpose and declaration of public policy.

A. The City Council declares as a matter of public policy that the preservation, protection, perpetuation and use of local landmarks is a public necessity because they have a special historic, architectural, archaeological, aesthetic or cultural interest and value and thus serve as visible and tangible reminders of the history and heritage of this City, the state and nation. The Council finds that this section benefits the City's residents and property owners and declares as a matter of public policy that this section is required in the interest of the health, prosperity, safety, welfare and economic well-being of the people.

B. The purpose of this section is to:

1. Effect and accomplish the preservation, protection, perpetuation and use of local landmarks having a special historic, architectural, archaeological, aesthetic or cultural interest and value to this City, the state and nation;
2. Promote the educational, cultural, economic and general welfare of the people and to safeguard the City's history and heritage as embodied and reflected in such local landmarks;

3. Stabilize and improve property values in historic districts and in the City as a whole;

4. Foster civic pride in the value of notable accomplishments of the past;

5. Strengthen the economy of the City;

6. Protect and enhance the City's attractions to residents, tourists and visitors and serve as a support and stimulus to business and industry;

7. Enhance the visual and aesthetic character, diversity and interest of the City;

8. Provide for incentives to renovate or rehabilitate historic structures by implementing State law (currently F.S. §§ 196.1997 and 196.1998) relating to exemption of certain ad valorem taxes for historic properties.

16.30.070.2.2. Definitions.

Definitions shall be as provided in the rules of interpretation and definitions section and Chapter 1.

16.30.070.2.3. Designation of Community Planning and Preservation Commission.

It is hereby established that the Community Planning and Preservation Commission shall serve as the Commission responsible for matters pertaining to historic and archaeological preservation as provided in this overlay section. It is the City Council's intent that this Commission shall meet the requirements of the state and federal Certified Local Government program. When a new member is appointed by the Mayor and confirmed by City Council, the professional education and qualifications of the new member should be considered to ensure that the requirements of the Certified Local Government program are met. When necessary, persons serving on the Commission shall attend educational meetings to develop a special interest, experience or knowledge in history, architecture, or related disciplines.

16.30.070.2.4. Powers and duties of the Commission.

A. In addition to the powers and duties stated elsewhere, the Commission shall take action necessary and appropriate to accomplish the purposes of this section. These actions may include, but are not limited to:

1. Continuing the survey and inventory of historic buildings and areas and archaeological sites and the plan for their preservation;

2. Recommending the designation of local landmarks;

3. Regulating alterations, demolitions, relocations, and new construction to local landmarks;

4. Recommending specific design review criteria for local landmarks;

5. Working with and advising the federal, state and county governments and other departments or commissions of the City;
6. Advising and assisting property owners and other persons and groups including neighborhood organizations who are interested in historic preservation;

7. Initiating plans for the preservation and rehabilitation of individual historic buildings; and

8. Undertaking educational programs including the preparation of publications and placing of historic markers.

B. The Commission shall review all nominations of a local property to the National Register of Historic Places (NRHP) following the regulations of the Florida Division of Historical Resources. The Commission shall also ask the Mayor and the chairman of the Board of County Commissioners for their written opinion as to whether or not each property should be nominated to the NRHP. The Commission shall conduct a public hearing to consider the nomination and publish and mail notice as provided in the supplemental notice section of the application and procedures section. When necessary, the Commission shall seek expert advice before evaluating the nomination. The Commission shall forward to the state historic preservation officer its action on the nomination and the recommendations of the local officials.

When a property owner objects to having their property nominated to the National Register, a notarized written statement from the property owner must be requested by the POD before the nomination is considered. The Commission may then continue its review, forwarding its recommendation to the state historic preservation officer noting the property owner's objection or it may cease any further review process and notify the state historic preservation officer of the property owner's objection to the proposed listing.

C. In the development of the certified local government program, the City Council may ask the Commission to perform other responsibilities that may be delegated to the City under the National Historic Preservation Act.

D. The Commission shall conduct at least four public hearings a year to consider historic preservation issues. The Commission shall prepare and keep on file available for public inspection a written annual report of its historic preservation activities, cases, decisions, qualifications of members and other historic preservation work.

E. The Commission shall receive assistance in the performance of its historic preservation responsibilities from the POD who shall provide expertise in historic preservation or a closely related field. Other City staff members may be asked to assist the Commission by providing technical advice or helping in the administration of this section.

16.30.070.2.5. Designation of local landmarks.

A. Generally-. Upon recommendation of the Commission, the City Council shall consider local landmark designation by ordinance of individual buildings, structures, objects, archaeological sites, local historic districts and multiple property landmarks. An application for the creation of TDR, H credits and/or for a historic ad valorem tax exemption may be processed simultaneously with an application for designation.
B. Application requirements. Consideration of the designation of a local landmark shall be initiated by the filing of an application for designation by the property owner, any resident of the City, or any organization in the City, including the City. Where multiple property owners are co-located within a multi-family development or building (e.g., condominiums, townhouses, etc.), the owners' representative association (e.g., a condominium or homeowners association) may be recognized as the property owner for the purpose of submitting an application for individual designation of the multi-family development or building. The City shall charge a fee for each application. Such fee shall be waived for City-initiated applications and where properties are individually listed in the NRHP or are the subject of an active application for individual listing in the NRHP. This fee exemption does not include contributing resources to a district listing in the NRHP, or, upon demonstration of a pending application, proposed to be listed in the NRHP. The POD shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

1. Generally. The applicant shall complete an application form provided by the POD which shall include:
   a. A written description of the architectural, historical, or archaeological significance of the proposed local landmark specifically addressing and documenting those related points contained in the criteria of this section;
   b. The date of construction of each of the structures on the property;
   c. Photographs of the property; and
   d. The legal description and a map of the property to be designated as a local landmark or upon which the local landmark is located.
   e. Where multiple property owners are co-located within a multi-family development or building, documentation shall be included showing compliance with association regulations, including material change authorizations, where applicable.

2. Additional requirements for historic districts. On applications for the designation of historic districts, the applicant shall also submit:
   a. Evidence of the support of the historic district from the owners of 50 percent plus one tax parcel (50% + 1) (e.g. if there are 201 tax parcels, 50% = 100 ½ tax parcels, plus one would equal 101 ½ which would mean 102 tax parcels must vote in favor), of the tax parcels within the proposed district except for City initiated applications. Such evidence shall be obtained in the following manner:
      1) the City shall mail to all property owners of each tax parcel within the proposed historic district, as listed in the Public Records of Pinellas County, and at the applicant's sole expense, a City issued ballot requesting the owner to return by mail a signed ballot showing support or opposition/nonsupport for the application;
      2) the POD shall obtain a certificate of mailing on the date of the mailing, and only City issued ballots that have a postmark within 60 days of the date of mailing, or have been
physically received by the POD within 60 days the date of mailing and have been date stamped by the City, shall be counted;

3) the response for each tax parcel shall be counted as one vote, if more than one owner of a tax parcel responds and one or more owners show opposition/nonsupport then the property shall not be found to support the application; each tax parcel (which may be more than one lot) shall be a "property";

4) City owned tax parcels shall not have a vote and shall not be counted toward the total number of tax parcels;
   the POD shall not accept an application which does not meet this requirement;

5) once a signed ballot is received by the City, the signor's position may not be changed for the purposes of meeting the requirements of the application minimum (such persons may express any change of opinion or vote in any other legal manner);

6) applications must be filed within six months of a determination by the City that the requirements of this subparagraph have been complied with in their entirety;

7) the POD shall not accept an application which does not meet this requirement.

b. Justification for the formation of the historic district based on the criteria for designation;

c. A written description of the boundaries of the district which shall include a map; and

d. A list of contributing and noncontributing resources.

C. Additional requirements—.

1. When an owner objects to an application involving designation of their property, other than when in a local historic district, approval by the Commission and City Council shall require a super majority vote. An application for individual designation shall require a simple majority vote of the Commission and City Council. When a property owner is opposed to the individual designation, a supermajority vote of the Commission and City Council is required. An application for district designation shall require a simple majority vote of the Commission and City Council, regardless of whether there is opposition from one or more property owners located within the proposed district boundary.

2. A designation application made by a non-owner shall not be made or accepted for a property with an unexpired site plan approval.

3. If a designation application for an individual property has been made by a non-owner and has been denied by the City Council, as a new application to designate the same property (unless it is part of a local historic district designation application) shall not be accepted by the POD initiated for five years from the date of the final failed public hearing unless initiated by the property owner. The City Council or property owner may initiate an application for individual designation at any time, regardless of previous denials.
4. If an application for district designation is denied by City Council, a new application to designate the same or substantially similar district shall not be initiated for five years from the date the application was certified complete for the previously failed effort. The City Council may initiate an application for district designation at any time, regardless of previous denials.

5. If an application for district designation is denied by the City Council, a new application for individual designation of buildings located within the boundary of the failed district may be initiated by the owner, a non-owner or the City Council at any time, unless otherwise prohibited by this subsection.

6. One complete copy of a non-owner initiated designation application for an individual property shall be provided by the applicant to each property owner (and may be made to any legal person of interest) as shown in the Public Records of Pinellas County, by certified mail. The application shall not be complete until proof of mailing has been provided to the POD and the POD shall not process the application until complete. The applicant of a non-owner initiated designation application for an individual property shall mail notice of each public hearing at least 30 days prior to each public hearing, to each property owner as shown in the Public Records of Pinellas County by regular mail. The applicant shall provide proof of mailing to the POD at least 14 days prior to the public hearing.

5. If a ballot process to initiate a designation application for a historic district has failed, no ballot process to designate the same or a substantially similar district may be undertaken by the City for five years from the date of the initiation of the prior failed ballot.

D. Criteria for designation of property. The City of St. Petersburg uses locally adopted criteria modeled after recognized national historic standards for determining the significance of historic properties. At least one or more criteria each, under a two-part test for designation as a local landmark must be met, as evaluated herein. As part of the first test for local landmark designation, a property proposed for designation must meet the general 50 years of age requirement. Also under the first test, at least one or more of nine criteria must be met. The second test involves the property's integrity, of which at least one or more of seven factors of integrity (i.e., location, design, setting, materials, workmanship, feeling, and association) must be met; however, feeling and association, without meeting at least one other factor, are insufficient to support designation.

1. The Commission shall recommend the designation of property as a local landmark after the public hearing if the principal structure is at least 50 years old and it meets one or more of the following criteria:

a. Its value is a significant reminder of the cultural or archaeological heritage of the City, state or nation;

b. Its location is a site of a significant local, state, or national event;

c. It is identified with a person who significantly contributed to the development of the City, state, or nation;
d. It is identified as the work of a master builder, designer, or architect whose individual work has influenced the development of the City, state, or nation;

e. Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance;

f. It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials;

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;

h. Its character is an established and geographically definable neighborhood, united in culture, architectural style or physical plan and development; or

i. It has contributed, or is likely to contribute, information important to the prehistory or history of the City, state, or nation.

2. If a property meets the criteria for designation set forth in paragraph 1. above, then the Commission shall also consider the following seven factors of integrity as they apply to the property. The property shall meet at least one of the following factors of integrity; however, feeling and association, without meeting at least one other factor, are insufficient to support designation:

   a. Location. The place where the historic property was constructed or the place where the historic event occurred.

   b. Design. The combination of elements that create the form, plan, space, structure, and style of a property.

   c. Setting. The physical environment of a historic property.

   d. Materials. The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.

   e. Workmanship. The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.

   f. Feeling. The property's expression of the aesthetic or historic sense of a particular period of time.

   g. Association. The direct link between an important historic event or person and a historic property.

In order to be designated as a local landmark, a property shall meet at least one of the foregoing factors of integrity; however, feeling and association, without meeting at least one other factor, are insufficient to support designation.

3. Special properties. Cemeteries, birthplaces, or graves of historical figures, structures that have been moved from their original locations, reconstructions of historic buildings, properties
primarily commemorative in nature, and properties that have achieved significance within the
past 50 years shall not be considered eligible for designation unless it is an integral part of a
historic district that meets the criteria above or if it falls within the following categories:

a. A cemetery which derives its primary significance from graves of persons of significance
   either from its age, from its distinctive design features, or from its association with historic
events;

b. A birthplace or grave of a historical figure of significance if there is not an appropriate
   building or site directly associated with the historical figure's life;

c. A building or structure removed from its original location but which is significant primarily
   for its architectural value or which is the surviving structure most importantly associated
   with a historic person or event;

d. An accurate reconstruction of an historic building or structure which was destroyed by
   catastrophic causes, located in an environment which is compatible with its historic location,
   presented in an academic manner, and no other building or structure with the same historic
   significance has survived;

e. A property primarily commemorative in intent if its design, age, tradition, or symbolic value
   has created its own exceptional significance; or

f. A property achieving significance within the past 50 years if it is of exceptional importance
   and meets one or more of the general criteria.

4. Additional criteria for designation of hexagon block sidewalk preservation areas.

a. Evidence of approval of the property owners of greater than 50 percent of the linear front
   footage of property abutting the sidewalks (right-of-way) within the area designated in the
   application at the time the application is submitted to the POD. For the purposes of this
   subsection and unless otherwise directed by City Council, the City shall be presumed to
   approve of the application for designation of hexagon block sidewalk preservation areas for
   all City owned property, excluding rights-of-way, within an area designated in the
   application. This presumption shall not affect the power of City Council to deny an
   application. City Council may initiate the designation of a hexagon block sidewalk
   preservation area without the approval of any owners.

b. The hexagon block sidewalk preservation area contributes an aesthetic or cultural interest
   and value which enhances the character of the City.

c. A proposed hexagon block sidewalk preservation area shall contain a minimum of four
   abutting city blocks or a minimum of 1,500 linear feet of sidewalk. Preservation areas should
   contain at least 66 percent of the total linear feet in hexagon block sidewalk after measuring
   all sidewalks along the streets within the proposed district.

E. Updating and modifying historic districts.

1. The status of properties as either contributing or non-contributing resources within a historic
district may be changed by following the same process as required for the initial designation.
2. The boundaries of a historic district may be expanded to include (an) adjoining property(ies) at the request of the property owner if the property(ies) meet(s) the designation criteria.

3. The boundaries of a historic district may be contracted to exclude (a) property(ies) if the property(ies) no longer meet(s) the criteria for designation and if the contraction does not create an 'enclave' within the historic district or make any portion of the historic district noncontiguous with the remainder of the historic district.

4. Approval of the expanded or contracted boundaries shall follow the same process as required for the initial designation, as described in this section. The Commission and City Council shall only consider the properties to be added or removed and shall not re-evaluate the designation of the entire historic district or other properties which are not included in the request.

F. Public hearings for designations. The Commission shall schedule a public hearing on the proposed designation within 60 days of the submission of a completed application. Notice of the public hearing and notice to the owner(s) shall clearly state the boundaries for the proposed local landmark and notice shall include mailed notice to the owner, and written and posted notice as provided in the applications and procedures section except that no posted notice for an application for a historic district shall be required.

G. Commission recommendation. After evaluating the testimony, evidence, and other material presented to the Commission, the Commission shall:

1. Recommend approval, denial or approval with modifications of the application within 60 days.

2. Within this 60-day period, the Commission may vote to defer its recommendation if adequate information is not available to make a recommendation but shall reconsider the application at the earliest opportunity after adequate information is made available.

3. A written report to the City Council on the Commission's recommendation shall be sent for Council's review and action. If the Commission recommends a designation, it shall explain how the proposed local landmark qualifies for designation under the criteria contained in this section. This evaluation may include references to other buildings and areas in the City and shall identify the significant features of the proposed local landmark. The report shall include a discussion of the relationship between the proposed designation and existing and future plans for the development of the City. The POD shall promptly notify the applicant and the property owner of the Commission recommendation.

H. Permit issuance. When a complete (as determined by the POD) application for designation of a local landmark has been submitted, no permits shall be issued for any exterior alteration, new construction, demolition, or relocation on the property which is the subject of the recommendation until one of the following has occurred:

1. City Council designates the property and a certificate of appropriateness is issued;

2. The application is withdrawn; or

3. The designation is denied by City Council.
4. This prohibition shall not apply to a noncontributing resource within the boundaries of an application for local landmark designation for a local historic district nor shall it apply to permits for ordinary repair and maintenance of contributing resources, as determined by the POD.

I. City Council review and designation. The City Council shall schedule a public hearing on the proposed designation within 60 days of the Commission recommendation. Notice of the public hearing and notice to the owner(s) shall clearly state the boundaries for the proposed local landmark and notice shall include mailed notice to the owner, and written and posted notice as provided in the applications and procedures section except that no posted notice for an application for a historic district shall be required. After evaluating the testimony, evidence, and other material presented to the Council, and considering the criteria for designation, the Council shall adhere to the following:

1. Approve, deny or approve with modifications of the Commission recommendation.

2. Within this 60-day period, the Council may vote to defer its decision if adequate information is not available to make a decision, but shall reconsider the application at the earliest opportunity after adequate information is made available.

3. In addition to the criteria for designation, Council may also consider the relationship of the proposed designation to the existing and future plans for the development of the City.

4. A decision to reverse a Commission recommendation, or to approve the designation over an owner objection shall be by a super majority vote. If the Commission recommends individual designation, then a simple majority vote of the City Council is required to approve the application. When the property owner is opposed to the individual designation, a supermajority vote of both the Commission and City Council is required.

5. If the Commission recommends against individual designation, then a supermajority vote of the City Council is required to reverse the Commission recommendation and approve the application.

6. If the Commission recommends district designation, then a simple majority vote of the City Council is required to approve the application, regardless of whether a property owner located within the district boundary is opposed to the district designation.

7. If the Commission recommends against district designation, then a supermajority vote of the City Council is required to reverse the Commission recommendation and approve the application.

8. Modification of the boundaries of a proposed local landmark is not a reversal of a Commission recommendation so long as a substantial portion of the recommended area is approved.

9. If a designation is made, the Comprehensive Plan including the land use map shall automatically be amended to show the designation with no further action by City Council necessary.

6.10. The POD shall notify the applicant and property owner of the decision relating to the property and shall arrange that notice of the designation of a property as a local landmark or as a part of a historic district is provided to the property appraiser and tax collector so that they may include this information in their public records and with the City Clerk.

J. Amendments and rescissions. The designation of any local landmark may be amended or rescinded through the same procedure utilized for the original designation. Where a physical portion of a local
landmark remains, the Commission may consider whether the local landmark has lost its significance as a result of the approval of a COA which required the retention of a portion of the original local landmark.

16.30.070.2.6. Approval of changes to local landmarks.

A. **Certificate of appropriateness (COA)**. No person may undertake any of the following actions affecting a local landmark or property within a local landmark district without first obtaining a COA:

1. Alteration of a designated archaeological site;
2. Alteration to the exterior part of a building, structure or object within the designated boundary of a local landmark;
3. New construction;
4. Demolition; or
5. Relocation, including the relocation of a building into a historic district.

Review of new construction and alterations to designated buildings and structures shall be limited to exterior changes, except when part of an application for an Ad Valorem Tax Exemption. Whenever any alteration, new construction, demolition, or relocation is undertaken on a local landmark or within a local landmark district without a COA, the Building Official is authorized to issue a stop work order.

A COA shall be in addition to any other building permits required by law. The issuance of a COA shall not relieve the property owner of the duty to comply with other federal, state and local laws and regulations.

Certain ordinary repair and maintenance activities that are otherwise permitted by law may be undertaken without a COA. The final determination of what work is considered ordinary repair and maintenance shall be made by the POD. Property owners may request the POD to review any scope of work to determine if a COA is required at no charge.

Owners of properties which are subject to a COA review shall make all artifacts from archaeological sites available to the investigating archaeologists for purposes of analysis and for the reasonable period of time needed for the analysis.

No COA approved by the Commission shall be effective for a period of ten days from the date of approval. If during that ten-day period an appeal is made, the decision shall automatically be stayed during the appeal.

B. **Application procedures for a COA.** Each application for a COA shall be accompanied by the required fee. No permits shall be issued for an alteration, new construction, demolition or relocation affecting a local landmark without first directing the applicant to the POD to determine if a COA is required. The applicant shall complete an application form provided by the POD which shall include the following information:

1. Drawings, sketches, and plans of the proposed work;
2. Photographs of the existing building or structure and adjacent properties;
3. A complete written description of the proposed work which clearly describes the building materials to be used;

4. In the case of archaeological sites, a site plan that illustrates the archaeological site boundary and clearly describes any potential impacts or disturbances to the site.

5. The POD shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

6. For relocations, a written statement from the applicant shall be included in the application addressing:
   a. How the proposed relocation of the local landmark will impact the NRHP seven factors of integrity which contribute to the local landmark its; and
   b. Why the relocation is necessary.

7. Each application for a COA shall be accompanied by the required fees.

C. Review of a COA.

1. The Commission shall hold a public hearing and approve, by resolution, a COA approval matrix for local landmarks and archaeological sites. The matrix shall identify which approvals shall be made by the POD and which shall be made by the Commission. Changes to the matrix shall be made in the same manner. Approval of any action which is not specifically identified on the matrix shall be made by the Commission.

2. The decision to approve, approve with conditions, or deny any application, shall be based on the criteria contained in this section.

3. The Commission shall hold a public hearing after providing mailed and posted notice as required in the application and procedures section for each COA request requiring Commission approval. The Commission may vote to defer its decision if adequate information is not available to make a decision but shall reconsider the application at the earliest opportunity after adequate information is made available. The Commission shall act within 60 days after the close of the public hearing unless an extension is agreed to by the property owner.

4. The decision by the POD to approve, approve with conditions, or deny any application shall be provided to the owner, and the applicant, if different than the owner. The POD's decision shall be in writing and shall state the reasons for such approval. The POD's decision may be appealed to the Commission by following the procedures for appeals in the applications and procedures section, however, only the owner may appeal the POD's decision under this paragraph. The POD shall provide mailed notice to the owner as required in the application and procedures section for each COA request requiring POD approval at least ten days before making a decision unless this time frame is waived by the owner.

D. Modifications to a COA. Modifications to a COA shall be made only by the Commission or POD, based on the approval matrix, after receipt of a completed application by following the procedures for approval of a COA. The POD shall determine when an action affects a local landmark or property within a local landmark district. Modification to any work or materials approved by the COA or any
condition of the COA is prohibited without receipt of an approval as set forth herein. Fees for review of a COA shall be established by the City Council.

E. General criteria for granting a COA. In approving or denying applications for a COA for alterations, new construction, demolition, or relocation, the Commission and the POD shall evaluate the following:

1. The effect(s) of the proposed work activity on the local landmark;
2. The relationship between such work activity and other structures on the property or, if within a historic district, other property in the historic district;
3. The extent to which the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture and materials of the local landmark or the property will be affected;
4. Whether the denial of a COA would deprive the property owner of reasonable beneficial use of the property;
5. Whether the plans may be reasonably carried out by the applicant;
6. A COA for a noncontributing structure in a historic district shall be reviewed to determine whether the proposed work would negatively impact a contributing structure or the historic integrity of the district. Approval of a COA shall include any conditions necessary to mitigate or eliminate the negative impacts.

F. Additional guidelines for alterations-. In approving or denying applications for a COA for alterations, the Commission and the POD shall also use the following additional guidelines which are based on the United States Secretary of the Interior's Standards for the Treatment of Historic Properties:

1. A local landmark should be used for its historic purpose or be adaptively fit into placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The distinguishing historic qualities or character of a building, structure, or site and its environment shall be preserved. The removal or alteration of any historic material or distinctive architectural features shall be avoided when reasonable.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings without sufficient documentary evidence, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved, as appropriate.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and other visual qualities and, where reasonable, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8. Significant archaeological resources affected by a project shall be protected and preserved if designated pursuant to this section. If such resources must be disturbed, mitigation measures shall be undertaken.

G. **Additional guidelines for new construction**—In approving or denying applications for a COA for new construction (which includes additions to an existing structure), the Commission and the POD shall also use the following additional guidelines:

1. The height and scale of the proposed new construction shall be visually compatible with contributing resources in the district.

2. The relationship of the width of the new construction to the height of the front elevation shall be visually compatible with contributing resources in the district.

3. The relationship of the width of the windows to the height of the windows in the new construction shall be visually compatible with contributing resources in the district.

4. The relationship of solids and voids (which is the pattern or rhythm created by wall recesses, projections, and openings) in the front facade of a building shall be visually compatible with contributing resources in the district.

5. The relationship of the new construction to open space between it and adjoining buildings shall be visually compatible with contributing resources in the district.

6. The relationship of the entrance and porch projections, and balconies to sidewalks of the new construction shall be visually compatible with contributing resources in the district.

7. The relationship of the materials and texture of the facade of the new construction shall be visually compatible with the predominant materials used in contributing resources in the district.

8. The roof shape of the new construction shall be visually compatible with contributing resources in the district.

9. Appurtenances of the new construction such as walls, wrought iron, gates and fences, evergreen vegetation and landscape masses features, building facades, shall, if necessary, form cohesive walls of enclosures along a street, to ensure visual compatibility of the new construction with contributing resources in the district.

10. The size of the new construction, the mass of the new construction in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with contributing resources in the district.

11. The new construction shall be visually compatible with contributing resources in the district in its orientation, flow, and directional character, whether this is the vertical character, horizontal character or nondirectional static character.
12. New construction shall not destroy historic materials that characterize the local landmark or contributing property to a local landmark district. The new construction should be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the local landmark and its environment, or the local landmark district.

13. New construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the local landmark and its environment would be unimpaired.

H. Additional requirements guidelines for demolition-. In approving or denying applications for a COA for demolition, the Commission and the POD shall also use the following additional guidelines:

1. The purpose and intent of these additional requirements is to determine that no other feasible alternative to demolition of the local landmark or contributing property can be found.

2. No COA for demolition shall be issued by the Commission until the applicant has demonstrated that there is no reasonable beneficial use of the property or the applicant cannot receive a reasonable return on a commercial or income-producing property.

The Commission may solicit expert testimony and should request that the applicant furnish such additional information believed to be necessary and relevant in the determination of whether there is a reasonable beneficial use or a reasonable return. The information to be submitted by a property owner should include, but not be limited to, the following information:

a. A report from a licensed architect or engineer who shall have demonstrated experience in structural rehabilitation concerning the structural soundness of the building and its suitability for rehabilitation including an estimated cost to rehabilitate the property.

b. A report from a qualified architect, real estate professional, or developer, with demonstrated experience in rehabilitation, or the owner as to the economic feasibility of rehabilitation or reuse of the property. The report should explore various alternative uses for the property and include, but not be limited to, the following information:

i. The amount paid for the property, date of purchase, remaining mortgage amount (including other existing liens) and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer.

ii. The most recent assessed value of the property.

iii. Photographs of the property and description of its condition.

iv. Annual debt service or mortgage payment.

v. Real estate property taxes for the current year and the previous two years.

vi. An appraisal of the property conducted within the last two years. The City may hire an appraiser to evaluate any appraisals. All appraisals shall include the professional credentials of the appraiser.
vii. Estimated market value of the property in its current condition; estimated market value after completion of the proposed demolition; and estimated market value after rehabilitation of the existing local landmark for continued use.

viii. Evidence of attempts to sell or rent the property, including the price asked within the last two years and any offers received.

ix. Cost of rehabilitation for various use alternatives. Provide specific examples of the infeasibility of rehabilitation or alternative uses which could earn a reasonable return for the property.

x. If the property is income-producing, submit the annual gross income from the property for the previous two years as well as annual cash flow before and after debt service and expenses, itemized operating and maintenance expenses for the previous two years, and depreciation deduction and projected five-year cash flow after rehabilitation.

xi. If the property is not income-producing, projections of the annual gross income which could be obtained from the property in its current condition.

xii. Evidence that the building can or cannot be relocated.

c. The Commission may request that the applicant provide additional information to be used in making the determinations of reasonable beneficial use and reasonable return.

d. If the applicant does not provide the requested information, the applicant shall submit a statement to the Commission detailing the reasons why the requested information was not provided.

3. The Commission may ask interested individuals and organizations for assistance in seeking an alternative to demolition.

4. The Commission shall review the evidence provided and shall determine whether the property can be put to a reasonable beneficial use or the applicant can receive a reasonable return without the approval of the demolition application. The applicant has the burden of proving that there is no reasonable beneficial use of the property or that the owner cannot receive a reasonable return. If the applicant fails to establish the lack of a reasonable beneficial use or the lack of a reasonable return, the Commission shall deny the demolition application except as provided below.

5. The Commission may condition any demolition approval upon the receipt of plans and building permits for any new structure and submission of evidence of financing in order to ensure that the site does not remain vacant after demolition.

6. The Commission may grant a COA for demolition even though the local landmark, or property within a local historic district has reasonable beneficial use or receives a reasonable return if:

a. The Commission determines that the property no longer contributes to a local historic district or no longer has significance as a historic, architectural or archaeological local landmark; or

b. The Commission determines that the demolition of the designated property is necessary to achieve the purposes of a community redevelopment plan or the Comprehensive Plan.
7. The Commission may, at the owner's expense, require the recording of the property for archival purposes prior to demolition. The recording may include, but shall not be limited to, video recording, photographic documentation with negatives and measured architectural drawings.

I. Additional guidelines for relocation. In approving or denying applications for a COA for the relocation of a local landmark or to relocate a building or structure to a property in historic district, the Commission and the POD shall also use the following additional guidelines:

1. The contribution the local landmark makes to its present setting;
2. Whether there are definite plans for the property the local landmark is being moved from;
3. Whether the local landmark can be moved without significant damage to its physical integrity; and
4. The compatibility of the local landmark to its proposed site and adjacent properties.
5. If the structure is a noncontributing resource, the compatibility and impact of the noncontributing resource on abutting contributing resources and the historic district.
6. The property owner may be required to obtain an approved site plan before permits may be issued to relocate a local landmark.

J. Additional guidelines for window replacement. The City's historic preservation office, State of Florida Division of Historic Resources, and U.S. Department of Interior Technical Preservation Services can provide additional information relating to window repair and replacement for individual landmark buildings and properties within local historic districts. While preservation and repair of historic windows is often preferable, property owners may replace windows provided that each replacement window meets the following criteria:

1. Impact resistance. The replacement window and glass shall be impact resistant;
2. Energy performance. The replacement window shall be Energy Star qualified for southern climate zones;
3. Depth in wall. The replacement window shall be setback into the wall the same distance as the historic window;
4. Frame size, shape and exterior trim. The replacement window shall be the same size and shape as the historic window and opening. Historic openings shall not be altered in size. Existing, exterior trim shall be retained, where practicable;
5. Configuration. The replacement window shall have the same light configuration as the historic window. If the historic window configuration cannot be determined, the replacement window configuration shall be appropriate to the architectural style of the subject building;
6. Proportions. The replacement window shall have the same visual qualities of the historic window, where commercially reasonable:
   a. Muntins and Mullions. Where provided, muntins and mullions shall have the same dimensions and profile of the historic muntins and mullions.
b. **Muntins.** Reproduced as simulated divided lights and affixed tight to the glass, muntins shall have the same dimensions (width and depth) and profile of the historic muntins.

e-b. **Stiles.** For hung windows, stiles shall align vertically and be the same width at the upper and lower sashes.

d-c. **Top, meeting and bottom rails, and blind stop.** The top, meeting and bottom rails of a hung window, including the corresponding blind stop, shall have the same dimensions and profile of the historic window.

7. **Finish.** The finished surface and appearance shall match the historic window, where commercially reasonable practicable.

K. **Additional guidelines for construction in hexagon block sidewalk preservation areas.** In approving or denying applications for a COA for construction in hexagon block sidewalk preservation areas, the Commission and the POD shall also use the following additional guidelines:

1. The responsibility for proper repair of hexagon block sidewalks within a preservation area shall be governed by City policies and ordinances.

2. All construction shall be done in accordance with City sidewalk specifications and shall be inspected by the POD.

3. All construction must obtain all required permits.

4. The replacement and/or repair of existing hexagon block sidewalks shall be made with hexagon block.

5. The replacement and/or repair of existing concrete sidewalks shall be made with hexagon block.

6. All new sidewalk construction shall be made with hexagon block.

7. The abutting property owner shall be responsible for the expenses associated with the construction and repair of hexagon block sidewalks as set forth in city policies concerning sidewalk assessments.

L. **Additional guidelines for archaeological sites.** In approving or denying applications for a COA for activity on archaeological sites, the Commission and the POD shall also use the following additional guidelines which are based on the United States Secretary of the Interior's Standards for the Treatment of Historic Properties:

1. Any ground disturbing activity requires approval of a COA. Archaeological resources should be left undisturbed. The existing form, integrity, and materials of the archaeological site should be retained. Ground disturbing activity should be located to avoid known archaeological sites. Where avoidance of ground disturbing activity on or near the archaeological site is not possible, projects shall be designed to avoid or minimize ground disturbance.

2. Stabilization of an archaeological site to arrest and inhibit deterioration is recommended and should be done in such a way as to detract as little as possible from its appearance and significance and not adversely affect its research potential unless adequate data recovery has occurred. Stabilization by vegetation, installation of rip rap or landscape netting, burial, or other alteration
will be undertaken only after sufficient research or experimentation to determine the probable effectiveness of the action and only after existing conditions are fully documented. A complete record of stabilization work shall be provided to the City.

3. Ground disturbing activities should be employed only when necessary to provide sufficient information for research, interpretation, and management needs. Excavated areas should be backfilled or otherwise stabilized.

4. The use of heavy machinery or equipment is discouraged and such equipment shall be used in a manner to reduce the impact to known archaeological resources on an archaeological site. The applicant shall provide justification for their use when necessary and their use will be subject to conditions of approval to minimize the impact on known archaeological resources on an archaeological site.

5. For a major disturbance which occurs when preservation of significant archaeological resources in place is not reasonable, a professional archaeologist shall be used to survey the site to determine the potential impact and exact location of significant archaeological resources prior to any ground disturbing activities. If avoidance of an impact is not possible, a professional archaeologist shall document the site, shall monitor construction activities, and shall be given an opportunity to excavate and preserve any archaeological resources. Such work shall be performed by a professional archaeologist who meets the professional qualification standards set forth in the Secretary of the Interior's Standards for Archaeology and Historic Preservation (36 CFR pt. 61).

6. For a minor disturbance which occurs when preservation of significant archaeological resources in place is reasonable but ground disturbing activities will occur on the site, a professional archaeologist or individuals certified by the Florida Department of State, Bureau of Archaeological Research, Archaeological Resource Management Training shall monitor construction activities.

7. Recovered archaeological resources shall be recorded, cataloged, and curated or reinterred on site when possible. A complete record as to their original location, location to be stored or reinterred, and the stabilization of the site shall be provided to the City.

8. Significant archaeological resources affected by ground disturbing activity shall be protected and preserved.

M. Emergency conditions; designated properties-. In any case where the Building Official determines that there are emergency conditions dangerous to life, health or property affecting a local landmark or a property in a historic district, the Building Official may order the remedying of these conditions (including demolition) without the approval of the Commission or issuance of a required COA. The POD shall promptly notify the Commission of the action being taken.

16.30.070.2.7. Appeals.

Decisions of the POD may be appealed to the Commission. Decisions of the Commission may be appealed to City Council.

16.30.070.2.8. Conformity with the COA.
All work performed pursuant to a COA shall conform to all provisions of such COA. The POD may inspect any work being performed to ensure such compliance. In the event work is not in compliance with such COA the Building Official may issue a stop work order. No additional work shall be undertaken as long as such stop work order is in effect.

16.30.070.2.9. Maintenance and repair of local landmarks and property in historic districts.

A. Every owner of a local landmark shall protect the local landmark against any fault, defect, or condition of the local landmark which renders it structurally unsafe or not watertight and shall keep it in good repair including:
   1. All of the exterior portions of such buildings or structures including but not limited to all roofing materials and roof components, window glass, window frames and sashes, exterior doors and door frames;
   2. All interior portions thereof which, if not so maintained, may cause such buildings or structures to deteriorate or to become damaged or otherwise to fall into a state of disrepair; and
   3. In addition, where the landmark is a designated archaeological site, the owner shall maintain the property in such a manner so as not to adversely affect the archaeological integrity of the site.

B. Compliance. The property owner and any other person having possession or control of a local landmark shall comply with the City's minimum building standards and repair the local landmark if it is found to have any of the defects listed above. In addition, the property owner and any other person having possession or control of the local landmark shall keep all property, including vacant property, clear of all fallen trees or limbs, debris, abandoned vehicles, and all other refuse as specified under the City's minimum building codes and ordinances. The provisions of this section shall be supplemental to any other laws requiring buildings and structures to be kept in good repair.

C. Enforcement.
   1. The POD and the Commission may work with the property owner to encourage maintenance and stabilization of the structure and identify resources available before taking enforcement action under this section.
   2. The POD or the Commission may file a complaint with the POD performing code enforcement requesting that the POD issue a citation to require repairs to any local landmark so that the local landmark shall be preserved and protected in accordance with this section.

16.30.070.2.10. Expedited actions; stop work order; nondesignated properties.

A. The City Council may call a special meeting to review a threat to property that has not yet been designated by the City.

B. The POD may issue a temporary stop work order for a maximum of 15 days or until City Council conducts the special meeting or discusses the property at a regular City Council session within that period. The City Council may request that a stop work order be issued for up to 120 days to provide time to negotiate with the property owner to remove the threat to the property.
C. During the stop work order period the City Council may initiate steps to designate the property. Within the stop work order period the Commission shall meet and seek alternatives that may remove the threat to the property, determine if the property should be designated and make a recommendation to City Council.

D. If a stop work order is requested by an individual or group and the City Council issues a stop work order, the requesting individual or group shall submit a completed designation application form and fee within 30 days from the date the City Council stop work order is issued. If the City Council or Commission does not receive adequate information and documentation concerning the property or if a completed application and fees are not filed within this period, the City Council may lift the stop work order or allow it to expire without taking further action.

16.30.070.2.11. Identification of potentially eligible landmarks which are not locally designated.

In order to protect and preserve the City's historic resources, the City shall discourage the demolition of historic resources which are listed or eligible for listing on the NRHP or the St. Petersburg Register of Historic Places.

1. The property records and planning and permitting database should identify all properties listed individually or as a contributing resource on the St. Petersburg Register of Historic Places or the NRHP. The property records and planning and permitting database should also identify all properties which are potentially eligible for designation as a local landmark.

2. Upon receipt of a complete application (or substantially complete as determined by the POD) for a site plan that includes demolition, the POD shall delay the processing of the site plan and the issuance of a permit for the demolition of a property which is potentially eligible for designation as an individual local landmark and which is identified as such in the property records and planning and permitting database, for 30 days.

3. The City will notify by e-mail or letter mailed first class mail to the members of the Commission and any resident or community group who annually files their name with the POD requesting notice of any applications for a site plan that includes demolition for a property which is potentially eligible for designation as an individual local landmark and which is identified as such in the property records and planning and permitting database.

4. The requirement for delay and notice set forth in subsections 1. through 3. of this section shall not apply when:
   a. The Building Official or Fire Chief determines that it is necessary to demolish all or part of a building to protect the safety of the public;
   b. The Building Official determines that the building is structurally unsafe;
   c. The property has been the subject of an application for historic designation which has been denied and which is not on appeal; and
   d. The property has been the subject of an application for a site plan which has been approved and which is not on appeal, and the site plan approval has not expired or been withdrawn.
16.30.070.3. - Archaeological protection and preservation.

In order to protect and preserve the City's historical resources, the City discourages the destruction of any archaeological resources. The POD may authorize archaeological investigations including, but not limited to, survey of archaeological site boundaries, survey of specified properties in order to locate any previously unrecorded sites, site assessment in order to determine landmark status, and mitigation of archaeological resources in cases where preservation of a resource is determined by the Commission to be infeasible. These investigations may be in conjunction with existing or proposed designations or COA applications. Public records requests made of the City regarding the location of archaeological sites may be subject to F.S. §267.135, as it may be amended from time to time.


16.30.070.3.1. - Certificate to Dig on property which has not been designated.

The purpose for requiring a Certificate to Dig on property which has not been designated as an archaeological site is to assist in identifying archaeological resources before they are disturbed, and if necessary, to allow sufficient time to conduct any investigations to determine the location, to evaluate the significance of, and to protect significant archaeological sites and resources in areas identified as potentially having such sites.

1. Any project that obtains a site plan or building permit which will include ground disturbing activity in a sensitivity "Sensitivity Level 1" zone is required to obtain a Certificate to Dig if it is on property which has not been designated or is not required to obtain a COA.

2. An application for a Certificate to Dig shall be on the form required by the POD which shall include an aerial, a site plan, a description and the location on the site of all proposed ground disturbing activity, and the fee established by City Council. An application for a commercial property or a three or more unit residential property shall not be considered complete unless it includes a report from a professional archaeologist identifying the boundaries of the site, the significance of the site, an analysis of the impact of the proposed activity on the archaeological resources on the site (if any), and recommendations concerning avoidance of adverse impacts or mitigation. Such work shall be performed by a professional archaeologist who meets the professional qualification standards set forth in the Secretary of the Interior's Standards for Archaeology and Historic Preservation (36 CFR pt. 61). Upon receipt of a complete application (or substantially complete as determined by the POD), the POD may delay issuance of the certificate for up to 30 days to allow a local landmark designation application to be filed.

3. If a local landmark designation application has not been filed within 30 days, or has been filed and denied, the Certificate to Dig shall be issued which may contain conditions providing for the curation of any recovered artifacts and, where the archaeological site, or any portion thereof, is not being developed, the avoidance or reduction of ground disturbing activities. The curation of
any recovered artifacts should be performed by a professional archaeologist who meets the professional qualification standards set forth in the Secretary of the Interior's Standards for Archaeology and Historic Preservation (36 CFR pt. 61).

4. Decisions to deny, approve, or approve with conditions Certificate to Dig shall be made by the POD. Decisions of the POD require at least ten days public notice to the applicant prior to the decision but shall not require notice to any other person. Appeals of POD decisions shall be made to the Commission, may be made only by the applicant, and shall follow the procedure for appeals set forth in the application and procedures section.

5. The POD shall inspect any work being performed to ensure compliance with the Certificate to Dig. In the event work is not in compliance with such certificate, the Building Official may issue a stop work order. No additional work shall be undertaken as long as such stop work order is in effect. The POD may refer violations of this section to the POD for code enforcement for citation.


16.30.070.3.2. - Human remains.

If human skeletal remains are found, the property owner, person in possession, or applicant for any permit or certificate shall notify the POD and comply with all relevant state laws (currently see F.S. § 872.05).

(Ord. No. 157-H, § 1, 9-17-2015)

16.30.070.3.3. - Prohibited practices and penalties.

Any person who conducts removes or attempts to remove, or defaces, destroys, or otherwise alters any archaeological site or archaeological resource located upon, any land owned or controlled by the City or within the boundaries of a local landmark or sensitivity zone, except in the course of activities allowed under an approved COA or an approved Certificate to Dig is subject to a $500.00 per day fine for each violation and, in addition, shall forfeit to the City all archaeological resources collected, together with all photographs and records relating to such material. No individual shall be allowed to use a probe, metal detector, or any other device to search or excavate for archaeological resources on public property without the written permission of the City.

(Ord. No. 157-H, § 1, 9-17-2015)

16.30.070.4. - Procedure for ad valorem tax exemption for historic properties.

A. Generally-. State statutes (currently F.S. §§ 196.1997 and 196.1998) authorize the City to adopt an ordinance allowing certain ad valorem tax exemptions under the state Constitution for historic properties which meet certain requirements.
B. **Definitions-.** For the purposes of this section, the following words shall have the following meanings:

*Assessed value* means the total value of a tax parcel (including the structures, land and any other rights appurtenant thereto) as determined by the county property appraiser and shown on the property tax bill sent to the owner of record by the county.

*Covenant* means the Historic Preservation Property Tax Exemption Covenant required to be recorded to obtain an exemption pursuant to this chapter.

*Exemption* means the ad valorem tax exemption for historic properties authorized pursuant to this chapter.

*Qualifying improvement* means:

1. Any change in the condition of a qualifying property which is sympathetic to the architectural and/or historical integrity of the structure as determined by a review for a COA which may include additions and accessory structures (e.g., a garage, cabana, guest cottage, storage/utility structure) so long as the new construction is compatible with the historic character of the building and site in terms of size, scale, massing, design, and materials and preserves the historic relationship between a building or buildings, landscape features and open spaces; and

2. Which occurs as a result of the expenditure of money on labor or materials for the restoration, renovation or rehabilitation of such property; and

3. Which expenditures the property owner can document to the satisfaction of the City; and

4. Which improvements were made on or after the original adoption of this section, July 21, 1994; and

5. That the total expenditure on the qualifying improvement was paid within the two years prior to the date of submission of the request for review of completed work; and

6. That the total expenditure equals or exceeds ten percent of the assessed value of the property in the year in which the qualifying improvement was initiated (expenditures for interior and exterior work, including construction of additions but excluding all recreational facilities, shall be included in the meaning of improvement for purposes of this section); and

7. That the qualifying improvement complies with the COA criteria and the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Revised 1990) U.S. Department of Interior, National Park Service and F.A.C. ch. 1A-38.

*Qualifying property* means real property which is:

1. Property designated as a local landmark or part of a multiple property landmark;

2. A contributing resource to a local historic district;

3. A property listed in the NRHP;

4. A contributing resource in a historic district listed in the NRHP; or
5. A property proposed for listing as an individual or contributing resource on either historic register. "Proposed" in this instance means that a local landmark application or NRHP nomination report has been submitted to the City for review or an agreement has been signed by the City or other parties to prepare the local landmark application or NRHP nomination. A property must be officially designated as a local landmark or contributing resource by the City or by the federal government's keeper of the NRHP before the City Council will approve the ad valorem tax exemption request.

C. Ad valorem tax exemption for historic properties—. A qualifying property that has completed a qualifying improvement may be granted an exemption from that portion of the ad valorem taxation levied by the City on 100 percent of the assessed value of the qualifying improvement.

This exemption shall not apply to taxes levied for the payment of bonds or to taxes authorized by a vote of electors pursuant to section 9(b) or section 12, article VII of the state Constitution.

D. Ad valorem tax exemption period-. Any exemption granted shall remain in effect for up to ten years, with the effective date being January 1 of the year following substantial completion of the qualifying improvement. The exemption shall continue in force if the authority of the City to grant exemptions changes (unless the City is preempted by state law) or if ownership of the property changes (including any change from a tax exempt entity to a tax paying entity except as set forth in the following subsection).

E. Ad valorem tax exemptions for historic properties open to the public-. If a qualifying improvement is for a qualifying property that is used for non-profit or governmental purposes and is regularly and frequently open for the public's visitation, use and benefit, the City may exempt 100 percent of the assessed value of the property as improved from ad valorem taxes levied by the City provided that the assessed value of the qualifying improvement must be equal to at least 50 percent of the total assessed value of the property as improved. This subsection applies only if the qualifying improvements are made by or for the use of the existing property owner. A qualifying property is considered used for non-profit or governmental purposes if the occupant or user of at least 65 percent of the useable space of the building is an agency of the federal, state or local government or a non-profit corporation whose articles of incorporation have been filed by the Department of State in accordance with F.S. § 617.0125. Useable space means that portion of the space within a building which is available for assignment or rental to an occupant. A property is considered regularly and frequently opened to the public if public access to the property is provided not less than 52 days a year on an equitably spaced basis, and at other times by appointment. This exemption does not prohibit the owner from charging a reasonable nondiscriminatory admission fee. If a property that qualifies for this exemption is no longer used for non-profit or governmental purposes or is no longer regularly and frequently open to the public or if ownership is transferred then this exemption shall be revoked.

F. Application process-.  
1. Preconstruction application-. Consideration of the exemption shall be initiated by the filing of a preconstruction application by the property owner on the form provided by the City prior to the initiation of any work on a qualifying improvement. Qualifying improvements or any portion
thereof initiated prior to approval of the preconstruction application shall not be eligible for the exemption.

a. The property owner shall also provide all information required for a COA review, the proposed cost of the qualifying improvement based on a licensed contractor's price estimates or other city approved cost estimate method, and a copy of the most recent tax assessment and bill for the property.

b. The POD shall review and approve or deny the preconstruction application and shall follow the review and appeal procedures for a COA. After such review, the POD shall notify the property owner in writing of the following:

(1) Whether the proposed work is a qualifying improvement;

(2) Whether the work, as proposed, is consistent with the criteria for the certificate of appropriateness and the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Revised 1990) U.S. Department of Interior, National Park Service and F.A.C. ch. 1A-38; and

(3) Making recommendations for correction of work which is not consistent with the foregoing.

c. Any changes made to the qualifying improvement after approval of the preconstruction application must receive prior approval by the POD or the Commission to ensure compliance with the criteria set forth herein. Failure to obtain prior approval may result in denial of the exemption.

d. The property owner must complete the qualifying improvement within two years following the date of approval of a preconstruction application. A preconstruction application approval shall automatically be revoked if the property owner has not submitted a request for review of completed work within two years following the date of approval of a preconstruction application. The POD may grant an extension to this provision for up to six months if such request is made in writing prior to the expiration of the initial period. Any other extensions must be approved by the Commission and shall require a public hearing and notification as set forth for appeal of a COA decision.

2. Request for review of completed work. A request for review of completed work (post construction application) shall be submitted to the POD by January 15 for work completed by December 31 of the prior year. The request for review of the completed work shall include documentation acceptable to the City showing the total cost of, and an itemized list of expenses for, the qualifying improvement. Appropriate documentation may include paid contractor's bills, canceled checks, an approved building permit application listing cost of work to be performed and any other information required by the POD. The POD may inspect the qualifying improvement to determine compliance with this section. Following the Property Appraiser's established time frames, the POD shall recommend that City Council grant or deny the exemption and shall notify the property owner in writing of the recommendation and the date which the City Council shall consider the exemption.
a. If the completed qualifying improvement complies with the requirements set forth in the preconstruction application approval, as amended, this section, the COA, the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and any additional conditions required by the City, then the POD shall recommend that City Council grant the exemption.

b. If the completed qualifying improvement does not comply with the requirements of this section, then the POD shall provide a written summary of the reasons for that determination, including recommendations to the property owner concerning changes to the proposed work necessary to comply and shall recommend that City Council deny the exemption.

c. If the property owner is notified that the improvement does not comply with the requirements of this section, the property owner shall have 15 days from the date of the POD's notification to respond in writing describing the specific actions to be taken by the property owner to comply. If the POD receives a written response within 15 days, the property owner shall have 30 days from receipt of the written response to comply with the requirements of this section. The POD may grant an extension to this provision for up to an additional (60 days if such request is made prior to the expiration of the initial period. At the end of this period the POD shall review the qualifying improvement and make a recommendation to City Council to grant or deny the exemption based on the requirements of this section.

3. Historic preservation property tax exemption covenant-. A covenant in the form approved by the City Attorney must be executed by the property owner for the term of the exemption before an exemption is approved by the City Council. The covenant shall provide that the property owner shall maintain and repair the property so as to preserve and maintain the historic architectural qualities or historical or archaeological integrity of the qualifying property for which an exemption was granted. If the exemption is granted, the property owner shall have the covenant recorded with the deed for the property in the official records of the county prior to the effective date of the exemption which shall be binding on the property owner, transferees, and their heirs, successors or assigns.

The applicant shall provide a certified copy of the recorded covenant to the POD by June 15 or said approval by the City Council shall be void.

If the property changes ownership during the exemption period, the requirements of the covenant must be transferred to the new owner. The property owner may sign a waiver which discontinues the exemption on the property. The exemption will be discontinued beginning with the tax year in which the waiver was received with no penalty to the property owner. The exemption may not be reinstated after the waiver has been delivered to the POD.

4. City Council review and approval of the request for review for completion of work-. The City Council shall approve, modify, defer or deny the exemption by resolution within 60 days of the POD's recommendation. If approved the resolution shall include but not be limited to the following: the period of time the exemption shall be in effect and the expiration date of that period, approval of the covenant, any conditions of approval, the name of the owner and address of the property for which the exemption is granted and a finding that the property meets the requirements
of F.S. § 196.1997. Said approval shall be conditioned upon receipt by the POD of a certified copy of the recorded covenant.

5. **Reapplication**-. A property owner previously granted an exemption may undertake additional qualifying improvements during this period or apply for additional exemptions for qualifying improvements following its expiration. A property owner may not reapply for an exemption for a qualifying improvement which has been denied by City Council.

6. **Notice to property appraiser**-. Within 15 days following receipt of a certified copy of the recorded covenant, the POD shall transmit a copy of the approved request for review of completed work to the county property appraiser. The property appraiser shall implement the exemption as provided by State law.

7. **Revocation proceedings**-. The City Council may revoke an exemption at any time in the event that the property owner, or any subsequent owner or successor in interest to the property, violates the covenant, fails to maintain the qualifying property according to the terms, conditions and standards of the covenant, the historic character of the property and improvements which qualified the property for the exemption are not maintained or if the qualifying property has been damaged by accidental or natural causes to the extent that the historic integrity of the features, materials, appearances, workmanship and environment, or archeological integrity which made it eligible for listing or designation have been lost or damaged so that restoration is not possible. The POD shall provide written notice of such proceedings to the owner of record of the qualifying property at least ten days before the public hearing. The City Council shall hold a public hearing and determine whether or not the exemption shall be revoked. The POD shall provide written notice of the decision to the owner of record and the county property appraiser.

8. **Civil penalties**. If an exemption is revoked for violation of the covenant required hereby, the property owner shall pay an amount equal to the total amount of taxes that would have been due in March in each of the previous years in which the covenant was in effect had the property not received the exemption, less the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. § 212.12(3). This payment shall be made to the City within 30 days of the effective date of the revocation. If the City initiates an action in any court to enforce this provision, the property owner shall be liable for all administrative expenses, attorneys' fees and all other costs associated with such action.


16.30.070.5. - Civil penalties.

In addition to any other penalties, any person who violates any provision of this section shall forfeit and pay to the City civil penalties equal to the fair market value of any property demolished or destroyed in violation of this section or the cost to repair or rehabilitate any property that is altered in violation of this section. In lieu of a monetary penalty, any person altering property in violation of the provisions of this section may be required to repair or restore any such property.
Section 2. Coding: As used in this ordinance, language appearing in struck-through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise. Sections of this ordinance that amend the City Code to add new sections or subsections are generally not underlined.

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

Section 4. 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)
PUBLIC HEARING

A. LDR-2017-05

Request: To amend the City of St. Petersburg’s Land Development Regulations (“LDRs”), making minor clarifications to the City’s Historic and Archaeological Preservation Overlay.

Staff Presentation

Derek Kilborn gave a presentation based on the staff report. One letter of opposition was received from St. Petersburg Preservation. Before this application goes before City Council a clarification sentence will be added so it is clear that City Council will retain the right to City-initiate an application.

Public Hearing

Emily Elwin, representing St. Petersburg Preservation, voiced the following concerns: (1) the 5-year rule, wanting Council to have the greatest amount of flexibility as possible as the ultimate arbiters of preservation in the City with the ability to reconsider a district that they had initiated if they deemed it’s important as well as to bring forward individual landmarks within a failed district, (2) the certificate of mailing expense for the applicant; does not want to needlessly place any financial hardships on these districts and archeology, and (3) archeology; does not want to dig just for digging sake in an area that does not have real chance of a significant finding (not just an arrowhead).

Executive Session

Commissioner Rogo asked if the minimum district size had been eliminated from the recommendation, to which Mr. Kilborn replied, yes, anything related to minimum district size and also any text change that was related to the potentially eligible section to clear up any misunderstanding.

Commissioner Michaels asked if ballots were mailed for City-initiated districts as stated under the 5-year provision for the City which reads “A new application shall not be initiated for five years from the date of the mailing of ballots for the previously failed effort.” Mr. Kilborn replied, no, and that it should read “…mailing of ballots and/or the date that City Council passed a resolution initiating the City-initiated process.” This is another minor revision to be included in the report presented to Council.

Commissioner Michaels asked what the reason for the 5-year limit on Council was. Mr. Kilborn stated that that is what the code says today and then cited on page 9 under subsection 5 (strikethrough) which states “If a ballot process to initiate a designation application for a historic district has failed, no ballot process to designate the same or a substantially similar district may be undertaken by the City for five years from the date of the
initiation of the prior failed ballot.” In staff’s interpretation today, reference to “the City” means the City of St. Petersburg and specifically the City Council. So, regardless if it is a private application or City-initiated application, this provision is interpreted to mean that they cannot take up that application for a period of five years. On the front end, staff is trying to clarify; (1) when does the five years begin, and (2) what happens when you have an individual property within the boundary of the district. The back end question about taking up an application (private or City) is already prohibitive by this provision.

Commission Chair Carter asked if an application is slightly different would the 5-year rule still apply (e.g. district of 10 properties fail and then reapply with only 8 properties). Mr. Dema stated that a reasonable argument could be made that a substantially different application is the one that removes the dissenting property owners but would have to be sensitive to the dissent(s).

Commission Chair Carter asked why not take the approach of accepting applications until something is triggered placing the 5-year rule in effect instead of prohibiting everyone for five years. Mr. Dema stated that this could be looked into.

Commission Chair Carter suggested omitting the 5-year rule and if that gets abused, then add the additional language limiting when applications can be re-submitted.

Commissioner Michaels stated that he would be more comfortable without the 5-year limitation knowing the City or City Council would have good reason for bringing it back. He then asked if this language was retroactive to the First Block. Mr. Dema stated that, generally speaking, at adoption the code would be applied going forward and it would apply to First Block. Commissioner Michaels stated that he would be more comfortable with this if it were not retroactive.

Commissioner Burke asked staff if they would be comfortable with an amended motion to eliminate that 5-year provision on City Council. Mr. Dema stated that they can make a motion recommending that change and it would be formally relayed to City Council. Mr. Kilborn stated that procedurally there are no concerns at all.

Commissioner Rogo stated that one of the reasons for the 5-year limit is to protect the property and/or business owners in a district turned down for historic preservation from constantly defending themselves against what they feel is some kind of a problem to operate their business or live in their residence. He also stated that the individual landmarks within First Block (or within any other failed district) are still protected and for these reasons, he is very much in support of the 5-year limit. He also feels that the time it takes to put together an application for designation combined with the fact that there will be some turnover of council members also weighs in favor of the 5-year rule.

MOTION #1: Commissioner Burke moved and Commissioner Michaels seconded a motion to recommend to City Council to amend the ordinance removing the five-year prohibition on City-initiated designation applications.

VOTE:
YES – Burke, Michaels, Winters, Carter
NO – Rogo

Motion passed by a vote of 4 to 1.
Commissioner Michaels commented about the length of time (over three years) it took First Block from the City-initiation designation to actually being brought back to City Council for a decision, and then suggested that consideration should be given to a reasonable limit for action on City-initiated applications. He also mentioned the archeological Sensitivity Level 2 issue. Mr. Kilborn stated that staff is working on an archeological handout that will describe mitigating options for Sensitivity Level 2 properties which will be reviewed by some of the local archeologists and groups staff have been talking with to ensure their comfort level with the information and is consistent with the Archeological Management Plan.

Commission Chair Carter asked staff if other cities, that may have similar archeological concerns, have been contacted to ascertain what they have done as part of the research. Mr. Kilborn stated that a detailed outreach to other communities has not yet been done but it is something tasked to do with completion of the handout. Staff did hear from the individual representing the USF group.

Commission Chair Carter stated his interest in hearing if other cities have been contacted such as St. Augustine and other places that may have similar concerns. Mr. Kilborn stated that this would be great to bring back as a workshop item so staff can present the completed document with information about archeology in the City, walk through the history of the plans and present what other communities are doing.

**MOTION #2:** Commissioner Rogo moved and Commissioner Michaels seconded a motion finding the text amendments consistent with the Comprehensive Plan and recommend approval of the text amendments, including the amendment just approved, in accordance with the staff report.

**VOTE:**

YES – Burke, Michaels, Rogo, Winters, Carter

NO – None

Motion passed by a vote of 5 to 0.
Application: CITY FILE LDR 2017-05: Amendment Section 16.30.070, Land Development Regulations ("LDRs"), Chapter 16, City Code of Ordinances, making minor clarifications to the City's Historic and Archaeological Preservation Overlay. The purpose of this application is to implement minor text amendments that will help clarify the regulations and remove ambiguity that has been identified since implementation of the 2015 update.

Subject: HISTORIC AND ARCHAEOLOGICAL PRESERVATION ORDINANCE

Applicant: City of St. Petersburg
275 5th Street North
St. Petersburg, Florida 33701

Request: Staff recommends that the Community Planning and Preservation Commission ("CPPC"), in its capacity as the Land Development Regulation Commission ("LDRC"), make a finding of consistency with the Comprehensive Plan and recommend to City Council APPROVAL of the City Code, Chapter 16, text amendments described in this report.

Authority: Pursuant to Section 16.80.030.1 of the City Code of Ordinances, the CPPC, acting as the LDRC for the purposes of and as required by the Local Government Comprehensive Planning and Land Development Regulation Act to review and evaluate proposed modifications to the LDRs related to historic and archaeological preservation, to review and evaluate proposed historic designations, certificates of appropriateness and any other action to be performed pursuant to the Historic and Archaeological Preservation Overlay Section (currently Sec. 16.30.070)

Background: On August 20, 2015, the City Council adopted Ordinance 157-H amending Section 12-6(8), Section 16.30.070, and Section 16.70 of the City Code. The adoption was a culmination of several years of partnership between City staff and residents to update the Historic and Archaeological Preservation Overlay section of the city code.
On May 9, 2017, the CPPC received an initial presentation on the proposed text amendments included herein. Following a presentation by City staff and initial comments from the general public, the CPPC requested a workshop to further discuss the proposed amendments. On July 11, 2017, a workshop was conducted by the CPPC to review the proposed text amendments before returning on August 8, 2017, to conduct a public hearing.

Since the original presentation in May and the subsequent workshop in July, two items— the establishment of a minimum (local historic) district size and several word edits in the section regulating potentially eligible properties— have been removed. Those edits caused unnecessary confusion and concern extending beyond what is intended here to be simple clarifications. Questions relating to minimum district size and potentially eligible properties are important and will continue to be evaluated separately.

**Analysis:**

The City of St. Petersburg is a Certified Local Government (“CLG”). The CLG program links three (3) levels of government (federal, state and local) into a preservation partnership for the identification, evaluation and protection of historic properties. The program was first enacted on the federal level as part of the National Historic Preservation Act Amendments of 1980. On the state and local level, Florida’s CLG program and the City of St. Petersburg’s CLG designation were both established in 1986. Since that time, the CLG program has assisted in the survey, designation and preservation of historic and cultural resources citywide and helped to increase the public awareness of historic preservation.

In accordance with the conditions of its CLG designation, St. Petersburg makes historic preservation a public policy through maintenance of a historic and archaeological preservation ordinance. The purpose of this application is to implement text amendments that will help clarify the regulations and remove ambiguity that has been identified since implementation of the 2015 update.

Text amendments are identified in a strikethrough-underline format on the attached. Although a number of minor text amendments are located throughout the document, the more substantive items are categorized and explained below:

1. **Application Requirements, Who is Authorized to Submit.** Clarify who is authorized to submit an application for designation of an individual local landmark where property owners are co-located within a multi-family development (e.g. condominium complex). The purpose of this clarification is to state that the owners’ representative association has the authority to submit an application for individual local landmark designation. (Section 16.30.070.2.5.B, Page 7)
   
a. **Workshop Comments:** During the CPPC workshop, it was suggested that these types of applications require evidence showing compliance with association regulations, including material change authorizations, where applicable. The proposed text amendment has been updated accordingly.

2. **Application Fee Waiver.** Clarify when an application fee for local landmark designation may be waived. The current language is ambiguous and has been interpreted by some to mean that any contributing resource to a National Register district shall not be charged a fee when applying for an individual local landmark designation. Since the detailed property research required for an individual listing on the National Register is more substantial than the basic research required for determining a contributing resource to a National Register district, the application fee waiver should only apply when the property is individually listed on the National Register. A contributing resource to a
National Register district, without individual listing, will not qualify for the fee waiver. (Section 16.30.070.2.5.B, Page 7)

3. **City-Issued Ballots and Postage, Who Pays?** The code does not assign responsibility for paying the postage when mailing City-issued ballots. Ballots are distributed for the purpose of determining whether a proposal to establish a local historic district meets the minimum threshold of public support required for initiating a local historic district designation application. This amendment will clarify that postage shall be paid by the applicant. (Section 16.30.070.2.5.B, Page 8)

4. **Individual vs. District Designation, Five-Year Prohibition Reapplication.** When applying the five-year prohibition for reapplication, the code does not distinguish between applications for an individual local landmark when located within the boundary of a failed local historic district application. This amendment will clarify that a new application for designation of an individual local landmark may be initiated by the owner, non-owner or the City Council at any time, even though the property is located within the boundary of a failed local historic district application and inside the five-year prohibition period. City staff believes this authority exists under the current language but the proposed amendment will explicitly state the same. (Section 16.30.070.2.5.C, Page 9)

5. **Supermajority vs. Simple Majority Vote.** Clarify when a simple majority and super-majority vote is required. The proposed amendments do not change the current policy rather they restate the standard in a more clear and precise way. On page 8 of the attached ordinance, Section 16.30.070.2.5.C states, “When an owner objects to an application involving designation of their property, other than when in a local historic district, approval by the Community Planning and Preservation Commission shall require a supermajority vote.” On page 13 of the attached ordinance, Section 16.30.070.2.5.1 states, “A decision to reverse a Commission recommendation, or to approve the designation over an owner objection shall be by a supermajority vote.” Since this second section omits any reference to, or exclusion for, a local historic district as intended by the preceding section, the City Attorney’s office recommended this amendment for clarification. (Section 16.30.070.2.5.C, Page 8 and Section 16.30.070.2.5.1, Page 13)

   a. **Workshop Comments:** During the CPPC workshop, one Commission member suggested that a supermajority vote be required for all applications to designate a local historic district. This proposal was not incorporated into the attached ordinance but it is included here for your information.

6. **Sensitivity Level.** Clarify that a Certificate to Dig is only required when ground disturbing activity is impacting an area classified as Sensitivity Level 1. The requirement for a Certificate to Dig was added to the historic preservation overlay in 2015 and references sensitivity levels, generally. This has caused confusion extending from language in the City’s 1991 publication titled *City of St. Petersburg, Florida, Archaeological Resources Management Plan* (“Management Plan”). The Management Plan identifies three Sensitivity Levels, only one of which is required to include any type of mitigation – Sensitivity Level 1. Sensitivity Level 2 recommends that the owner employ a professional archaeologist for site investigation, but such investigation is not required. Sensitivity Level 3 means that the site has already been evaluated and determined not eligible. (Section 16.30.070.3.1, Page 24)
Compliance with Comprehensive Plan:

The following objectives and policies from the City's Comprehensive Plan are applicable to the attached proposed amendments:

**Objective HP1:** To continue to promote the preservation of resources through the commitment to conduct historic and archaeological resource surveys and the continued development of ordinances, guidelines and databases.

**Objective HP2:** To continue to develop programs and policies to protect and preserve the City's historic resources.

**Objective HP3:** To support the programs and incentives provided by local, state and national preservation organizations.

**Policy HP3.5:** The City will continue to review its land use and Land Development Regulations and consider initiating amendments to such regulations to remove unnecessary disincentives to the reuse and redevelopment of historic landmarks. The City will solicit input from appropriate local and state organizations and interest groups.

**Objective LU7:** The City will continue to revise and amend the land development regulations, as necessary, to ensure compliance with the requirements of Chapter 163.3202, Florida Statutes [and Chapter 9J-24 F.A.C]. The City will amend its land development regulations consistent with the requirements of Chapter 163.3202, Florida Statutes [and Chapter 9J-24 F.A.C.] so that future growth and development will continue to be managed through the preparation, adoption, implementation and enforcement of land development regulations that are consistent with the Comprehensive Plan.

**Policy LU7.1:** Pursuant to the requirements of Chapter 163.3202 F.S. and Chapter 9J-24 F.A.C. the land development regulations will be amended, as necessary, to ensure consistency with the goals, objectives and policies of the Comprehensive Plan.

**Objective LU20:** 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 LU20.1:** The City shall continue to utilize its innovative development regulations and staff shall continue to examine new innovative techniques by working with the private sector, neighborhood groups, special interest groups and by monitoring regulatory innovations to identify potential solutions to development issues that provide incentives for the achievement of the goals, objectives and policies of the Comprehensive Plan.

**Housing Statement:**

The proposed amendments will have a minimal impact on housing affordability, availability or accessibility. A Housing Affordability Impact Statement is attached.

**Attachments:**

1. Proposed text amendments, strikethrough and underline
2. Housing Affordability Statement

---

1 Chapter 9J-24 F.A.C. is no longer a valid reference in State statute. As of this writing, the city's Comprehensive Plan has not been updated to reflect this legislative change.
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 2017-05).

III. Impact Analysis:

A. Will the proposed policy, procedure, regulation, or plan amendment, (being adopted by ordinance or resolution) increase the cost of housing development? (i.e. more landscaping, larger lot sizes, increase fees, require more infrastructure costs up front, etc.)

   No  _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. May 2, 2017
Department Director (signature) Date

OR

The proposed regulation, policy, procedure, or comprehensive plan amendment being proposed by resolution or ordinance will increase housing costs in the City of St. Petersburg. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

Department Director (signature) Date

Copies to: City Clerk
Joshua A. Johnson, Director, Housing and Community Development
TO: The Honorable Darden Rice, Chair, and Members of City Council

FROM: Derek S. Kilborn, Manager, Urban Planning and Historic Preservation Division

SUBJECT: Report: Filed by Council Member Lisa Wheeler-Bowman on behalf of the First Mt. Pilgrim Missionary Baptist Church, 2700 5th Avenue South.

REQUEST: City-initiate a rezoning and future land use map amendment for the subject property

The City Council shall decide whether to city-initiate an application for the purpose of concluding a 22-year-old land use violation and specifically, a "house of worship" on property located at 2700 5th Avenue South. The following report was prepared as an introduction to the case history and explanation of possible next steps with City staff recommendations included.

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SUBJECT PROPERTY

The subject property is located at 2700 5th Avenue South. See attached map. The property is owned by the First Mt. Pilgrim Missionary Baptist Church and legally described as:

Lots 1, 2, and 3, Block A, COLONIAL ANNEX, according to the plat thereof; recorded in Plat Book 4, Page 65, Public Records of Pinellas County, Florida. (Parcel ID: 23-31-16-17298-001-0010 / 0030)

The property is currently zoned IT (Industrial Traditional), which allows various commercial and industrial uses as specified by Section 16.10.020.1 of the Land Development Regulations. A “house of worship” is not a permitted use. According to the City permitting records, a permit for a one story masonry and steel warehouse building (60’ X 40’ overall) was issued on November 15, 1983.

BACKGROUND

According to the Pinellas County Property Appraiser’s Office, ownership of the subject property was transferred to the “First Mt. Pilgrim Evangelical Missionary Baptist Church of St. Petersburg, Florida, Inc.” on June 26, 1995.

On September 11, 2007, the City’s Land Development Regulations went into effect changing the zoning category on the subject property from IG (Industrial General) to IT (Industrial Traditional). “churches” are now defined as a “house of worship” but otherwise remain a grandfathered use.

On June 19, 2017, a Property Card Interpretation (“PCI”) was issued by the City’s Development Review Services Division concluding that there have been no permits issued to change the use from “warehouse” to a “house of worship”. Therefore, the legal use of the property remains a “warehouse,” which is a conforming use. The record of the permitting actions is included in the PCI, which is attached.

- Upon receipt of the PCI determination, the property owner contacted City Council Member Lisa Wheeler-Bowman and attended several joint meetings with City staff. City Council Member Wheeler–Bowman added a new business item to the July 20, 2017, meeting agenda. During the meeting, City Council received a brief presentation by Derek Kilborn, Manager, Urban Planning and Historic Preservation Division (“UPHP”); the UPHP is responsible for processing rezoning and future land use map amendments and text amendments to the City’s Land Development Regulations.

- On July 26, 2017, the property owner appealed the PCI determination and was originally scheduled for a public hearing with the City’s Development Review Commission on September 6, 2017. Rahdert Law, PLLC is representing the property owner.

- In the City’s attempt to achieve an amicable outcome, the City Attorney’s office and Planning and Economic Development Department convened a meeting with church representatives and their legal counsel on August 10, 2017, to discuss next steps. During the meeting, City staff recommended the applicant request a deferral of the appeal, without prejudice, during the pendency of a potential rezoning and future land use map amendment application as outlined...
below. On August 14, 2017, the applicant formally requested a deferral of the appeal in accordance with City staff’s recommendation.

- The PCI, the applicant’s request for reconsideration, and subsequent appeal are attached.

**NEXT STEPS: ANALYSIS**

The City Council must decide whether to proceed with a city-initiated application or take no action thereby leaving it to the discretion and cost of the property owner on how to proceed. This application would request a rezoning from the existing “IT (Industrial Traditional)” to “CCT-l (Corridor Commercial Traditional)” and a future land use map amendment from the existing “IG (Industrial General)” to “PR-MU (Planned Redevelopment-Mixed Use)”.

**Resolution 97-805**

In order to city-initiate an application for rezoning and future land use map amendment, the City Council must first show compliance with Resolution 97-805. Pursuant to Resolution 97-805, one or more of the following criteria must be met to city-initiate amendments to the Official Zoning Map and Future Land Use Plan map:

a. The proposed amendment supports an affordable housing project in an appropriate location;

b. The proposed amendment furthers the economic development objectives of the City in an appropriate location;

c. The proposed amendment is recommended in a neighborhood plan, redevelopment plan or other special area plan or study that has been approved by City Council;

d. The proposed amendment provides additional incentives, appropriate to the specific location, to develop or redevelop City Council designated historic landmark properties or districts;

e. The proposed amendment establishes future land use and zoning designations on property annexed by the City; and

f. The proposed amendment amends future land use and zoning designations for a multi-property area where the current designation(s) are inappropriate based on current or expected future conditions.

City staff finds that criterion “f.” qualifies this request for City initiation, if the two (2) adjacent properties to the west are added to the application (explained below).

**Boundary**

For a rezoning and future land use map amendment request to be determined consistent with the city-initiation criteria and supported, the request shall include several platted lots to the west. See attached map. According to the Pinellas County Property Appraiser’s Office, both lots are owned by David Wilson and Daniel McMillan and legally described as:
Lots 15 and 16, Block A, COLONIAL ANNEX, according to the plat thereof, recorded in Plat Book 4, Page 65, Public Records of Pinellas County, Florida. (Parcel ID: 23-31-16-17298-001-0150 / 0160)

At the time of this writing, City staff has not been able to contact the registered owners of the adjacent properties.

**NEXT STEPS: SUMMARY OF OPTIONS**

Based on the city record and all other written evidence evaluated and presented herein, City Council has one of two courses of action:

1. **Resolution for a City-Initiated Rezoning / Future Land Use Map Amendment.**
   
   Approving the Resolution will initiate the application process. The normally required fee for a private-initiated application and other associated costs will be waived. The application will be processed according to the following tentative schedule:
   
   - 11-14-2017 – Community Planning and Preservation Commission
   - 12-07-2017 – City Council, First Reading
   - 12-14-2017 – City Council, Public hearing
   - 01--2018 – Forward Pinellas
   - 02-___-2018 – Countywide Planning Authority

2. **Private-Initiated Application for Rezoning / Future Land Use Map Amendment.**
   
   The request for a city-initiated application to correct a land use violation that was formally cited on at least two (2) separate occasions over a 22-year timeline is somewhat unprecedented in the context of other city-initiated applications. Under Section 16.70.040, the current property owner may submit a private-initiated application for a rezoning and future land use map amendment. The owner will assume responsibility for all costs associated with the application.

**SPECIAL NOTE:**

This memorandum outlines the procedural options for correcting the land use violation. If a rezoning and future land use map amendment is initiated and approved, the applicant will still require approval for a change of occupancy and use:

1. **Change of Occupancy.** Pursuant to the Florida Building Code, the existing building is regulated as a warehouse. A change of occupancy will require an inspection and may require modification to the building to comply with building, fire and life safety standards for conversion of the building from a warehouse to public assembly space.
2. **Change of Use.** Presuming that a rezoning and future land use map amendment is initiated and approved, a “house of worship” is a permitted, principle use within the CCT-1 (Corridor Commercial Traditional) zoning category. The property owner will be required to submit a building permit application to demonstrate compliance with the Land Development Regulations related to a “house of worship”, which may include requirements for parking, landscaping, and drainage in accordance with City Code.

**ATTACHMENTS:**

- Resolution
- Map Series
- Property Card Interpretation
- Request for Reconsideration
- Appeal
RESOLUTION NO. ______

A RESOLUTION INITIATING AN AMENDMENT TO THE OFFICIAL ZONING MAP AND FUTURE LAND USE MAP DESIGNATIONS FOR PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF 27TH STREET SOUTH AND 5TH AVENUE SOUTH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of property at 2700 5th Avenue South ["Owner"] recently met with City representatives to discuss rezoning property generally southwest of the intersection of 27th Street South and 5th Avenue South, as shown on the attached map; and

WHEREAS, the purpose of this request is to resolve an illegal land use through several map amendments thereby accommodating a “house of worship” on the subject property; and

WHEREAS, the Owner is requesting to be considered for rezoning from IT (Industrial Traditional) to CCT-1 (Corridor Commercial Traditional). This request shall also include property located to the west, which is owned by separate individuals and shown on the attached map; and

WHEREAS, the Owner is also requesting a Future Land Use Map amendment from IG (Industrial General) to PR-MU (Planned Redevelopment-Mixed Use). This request shall also include property located to the west, which is owned by separate ownership and shown on the attached map; and

WHEREAS, according to code compliance records, on July 10, 1995, a land use violation case was initiated for the illegal conversion of a warehouse to a church. After inspections indicating that the building was “...boarded and secured,” the case was closed; and

WHEREAS, according to building permit records, on June 4, 2010, a Change of Use request to convert the existing building from a “warehouse” to a “house of worship” was disapproved because the proposed land-use type was not permissible in the IT (Industrial Traditional) zoning category; and

WHEREAS, City Council is authorized by Resolution 97-805 to consider initiating amendments when, “The proposed amendment amends future land use and zoning designations for a multi-property area where the current designation(s) are inappropriate based on current or expected future conditions.”; and

WHEREAS, the evaluation for a rezoning and future land use map amendment shall be based on the standards for review, including consideration of Comprehensive Plan Policy LU3.26.A regulating proposals to change an industrial designation to a non-industrial designation; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that this Council hereby initiates an amendment to the: 1) Official Zoning Map on the attached legal descriptions and map from IT (Industrial Traditional) to CCT-1 (Corridor Commercial Traditional); and 2) Future Land Use Map on the attached legal descriptions and map from IG (Industrial General) to PR-MU (Planned Redevelopment-Mixed Use), which shall be referred to the City’s Community Planning and Preservation Commission for study and public hearing.

This Resolution shall become effective upon its adoption.

MAP ATTACHMENT

Approved as to form and content

City Attorney (designee)
June 19, 2017

First Mt Pilgrim Missionary Baptist Church
c/o Daniel W. Davis, Jr.
2700 5th Ave S
St Petersburgh, FL, 33712-1551

RE: PROPERTY CARD INTERPRETATION: #17-41000004
Property Generally Located At: 2700 5th Ave S.
Parcel ID#: 23/31/16/17298/001/0030/

Dear Daniel W. Davis, Jr.:

A Property Card Interpretation letter has been completed for the above-referenced property. The following findings have been made:

**Legal Use**

1. The property is currently zoned IT (Industrial Traditional), which allows various commercial and industrial uses as specified by Section 16.10.020.1 of the Land Development Regulations.
2. In Industrial Traditional zoning districts, a “House of Worship” is not a permitted use.
3. According to the City’s property card records, a permit was issued on November 15, 1983 to erect a one story masonry and steel warehouse building (60’X40’ overall) with one room, two bathrooms, totaling 7,459.8 square feet. Zoning prior to 2007 was Industrial General (IG), which did not allow a church use.
4. Building permit records indicate the following:
   a. On 08/07/95, a permit was issued to construct a porch, the permit was subsequently closed with no completion;
   b. On 06/17/06, an application for landscaping and paving was approved in error based on plans submitted by the project engineer representing that the sanctuary was existing ( Permit #06-06000326). No permits were issued and the permit expired, see attached site plan.
   c. On 06/04/10, a Change of Use permit to convert the warehouse to a House of Worship was disapproved, due to the zoning district restrictions (Permit #10-06000215), see attached comments.
5. Codes compliance records indicate the following:
   a. A case was initiated on 07/10/95 (Case #95-0021761) for conversion of the warehouse to a church. After inspections indicating that the church was no longer in operation and the building was boarded and secured, the case was closed, see attached inspection notes.
6. Based on the property card, building permit records, and codes compliance records, there have been no building permits issued to change the use from “Warehouse” to a “House of Worship”, and therefore, the legal use remains “Warehouse”.
7. Accordingly, the interpretation can be made that, the **legal use of the property is warehouse, which is a conforming use.**
As previously noted, a House of Worship is not a permitted use in the IT zoning district. Prior to any building permit issuance, in order to establish a "House of Worship" the property must first be rezoned, which requires approval by City Council through a public hearing process. Please contact Derek Kilborn, manager of the Urban Planning and Historic Preservation Division regarding the possibility of rezoning.

**Code Violation**
The operation of a "House of Worship" at this location is a violation of the City's Municipal Code. Violations can result in fines and liens against the property.

**Appeal**
If you have evidence that the findings of this interpretation are incorrect, you may submit a reconsideration request within 15 days of the receipt of this letter. An appeal must be filed within 10 days following delivery of the subsequent reconsideration. Appeals are heard before the Development Review Commission. An appeal is a statement on your part that you do not believe that the findings of this determination are correct and that you have evidence to refute the finding. For a reconsideration or appeal, you must submit a cover letter and any evidence referenced in your letter.

This determination is effective as of the date of this letter and is subject to change upon any future amendment to the Land Development Regulations. Future development on the subject parcel shall be subject to all applicable codes at time of permitting; including, but not limited to, Land Development Regulations and Building and Life Safety Codes.

If you have questions about the appeal or the Development Review Commission, please feel free to contact the Clerk at (727) 892-5498.

Sincerely,

Elizabeth Abernethy, AICP, Zoning Official

cc: James Corbett, Codes Compliance Operations Manager

Attachments: Property Card, SPR-338 site plan and variance approval report for a warehouse, Permit #06-06000326 Site Plan, Permit #10-06000215 Zoning Comments; Codes Compliance Case 95-0021762, inspection notes.
| Location: #98364—IG—11/15/83—$34,200.00 |
| Owner L & D Properties—Erect one story masonry & steel 60'x40' overall Warehouse Building with 1 room, 2 baths (2 new w.c.) 7459.8 sq.ft. 3/4" water meter receipt #1403PW. (Type V) P. J. Callaghan Constr. Co., Contractor |
| Check List #84-25 |
| #98365—IG-11/15/83—$1800 |
| Owner L & D Properties—install parking, paving & landscaping with 3 standard parking spaces & 1 handicap space, total of 4 parking spaces (Type V) P. J. Callaghan Construction Co., Contractor |
| Check List 84-25 (WGM/mb) |
| SEWER CONN. FEE DUE & PAYABLE PRIOR TO FINAL C.O. |
| BUILDING 2700 5th Ave;outh |
| ELECTRICAL |
| IG |
| 23-31-16 |

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<th>PLUMBING</th>
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<tr>
<td>P991E-11/29/83-P. J. Callaghan—Suncoast Plumb.—1 fl drain-2 lav.—1 slop sink-2 wc-50' sewer inspect. GL/awc</td>
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<td>#P1689E- 2/10/84- P.J. Callaghan Suncoast Plbg.—1 lshower—1 EWH (AD: TO PERMIT #P991E) (GL/mb)</td>
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CO TO FLORIDA POWER-2-10-84—#98364
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<th>SEWER</th>
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<td>Credit for one water closet per Bill Miller paid additional $225 2-10-84 Rec#188352</td>
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<td>SIGNS</td>
<td>SEPTIC TANK</td>
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Mr. William J. Flynn, III, attorney for the applicant, stated the applicant agrees with the staff report and is willing to comply with the conditions. He said the construction of the warehouse is in two phases but they want to finish it as fast as they can.

Mr. Donahoe preferred to act on Phase I today and the applicant could come back with Phase II at some point in the future.

Mr. Flynn said Phase II had no setback problems and thought Phase II might be handled by the staff, if Phase I is approved today. Mr. Donahoe said something built two years down the road should be required to meet the ordinances in existence at that time. He moved for approval of Phase I and the motion failed. Mr. Flynn thought approval of Phase I was illegal.

FIRST MOTION:

Mrs. Karins moved for approval of the variance to setbacks.

Mr. Blonshine seconded the motion.

AYES. Donahoe, Fanning, Blonshine, Manning, Burney, Mahaffey.

NAYS. None.

SECOND MOTION:

Mr. Donahoe moved for approval of Phase I of the Site Plan subject to the staff report.

Dr. Fanning seconded the motion.

AYES. None.

NAYS. Donahoe, Fanning, Karins, Blonshine, Manning, Burney, Mahaffey.

The motion FAILED.
According to Planning Department records, no 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 ENVIRONMENTAL DEVELOPMENT COMMISSION FROM ZONING AND SUBDIVISION, DEPARTMENT OF PLANNING for Executive Action on November 2, 1983 in Council Chambers, at 2:00 P.M., 175 Fifth Street North, St. Petersburg, Florida

STAFF REPORT SPR-338

<table>
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<th>Item No. 5</th>
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| APPLICANT: | L & D Properties, a Florida general partnership 2156 Central Avenue, St. Petersburg, FL 33712 |
| REPRESENTATIVE: | William J. Flynn, III, Esquire, of Jacobs, Robbins, Gaynor, Hampp, Burns, Cole and Shasteen, P.A. P. O. Box 14034, St.Petersburg, FL 33733 |
| ARCHITECT OR ENGINEER: | P. J. Callaghan, General Contractors P. O. Box 7508, St. Petersburg, FL 33734 |
| LOCATION: | 501 27th Street South |
| LEGAL DESCRIPTION: | Colonial Annex, Block A, Lots 1, 2 and 3 |
| REQUEST: | Approval of a Site Plan for a warehouse to be built in two phases with a variance to setbacks. |

SITE DATA:

| Zone | IG |
| Use: | Warehouse |
| Site Area: | 15,543 sq. ft. .36 Acres |
| Total Gross Floor Area (and building coverage): | 9,880 sq. ft. 63.56% of Site m.o.l. |

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<th>Phase I</th>
<th>Phase II</th>
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<tr>
<td>Gross Floor Area (and building coverage):</td>
<td>2,420 sq. ft. 15.6% of Site</td>
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<tr>
<td>Green Space:</td>
<td>11,386 sq. ft. 73.25% of Site</td>
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<tr>
<td>Paving:</td>
<td>1,737 sq. ft. 11.17% of Site</td>
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<td>Parking Spaces:</td>
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<td>Required:</td>
<td>1</td>
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<td>Proposed:</td>
<td>4</td>
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<tr>
<td>Building Height:</td>
<td>50 ft. permitted</td>
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SITE PLAN REVIEW:

I. PROCEDURAL REQUIREMENTS: The applicant has met and complied with the procedural requirements of the Zoning Code Section 64.23 and 64.328 for an industrial structure (use) within 200 feet of residential.
RELEVANT CONSIDERATIONS BY THE ENVIRONMENTAL DEVELOPMENT COMMISSION FOR REVIEW OF SITE PLANS:

(a)(b) Traffic Engineering has reviewed the Site Plan and has no objection to the plan.

Item 2. Curb cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

(c) The IG District, Section 64.333 requires the following setbacks: (see Discussion and Recommendations).

All yards abutting major street shall be considered front yards.

Front yard: 20 feet (27th Street South and Fifth Avenue South)

Side and rear yards: None; except where side or rear yards are abutting a residential district, a 15-foot yard shall be provided toward the residential district. Such yards shall be landscaped, and not used for off-street parking or off-street loading or unloading of trucks. No structure, other than a fence or wall that is not part of a building, shall be erected within a yard next to any residential district boundary.

(d) Proposal does not require compliance with Ordinance No. 331-F.

Item #3: The applicant shall submit a grading plan to City Engineering for approval.

(e) Service are adequate.

(f) No signs are proposed.

Item #4. Sign plans shall be submitted to License and Inspections for approval and shall meet the restrictions of the Sign Ordinance in the City Code.

(g) (See Discussion and Recommendations.) The 9,800 sq. ft. building will cover 63.56% of the site.

(h) The Comprehensive Land Use Plan designates the property Industrial.

Surrounding land use is as follows:

North: Fire Station
South: Residential
East: Retail (Proposed Grocery Store)
West: Undeveloped

(i) The applicant proposes to landscape the property in accordance with the landscaping ordinances.

(j) Item #5. The location and size of the trash container(s) shall be subject to the approval of the Manager of Commercial Collections, City Sanitation.
According to Planning Department records, no 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 ENVIRONMENTAL DEVELOPMENT COMMISSION FROM ZONING AND SUEDIVISIONS, DEPARTMENT OF PLANNING, for Public Hearing and Executive Action on July 20, 1983 2:00 P.M., in Council Chambers, Municipal Building, 175 Fifth Street North, St. Petersburg, Florida.

STAFF REPORT SPR-336 (I-3) July 15, 1983 Item No. 4

APPLICANT: L & D Properties, a Florida general partnership 2156 Central Avenue, St. Petersburg, FL 33712

REPRESENTATIVE: William J. Flynn III, Esquire; Jacobs, Robbins, Gaynor, Hamp, Burns, Cole, and Shasteen, PA; P.O. Box 14034, St. Petersburg, FL 33733

ARCHITECT OR ENGINEER: William H. Mason

ENGINEER: 2224 First Avenue North, St. Petersburg, FL 33713

LOCATION: 501 27th Street South.

LEGAL DESCRIPTION: Lots 1 and 2, Block A, Colonial Annex.

REQUEST: Approval of a Site Plan and related variance to setbacks for a proposed warehouse.

SITE DATA:

Zone: IG

Use: Warehouse

Site Area: 11,000 sq. ft. .253 Acres

Total Bldg. Coverage: 6,000 sq. ft. 54.54% of Site m.o.l.

Open Green Space:

Proposed: 456 sq. ft. 4.14% of Site m.o.l.

Proposed Paving Coverage: 4,544 sq. ft. 41.3% of Site m.o.l.

Parking Spaces:

Required: 4 Proposed: 7

Building Height:


SPECIAL EXCEPTION REVIEW:

I. PROCEDURAL REQUIREMENTS: The applicant has met and complied with the procedural requirements of the Zoning Code Sections 64.23 and 64.328 for an industrial structure (use) within 200 feet of residential.

II. DISCUSSION AND RECOMMENDATIONS:

The applicant is requesting approval of a Site Plan for a 6,000 sq. ft. warehouse on an 11,000 sq. ft. site, zoned IG.
(c) (See Discussion and Recommendations.) The 6,000 sq. ft. building covers the south 54.54% of the site.

(h) The Comprehensive Land Use Plan designates the property Industrial. Surrounding land use is as follows:

North: Fire Station
South: Residential
East: Retail (Proposed Grocery Store)
West: Undeveloped

(i) The applicant proposes to landscape the 10-foot deep required yard off Fifth Avenue South.

(j) The location and size of the trash container(s) shall be subject to the approval of the Manager of Commercial Collections, City Sanitation.

(k) The plan is not in compliance with Ordinance No. 131-F, which requires a five-foot deep landscaped yard off 27th Street South.

Item #4. Plans for landscaping shall be submitted to the City's Urban Forester, License and inspections, for approval. Landscaping plans shall be in accordance with the following Ordinances:

#131-F (Section 64.09: Landscaping requirements for Yards abutting Public Streets;

#22-F (Chapter 31½): The Grounds Improvement Ordinance for Required Landscaping of Vehicular Use Areas.
Environmental Development Commission
Public Hearing and Executive Meeting Minutes

SPR-338  Applicant: L & D Properties, a Florida general partnership
{I-3}  2156 Central Avenue  33712

Representative: William J. Flynn III, Esquire of Jacobs,
Robbins, Gaynor, Hampp, Burns, Cole, and
Shasteen, P.A.
P. O. Box 14034  33733

Architect: William H. Mason, 2224 1st Ave. N.  33713

Location: 501 27th St. So.

Request: A second deferral of 60 days of a previously
approved Site Plan and related variance to
setbacks for a proposed warehouse.

Mr. Wolochowicz said on July 20, 1983, the EDC deferred this item for
60 days. The applicant has requested a second 60-day deferral. The
staff has no objection to the deferral. The applicant is trying to
acquire additional property.

FIRST MOTION:

Dr. Fanning moved for deferral for a second 60 days.

Mr. Burney seconded the motion.

AYES. Donahoe, Mahaffey, Harvard, Fanning, Karins, Sullivan, Razook.
NAYS. None.
## Global Location Inquiry - Building Permit Applications

**Property address:** 2700 S THAVE S

**Parcel identification Nbr** 23/31/16/17298/001/0039/

<table>
<thead>
<tr>
<th>#</th>
<th>Number</th>
<th>Type</th>
<th>Status</th>
<th>Date</th>
<th>Permit</th>
</tr>
</thead>
<tbody>
<tr>
<td>74</td>
<td>08000766</td>
<td>AP</td>
<td>AP</td>
<td>07/18/15</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>00600215</td>
<td>CHDU</td>
<td>CHDU</td>
<td>07/04/10</td>
<td></td>
</tr>
<tr>
<td>05</td>
<td>00680320</td>
<td>SITE</td>
<td>SITE</td>
<td>08/06/06</td>
<td>FIRST MOUNT PILGRAM CHURC</td>
</tr>
<tr>
<td>95</td>
<td>00818069</td>
<td>FLAT</td>
<td>FLAT</td>
<td>07/07/95</td>
<td></td>
</tr>
</tbody>
</table>
**Mt Pilgrim Data Table**

<table>
<thead>
<tr>
<th>FLOOD ZONE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>OWNER: 1st Mount Pilgrim Missionary Baptist Church 2700 5th Ave South St Petersburg, FL 33712</td>
</tr>
<tr>
<td>ARCHITECT: DESIGN HARMONICS ARCHITECTURE, INC. 3111 W DR MARTIN LUTHER KING, JR BLVD SUITE 100 TAMPA, FLORIDA 33607</td>
</tr>
<tr>
<td>DESCRIPTION: BLOCK A LOTS 2 &amp; 3 COLONIAL ANNEX</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ZONING: IG</th>
<th>EXISTING USE</th>
<th>RELIGIOUS SANCTUARY</th>
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</thead>
<tbody>
<tr>
<td>PROJECT SUMMARY &amp; SITE DATA:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL BUILDING AREA</td>
<td>= 2,400 SF</td>
<td>0 SF</td>
</tr>
<tr>
<td>TOTAL ASPHALT/CONCRETE AREA</td>
<td>= 1,400 SF</td>
<td>0 SF</td>
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<tr>
<td>TOTAL IMPERVIOUS AREA</td>
<td>= 3,800 SF</td>
<td>0 SF</td>
</tr>
<tr>
<td>TOTAL GREEN AREA</td>
<td>= 11,999 SF</td>
<td>0 SF</td>
</tr>
<tr>
<td>TOTAL PROJECT AREA</td>
<td>= 15,799 SF/0.36 AC</td>
<td></td>
</tr>
<tr>
<td>LOT REQUIREMENTS:</td>
<td>REQUIRED</td>
<td>ACTUAL</td>
</tr>
<tr>
<td>LOT AREA</td>
<td>5,000 SF</td>
<td>15,799 SF</td>
</tr>
<tr>
<td>LOT WIDTH</td>
<td>50 FT</td>
<td>100 FT</td>
</tr>
<tr>
<td>LOT DEPTH</td>
<td>N/A</td>
<td>143 FT</td>
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<tr>
<td>SETBACK REQUIREMENTS:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FRONT</td>
<td>20 FT</td>
<td>25 FT</td>
</tr>
<tr>
<td>SIDE</td>
<td>0 FT</td>
<td>0 FT</td>
</tr>
<tr>
<td>REAR</td>
<td>0 FT</td>
<td>5 FT</td>
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<tr>
<td>MAXIMUM FLOOR/AREA RATIO:</td>
<td>0.73</td>
<td>0.15</td>
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<tr>
<td>MAXIMUM BUILDING HEIGHTS:</td>
<td>50 FT</td>
<td>20 FT</td>
</tr>
<tr>
<td>NUMBER OF PARKING SPACES:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EXISTING</td>
<td>REQUIRED</td>
<td>PROPOSED</td>
</tr>
<tr>
<td>0 SP</td>
<td>12 SP</td>
<td>24 SP</td>
</tr>
<tr>
<td>NUMBER OF H.C. PARKING SPACES:</td>
<td>1 SP</td>
<td></td>
</tr>
<tr>
<td>THE SITE IS NOT ENVIRONMENTALLY SENSITIVE</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Application Tracking Action Log Inquiry

Application: 10 0600216
Address: 2703 8TH AVE S
Application type: CHANGE OF USE
Revision Phase/Step/Seq Agency: A 01 00 ZONE ZONING

Action date: 09/01/12
Action type: REJ. PLAN REVIEW REQUIREMENTS
Action by: GWC GARY CROSBY
Time spent: 1:00
Date/Time User added: 09/01/12 10:33:19 GWCROSBY
Electronic review step: N


Proposed Change of Use to a House of Worship is rejected.

Zoning approved a site plan for the development of a House of Worship Use on permit # 06-06000226. However, the permit has expired. Submittal of a permit to develop the site for
**Address:** 2700 5TH AVES
**Location ID:** 84517
**Property Information:**
- **Owner Name:** PROPERTIES
- **Address:** BOX 10283
- **City:** SAINT PETERSBURG, FL 33733-0283
- **Phone:** 0

**Violations:**

<table>
<thead>
<tr>
<th>Date</th>
<th>Type</th>
<th>Status</th>
<th>Location</th>
<th>Quantity</th>
<th>Established</th>
<th>Resolved</th>
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</thead>
<tbody>
<tr>
<td>12/09/95</td>
<td>CERTIFICATE OF OCCUPANCY REQUIRED</td>
<td>11/09/95</td>
<td>CM</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>09/12/95</td>
<td>RESERVED</td>
<td>11/09/95</td>
<td>CM</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

**Case Data:**

- **Description:**
- **Platsheet:**
- **Official Records Book/Pag:**
- **Agenda Item Number:**
- **Order:**
- **Fine Amount/Password:**
- **Order Completed:**
- **Email Date:**
- **Mailed Date:**
- **Meeting Date:**
- **Magistrate:**
- **Certified:**
- **Filed:**
- **Closed:**
- **Case Number:** 39-00021761
- **Case Type:** ZONE ZONING VIOLATIONS
- **Reported Date:** 7/10/1995
- **Origination:** CCC CITIZEN COMPLAINT
- **Default Inspector:** DL DEBORAH LARSON
- **Credit Balance:** .00
- **Decision:** Public
- **Pinnub:** 833945
- **Notice:** Y

**Certiﬁcate of Occupancy Required Agreement:**
- **CM:** 09/12/95
- **Established:** 11/09/95
- **Resolved:** 1

**Owner Information:**
- **Owner Name:** PROPERTIES
- **Address:** BOX 10283
- **City:** SAINT PETERSBURG, FL 33733-0283
- **Phone:** 0
- **Notice:** Y
- **Flip:**

**Other Information:**
- **Date:** 12/09/95
- **Type:** CERTIFICATE OF OCCUPANCY REQUIRED
- **Status:** 11/09/95
- **Location:** CM
- **Quantity:** 1
- **Established:** 1
- **Resolved:** 1
<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/10/95</td>
<td>Initial Inspection. Check with tenant. Building is board, and secured, not</td>
</tr>
<tr>
<td>11/09/95</td>
<td>Reinspection. Adjust address per inspection. Found no property was vacant.</td>
</tr>
<tr>
<td>7/19/95</td>
<td>Certificate of Occupancy Required. Ticket issued for slab on side of building. Building closed.</td>
</tr>
<tr>
<td>7/10/95</td>
<td>Reinspection. Owner, female parishioner for rev. 1st pilgrim evangelical m.d. church, inc.</td>
</tr>
<tr>
<td>10/5/95</td>
<td>Reinspection. Permit issued for slab on side of building. Building closed.</td>
</tr>
<tr>
<td>10/27/95</td>
<td>Reinspection. Building closed.</td>
</tr>
<tr>
<td>7/19/95</td>
<td>Reinspection. Building closed.</td>
</tr>
<tr>
<td>7/10/95</td>
<td>Reinspection. Building closed.</td>
</tr>
<tr>
<td>10/5/95</td>
<td>Reinspection. Building closed.</td>
</tr>
</tbody>
</table>

**Case Summary:**

- **Type:** Case 59-00020176
- **ID:** #5252
- **Schedule:** Date

**Additional Information:**

- General repair, electric.
- No certificate of occupancy for church.
- Violation of occupancy regulations.

**Board Meeting Comments:**

- Board meeting comments
- Other action comments
- Land management information
July 14, 2017

First Mt Pilgrim Missionary Baptist Church  
c/o Daniel W. Davis, Jr.  
2700 5th Ave S  
St Petersburg, FL, 33712-1551  

RE: PCI Reconsideration Request: City Case #17-41000004  
Property Generally Located At: 2700 5th Ave S.  
Parcel ID#: 23/31/16117298/001/0030/  

Dear Daniel W. Davis, Jr.:  

A Property Card Interpretation was completed for the above-referenced property on June 19, 2017 which determined that a warehouse was legally constructed on the property and that a “House of Worship” is not a permitted use. On July 4, 2017, Ms. Angela K. Davis, Church Clerk submitted a request on your behalf for reconsideration, see attached letter. Staff has determined that this additional evidence is not sufficient to change the previous determination that the legal use of the property is warehouse, which is a conforming use.

As noted in the previous letter, a House of Worship is not a permitted use in the IT zoning district. Prior to any building permit issuance, in order to establish a “House of Worship” the property must first be rezoned, which requires approval by City Council through a public hearing process. Please contact Derek Kilborn, manager of the Urban Planning and Historic Preservation Division regarding the possibility of rezoning, 727-893-7872.

This determination is effective as of the date of this letter and may be appealed by the property owner to the Development Review Commission within 10 days upon receipt of this letter. Appeals are to be filed with the City Clerk. If you have questions about the appeal or the Development Review Commission, please feel free to contact the Development Review Commission Clerk at (727) 892-5498.

Sincerely,

[signature]

Elizabeth Abernethy, AICP, Zoning Official

cc: Angela K. Davis, Church Clerk  
James Corbett, Codes Compliance Operations Manager

Attachments: PCI Reconsideration Request dated July 4, 2017
July 4, 2017

Elizabeth Abernethy, AICP, Zoning Official
City of St. Petersburg Florida

Re: Request for Reconsideration
Property Card Interpretation: #17-41000004
Parcel ID#: 23/31/16/17298/001/0030
PCI Card Approval/Certificate of Use
2700 5th Avenue S
St. Petersburg, Florida 33712

Dear Ms. Abernethy,

Please be advised that we are requesting reconsideration and that you will grant the PCI Card Approval/Certificate of Use for 2700 5th Avenue S, St. Petersburg, Florida 33712.

The letter sent on June 19, 2017, advised of the following below. Please see the wording in bold as the response/rebuttal.

1. You stated that this property is currently zoned IT (Industrial Traditional) which allows various commercial and industrial uses as specified by Section 16.10.020.1 of the Land Development Regulations, and that IT (Industrial Traditional zoning districts, a “House of Worship” is not permitted use.

Response: Under the Land Development Regulations that was amended October 20, 2016, I have researched and found that a “House of Worship” by definition, is a site which is used primarily or exclusively for religious worship and related activities and which has received a certificate of occupancy for the premises. 1st Mt. Pilgrim Evangelical Missionary Baptist Church, is and has been a “House of Worship” per the definition of the Land Development Regulations, since 1995. It has been operating as a church and has been seeking assistance from the City of St. Petersburg for many years. Based on the IT (Industrial Traditional) per section 16.10.020.1 Land Development Regulations it states that it should be “G” Grandfathered and has not been.
2. You stated that a case was initiated on July 10, 1995 for the conversion from warehouse to church and that 1st Mt. Pilgrim Evangelical Missionary Baptist Church was boarded and secured and closed.

Response: This information is false. 1st Mt Pilgrim Evangelical Missionary Baptist Church has never been boarded or closed.

3. You stated that based on the property card, building permit records and codes compliance records there have been no building permits issued to change the use from a “Warehouse” to a “House of Worship”.

Response: This information is false because a permit was issued in August 1995, also an application for landscaping and paving was approved in error in which we are unaware of why it was approved in error on June 2006 representing that the sanctuary (i.e. an especially holy place in a temple or church) was existing. June 2010 a previous Change of Use permit was disapproved, due to zoning district restrictions. However, the Land Use and Development Regulations have been amended since this time. Therefore, there have been several attempts to obtain a PCI Card for the church so that we may continue our service in the community legally and yet we are being denied.

Ms. Abernethy, can you please answer the following questions below?

Why has 1st Mt. Pilgrim Evangelical Missionary Baptist Church not been grandfathered? The City of St. Petersburg has recognized that we are a church, sanctuary, house of worship since 1995. We are recognized by City Partners, billing, and other entities. However, why not to worship and be a pillar in a community that so desperately seeks change? Please advise.

How can we make the changes or be compliant if you are not willing to give us the chance to do so by providing us the PCI Card/Certificate of Use to operate or be a community partner and to continue to do so legally?

Why are being penalized for the past and not given the opportunity to move forward for the present and the future?

1st Mt. Pilgrim Evangelical Missionary Baptist Church has been operating as a church since 1995 and has been recognized in the City of St. Petersburg. 1st Mt. Pilgrim Evangelical Missionary Baptist Church is a partner of The Florida Baptist State Convention and is under and acknowledged as a 501(C)(3) Group, as well as a member of our local St. Petersburg Chamber of Commerce. It is a place of worship exhibiting Christian Art that is past, present and future. It is a place for the young and old to come and that provides a wholistic place for the Palmetto Community and St. Petersburg; but most importantly to worship freely for the future.

We are a church, that has Constitutional rights to worship and exist as a church in the City of St. Petersburg and the United States of America. We are asking for you to reconsider and provide the PCI Card/Certificate of Use so that we can operate legally and be the outstanding community partner and beacon of light.
If you have any questions or concerns, please do not hesitate to contact me at the following email: lpdavismemorial@gmail.com or my cellular phone number (813) 786-8156.

Thank you for your assistance, and I will be looking forward to your response.

Have a wonderful day!

Best regards,

Angela K. Davis
Church Clerk

Cc: Pastor
APPEAL TO DEVELOPMENT REVIEW COMMISSION

Contact Information

Name
St. Mt. Pilgrim Evangelical M.B. Church
Street Address
2700 5th Avenue South
City ST ZIP Code
St. Petersburg Florida 33712
Telephone
(727) 320-2701 (813) 786-8156
E-Mail Address
ppavismemorial@gmail.com
Signature

Date of Hearing

Case No.
17-53000001

Case Address
2700 5th Ave S

Submittal Requirements

1. Narrative describing grounds for appeal.

Information on Procedures for Hearing

1) Staff, appellant, applicant, and, registered opponent (if any) will have a total of ten (10) minutes each to present their case.

2) The cross-examination phase allows each participant five (5) minutes to ask questions of any individual or party that presented testimony in the presentation phase or public hearing. All questions shall be directed to the Chair who will direct the question to the appropriate person.

3) The rebuttal/closing statements phase allows each participant five (5) minutes to rebut prior arguments and make closing statements.

4) The Commission Chair will then close the proceedings and go into Executive Action and make a decision. The Commission members may ask questions at any time during the Quasi-Judicial process.

Return form to Office of City Clerk, cathy.davis@stpete.org, (727) 893-7448

City of St. Petersburg, Development Review Services, One 4th Street North, PO Box 2842, St. Petersburg, FL 33731
(727) 893-5498
www.stpete.org/ldr

Fee: $250.00

Page 30
July 25, 2017

City of St. Petersburg    
Planning & Economic Development Department    
Development Review Services Division    
One 4th Street North    
St. Petersburg, Florida 33731

Re: Appeal to Development Review Commission    
Property Card Interpretation: #17-41000004    
Parcel ID#: 23/31/16/17298/001/0030    
PCI Card Approval/Certificate of Use

To Whom It May Concern,

Please be advised that we are requesting an appeal and that you will grant the PCI Card Approval/Certificate of Use/Certificate of Occupancy for 2700 5th Avenue S, St. Petersburg, Florida 33712.

I am submitting an appeal to the Development Review Commission based on the findings that a permit 06-06000326 was issued on 06/29/07 and 10/02/2007 for property use of a “church”. In the special notes and comments section of permit 06-06000326 on December 29, 2006 at 3:29:53 the permit states, “Proposed conversion to a church has been approved”. It was also approved for site plans and notes by the City of St. Petersburg. (Please see attached documentation). Data was also current on June 24, 2007 from the Pinellas County Property Appraisers Office Parcel Information stated that the Land Use: Churches (71). (Please see attached documentation).

The information that was presented from the City of St. Petersburg is false based on the facts that state that a permit was issued. However, there is no supporting documentation that was provided to 1st Mt Pilgrim that it was approved in error. An application for landscaping and paving was approved representing that the sanctuary (i.e. an especially holy place in a temple or church) was existing. June 2010 a previous Change of Use permit was disapproved, due to zoning district restrictions. However, the Land Use and Development
Regulations have been amended since this time. Therefore, there have been several attempts to obtain a PCI Card for the church so that we may continue our service in the community legally and yet we are being denied.

1st Mt. Pilgrim Evangelical Missionary Baptist Church, is and has been a “House of Worship” per the definition of the Land Development Regulations, since 1995. It has been operating as a church and has been seeking assistance from the City of St. Petersburg for many years. Based on the IT (Industrial Traditional) per section 16.10.020.1 Land Development Regulations it states that it should be “G” Grandfathered and has not been. Please advise why.

Under the Land Development Regulations that was amended October 20, 2016, I have researched and found that a “House of Worship” by definition, is a site which is used primarily or exclusively for religious worship and related activities and which has received a certificate of occupancy for the premises and this is exactly what 1st Mt Pilgrim Evangelical Missionary Baptist Church is and has been in the City of St. Petersburg.

1st Mt Pilgrim Evangelical Missionary Baptist Church is seeking an appeal from the Development Review Commission that 1st Mt Pilgrim Evangelical Missionary Baptist Church should have been granted the PCI Card/ Certificate of Use/ Certificate of Occupancy a long time ago and has been treated unfairly and unjust by the City of St. Petersburg. We are asking for this to be corrected.

1st Mt Pilgrim Evangelical Missionary Baptist Church is a church, that has Constitutional rights to worship and exist as a church in the City of St. Petersburg and the United States of America. We are asking for you to reconsider and approve our appeal and provide the PCI Card/ Certificate of Use/ Certificate of Occupancy so that we can operate legally and be the outstanding community partner and beacon of light.

If you have any questions or concerns, please do not hesitate to contact me at the following email: lpdavismemorial@gmail.com or my cellular phone number (813) 786-8156.

Thank you for your assistance, and I will be looking forward to your response.

Have a wonderful day!

Best regards,

Angela K. Davis
Church Clerk

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

Subject: Accepting a proposal from Environmental Products Group, Inc., a sole source supplier, for sanitary sewer inspection equipment for the Water Resources Department, at a total cost of $107,228.

Explanation: The Procurement Department received one proposal for sanitary sewer inspection equipment. The vendor will furnish and deliver one mainline lateral launch pipe inspection camera system, and one high definition wireless pole camera. Both cameras are manufactured by Envirosight. Because compatibility with the existing Envirosight camera systems used by Water Resources is a paramount concern, and Environmental Products Group, Inc. is the area's only factory authorized distributor, a sole source procurement is recommended.

The Envirosight Lateral Launch System is a sewer camera inspection system for both main line and lateral pipes. This equipment can crawl down the main line pipe, capturing video data for pipe condition assessment and push a smaller camera up the connected service lateral pipes to identify defects and leaks. This system will replace the Envirosight crawler camera system in one of the City's three CCTV inspection vehicles and will provide the ability to inspect lateral pipes to assist with the elimination of inflow and infiltration of groundwater into the City's sanitary sewer system. The old system is approximately 12 years old and has exceeded its useful service life. It will be used as a spare.

The Quick View System is a pole-mounted, high-resolution camera with powerful lights and zoom capability. It is designed to quickly inspect and assess sanitary sewer pipes from above ground to identify potential maintenance issues. It is identical to equipment purchased by the Stormwater Department earlier this year for similar applications and has performed satisfactorily. It is replacing a unit built by City staff that is approximately 12 years old and has exceeded its useful service life. The old unit will be used as a spare.

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

<table>
<thead>
<tr>
<th>Environmental Products Group, Inc. (Apopka)</th>
<th>$107,228</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lateral Launch System</td>
<td>1 EA</td>
</tr>
<tr>
<td>Quick View Air HD Wireless Camera</td>
<td>1 EA</td>
</tr>
</tbody>
</table>

This purchase is made in accordance with Section 2-249, Sole Source Procurement of the Procurement Code, which authorizes City Council to approve the purchase of a supply or service over $100,000 without competitive bidding if it has been determined that the supply or service is available from only one source.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Water Resources Operating Fund (4001), Wastewater Collection Division (4202145)

Attachments: Sole Source (2 pages)
Resolution

Approvals:
City of St. Petersburg
Sole Source Request
Procurement & Supply Management

Department: Water Resources
Requisition No. 5378298 & 5378305

Check One: ☑ Sole Source
Proprietary Specifications

Proposed Vendor: Environmental Products of Florida and Georgia

Estimated Total Cost: $107,228

Description of Items (or Services) to be purchased:

Enviroisght Lateral Launch SAT System with RovverX crawler, 150m cable reel, 150m std cable with 30 m Pushrod cable, desk mounted controller, CCUI 140 SAT crawler with additional wheels, PTP70 Pan & Tilt camera with RX adapter, set of 5 guide pipes and double cable guide pulley, and one Quickview Air HD Wireless Zoom System with 24' Carbon Fiber pole, tablet for control and viewing.

Purpose of Function of items:

For inspection of the City's sanitary sewer collection system pipes, the lateral launch camera will replace one of the existing crawler cameras and add the ability to push a camera up lateral pipes from the sewer main to inspect for defects and point sources of infiltration and inflow. Currently the City has 3 CCTV vehicles but none of them have the ability to look up the lateral pipes.

The Quickview Zoom pole camera will replace one of the Wastewater Collection Division's old non-zoom QTV camera systems (these were built in-house) and increase the speed and accuracy of the QTV inspection process for identifying sanitary sewer main line defects. The old equipment will be retained as spare equipment to be used if needed.

Justification for Sole Source of Proprietary specification:

Environmental Products of Florida and Georgia is the area distributor of Environmental Products camera equipment. This is the same manufacturer of the existing CCTV equipment owned by the City. It is the only equipment that is 100% compatible with the existing hardware in the City's CCTV vehicles. To use another vendor could result in compatibility issues or a requirement to retrofit all of the CCTV equipment in one of the vehicles. Software, data transfer and other complications could also arise from using a lateral launch system from another manufacturer.

The pole camera justification is the same as purchased by the Stormwater Department earlier this year (FY17) and keeps the equipment used by staff uniform to improve maintenance and consistency concerns.
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.

Ilie Moore, Director
Procurement & Supply Management

Date

Rev (1/11), (6/15)
A RESOLUTION DECLARING ENVIRONMENTAL PRODUCTS GROUP, INC. TO BE A SOLE SOURCE SUPPLIER FOR SANITARY SEWER CAMERA INSPECTION EQUIPMENT FOR THE WATER RESOURCES DEPARTMENT; ACCEPTING A PROPOSAL AND APPROVING THE PURCHASE OF SANITARY SEWER INSPECTION EQUIPMENT FROM ENVIRONMENTAL PRODUCTS GROUP, INC. FOR THE WATER RESOURCES DEPARTMENT AT A TOTAL COST NOT TO EXCEED $107,228; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City wishes to purchase a sanitary sewer camera inspection system for capturing video data for pipe condition assessment for the Water Resources Department; and

WHEREAS, Environmental Products Group, Inc. ("Environmental Products") is the sole source provider because it is compatible with the current system, Envirosight Lateral Launch System, and is the area’s only factory authorized distributor of this equipment; and

WHEREAS, Section 2-249 of the City Code provides for sole source procurement when a 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 purchase of a sanitary sewer camera inspection system to Environmental Products 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 Products Group, Inc. is a sole source supplier for sanitary sewer camera inspection equipment for the Water Resources Department.

BE IT FURTHER RESOLVED that a proposal is accepted and the purchase of a sanitary sewer camera inspection system from Environmental Products Group, Inc. for the Water Resources Department at a total cost not to exceed $107,228 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)
00338844
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Authorizing the administration to negotiate an agreement with Jacobs Engineering Group Inc. for the Wastewater Program Management and Integrated Water Resource Planning project; (Engineering Project Number 17078-111; Oracle Project Number 15953).

Explanation: On March 23, 2017, the City issued a Request for Qualifications, RFQ 6449, Wastewater Program Management and Integrated Water Resource Planning. The City received six Statements of Qualifications (SOQs) from the following firms:

1. Arcadis U.S., Inc.
2. Hazen and Sawyer, P.C.
3. HDR Engineering, Inc.
4. Jacobs Engineering Group Inc.
5. Tetra Tech, Inc.
6. Wade Trim, Inc.

The SOQs were evaluated on the following criteria: background and experience, project approach, relevant project examples; resumes of staff; technical capability; small, minority, woman and disadvantaged business enterprise.

Evaluations of the six SOQs were conducted by the following committee members:

John Palenchar, Interim Director, Water Resources
Randi Kim, Utilities Director, Pinellas County Utilities
Diana Smilova, Water & Wastewater Design Manager, Engineering & Capital Improvements
Carlos Frey, Stormwater & Environmental Design Manager, Engineering & Capital Improvements
Charles Wise, Manager Water Reclamation Facilities, Water Resources

Four firms were invited to make oral presentations before the evaluation committee. The firms were:

1. Arcadis U.S., Inc.
2. Hazen and Sawyer, P.C.
4. Wade Trim, Inc.

On July 7, 2017, the evaluation committee listened to the oral presentations and interviewed the four firms. On July 14, 2017, each firm appeared before the committee for second interviews. On July 19, 2017, the evaluation committee convened and deliberated to rank the firms in accordance with the Consultants Competitive Negotiation Act, Florida Statutes, Chapter 287.055. As a result of the deliberations, the firms were ranked as follows:

<table>
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<th>Rank</th>
<th>Firms</th>
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<tbody>
<tr>
<td>1</td>
<td>Jacobs Engineering Group Inc.</td>
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</tr>
<tr>
<td>4</td>
<td>Hazen and Sawyer, P.C.</td>
</tr>
</tbody>
</table>
The selected firm will develop and provide program management of the City's Integrated Water Resource Planning Program ("Program"), that will include centralized leadership of planning, organizing, training, controlling, and monitoring the combined efforts of multiple personnel and organizations for the management of multiple and interdependent activities to meet the overarching objective of the City's Integrated Water Resources Program. This shall include development of Program processes and procedures and training City staff to effectively administer and manage the Program into the future. The selected firm will develop a long-term Master Plan, which will determine optimal cost-effective and sustainable approaches to address the City's water resources infrastructure needs.

Administration requests authorization to negotiate an Architect/Engineering Agreement with the highest ranked firm, Jacobs Engineering Group Inc. Following successful negotiations, Administration will present the negotiated Architect/Engineering Agreement to City Council for approval.

**Recommendation:** The Procurement Department, in cooperation with the Water Resources and Engineering and Capital Improvements departments, requests permission to negotiate with:

Jacobs Engineering Group Inc.

Jacobs Engineering Group Inc., the highest ranked firm, has previously performed similar work for the City of West Palm Beach, the South Florida Water Management District, and Metropolitan Sewer District of Greater Cincinnati. The principals of the firm are Steven J. Demetriou, president and CEO, director; Terence D. Hagen, executive vice president and director; and Joseph Gary Mande, executive vice president and director.

**Cost/Funding/Assessment Information:** Funds have been previously appropriated in the Water Resources Capital Improvement Fund (4003).

**Attachments:**
- Technical Evaluation (6 pages)
- Meeting Minutes (6 pages)
- Resolution

**Approvals:**

[Signature] Administrative

[Signature] Budget
Technical Evaluation for RFQ 6449
918-42 Wastewater Program Management and Integrated Water Resource Planning

Summary Work Statement

The City received six Statements of Qualifications (SOQs) for RFQ 6449, Wastewater Program Management and Integrated Water Resource Planning. The successful firm will provide program management for the Integrated Water Resource Planning Program that will include centralized leadership of planning, organizing, training, controlling, and monitoring the combined efforts of multiple personnel and organizations for the management of multiple and interdependent activities to meet the overarching objective of the City’s Integrated Water Resources program. Services will be provided in accordance with the city’s and Florida Department of Environmental Protection requirements. The six SOQs were received from:

1. Arcadis U.S., Inc.
2. Hazen and Sawyer, P.C.
3. HDR Engineering, Inc.
4. Jacobs Engineering Group Inc.
5. Tetra Tech, Inc.
6. Wade Trim, Inc.

Evaluation Committee

Evaluations of the SOQs were conducted by the following team members:

John Palenchar, PE, Interim Director, Water Resources Department
Randi Kim, PE, Utilities Director, Pinellas County Utilities
Diana Smilova, PE Water & Wastewater Design Manager, Engineering and Capital Improvements and Committee Chair
Carlos Frey, PE, Stormwater & Environmental Design Manager, Engineering and Capital Improvements Department
Charles Wise, Manager, Water Reclamation Facilities, Water Resources Department

Evaluation Criteria

The SOQs were evaluated based on the following criteria:

- Team background and experience
- Project approach
- Relevant project examples
- Small, Minority, Women and Disadvantaged Business Enterprise
- Exceptions to modified AIA documents

Offerors’ Profiles

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

Arcadis U.S., Inc. maintains its company headquarters in Highlands Ranch, Colorado. The office that will serve the City is in Tampa and has approximately 151 local employees in a firm of approximately 5,062. The company was founded in Delaware in 1997 as Arcadis Geraghty & Miller, Inc. Arcadis has been registered with the Florida Department of State, Division of Corporations, since 1998. A name change amendment from Arcadis G&M, Inc. to Arcadis U.S., Inc. was filed 2007.
Strengths include: A large firm with significant national experience; vast experience with engineering sustainability; they identify a large number of programs implemented; two key people have worked with the City; significant GIS and IT migrations experience with the City; the work product in SOQ is good; it addresses program management, training and empowering City staff to carry on project; demonstrated capital projects driven master plan experience with significant restraints; integrated visioning aspect to their proposal; training-mentorship is addressed; phasing is addressed in working with the City; dash board discussion good; liked Program Manager & Deputy Program Manager; Program Manager is strong and would effectively communicate with Chief Operators and Lift Station Group; apparent team cohesiveness; good presentation and interview; program leaders are local. Very strong team, liked discussion on reuse, grasp of City’s goals of project management capital projects, program management planning process and culture; one firm delivering the majority of services, centralized responsibility; presentation of concept of creating lasting change, asset management, sustainability, dashboards and information systems; empowerment and transfer of information to City staff; integrated stormwater features into plan; assistance in writing business cases, leadership engagement and change management; provided good response in crisis scenario; 30 months of transition time offered; proposed to evaluate the organization in 120 days; phased approach to suggested changes; GAP analysis; adaptive; identified level of service; comprehensive plan revisions; good vision of the future with Lateral utility program.

Sub-consultants Carollo and Land & Water Engineering Science have experience with the City and have done good work; Land & Water is very familiar with City’s stormwater system; Sub-consultant Tucker Hall did a good presentation on public relations; engagement of internal and external stakeholders;

Weaknesses include: Lacking ideas in designs in SOQ, especially in the water treatment side; unsure and not clear if the program manager and deputy program manager have master plan project experience with projects of this size. Did not have individual teams, meaning no subs on core team. A consolidated team may be overwhelmed with a project of this size; proposed several software solutions without evaluation of City’s existing software systems, additional software systems could be a maintenance issue with licensing and training.

The Statement of Qualifications meets the RFQ requirements.

Hazen and Sawyer, P.C. is a New York corporation founded in 1978, with corporate headquarters in Hollywood, Florida. The firm maintains a Tampa office designated to serve the City, with 22 employees in a company of nearly 950 employees. Hazen and Sawyer has been registered with the Florida Department of State, Division of Corporations, since 1978.

Strengths include: Program Manager has strong resume with many years of experience, team has extensive experience with the City; project manager very experienced including work with Tampa Bay Water; the SOQ is clear and well described, simple project approach with goals and objectives, benefits to the City; training approach is strong; includes phasing approach and integrating with the stormwater master plan; Sub-consultant Pennoni is an asset with extensive historic experience with the City; detailed and transparent regarding claims; proposal addresses people and processes; City has worked with key people identified in SOQ; they are familiar with the City and its systems. Fresh set of eyes to City’s issues; liked the “One Water” concept; invites suggestions from City staff; succession planning was well addressed; strong technical skills; good response to potential crisis scenario; good response to changes to current plans, if needed; developing adaptation plan for water treatment facilities; plan for stormwater reuse and stormwater master plan; professional image; understand water treatment distribution; extremely qualified team; introducing software programs compatible with the City’s existing software; variety of experience, including outside the United States.

Sub-consultants: Black & Veatch; McKim & Creed; Blue Heron Engineering Services, Ltd.; Pennoni; the Valerian Group, Inc.; Leggette; Brashears & Graham Inc.; Scheda Ecological Associates, Inc.
Weaknesses include: Does not list many Florida-based projects; advocated their program, not the City's program; presented "Light" approach to program management before determining City's needs; this is a concern in the context of the magnitude of the City's program; did not get the feeling that team members listed were part of the presentation and proposal; team cohesiveness was not strong; proposal included a five-year schedule, the outer time frame for services to be completed; not clear who the consensus builder is; divided leadership responsibility between program manager and project manager lessens comfort level with project and program manager; lacking innovative ideas; project manager working with Tampa Bay Water could present conflicting loyalties given potential opposing goals of two agencies; weak reply to question about ordinance changes and developer responsibilities in City; did not appear approachable and relatable to staff; less flexibility to their program and plans; did not clearly explain how integration of overall plan would work; expressed preference to establish a separate off-site office and not integrate with staff; disjointed presentation; seemed to be separate presentations; did not emphasize staff training; the team did not meet the sum of the parts.

The Statement of Qualifications meets the RFQ requirements.

HDR Engineering, Inc. was incorporated in Nebraska in 1985. Its principal office is located in Omaha and 183 of approximately 9,800 employees work out of the Tampa office. In 1999, Transportation Consulting Group, Inc., a Florida corporation, merged into HDR Engineering, Inc., a wholly owned subsidiary of HDR, Inc.

Strengths include: Easy-to-follow layout in their SOQ; clear, complete and concise; well-organized proposed program management; services under one umbrella of HDR; project manager has prior City experience at Albert Whitted Water Reclamation Facility; potable water experience; future use of current facilities.


Weaknesses include: Less detail than other proposals; lacking in detail on project approach; integration of technology was not explained in depth; expressed fresh approach and new ideas, but didn't convey visioning or new approaches; cited City projects and too few non-City projects; lacked specifics on prior projects; did not adequately address staff training elements.

The Statement of Qualifications meets the RFQ requirements. Did not make shortlisted firms invited for presentations.

Jacobs Engineering Group Inc. was incorporated in Delaware in 1987. Headquartered in Pasadena, California, it employs approximately 54,000 of which 170 work in their Tampa office.

Strengths Include: Strong proposal; good project team; large firm; aggressive approach to litigation; unique project approach with interdisciplinary elements; did well on capturing the drivers for the program, including the stakeholders; strong understanding of all local and regional interest groups, regulatory agencies; strong financial arm with American Infrastructure Development; heavy in wastewater collection, not treatment and distribution, project manager has national and local-scale experience; skills are strong; has leadership skills; demonstrated initiative to perform extensive research on City policies, and projects; high energy, personable; searching for new ideas; mobile office idea is appealing and wants to integrate into staff; precise answers to questions; great vision for the future with creative and unique sustainable ideas, such as floating islands; public outreach element was strong; as-is analysis matrix is a welcome idea; presented a "Mission Critical" approach; integrated model between stormwater and wastewater was impressive, with multiple scenarios for water assets; dynamic system monitoring was impressive; having CH2M Hill as sub-consultant could be a thread that ties everything together with their current City assignments; seemed to be synergy among Jacobs and sub-consultants; effective communication and relatable visual images to convey their message; thematic approach to the City's clarification questions; SCADA systems real-time collection system monitoring was impressive; stormwater harvesting ideas; good performance metrics; willing to redirect the City in the right direction if needed; team was well prepared for interviews; good
transition example from Jacobs leading Cincinnati, Ohio program to City staff taking over program; integrated hydraulic model; interesting ideas to repurpose Albert Whitted WTP to direct potable reuse plant and to use Lake Maggiore as potable water source; public education of concepts before deciding on solutions; RFQ for intelligent CMMS is a good idea to obtain a system specific to our needs; Vistra’s example of public outreach was well presented; after-hours crises communication was good; viewed developer community as potential partners in infrastructure enhancements; program manager has worked with HR departments on job re-classifications.

Sub-consultants: CH2M Hill; American Infrastructure Development; Land & Water Engineering Science, Inc.; Vistra Communications, LLC

Weaknesses include: Lots of material in SOQ, but much of it generic; will need clarification whether sub-consultants will play a major role; wastewater treatment process experience is not strong; learning curve, heavy reliance on sub-consultants; errors in presentation showed lack of attention to details; corporate support seems lacking, especially for a very large firm. CH2M Hill already working on wet weather mitigation program and negotiating contract for Stormwater Management Master Plan; does overextend CH2M resources; Jacobs' initial work may be delayed pending Stormwater Master Plan results.

The Statement of Qualifications meets the City's requirements.

Tetra Tech, Inc. was incorporated in Delaware in 1988. Its headquarters is in Pasadena, California. It proposed to utilize personnel from its Tampa (8) and Orlando (65) offices to service the City. In total, Tetra Tech employs approximately 16,400 people. In 2003, Tetra Tech acquired William, Hatfield & Stoner, Inc., a Florida corporation.

Strengths Include: Good project management team; good project approach; experience in reused water; addressed water treatment equally; good data collection approach. Reverse osmosis experience; circular water approach is appealing; succession planning and staff reduction.

Sub-consultants: Kimley-Horn Associates; Woolpert, Inc.; Quest Ecology; Dialogue Public Relations, LLC

Weaknesses include: A small, local, sub-consultant will handle operational improvement and training; are they showing an integrated master plan that City staff can update; no demonstrated program management experience for project manager; 15-step process "CMOM process"; lack demonstration on how they will drive the program for the City; lacked strong training or mentoring program and knowledge transfer for City staff; did not demonstrate capability for all aspects of SOQ; did not present SOQ in the format and style the City was requesting.

The Statement of Qualifications meets the City's requirements. Did not make shortlisted firms invited for presentations and interviews.

Wade Trim, Inc. is a Florida corporation established in 1984 as Wade-Trim, Inc. The current name was changed in 2005. In 2008 Wade Trim merged with Tomoka Engineering Associates, Inc. a Florida corporation. The principal office, located in Tampa, employs 28 of its 413 employees.

Strengths include: Integrated master plan for each system; offer short-term and long-term solutions; provide examples of relevant projects, revisions to CIP on an ongoing basis and dynamic planning; well-presented proposal and training elements; cohesive team; addresses the questions in SOQ; strong, well-known project manager who has experience with integrated programs; program manager is imbedded with the department; program manager has great vision; very strong sub-consultant team; aggressive approach to parallel tracks; weather pattern analysis; resiliency experience; a client and customer based plan; full program delivery in year one; helped adopt the first integrated plans accepted by EPA with the City of Baltimore; showed great corporate support; solid support from upper levels of organization; extensive and involved public outreach programs; complementary team members, good responses to critical scenarios;
staff and personnel motivation and management training was strong and insightful; staff training and succession planning; strong financial planning.

Sub-consultants: Stantec; AECOM; George F. Young; GHD; G-2 Marketing; Valerin; Strategist Support; Project Innovations.

Weaknesses include: Did not demonstrate knowledge of Tampa Bay Water’s supply to the City; could have shown more knowledge of issues specific to St. Petersburg; program manager did not seem to have programmatic experience; his experience was largely hard construction projects; lacked defined roles for public relations firms; approach focused on nuts and bolts of capital projects; SOQ lacked depth on the analysis side of master plan experience; lacked water quality and stormwater details beyond inflow and infiltration elements of stormwater collection and transmission; transition process begins in year three; delay in change management implementation; turnover later in process; the length of the proposed program will span duration of timeframe of five years.

The Statement of Qualifications meets the City’s requirements.

Shortlisting and Oral Presentations

The SOQs were initially evaluated solely on the evaluation criteria established in the RFQ. A shortlist meeting was held on June 9, 2017, to identify no less than three firms in accordance with Florida’s Consultants Competitive Negotiations Act, Chapter 287, Florida Statutes.

Four firms were invited to give presentations and interviews. They were:

1. Arcadis U.S., Inc.
2. Hazen and Sawyer, P.C.
4. Wade Trim, Inc.

Oral presentations and interviews took place on July 7, 2017, before the evaluation committee for the purpose of clarifications and to ensure full understanding of the City’s requirements. A second separate interview with each of the four firms was held on July 14, 2017. The presentation and interview process enabled the committee to have a full understanding of the offerors’ SOQs and responses. On July 19, 2017, the evaluation committee ranked the firms as follows:

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<td>Arcadis North America, Inc.</td>
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<td>4</td>
<td>Hazen and Sawyer, P.C.</td>
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Recommendation for Award

On July 19, 2017, the evaluation committee deliberated to discuss the SOQs, presentations and interviews of the four finalist firms. Jacobs Engineering Group Inc. was recommended for the award since they meet the requirements of RFQ No. 6449 and has been determined to be the most advantageous to the City, taking into consideration its years of providing these services to the City and the evaluation criteria set forth in a RFQ.

The firm was selected for the following reasons:

- Very large firm with strong team.
- Staff assigned is of the highest quality.
• Sub-consultant team has significant experience with the City’s stormwater program.
• Innovative ideas to address potable water sources and reuse.
• It is knowledgeable of regulatory requirements.
• Local office in Tampa allows for easy access and quick response.
• Project is urgent and firm’s current knowledge of wastewater systems is an asset to the project to allow integration with the sanitary sewer model.

Diana Smiliova, Chair

John Palenchar, Committee Member

Randi Kim, Committee Member

Carlos Frey, Committee Member

Charles Wise, Committee Member
City of St. Petersburg  
Meeting Minutes  
Evaluation Committee-Shortlist  
Procurement and Supply Management

Title: RFQ No. 6449:  
Meeting Date: Friday, June 9, 2017  
Time: 2:00 p.m.  
Place: St. Petersburg City Hall, Conference Room 100

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<tr>
<th>Agenda Item</th>
<th>Discussion/Action Taken</th>
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</thead>
</table>
| 1. Introductions | Evaluation Committee in attendance:  
Diana Smilova, Chair  
John Palenchar, Water Resources;  
Randi Kim, Pinellas County Utilities;  
Carlos Frey, Eng & Capital Imps; Charlie Wise, Water Resources |
| a. Public Comments  
b. Florida’s Open Meeting Law – FS 286.011 (MS)  
c. Prohibited Communication - AP #050100 (MS)  
d. Identify Chairperson (Diana Smilova)  
e. CCNA – FS 287.055 (MS) | Following general comments about the quality of the six firms and the SOQs submitted; Carlos Frey moved to shortlist all six firms; motion was seconded by John Palenchar; discussion on the motion prior to vote among the team members and advisors resulted in reviewing the strengths and weaknesses of the firms; following discussion, Carlos Frey withdrew his motion; |
| 2. Evaluations of Statement of Qualifications (Strengths and Weaknesses) | |
| a. Arcadis U.S., Inc.  
b. Hazen and Sawyer, P.C.  
c. HDR Engineering, Inc.  
d. Jacobs Engineering Group Inc.  
e. Tetra Tech, Inc.  
f. Wade Trim, Inc. |
Decided by a show of hands, the committee considered each firm for the shortlist in alphabetical order; unanimous vote means the firm is shortlisted less than unanimous means further discussion regarding the firm; The resulting vote for each firm: Arcadis and Hazen and Sawyer received affirmative unanimous votes; both firms shortlisted

HDR- 3 yes, 2 no
Jacobs- 3 yes, 2 no
Tetra Tech- 1 yes, 4 no
Wade Trim- 3 yes, 2 no

Further discussion regarding the remaining four firms focused on the reasons these firms received no votes;

Motion by Charlie Wise to include HDR on shortlist; No second

Motion by John Palenchar to include Jacobs Engineering on shortlist; No second

Motion by Carlos Frey to include Wade Trim on shortlist; Seconded by Charlie Wise; Votes: 4 to 1 to include Wade Trim on shortlist

Following discussion on the shortlist requirements under CCNA, to include at least three firms, motion by John Palenchar to include Jacobs Engineering in shortlist; Seconded by Randi Kim. Votes: 3 to 2 to include Jacobs Engineering

Motion by Randi Kim to shortlist to the four firms;
h. Clarifications/Questions

i. Adjournment

motion seconded by John Palenchar.

Affirmative unanimous vote to accept the four shortlisted firms

The evaluation team discussed the format for presentations and questions and answers along with the schedule; the team formulated questions to provide each shortlisted firm as part of an invitation to make a presentation and answer questions.
## Meeting Minutes

### Evaluation Committee Ranking

**Title:** RFQ No. 6449: Wastewater Program Management & Integrated Water Resource Planning  
**Meeting Date:** Wednesday, July 19, 2017  
**Time:** 3:00 p.m.  
**Place:** review

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| 1. Introductions | Evaluation Committee present  
Diana Smilnova, Chair  
John Palenchar  
Randi Kim, Pinellas County Utilities  
Carlos Frey  
Charlie Wise  
Evaluation Team discussed their findings of each of the 4 shortlisted firms based on the SOQs; presentations and interviews, second interview and answers to questions; Following the discussion, the Evaluation Team did a blind ranking from 1 to 4 with 1 being highest ranking firm  
| a. Public Comments |  
| b. Florida's Open Meeting Law – FS 286.011 [MS] |  
| c. Prohibited Communication - AP #050100 [MS] |  
| d. Identify Chairperson (Brejesh Prayman) |  

2. Discussions of Strengths and Weakness of all 4 firms:

a. Arcadis U.S., Inc.
b. Hazen and Sawyer, P.C.
c. Jacobs Engineering Group Inc.
d. Wade Trim, Inc.

Charlie Wise moved to eliminate Hazen and Sawyer; motion seconded by Randi Kim; Amended to rank Hazen 4th seconded by Randi Kim; after discussion by Carlos about strong stormwater and water quality component, there are other teams as strong per Jchn P. By show of hands, unanimous vote to rank H&S fourth;

Motion by Charlie to conduct a straw poll to rank firms one to three by lowest cumulative score; Carlos seconded motion; after ranking a motion to adopt the ranking and to provide for discussion will be requested

The straw poll was taken and the votes were turned in to Michael who read aloud the results; the results were cumulative points for Jacobs 9; Wade Trim 10 and Arcadis 11; Ranking based on lowest cumulative score is Jacobs #1, Wade Trim #2 and Arcadis #3.

Carlos Frey, motioned to approve the ranking of the ranking of firms; John P seconded the motion No comments or discussion; By show of hands the ranking was approved 4 to 1
3. Ranking
   1. Jacobs Engineering Group Inc.
   2. Wade Trim, Inc.
   3. Arcadis U.S., Inc.
   4. Hazen and Sawyer, P.C.

4. Adjournment at 5:35 p.m.
RESOLUTION NO. _____

A RESOLUTION ACKNOWLEDGING THE SELECTION OF JACOBS ENGINEERING GROUP INC. ("JACOBS") AS THE MOST QUALIFIED FIRM TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE WASTEWATER PROGRAM MANAGEMENT AND INTEGRATED WATER RESOURCES PLANNING PROJECT; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO NEGOTIATE AN ARCHITECT/ENGINEERING AGREEMENT ("AGREEMENT") WITH JACOBS FOR PROFESSIONAL SERVICES RELATED TO THE WASTEWATER PROGRAM MANAGEMENT AND INTEGRATED WATER RESOURCES PLANNING PROJECT, WHICH AGREEMENT IS SUBJECT TO CITY COUNCIL APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") through its Procurement and Supply Management Department issued a Request for Qualifications ("RFQ") for the Wastewater Program Management and Integrated Water Resources Planning Project on March 23, 2017; and

WHEREAS, the City received six (6) statements of qualifications ("SOQs") in response to the RFQ; and

WHEREAS, the selection committee met on June 9, 2017, to discuss the SOQs and voted to shortlist, hear presentations and conduct interviews with (i) Arcadis U.S. Inc., (ii) Hazen and Sawyer P.C., (iii) Jacobs Engineering Group Inc., and (iv) Wade Trim, Inc.

WHEREAS, the four (4) shortlisted firms made presentations to the selection committee and answered questions on July 7, 2017 and participated in follow-up interviews on July 14, 2017; and

WHEREAS, based on the presentations, interviews, deliberations and SOQs of qualifications submitted by the four (4) shortlisted firms, the selection committee on July 14, 2017 ranked Jacobs Engineering Group Inc. ("Jacobs") as the most qualified firm to provide professional engineering services for the Wastewater Program Management and Integrated Water Resources Planning Project followed by Wade Trim, Inc., Arcadis U.S., Inc. and Hazen and Sawyer, P.C.; and

WHEREAS, Administration recommends City Council acknowledge the selection of Jacobs as the most qualified firm to provide professional engineering services for the Wastewater Program Management and Integrated Water Resources Planning Project and authorize the Mayor or his designee to negotiate an architect/engineering agreement ("Agreement") with Jacobs to provide professional engineering services for the Wastewater Program Management and Integrated Water Resources Planning Project.
NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the selection of Jacobs Engineering Group Inc. ("Jacobs") as the most qualified firm to provide professional services for the Wastewater Program Management and Integrated Water Resources Planning Project is hereby acknowledged.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to negotiate an architect/engineering agreement ("Agreement") with Jacobs for professional services related to the Wastewater Program Management and Integrated Water Resources Planning Project.

BE IT FURTHER RESOLVED that the mutually agreed upon Agreement between the City of St. Petersburg, Florida and Jacobs is subject to City Council approval.

This resolution shall become effective immediately upon its adoption.

Approved by:

[Signature]

Legal Department
By: (City Attorney or Designee)
00338925
To: City Council Chair and Members of City Council
From: Bradley H. Scott, City Auditor
Date: September 7, 2017
Re: APPROVAL OF THE FIRST AMENDMENT TO THE AGREEMENT FOR THE MANAGEMENT EVALUATION OF THE WATER RESOURCES DEPARTMENT – LA CONSULTING, INC.

Attached you will find a letter from LA Consulting requesting their desire to amend the agreement between the City and LA Consulting to interview additional Water Resources employees for an amount not to exceed $8,152.

We are requesting approval of this amendment to the Agreement between the City of St. Petersburg and LA Consulting, Inc. for this project. (I have also attached the resolution for approval of this amendment.)

The funding for this amendment is available in the City Council Office budget.

If you have any questions, please call me at x7978.

Attachment

cc: City Council Members
    Mayor Rick Kriseman
    Deputy Mayor Kanika Tomalin
    Gary Cornwell, City Administrator
    Jackie Kovilaritch, City Attorney
    Jeanne Williams, Chief Assistant City Attorney
    Sharon Michnowicz, Assistant City Attorney
    Michael Schlesinger, Procurement & Supply Management
    Louis Moore, Procurement & Supply Management Director
Mr. Bradley H. Scott CPA, CIA, CFE
Brad.Scott@stpete.org
City Auditor
St. Petersburg City Hall
175 Fifth Street North
St. Petersburg, FL 33701

Subject: Addendum to interview more staff.

Dear Bradley:

After our discussion following our presentation of initial findings to Water Resources employees, many of them have requested a desire to be interviewed. This includes Environmental Compliance, Technical Resources and Administration. Though 47 people were interviewed, including the managers and supervisors of these groups and site visits conducted of several weeks of crews occurred, not every person was interviewed, which was plan for interviews in our initial scope. In addition, several employees expressed a strong desire to be directly interviewed without their supervisor present.

This effort would include 12 employees from Environmental Compliance, 10 from Technical Support and 5 from administration as we anticipate 2 ½ days of onsite interviews with a combination of 1-2 two persons being interviewed at a time. The total effort with travel and documentation is 33 hours at a cost $8,152. These interviews will be done by our principal Harry Lorick. We are tentatively looking at September 26th, 27th and 28th to perform this work.

This is a challenging assignment and we believe these additional interviews will only enhance our work product. As well as helping assure an acceptance of the results. LAC has the resources to ensure this follow-up effort is completed timely and incorporated into our result. We look forward to meeting with those employees. Please advise if this is acceptable, so we make necessary travel arrangements.

Sincerely,

Harry C. Lorick, P.E., PWLF
Principal

CC: Claude Tankersley claude.tankersley@stpete.org
    John Palenchar john.palenchar@stpete.org
RESOLUTION NO. 2017-___

APPROVING THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND L.A. CONSULTING, INC., DATED MAY 18, 2017, FOR L.A. CONSULTING, INC. TO INTERVIEW ADDITIONAL WATER RESOURCES EMPLOYEES FOR AN AMOUNT NOT TO EXCEED $8,152; AUTHORIZING THE CHAIR OF THE BF&T COMMITTEE TO EXECUTE THE FIRST AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida and L.A. Consulting, Inc. entered into an agreement on May 18, 2017 ("Agreement"), for L.A. Consulting, Inc. to provide a management evaluation of the City’s Water Resources Department; and

WHEREAS, the parties desire to amend the Agreement for L.A. Consulting, Inc. to interview additional Water Resources employees for an amount not to exceed $8,152; and

WHEREAS, the total contract price for services performed and deliverables provided by L.A. Consulting, Inc. pursuant to the Agreement (as amended) shall not exceed $83,136.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the First Amendment to the Agreement between the City of St. Petersburg, Florida and L.A. Consulting, Inc. dated May 18, 2017, for L.A. Consulting, Inc. to interview additional Water Resources employees for an amount not to exceed $8,152 is hereby approved.

BE IT FURTHER RESOLVED that the Chair of the BF&T Committee is authorized to execute the First Amendment.

This resolution shall become effective immediately upon its adoption.

APPROVAL:

City Attorney (Designee)
9-7-17 City Council Meeting
3391161
TO: Members of City Council

DATE: August 18, 2017

COUNCIL DATE: August 24, 2017

RE: Commerce Park Update

ACTION DESIRED:

Respectfully requesting Administration to provide an update on Commerce Park.

Lisa Wheeler-Bowman, Vice Chair
District 7
TO: Members of City Council

DATE: August 18, 2017

COUNCIL DATE: August 24, 2017

RE: The Callaloo Group

ACTION DESIRED:

Respectfully requesting Administration to provide a report on the selection of The Callaloo Group for the Manhattan Casino.

Lisa Wheeler-Bowman, Vice Chair
District 7
Respectfully requesting City Council to refer the Inflow/Infiltration Language for Wholesale Sewer Customers to the Public Services & Infrastructure Committee.

Steve Kornell, Council Member
District 5
TO: Members of City Council

DATE: August 24, 2017

COUNCIL DATE: September 7, 2017

RE: Referral to Public Services & Infrastructure Committee
Pollution Prevention (P2) Project

______________________________

ACTION DESIRED:

Respectfully requesting City Council to refer the Pollution Prevention (P2) Project to the Public Services & Infrastructure Committee.

Steve Kornell, Council Member
District 5
Respectfully requesting City Council to refer to the Public Services & Infrastructure Committee a discussion in regards to our preparedness to respond to a natural disaster such as a hurricane.

Please include in the discussion:

- how the decision is made to issue evacuation orders for city residents
- how we incorporate lessons learned from natural disasters in other parts of the country
- how quickly we change our plans in response to new information. For example, what lessons learned from Hurricane Katrina and super storm Sandy have been incorporated into our plans, and how will we incorporate new information from Hurricane Harvey into our plans.

Steve Kornell, Council Member
District 5
TO: Members of City Council

DATE: August 31, 2017

COUNCIL DATE: September 7, 2017

RE: Delay Mandatory Solar Panel Requirements Discussion for One Year

Action Desired:
Postpone official meetings on proposed mandatory solar panel requirements. Come back in a year to evaluate new incentives (solar co-op, FAR bonus, etc.) to determine whether a mandatory approach is prudent.

Background:
Delaney Reynolds gave an inspirational presentation to the May 25, 2017, ENRS meeting regarding work on climate change and local solutions, such as a mandatory solar panel ordinance. Her success reflected at least two years of work with all stakeholders of her community before being passed in the City of South Miami.

Council voted to look at the South Miami ordinance. Staff has been carrying forward community discussions regarding how we would implement a similar ordinance.

However, St. Petersburg has recently adopted a new bonus system under the FAR requirements that includes credit for solar panels.

Other incentive programs are underway that suggest the market is working, or could work better. St. Petersburg’s recent vote to support a solar co-op addresses the biggest obstacle to implementing solar panels and ‘going green’: reducing upfront costs; increasing access to trustworthy financing; access to trustworthy contractors; and enhanced consumer knowledge.

On August 30th the first workshop hearing held at the Sunshine Center, for which I stayed the entire duration, brought many sincere people who are interested in the subject and support solar. Reasonable and well-thought out objections were voiced as well. Several ideas were presented that suggested incentives and the market works, and that a mandatory approach has too many questions about workability.

For these reasons, and more, I respectfully request that we delay any currently scheduled meetings (DRC, public hearings, workshops…) for at least one year until we have an opportunity to look at the results of our current incentive and co-op programs.

Darden Rice, Council Chair
District 4
TO: The Honorable Darden Rice, Chair, and Members of City Council

FROM: Housing Services Committee: Karl Nurse, Committee Chair, Darden Rice, Committee Vice-Chair, Lisa Wheeler Bowman, Councilmember, Amy Foster, Councilmember, and Charlie Gerdes, Councilmember-Alternate

RE: Housing Services Committee Meeting of August 24, 2017

New Business:

**Presentation from the Planning Department on Density along major street corridors to allow Multi-Family Housing, Derek Kilborn, Manager, Planning Department**

Mr. Kilborn presented a PowerPoint on high density developments on major street corridors. He discussed what are Corridor Commercial Centers and Coastal High Hazard Areas. He gave an example of Fusion 1560 having the ability to have 150 units per acre.

Mr. Kilborn discussed that Corridor Residential Traditional (CRT) OR Neighborhood Suburban Multi-Family allows 12 units per acre, and instances where CRT 1 which allows 15 units per acre. He discussed Activity Centers Overlay and gave an example of the Central Avenue Plan which stretches from 34th Street to 58th Street. He discussed maps that depicted Neighborhood Traditional and Neighborhood Suburban, and one with a 50 feet buffer from future major streets.

Other initiatives discussed were:
- Redevelopment Plans
- Neighborhood Multi-Family

Redevelopment Plans – to consist of multi-family units grandfathered with reconstruction. Complexes with 10 units to 14 units per acre. The City currently has Neighborhood Traditional Multi-Family only.

This presentation is an initial discussion with more to come later.

Vice-Chair Rice discussed funding that is available from Transit Oriented Development that may complement some of the higher densities along the corridors.

Councilmember Gerdes asked if during the anticipation of Greenlight Pinellas density was increased all the way to Pasadena.

Mr. Goodwin responded that he is hearing from folks that 60 units per acre provides more opportunities for development. People are interested and are inquiring about the process.

Chair Nurse discussed that the reason for developing this strategy is due to the development of market rate housing, the City has to provide other opportunities for affordable workforce housing.
Chair Nurse asked, what is the path forward? Mr. Goodwin responded that he would like to go into the community and talk about what the proposal is about, provide samples from other communities and come back within three (3) months with findings and further discussions.

Vice-Chair Rice asked, what is the goal/purpose? Chair Nurse responded that higher densities on some corridors and more housing choices are the goals.

Vice-Chair Rice is in support of moving forward but would like to see transportation included. The City’s population will stay flat until we commit to transit to move people along. Mr. Goodwin responded that the best thing to get things going is to have a viable transit service along with redevelopment.

Councilmember Gerdes discussed that he is in favor or Mr. Goodwin touching base with the community, businesses and developers. He discussed that Penny for Pinellas money should be available soon and may be part of a source to address the solution. He also discussed two handicaps that need to be addressed with economic development namely, schools and affordable housing. One of ways to create a more attractive housing stock is to implement this new strategy. It will also help the City with where to target its Penny funding.

Mr. Goodwin also responded that in Coastal High Hazard Areas, there are some opportunities

**Action:** A motion was made to have staff go forward for an analysis of diversity of housing options, to come back in three months with an update of areas if success moving forward, and to include transportation in the discussions.

**Consider an Amendment to the City Code to require both low flow toilets and R-30 attic insulation in rental housing (update)**

Mr. Dove responded that there was not update at this time.

**Action:** No action taken.

**Information on proposed sale of Tortuga Point Apartments (Gandy Boulevard)**

Stephanie Lampe, Sr. Housing Development Coordinator provided information to the Committee that Tortuga Point Apartments is the first developments that the City was able to receive Workforce Housing units is in the process of being sold to another entity and that the units that are reserved for Workforce Housing in the Agreement with the current owner will be transferred to the new owner. This information is being provided as a heads up as staff is in process of preparing Council documents that will be presented to full Council sometime in September.

**Action:** No action taken.

**Provide a copy of the Consolidated Plan Annual Community Assessment Report for review**

Mr. Johnson discussed that the City received its Annual Community Assessment Report from HUD on the performance of the City implementing its CDBG, HOME and ESG Programs and the activities, projects, and programs that were implemented during FY 2015-2016. HUD discussed that the activities undertaken met with HUD’s regulatory requirements.

The City complied with its Citizen Participation requirements in the conduct of implementing the various programs/projects/strategies. The Housing and Community Development Department met its oversight
compliance requirement with the monitoring of subrecipients to ensure property and timely expenditure of grant funding. HUD also acknowledged that staff of Housing and Community Development is very experienced and has demonstrated the capacity to administer and oversee HUD funded programs.

The Report disclosed that activities funded under CDBG were implemented effectively and efficiently. The financial success of the program was also discussed to include the eligibility of activities assisted and the amount of funding expended, and that the City implemented projects/programs/strategies in accordance with HUD’s timeliness requirements.

The Emergency Solutions Grant and HOME Grant were spent on activities that were eligible under the regulations. The HOME Program benefitted 100% of low and moderate-income families served. The report discussed the amount of funding and number of households assisted with Purchase Assistance, Multi-Family Housing, Homeless Assistance, and the number of clients provided with rental assistance. The financial information provided by the City was complete, accurate, and provided sufficient detail to document the overall condition of the HOME Program.

The Report further disclosed that the City’s current CDBG, HOME and ESG Program performance has been satisfactory. Some projects are ahead of schedule and HUD appreciates the dedication of the City’s staff in administering the programs.

Based on the information available at the time of the review, HUD has determined that the City of St. Petersburg has the continuing capacity to carry out HUD programs identified in the report.

Action: No action taken.

Next meeting: The next meeting is scheduled to be held on September 28, 2017 beginning at 10:30 a.m.

Topics:

Topics to be determined at a later date.

Committee Members
Karl Nurse, Chair
Darden Rice, Vice-Chair
Lisa Wheeler-Bowman, Councilmember
Amy Foster, Councilmember
Charlie Gerdes, Councilmember-Alternate
Meeting Report

The meeting was called to order by Charlie Gerdes, Chair of the committee. The following members were present: Councilmember Gerdes, Councilmember Kennedy, and Councilmember Kornell. City staff members present were: Lynn Gordon, Parks & Recreation; Denis Burns, Parks & Recreation; Tony Leno, City Development Administration; Paul Stellrecht, City Development Administration; Bradley Tennant, City Attorney’s Office.

The committee considered for approval application for the Food Truck Rally event for FY17 and FY18, and also a waiver of the late fee for FY17 and FY18. The application was submitted by the Gulf to Bay Food Truck Association, Inc. Tony Leno presented the committee with an explanation for the need for the Food Truck Rally to move from its current location, at the Port of St. Petersburg, to Albert Whitted Park. Since the event began in 2014 with just a few attendees each month, attendance has increased to more than 4,000 attendees and over 20 food trucks. The event has outgrown its current location, but would like to continue the momentum of the event and transition to Albert Whitted Park in September. The committee was asked to consider approving the September event and waiving the late fee for FY17, as well as approving monthly events for FY18 and waiving the late fee. There was a brief discussion regarding the committee’s desire to monitor the profit and loss for the event for the next several months. Although the applicant is a non-profit, the committee expressed a desire to see another non-profit eventually benefit from monthly event. A motion was made to approve the event and late fee waiver with the caveat that a profit/loss statement be submitted monthly for the next six (6) months. The committee voted unanimously to approve the event for FY17 and FY18, and to waive the late fee for the applications.

The committee also considered for approval the application 2017 Tampa Bay Walk for Children with Apraxia of Speech and the request to waive the late fee. Following a brief discussion, the application for the event and the late fee waiver were approved unanimously.

Respectfully submitted,
Lynn Gordon
Co-Sponsored Events Committee Liaison
Item G-5(a) backup will be available at a later date.

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 Gulf to Bay Food Truck Association Inc.; authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.
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, 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 Childhood Apraxia of Speech Association of North America, Inc. (“CASANA”) did not meet the six (6) month requirement of Section D; and

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

WHEREAS, CASANA has requested that City Council waive the payment of the $1,200 waiver fee for the following reason:

In the last few months, the applicant group – a national organization - has gone through a number of leadership changes, which prompted the group to consider several different dates for the event.

WHEREAS, the Co-Sponsored Events Committee has reviewed the CASANA 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, 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: 00339667.doc v1
Resolution No. 2017-________

A RESOLUTION APPROVING EVENTS FOR CO-SPONSORSHIP IN NAME ONLY BY THE CITY FOR FY2017 AND FY2018; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, entities have requested that the City co-sponsor their public events in name only for FY2017 and FY2018; 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, both applicants are active Florida Not For Profit Corporations and are otherwise in compliance with Resolution No. 2000-562(a) 8; 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 entities and recognize them as events that will benefit the community and recommend approval of the events for co-sponsorship.

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 FY2017 and FY2018;

FY2017 Event

<table>
<thead>
<tr>
<th>Event Name</th>
<th>Non Profit</th>
<th>Profit Organization</th>
<th>Event Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food Truck Rally – Monthly (Asian Lantern Festival)</td>
<td>GULF TO BAY FOOD TRUCK ASSOCIATION INC.</td>
<td></td>
<td>09/15/17</td>
</tr>
</tbody>
</table>
FY2018 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>Food Truck Rally – Monthly</td>
<td>GULF TO BAY FOOD TRUCK ASSOCIATION INC.</td>
<td>CHILDHOOD APRAXIA OF SPEECH ASSOCIATION OF NORTH AMERICA, INC.</td>
<td>3rd Friday Monthly</td>
</tr>
<tr>
<td>Walk for Apraxia</td>
<td></td>
<td></td>
<td>10/29/17</td>
</tr>
</tbody>
</table>

;and

BE IT FURTHER RESOLVED that Gulf to Bay Food Truck Association Inc. shall provide a monthly profit/loss statement to the City for each event held for the next six (6) months; 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: 00340193.doc. v3
AN ORDINANCE OF THE CITY OF ST. PETERSBURG, AMENDING CHAPTER 28, VEHICLES FOR HIRE TO ADD TRANSPORTATION NETWORK COMPANY VEHICLES AS EXEMPT VEHICLES; DELETING THE REQUIREMENT FOR A PUBLIC VEHICLE DRIVER’S PERMIT AND REFERENCES TO SAID PERMIT; REMOVING SOME REQUIREMENTS FOR VEHICLES FOR HIRE TO MORE CLOSELY ALIGN WITH STATE REQUIREMENTS FOR TRANSPORTATION NETWORK COMPANIES; AMENDING CATEGORIES RELATING TO FEES FOR PUBLIC VEHICLES IN SECTION 12-6(9); AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section 1. The definition of “Exempt vehicles” in Section 28-1 is hereby amended to read as follows:

*Exempt vehicles* means one of the following:

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

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

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


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

6. Exclusive ride-sharing vehicles as defined in F.S. § 341.031.
(7) Shuttle services owned and operated directly by a hotel or motel for transportation limited to registered guests thereof.

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

(9) Transportation network company vehicles as defined in F.S. §627.748.

Section 2. The definition of “Public Vehicle driver’s permit” in Section 28-1 is hereby deleted in its entirety.

Section 3. Section 28-14 of the St. Petersburg City Code is hereby amended to read as follows:

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

(a) All public vehicles which are regulated by this chapter except nonmotorized vehicles and low speed vehicles shall be equipped with the following:

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

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

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

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

(5) Body, fenders, doors, trim and grill reasonably free from cracks, breaks, and dents that would impair the safety or appearance of the public vehicle;

(6) Glass in the windshield and windows that shall be approved safety non-shatterable glass;

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

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

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

(10) Standard, operational windshield wipers for the entire front windshield which shall be controlled electronically or by vacuum and operated from the interior of the public vehicle. The wiper blades shall be in such a condition as to make firm contact with the windshield when operational, and shall not be torn or badly worn;
(11) An operational parking brake and an operational primary brake system which acts on all of the vehicle's axles; and

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

(b) The public vehicle shall be structurally sound and operate with a minimum of noise and vibration, and the driver's vision shall be unobstructed on all four sides of the public vehicle.

(c) There shall be a place provided for the driver's permit and the driver's appropriate valid State driver's license to be prominently displayed.

(d) Additionally, for taxicabs, the items listed below shall be required:

(1) The operator's trade name, monogram or insignia, taxicab number and telephone number shall be permanently affixed upon the metal portion of the outside of each side of the taxicab in letters at least three inches high, painted in a color contrasting to that of the taxicab. The color scheme and insignia shall be provided to the City and must be uniform through each fleet of vehicles. If there are any changes in color scheme, insignia, or cruise light design the City shall be notified within ten days of the change.

(2) A two-way radio or its equivalent shall be installed and operating properly with access to or affiliated with a central dispatch facility.

(3) A taximeter shall be installed and illuminated so as to be easily seen by a passenger sitting in any part of the taxicab.
   a. The taximeter will be of such a type and design as will properly and accurately compute and display on its face the charge for distance traveled or the charge for waiting time.
   b. The operation of any taxicab with a taximeter which is defective or which does not properly and accurately compute and display on its face the charge for distance traveled or the charge for waiting time shall constitute a violation of this article.
   c. The taximeter shall be inspected each time a periodic inspection is made. The taximeter shall be inspected annually by the department of agriculture bureau of weights and measures and their seal affixed to the meter.
   d. No taximeter shall be used between sunset and sunrise unless the face thereof shall be illuminated by a light so arranged as to give continuous light upon the taximeter.
   e. The taximeter shall be one approved by the State department of agriculture bureau of weights and measures or such other enforcing department of the State.
   f. There shall be a signal or other device affixed to the taximeter which indicates whether the taxicab is in use.

(4) Each operator shall have posted inside of each taxicab, in a conspicuous place, the detailed tariff charged or to be charged for transportation; or the tariff must be readily available on any taxicab website or digital application. This tariff shall be printed in such a size as to allow it to be easily readable by persons sitting in the rear seat of the
This tariff shall conform to and be an exact duplicate of the tariff filed with the POD as required by this article.

(53) The name of the driver shall be plainly posted on the inside of the taxicab and it shall also state whether the driver is the owner or lessee of the taxicab.

(64) The taxicab may have a roof identification device or a dashboard mounted identification device visible from the exterior indicating that the vehicle is a taxicab which may include a device to indicate whether the taxicab is available for hire or is vacant.

(75) In addition to any vehicle signs allowed by the sign section of the land development regulations, taxicabs shall be allowed one triangular or one two-sided sign on the roof of the taxicab which shall not exceed two feet in height (as measured from the roof) or one one-sided sign which shall be attached to the trunk or bumper and directed toward vehicles following the taxicab. No sign face shall extend beyond any side of the vehicle and no sign face shall exceed five feet in length. If vehicle or window wraps are used, the trade dress insignia must still be readily visible to the public.

(e) Exempt vehicles are not required to comply with this section.

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

(1) Non-motorized vehicles shall be equipped with:
   a. All safety equipment required for vehicles including horn, lights, reflectors and seatbelts, where applicable;
   b. A signaling device, which may be human powered such as a whistle;
   c. A clean, sanitary interior, free from torn upholstery or floor covering and from damaged or broken seats;
   d. Doors which operate easily and close securely and door hinges and latches in good mechanical working order, if the vehicle is designed to have doors; and
   e. Tires of the size appropriate for the vehicle, with no mismatched "sized" tires.

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

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

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

(5) There shall be a place provided in the vehicle for the public vehicle driver's permit picture to be displayed;

(6) Non-motorized vehicles with passengers, except for pedal buses and horse carriages, may only operate between 9th Avenue South and 9th Avenue North and between 32nd Street and Tampa Bay.
(7) Non-motorized vehicles shall enter into a license agreement with the City prior to transporting passengers;

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

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

a. A public vehicle certificate shall be issued provided the applicant meets all the requirements set forth in this chapter and provides a copy of a current, valid license agreement with the City. The public vehicle certificate shall be visible from the exterior of the pedal bus on the rear of the vehicle. Failure to have a current, valid license agreement shall result in immediate revocation of the public vehicle certificate.

b. A public vehicle certificate holder shall operate the pedal bus within 30 days of obtaining a public vehicle certificate.

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

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

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

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

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

2. The pedal bus shall not operate on December 31 and July 4 between and including 5th Avenue North to 5th Avenue South from Tampa Bay to Interstate I-275 after 5:00 p.m. The POD may increase or decrease the distance and time limitations as determined necessary to have unobstructed pedestrian and vehicular access.

3. Tropicana Field Events. Pedal buses shall not operate between and including 6th Street and 20th Street and Central Avenue to 5th Avenue South for 1.0 hour prior to and 1.0 hour after an event held at Tropicana Field.

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

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

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

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

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

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

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

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

   j. A violation of the requirements in this section shall constitute a violation of this Code pursuant to Section 1-7 and may be grounds to revoke a public vehicle certificate.

(g) Low speed vehicles are required to comply with the following:

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

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

   3. Low speed vehicles shall have the exterior parts free from cracks, breaks and dents;

   4. Low speed vehicles shall be structurally sound and operate with a minimum of noise and vibration;

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

(7) There shall be a place provided in the vehicle for the public vehicle driver's permit picture to be displayed which shall be readily visible to occupants;

(8) Examples of the color scheme and insignia shall be provided to the City and must be uniform through each fleet of vehicles. In addition to any vehicle signs allowed by the sign section of the land development regulations, low speed vehicles are allowed to have both of the signs allowed for taxicabs and any sign on the roof of the vehicle may have sign faces up to five feet in length. If vehicle or window wraps are used, the trade dress insignia must still be readily visible to the public.

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

(10) Low speed vehicles which may charge a fee shall be regulated as a taxicab but shall not be required to have 24-hour dispatch service, a minimum number of public vehicle certificates, or a taxicab meter.

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

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

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

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

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

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

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

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

(i) Non-public sector buses, limousines, and vans shall operate as a pre-arranged service and shall not solicit "walk up" passengers unless operating pursuant to a written agreement with the ownership or management of the location of the solicitation.

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

Section 3. Section 28-15 of the St. Petersburg City Code is hereby amended to read as follows:
Sec. 28-15. - Public vehicle certificate requirement.

(a) It shall be unlawful to operate any public vehicle which picks up a new fare within the City limits without a valid certificate affixed to the public vehicle.

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

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

(d) Each certificate shall expire on September 30 and may be renewed upon payment of the prescribed fee prior to expiration.

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

(f) For each new public vehicle certificate issued between October 1 and March 31, the full amount of the certificate shall be paid. For each new public vehicle certificate issued on or after April 1, one-half of the total amount of the public vehicle certificate shall be paid. This section does not apply to temporary 14-day certificates as set forth in this chapter.

(g) Upon the cancellation or lapse of any policy of insurance as required by this article, the certificate issued pursuant to this article shall be immediately revoked unless, before the expiration date of the policy of insurance, another policy of insurance containing all the requirements of the original policy of insurance is obtained. However, any holder of a certificate may make application to the POD for a voluntary suspension of the certificate for a term not to exceed six months and not to extend beyond the certificate term. The POD, in granting a voluntary suspension of a certificate, shall require the holder of the certificate to surrender possession of the certificate to the POD, but the surrender of possession of the certificate shall not be construed to be a cancellation thereof unless the holder of the certificate shall fail to file with the POD a policy of insurance before the expiration date of the suspension period. During the time of the voluntary suspension of the certificate, the operator shall not be required to maintain the policy of insurance as required by this article. A public vehicle certificate may be transferred during the voluntary suspension period.

(h) The holder of any public vehicle certificate may assign the certificate to any person or any vehicle otherwise qualified under this article, however, a transfer fee of $25.00 must be paid to the City and the appropriate transfer application must be filed with the City before each certificate may be transferred. The person or vehicle that the certificate is to be transferred to must meet all the requirements for the issuance of a public vehicle certificate. The holder shall not transfer the certificate to any other vehicle without filing a transfer application and making payment of the transfer fee of $25.00 per certificate transferred. Each vehicle
receiving a transferred certificate must meet all the requirements for the issuance of public vehicle certification.

(i) The applicant for a certificate required by this section shall make a notarized application therefor to the POD upon application blanks to be furnished by the POD, which application shall contain, but not be limited to, the following information:

1. The owner of the vehicle and, if not owned by the applicant, from whom the vehicle is leased or rented;
2. The make and model of the vehicle and the year of its manufacture, together with the serial number of the vehicle and the seating capacity thereof;
3. The State license plate number of the motor vehicle;
4. If the owner of the vehicle is a corporation, the officers thereof;
5. If the owner of the vehicle is a partnership, the name and residence of each partner;
6. The principal business location of the owner of the vehicle;
7. A detailed rate and fare schedule to be charged for the vehicle, if applicable;
8. Whether the vehicle is to be operated as a taxicab, van, limousine/car service, low speed vehicle, vessel or non-motorized vehicle; and
9. If the vehicle is a taxicab, taxicab parent company information: including: name, address, and telephone number.
   a. Name, address, and phone number;
   b. Color scheme;
   c. Insignia design;
   d. Cruising light design.

(j) In addition to the above required application information, the applicant shall:

1. State, declare and agree that the applicant will comply with all of the requirements of this chapter and that for a violation of any of the provisions of this chapter, the POD shall be at liberty to cancel and withdraw the certificate and terminate the right of the person to use the streets of the City to operate a public vehicle, upon notice and a reasonable opportunity to be heard regarding such proposed action;
2. Agree to maintain and keep in workable condition one vehicle for each certificate;
3. Include an attached notarized statement from the applicant's mechanic or from a licensed automotive garage or a mechanic accepted by the City, certifying that the vehicle meets the minimum standards contained within this chapter and applicable State law. Low speed vehicles shall provide to the POD a copy of the certificate of title and registration from the State and any other document deemed necessary by the POD to show that the vehicle is a low speed vehicle including, but not limited to, a State approved inspection sheet;
(4) State, declare and agree that the applicant and all employees will service all areas of the City. Non-motorized vehicles, vessels, and low speed vehicles are not required to comply with this provision; and

(5) If a taxicab, include an attached notarized statement from the owner of the taxicab that the owner will provide 24-hour radio dispatch service or an equivalent of radio dispatch.

(k) Before a certificate required by this article shall be issued by the POD, the applicant for a certificate of the public vehicle shall conform to the following requirements:

(1) Pay to the City the administrative certificate fee for each public vehicle certificate as set forth in chapter 12.

(2) File with the POD satisfactory evidence of holding a motor vehicle liability insurance policy insuring against loss from liability for bodily injury, death, and property damage, with coverage limits not less than the minimum amounts specified by F.S. § 324.032 or such greater minimum amounts as may be required by other provisions of F.S. ch. 324, applicable to the applicant. Notwithstanding the foregoing, non-motorized vehicles, except for pedal buses, shall be required to obtain general liability insurance in the amount of $300,000.00 per occurrence, pedal buses shall provide the insurance limits as set forth in this chapter (currently 28-14(f)), and the City shall be named as an additional insured on the insurance certificate. The policy of insurance shall provide that notice for the cancellation thereof shall be given not less than ten days in advance of the effective date of such cancellation to the POD. The insurance policy shall provide that the City shall receive all notices of any kind (termination, cancellation, renewal, nonrenewal, rate increase, etc.) which shall be sent to the POD.

a. If the holder of public vehicle certificates has more than one insurance policy for the holder’s public vehicles, the policies shall have the same expiration date. Any exceptions must be approved in writing by the POD.

b. The holder of a public vehicle certificate shall provide a schedule issued by the insurance carrier of all vehicles covered by the certificate of insurance. A change of the certificate of insurance shall be provided to the POD from the authorized insurance representative when public vehicles are added or deleted from the policy. The City shall be named as a certificate holder on the insurance certificate of all insurance policies maintained to satisfy the requirements of this section.

(3) Provide evidence that the operator shall have at least three public vehicle certificates to operate three taxicabs for public transportation in the City as part of his taxicab business. This provision shall only apply to taxicabs.

(l) Non-motorized vehicles and low speed vehicles are required to comply with this section unless otherwise specifically exempted from a particular provision. All exempt vehicles are not required to comply with this section.

(m) A person who makes application for a public vehicle certificate shall be issued such a certificate upon a showing to the City, in the manner prescribed in this chapter of the Code that the person has met all the requirements for issuance of such a certificate.
(n) The public vehicle certificate is delinquent if not renewed by September 30 of each year. Any public vehicle certificate not renewed is deemed expired. Delinquent fees are subject to a delinquency penalty of ten percent for the month of October plus an additional five percent penalty for each month or portion thereof of delinquency thereafter until paid. The total delinquency penalty shall not exceed 25 percent of the fee due. The payment of this delinquency penalty is not in lieu of other penalties provided by this article. It is no defense of nonpayment of any public vehicle certificate that the business or person was not notified that payment was due to the City. Any holder of a public vehicle certificate for a previous year who does not renew by September 30 of the current year is subject to the delinquency penalty as set forth in this paragraph regardless of the subtraction or addition of new vehicles to their fleet. If a delinquent certificate holder adds or subtracts new vehicles to their fleet, a delinquency penalty shall be assessed on the total vehicles within their fleet at the time of reinstatement.

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

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

Section 4. Section 28-27 of the St. Petersburg City Code is hereby amended to read as follows:

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

(a) Background check requirements for all public vehicle drivers:

(1) It shall be unlawful for any driver of a public vehicle to drive or operate a public vehicle within the City unless that person has first undergone a background check meeting the requirements of this Chapter. It shall be unlawful for any vehicle for hire parent company to allow a person who has not met the background check requirements of this Chapter to drive or operate a public vehicle for hire within the City, which is owned, leased, or contracted by the parent company.
(2) All drivers must have undergone a local and national criminal background check that includes:
   a. A search of the Multi-State/Multi-Jurisdiction Criminal Records Locator or other similar commercial nationwide database with validation of any records through primary source search; and
   b. A search of the National Sex Offender Public Website maintained by the U.S. Department of Justice; and
   c. A driving history report including driving history for the preceding 3 years.

(3) No driver may be permitted to drive or operate a public vehicle if any of the following conditions exists, as determined by the required background check:
   a. The driving history research report reveals that the individual has had more than three moving violations in the prior 3-year period.
   b. The individual has been convicted, within the past 5 years of:
      i. A felony;
      ii. A misdemeanor for driving under the influence of drugs or alcohol, reckless driving, hit and run, or for fleeing or attempting to elude a law enforcement officer;
      iii. A misdemeanor for a violent offense or sexual battery, or a crime of lewdness or indecent exposure under Chapter 800, Florida Statutes;
   c. Has been convicted within the past 3 years of driving with a suspended or revoked license;
   d. Is a match in the National Sex Offender Public Website maintained by the U.S. Department of Justice; or
   e. Does not possess a valid driver’s license,
   f. Date of conviction means the date of adjudication and imposition of sentence.

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

(1) Violate any of the terms, provisions or directions of this article;
(2) Fail to keep a written or digital manifest of all trips, which documents information as to the time of each trip, the starting and ending point of each trip, together with the number of persons carried. Every driver shall maintain a daily manifest upon which they shall promptly and legibly record the following information: name of driver, vehicle number, year, month, date, and the starting time, place of origin and destination of each trip during a driver's operating period. All manifests shall be subject to inspection by the POD and law enforcement officials. The manifest shall be available for inspection at all times and shall be kept available for a period of not less than six months.
(3) Fail to report promptly all accidents to the Police Department;
(4) Operate any public vehicle when the individual's driver's permit required by this article or state driver's license required by State law has been revoked or during the time when the individual's driver's permit or state driver's license is suspended;
(5) Fail to give a written or digital receipt for fares when requested by passengers. Such
digital receipts must be provided within 24 hours of the end of the fare.
(6) Operate a vehicle for more than 12 hours of any continuous 24-hour period.
(7) It shall be unlawful for a driver of a public vehicle as defined herein to have located
within the interior of that public vehicle any:
   a. Two-way or similar scanners;
   b. Two-way radio frequency monitors; or
   c. A radar detector.
(b) It shall be unlawful for any person to drive or operate a public vehicle for hire within the
City unless that person has a valid, current public vehicle driver's permit. It shall be unlawful
for any vehicle for hire parent company to allow a person to drive or operate a public vehicle
for hire within the City, which is owned, leased, or contracted by the parent company, unless
that person has a valid, current public vehicle driver's permit.
(e) It shall be unlawful for any person to drive a handicap, a low-speed vehicle or non-
motorized vehicle for hire within the City unless that individual has obtained from the City a
public vehicle driver's permit.
(d) If a taxicab parent company fails to provide 24-hour dispatch service, or the equivalent
thereof, or to keep a minimum of three certificates to operate three taxicabs for public
transportation in the City, then all certificates issued under that parent company will be
revoked.
(ec) All public vehicle trips dispatched by the public vehicle dispatch service holder shall be
immediately recorded on a dispatch ticket indicating the time, date and origin of each trip
dispatched. All dispatch tickets shall be maintained by the public vehicle certificate holder
for at least 30 days from the date of the dispatch ticket and shall be available for inspection
at all times within that period. All dispatch tickets shall be subject to inspection by the POD
and law enforcement officials. Such dispatch tickets may be kept and provided as digital
records.
(fd) All public vehicle drivers shall comply with all applicable laws regarding non-
discrimination against passengers or potential passengers on the basis of destination, race,
color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or
gender identity.
(ge) All public vehicle drivers shall comply with all applicable laws relating to accommodation
of service animals.
(hf) There shall be no additional charges for providing services to persons with disabilities
because of those disabilities.
(ig) Public vehicle drivers shall provide passengers an opportunity to indicate whether they
require a wheelchair-accessible vehicle. If a driver cannot arrange a wheelchair-accessible
service, it shall direct the passenger to an alternate provider of wheelchair-accessible public
vehicle services.
Section 5. Section 28-28 of the St. Petersburg City Code is hereby deleted in its entirety.

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

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

Section 7. As used in this ordinance, language appearing in struck-through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise. Sections of this ordinance that amend the City Code to add new sections or subsections are generally not underlined.

Section 8. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is determined unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

Section 9. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto this Ordinance, in which case this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

___________________________
City Attorney or Designee
TO: Budget, Finance and Taxation Committee

FROM: Tom Greene, Budget and Management Director

DATE: September 1, 2017

RE: FY18 First Public Hearing – Ordinance Number 298-H

Please find attached three changes to Section 2, the Capital Improvement Section of Ordinance 298-H. The changes are highlighted in red on the following page and a full clean Ordinance 298-H is also attached.

The projects that are proposed to be deleted Mahaffey Theater ($50,000) and MLK South over Booker Creek Bridge ($350,000) were appropriated in the FY17 CIP budget. One project is added for the Fleet Shop Equipment Lift Rack Replacement ($400,000) and reflect the actual proposed projects for FY18 in the General Capital Improvement Fund.

Finally, the original Ordinance 298-H misidentified the Citywide Infrastructure Fund as the Neighborhood & Citywide Infrastructure Fund – its former name.

The above changes have been incorporated into the attached version of Ordinance 298-H

Attachments:
   1) Redlined page 3 showing changes
   2) Clean version of Ordinance 298-H
SECTION 2. For the payment of capital improvements as set forth in the Capital Improvement Program of the City of St. Petersburg, Florida for the fiscal year ending September 30, 2018, there is hereby appropriated from the monies in the Treasury of the City and any accruing revenues of the City available for said purposes to the funds and for the purposes hereinafter set forth, the sum of monies as shown in the following schedules:

### CAPITAL IMPROVEMENT FUNDS

#### GENERAL CAPITAL IMPROVEMENT FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intown Streetscape Improvements</td>
<td>200,000</td>
</tr>
<tr>
<td>Mahaffey Theater</td>
<td>50,000</td>
</tr>
<tr>
<td>Municipal Office Building Repairs &amp; Improvements</td>
<td>2,025,000</td>
</tr>
<tr>
<td>MLK South over Booker Creek Bridge/Fleet Shop Equipment Lift Replacement</td>
<td>350,000</td>
</tr>
<tr>
<td>Subtotal</td>
<td>3,550,000</td>
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</tbody>
</table>

#### HOUSING CAPITAL IMPROVEMENT FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Collection Expense</td>
<td>25,000</td>
</tr>
<tr>
<td>Housing total</td>
<td>25,000</td>
</tr>
</tbody>
</table>

#### PUBLIC SAFETY CAPITAL IMPROVEMENT FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Engine 14 Replacement</td>
<td>227,000</td>
</tr>
<tr>
<td>Fire Heavy Rescue F414 Replacement</td>
<td>614,000</td>
</tr>
<tr>
<td>Mobile Video Surveillance Trailers</td>
<td>82,500</td>
</tr>
<tr>
<td>Police Take Home Cruisers</td>
<td>800,000</td>
</tr>
<tr>
<td>Public Safety total</td>
<td>1,723,500</td>
</tr>
</tbody>
</table>

### NEIGHBORHOOD & CITYWIDE INFRASTRUCTURE IMPROVEMENT

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bridge: Bayou Grande N of Tanglewood</td>
<td>300,000</td>
</tr>
<tr>
<td>Bridge Reconstruction/Load Testing</td>
<td>750,000</td>
</tr>
<tr>
<td>Emergency Dredging-Small Boat</td>
<td>50,000</td>
</tr>
<tr>
<td>Deuces Live/Warehouse Arts District</td>
<td>500,000</td>
</tr>
<tr>
<td>Innovation District Improvements</td>
<td>500,000</td>
</tr>
<tr>
<td>Neighborhood Enhancements</td>
<td>50,000</td>
</tr>
<tr>
<td>Neighborhood Partnership Grants</td>
<td>75,000</td>
</tr>
<tr>
<td>RR Crossing: 9th Ave N at 19th Street</td>
<td>50,000</td>
</tr>
<tr>
<td>Drainage Line Rehab/Replacement</td>
<td>700,000</td>
</tr>
<tr>
<td>Stormwater Vaults</td>
<td>300,000</td>
</tr>
<tr>
<td>Alley Reconstruction-Brick</td>
<td>300,000</td>
</tr>
<tr>
<td>Alley Reconstruction-Unpaved</td>
<td>300,000</td>
</tr>
<tr>
<td>Curb Replacement/Ramps</td>
<td>500,000</td>
</tr>
<tr>
<td>Sidewalk Reconstruction</td>
<td>600,000</td>
</tr>
<tr>
<td>Street and Road Improvements</td>
<td>4,000,000</td>
</tr>
<tr>
<td>Bicycle Pedestrian Facilities</td>
<td>100,000</td>
</tr>
<tr>
<td>Complete Streets</td>
<td>450,000</td>
</tr>
<tr>
<td>Intersection Modifications</td>
<td>50,000</td>
</tr>
<tr>
<td>Neighborhood Transportation Management</td>
<td>100,000</td>
</tr>
<tr>
<td>Sidewalk Expansion</td>
<td>350,000</td>
</tr>
<tr>
<td>Sidewalks-ADA Ramps</td>
<td>100,000</td>
</tr>
</tbody>
</table>
ORDINANCE NO. 298-H

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018; MAKING APPROPRIATIONS FOR THE PAYMENT OF THE OPERATING EXPENSES OF THE CITY OF ST. PETERSBURG, FLORIDA, INCLUDING ITS UTILITIES, AND FOR THE PAYMENT OF PRINCIPAL AND INTEREST OF REVENUE BONDS, AND OTHER OBLIGATIONS OF THE CITY OF ST. PETERSBURG, FLORIDA; MAKING APPROPRIATIONS FOR THE CAPITAL IMPROVEMENT PROGRAM OF THE CITY OF ST. PETERSBURG, FLORIDA; MAKING APPROPRIATIONS FOR THE DEPENDENT SPECIAL DISTRICTS OF THE CITY OF ST. PETERSBURG FLORIDA; ADOPTING THIS APPROPRIATIONS ORDINANCE AS THE BUDGET FOR THE CITY OF ST. PETERSBURG, FLORIDA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. That for payment of operating expenses and obligations of the City of St. Petersburg, Florida, for the fiscal year ending September 30, 2018, there is hereby appropriated out of any money in the Treasury of the City and any accruing revenues of the City available for said purposes to the funds and for the purposes hereinafter set forth, the sum of monies shown in the following schedules:

### OPERATING FUNDS

**GENERAL FUND**

<table>
<thead>
<tr>
<th>Department</th>
<th>Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>108,128,685</td>
</tr>
<tr>
<td>Fire Rescue</td>
<td>33,730,720</td>
</tr>
<tr>
<td>Leisure Services Administration</td>
<td>42,470,357</td>
</tr>
<tr>
<td>Neighborhood Affairs Administration</td>
<td>6,722,813</td>
</tr>
<tr>
<td>General Government Administration</td>
<td>40,606,467</td>
</tr>
<tr>
<td>Public Works Administration</td>
<td>10,561,216</td>
</tr>
<tr>
<td>City Development Administration</td>
<td>7,994,404</td>
</tr>
<tr>
<td><strong>Total – General Fund</strong></td>
<td><strong>$250,214,662</strong></td>
</tr>
</tbody>
</table>

### ENTERPRISE FUNDS

<table>
<thead>
<tr>
<th>Department</th>
<th>Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Resources</td>
<td>134,804,610</td>
</tr>
<tr>
<td>Water Cost Stabilization</td>
<td>1,585,541</td>
</tr>
<tr>
<td>Stormwater</td>
<td>17,017,364</td>
</tr>
<tr>
<td>Sanitation</td>
<td>43,951,156</td>
</tr>
<tr>
<td>Sanitation Equipment</td>
<td>3,035,753</td>
</tr>
<tr>
<td>Parking</td>
<td>6,747,772</td>
</tr>
<tr>
<td>Mahaffey Theater</td>
<td>602,933</td>
</tr>
</tbody>
</table>

1
Pier | 602,196  
Coliseum | 775,827  
Sunken Gardens | 1,267,310  
Tropicana Field | 2,140,308  
Airport | 1,206,937  
Marina | 4,195,188  
Golf Courses | 3,750,682  
Jamestown | 630,922  
Port | 353,244  
**Total - Enterprise Funds** | **$222,667,743**

**SPECIAL REVENUE FUNDS**  
Emergency Medical Services | 13,649,759  
Local Assistance Housing (SHIP) | 1,550,704  
Law Enforcement State Trust | 86,068  
Federal Justice Forfeiture | 22,000  
Grant Funds (CDBG, HOME, ESG, NSP) | 3,112,158  
Miscellaneous Donation Funds | 1,000,000  
Building Permit Special Revenue Fund | 5,458,597  
Special Assessments | 16,476  
School Crossing Guard | 370,000  
Weeki Wachee | 170,000  
Arts in Public Places | 110,000  
Professional Sports Facility Sales Tax | 1,925,185  
**Total - Special Revenue Funds** | **$27,470,947**

**INTERNAL SERVICE FUND RESERVES**  
Fleet Management | 81,989  
Municipal Office Buildings | 1,048,251  
Supply Management | 84,989  
**Total - Internal Service Fund Reserves** | **$1,215,229**

**DEBT SERVICE FUNDS**  
JP Morgan Chase | 3,077,949  
Bank of America Notes | 194,823  
BB&T Notes | 225,759  
Bank of America Leasing & Capital | 104,709  
TD Bank | 1,014,893  
Pro Sport Facility Sales Tax Debt | 1,900,304  
Public Service Tax Debt | 2,515,188  
Water Resources Debt | 25,318,087  
Stormwater Debt | 715,248  
Sanitation Debt | 1,293,560  
**Total - Debt Service Funds** | **$36,360,520**

**TOTAL - OPERATING BUDGET APPROPRIATIONS** | **$537,929,101**
SECTION 2. For the payment of capital improvements as set forth in the Capital Improvement Program of the City of St. Petersburg, Florida for the fiscal year ending September 30, 2018, there is hereby appropriated from the monies in the Treasury of the City and any accruing revenues of the City available for said purposes to the funds and for the purposes hereinafter set forth, the sum of monies as shown in the following schedules:

### CAPITAL IMPROVEMENT FUNDS

#### GENERAL CAPITAL IMPROVEMENT FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intown Streetscape Improvements</td>
<td>200,000</td>
</tr>
<tr>
<td>Municipal Office Building Repairs &amp; Improvements</td>
<td>2,025,000</td>
</tr>
<tr>
<td>Fleet Shop Equipment Lift Replacement</td>
<td>400,000</td>
</tr>
<tr>
<td><strong>General Capital Total</strong></td>
<td><strong>$2,625,000</strong></td>
</tr>
</tbody>
</table>

#### HOUSING CAPITAL IMPROVEMENT FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Collection Expense</td>
<td>25,000</td>
</tr>
<tr>
<td><strong>Housing Total</strong></td>
<td><strong>$25,000</strong></td>
</tr>
</tbody>
</table>

#### PUBLIC SAFETY CAPITAL IMPROVEMENT FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Engine 14 Replacement</td>
<td>227,000</td>
</tr>
<tr>
<td>Fire Heavy Rescue F414 Replacement</td>
<td>614,000</td>
</tr>
<tr>
<td>Mobile Video Surveillance Trailers</td>
<td>82,500</td>
</tr>
<tr>
<td>Police Take Home Cruisers</td>
<td>800,000</td>
</tr>
<tr>
<td><strong>Public Safety Total</strong></td>
<td><strong>$1,723,500</strong></td>
</tr>
</tbody>
</table>

#### CITYWIDE INFRASTRUCTURE IMPROVEMENT

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bridge: Bayou Grande N of Tanglewood</td>
<td>300,000</td>
</tr>
<tr>
<td>Bridge Reconstruction/Load Testing</td>
<td>750,000</td>
</tr>
<tr>
<td>Emergency Dredging-Small Boat</td>
<td>50,000</td>
</tr>
<tr>
<td>Deuces Live/Warehouse Arts District</td>
<td>500,000</td>
</tr>
<tr>
<td>Innovation District Improvements</td>
<td>500,000</td>
</tr>
<tr>
<td>Neighborhood Enhancements</td>
<td>50,000</td>
</tr>
<tr>
<td>Neighborhood Partnership Grants</td>
<td>75,000</td>
</tr>
<tr>
<td>RR Crossing: 9th Ave N at 19th Street</td>
<td>50,000</td>
</tr>
<tr>
<td>Drainage Line Rehab/Replacement</td>
<td>700,000</td>
</tr>
<tr>
<td>Stormwater Vaults</td>
<td>300,000</td>
</tr>
<tr>
<td>Alley Reconstruction-Brick</td>
<td>300,000</td>
</tr>
<tr>
<td>Alley Reconstruction-Unpaved</td>
<td>300,000</td>
</tr>
<tr>
<td>Curb Replacement/Ramps</td>
<td>500,000</td>
</tr>
<tr>
<td>Sidewalk Reconstruction</td>
<td>600,000</td>
</tr>
<tr>
<td>Street and Road Improvements</td>
<td>4,000,000</td>
</tr>
<tr>
<td>Bicycle Pedestrian Facilities</td>
<td>100,000</td>
</tr>
<tr>
<td>Complete Streets</td>
<td>450,000</td>
</tr>
<tr>
<td>Intersection Modifications</td>
<td>50,000</td>
</tr>
<tr>
<td>Neighborhood Transportation Management</td>
<td>100,000</td>
</tr>
<tr>
<td>Sidewalk Expansion</td>
<td>350,000</td>
</tr>
<tr>
<td>Sidewalks-ADA Ramps</td>
<td>100,000</td>
</tr>
<tr>
<td>Wayfair Signage Replacement Replacement</td>
<td>150,000</td>
</tr>
</tbody>
</table>
ATTACHMENT D

Seawall Renovation/Replacement 800,000
Special Assessments 75,000
Neighborhood & Citywide Total $11,150,000

RECREATION & CULTURE CAPITAL IMPROVEMENT
Athletic Complex Restrooms/Concessions 415,000
Athletic Facilities Improvements 200,000
Dugout Improvements 60,000
Outdoor Court Facility Improvements 285,000
Coliseum Improvements 150,000
Coliseum Window Replacements 280,000
Mahaffey Theater Exterior Wall 200,000
Mahaffey Theater Improvements 500,000
Library Improvements 200,000
North Community Library Roof Replacement 350,000
Radio Frequency ID System 90,000
Boardwalk, Dock, Pier Improvements 100,000
Lake Maggiore/Boyd Hill 1,000,000
Park Facilities Improvements 250,000
Parking Lot Improvements 125,000
Parks Lighting Improvements 125,000
Play Equipment Replacement 450,000
Playlot Improvements 130,000
Restoration to Fountains/Plaques/Statues 150,000
Dell Holmes Splash Pad Renovation 100,000
Northwest Aquatic Complex Phase II 200,000
Swimming Pool Improvements 350,000
Lawn Bowling Club Reroofing 100,000
Recreation Center Improvements 200,000
Sunshine Center Improvements 100,000
Sunken Gardens Lower Roof Replacement 150,000
Sunken Gardens Improvements 250,000
Recreation and Culture Total $6,510,000

CITY FACILITIES CAPITAL IMPROVEMENT FUND
Dwight Jones Flooring Replacement 50,000
Infrastructure to be Determined 200,000
City Facility HVAC 150,000
Fleet HVAC Replacement 65,000
City Facility Roof Waterproofing 200,000
Environmental Cleanup Projects 50,000
Fire Facilities Major Improvements 100,000
City Facilities Total $815,000

BICYCLE/PEDESTRIAN SAFETY IMPROVEMENTS
HSIP Downtown Bulbouts 1,127,583
Sidewalk Sexton Elementary 308,341
<table>
<thead>
<tr>
<th>Project Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treasure Island Trail Phase II</td>
<td>69,962</td>
</tr>
<tr>
<td>Bicycle/Pedestrian Total</td>
<td>$1,505,886</td>
</tr>
<tr>
<td><strong>DOWNTOWN PARKING CAPITAL PROJECTS</strong></td>
<td></td>
</tr>
<tr>
<td>MSC 24 Hour Access</td>
<td>500,000</td>
</tr>
<tr>
<td>New Meter Technology</td>
<td>200,000</td>
</tr>
<tr>
<td>New Meters Downtown</td>
<td>200,000</td>
</tr>
<tr>
<td>Parking Lot Lighting</td>
<td>60,000</td>
</tr>
<tr>
<td>Downtown Parking Total</td>
<td>$960,000</td>
</tr>
<tr>
<td><strong>WATER RESOURCES CAPITAL PROJECTS FUND</strong></td>
<td></td>
</tr>
<tr>
<td>Water Treatment/Supply</td>
<td>8,350,000</td>
</tr>
<tr>
<td>Water Distribution System Improvements</td>
<td>9,725,000</td>
</tr>
<tr>
<td>Sanitary Sewer Collection System</td>
<td>22,500,000</td>
</tr>
<tr>
<td>Lift Station Improvements</td>
<td>960,000</td>
</tr>
<tr>
<td>Water Reclamation Facilities Improvements</td>
<td>78,785,000</td>
</tr>
<tr>
<td>Reclaimed Water System Improvements</td>
<td>175,000</td>
</tr>
<tr>
<td>Water Resources Building</td>
<td>370,000</td>
</tr>
<tr>
<td>Repayment of FY17 Advances</td>
<td>7,600,000</td>
</tr>
<tr>
<td>Computerized System Improvements</td>
<td>530,000</td>
</tr>
<tr>
<td><strong>Water Resources Total</strong></td>
<td>$128,995,000</td>
</tr>
<tr>
<td><strong>STORMWATER DRAINAGE CAPITAL PROJECTS</strong></td>
<td></td>
</tr>
<tr>
<td>Stormwater Lift Stations</td>
<td>160,000</td>
</tr>
<tr>
<td>Infrastructure and Neighborhood Resilience</td>
<td>1,000,000</td>
</tr>
<tr>
<td>Master Plan Update</td>
<td>1,500,000</td>
</tr>
<tr>
<td>Minor Storm Drainage</td>
<td>500,000</td>
</tr>
<tr>
<td>Drainage Line Rehab/Replacement</td>
<td>550,000</td>
</tr>
<tr>
<td><strong>Stormwater Drainage Total</strong></td>
<td>$3,710,000</td>
</tr>
<tr>
<td><strong>AIRPORT CAPITAL PROJECTS FUND</strong></td>
<td></td>
</tr>
<tr>
<td>Airport Master Plan Update</td>
<td>350,000</td>
</tr>
<tr>
<td><strong>Airport Total</strong></td>
<td>$350,000</td>
</tr>
<tr>
<td><strong>MARINA CAPITAL PROJECTS FUND</strong></td>
<td></td>
</tr>
<tr>
<td>Marina Facility Improvements</td>
<td>100,000</td>
</tr>
<tr>
<td>Marina Piling Replacement</td>
<td>165,000</td>
</tr>
<tr>
<td>Marina Rebuild Central Yacht Basin</td>
<td>200,000</td>
</tr>
<tr>
<td><strong>Marina Total</strong></td>
<td>$465,000</td>
</tr>
</tbody>
</table>
## ATTACHMENT D

### MULTI MODAL IMPACT FEES CAPITAL PROJECTS

<table>
<thead>
<tr>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bike Share</td>
<td>50,000</td>
</tr>
<tr>
<td>City Trails</td>
<td>400,000</td>
</tr>
<tr>
<td>Downtown Intersection &amp; Pedestrian Facilities</td>
<td>250,000</td>
</tr>
<tr>
<td>Sidewalk Expansion</td>
<td>200,000</td>
</tr>
<tr>
<td>Traffic Safety Program</td>
<td>225,000</td>
</tr>
<tr>
<td>Complete Streets</td>
<td>450,000</td>
</tr>
<tr>
<td><strong>Multi Modal Total</strong></td>
<td><strong>$1,575,000</strong></td>
</tr>
</tbody>
</table>

### TOTAL CIP FUNDS

| Total CIP Funds | $160,409,386 |

### SECTION 3.

For dependent districts of the City of St. Petersburg, Florida, for the fiscal year ending September 30, 2018, there are hereby appropriated from the monies and revenues of said districts the sum of monies shown on the following schedule:

### DEPENDENT DISTRICTS

<table>
<thead>
<tr>
<th>District</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Facilities Authority</td>
<td>14,000</td>
</tr>
<tr>
<td>Downtown Redevelopment District</td>
<td>6,007,370</td>
</tr>
<tr>
<td><strong>Total - Dependent Districts</strong></td>
<td><strong>$6,021,370</strong></td>
</tr>
</tbody>
</table>

### SECTION 4.

Within the appropriations in Section 1, the following allocations are authorized:

### INTERNAL SERVICE ALLOCATIONS

<table>
<thead>
<tr>
<th>Allocation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fleet Management</td>
<td>17,763,126</td>
</tr>
<tr>
<td>Equipment Replacement</td>
<td>4,893,029</td>
</tr>
<tr>
<td>Municipal Office Buildings</td>
<td>3,490,980</td>
</tr>
<tr>
<td>Technology Services</td>
<td>10,850,515</td>
</tr>
<tr>
<td>Technology and Infrastructure</td>
<td>871,416</td>
</tr>
<tr>
<td>Supply Management</td>
<td>422,000</td>
</tr>
<tr>
<td>Health Insurance</td>
<td>52,442,740</td>
</tr>
<tr>
<td>Life Insurance</td>
<td>889,385</td>
</tr>
<tr>
<td>Self Insurance</td>
<td>2,998,720</td>
</tr>
<tr>
<td>Commercial Insurance</td>
<td>4,798,328</td>
</tr>
<tr>
<td>Workers Compensation</td>
<td>11,369,602</td>
</tr>
<tr>
<td>Billing &amp; Collections</td>
<td>9,771,854</td>
</tr>
<tr>
<td><strong>Total - Internal Services</strong></td>
<td><strong>$120,561,695</strong></td>
</tr>
</tbody>
</table>

### COMMUNITY SUPPORT ALLOCATIONS

<table>
<thead>
<tr>
<th>Allocation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Services</td>
<td>478,800</td>
</tr>
<tr>
<td>Pinellas Hope/Emergency Beds</td>
<td>100,000</td>
</tr>
<tr>
<td>Homeless Services</td>
<td>550,000</td>
</tr>
<tr>
<td>Meals on Wheels</td>
<td>50,000</td>
</tr>
<tr>
<td>St. Vincent DePaul</td>
<td>148,633</td>
</tr>
<tr>
<td>Unallocated Contingency</td>
<td>15,000</td>
</tr>
<tr>
<td>Turning Point</td>
<td>125,000</td>
</tr>
<tr>
<td>Early Childhood Development</td>
<td>125,000</td>
</tr>
<tr>
<td>Program/Project</td>
<td>Amount</td>
</tr>
<tr>
<td>-----------------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>TBBBIC</td>
<td>50,000</td>
</tr>
<tr>
<td>Night in 2020</td>
<td>65,000</td>
</tr>
<tr>
<td>Arts</td>
<td>300,000</td>
</tr>
<tr>
<td>Suncoasters</td>
<td>35,000</td>
</tr>
<tr>
<td>First Night</td>
<td>40,000</td>
</tr>
<tr>
<td>My Brothers/Sisters Keepers</td>
<td>674,659</td>
</tr>
<tr>
<td>Poynter Institute</td>
<td>30,000</td>
</tr>
<tr>
<td>Florida Orchestra</td>
<td>75,000</td>
</tr>
<tr>
<td>Central Arts</td>
<td>20,000</td>
</tr>
<tr>
<td>MLK Family Festival</td>
<td>35,000</td>
</tr>
<tr>
<td>Museum of History</td>
<td>12,000</td>
</tr>
<tr>
<td>Special Events Recruitment</td>
<td>17,000</td>
</tr>
<tr>
<td>Blue Ocean Film Festival</td>
<td>25,000</td>
</tr>
<tr>
<td>Local Business Events</td>
<td>35,000</td>
</tr>
<tr>
<td>Mayor’s Mini Grants</td>
<td>15,000</td>
</tr>
<tr>
<td>Mayor’s Matching Grants</td>
<td>35,620</td>
</tr>
<tr>
<td>Keep Pinellas Beautiful</td>
<td>10,000</td>
</tr>
<tr>
<td>Workforce Readiness</td>
<td>35,000</td>
</tr>
<tr>
<td>After School Work Program</td>
<td>125,000</td>
</tr>
<tr>
<td>Summer Youth Intern Program</td>
<td>275,000</td>
</tr>
<tr>
<td>Reads to Me</td>
<td>50,000</td>
</tr>
<tr>
<td>El Coltura</td>
<td>25,000</td>
</tr>
<tr>
<td>Main Streets</td>
<td>220,000</td>
</tr>
<tr>
<td>Carter G Woodson Museum</td>
<td>42,000</td>
</tr>
<tr>
<td>Economic Development</td>
<td>693,500</td>
</tr>
<tr>
<td><strong>Total-Community Support</strong></td>
<td><strong>$4,532,212</strong></td>
</tr>
</tbody>
</table>

**Subsidies:**
- Mahaffey Theater                                   | 450,000 |
- Pier                                                | 600,000 |
- Coliseum                                            | 191,000 |
- Sunken Gardens                                      | 154,000 |
- Tropicana Field                                     | 1,335,000|
- Jamestown                                           | 64,000  |
- Port                                                | 212,000 |
| **Total-Subsidies**                                  | **$3,006,000** |

**Transfers:**
- Economic Stability                                  | 500,000 |
- Debt                                                | 1,037,026|
- Technology                                          | 150,000 |
- Tax Increment Funds                                  | 10,570,715|
| **Total-Transfers**                                  | **$12,257,741** |

Contingency                                           | 2,988,162|

**Total - Non-Departmental**                           | **$22,784,115**
SECTION 5. The following categories are established as committed fund balances for future appropriation in the General Fund. The final amount will be determined subsequent to year-end when the actual results and ending balances for all funds has been determined. Commitment amounts can be changed by a resolution of City Council in accordance with the City Charter:

*Operating Re-appropriations*—Funds that are rolled over for purchases that could not be made in the previous year due to timing or other issues.

*Land Sale Proceeds*—This category was created to provide a funding source for acquiring property. Proceeds from the sale of City properties valued at less than $20,000 are deposited in the General Operating Fund and are to be used for acquiring property according to Resolution 2002-126 adopted by the City Council on February 21, 2002.

*Qualified Target Industry (QTI) Tax Refund Program*—This category was established to provide the City’s share of payments over the next five years for the QTI program, which provides funds to local businesses for the purpose of stimulating economic growth and employment.

*Local Agency Program (LAP)*—This category is established to provide the City’s share of commitments for maintenance of City roads and trails as a result of grant agreements with the Florida Department of Transportation (FDOT).

These commitment categories are effective as of the date of this ordinance which is prior to the end of the Fiscal Year 2017.

SECTION 6. After passage of this ordinance, changes to the allocation amounts listed in Section 4 may be accomplished in the same manner as changes to appropriations pursuant to City Charter Section 3.14.

SECTION 7. This appropriation ordinance is hereby adopted as the budget for the City of St. Petersburg for the fiscal year ending September 30, 2018.

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

APPROVED BY DEPARTMENT:  

[Signature]  
Budget Department  
00339582

APPROVED AS TO FORM AND SUBSTANCE:  

[Signature]  
City Attorney
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving the renewal of blanket purchase agreements with Dura-Cast Products, Inc., Iron Container LLC, Equipco Manufacturing, Inc., Wastequip Manufacturing Company LLC, Otto Environmental Systems (NC) LLC, and IES Sales and Service LLC, for refuse containers compactors and related products for the Sanitation Department, at an estimated two-year cost of $2,000,000, for a total contract amount of $4,200,000.

Explanation: On January 8, 2015, City Council approved three-year agreements for refuse containers, compactors and related products through January 31, 2018. On April 6, 2017, City Council approved an increase in allocation of $100,000. The agreements have one two-year renewal option.

The vendors furnish and deliver commercial and residential refuse containers, roll-off containers, compaction octagon containers, metal lids, open-top roll-off containers, self-contained compactors, recycling containers and polyethylene containers, as needed, to the Sanitation Department.

The Procurement Department, in cooperation with the Sanitation Department, recommends for renewal:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original agreement amount</td>
<td>$2,100,000</td>
</tr>
<tr>
<td>Allocation increase request</td>
<td>100,000</td>
</tr>
<tr>
<td>1st renewal</td>
<td>2,000,000</td>
</tr>
<tr>
<td>Total contract amount</td>
<td>$4,200,000</td>
</tr>
</tbody>
</table>

The vendors have agreed to renew under the same terms and conditions of IFB No. 5580, dated November 6, 2014. Administration recommends renewal of these agreements based on the vendor's past satisfactory performance and demonstrated ability to comply with the terms and conditions of these agreements. The renewal will be effective from the date of approval through January 31, 2020. Amounts paid to the contractors pursuant to these agreements shall not exceed a combined total of $4,200,000.

Cost/Funding/Assessment Information: Funds have been appropriated in the Sanitation Equipment Replacement Fund (4027).

Attachments: Bid Tabulation (10 pages)
             Resolution

Approvals:

[Signature]
M. C. Done
Administrative

[Signature]
DeVries C. Fuller 8.16.17
Budget
<table>
<thead>
<tr>
<th>Description</th>
<th>EAU</th>
<th>UOM</th>
<th>Unit Price</th>
<th>Extended Price</th>
<th>EAU</th>
<th>UOM</th>
<th>Unit Price</th>
<th>Extended Price</th>
<th>EAU</th>
<th>UOM</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Axle, 90 gallon, 22&quot; x 5/8&quot;, solid steel, zinc plated.</td>
<td>500</td>
<td>EACH</td>
<td>5.28</td>
<td>2,640.00</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
</tr>
<tr>
<td>2 Carts: dock and side dumping, 2,500 LB.</td>
<td>5</td>
<td>EACH</td>
<td>NB</td>
<td>NB</td>
<td>6,970.00</td>
<td>34,850.00</td>
<td>13.00</td>
<td>13,000.00</td>
<td>13.50</td>
<td>13,500.00</td>
<td>34,850.00</td>
<td>13,000.00</td>
</tr>
<tr>
<td>3 Caster, rigid, rubber.</td>
<td>1,000 EACH</td>
<td>NB</td>
<td>NB</td>
<td>12,200.00</td>
<td>36,600.00</td>
<td>15,050.00</td>
<td>45,150.00</td>
<td>15,050.00</td>
<td>45,150.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Caster, swivel, rubber.</td>
<td>2,500 EACH</td>
<td>NB</td>
<td>NB</td>
<td>12,000.00</td>
<td>36,000.00</td>
<td>14,950.00</td>
<td>44,850.00</td>
<td>14,950.00</td>
<td>44,850.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Compactor, power packs, unit with 10 HP power pack hydraulic motor, 3 phase electric motor for self contained compactor.</td>
<td>5 EACH</td>
<td>NB</td>
<td>3,100.00</td>
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<td>6 Compactor, power packs, Unit with 10 HP power pack, hydraulic motor, single phase electric motor, for self contained compactor.</td>
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<td>8 Compactor, self-contained, 15 CY.</td>
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<td>28 Container, commercial, double wall, plastic lids, 8 CY, slant top.</td>
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### RFQ No 5580 Three-Year Contract for City of St. Petersburg
Refuse Container, Compactors and Related Products

Don Enge, CPPB

**Bid Tabulation**
Procurement and Supply Management

<table>
<thead>
<tr>
<th>Description</th>
<th>EAU</th>
<th>UOM</th>
<th>Unit Price</th>
<th>Extended Price</th>
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<th>UOM</th>
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<th>EAU</th>
<th>UOM</th>
<th>Unit Price</th>
<th>Extended Price</th>
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<tr>
<td>29 Container, commercial, front load, high density crosslink polyethylene, includes lid, 2 CY.</td>
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<td>NB</td>
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<td>35 Container, commercial, metal lids, 6 CY, flat top, metal lids, plastic side sliding doors.</td>
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<td>10 EACH</td>
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<td>52 Container, compaction, octagon, (breakaway), 40 CY. Mfg./Model No.</td>
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<td>53 Container, compaction, octagon, (breakaway), 43 CY. Mfg./Model No.</td>
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<tr>
<td>54 Container, cross linkable polyethylene, black, 60 gallon.</td>
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<tr>
<td>55 Container, cross linkable polyethylene, midnight shower black, wheels,</td>
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<tr>
<td>56 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole, 30&quot;</td>
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<tr>
<td>57 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole, 30&quot;</td>
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<td>58 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole,</td>
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<td>59 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole,</td>
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<td>60 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole, 48&quot;</td>
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<tr>
<td>61 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole, 48&quot;</td>
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<tr>
<td>62 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole, 72&quot;</td>
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<tr>
<td>63 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole, 72&quot;</td>
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<tr>
<td>64 Container, polyethylene, black, 60 gallon.</td>
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<td>65 Container, polyethylene, black, 90 gallon.</td>
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<tr>
<td>66 Container, recycling, RFID, blue, large, 94-96 gallon.</td>
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<tr>
<td>67 Container, recycling, RFID, blue, medium, 64-66 gallon.</td>
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<tr>
<td>68 Container, recycling, RFID, blue, small, 32-35 gallon.</td>
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<tr>
<td>69 Container, roll-off, sludge, fiberglass lid.</td>
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<tr>
<td>70 Container, UV stabilized, cross-linkable high density polyethylene, id.</td>
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<td>71 Container, UV stabilized, cross-linkable high density polyethylene, id.</td>
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<tr>
<td>72 Container, UV stabilized, cross-linkable high density polyethylene, lid, 300 gallon, 2/3 opening, black, old style</td>
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<tr>
<td>73 Container, UV stabilized, cross-linkable high density polyethylene, lid, 300 gallon, 2/3 opening, brown, new style.</td>
<td>100 EACH</td>
<td>309.07</td>
<td>30,907.00</td>
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<tr>
<td>74 Container, UV stabilized, cross-linkable high density polyethylene, lid, 300 gallon, 2/3 opening, clay, new style.</td>
<td>100 EACH</td>
<td>316.64</td>
<td>31,664.00</td>
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<tr>
<td>75 Container, UV stabilized, cross-linkable high density polyethylene, lid, 300 gallon, 2/3 opening, green, new style.</td>
<td>400 EACH</td>
<td>305.71</td>
<td>122,284.00</td>
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<tr>
<td>76 Container, UV stabilized, cross-linkable high density polyethylene, lid, 300 gallon, 2/3 opening, grey, new style.</td>
<td>100 EACH</td>
<td>312.78</td>
<td>31,278.00</td>
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<tr>
<td>77 Handle, 20 gallon structural foam container, 5/16” bolt holes, carbon steel with Permalox coating</td>
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<tr>
<td>78 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, 2/3 opening, black, new style.</td>
<td>200 EACH</td>
<td>133.74</td>
<td>26,748.00</td>
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<tr>
<td>79 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, 2/3 opening, brown, new style.</td>
<td>200 EACH</td>
<td>136.56</td>
<td>27,312.00</td>
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<tr>
<td>80 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, 2/3 opening, clay, new style.</td>
<td>100 EACH</td>
<td>136.56</td>
<td>13,656.00</td>
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<tr>
<td>81 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, 2/3 opening, grey, new style.</td>
<td>100 EACH</td>
<td>140.01</td>
<td>14,001.00</td>
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<tr>
<td>82 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, 2/3 opening, green, new style.</td>
<td>100 EACH</td>
<td>135.08</td>
<td>13,508.00</td>
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<tr>
<td>83 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, 2/3 opening, clay, new style.</td>
<td>100 EACH</td>
<td>138.20</td>
<td>13,820.00</td>
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<tr>
<td>84 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, front one (1) piece lid, black.</td>
<td>200 EACH</td>
<td>75.80</td>
<td>15,160.00</td>
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<tr>
<td>85 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, rear lid, black.</td>
<td>200 EACH</td>
<td>57.94</td>
<td>11,588.00</td>
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<tr>
<td>86 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, split, double walls, left and right, black.</td>
<td>200 EACH</td>
<td>146.80</td>
<td>29,360.00</td>
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<tr>
<td>87 Lid, 90 gallon container, 100% cross-linked medium density polyethylene, black polymer.</td>
<td>700 EACH</td>
<td>24.98</td>
<td>17,486.00</td>
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<tr>
<td>88 Lid, commercial, 100% cross-linked polyethylene, black polymer, 36&quot; x 31&quot;, minimum weight 8 LB.</td>
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<tr>
<td>89 Lid, commercial, 100% cross-linked polyethylene, black polymer, 36&quot; x 41&quot;, minimum weight 10 LB</td>
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<tr>
<td>90 Lid, commercial, 100% cross-linked polyethylene, black polymer, 36&quot; x 45&quot;, minimum weight 12 LB</td>
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<td>NB</td>
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<tr>
<td>91 Lid, commercial, 100% cross-linked polyethylene, black polymer, 36&quot; x 49&quot;, minimum weight 12 LB</td>
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<tr>
<td>92 Lid, commercial, 100% cross-linked polyethylene, black polymer, 36&quot; x 58&quot;, minimum weight 15 LB</td>
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<td>600 EACH</td>
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<td>600 EACH</td>
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<tr>
<td>93 Lid, granny hatch, 300 gallon container, 100% cross-linked polyethylene, black polymer</td>
<td>200 EACH</td>
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<tr>
<td>94 Lids, recycling, sliding, 30&quot; x 30&quot;, 100% cross-linked polyethylene, black polymer, minimum weight 7 LB, 90 gallon</td>
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<td>100 EACH</td>
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<tr>
<td>95 Rod, 300 gallon granny hatch, hinge, PVC</td>
<td>2,000 EACH</td>
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<td>NB</td>
<td>NB</td>
<td>2,000 EACH</td>
<td>NB</td>
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<td>2,000 EACH</td>
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<tr>
<td>97 Wheel, 10&quot;, 100% cross-linked polyethylene, black polymer</td>
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<td>7.33</td>
<td>36,650.00</td>
<td>36,650.00</td>
<td>5,000 EACH</td>
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<td>5,000 EACH</td>
<td>7.33</td>
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Subtotal: $974,060.00 | $847,435.00 | $1,171,788.00
SBE Discount: $0.00 | $0.00 | $0.00
Payment Discount: $0.00 | $0.00 | $0.00
Total: $974,060.00 | $847,435.00 | $1,171,788.00
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<th>Description</th>
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<th>UOM</th>
<th>Unit Price</th>
<th>Extended Price</th>
<th>Description</th>
<th>EAU</th>
<th>UOM</th>
<th>Unit Price</th>
<th>Extended Price</th>
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<tbody>
<tr>
<td>1 Axle, 90 gallon, 22&quot; x 5/8&quot;, solid steel, zinc plated.</td>
<td>500 EACH</td>
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<tr>
<td>2 Carts: dock and side dumping, 2,500 LB. capacity.</td>
<td>5 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>5,041.00</td>
<td>25,205.00</td>
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<tr>
<td>3 Caster, rigid, rubber.</td>
<td>1,000 EACH</td>
<td>9.00</td>
<td>9,000.00</td>
<td>NB</td>
<td>5,041.00</td>
<td>25,205.00</td>
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<tr>
<td>4 Caster, swivel, rubber.</td>
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<td>9,000.00</td>
<td>NB</td>
<td>5,041.00</td>
<td>25,205.00</td>
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<tr>
<td>5 Compactor, power packs, unit with 10 HP power pack hydraulic motor, 3 phase electric motor for self contained compactor</td>
<td>5 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>5,041.00</td>
<td>25,205.00</td>
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<tr>
<td>6 Compactor, power packs, Unit with 10 HP power pack, hydraulic motor, single phase electric motor, for self contained compactor</td>
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<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>5,041.00</td>
<td>25,205.00</td>
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<td>7 Compactor, self-contained, 17 CY.</td>
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<td>21,023.00</td>
<td>63,069.00</td>
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<td>8 Compactor, self-contained, 15 CY.</td>
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<td>21,023.00</td>
<td>63,069.00</td>
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<td>10 Compactor, self-contained, 24 CY.</td>
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<td>63,069.00</td>
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<td>11 Compactor, self-contained, 25 CY.</td>
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<td>63,069.00</td>
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<td>12 Compactor, self-contained, 30 CY.</td>
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<td>21,023.00</td>
<td>63,069.00</td>
<td></td>
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</tr>
<tr>
<td>13 Compactor, self-contained, 36 CY.</td>
<td>3 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>21,023.00</td>
<td>63,069.00</td>
<td></td>
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</tr>
<tr>
<td>14 Compactor, vertapac, 2 CY, Marathon, TC HD, or approved equal</td>
<td>3 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>21,023.00</td>
<td>63,069.00</td>
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</tr>
<tr>
<td>15 Compactor, vertapac, 2.5 CY, Marathon, TC HD, or approved equal</td>
<td>3 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>21,023.00</td>
<td>63,069.00</td>
<td></td>
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</tr>
<tr>
<td>17 Container, 100% cross-linked polyethylene, granny hatch lid, 300 gallon black, old style</td>
<td>100 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>11,356.00</td>
<td>34,068.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18 Container, 100% cross-linked polyethylene, granny hatch lid, 300 gallon brown, old style</td>
<td>100 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td>11,356.00</td>
<td>34,068.00</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>20 Container, commercial, double wall, plastic lids, 1 CY, slant top.</td>
<td>20 EACH</td>
<td>294.00</td>
<td>5,880.00</td>
<td>NB</td>
<td>325.00</td>
<td>6,500.00</td>
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</tr>
<tr>
<td>21 Container, commercial, double wall, plastic lids, 2 CY, slant top.</td>
<td>75 EACH</td>
<td>366.00</td>
<td>27,450.00</td>
<td>NB</td>
<td>369.00</td>
<td>27,675.00</td>
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</tr>
<tr>
<td>23 Container, commercial, double wall, plastic lids, 3 CY, flat top.</td>
<td>10 EACH</td>
<td>420.00</td>
<td>4,200.00</td>
<td>NB</td>
<td>483.00</td>
<td>4,167.00</td>
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</tr>
<tr>
<td>24 Container, commercial, double wall, plastic lids, 4 CY, flat top, plastic side.</td>
<td>20 EACH</td>
<td>523.00</td>
<td>10,460.00</td>
<td>NB</td>
<td>540.00</td>
<td>10,800.00</td>
<td></td>
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</tr>
<tr>
<td>25 Container, commercial, double wall, plastic lids, 5 CY, slant top.</td>
<td>50 EACH</td>
<td>501.00</td>
<td>25,050.00</td>
<td>NB</td>
<td>505.00</td>
<td>25,250.00</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>26 Container, commercial, double wall, plastic lids, 6 CY, slant top, plastic side.</td>
<td>30 EACH</td>
<td>665.00</td>
<td>19,950.00</td>
<td>NB</td>
<td>717.00</td>
<td>21,510.00</td>
<td></td>
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</tr>
<tr>
<td>27 Container, commercial, double wall, plastic lids, 6 CY, slant top.</td>
<td>80 EACH</td>
<td>634.00</td>
<td>50,720.00</td>
<td>NB</td>
<td>641.00</td>
<td>51,280.00</td>
<td></td>
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</tr>
<tr>
<td>28 Container, commercial, double wall, plastic lids, 8 CY, slant top.</td>
<td>80 EACH</td>
<td>764.00</td>
<td>61,120.00</td>
<td>NB</td>
<td>752.00</td>
<td>90,180.00</td>
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<td>UOM</td>
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<td>City of St. Petersburg</td>
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<tr>
<td>29 Container, commercial, front load, high density crosslink polyethylene, includes lid, 2 CY.</td>
<td>10 EACH</td>
<td>NB</td>
<td>630.00</td>
<td>6,300.00</td>
<td>Iron Container LLC, Miami, FL</td>
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</tr>
<tr>
<td>30 Container, commercial, front load, high density crosslink polyethylene, includes lid, 3 CY.</td>
<td>20 EACH</td>
<td>NB</td>
<td>945.05</td>
<td>18,901.00</td>
<td>Otto Environmental Systems LLC, Charlotte, NC</td>
<td></td>
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</tr>
<tr>
<td>31 Container, commercial, front load, high density crosslink polyethylene, includes lid, 4 CY.</td>
<td>20 EACH</td>
<td>NB</td>
<td>1,020.10</td>
<td>20,402.00</td>
<td>Wastequip Manufacturing Company LLC, Statesville, NC</td>
<td></td>
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</tr>
<tr>
<td>32 Container, commercial, front load, high density crosslink polyethylene, includes lid, 2 CY.</td>
<td>20 EACH</td>
<td>NB</td>
<td>1,020.10</td>
<td>20,402.00</td>
<td>Wastequip Manufacturing Company LLC, Statesville, NC</td>
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<tr>
<td>33 Container, commercial, front load, high density crosslink polyethylene, includes lid, 3 CY.</td>
<td>20 EACH</td>
<td>NB</td>
<td>1,020.10</td>
<td>20,402.00</td>
<td>Wastequip Manufacturing Company LLC, Statesville, NC</td>
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<tr>
<td>34 Container, commercial, front load, high density crosslink polyethylene, includes lid, 4 CY.</td>
<td>20 EACH</td>
<td>NB</td>
<td>1,020.10</td>
<td>20,402.00</td>
<td>Wastequip Manufacturing Company LLC, Statesville, NC</td>
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</tr>
<tr>
<td>35 Container, commercial, metal lids, 6 CY, flat top, metal lids, plastic side sliding doors.</td>
<td>5 EACH</td>
<td>715.00</td>
<td>3,575.00</td>
<td></td>
<td>Iron Container LLC, Miami, FL</td>
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</tr>
<tr>
<td>36 Container, commercial, metal lids, 6 CY, flat top, metal lids.</td>
<td>5 EACH</td>
<td>684.00</td>
<td>3,420.00</td>
<td></td>
<td>Otto Environmental Systems LLC, Charlotte, NC</td>
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</tr>
<tr>
<td>37 Container, commercial, metal lids, 6 CY, flat top, plastic lids, plastic side sliding doors.</td>
<td>10 EACH</td>
<td>665.00</td>
<td>6,650.00</td>
<td></td>
<td>Wastequip Manufacturing Company LLC, Statesville, NC</td>
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<tr>
<td>38 Container, commercial, metal lids, 8 CY, flat top, double wall plastic lids, plastic side sliding.</td>
<td>30 EACH</td>
<td>784.00</td>
<td>23,520.00</td>
<td></td>
<td>Iron Container LLC, Miami, FL</td>
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<tr>
<td>39 Container, commercial, metal lids, 8 CY, flat top, metal lids.</td>
<td>5 EACH</td>
<td>814.00</td>
<td>4,070.00</td>
<td></td>
<td>Otto Environmental Systems LLC, Charlotte, NC</td>
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<tr>
<td>40 Container, commercial, open top, roll-off, 10 CY.</td>
<td>2 EACH</td>
<td>2,039.00</td>
<td>4,078.00</td>
<td></td>
<td>Wastequip Manufacturing Company LLC, Statesville, NC</td>
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</tr>
<tr>
<td>41 Container, commercial, open top, roll-off, 20 CY.</td>
<td>20 EACH</td>
<td>2,939.00</td>
<td>58,780.00</td>
<td></td>
<td>Iron Container LLC, Miami, FL</td>
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</tr>
<tr>
<td>42 Container, commercial, open top, roll-off, 30 CY.</td>
<td>20 EACH</td>
<td>3,589.00</td>
<td>71,780.00</td>
<td></td>
<td>Otto Environmental Systems LLC, Charlotte, NC</td>
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</tr>
<tr>
<td>43 Container, commercial, open top, roll-off, 40 CY.</td>
<td>10 EACH</td>
<td>3,989.00</td>
<td>39,890.00</td>
<td></td>
<td>Wastequip Manufacturing Company LLC, Statesville, NC</td>
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</tr>
<tr>
<td>44 Container, commercial, recycling, closed top with five (5) compartments, roll-off, tailgate gaskets, full back door, 20 CY.</td>
<td>2 EACH</td>
<td>5,999.00</td>
<td>11,998.00</td>
<td></td>
<td>Iron Container LLC, Miami, FL</td>
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</tr>
<tr>
<td>45 Container, commercial, recycling, closed top with four (4) compartments, roll-off, tailgate gaskets, full back door, 20 CY.</td>
<td>2 EACH</td>
<td>5,799.00</td>
<td>11,598.00</td>
<td></td>
<td>Otto Environmental Systems LLC, Charlotte, NC</td>
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</tr>
<tr>
<td>46 Container, commercial, recycling, closed top with one (1) compartment roll-off, tailgate gaskets, full back door, 20 CY.</td>
<td>2 EACH</td>
<td>5,399.00</td>
<td>10,798.00</td>
<td></td>
<td>Wastequip Manufacturing Company LLC, Statesville, NC</td>
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<td></td>
</tr>
<tr>
<td>47 Container, commercial, recycling, closed top with three (3) compartments, roll-off, tailgate gaskets, full back door, 20 CY.</td>
<td>2 EACH</td>
<td>5,199.00</td>
<td>10,398.00</td>
<td></td>
<td>Iron Container LLC, Miami, FL</td>
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</tr>
<tr>
<td>48 Container, commercial, recycling, closed top with two (2) compartments, roll-off, tailgate gaskets, full back door, 20 CY.</td>
<td>2 EACH</td>
<td>5,399.00</td>
<td>10,798.00</td>
<td></td>
<td>Otto Environmental Systems LLC, Charlotte, NC</td>
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</tr>
<tr>
<td>Description</td>
<td>EAU</td>
<td>UOM</td>
<td>Iron Container LLC</td>
<td>Otto Environmental Systems LLC</td>
<td>Wastequip Manufacturing Company LLC</td>
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<tr>
<td>49 Container, compaction, octagon, (breakaway), 16 CY. Mfg./Model No. Marathon/RJ-160C or approved equal.</td>
<td>2 EACH</td>
<td>4,889.00</td>
<td>9,776.00</td>
<td>4,250.00</td>
<td>8,500.00</td>
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</tr>
<tr>
<td>50 Container, compaction, octagon, (breakaway), 27 CY. Mfg./Model No. Marathon/RJ-160C or approved equal.</td>
<td>2 EACH</td>
<td>5,589.00</td>
<td>11,176.00</td>
<td>5,250.00</td>
<td>10,500.00</td>
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</tr>
<tr>
<td>51 Container, compaction, octagon, (breakaway), 37 CY. Mfg./Model No. Marathon/RJ-160C or approved equal.</td>
<td>2 EACH</td>
<td>5,809.00</td>
<td>11,618.00</td>
<td>5,759.00</td>
<td>11,518.00</td>
<td></td>
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</tr>
<tr>
<td>52 Container, compaction, octagon, (breakaway), 40 CY. Mfg./Model No. Marathon/RJ-160C or approved equal.</td>
<td>3 EACH</td>
<td>5,989.00</td>
<td>17,967.00</td>
<td>5,759.00</td>
<td>17,277.00</td>
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</tr>
<tr>
<td>53 Container, compaction, octagon, (breakaway), 43 CY. Mfg./Model No. Marathon/RJ-160C or approved equal.</td>
<td>2 EACH</td>
<td>6,189.00</td>
<td>12,378.00</td>
<td>6,910.00</td>
<td>13,820.00</td>
<td></td>
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<tr>
<td>54 Container, crosslinkable polyethylene, black, 60 gallon.</td>
<td>200 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td></td>
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</tr>
<tr>
<td>55 Container, crosslink polyethylene, midnight shower black, wheels, axles, 38 LB, 90 gallon.</td>
<td>3,000 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td></td>
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</tr>
<tr>
<td>56 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole, 30&quot; x 69 1/2&quot;.</td>
<td>20 EACH</td>
<td>NB</td>
<td>NB</td>
<td>168.00</td>
<td>3,360.00</td>
<td></td>
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</tr>
<tr>
<td>57 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole, 30&quot; x 76&quot;.</td>
<td>10 EACH</td>
<td>NB</td>
<td>NB</td>
<td>170.00</td>
<td>1,700.00</td>
<td></td>
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</tr>
<tr>
<td>58 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole, 36&quot; x 69 1/2&quot;.</td>
<td>35 EACH</td>
<td>NB</td>
<td>NB</td>
<td>173.00</td>
<td>6,055.00</td>
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</tr>
<tr>
<td>59 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole, 36&quot; x 7&quot;/.</td>
<td>20 EACH</td>
<td>NB</td>
<td>NB</td>
<td>178.00</td>
<td>3,560.00</td>
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<tr>
<td>60 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole, 48&quot; x 69 1/2&quot;/.</td>
<td>20 EACH</td>
<td>NB</td>
<td>NB</td>
<td>199.00</td>
<td>3,980.00</td>
<td></td>
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</tr>
<tr>
<td>61 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole, 48&quot; x 72&quot;.</td>
<td>20 EACH</td>
<td>NB</td>
<td>NB</td>
<td>211.00</td>
<td>4,220.00</td>
<td></td>
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</tr>
<tr>
<td>62 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole, 72&quot; x 7&quot;/.</td>
<td>20 EACH</td>
<td>NB</td>
<td>NB</td>
<td>207.00</td>
<td>5,340.00</td>
<td></td>
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</tr>
<tr>
<td>63 Container, front load, 6&quot; lip, 7 gauge bottom, 2 skids, drain hole, 72&quot; x 72&quot;.</td>
<td>55 EACH</td>
<td>NB</td>
<td>NB</td>
<td>293.00</td>
<td>16,115.00</td>
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<tr>
<td>64 Container, polyethylene, black, 63 gallon.</td>
<td>200 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td></td>
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<tr>
<td>65 Container, polyethylene, black, 90 gallon.</td>
<td>1000 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td></td>
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<tr>
<td>66 Container, recycling, RFID, blue, large, 94-96 gallon.</td>
<td>1,400 EACH</td>
<td>NB</td>
<td>52.36</td>
<td>73,304.00</td>
<td>NB</td>
<td></td>
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<tr>
<td>67 Container, recycling, RFID, blue, medium, 64-66 gallon.</td>
<td>1,400 EACH</td>
<td>NB</td>
<td>44.94</td>
<td>62,916.00</td>
<td>NB</td>
<td></td>
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</tr>
<tr>
<td>68 Container, recycling, RFID, blue, small, 32-35 gallon.</td>
<td>1,400 EACH</td>
<td>NB</td>
<td>37.04</td>
<td>51,856.00</td>
<td>NB</td>
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<tr>
<td>69 Container, roll-off, sludge, fiberglass lid.</td>
<td>5 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
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</tr>
<tr>
<td>70 Container, UV stabilized, cross-linkable high density polyethylene, lid, 200 gallon, 2/3 opening, green, std style.</td>
<td>20 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
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<tr>
<td>71 Container, UV stabilized, cross-linkable high density polyethylene, lid, 300 gallon, 2/3 opening, black, new style.</td>
<td>500 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
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<tr>
<td>Description</td>
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<td>UOM</td>
<td>Unit Price</td>
<td>Extended Price</td>
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<tr>
<td>72 Container, UV stabilized, cross-linkable high density polyethylene, lid 300 gallon, 2/3 opening, black, new style</td>
<td>20 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
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</tr>
<tr>
<td>73 Container, UV stabilized, cross-linkable high density polyethylene, lid 300 gallon, 2/3 opening, brown, new style</td>
<td>100 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
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<tr>
<td>74 Container, UV stabilized, cross-linkable high density polyethylene, lid 300 gallon, 2/3 opening, clay, new style</td>
<td>100 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>75 Container, UV stabilized, cross-linkable high density polyethylene, lid 300 gallon, 2/3 opening, green, new style</td>
<td>400 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
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<tr>
<td>76 Container, UV stabilized, cross-linkable high density polyethylene, lid 300 gallon, 2/3 opening, grey, new style</td>
<td>100 EACH</td>
<td>NB</td>
<td>NB</td>
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<tr>
<td>77 Handle, 30 gallon, structural foam container, 5/16&quot; bolt holes, carbon steel with Permaflex coating</td>
<td>500 EACH</td>
<td>NB</td>
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<tr>
<td>78 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, 2/3 opening, black, new style</td>
<td>200 EACH</td>
<td>NB</td>
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<tr>
<td>79 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, 2/3 opening, brown, new style</td>
<td>200 EACH</td>
<td>NB</td>
<td>NB</td>
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<tr>
<td>80 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, 2/3 opening, clay, new style</td>
<td>100 EACH</td>
<td>NB</td>
<td>NB</td>
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<tr>
<td>81 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, 2/3 opening, grey, new style</td>
<td>100 EACH</td>
<td>NB</td>
<td>NB</td>
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<tr>
<td>82 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, 2/3 opening, clay, new style</td>
<td>100 EACH</td>
<td>NB</td>
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<td>83 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, 2/3 opening, grey, new style</td>
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<td>NB</td>
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<tr>
<td>84 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, front one (1) piece lid, black</td>
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<td>NB</td>
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<td>85 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, rear lid, black</td>
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<td>NB</td>
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<tr>
<td>86 Lid, 300 gallon container, UV stabilized, cross-linkable high density polyethylene, split, double walls, left and right, black</td>
<td>200 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
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<tr>
<td>87 Lid, 90 gallon container, 100% cross-linked medium density polyethylene, black polymer</td>
<td>700 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
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<tr>
<td>88 Lid, commercial, 100% cross-linked polyethylene, black polymer, 36&quot; x 31&quot;, minimum weight 8 LB</td>
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<td>21.00</td>
<td>2,100.00</td>
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<td>28.00</td>
<td>2,800.00</td>
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<td>Description</td>
<td>Iron Container LLC</td>
<td>Otto Environmental Systems LLC</td>
<td>Wastequip Manufacturing Company LLC</td>
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<tr>
<td>89 Lid, commercial, 100% cross-linked polyethylene, black polymer, 36&quot; x 41&quot;, minimum weight 10 LB</td>
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<td>22.00</td>
<td>2,200.00</td>
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<td>1,750.00</td>
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<td>90 Lid, commercial, 100% cross-linked polyethylene, black polymer, 36&quot; x 46&quot;, minimum weight 12 LB</td>
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<td>23.00</td>
<td>2,300.00</td>
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<td>1,825.00</td>
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<tr>
<td>91 Lid, commercial, 100% cross-linked polyethylene, black polymer, 36&quot; x 49&quot;, minimum weight 12 LB</td>
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<td>NB</td>
<td>26.00</td>
<td>2,600.00</td>
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<td>92 Lid, commercial, 100% cross-linked polyethylene, black polymer, 36&quot; x 58&quot;, minimum weight 15 LB</td>
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<td>24.00</td>
<td>14,400.00</td>
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<td>18.50</td>
<td>11,100.00</td>
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<tr>
<td>93 Lid, commercial, 100% cross-linked polyethylene, black polymer, 300 gallon container</td>
<td>200 EACH</td>
<td>NB</td>
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<tr>
<td>94 Lids, recycling, sliding, 30&quot; x 30&quot;, 100% cross-linked polyethylene, black polymer, minimum weight 7 LB, 90 gallon</td>
<td>100 EACH</td>
<td>20.00</td>
<td>2,000.00</td>
<td>NB</td>
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<tr>
<td>95 Rod, 300 gallon granny hatch hinge, PVC</td>
<td>1,000 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
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<td></td>
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<tr>
<td>96 Rod, 300 gallon hinge, PVC</td>
<td>1,000 EACH</td>
<td>NB</td>
<td>NB</td>
<td>NB</td>
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<td></td>
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<tr>
<td>97 Wheel, 10&quot;, 100% cross-linked polyethylene, black polymer</td>
<td>5,000 EACH</td>
<td>NB</td>
<td>NB</td>
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</tbody>
</table>

Subtotal: $618,302.00 $233,679.00 1,267,751.00

SBE Discount: $0.00 $0.00 0.00

Payment Discount: $0.00 $0.00 0.00

Total: $618,302.00 $233,679.00 1,267,751.00
A RESOLUTION APPROVING THE TWO-YEAR RENEWAL OPTION TO THE BLANKET AGREEMENTS WITH DURA-CAST PRODUCTS, INC., IRON CONTAINER, LLC, EQUIPCO MANUFACTURING, INC., WASTEQUIP MANUFACTURING COMPANY LLC, AND OTTO ENVIRONMENTAL SYSTEMS (NC), LLC, AND IES SALES AND SERVICE, LLC FOR THE PURCHASE OF REFUSE CONTAINERS, COMPACTORS AND RELATED PRODUCTS FOR THE SANITATION DEPARTMENT AT AN ESTIMATED COST FOR THE RENEWAL TERM NOT TO EXCEED $2,000,000; PROVIDING THAT THE TOTAL ALLOCATION (INITIAL AND RENEWAL TERM) FOR THESE AGREEMENTS SHALL NOT EXCEED $4,200,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 8, 2015, City Council approved the award of three-year blanket agreements ("Agreements") with one two-year renewal option to Dura-Cast Products, Inc., Iron Container, LLC, Equipco Manufacturing, Inc., Wastequip Manufacturing Company LLC, Otto Environmental Systems (NC), LLC, and IES Sales and Service, LLC ("Vendors") for the purchase of refuse containers, compactors and related products for the Sanitation Department pursuant to IFB No. 5580, dated November 6, 2014; and

WHEREAS, on April 6, 2017, City Council approved an increase to the allocation in the amount of $100,000; and

WHEREAS, the City desires to exercise a two-year renewal option to the Agreements at an estimated cost for the renewal term not to exceed $2,000,000, effective through January 31, 2018; and

WHEREAS, the Vendors have agreed to hold prices firm under the terms and conditions of IFB No. 5580; and

WHEREAS, the Procurement & Supply Management Department in cooperation with the Sanitation Department, recommends approval of these renewals.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the two-year renewal option to the blanket agreements with Dura-Cast Products, Inc., Iron Container, LLC, Equipco Manufacturing, Inc., Wastequip Manufacturing Company LLC, and Otto Environmental Systems (NC), LLC, and IES Sales and Service, LLC for the purchase of refuse containers, compactors and related products for the Sanitation Department at an estimated cost for the renewal term not to exceed $2,000,000; providing that the total allocation (initial and renewal term) for these agreements shall not exceed $4,200,000 are hereby approved.

BE IT FURTHER RESOLVED that the Mayor or his 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: Approving the purchase of fuel from Mansfield Oil Company of Gainesville, Inc. for the Fleet Management Department, at an estimated annual cost of $4,007,645.

Explanation: On June 8, 2017, Hillsborough Area Regional Transit (HART) received nine bids for petroleum fuel products on behalf of the consortium, which includes the City of St. Petersburg, Pinellas Suncoast Transit Authority (PSTA), Hillsborough County Board of County Commissioners (HCBOCC), Pinellas County Board of County Commissioners (PCBOCC), and Lakeland Area Mass Transit District (LAMTD).

The vendor will furnish and deliver 87 octane unleaded gasoline and ultra-low sulfur diesel No. 2 fuel in transport loads (7,500 gallons or more). Fleet Management stores, dispenses and tracks use of fuel for the City's rolling stock. Approximately one percent of this fuel is resold to the University of South Florida and The Looper Group.

The Procurement Department, in cooperation with the Fleet Management Department, recommends for award:

Mansfield Oil Company of Gainesville, Inc. (Gainesville, GA) ...................... $4,007,645

The vendor has met the specifications, terms and conditions of HART Bid No. IFB-25597, dated May 8, 2017. This purchase is made in accordance with Section 2-256 (1) of the Procurement Code, which authorizes the Mayor, or his designee, to participate in a joint bid process with other governmental entities. A blanket purchase agreement will be issued to the vendor and will be binding only for actual product received. This agreement will be effective through September 30, 2018.

<table>
<thead>
<tr>
<th>Mansfield Oil Company</th>
<th>Gallons</th>
<th>Price per gallon</th>
<th>Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diesel, No. 2</td>
<td>805,044</td>
<td>$2.660</td>
<td>$2,141,417</td>
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<tr>
<td>Average Cost</td>
<td>2.3284</td>
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</tr>
<tr>
<td>Fixed fee</td>
<td>(0.0082)</td>
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<tr>
<td>Taxes</td>
<td>0.3396</td>
<td></td>
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<tr>
<td>Gasoline, 87 Octane</td>
<td>822,127</td>
<td>$2.270</td>
<td>$1,866,228</td>
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<tr>
<td>Average Cost</td>
<td>1.9504</td>
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</tr>
<tr>
<td>Fixed fee</td>
<td>(0.0208)</td>
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<tr>
<td>Taxes</td>
<td>0.3406</td>
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</tr>
<tr>
<td>Total</td>
<td></td>
<td>$4,007,645</td>
<td></td>
</tr>
</tbody>
</table>

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Fleet Management Fund (5001), Fleet Mechanical Costs (6002527).

Attachments: Bid Tabulation

Resolution

Approvals:

Administrative

Budget
<table>
<thead>
<tr>
<th>Line Item</th>
<th>Description</th>
<th>Markup Per Gallon</th>
<th>Markup Per Gallon</th>
<th>NOT RESPONSIBLE</th>
<th>Markup Per Gallon</th>
<th>Markup Per Gallon</th>
<th>Markup Per Gallon</th>
<th>Non Responsive</th>
<th>Markup Per Gallon</th>
<th>Markup Per Gallon</th>
<th>FY-17 MARK UP</th>
<th>Difference</th>
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<tr>
<td>1</td>
<td>Diesel Fuel Purchased via NYMEX (Heating Oil No. 2) 42,000 Gallon Contract</td>
<td>NB</td>
<td>0.098</td>
<td>NB</td>
<td>0.0814</td>
<td>0.0688</td>
<td>0.045</td>
<td>1.1317</td>
<td>0.955</td>
<td>0.05</td>
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<tr>
<td>2</td>
<td>Diesel Fuel Purchased via NYMEX (Heating Oil No. 2) 21,000 Gallon Contract</td>
<td>NB</td>
<td>0.098</td>
<td>NB</td>
<td>0.0814</td>
<td>0.0688</td>
<td>0.045</td>
<td>1.1317</td>
<td>0.955</td>
<td>0.0267</td>
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<tr>
<td>3</td>
<td>Diesel Fuel Purchased via OPIS (Transport Truck Delivery)</td>
<td>0.0046</td>
<td>0.005</td>
<td>0.0013</td>
<td>0.0073</td>
<td>0.0063</td>
<td>0.045</td>
<td>0.0119</td>
<td>0.0343</td>
<td>0.0244</td>
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<tr>
<td><strong>OPTION</strong></td>
<td>12-MONTH TERM - COSP to advise participation</td>
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<tr>
<td>4</td>
<td>Diesel Fuel Purchased via OPIS (Transport Truck Delivery)</td>
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<td>0.0003</td>
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<td>0.005</td>
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<tr>
<td>5</td>
<td>Regular Unleaded 87 Octane Gasoline Purchased via OPIS (Transport Truck Delivery)</td>
<td>(0.0074)</td>
<td>(0.0156)</td>
<td>(0.0067)</td>
<td>(0.0125)</td>
<td>(0.0081)</td>
<td>0.043</td>
<td>(0.0385)</td>
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<td>6</td>
<td>Diesel Fuel Purchased via OPIS (Transport Truck Delivery)</td>
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<td>0.0011</td>
<td>0.025</td>
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<td>0.0243</td>
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<tr>
<td><strong>OPTION</strong></td>
<td>12-MONTH TERM - HCBOCC to advise participation</td>
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<tr>
<td>8</td>
<td>Diesel Fuel Purchased via NYMEX (Heating Oil No. 2) 42,000 Gallon Contract</td>
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<td>9</td>
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<td>0.101</td>
<td>NB</td>
<td>0.0817</td>
<td>0.0794</td>
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<td>1.1343</td>
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<td>NB</td>
<td>NB</td>
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<td>0.05</td>
<td>0.0878</td>
<td>0.1356</td>
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<td>0.0785</td>
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<tr>
<td><strong>OPTION</strong></td>
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<td>Diesel Fuel Purchased via OPIS (Transport Truck Delivery)</td>
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<td>(0.0043)</td>
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<td>(0.0094)</td>
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<td>(0.0073)</td>
<td>(0.0165)</td>
<td>(0.0067)</td>
<td>(0.0125)</td>
<td>(0.0081)</td>
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<td>(0.029)</td>
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<td>0.3</td>
<td>0.232</td>
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<td>0.000</td>
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<td>Regular Unleaded 87 Octane Gasoline Purchased via OPIS (Tank Wagon Delivery)</td>
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<td>0.325</td>
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<td>(0.0150)</td>
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<td>Regular Unleaded 87 Octane Gasoline Purchased via OPIS (Tank Wagon Delivery)</td>
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<td>0.580</td>
<td>0.175</td>
<td>(0.050)</td>
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</tr>
<tr>
<td><strong>OPTION</strong></td>
<td>12-MONTH TERM - HCBOCC to advise participation</td>
<td></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>17</td>
<td>Diesel Fuel Purchased via OPIS (Transport Truck Delivery)</td>
<td>0.0185</td>
<td>(0.0043)</td>
<td>0.0059</td>
<td>(0.0094)</td>
<td>0.0079</td>
<td>0.047</td>
<td>(0.0353)</td>
<td>(0.0269)</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Regular Unleaded 87 Octane Gasoline Purchased via OPIS (Transport Truck Delivery)</td>
<td>(0.0073)</td>
<td>(0.0165)</td>
<td>(0.0067)</td>
<td>(0.0125)</td>
<td>(0.0081)</td>
<td>0.045</td>
<td>(0.039)</td>
<td>(0.029)</td>
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<tr>
<td>19</td>
<td>Diesel Fuel Purchased via OPIS (Tank Wagon Delivery)</td>
<td>0.1187</td>
<td>0.130</td>
<td>0.095</td>
<td>NB</td>
<td>NB</td>
<td>0.3</td>
<td>0.232</td>
<td>0.0502</td>
<td>0.000</td>
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</tr>
<tr>
<td>20</td>
<td>Regular Unleaded 87 Octane Gasoline Purchased via OPIS (Tank Wagon Delivery)</td>
<td>0.1134</td>
<td>0.120</td>
<td>0.095</td>
<td>NB</td>
<td>NB</td>
<td>0.3</td>
<td>0.325</td>
<td>0.060</td>
<td>(0.0150)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Regular Unleaded 87 Octane Gasoline Purchased via OPIS (Tank Wagon Delivery)</td>
<td>0.1143</td>
<td>0.120</td>
<td>0.095</td>
<td>NB</td>
<td>NB</td>
<td>0.3</td>
<td>0.325</td>
<td>0.060</td>
<td>(0.0150)</td>
<td></td>
<td></td>
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</tbody>
</table>
A RESOLUTION APPROVING THE PURCHASE OF PETROLEUM FUEL PRODUCTS FROM MANSFIELD OIL COMPANY OF GAINESVILLE, INC. FOR THE FLEET MANAGEMENT DEPARTMENT AT AN ESTIMATED ANNUAL COST NOT TO EXCEED $4,007,645 UTILIZING THE HILLSBOROUGH AREA REGIONAL TRANSIT (HART) BID NO. IFB-25597; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to purchase petroleum fuel products for the Fleet Management Department who will store, dispense and track the City’s fuel use.

WHEREAS, pursuant to Section 2-256(1) of the City Code, the Mayor or his designee is authorized to participate in a joint bid process with other governmental entities; and

WHEREAS, Mansfield Oil Company of Gainesville, Inc. has met the specifications, terms and conditions of the Hillsborough Area Regional Transit (HART) Bid No. IFB-25597, Dated May 8, 2017; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Fleet Management Department, recommends approval of this award effective through September 30, 2018.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the purchase of petroleum fuel products from Mansfield Oil Company of Gainesville, Inc. for the Fleet Management Department at an estimated annual cost not to exceed $4,007,645 utilizing the Hillsborough Area Regional Transit (HART) Bid No. IFB-25597 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 as to Form and Substance:

City Attorney (Designee)

00338807
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving the purchase of sanitation vehicles from Rush Truck Centers of Florida, Inc. and Ring Power Corporation for the Sanitation Department, at a total cost of $1,972,809.00.

Explanation: This purchase is being made from the Florida Sheriffs Association Contract No. FSA16-VEH14.0.

The vendors will furnish and deliver six automated side-loading refuse trucks and one backhoe.

The six side-loading trucks consist of a 28-yard rapid rail automated side loading (ASL) body mounted on a 66,000 lbs. GVWR cab and chassis. The trucks are CNG powered and will be used for residential collection. The age of the vehicles being replaced are 10 - 11 years-old and have reached the end of their economic useful life. The old vehicles will be sold at public auction. These new trucks are fleet replacements, which will bring Sanitation's CNG fleet total to 46. The CNG trucks have an expected life span of 8 to 10 years.

The backhoe is equipped with an 87 horse power diesel engine, four-speed power shift transmission and a 72-inch wide bucket. It will be used for target collection of abandoned, illegally dumped, or oversized residential curbside collection materials. This equipment is 10 – 15 years old and has reached the end of its economic life and will be sold at public auction.

The Procurement Department, in cooperation with the Sanitation Department, recommends an award utilizing Florida Sheriffs Association Contract No. FSA16-VEH14.0:

Rush Truck Centers of Florida, Inc. (New Braunfels, TX) ...........................................$1,875,375.00

<table>
<thead>
<tr>
<th>Cab &amp; Chassis</th>
<th>Quantity</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018 Peterbilt 520 (base price)</td>
<td>6</td>
<td>$131,920.00</td>
</tr>
<tr>
<td>Compressed natural gas fueling system</td>
<td>6</td>
<td>38,451.25</td>
</tr>
<tr>
<td>Option package</td>
<td>6</td>
<td>6,332.75</td>
</tr>
<tr>
<td>Engine 320 HP/1000 lb. torque</td>
<td>6</td>
<td>4,567.00</td>
</tr>
<tr>
<td>Cummins protection plan 15 yr./150,000 km</td>
<td>6</td>
<td>3,400.00</td>
</tr>
<tr>
<td>Hendrickson Haulmax HMX460</td>
<td>6</td>
<td>2,973.00</td>
</tr>
<tr>
<td>Rear axle: 46,000 lb. Arvin Meritor, Eaton</td>
<td>6</td>
<td>2,895.00</td>
</tr>
<tr>
<td>Dana Spicer 20,000 lb.</td>
<td>6</td>
<td>1,921.00</td>
</tr>
<tr>
<td>Double frame: full steel insert</td>
<td>6</td>
<td>1,107.00</td>
</tr>
<tr>
<td>Front engine power take off provision</td>
<td>6</td>
<td>681.00</td>
</tr>
<tr>
<td>Clear cutside frame rail package.</td>
<td>6</td>
<td>531.00</td>
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<tr>
<td>Battery disconnect switch</td>
<td>6</td>
<td>345.00</td>
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<tr>
<td>Steel bumper</td>
<td>6</td>
<td>125.00</td>
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<tr>
<td>Tire recycling fee</td>
<td>6</td>
<td>10.00</td>
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<tr>
<td>Battery recycling fee</td>
<td>6</td>
<td>4.50</td>
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<table>
<thead>
<tr>
<th>Body</th>
<th>Quantity</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heil Dura-Pack 28-yd. Rapid Rail side loader</td>
<td>6</td>
<td>$117,290.00</td>
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Continued on Page 2
Ring Power Corporation (St. Augustine) .................................................. $97,434.00

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Total Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caterpillar 416F (base price)</td>
<td>1</td>
<td>$67,061</td>
<td>$67,061</td>
</tr>
<tr>
<td>72' Rockland grapple bucket</td>
<td>1</td>
<td>$12,515</td>
<td>$12,515</td>
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<tr>
<td>5-year / 4,000-hour premier warranty</td>
<td>1</td>
<td>$6,945</td>
<td>$6,945</td>
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<tr>
<td>Hydraulics</td>
<td>1</td>
<td>$6,830</td>
<td>$6,830</td>
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<tr>
<td>Standard cab</td>
<td>1</td>
<td>$4,510</td>
<td>$4,510</td>
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<tr>
<td>Air conditioner</td>
<td>1</td>
<td>$1,647</td>
<td>$1,647</td>
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<tr>
<td>Counterweight</td>
<td>1</td>
<td>$1,113</td>
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<tr>
<td>Stabilizer guard</td>
<td>1</td>
<td>$528</td>
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<tr>
<td>Fabric seats</td>
<td>1</td>
<td>$323</td>
<td>$323</td>
</tr>
<tr>
<td>Stabilizer pads</td>
<td>1</td>
<td>$211</td>
<td>$211</td>
</tr>
<tr>
<td>Magnetic mount beacon</td>
<td>1</td>
<td>$146</td>
<td>$146</td>
</tr>
<tr>
<td>One time additional discount</td>
<td>1</td>
<td>(1,290)</td>
<td>(1,290)</td>
</tr>
<tr>
<td>Sheriff’s contract discount</td>
<td>1</td>
<td>(1,378)</td>
<td>(1,378)</td>
</tr>
<tr>
<td>Grapple bucket</td>
<td>1</td>
<td>(1,727)</td>
<td>(1,727)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$97,434</td>
</tr>
</tbody>
</table>

These vendors have 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 purchase automotive equipment from the Florida Sheriffs Association and Florida Association of Counties negotiated purchase program for vehicles.

Cost/Funding/Assessment Information: Funds are available in the Sanitation Equipment Replacement Fund (4027), Sanitation Department, Residential Support (4502277).

Attachments: Resolution

Approvals:

[Signature]
M. L. Dove
Administrative

[Signature]
Devis C. Fuller
Budget
8.16.17
A RESOLUTION APPROVING THE PURCHASE OF SIX (6) REPLACEMENT SIDE-LOADING TRUCKS AND ONE (1) REPLACEMENT BACKHOE FROM RUSH TRUCK CENTERS OF FLORIDA, INC. AND RING POWER CORPORATION FOR THE SANITATION DEPARTMENT AT A TOTAL COST NOT TO EXCEED $1,972,809, UTILIZING THE FLORIDA SHERIFFS ASSOCIATION CONTRACT NO. FSA16-VEH14.0; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to purchase six (6) replacement side-loading trucks and one (1) replacement backhoe that have reached the end of their economic service life for the Sanitation Department; and

WHEREAS, pursuant to Section 2-256(3) of the Procurement Code, the City is permitted to purchase automotive equipment approved through the Sheriff's Association and Florida Association of Counties negotiated purchase programs for vehicles; and

WHEREAS, Rush Truck Centers of Florida, Inc. and Ring Power Corporation have met the specifications, terms and conditions of the Florida Sheriffs Association Contract No. FSA16-VEH14.0; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Sanitation 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 six (6) replacement side-loading trucks and one (1) replacement backhoe from Rush Truck Centers of Florida, Inc. and Ring Power Corporation for the Sanitation Department at a total cost not to exceed $1,972,809, utilizing the Florida Sheriffs Association Contract No. FSA16-VEH14.0 are hereby approved.

BE IT FURTHER RESOLVED that the Mayor or his 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)
00338726
SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 7, 2017

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

Subject: Approving the renewal of blanket purchase agreements with Life Extension Clinics, Inc., dba Life Scan Wellness Centers and U.S. HealthWorks Medical Group of Florida, Inc. for medical examinations and health testing services for the Human Resources, Fire, Police, and Parks and Recreation Departments, at an estimated annual cost of $320,000, for a total contract amount of $1,570,000.

Explanation: On September 18, 2014, City Council approved two three-year agreements for medical examinations and health testing services through September 30, 2017, with a two-year renewal option. This is the final renewal option.

The contractor provides pre-promotion and pre-employment medical examinations and tests, as well as alcohol and controlled substance tests. In addition, they provide annual physicals for the Fire and triennial physicals for the Police departments that include traditional occupational medical services as well as ultrasound imaging. The ultrasound imaging provides additional information on potentially serious conditions in the earlier stages of disease progression. These examinations ensure that specific job classifications within the City are staffed by physically capable individuals.

The Procurement Department, in cooperation with the Human Resources, Fire, Police, and Parks and Recreation Departments, recommends for renewal:

<table>
<thead>
<tr>
<th>Service</th>
<th>Original contract amount</th>
<th>1st renewal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Services, Medical Examinations &amp; Testing</td>
<td>$930,000</td>
<td>640,000</td>
</tr>
<tr>
<td></td>
<td>Total contract amount</td>
<td>$1,570,000</td>
</tr>
</tbody>
</table>

The contractors have agreed to uphold the terms and conditions of IFB No. 7701 dated June 27, 2017. Administration recommends renewal of the agreements based on the vendors’ past satisfactory performance, demonstrated ability to comply with the terms and conditions of the contract. Life Extension Clinics Inc., dba Life Scan Wellness Centers requested a two percent increase in pricing, which was within the agreement’s price escalation limit. U.S. Healthworks agreed to uphold their original pricing. The renewals will be effective from date of approval through September 30, 2018 and will be binding only for the actual services provided.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the General Fund (0001), Human Resources, Employment (0901185) and Public Safety Recruiting (0901189) [$94,000], Fire Department, Fire Suppression (1501497) [$160,000], Police Department Training (1401397) [$50,000], and Parks & Recreation Department (190) and the Emergency Medical Services Fund (1009), Fire Emergency Medical Services (1501513).

Attachments: Bid Tabulation (5 pages)
Resolution

Approvals:

[Signature]
Adminstrative

[Signature]
Deveis C. Fuller 8.24.17
Budget
<table>
<thead>
<tr>
<th>Description</th>
<th>UOM</th>
<th>EA</th>
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<th>Extended Price</th>
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<tbody>
<tr>
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</tr>
<tr>
<td><strong>Group I - Non-Police Personnel</strong></td>
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<tr>
<td>Employment/Post Offer, Promotional, and Re-employment Physical Examinations</td>
<td></td>
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</tr>
<tr>
<td>1 Personal History and Medical Examination/Inquiry</td>
<td>EA 120</td>
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<td>$0.00</td>
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<tr>
<td>Form including Physician's Medical Examination Form</td>
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<tr>
<td>2 Medical Examination by Physician Measurements and Screenings:</td>
<td>EA 120</td>
<td>No Bid</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Resting Heart Rate</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Systolic/Diastolic Blood Pressure</td>
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<tr>
<td>Height/Weight</td>
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<tr>
<td>Temperature</td>
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<tr>
<td>Pulmonary Function Test (FEV, PVC, Heart, Whisper Test)</td>
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<tr>
<td>Vision</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>3 Back Screen/Evaluation (need determined by essential job functions - only in conjunction with Medical Examination by Physician)</td>
<td>EA 120</td>
<td>No Bid</td>
<td>$0.00</td>
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<tr>
<td>Laboratory Test, RPP, Serology, VDRL:</td>
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<td>$0.00</td>
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<tr>
<td>Laboratory Test, Baseline Testing, Hep A/B/C:</td>
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<tr>
<td>Optional Laboratory Test, Hep B Titer:</td>
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<tr>
<td>Tetanus Vaccine (if not current):</td>
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<td>Laboratory Test, Urinalysis:</td>
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<td>$0.00</td>
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<tr>
<td>Laboratory Test, Liver Functions Test:</td>
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<td>$0.00</td>
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<tr>
<td>Optional Controlled Substance Screening, 6-Panel, HRS Urine Drug Screen:</td>
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**Total (Group I) SUBTOTAL**: $2,100.00

<table>
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<th>Extended Price</th>
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<tbody>
<tr>
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<tr>
<td><strong>Group II - Fire Department Personnel Employment/Post Offer Physical Examinations</strong></td>
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<td>14 Personal History and Medical Examination/Inquiry Form including Physician's Medical Examination Form:</td>
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<tr>
<td>15 Medical Examination by Physician Measurements and Screenings:</td>
<td>EA 30</td>
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<tr>
<td>Resting Heart Rate</td>
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<td>Systolic/Diastolic Blood Pressure</td>
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<td>Height/Weight</td>
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<tr>
<td>Temperature</td>
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<td>Pulmonary Function/Spirometry</td>
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<tr>
<td>Audiology Screening</td>
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<tr>
<td>Vision/Tumor II Color Vision Test</td>
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<tr>
<td>Baseline Heavy Metal Screen</td>
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</tr>
<tr>
<td>Body Fat Test</td>
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<td>16 Back Screen/Evaluation (need determined by essential job functions - only in conjunction with Medical Examination by Physician):</td>
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<td>Laboratory Test, Liver Function Test</td>
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<td>Laboratory Test, CBC - Complete Blood Count</td>
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<tr>
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<tr>
<td>Laboratory Test, Baseline Testing, Hep A/B/C</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Optional Laboratory Test, Hep B Titer</td>
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<td></td>
</tr>
<tr>
<td>Optional Hep B Vaccine (per dose)</td>
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</tr>
<tr>
<td>Tetanus Vaccine (if not current)</td>
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</tr>
<tr>
<td>Laboratory Test, Urinalysis:</td>
<td></td>
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**Group III - Fire Department Personal Annual Physical Exam**

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<td>44 Medical Examination by Physician Measurements and Screenings</td>
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**Form Including Physician's Medical Examination Form**

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**Group IV - Police Department Personnel Employment/Post offer Physical Examinations**

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<td>Resting Heart Rate</td>
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<td>Systolic/Diastolic Blood Pressure</td>
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<td>Pulmonary Function/Spirometry</td>
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<td>Vision/Titus II Color Vision Test</td>
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<td>Audiometric Screening</td>
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<td>87 Back Screen/Examination (need determined by essential job functions - only in conjunction with Medical Examination by Physician)</td>
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<td>90 Laboratory Test, CBC Complete Blood Count</td>
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<td>93 Laboratory Test, Tuberculosis PPD/Various Test</td>
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<td>94 Laboratory Test, Baseline Testing, Hep A/B/C</td>
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**Group V - Police Department Personnel Health Examinations**

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<td>102 Hemoglobin Profile (every three years)</td>
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<td>Pulmonary Function/Spirometry</td>
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<td>Audiometric Screening</td>
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**Company Care Occupational Health Services ED White Health Services**

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<tr>
<td>112 Optional Hep B Vaccine (per dose)</td>
<td>EA</td>
<td>97</td>
</tr>
<tr>
<td>113 Tuberculosis Test, Liver Function Test</td>
<td>EA</td>
<td>97</td>
</tr>
<tr>
<td>114 Laboratory Test, CBC - Complete Blood Count</td>
<td>EA</td>
<td>97</td>
</tr>
<tr>
<td>115 Laboratory Test, Hgb, Cholesterol and LDL</td>
<td>EA</td>
<td>97</td>
</tr>
<tr>
<td>116 Laboratory Test, Tuberculosis PPD/Mantoux Test</td>
<td>EA</td>
<td>97</td>
</tr>
<tr>
<td>117 Laboratory Test, Ultrasound</td>
<td>EA</td>
<td>97</td>
</tr>
<tr>
<td>118 Laboratory Test, Lactate</td>
<td>EA</td>
<td>97</td>
</tr>
<tr>
<td>119 MMR Vaccine (optional)</td>
<td>EA</td>
<td>30</td>
</tr>
<tr>
<td>120 Diagnostic Test, 12-lead Electrocardiogram (EKG)</td>
<td>EA</td>
<td>97</td>
</tr>
<tr>
<td>121 Diagnostic Test, Stress Test</td>
<td>EA</td>
<td>97</td>
</tr>
<tr>
<td>122 Diagnostic Test, Chest X-Ray (2 views)</td>
<td>EA</td>
<td>97</td>
</tr>
<tr>
<td>123 Optional Skin Screening - Cancer</td>
<td>EA</td>
<td>97</td>
</tr>
<tr>
<td>124 Optional IV Screening</td>
<td>EA</td>
<td>97</td>
</tr>
<tr>
<td>125 Optional Diagnostic Test, X-Ray Lumbar Spinal (3 views)</td>
<td>EA</td>
<td>97</td>
</tr>
<tr>
<td>126 Optional Medical Evaluations, Breast Examination/Mammogram - Female</td>
<td>EA</td>
<td>24</td>
</tr>
<tr>
<td>127 Optional Medical Evaluations, Cervical Cancer Exam - Female</td>
<td>EA</td>
<td>24</td>
</tr>
<tr>
<td>128 Optional Medical Evaluations, Rectal Cancer Exam (Digital Rectal Exam and Hemoccult included if in exam)</td>
<td>EA</td>
<td>97</td>
</tr>
<tr>
<td>129 Optional Medical Evaluations, Prostate Exam - Male (Prostatic Specific Antigen - PSA)</td>
<td>EA</td>
<td>97</td>
</tr>
<tr>
<td>130 Optional Medical Evaluations, Stress 12-lead Electrocardiogram</td>
<td>EA</td>
<td>97</td>
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</table>

(Group V) SUBTOTAL

<table>
<thead>
<tr>
<th>Description</th>
<th>EA</th>
<th>$7550.50</th>
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</thead>
<tbody>
<tr>
<td>131 Abdominal Sterile Test</td>
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</tbody>
</table>

(Group V) SUBTOTAL

<table>
<thead>
<tr>
<th>Description</th>
<th>EA</th>
<th>$3770.50</th>
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</thead>
<tbody>
<tr>
<td>132 Respiratory Physical Examination Form/Respiratory Medical History Form</td>
<td>EA</td>
<td>$3770.50</td>
</tr>
</tbody>
</table>

(Group VII) SUBTOTAL

<table>
<thead>
<tr>
<th>Description</th>
<th>EA</th>
<th>$7750.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>133 Respiratory Examinations by Physician</td>
<td>EA</td>
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</table>

(Group VII) SUBTOTAL

<table>
<thead>
<tr>
<th>Description</th>
<th>EA</th>
<th>$1105.00</th>
</tr>
</thead>
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<tr>
<td>134 Medical Record Review and Written Report of Eruptions</td>
<td>EA</td>
<td>$1105.00</td>
</tr>
</tbody>
</table>

(Group VIII) SUBTOTAL

<table>
<thead>
<tr>
<th>Description</th>
<th>EA</th>
<th>$1860.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>135 Referral(s) to Sub-specialist (i.e. orthopedist, neurologist)</td>
<td>EA</td>
<td>$1860.00</td>
</tr>
</tbody>
</table>

(Group IX) SUBTOTAL

<table>
<thead>
<tr>
<th>Description</th>
<th>EA</th>
<th>$1860.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>136 Representation at administrative hearings for challenged results of medical examinations</td>
<td>EA</td>
<td>$1860.00</td>
</tr>
</tbody>
</table>

(Group IX) SUBTOTAL

<table>
<thead>
<tr>
<th>Description</th>
<th>EA</th>
<th>$250.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>137 Expert testimony in a court of law for challenged results of medical examinations</td>
<td>EA</td>
<td>$250.00</td>
</tr>
</tbody>
</table>

(Group IX) SUBTOTAL

<table>
<thead>
<tr>
<th>Description</th>
<th>EA</th>
<th>$0.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>138 Controlled Substance Testing, DOT 5-panel urine screen, initial and confirmation of all positives</td>
<td>EA</td>
<td>$0.00</td>
</tr>
<tr>
<td>139 Controlled Substance Screening, Urine Drug Screen (B-panel)</td>
<td>EA</td>
<td>$0.00</td>
</tr>
<tr>
<td>140 Alcohol Testing, DOT blood alcohol (evidential breath alcohol BAlT)</td>
<td>EA</td>
<td>$0.00</td>
</tr>
</tbody>
</table>
# Bid Tabulation

**City of St. Petersburg**

**Procurement and Supply Management**

### Specification:

**Bid No. 7701**

**Health Services: Medical Examinations and Testing**

**Lawanda Sodden**

**City of St. Petersburg**

## Bid Tabulation

### Life Extension Clinic, Inc.

**Tampa, FL**

**Lakeside Occupational Medical Centers, Inc.**

**Net 30**

**Terms: Net 30**

**Delivery: 45 Days**

<table>
<thead>
<tr>
<th>Description</th>
<th>UOM</th>
<th>EAQ</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Controlled Substance Testing, DOT Split Sample Lab Second Opinion (usually ordered by employee)</td>
<td>EA</td>
<td>4</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Alcohol Testing, Non-DOT blood alcohol (evidential breath alcohol (BAT))</td>
<td>EA</td>
<td>300</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Alcohol Testing, Blood Alcohol Test (blood draw)</td>
<td>EA</td>
<td>20</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Drug Screen Litigation Records Packet</td>
<td>EA</td>
<td>10</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Tetanus Vaccine</td>
<td>EA</td>
<td>20</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Laboratory Test, Baseline Heavy Metals Screen</td>
<td>EA</td>
<td>10</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Laboratory Test, Baseline Testing for Hep A/B/C</td>
<td>EA</td>
<td>4</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Laboratory Test, Baseline Testing for Hep C</td>
<td>EA</td>
<td>4</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Laboratory Test, Hep B Test</td>
<td>EA</td>
<td>50</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Hep A Vaccine (per dose)</td>
<td>EA</td>
<td>30</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Hep B Vaccine (per dose)</td>
<td>EA</td>
<td>30</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Twinrix Vaccine</td>
<td>EA</td>
<td>50</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>MMR Vaccine</td>
<td>EA</td>
<td>4</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Chest X-ray (PA only)</td>
<td>EA</td>
<td>4</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>X-ray Lumbar/Spinal (3 views)</td>
<td>EA</td>
<td>4</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Back Screen/Evulsion (need determined by essential job function - only in conjunction with Medical Examination by Physician)</td>
<td>EA</td>
<td>10</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>DOT Physical</td>
<td>EA</td>
<td>50</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Flu Vaccine</td>
<td>EA</td>
<td>30</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Diagnostic Test, Stress Test</td>
<td>EA</td>
<td>10</td>
<td>No Bid</td>
<td>$0.00</td>
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</table>

### Company Care Occupational Health Care Services d/b/a Edward White Hospital

**St. Petersburg, FL**

**Terms: Net 30**

**Delivery: 45 Days**

<table>
<thead>
<tr>
<th>Description</th>
<th>UOM</th>
<th>EAQ</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Controlled Substance Testing, DOT Split Sample Lab Second Opinion (usually ordered by employee)</td>
<td>EA</td>
<td>4</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Alcohol Testing, Non-DOT blood alcohol (evidential breath alcohol (BAT))</td>
<td>EA</td>
<td>300</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Alcohol Testing, Blood Alcohol Test (blood draw)</td>
<td>EA</td>
<td>20</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Drug Screen Litigation Records Packet</td>
<td>EA</td>
<td>10</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Tetanus Vaccine</td>
<td>EA</td>
<td>20</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Laboratory Test, Baseline Heavy Metals Screen</td>
<td>EA</td>
<td>10</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Laboratory Test, Baseline Testing for Hep A/B/C</td>
<td>EA</td>
<td>4</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Laboratory Test, Baseline Testing for Hep C</td>
<td>EA</td>
<td>4</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Laboratory Test, Hep B Test</td>
<td>EA</td>
<td>50</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Hep A Vaccine (per dose)</td>
<td>EA</td>
<td>30</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Hep B Vaccine (per dose)</td>
<td>EA</td>
<td>30</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Twinrix Vaccine</td>
<td>EA</td>
<td>50</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>MMR Vaccine</td>
<td>EA</td>
<td>4</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Chest X-ray (PA only)</td>
<td>EA</td>
<td>4</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>X-ray Lumbar/Spinal (3 views)</td>
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<td>No Bid</td>
<td>$0.00</td>
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<td>EA</td>
<td>10</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>DOT Physical</td>
<td>EA</td>
<td>50</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Flu Vaccine</td>
<td>EA</td>
<td>30</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Diagnostic Test, Stress Test</td>
<td>EA</td>
<td>10</td>
<td>No Bid</td>
<td>$0.00</td>
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</table>

### Group XI - Miscellaneous Vaccines and Tests

<table>
<thead>
<tr>
<th>Description</th>
<th>UOM</th>
<th>EAQ</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tetanus Vaccine</td>
<td>EA</td>
<td>20</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Laboratory Test, Baseline Heavy Metals Screen</td>
<td>EA</td>
<td>20</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Laboratory Test, Baseline Testing for Hep A/B/C</td>
<td>EA</td>
<td>10</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Laboratory Test, Baseline Testing for Hep C</td>
<td>EA</td>
<td>4</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Laboratory Test, Hep B Test</td>
<td>EA</td>
<td>50</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Hep A Vaccine (per dose)</td>
<td>EA</td>
<td>30</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Hep B Vaccine (per dose)</td>
<td>EA</td>
<td>30</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Twinrix Vaccine</td>
<td>EA</td>
<td>50</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>MMR Vaccine</td>
<td>EA</td>
<td>4</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Chest X-ray (PA only)</td>
<td>EA</td>
<td>4</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
<tr>
<td>X-ray Lumbar/Spinal (3 views)</td>
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<td>No Bid</td>
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### Group XII - Training

<table>
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<tr>
<th>Description</th>
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<th>Unit Price</th>
<th>Extended Price</th>
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</thead>
<tbody>
<tr>
<td>On Site Instructor, DOT Supervisor Training</td>
<td>EA</td>
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<tr>
<td>On Site Instructor, Infectious Disease Control</td>
<td>EA</td>
<td>1</td>
<td>No Bid</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**Award Pending**

**Page 5 of 6**
A RESOLUTION APPROVING THE SOLE RENEWAL OPTION TO THE BLANKET AGREEMENTS WITH LIFE EXTENSION CLINICS, INC., D/B/A LIFE SCAN WELLNESS CENTERS AND U.S. HEALTHWORKS MEDICAL GROUP OF FLORIDA, INC. FOR MEDICAL EXAMINATIONS AND HEALTH TESTING SERVICES FOR THE HUMAN RESOURCES, FIRE, POLICE, AND PARKS AND RECREATION DEPARTMENTS AT AN ESTIMATED ANNUAL COST NOT TO EXCEED $320,000 FOR A TOTAL CONTRACT AMOUNT OF $1,570,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 18, 2014, City Council approved the award of three-year blanket agreements ("Agreements") with one two-year renewal options to Life Extension Clinics, Inc., d/b/a Life Scan Wellness Centers ("Life Scan") and U.S. Healthworks Medical Group of Florida, Inc. ("U.S. Healthworks") for medical examinations and health testing services for the Human Resources, Fire, Police, and Parks and Recreation Departments pursuant to IFB No. 7701, dated June 27, 2017; and

WHEREAS, the City desires to exercise the sole renewal option to the Agreements at an estimated annual cost not to exceed $320,000 for a term through September 30, 2019; and

WHEREAS, Life Scan and U.S. Healthworks have agreed to hold prices firm under the terms and conditions of IFB 7701; and

WHEREAS, the Procurement & Supply Management Department in cooperation with the Human Resources, Fire, Police, and Parks and Recreation Departments, recommends approval of these renewals.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the sole renewal option to the blanket agreements with Life Extension Clinics, Inc., d/b/a Life Scan Wellness Centers and U.S. Healthworks Medical Group of Florida, Inc. for medical examinations and health testing services for the Human Resources, Fire, Police, and Parks and Recreation Departments at an estimated annual cost no to exceed $320,000 for a total contract amount of $1,570,000 are hereby approved.

BE IT FURTHER RESOLVED that the Mayor or his 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 proposals from Cross Construction Services, Inc., Cross Environmental Services, Inc., H&H Fergusons' Contracting, Inc., John Varrati, LLC, dba Magnum Demolition, Johnsons' Excavation & Services, Inc., Kimmins Contracting Corp., and PAW Materials, Inc., dba PAW Demolition, for demolition services and removal of structures for the Codes Compliance Assistance and Engineering and Capital Improvements departments, for a three-year contract amount of $1,035,000.

Explanation: The Procurement Department received nine proposals for demolition services. The contractors will provide demolition services for the City, including removal of structures, foundations, driveways, walkways, footers, slabs, steps, basements and debris. In addition, vendors must obtain permits, disconnect utilities and grade the lot to surrounding grade, using clean-fill dirt and apply grass seed or sod.

For each demolition project, the City will develop a scope of work and will solicit quotes from the list of qualified contractors. The job will be awarded to the lowest responsive bidder. In an emergency demolition, the criteria for award will be based on price, as well as job site conditions, public safety concerns and immediate availability.

The Procurement and Supply Management Department recommends:

Demolition and Removal of Structures $1,035,000
Three Years @ $345,000/yr

Cross Construction Services, Inc.
Cross Environmental Services, Inc.
H&H Fergusons' Contracting, Inc.
John Varrati, LLC, dba Magnum Demolition
Johnsons' Excavation & Services, Inc.
Kimmins Contracting Corp.
PAW Materials, Inc., dba PAW Demolition

The contractors have met the qualification requirements of RFQ No. 6485, dated May 12, 2017. Contract purchase agreements will be issued and will be binding only for actual services rendered. Amounts paid to awardees shall not exceed a combined total of $1,035,000 over the initial term. These agreements will be effective through September 30, 2020, with one two-year renewal option.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Sanitation Operating Fund (4021), Neighborhood Services, Codes Compliance Department, Demolition Division (1101129), and the Public Safety Capital Improvements Fund (3025), Engineering & Capital Improvements, Capital Improvements Division (1302465).

Attachments: Resolution

Approvals:

[Signatures]
A RESOLUTION ACCEPTING THE PROPOSALS AND APPROVING THE AWARD OF THREE-YEAR AGREEMENTS TO CROSS CONSTRUCTION, INC., CROSS ENVIRONMENTAL SERVICES, INC., H&H FERGUSONS' CONTRACTING, INC., JOHN VARRATI, LLC D/B/A MAGNUM DEMOLITION, JOHNSON'S EXCAVATION & SERVICES, INC., KIMMINS CONTRACTING CORP., AND PAW MATERIALS, INC. D/B/A PAW DEMOLITION AT AN ESTIMATED COST NOT TO EXCEED $1,035,000 FOR THE INITIAL TERM TO PROVIDE DEMOLITION SERVICES AND REMOVAL OF STRUCTURES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received nine (9) proposals for demolition services and removal of structures for the City pursuant to RFQ No. 6485 dated May 12, 2017; and

WHEREAS, Cross Construction, Inc., Cross Environmental Services, Inc., H&H Fergusons’ Contracting, Inc., John Varrati, LLC d/b/a Magnum Demolition, Johnson’s Excavation & Services, Inc., Kimmins Contracting Corp., and Paw Materials, Inc. d/b/a Paw Demolition ("Contractors") have met the specifications, terms and conditions of RFQ No. 6485; and

WHEREAS, the City will develop a scope of work for each new demolition project and will solicit quotes and award the project to the lowest responsive bidder from the list of approved Contractors; and

WHEREAS, the Procurement and Supply Management Department recommends approval of the agreements to the Contractors for a three-year term ending September 30, 2020; and

WHEREAS, these Agreements can be renewed for an additional two-year period with City Council approval.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the proposals are hereby accepted and the award of three-year agreements to Cross Construction, Inc., Cross Environmental Services, Inc., H&H Fergusons’ Contracting, Inc., John Varrati, LLC d/b/a Magnum Demolition, Johnson’s Excavation & Services, Inc., Kimmins Contracting Corp., and Paw Materials, Inc. d/b/a Paw Demolition at an estimated cost not to exceed $1,035,000 for the initial term to provide demolition services and removal of structures is hereby approved.

NOW THEREFORE, BE IT RESOLVED that the Mayor or his designee is authorized to execute all documents necessary to effectuate these transactions.

This Resolution shall become effective immediately upon its adoption.

Approved as to form and content:
City Attorney (designee)
00338735
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving the renewal of agreements with Great Bay Distributors, Inc., Vansnax Distributors, Inc., J.J. Taylor Distributing Florida, Inc., Hamilton Distribution, Inc. and Freeman's Independent Ice Co., Inc. for food and beverages for resale at an estimated annual cost of $60,000, for a total contract amount of $260,000.

Explanation: On November 24, 2014, City Council approved a three-year agreement for food for resale through November 30, 2017. The agreements have two, one-year renewal options. This is the first renewal.

The vendors provide alcoholic beverages and food, such as candy, snacks, ice, hot dogs, deli meats and bread, for resale at City concessions. The primary users are Golf Courses and the Downtown Enterprise Facilities departments.

The Procurement Department recommends renewal:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food for Resale</td>
<td>$60,000</td>
</tr>
<tr>
<td>Original agreement amount</td>
<td>$200,000</td>
</tr>
<tr>
<td>1st renewal</td>
<td>60,000</td>
</tr>
<tr>
<td>Total contract amount</td>
<td>$260,000</td>
</tr>
</tbody>
</table>

This purchase is made in accordance with Section 2-239, of the Procurement Code, which exempts groceries, foodstuffs, alcoholic beverages, expendable items, merchandise or supplies for resale in City-operated retail shops from the competitive bidding process. The agreements will be effective from date of award through November 30, 2018. Amounts paid to vendors under this renewal term should not exceed a combined total of $60,000.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Golf Course Operating Fund (4061), General Fund (0001), Marina Operating Fund (4041), Sanitation Operating Fund (4021), and the Coliseum Operating Fund (1205).

Attachments: Resolution

Approvals: [Signature]

By: [Signature]

Administrative

[Signature]

Budget
A RESOLUTION APPROVING THE FIRST RENEWAL OPTION TO THE BLANKET AGREEMENTS WITH GREAT BAY DISTRIBUTORS, INC., VANSNAK DISTRIBUTORS, INC., J.J. TAYLOR DISTRIBUTING FLORIDA, INC., HAMILTON DISTRIBUTION, INC., AND FREEMAN’S INDEPENDENT ICE CO., INC. FOR THE PURCHASE OF FOOD AND ALCOHOLIC BEVERAGES FOR RESALE AT CITY-OPERATED CONCESSIONS AT AN ESTIMATED COMBINED ANNUAL COST NOT TO EXCEED $60,000 FOR A TOTAL COMBINED CONTRACT AMOUNT OF $260,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 2-239(a), (b) of the Procurement Code, the City is exempt from the competitive bidding process for groceries, foodstuffs and alcoholic beverages for resale in City-operated concessions and retail shops; and

WHEREAS, on November 24, 2014, City Council approved three-year blanket agreements ("Agreements") with two one-year renewal options with Great Bay Distributors, Inc., Vansna Distributors, Inc., J.J. Taylor Distributing Florida, Inc., Hamilton Distribution, Inc., and Freeman’s Independent Ice Co., Inc. (“Vendors”) for the purchase of food and alcoholic beverages for resale at City operated concessions primarily for the Golf Courses and Downtown Enterprise Facilities Departments; and

WHEREAS, the City desires to exercise the first renewal option to the Agreements at an estimated combined annual cost not to exceed $60,000 for a term through November 30, 2018; and

WHEREAS, the Vendors have agreed to hold prices firm under the terms and conditions of the Agreements; and

WHEREAS, the Procurement & Supply Management Department recommends approval of these renewals.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the first renewal option to the blanket agreements with Great Bay Distributors, Inc., Vansna Distributors, Inc., J.J. Taylor Distributing Florida, Inc., Hamilton Distribution, Inc., and Freeman’s Independent Ice Co., Inc. for the purchase of food and alcoholic beverages for resale at City-operated concessions at an estimated combined annual cost not to exceed $60,000 for a total combined contract amount of $260,000 are hereby approved.

BE IT FURTHER RESOLVED that the Mayor or his 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)
00338679
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Accepting a proposal from Montgomery Retirement Plan Advisors, Inc. for deferred compensation consulting services for the Human Resources Department, for a three-year contract amount of $118,500.

Explanation: The Procurement Department received nine proposals for Consulting Services for Deferred Compensation Plans. The nine proposals were received from:

<table>
<thead>
<tr>
<th>Offerors</th>
<th>Amount (Five-year Cost)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. AndCo Consulting LLC</td>
<td>$250,000</td>
</tr>
<tr>
<td>2. Burgess Chambers &amp; Associates, Inc.</td>
<td>$375,000</td>
</tr>
<tr>
<td>3. Cammack LaRhette Advisors, LLC</td>
<td>$300,000</td>
</tr>
<tr>
<td>4. Liberty Retirement Consultants, LLC</td>
<td>$120,000</td>
</tr>
<tr>
<td>5. Lido Advisors, LLC</td>
<td>$110,000</td>
</tr>
<tr>
<td>6. Montgomery Retirement Plan Advisors, Inc.</td>
<td>$197,500</td>
</tr>
<tr>
<td>7. Morgan Stanley Smith Barney, LLC</td>
<td>$165,000</td>
</tr>
<tr>
<td>8. PFM Asset Management, LLC</td>
<td>$435,000</td>
</tr>
<tr>
<td>9. Segal Advisors, Inc., dba Segal Marco Advisors</td>
<td>$265,000</td>
</tr>
</tbody>
</table>

The proposals were evaluated by a cross-functional team from the Mayor's Office, Finance Department, and Human Resources Department. They include:

- Dr. Gary Cornwell, City Administrator
- Anne Fritz, Director, Finance
- Vicki Grant, Benefits Manager, Human Resources Department

The proposals were evaluated based on the following criteria:

- Experience and qualifications of firm
- Proposal
- Financial stability
- Cost of services

The vendor will provide technical assistance to the Human Resources Department, which is responsible for the administration of the City's 457K Deferred Compensation and 401a plans. Specifically, the consultant will review and recommend modifications to plans, including compliance, administration and investment management; advise the City of legislation that affects, or may affect, the plans; assist the City in developing any Request for Proposals ("RFPs") for deferred compensation administrative services; and provide ongoing review of investment options in the plans. The consultant will also provide recommendations for the selection or deletion of options and assist the City with fee negotiations, service arrangements and administrative issue resolution.

The Procurement Department, in cooperation with the Human Resources Department, recommends approval:

Montgomery Retirement Plan Advisors, Inc. (Tampa) ............................................ $118,500

Continued on Page 2
Montgomery Retirement Plan Advisors, Inc. has met the requirements of RFP No. 6499, dated May 16, 2017. Montgomery Retirement Plan Advisors, Inc. was determined to be most advantageous to the City, taking into consideration the cost of service and the evaluation criteria set forth in RFP No. 6499, dated February 24, 2017. They have successfully performed these services for the cities of Clearwater, Naples, Largo, and Tarpon Springs, and the Palm Beach County Sheriff’s Office. A blanket purchase agreement will be issued to the consultant and will be binding only for actual services rendered. This agreement will be effective through September 30, 2020, with one two-year renewal option.

**Cost/Funding/Assessment Information:** Funds are available in the Deferred Compensation - ICMA Fund (6911)

**Attachments:** Technical Evaluation (5 pages)
Meeting Minutes (3 pages)
Resolution

**Approvals:**
Summary Work Statement

The City received nine Statements of Qualifications (SOQs) for RFQ 6499 Consulting Services for Deferred Compensation Plans. The successful firms will provide consulting services for the City's 457 deferred compensation plan and 401 (a) retirement plan (collectively "Plans"). The nine qualification statements were received from:

1. AndCo Consulting, LLC
3. Cammack LaRhette Advisors, LLC
4. Liberty Retirement Consultants, LLC
5. Lido Advisors, LLC
6. Montgomery Retirement Plan Advisors, Inc.
7. Morgan Stanley Smith Barney, LLC
8. PFM Asset Management, LLC
9. Segal Advisors, Inc. dba Segal Marco Advisors

Evaluation Committee

Evaluations of the nine qualification statements were conducted by:

Dr. Gary Cornwell, City Administrator
Anne Fritz, Director, Finance
Vicki Grant, Employee Benefits Manager, Human Resources

Evaluation Criteria

The SOQs were evaluated based on the following criteria:

- Qualifications and Experience of Firm
- Proposal
- Financial Stability
- Cost of Services

Offerors' Profiles

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

AndCo Consulting, LLC maintains its company headquarters in Orlando, having approximately 83 employees designated to serve the City. The firm was founded in Florida in 2000.

Strengths include: They provided a comprehensive quarterly report that included a fiduciary checklist; they provided a good recordkeeping RFP and evaluation; and listed multiple Florida public sector clients.
Weaknesses include: They proposed a conference call for initial meeting with the City; they did not provide rating services/ software they are using and did not provide enough details on how plan performances are measured; and the firm has had Investment Adviser Registration Depository (IARD) violations.

The proposal meets the City's requirements.

Burgess Chambers & Associates, Inc. maintains its company headquarters in Orlando, having approximately 11 employees designated to serve the City. The firm was founded in Florida in 1988.

Strengths include: They provided good Florida client references; good quarterly reports; and provided a comprehensive presentation of transition timeline.

Weaknesses include: They did not provide financial statements; they are defined benefit-focused not deferred compensation-focused; did not provide much detail on fund monitoring and selection process; and they provided a high fee structure.

The proposal marginally meets the City's requirements.

Cammack LaRhette Advisors, LLC a wholly owned company of Cammack Retirement Group, maintains its company headquarters in New York, New York, having approximately 43 employees designated to serve the City. The firm was formed in New York in 2007.

Strengths Include: They provided a work plan with good details on each step of the process; discussed investment review and selection process in detail with mention of resources and systems used; and provided good legislative and fiduciary section of their quarterly report.

Weaknesses include: None of their references were Florida based; their primary consultant has nine years' experience in deferred compensation plans; they provided separate fees for all services; and they are not registered to do business in Florida.

The proposal marginally meets the City's requirements.

Liberty Retirement Consultants, LLC maintains its company headquarters in Driftwood, Texas, having one employee designated to serve the City. The firm was founded in Texas in 2016.

Strengths Include: They provided comprehensive performance data; and were the lowest cost provider.

Weaknesses include: They are a Texas firm, in business for one year, and not registered to do business in Florida; the principal does not have extensive background in consulting; the principal served as a trustee but showed no clear experience of the daily administration of plans; they provided a weak description of fund monitoring and selection processes; they do not currently meet insurance requirements; and provided no financial statements for the firm as an LLC.

The proposal does not meet the City's requirements.

Lido Advisors, LLC maintains its company headquarters in Los Angeles, California, having approximately 37 employees designated to serve the City. The firm was founded in Delaware in 1999.
Strengths Include: They provided comprehensive financials.

Weaknesses include: They provide service to institutional clients only; the proposal is structured more for defined based plans; they did not provide enough detail on fund monitoring and selection processes; and provided only three references out of five, with the majority of clients high net worth individuals; they provided a poor quarterly sample report; and no references were from the public sector.

The proposal did not meet the City's requirements.

Montgomery Retirement Plan Advisors, Inc. maintains its company headquarters in Tampa, having approximately four employees designated to serve the City. The firm was founded in Florida in 2004.

Strengths Include: They provided a well-documented proposal with reports and a detailed RFP process; they specialize in government accounts; the proposal was customized for the City of St. Petersburg; the Senior Consultant is experienced in plan recordkeeping; they provided positive results for each of their references; and they provided a concise discussion of investment monitoring and selection process.

Weaknesses include: They are a small staffed firm; and did not provide financials.

The proposal meets the City's requirements.

Morgan Stanley Smith Barney, LLC maintains its company headquarters in Purchase, New York, having approximately 200 employees designated to serve the City. The firm was founded in Delaware in 1981.

Strengths Include: They are a large firm with extensive research resources; they provided a good transition plan discussion for recordkeeping change and a good fiduciary checklist publication; and provided a good quarterly report.

Weaknesses include: The majority of references they provided are for defined benefit plans; they did not provide a sample RFP; they listed the City of St. Petersburg as a reference, twice; and their quarterly report had no plan demographic information.

The proposal meets the City's requirements.

PFM Asset Management, LLC maintains its company headquarters in Harrisburg, Pennsylvania, having approximately 11 employees designated to serve the City. The firm was founded in Delaware in 2001.

Strengths Include: All assigned team members have significant experience; their sample reports included sections on demographics; and have 26 Florida cities as clients.

Weaknesses include: Their references included non-governmental entities and non-401 or 457 plans; they did not provide a detailed discussion of methodology on fund selection and analysis; and they provided the highest five-year cost of all proposals received.

The proposal meets the City's requirements.
Segal Advisors, Inc. dba Segal Marco Advisors maintains its company headquarters in New York, New York, having approximately 138 employees designated to serve the City. The firm was founded in New York in 1969.

Strengths Include: They are the consultant to many large deferred compensation plans with some in Florida; they provided a good quarterly report; they provided comprehensive financial statements; all of their references are government entities; and they discussed their strategy for administration monitoring of recordkeeping.

Weaknesses include: They did not provide enough detail on fund monitoring and selection processes or a sample RFP.

The proposal meets the City’s requirements.

Shortlisting and Oral Presentations

The proposals were initially evaluated solely on the evaluation criteria established in the RFQ. On July 21, 2017, the evaluation committee ranked each proposal and the top five firms were invited to present additional information. The proposals were ranked as follows:

<table>
<thead>
<tr>
<th>Rank</th>
<th>Firm</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Montgomery Retirement Plan Advisors, Inc.</td>
</tr>
<tr>
<td>2.</td>
<td>Morgan Stanley Smith Barney, LLC</td>
</tr>
<tr>
<td>3.</td>
<td>Segal Advisors, Inc. dba Segal Marco Advisors</td>
</tr>
<tr>
<td>4.</td>
<td>AndCo Consulting, LLC</td>
</tr>
<tr>
<td>5.</td>
<td>PFM Asset Management, LLC</td>
</tr>
<tr>
<td>6.</td>
<td>Cammack LaRhette Advisors, LLC</td>
</tr>
<tr>
<td>8.</td>
<td>Lido Advisors, LLC</td>
</tr>
<tr>
<td>9.</td>
<td>Liberty Retirement Consultants, LLC</td>
</tr>
</tbody>
</table>

Recommendation for Award

On August 2, 2017, the evaluation committee met to evaluate the presentations and proposals, and recommended Montgomery Retirement Plan Advisors, Inc. the highest ranked offer for Consulting Services for Deferred Compensation Plans. The presentation were ranked as follows:

<table>
<thead>
<tr>
<th>Rank</th>
<th>Firm</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Montgomery Retirement Plan Advisors, Inc.</td>
</tr>
<tr>
<td>2.</td>
<td>AndCo Consulting, LLC</td>
</tr>
<tr>
<td>3.</td>
<td>PFM Asset Management, LLC</td>
</tr>
<tr>
<td>4.</td>
<td>Morgan Stanley Smith Barney, LLC</td>
</tr>
<tr>
<td>5.</td>
<td>Segal Advisors, Inc. dba Segal Marco Advisors</td>
</tr>
</tbody>
</table>

Montgomery Retirement Plan Advisors, Inc. has met the requirements of RFP No. 6499 and has been determined to be the most advantageous to the City; taking into consideration the cost of services and the evaluation criteria set forth in the RFP.
Montgomery Retirement Plan Advisors, Inc. has met the requirements of RFP No. 6499 and has been determined to be the most advantageous to the City; taking into consideration the cost of services and the evaluation criteria set forth in the RFP.

Montgomery Retirement Plan Advisors, Inc. was selected for the following reasons:

- They can provide all services required by the City
- They provide this service exclusively for governmental clients
- They have successfully provided services for the City of Clearwater, City of Largo, City of Naples, City of Tarpon Springs, and the Palm Beach County Sheriff's Office for a significant length of time.

Attached are the minutes of the two evaluation committee meetings.

Vicki Grant  Gary Comwell
Chair  Committee Member

Anne Fritz  Committee Member
City of St. Petersburg  
Meeting Agenda  
Procurement and Supply Management

Title: RFP No. 6499: Consulting Services for Deferred Compensation Plans
Meeting Date: Friday, July 21, 2017
Time: 1:00 p.m.
Place: Municipal Services Center, One 4th Street North, CR500, St. Petersburg, FL

<table>
<thead>
<tr>
<th>Agenda Item</th>
<th>Discussion/Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Introductions</td>
<td>Committee Members in Attendance: Vicki Grant (Chair), Gary Cornwell, Anne Fritz</td>
</tr>
<tr>
<td>a. Public Comments</td>
<td>Staff: Neal Jones</td>
</tr>
<tr>
<td>b. Florida's Open Meeting Law – FS 286.011 [NJ]</td>
<td>Motion by Anne to select Vicki as Chairman</td>
</tr>
<tr>
<td>c. Prohibited Communication - AP #050100 [NJ]</td>
<td>Seconded by: Gary Cornwell</td>
</tr>
<tr>
<td>d. Selection of Chairperson (Committee)</td>
<td>Committee began its deliberations of the Proposals</td>
</tr>
</tbody>
</table>
| 2. Evaluations of Proposals (Strengths and Weaknesses) | Committee Ranked as follows:  
1. Montgomery Retirement Plan Advisors, Inc.  
2. Morgan Stanley Smith Barney, LLC  
3. Segal Advisors, Inc. dba Segal Marco Advisors  
4. AndCo Consulting, LLC  
5. PFM Asset Management, LLC  
6. Cammack LaRette Advisors, LLC  
8. Lido Advisors, LLC  
9. Liberty Retirement Consultants, LLC |
| a. AndCo Consulting, LLC | Motion by: Gary Cornwell to invite the top 5 Consultants to provide oral presentations |
| b. Burgess Chamber & Associates, Inc. | Seconded by: Vicki Grant |
| c. Cammack LaRette Advisors, LLC | Votes: Affirmative (3) |
| d. Liberty Retirement Consultants, LLC |  |
| e. Lido Advisors, LLC |  |
| f. Montgomery Retirement Plan Advisors, Inc. |  |
| g. Morgan Stanley Smith Barney, LLC |  |
| h. PFM Asset Management, LLC |  |
| i. Segal Advisors, Inc. dba Segal Marco Advisors |  |
5. Clarifications/Questions

6. Adjournment

Meeting adjourned at 1350
# City of St. Petersburg
## Meeting Agenda
### Procurement and Supply Management

**Title:** RFP No. 6499; Consulting Services for Deferred Compensation Plans  
**Meeting Date:** Friday, July 21, 2017  
**Time:** 1:00 p.m.  
**Place:** Municipal Services Center, One 4th Street North, CR500, St. Petersburg, FL

<table>
<thead>
<tr>
<th>Agenda Item</th>
<th>Discussion/Action Taken</th>
</tr>
</thead>
</table>
| 1. Introductions  | Committee Members in Attendance: Vicki Grant (Chair), Gary Cornwell, Anne Fritz  
| a. Public Comments  | Staff: Neal Jones  
| b. Florida’s Open Meeting Law – FS 286.011 [NJ]  |  
| c. Prohibited Communication - AP #050100 [NJ]  |  |
| 2. Evaluations of Presentations (Strengths and Weaknesses)  | Committee began its deliberations of the Presentations  
| a. AndCo Consulting, LLC  |  
| b. Montgomery Retirement Plan Advisors, Inc.  |  
| c. Morgan Stanley Smith Barney, LLC  |  
| d. PFM Asset Management, LLC  |  
| e. Segal Advisors, Inc., dba Segal Marco Advisors  |  |
| 3. Ranking  | Committee Ranked as follows:  
| 1. Montgomery Retirement Plan Advisors, Inc.  |  
| 2. AndCo Consulting, LLC  |  
| 3. PFM Asset Management, LLC  |  
| 4. Morgan Stanley Smith Barney, LLC  |  
| 5. Segal Advisors, Inc., dba Segal Marco Advisors  |  |
| 4. Best and Final Offer (BAFO)  | No BAFO’s requested.  
| 5. Recommendation for Award  | Motion by: Gary to Recommend for Award to Montgomery Retirement Plan Advisors, Inc.  
|  | Seconded by: Vicki Grant  
|  | Votes: Affirmative (3)  
| 6. Adjournment  | Meeting adjourned at 1620 |

Rev (8/15)
A RESOLUTION ACCEPTING THE PROPOSAL AND APPROVING THE AWARD OF A THREE-YEAR AGREEMENT WITH MONTGOMERY RETIREMENT PLAN ADVISORS, INC. TO PROVIDE DEFERRED COMPENSATION CONSULTING SERVICES FOR THE HUMAN RESOURCES DEPARTMENT AT A TOTAL COST OF THE INITIAL TERM NOT TO EXCEED $118,500; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department issued RFP No. 6499 on May 16, 2017 for deferred compensation consulting services for the Human Resources Department which is responsible for the administration of the City’s 457K Deferred Compensation and 401a plans; and

WHEREAS, June 29, 2017, the Procurement and Supply Management Department received nine (9) proposals in response to the RFP; and

WHEREAS, on July 21, 2017, an evaluation committee (Dr. Gary Cornwell, Anne Fritz, and Vicki Grant) evaluated the nine proposals and shortlisted the firms of (i) AndCo Consulting LLC, (ii) Montgomery Retirement Plan Advisors, Inc. (“Montgomery Retirement”), (iii) Morgan Stanley Smith Barney, LLC, (iv) PFM Asset Management, LLC, and (v) Segal Advisors, Inc., d/b/a Segal Margo Advisors, who also made oral presentations; and

WHEREAS, on August 2, 2017, the evaluation committee ranked Montgomery Retirement as the most qualified firm to provide deferred compensation consulting services for the Human Resources Department; and

WHEREAS, Montgomery Retirement has met the specifications, terms and conditions of RFP No. 6499; and

WHEREAS, the Procurement & Supply Management Department in cooperation with the Human Resources Department recommends approval of the agreement to Montgomery Retirement for a three-year term ending September 30, 2020; and

WHEREAS, this Agreement can be renewed for an additional two-year renewal period with City Council approval.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the proposal is accepted and the award of a three-year agreement with Montgomery Retirement Plan Advisors, Inc. to provide deferred compensation consulting services for the Human Resources Department at a total cost of the initial term not to exceed $118,500 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)
00338894
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Rescinding a portion of an award to Stingray Chevrolet, LLC in the amount of $63,243, and awarding to Alan Jay Chevrolet-Cadillac, Inc., in the amount of $71,160.99, for a net increase of $7,917.99 in the total fleet purchase.

Explanation: On May 18, 2017, City Council approved the award to multiple dealers for 70 vehicles at a total contract amount of $1,611,466.30, however, the Chevrolet Manufacturer had ceased its production of three 2017 vehicles and Stingray Chevrolet, LLC was unable to fulfill the order.

Therefore, in order to proceed with the purchase of these vehicles, Administration recommends that City Council rescind the award to Stingray Chevrolet, LLC and award to Alan Jay Chevrolet-Cadillac, Inc., for the vehicle needs of the City.

The vendor will furnish and deliver three (3) compact trucks with 2.5 L V6 gasoline engines with 6-speed automatic transmissions, power steering, power brakes, and air conditioning. These vehicles are compact in size to fit in confined areas and are equipped with exterior storage for equipment and materials. Two of these vehicles will be assigned to the Community/Public Service Department and will be used to transport Community Public Service staff. One additional vehicle will be used by the Water Resources Department to transport Water Resources staff. Two of new vehicles, with life expectancies of nine to ten years, are replacing units that are nine to ten years old, with original purchase prices ranging from $18,716 to $23,416 each. The old vehicles have reached the end of their economic useful life and will be sold at public auction.

The Procurement Department, in cooperation with the Fleet Management Department, recommends an award utilizing National Joint Powers Alliance Contract No. 120716-NAF:

- Alan Jay Chevrolet-Cadillac, Inc. (Sebring) ................................................................. $71,160.99

<table>
<thead>
<tr>
<th>2017 Chevy Colorado extended cab 2WD 6' bed (base price)</th>
<th>3 EA</th>
<th>$21,028.00</th>
<th>$63,084.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.5L DOHC I4 DI engine with 6-speed automatic transmission</td>
<td>3 EA</td>
<td>645.00</td>
<td>1,935.00</td>
</tr>
<tr>
<td>Remote keyless, theft deterrent system, and easy lift tailgate</td>
<td>3 EA</td>
<td>480.00</td>
<td>1,440.00</td>
</tr>
<tr>
<td>Heavy duty spray-on bed liner (short box)</td>
<td>3 EA</td>
<td>479.00</td>
<td>1,437.00</td>
</tr>
<tr>
<td>Model year 2018 price increase</td>
<td>3 EA</td>
<td>200.00</td>
<td>600.00</td>
</tr>
<tr>
<td>3rd key and remote</td>
<td>3 EA</td>
<td>275.00</td>
<td>825.00</td>
</tr>
<tr>
<td>Upgraded radio with back up camera</td>
<td>3 EA</td>
<td>250.00</td>
<td>750.00</td>
</tr>
<tr>
<td>New City tag</td>
<td>3 EA</td>
<td>248.33</td>
<td>744.99</td>
</tr>
<tr>
<td>Factory back-up alarm</td>
<td>3 EA</td>
<td>115.00</td>
<td>345.00</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$71,160.99</td>
</tr>
</tbody>
</table>

This vendor has met the specifications, terms and conditions of the National Joint Powers Alliance Contract 120716-NAF, effective through January 17, 2021. This purchase is made in accordance with Section 2-256 (2) of the Procurement Code, which authorizes the Mayor, or his designee, to piggyback off contracts competitively bid by other governmental entities or a consortium.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Equipment Replacement Fund (5002), and the Water Resources Operating Fund (4001).

Attachments: Resolution

Approvals:
A RESOLUTION RESCINDING A PORTION OF THE AWARD TO STINGRAY CHEVROLET, LLC IN AN AMOUNT NOT TO EXCEED $63,243 FOR THE PURCHASE OF THREE (3) COMPACT TRUCKS FOR THE FLEET MANAGEMENT DEPARTMENT; ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO ALAN JAY CHEVROLET-CADILLAC, INC. AT A TOTAL COST NOT TO EXCEED $71,160.99 FOR THE PURCHASE OF THREE (3) COMPACT TRUCKS FOR THE FLEET MANAGEMENT DEPARTMENT UTILIZING THE NATIONAL JOINT POWERS ALLIANCE CONTRACT NO. 120716-NAF; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 18, 2017, City Council awarded an agreement to Stingray Chevrolet, LLC to purchase vehicles and following that award a purchase order was issued; and

WHEREAS, Stingray Chevrolet, LLC has informed the City that they are unable to fulfill a portion of the purchase order for three (3) 2017 Chevy Colorado extended cab trucks in the amount of $63,243; and

WHEREAS, the Procurement & Materials Management Department has notified Stingray Chevrolet, LLC that they are rescinding that portion of the award; and

WHEREAS, the City desires to accept a bid and approve an agreement with Alan Jay Chevrolet-Cadillac, Inc. for three (3) 2017 Chevy Colorado extended cab trucks in the amount of $71,160.99; and

WHEREAS, pursuant to Section 2-256(2) of the City Code, the Mayor or his designee is authorized to utilize competitively bid contracts of other governmental entities; and

WHEREAS, Alan Jay Chevrolet-Cadillac, Inc. has met the specifications, terms and conditions of the National Joint Powers Alliance Contract No. 120716-NAF; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Fleet Management Department, recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that a portion of the award to Stingray Chevrolet, LLC in an amount not to exceed $63,243 for the purchase of three (3) compact trucks for the Fleet Management Department is hereby rescinded.

BE IT FURTHER RESOLVED that the bid is accepted and the award of an agreement to Alan Jay Chevrolet-Cadillac, Inc. at a total cost not to exceed $71,160.99 for the purchase of three (3) compact trucks for the Fleet Management Department utilizing the National Joint Powers Alliance Contract No. 120716-NAF is hereby approved.
BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute all documents necessary to effectuate these transactions.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

[Signature]
City Attorney (Designee)
00338901
TO: THE HONORABLE DARDEN RICE, CHAIR, AND MEMBERS OF CITY COUNCIL

SUBJECT: Resolution approving the plat of Tyrone Commercial, generally located on the north side of the intersection of 22nd Avenue North and Tyrone Boulevard North. (Our File: 16-20000005)

RECOMMENDATION: The Administration recommends APPROVAL.

DISCUSSION: The applicant is requesting approval of a plat to create one lot and three tracts from one existing lot, a portion of another lot and a portion of right-of-way being vacated.

The plat was required as a condition of the associated vacation of right-of-way case (14-33000015) and will assemble the lot for redevelopment.

Attachments: Map, Aerial, Engineering Memorandum, Resolution

APPROVALS:

Administrative: [Signature]

Budget: NA

Legal: [Signature]
MEMORANDUM  
CITY OF ST. PETERSBURG  
ENGINEERING DEPARTMENT

TO: Pamela Jones, Development Services  
FROM: Nancy Davis, Engineering Plan Review Supervisor  
DATE: June 13, 2017  
SUBJECT: Final Plat for Tyrone Commercial  
FILE: 16-20000005 R4  

LOCATION: 2201 Tyrone Boulevard North  
PIN: 17/31/16/30168/001/0000  
ATLAS: P-12 and P 14  
PROJECT: Final Plat for Tyrone Commercial  
REQUEST: Approval of a Preliminary and New Final Plat for Tyrone Commercial

The Engineering Department has no objection to the proposed revised final plat. The work on this project is substantially complete at the time of this plat review.

NED/MJR:jw
pc: Kelly Donnelly
   Reading File
   Correspondence File
   Subdivision File – Garden Manor – Section 1
RESOLUTION NO. ______

A RESOLUTION APPROVING THE PLAT OF TYRONE COMMERCIAL, GENERALLY LOCATED ON THE NORTH SIDE OF THE INTERSECTION OF 22ND AVENUE NORTH AND TYRONE BOULEVARD NORTH; SETTING FORTH CONDITIONS FOR APPROVAL; AND PROVIDING AN EFFECTIVE DATE. (City File 16-20000005)

BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the plat of Tyrone Commercial, generally located on the north side of the intersection of 22nd Avenue North and Tyrone Boulevard North, is hereby approved.

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
A Plat of a Portion of Block 1, Garden Manor, Section 9.1, as recorded in Plat Book 35, Pages 4-5 and 45 of the Public Records of Pinellas County, Florida, together with a Plat of Addition of Portion of the Foot Right of Way shown on Plat of Pinellas Farms, this South of Old Farm Road, in all Sections 9 and 10, Township 5 South, Range 17 East, City of St. Petersburg, Pinellas County, Florida.

DESCRIPTION:
A Portion of the Foot Right of Way shown on Plat of Pinellas Farms, this South of Old Farm Road, as recorded in Plat Book 35, Pages 4-5 and 45 of the Public Records of Pinellas County, Florida, together with a Plat of Addition of Portion of the Foot Right of Way shown on Plat of Pinellas Farms, this South of Old Farm Road, in all Sections 9 and 10, Township 5 South, Range 17 East, City of St. Petersburg, Pinellas County, Florida.

This Plat is approved for annexation to the City of St. Petersburg, Pinellas County, Florida, as filed with the County Surveyor, and for the purpose of annexation, as filed with the County Clerk.

CERTIFICATE OF ANNEXATION

B. A. BRADY

COUNTY SURVEYOR

This Plat is approved for annexation to the City of St. Petersburg, Pinellas County, Florida, as filed with the County Surveyor, and for the purpose of annexation, as filed with the County Clerk.

CERTIFICATE OF ANNEXATION

B. A. BRADY

COUNTY SURVEYOR

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CERTIFICATE OF ANNEXATION

B. A. BRADY

COUNTY SURVEYOR

This Plat is approved for annexation to the City of St. Petersburg, Pinellas County, Florida, as filed with the County Surveyor, and for the purpose of annexation, as filed with the County Clerk.
SAINT PETERSBURG CITY COUNCIL

Meeting of September 7, 2017

TO: THE HONORABLE DARDEN RICE, CHAIR, AND MEMBERS OF CITY COUNCIL

SUBJECT: Resolution approving the plat of Wear The Fox Hat Farm Plat, generally located at 1045 25th Street North. (Our File: 16-20000017)

RECOMMENDATION: The Administration recommends APPROVAL.

DISCUSSION: The applicant is requesting approval to create one lot from unplatted land from that part of NW 1/4 of NE 1/4 of SE 1/4 of Sec 14-31-16 lying S of C/L of Brooker Creek Drainage Ditch Less W 180 feet thereof together with S 8 feet of W 180 feet of NW 1/4 of NE 1/4 OF SE 1/4 SD Sec less R/W for 25th Street North.

The plat will create one single-family lot.

Attachments: Map, Aerial, Resolution

APPROVALS:

Administrative: 

Budget: NA

Legal: 

14
Parcel Map
City of St. Petersburg, Florida
Planning and Economic Development Department
Case No.: 16-20000017
Address: 1045 25th Street North
MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING DEPARTMENT

TO: Pamela Jones, Development Services
FROM: Nancy Davis, Engineering Plan Review Supervisor
DATE: July 25, 2017
SUBJECT: Preliminary & Final Plat for 1045 25th Street North
WEAR THE FOX HAT FARM PLAT
FILE: 16-20000017 R2

LOCATION: 1045 25th Street North
PIN: 14/31/16/00000/410/0300
ATLAS: 1-08
PROJECT: Preliminary Plat and Final Plat
REQUEST: Approval of a Preliminary and Final Plat

The Engineering Department has no objection to the proposed Preliminary and Final plat provided the following special conditions and standard comments remain as requirements to be implemented when development occurs.

SPECIAL CONDITIONS OF APPROVAL:
1. Sanitary sewer is available to the site within the adjacent 25th Street North right of way. As development on the property occurs, the applicant/property owner is required to provide sanitary sewer to the proposed lot. The 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). The cost for design, permitting, and construction of required new service lateral(s) shall be by and at the sole expense of the applicant.

2. Potable water service is available to the site. As development on the property occurs, the applicant is required to provide potable water service to the 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.

3. If the adjacent alley to the south of the subdivision is to be used for access it is noted that it appears to be unimproved. If access to the site is proposed through the alley, and if zoning subsequently requires paving of the alley upon development of this site, the alley shall be paved per current City Engineering Standards and Specifications with design, permitting, and construction by and at the sole expense of the developer.

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@stoete.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 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. If development on this site triggers compliance with the City's Drainage Ordinance, 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 if applicable.

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.

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 – WEAR THE FOX HAT FARM PLAT (new file)
RESOLUTION NO. ______

A RESOLUTION APPROVING THE PLAT OF WEAR THE FOX HAT FARM, GENERALLY LOCATED AT 1045 25TH STREET NORTH; SETTING FORTH CONDITIONS FOR APPROVAL; AND PROVIDING AN EFFECTIVE DATE. (City File 16-20000017)

BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the plat of Wear the Fox Hat Farm, generally located 1045 25th Street North, is hereby approved, subject to the following conditions.


This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:

Planning & Economic Development Dept. Date

City Attorney (Designee) Date
LEGAL DESCRIPTION:
That part of the Northeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 14, Township 31 South, Range 16 East, lying South of middle of Brooker Creek Drainage Ditch, less the West 100 feet thereof, together with the South 8 feet of the West 180 feet, lying and being situated in Pinellas County, Florida and less any existing road right-of-way.

All located in the City of St. Petersburg, Pinellas County, Florida.

Containing 0.78 acres, more or less.

DEDICATION:
The undersigned hereby certifies that it is the owner of the above described tract of land hereby platted as WEAR THE FOX HAT FARM, and that it dedicates all streets, alleys, easements, rights-of-way, and public area shown on said plat, unless otherwise stated, shall be deemed to have been dedicated to the public for the uses and purposes thereon stated. However, nothing herein shall be construed as creating an obligation upon any governing body to perform any act of construction or maintenance within such dedicated areas except when the dedication is voluntarily assumed by the governing body.

Lot 1 is subject to any and all easements dedicated to public use as shown on this plat.

The undersigned hereby dedicates to the City of St. Petersburg and to all providers of emergency, mail, sanitation, telephone, electric, radio television and other public and quasi-public utilities and similar services on easement over, upon or across Lot 1 or above herein for ingress and egress to perform their official duties and obligations.

Utility companies providing service to this property are hereby granted non-exclusive perpetually easements for the installation and maintenance of utilities within Lot 1.

All utility easements shall be easements for the construction, installation, maintenance, and operation of cable television services, provided, however, no such construction, installation, maintenance, and operation of cable services, will interfere with the facilities and services of any existing telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This section shall not apply to those private easements granted by or obtained from a particular electric, telephone, gas, or other public utility company as a condition of sale or installation, and operation shall comply with the National Electrical Safety Code as adopted by the Florida Public Service Commission.

DULY EXECUTED AND DELIVERED TO THE CONCERNED PARTIES, WITNESS:

MARY ALICE BOINNE

(PRINT NAME)

ACKNOWLEDGMENT:
State of Florida, County of Pinellas

I, Mary Alice Boinne, a notary public in and for the aforesaid State of Florida, do hereby acknowledge before me that the foregoing instrument was subscribed and sworn to by the above named party, and that I, a notary public, being fully informed and satisfied of the same, did then and there execute the same as a conditional act of identification.

Notary Public, State of Florida at Large

SIGN

Print:

Commission Expires:

NOTICE:

The plat, as recorded in its original form, is the exact depiction of the subterranean and surface acreages herein and all in no circumstances be supplemented in substance by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of the county.

CERTIFICATE OF APPROVAL BY COUNTY CLERK:

Lent Burks, Clerk of the Circuit Court of Pinellas County, Florida, hereby certify that the subdivision plat has been examined and that it complies in form with all the requirements of the Statutes of Florida pertaining to maps and plats and that this plat has been filed for record in Part Book A of the Public Records of Pinellas County, Florida.

SIGNED ON THIS _______ DAY OF ___________ A.D. 2017, AT _________.

By: KEN BURKE, CLERK

PINELLAS COUNTY, FLORIDA

CERTIFICATE OF APPROVAL BY THE CITY OF ST. PETERSBURG:

Approved by the City Council of St. Petersburg, Pinellas County, Florida the _______ day of _________ A.D. 2017, providing that this plat has been filed for record in the office of the Clerk of Circuit Court of Pinellas County, Florida, within six (6) months from the date of this approval.

Signed:

MAYOR

Chair

CERTIFICATE OF APPROVAL BY THE CITY SURVEYOR:

I hereby certify that pursuant to Chapter 177, Florida Statutes, I have reviewed this plat and find that it conforms to Chapter 177, Part 1, of the Florida Statutes. The geometric data has not been verified for mathematical closure.

Florida Professional Surveyor & Mapper No. __________

DATE: ___________

SURVEYOR'S CERTIFICATE:

I hereby certify that the plat was prepared under my supervision and that it complies with all of the survey requirements of Chapter 177, Part 1, of the Florida Statutes, and that the "P.I. and " (chaeots referenced)

at the City of St. Petersburg, Florida, on the _______ day of _________, A.D. 2017, and that all the necessary field work was done in accordance with the survey requirements of said Chapter 177 and that the geometric data has been verified for mathematical closure.

DATE: ___________

Gateway Land Surveying, LLC

Licensed Business No. 8129

1081 E. Brandon Biv. Brandon, Florida 33511

Phone (813) 643-2292 Fax (813) 643-2293

SHEET 1 OF 2
WEAR THE FOX HAT FARM
PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 31 SOUTH, RANGE 16 EAST, CITY OF SAINT PETERSBURG, PINELLS COUNTY, FLORIDA

All platted utility easements shall also be easements for the construction, installation, maintenance, and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of cable services will interfere with the operation of public utility services or with the facilities of a public utility, in the event a public utility company demagnes the facilities of a public utility, such construction, installation, maintenance, and operation shall comply with the National Electrical Safety Code as adopted by the Florida Public Service Commission.

NOTICE: This Plat, as recorded in its Graphic Form, is the official depiction of the Subdivisions, lands described herein; and will in no circumstances be supplanted in authority by any other graphic or digital form of the Plat. There may be additional restrictions that are not recorded on this Plat that may be found in the public records of this County.

Gateway Land Surveying, LLC
(licensed Business No. 6136)
1051 E. Brandon Blvd., Brandon, Florida 33511
Phone (813) 643-2282 Fax (813) 643-2283
SHEET 2 OF 2
SAINT PETERSBURG CITY COUNCIL

Meeting of September 7, 2017

TO: THE HONORABLE DARDEN RICE, CHAIR, AND MEMBERS OF CITY COUNCIL

SUBJECT: Resolution approving the plat of Gandy Boulevard Self Storage, generally located on a portion of land lying within Section 19, Township 30 south, Range 17 east, Pinellas County, Florida; land lying southeast of Gandy Boulevard right of way, west of 2nd Street North right of way, and north of 99th Avenue North right of way. (Our File: 17-20000007)

RECOMMENDATION: The Administration recommends APPROVAL.

DISCUSSION: The applicant is requesting approval for a Final Plat to create one parcel from multiple lots of record on a portion of land lying within Section 19, Township 30 south, Range 17 east, Pinellas County, Florida; land lying southeast of Gandy Boulevard right of way, west of 2nd Street North right of way, and north of 99th Avenue North right of way.

The plat will assemble the lot for redevelopment.

Attachments: Map, Aerial, Resolution

APPROVALS:

Administrative: 
Budget: NA
Legal: 

[Signature]
MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING DEPARTMENT

TO: Pamela Jones, Development Services
FROM: Nancy Davis, Engineering Plan Review Supervisor
DATE: August 2, 2017
SUBJECT: Preliminary and Final Plat – Gandy Boulevard Self Storage
FILE: 17-20000007 R2

LOCATION: None;
AND PIN: 201 99th Avenue North;
  238 100th Avenue North;
  9999 Gandy Boulevard North;
  9999 Gandy Boulevard North;
  10035 Gandy Boulevard North;
  2nd Street North;
  10000 4th Street North;
ATLAS: E-52
PROJECT: Gandy Boulevard Self Storage
REQUEST: Preliminary and Final Plat

The Engineering Department has no objection to the proposed Preliminary and Final Plat plat provided the following standard comments remain as requirements to be implemented when development occurs. All standard comments listed below were acknowledged in the July 6, 2017 response narrative from S&ME.

STANDARD COMMENTS: It is acknowledged that the following items have been addressed with the submittal of the associated Site Construction Permit Applications, but remain listed below as documentation of the standard plat approval conditions since the plat is being processed concurrently with construction. Standard conditions of plat approval will be verified prior to Engineering departmental release of the project Certificate of Occupancy.

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.).

Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2. A 6-foot wide sidewalk is required along Gandy, and a 5-foot wide sidewalk is required along the north side of 99th Avenue North and along the west side of 2nd Street North 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 and existing driveways per current City and ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All existing public sidewalks must be restored or reconstructed as necessary to be brought up to good and safe ADA compliant condition prior to Certificate of Occupancy.

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.

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.

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.

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.

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 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.

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.

NED/MJR:jw

pc:  Kelly Donnelly
     Reading File
     Correspondence File
     Subdivision File – Bridgeview
RESOLUTION NO. _____

A RESOLUTION APPROVING THE PLAT OF GANDY BOULEVARD SELF STORAGE, GENERALLY LOCATED ON A PORTION OF LAND LYING WITHIN SECTION 19, TOWNSHIP 30 SOUTH, RANGE 17 EAST, PINELLAS COUNTY, FLORIDA; LAND LYING SOUTHEAST OF GANDY BOULEVARD RIGHT OF WAY, WEST OF 2ND STREET NORTH RIGHT OF WAY, AND NORTH OF 99TH AVENUE NORTH RIGHT OF WAY; SETTING FORTH CONDITIONS FOR APPROVAL; AND PROVIDING AN EFFECTIVE DATE. (City File 17-20000007)

BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the plat of Gandy Boulevard Self Storage, generally located on a portion of land lying within Section 19, Township 30 south, Range 17 east, Pinellas County, Florida; land lying southeast of Gandy Boulevard right of way, west of 2nd Street North right of way, and north of 99th Avenue North right of way, is hereby approved, subject to the following conditions.


This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:

[Signature]
Planning & Economic Development (Designee) 8-15-17

[Signature]
City Attorney (Designee) 8/17/17
GANDY BOULEVARD SELF STORAGE  
RE-PLAT OF BLOCKS 10 AND 11,  
BRIDGEVIEW, AS RECORDED IN PLAT BOOK 7, PAGE 25  
OF THE PUBLIC RECORDS OF PINELLAS COUNTY,  
FLORIDA.
MEMORANDUM
CITY OF ST. PETERSBURG
Consent Agenda
City Council Meeting of September 7, 2017

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

FROM: Clay Smith, Director, Downtown Enterprise Facilities Department

SUBJECT: A Resolution approving a supplemental appropriation in the amount of $114,100 from the unappropriated balance of the Marina Capital Improvement Fund to the Pump-Out Boat Project (16075); authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: On July 20, 2017, the City Council of St. Petersburg accepted a grant (Resolution No. 2017-420) in the amount of $85,525 from the Florida Department of Environmental Protection (FDEP) pursuant to the Florida Clean Vessel Act Program for assistance with the purchase of a sewage pump-out boat and pump-out station. The new pump-out vessel will replace the existing pump-out vessel which has been in service at the Marina since 2006 and is nearing the end of its useful life. The total estimated project cost is $114,100, with $85,575 to be reimbursed to the City from these grant funds and the remaining $28,525 matching funds are available in the unappropriated balance of the Marina Capital Improvement Fund (4043). The new pump-out boat and pump-out station will enhance the quality of boater services at the Municipal Marina. The unit will be mobile, operated by Marina personnel and will be larger than the existing pump-out boat being replaced to better handle the volume of services required.

RECOMMENDATION: Administration recommends adoption of the attached resolution approving a supplemental appropriation in the amount of $114,100 from the unappropriated balance of the Marina Capital Improvement Fund to the Pump-Out Boat Project (16075); authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Funds for this project are available from the $85,575 in revenue received from the previous acceptance of a FDEP grant pursuant to the Florida Clean Vessel Act Program and $28,525 from the unappropriated balance of the Marina Capital Improvement Fund (4043) and approval of a supplemental appropriation in the amount of $114,100 from the unappropriated balance of the Marina Capital Improvement Fund to the Pump-Out Boat Project (16075).

ATTACHMENTS: Resolution

APPROVALS: Administration: Budget:
RESOLUTION NO. 2017-

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $114,100 FROM THE UNAPPROPRIATED BALANCE OF THE MARINA CAPITAL IMPROVEMENT FUND (4043) TO THE PUMP-OUT BOAT PROJECT (16075); AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 20, 2017, the City Council of St. Petersburg authorized the Mayor or his designee to enter into grant agreement (Resolution No. 2017-420) in the amount of $85,525 from the Florida Department of Environmental Protection (FDEP) pursuant to the Florida Clean Vessel Act Program for assistance with the purchase of a sewage pump-out boat and pump-out station; and

WHEREAS, the new pump-out boat will replace the existing pump-out boat which has been in service since 2006 and is nearing the end of its useful life; and

WHEREAS, the total estimated project cost is $114,100, with $85,575 to be reimbursed to the City from this grant and the remaining $28,525 matching funds are available in the unappropriated balance of the by Marina Capital Improvement Fund (4043); and

WHEREAS, the new pump-out boat and pump-out station will enhance the quality of boater services at the Municipal Marina. The unit will be mobile, operated by Marina personnel and will be larger than the existing pump-out boat being replaced to better handle the volume of services required.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that there is hereby approved the following supplemental appropriation from the unappropriated balance of the Marina Capital Improvement Fund (4043):

<table>
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<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Pump-Out Boat Project (16075)</td>
<td>$114,100</td>
</tr>
</tbody>
</table>

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

This resolution shall become effective immediately upon its adoption.

Approvals:

Administration:

Budget:

Legal:

[Signatures]
MEMORANDUM
CITY OF ST. PETERSBURG
Consent Agenda
City Council Meeting of July 20, 2017

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

FROM: Clay Smith, Director, Downtown Enterprise Facilities Department

SUBJECT: A Resolution authorizing the Mayor, or his designee, to execute a State of Florida Department of Environmental Protection (FDEP) Florida Clean Vessel Act Program Agreement ("FDEP Agreement") (No. MV210; Project No. CVA16-787) between the City of St. Petersburg and FDEP, which provides grant funding in the amount of $85,575 (75%) and requires City matching funds in the amount of $28,525 (25%) for the purchase of a pump-out boat and pump-out station; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: The Florida Department of Environmental Protection has awarded grant funding to the City of St. Petersburg pursuant to the Florida Clean Vessel Act Program for assistance with the purchase of a sewage pump-out boat and pump-out station. The new pump-out vessel will replace the existing pump-out vessel which has been in service since 2006 and is nearing the end of its useful life. The total estimated project cost is $114,100, with $85,575 to be reimbursed to the City from this grant and the remaining $28,525 matching funds are available in the unappropriated balance of the Marina Capital Improvement Fund (4043). The new pump-out boat and pump-out station will enhance the quality of boater services at the Municipal Marina. The unit will be mobile, operated by Marina personnel and will be larger than the existing pump-out boat being replaced to better handle the volume of services required.

RECOMMENDATION: Administration recommends adoption of the attached resolution authorizing the Mayor, or his designee, to execute a State of Florida Department of Environmental Protection (FDEP) Florida Clean Vessel Act Program Agreement ("FDEP Agreement") (No. MV210; Project No. CVA16-787) between the City of St. Petersburg and FDEP, which provides grant funding in the amount of $85,575 (75%) and requires City matching funds in the amount of $28,525 (25%) for the purchase of a pump-out boat and pump-out station; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Funds for the City match are available in the unappropriated balance of the Marina Capital Improvement Fund (4043) and will be appropriated when the contract is awarded.
ATTACHMENTS: Resolution and Grant Agreement

APPROVALS: Administration: [Signature]

Budget: [Signature]
RESOLUTION NO. 2017-420

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FLORIDA CLEAN VESSEL ACT PROGRAM AGREEMENT (“FDEP AGREEMENT”) (No. MV210; PROJECT NO. CVA 16-787) BETWEEN THE CITY OF ST PETERSBURG AND FDEP, WHICH PROVIDES GRANT FUNDING IN THE AMOUNT OF $85,575 (75%) AND REQUIRES CITY MATCHING FUNDS IN THE AMOUNT OF $28,525 (25%) FOR THE PURCHASE OF A PUMP-OUT VESSEL AND PUMP-OUT STATION; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Environmental Protection (FDEP) has awarded grant funding to the City of St. Petersburg pursuant to the Florida Clean Vessel Act Program for assistance with the purchase of a sewage pump-out boat and pump-out station; and

WHEREAS, the new pump-out boat will replace the existing pump-out boat which has been in service since 2006 and is nearing the end of its useful life; and

WHEREAS, the total estimated project cost is $114,100, with $85,575 to be reimbursed to the City from this grant and the remaining $28,525 matching funds are available in the unappropriated balance of the by Marina Capital Improvement Fund (4043); and

WHEREAS, the new pump-out boat and pump-out station will enhance the quality of boater services at the Municipal Marina. The unit will be mobile, operated by Marina personnel and will be larger than the existing pump-out boat being replaced to better handle the volume of services required.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his designee, is authorized to execute a State of Florida Department of Environmental Protection (FDEP) Florida Clean Vessel Act Program Agreement (“FDEP Agreement”) (No. MV210; Project No. CVA16-787) between the City of St. Petersburg and FDEP, which provides for grant funding in the amount of $85,575 for the purchase of a pump-out boat and pump-out station; establishes an expiration date for the Project of April 16, 2018, and requires City matching funds in the amount of $28,525.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute all documents necessary to effectuate this transaction; and
This resolution shall become effective immediately upon its adoption.

Approvals:

Administration: [Signature]

Budget: [Signature]

Legal: [Signature]
ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 7, 2017

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

SUBJECT: A resolution authorizing the Mayor, or his designee, to execute a Lease and Development Agreement with Orange Belt Station, LLC, a Florida limited liability company, for City-owned property located at approximately 600 – 26th Street South, St. Petersburg; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: The City owns certain real property known as the former Atherton Oil site, which was a bulk fuel distribution facility operated by the Atherton Oil Company ("Atherton"). Atherton abandoned the subject property ("Property") in 1989 and the Property subsequently escheated to Pinellas County. Thereafter, in 2000, Pinellas County conveyed the Property to the City through the escheat process. The Property is legally described as follows:

Legal Description: Lots 4 & 5, Block K, and Lots 1 thru 5, Block L, COLONIAL ANNEX, as recorded in Pinellas County Plat Book 004, Page 065.

Approx. Address: 600 - 26th Street South, St. Petersburg


The City received a Phase II Site Assessment in October, 2000 that disclosed the presence of contamination which was then reported to the Florida Department of Environmental Protection ("FDEP"). The City then entered into a Brownfield Site Rehabilitation Agreement with the FDEP that called for the assessment and subsequent remediation of soil and groundwater impacts, a contamination/risk assessment, feasibility study, and remedial action plan ("Remediation Efforts"). Remediation efforts were completed in June 2013 and monitoring only of the site continued through September, 2015. Based upon the sampling of monitoring wells after the Remediation Efforts, FDEP made a "No Further Action" determination and required a Restrictive Covenant to be placed upon the western 40 ft. of Lot 5, Block K, within the Property located on the west side of 26th Street South. On January 5, 2017, City Council approved, via Resolution No. 2017-22, a Restrictive Covenant for the groundwater restriction area pertaining to the Property, which was recorded on January 27, 2017 in Pinellas County Official Records Book: 19499, Pages 1566-1573 ("Restrictive Covenant").

In response to multiple offers to acquire and develop the Property, Planning & Economic Development requested Real Estate & Property Management ("Real Estate") to issue a Request for Proposals ("RFP"), which was advertised on January 20, 2017, for the acquisition and development of the Property. One qualified proposal was received by the deadline on February 21, 2017, from Orange Belt Station, LLC ("Tenant"). After review, City Administration selected the Tenant proposal and directed Real Estate to negotiate a Lease and Development Agreement ("Lease") with the Tenant, subject to the approval of the City Council.
The Property was appraised on September 27, 2016, by Scott W. Seaman, SRA, State-Certified General Real Estate Appraiser, who indicated the estimated market value, "as is", unencumbered, and in fee simple title, of the Property was $160,000. During negotiations with the Tenant, it was determined that the RFP inadvertently omitted an additional contiguous City-owned parcel, which should have been included. The appraisal report was subsequently updated on May 11, 2017, indicating the estimated market value, "as is", unencumbered, and in fee simple title, of the Property was $185,000.

The Tenant has executed the Lease under the following substantive business points:

- **TERM**: The term of the Lease shall be for twenty-five (25) years.

- **RENT**: Beginning on the Commencement Date, Tenant shall pay City rent in the amount of $1,200.00 per month ("Rent"), which shall be credited toward the Purchase Price, not to exceed $60,000.00 ("Purchase Credit"). Beginning on the sixth (6th) anniversary of the Commencement Date, Rent shall be adjusted annually and increased by the City on each subsequent anniversary of the Commencement Date ("Adjustment Date") in accordance with customary CPI practices.

- **DEVELOPMENT**: Subject to the Restrictive Covenant, Tenant, at its sole cost and expense, shall develop ±14,000 square feet of climate controlled space and associated parking and amenities ("Improvements"), to be divided as follows: ±5,000 sq./ft. manufacturing facility, with the ability to add ±2,000 sq./ft. loft space for business expansion to be leased for use as a craft distillery; ±2,000 sq./ft. to be leased as artist studios and galleries; ±5,000 sq./ft. to be leased as light manufacturing/office space or as otherwise allowed by zoning regulations; ±5,000 sq./ft. courtyard/event space; parking to be dedicated in lots on the west side of 26th Street South.

- **OPTION TO PURCHASE**: Prior to the fifth (5th) anniversary of the Commencement Date ("Initial Adjustment Date"), the Tenant shall have the right to purchase the Property, subject to the Restrictive Covenant, at the appraised value of $185,000 ("Purchase Price"), following completion of the Improvements. If Tenant does not exercise its right to purchase the Property, then on the Initial Adjustment Date, the Purchase Price shall be adjusted to reflect the fair market value as of the Adjustment Date as determined by an independent certified appraisal of the Property. The Purchase Price shall be further adjusted in the same manner every five (5) years of the Term following the Adjustment Date.

- **DUE DILIGENCE**: Tenant has up to a one hundred eighty day (180) day due diligence period to perform its inspections, review documents, receive site plan approval, and provide evidence of its financial capability acceptable to the City for developing the Improvements. In the event of unexpected and unintended delays, Tenant may request a ninety (90) day extension of the due diligence period.

- **DEVELOPMENT TIMEFRAME**: Tenant shall commence construction not more than sixty (60) business days after the Commencement Date and be completed no later than eighteen (18) months after the Commencement Date. Completion of construction shall mean issuance of a temporary or permanent certificate of occupancy for all of the improvements.
- **TAXES/UTILITIES:** Tenant shall be responsible for paying all applicable taxes and utilities in connection with its use of the Property and Improvements.

- **MAINTENANCE:** Tenant shall be responsible for all maintenance of the Property and Improvements, when constructed including, but not limited to, all components, security, and landscaping.

- **INSURANCE:** Tenant will maintain an insurance policy including, but not limited to, commercial general liability in the amount of at least $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 Tenant's use of the Property.

The Tenant initially expects to provide six (6) full-time jobs through its associated subtenants, with anticipation of more jobs added through additional subleasing. The Tenant has indicated the relocation interest of a Tampa office/publishing tenant that could provide an additional eighteen (18) jobs. In addition to the planned craft distillery, the Improvements will have space for artists/light manufacturing for artistic designs and accompanying galleries, in addition to a courtyard/event space available for tenant and community use for occasions such as musical, craft, artistic, cultural and culinary events, all of which can attract customers to the area, neighboring businesses, and the artists and entrepreneurs who occupy the development.

**RECOMMENDATION:** Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute a Lease and Development Agreement with Orange Belt Station, LLC, a Florida limited liability company, for City-owned property located at approximately 600 – 26th Street South, St. Petersburg; and to execute all documents necessary to effectuate same; and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:**

**ATTACHMENTS:** Illustration, Appraisal and Resolution

**APPROVALS:**

- **Budget:** N/A

- **Legal:**
  
  (As to consistency w/attached legal documents)

  Legal: 00338350.docx v1
May 11, 2017

Mr. Bruce E. Grimes, Director
Real Estate & Property Management
City of St. Petersburg
P.O. Box 2842
St. Petersburg, Florida 33731-2842

RE: AN APPRAISAL REPORT
Vacant Industrial Site File #16349
600 26th Street South
St. Petersburg, Florida 33712

Dear Mr. Grimes:

In response to your request, we have added Lot #4, Colonial Annex Block K, to our original Appraisal Report dated 9/27/16, prepared on the Vacant Industrial Site's located at 600 26th Street South in St. Petersburg, Florida.

This appraisal of Lot #4 is considered to be a retrospective value date of 9/27/16 and based on the data contained in the original report, the lot has the same value per square foot of $5.00. Lot #4 contains 5,000 SF which equates to $5.00 PSF x 5,000 = $25,000. The original value of 600 26th Street South was $160,000 and adding the additional lot value of $25,000 brings the updated value as of 9/27/16 to $185,000. This letter should be incorporated and attached to or original report for further information.

Fee Simple Title (Updated Value): It is our opinion, considering the various factors contained within this report, that the estimated Market Value of the subject site, subject to the Limiting Conditions as noted on pages 3 - 6 of this report, Unencumbered, "As Is", In Fee Simple Title, as of the Retrospective value date of September 27, 2016 was:

ONE HUNDRED EIGHTY-FIVE THOUSAND ($185,000) DOLLARS

Extraordinary Assumptions: In estimating the “As Is” values of the subject, we have not made any extraordinary assumptions.

Hypothetical Conditions: In estimating the “As Is” values of the subject, we have not assumed any hypothetical conditions.
Note: The values stated herein assume that the site is free of environmental contamination.

McCORMICK, SEAMAN & TERRANA

Scott W. Seaman, SRA
State-Certified General
Real Estate Appraiser RZ1758
Licensed Real Estate Broker
APPRAISAL REPORT

Vacant Industrial Site
600 26th Street South
St. Petersburg, Florida 33712

Prepared For:
Mr. Bruce E. Grimes, Director
City of St. Petersburg,
PO Box 2842
St. Petersburg, Florida 33731-2842

AS OF:
September 27, 2016

Prepared by:
McCORMICK, BRAUN, & SEAMAN

Scott W. Seaman, SRA
State-Certified General
Real Estate Appraiser RZ1758
Licensed Real Estate Broker

MBS FILE# 16349
Mr. Bruce E. Grimes, Director
Real Estate & Property Management
City of St. Petersburg
P.O. Box 2842
St. Petersburg, Florida 33731-2842

RE: AN APPRAISAL REPORT
Vacant Industrial Site
600 26th Street South
St. Petersburg, Florida 33712

Dear Mr. Grimes:

In response to your request, we have prepared an APPRAISAL REPORT on a Vacant Industrial Site located at 600 26th Street South in St. Petersburg, Florida.

This appraisal report is intended to comply with the reporting requirements set forth under the Uniform Standards of Professional Appraisal Practice (USPAP), Financial Institutions Reform Recovery and Enforcement Act of 1989 (FIRREA) and the appraisal requirements of City of St. Petersburg. The depth of discussion contained in this report is specific to the needs of the client and for the intended use as an aid in asset decisions and as such, it summarizes the information analyzed, the appraisal methods and techniques employed, and the reasoning that supports the analyses, opinions, and conclusions.

The scope of work in this appraisal included gathering sales data on vacant industrial properties in the subject market area. The sales were adjusted to the subject site on a Land Sales Adjustment Grid and the “As Is” value of the subject was estimated via The Sales Comparison Approach.

The subject is vacant land, the Cost and Income Approaches are not applicable when valuing vacant land. This report should be read in its entirety, in order to fully understand the values being reported herein.
The subject is an "L" shaped parcel with a portion being across 26th Street South that contains 31,471 SF MOL or 0.7225 acres according to the Pinellas County tax records. The small portion across 26th Street South contains 6,000 SF.

Note: The subject is used for the storage of vehicles, equipment and materials that could cause environmental hazards. We are not experts in this field and have no way to determine the cost, if any, to cleanup any environmental contamination there might be. Therefore, our value estimates are based on the site having no environmental contamination.

Fee Simple Title: It is our opinion, considering the various factors contained within this report, that the estimated Market Value of the subject site, subject to the Limiting Conditions as noted on pages 3 - 6 of this report, Unencumbered, "As Is", In Fee Simple Title, as of September 27, 2016 was:

ONE HUNDRED SIXTY THOUSAND ($160,000) DOLLARS

Extraordinary Assumptions: In estimating the "As Is" values of the subject, we have not made any extraordinary assumptions.

Hypothetical Conditions: In estimating the "As Is" values of the subject, we have not assumed any hypothetical conditions.

Note: The values stated herein assume that the site is free of environmental contamination.

McCORMICK, BRAUN, & SEAMAN

Scott W. Seaman, SRA
State-Certified General
Real Estate Appraiser RZ1758
Licensed Real Estate Broker
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## EXHIBITS

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McCORMICK, BRAUN, & SEAMAN

CERTIFICATION

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

* The statements of fact contained in this report are true and correct.

* The reported analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial and unbiased professional analyses, opinions, and conclusions.

* We have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.

* We have no bias with respect to the property that is the subject of this appraisal report or to the parties involved with this assignment.

* Our engagement in this assignment was not contingent upon developing or reporting predetermined results.

* Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

* We have not performed services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceding acceptance of this assignment.

* The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute.

* The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.

* The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

* Scott W. Seaman, SRA made a personal inspection of the property that is the subject of this report.

* No one provided significant real property appraisal assistance to the person signing this certification.
McCORMICK, BRAUN, & SEAMAN

CERTIFICATION (Continued):

* As of the date of this report, Scott W. Seaman, SRA has completed the continuing education program of the Appraisal Institute.

__________________________  Date 10/4/16

Scott W. Seaman, SRA
State-Certified General
Real Estate Appraiser RZ1758
Licensed Real Estate Broker
CONTINGENT AND LIMITING CONDITIONS AND SPECIAL ASSUMPTIONS:

Limiting Conditions:

This report is for no purpose other than a property valuation, and the appraiser(s) are neither qualified nor attempting to go beyond that narrow scope. The reader should be aware that there are inherent limitations to the accuracy of the information and analysis contained in this report. Before making any decisions based on the information and analysis contained in this report, it is critically important to read this entire report.

This Report is not a survey:

*** It is assumed that the utilization of the land and improvements (if any) is within the boundaries of the property lines of the property described and that there is no encroachment unless so noted within the report.

*** No survey has been made by the appraiser(s) and no responsibility is assumed in connection with such matters. Any maps, plats, or drawings reproduced and included in this report are intended only for the purpose of showing spatial relationships. A surveyor should be consulted, if there are any concerns on boundaries, set-backs, encroachments or other survey matters.

This Report is not a legal opinion:

*** No responsibility is assumed for matters of a legal nature that affect title to the property, nor is an opinion of title rendered. The title is assumed to be good and marketable. The value estimate is given without regard to any questions of title, boundaries, encumbrances or encroachments.

*** It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations laws unless non-compliance is defined and considered in the report.

*** It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless noncompliance/nonconformity is stated, defined, and considered in this report. Any significant question(s) should be addressed to local zoning and land use officials or an attorney.
This Report is not an engineering or property inspection report:

*** This report should not be considered a report on the physical items that are a part of this property. Although the report may contain information about the physical items being appraised, it should be clearly understood that this information is only to be used as a general guide for property valuation and is not a complete or detailed physical report. The appraiser(s) are not construction, engineering, environmental, or legal experts, and any statement given on these matters in the report should be considered preliminary in nature.

*** The observed conditions of the foundation, roof, exterior walls, interior walls, floors, heating systems, plumbing, insulation, electrical service and all mechanical and construction is based on a visual inspection only and no detailed inspection was made. The structures were not checked for building code violations, and it is assumed that all buildings meet the applicable building codes unless so stated in the report.

*** It is assumed that there are no hidden or unapparent conditions of the property, sub-soil, or structures that would render it more or less valuable. No engineering or sub-soil tests were provided. No responsibility is assumed for such conditions.

*** We do not have the expertise necessary to determine the existence of environmental hazards such as the presence of formaldehyde foam insulation, toxic wastes, toxic mold, asbestos or hazardous building materials or any other environmental hazard on the subject or surrounding properties. An expert in the field should be consulted if any interested party has questions on environmental factors.

*** No chemical or scientific tests were performed by the appraiser(s) on the subject property, and it is assumed that the property presents no physical or health hazard. This includes but is not limited to: toxic molds, radon gas, lead based paints, air-borne pollutants or any other environmental contaminants.

*** The age of any improvement on the subject property mentioned in this report should be considered a rough estimate. We are not sufficiently skilled in the construction trades to be able to reliably estimate the age of the improvement by observation. Parties interested in knowing the exact age of improvements on the property may wish to pursue additional investigation.

*** Because no detailed inspection was made, and such knowledge goes beyond the scope of this report, any observed condition or comments given in this report should not be taken as a guarantee that a problem does not exist specifically. If any interested party is concerned about the existence, condition, or adequacy of any particular item, we suggest that a construction expert be hired for a detailed investigation.
ASSUMPTIONS, CONTINGENT, AND LIMITING CONDITIONS (Continued):

*** The Americans with Disabilities Act went into effect on January 26, 1992. Among other goals, this legislation is intended to eradicate discrimination regarding access to public and commercial facilities. The requirements of the Act are extensive and complex and it is beyond the appraiser(s) expertise to evaluate the effects, if any, on the subject property. The value estimate is based upon the assumption that there is no significant effect on the value of the property by virtue of the American with Disabilities Act. The reader is urged to retain an expert in this field, if desired.

This Report is made under conditions of uncertainty with limited data:

*** Before relying on any statement made in the report, interested parties should contact us for the exact extent of our data collection in order to determine if the extent of our data gathering was adequate for their needs.

*** Information (including projections of income and expenses) provided by local sources is assumed to be true, correct, and reliable.

*** The comparable sales data relied upon in the report is believed to be from reliable sources, and our best efforts have been made to confirm the data used. A diligent effort was made to verify the comparables used in this report.

*** All values shown in the report are projections based on our analysis as of the date of the report. These values may not be valid in other time periods or as circumstances change. We take no responsibility for events, conditions, or circumstances that take place subsequent to the date of value of this report.

*** Since mathematical models and other projections are based on estimates and assumptions which are inherently subject to uncertainty and variations depending upon evolving events, we do not represent them as results that will actually be achieved.

Report limitations:

*** These reports are technical documents addressed to the specific technical needs of clients. Casual readers should understand that this report does not contain all the information concerning the subject property or the real estate market. While no factor we believe to be significant to the client has been knowingly withheld, it is always possible that we have information of significance which may be important to others.
Reports made for lenders are technical documents specifically made to lender requirements. Casual readers are cautioned about their limitation and cautioned against possible misunderstanding of the information contained in these reports. The appraiser(s) should be contacted with any question before this report is relied on for decision making by other than the addressee.

This report was prepared at the request of and for the exclusive use of the client to whom the report is addressed. No third party shall have any right to use or rely upon this report for any purpose.

Value and conclusions for various components of the subject property as contained with this report are valid only when making a summation; they are not to be used independently for any purpose, and must be considered invalid if so used.

This report is made for the information and/or guidance of the client and possession of this report, or a copy thereof, does not carry with it a right of publication.

There is no requirement by reason of this report to give testimony or to appear in court with reference to the property, unless sufficient notice is given to allow preparation, and additional fees paid by the client.
Mc Cormick, Braun, & Seaman

Summary

Appraisal Problem: Provide an estimate of the "As Is" market value of the subject property.

Definition of Market Value: Market Value is defined by the federal financial institutions as, "the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and the seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

(1) Buyer and seller are typically motivated;
(2) Both parties are well informed or well advised, and each acting in what he considers his own best interest;
(3) A reasonable time is allowed for exposure in the open market;
(4) Payment is made in terms of cash and US dollars or in terms of financial arrangements comparable thereto; and
(5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

Intended Use of Report: Asset decisions

Intended User of the Report: City of St. Petersburg

Interest Valued: Fee Simple

Effective Date of Value: September 27, 2016

Date of Inspection: September 27, 2016

Date of Report: October 3, 2016

Competency Provision: The appraisers have appraised numerous properties similar to the subject and are qualified in education and experience to perform this assignment.

SUMMARY (Continued):

Scope of Work: Inspected the subject site. Market research was gathered from numerous sources including but not limited to: Public Records of Pinellas County, Property Appraiser's office of Pinellas County, the Planning & Zoning Departments of Pinellas County and the City of St. Petersburg, the Multiple Listing Service, LoopNet, Xceligent and the appraiser's files and database.

The scope of work in this appraisal included gathering sales data on vacant properties in the subject market area of St. Petersburg. We expanded our search to include all of Pinellas County.

The subject is undeveloped land. Therefore, we have utilized the Sales Comparison Approach to value the subject. The Cost and Income Approaches are not applicable when valuing vacant land.

Owner of Record: City of St. Petersburg

Property Address: 600 26th Street South
St. Petersburg, Florida 33712

Legal Description: Colonial Annex Blk. L, Lots 1 thru 5 and Blk. K, Lot 5, as recorded in Pinellas County Plat Book 004, Page 065.

Parcel Numbers 23-31-16-17298-012-0010

Census Tract: 218.00

Land Area: 31,471 SF MOL or 0.7225 acres, according to the Pinellas County tax plats.

Access: Access is available to the site from 26th Street South on the western elevation, 6th Avenue South on the Northern elevation and Terminal Drive South on the South elevation.

Flood Plain Map: According to the Pinellas County FEMA Flood Map #12103C0218G, Map Revised 9/3/2003 the subject is located in flood Zone "X" which is not a designated flood zone.

Tax Information: Assessed Value Tax
2016 $144,851 -0-

The City of St. Petersburg is exempt from taxes.
SUMMARY (Continued):

Market Area & Analysis: The subject is located on the east-west side of 26th Street South, north of Terminal Drive South in St. Petersburg, Florida. This area is bounded by 5th Avenue South to the North, I-275 to the south, 22nd Street South to the east and 34th Street South to the west. Improvements in the area are a mixture of similar industrial properties and single & multi-family residential uses.

According to the Multiple Listing Service, Xceligent and LoopNet, the online real estate listing and data services, there were 11 sales of industrial sites in southern Pinellas County in the past year. Sale prices ranged from $125,500 to $850,000 or $2 PSF to $8 PSF. There are currently 10 listings of similar properties. List prices range from $75,000 to $1,950,000 or $5 PSF to $10 PSF.

Listings: There are no competing listings in the St. Petersburg market. We considered two active listings in the south Pinellas County market that we felt were competitive to the subject. Additional details on these listings can be found in the addendum of this report:

1) 12501 Belcher Road, Largo: This is a 2.50 Acre site that is listed at $395,000 or $5.46 PSF. It has been on the market since April 2016 and was originally offered at $650,000 or $5.97 PSF.

2) 6785 114th Avenue North, Largo: This is a .90 Acre site that is listed at $275,000 or $5.38 PSF. It has been on the market since April 2016 with no price adjustments.

Zoning: “IT” – Industrial Traditional District
Land Use: Industrial General

There are no minimum lot area requirements. The zoning allows for a Floor Area Ratio (FAR) of up to 75%. As such, if all other development criteria are met, the subject site can be improved with up to a 23,603 SF MOL building. Allowable uses include; vehicle repair, outdoor storage, laboratories, manufacturing, printing, recycling facilities, self-storage and warehouses.

Five Year Sales History: According to the tax records there have been no transfers in the past 5 years.

Listing Data: The subject has been not been listed for sale.
SUMMARY (Continued):

Leases: The subject is vacant land with no leases in place except for the smaller lot. We have been asked to ignore it.

Comments: The subject is an "L" shaped lot that is currently vacant. The site appears to be used for storage of vehicles.

Note: Since the subject is used for the storage of vehicles this could cause environmental hazards. We are not experts in this field and have no way to determine the cost, if any, to cleanup any environmental contamination there might be. Therefore, our value estimates are based on the site having no environmental contamination.

Estimated Marketing Time: It is our opinion that the estimated marketing time for the subject would be nine to twelve months. This is based on the assumption that it is properly priced, advertised and marketed by a firm experienced in the sale of this type of property.

Reasonable Exposure Time: Based on an analysis of the subject property and its competitive market area, it has been estimated that a reasonable "exposure time" for the subject property, if it had been offered for sale prior to the date of valuation, would have been nine to twelve months. This is based on the assumption that it would have been marketed by a firm experienced in the sale of this type of property with their time and effort being adequate, sufficient and reasonable.

Highest & Best Use As though Vacant: Based on the size, location and zoning of the subject site, we feel that the highest and best use of the site would be industrial development.
Parcel ID #: 23-31-16-17298-012-0010
0 26th Street South
St. Petersburg, Florida 33712
SUBJECT FLOOD MAP

InterFlood

Prepared for McCormick Braun, & Shamgochian
619 26th St S
St Petersburg, FL 33712-1652

MAP DATA
FEMA Special Flood Hazard Area No
Map Number: 12103C0218G
Zone X
Map Date: September 03, 2003
FIPS 12103

MAP LEGEND
- Areas inundated by 500-year flooding
- Areas inundated by 100-year flooding
- Velocity Hazard
- Protected Areas
- Floodway
- Subject Area
PHOTOGRAPHS

VIEW OF SUBJECT LOOKING NORTHEAST

STREET SCENE LOOKING SOUTH ON 26TH STREET SOUTH
SALES COMPARISON APPROACH

According to The Appraisal of Real Estate, 14th Edition, The sales comparison approach is, "The process of deriving a value indication for the subject property by comparing similar properties that have sold recently with the property being appraised, identifying appropriate units of comparison, and making adjustments to the sale pricing (or unit prices, as appropriate) of the comparable properties based on relevant, market-derived elements of comparison."

The Direct Sales Comparison Approach involves a number of logical steps.

(1) The gathering of sales data and information from appropriate sources.
(2) Analyzing and verifying data; or sorting out of valid value indications from incomparable and unusable data.
(3) Then an adjustment process is applied. The adjustment process basically compares each comparable sale to the subject property in terms of physical characteristics as well as items such as financing.
(4) A summation is made of all measurable differentials into a single adjusted indication of value for each comparable property.
(5) A reconciliation of each indicated comparable value into a final estimate of value via the Direct Sales Comparison Approach.

In the reconciliation, all factors are reviewed in terms of their strengths and weaknesses in order to assess the overall quality and comparability of the data. In this way, the greatest weight is typically placed on those comparable sales which would be the best indications of value for the subject property.

This approach measures directly the actions and attitudes of buyers and sellers in the market through analysis of properties which have recently sold and have characteristics similar to the property being appraised. No two properties are exactly alike and thus are unique to themselves. Because of this fact the process of comparing properties to the subject involve making necessary adjustments for dissimilarities. Adjustments normally made consist of but are not limited to: time of sale, conditions of sale or financing terms, physical and income characteristics, location, and zoning.

In order to estimate the value of the subject land we researched the subject market area for recent sales of similar vacant sites. We expanded our search to all of southern Pinellas County and went back to June 2014. We selected five closed sales that we feel are comparable to the subject. A map and details on these comparables are on the following pages.
SALES COMPARISON MAP
Date of Sale: June 2016
Location: 22nd Street South /3rd & 4th Ave South, St. Petersburg, FL 33712
Grantor: The City of St. Petersburg
Grantee: T2TheS, Inc.
Recording: 19232/2412
Sale Price: $340,000
Financing: None indicated
Cash equivalency: Cash to seller, no adjustment necessary
Land Size: 67,579 SF (1.551 acres MOL)
Price PSF: $5.03 PSF
Parcel Number: 23-31-16-78390-031-0070- 0010 & 0140,
Zoning: "IT" Industrial Traditional District
Flood Zone: "X"
Verification: Xceligent, Public Records, our office appraised this property prior to the sale.

Comments: This is three parcels. Two are contiguous and the third is across an alley to the south. This property is in the Dome Industrial area of St. Petersburg,
Date of Sale: March 2016
Location: 415 20th Street South, St. Petersburg, FL 33712
Grantor: Johnston Properties, LLC
Grantee: Robert & Cheri Beaman
Recording: 19139.0715
Sale Price: $325,000
Financing: $650,000 mortgage by
Cash equivalency: Mortgage included other collateral, no adjustment necessary.
Land Size: 78,146 SF (1.794 acres MOL)
Price PSF: $4.16 PSF
Parcel Number: 24-31-16-0000-320-0800
Zoning: "IT" Industrial Traditional District
Flood Zone: "X"
Verification: Xceligent, Public Records, Warranty Deed, Mortgage

Comments: This triangular shaped parcel is in the Dome Industrial area of St. Petersburg and has frontage on Pinellas Trail.
Date of Sale: January 2015
Location: 4195 62nd Avenue, Pinellas Park, FL 33781
Grantor: St. Petersburg, FL Lodge No. 1145, Loyal Order of Moose, Inc.
Grantee: Sandy Holdings, LLC
Recording: 18661/0934
Sale Price: $250,000
Financing: $632,000 Regions Bank
Cash equivalency: Mortgage included funds for construction of a 6,000 SF industrial building. No adjustment required.
Land Size: 43,402 SF (0.996 acres MOL)
Price PSF: $5.76 PSF
Parcel Number: 34-30-16-82260-000-0010 & 0030
Zoning: "M-1"
Flood Zone: "X"
Verification: Chris Witherington, Buyer & Warranty Deed

Comments: This was the sale of a contiguous, two-parcel site. It is “L” shaped and level at road grade with utilities available. Access is adequate.
Date of Sale: February 2015
Location: SWC of 28th Street South & Pinellas Trail, St. Petersburg, FL 33713
Grantor: RRSA-2, LLC
Grantee: Richard B. Alexander
Recording: 18677/1095
Sale Price: $151,400
Financing: None Indicated
Cash equivalency: No adjustment required
Land Size: 26,116 SF (0.600 acres MOL)
Price PSF: $5.80 PSF
Parcel Number: 23-31-16-24138-013-0010
Zoning: "IT" Industrial Traditional District
Flood Zone: "X"
Verification: Warranty Deed

Comments: This was the sale of contiguous parcels at the SWC of 28th Street South and the Pinellas Trail. It is rectangular in shape and level at road grade with utilities available. Access is adequate.
Date of Sale: June 2014
Location: 13285 62nd Street North, Clearwater, FL 33760
Grantor: Haines Testing Lab, Inc.
Grantee: Badaro Group Corp.
Recording: 18445/0256
Sale Price: $275,000
Financing: None Indicated
Cash equivalency: The buyer reports paying a premium price for this location which is adjacent to a site already held by the purchaser.
Land Size: 45,736 SF (1.050 acres MOL)
Price PSF: $6.01 PSF
Parcel Number: 08 30 16 70974 100 0606 & a portion of 0605
Zoning: "C-2" & "M-1"
Flood Zone: "X"
Verification: Our office appraised this property for the sale.

Comments: This is two parcels adjacent to the buyer's industrial site and improvements. It is "L" shaped piece that is level at road grade with utilities available. There were two old metal shed buildings that contributed no value to the property and were demolished. These properties have been incorporated into the owner’s existing site to the east under the Parcel # 08-30-16-70974-100-0602.
<table>
<thead>
<tr>
<th>SALE NUMBER</th>
<th>SUBJECT</th>
<th>1</th>
<th>2</th>
<th>2</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATE OF SALE</td>
<td>N/A</td>
<td>Jun-16</td>
<td>Mar-16</td>
<td>Jan-15</td>
<td>Feb-15</td>
<td>Jun-14</td>
</tr>
<tr>
<td>SALE PRICE</td>
<td>N/A</td>
<td>$340,000</td>
<td>$325,000</td>
<td>$250,000</td>
<td>$151,400</td>
<td>$275,000</td>
</tr>
<tr>
<td>SIZE (SF)</td>
<td>31,471</td>
<td>67,579</td>
<td>78,146</td>
<td>43,402</td>
<td>26,116</td>
<td>45,736</td>
</tr>
<tr>
<td>SALE PRICE PSF</td>
<td>N/A</td>
<td>$5.03</td>
<td>$4.16</td>
<td>$5.75</td>
<td>$5.80</td>
<td>$6.01</td>
</tr>
</tbody>
</table>

**ELEMENTS REQUIRING ADJUSTMENT**

| FINANCING/ CONDITIONS OF SALE | 0% | 0% | 0% | 0% | -10% |
| FINANCE ADJUSTMENTS PSF      | N/A | $0.00 | $0.00 | $0.00 | $0.00 | ($0.60) |
| ADJUSTED SALE PRICE PSF      | N/A | $5.03 | $4.16 | $5.76 | $5.80 | $5.41 |

**MARKET CONDITIONS**

| NUMBER OF MONTHS | 3 | 6 | 20 | 19 | 29 |
| DATE OF VALUE    | Aug-16 | $0.00 | $0.00 | $0.23 | $0.23 | $0.32 |
| ADJUSTED SALE PRICE PSF | N/A | $5.03 | $4.16 | $5.99 | $6.03 | $5.74 |

**PHYSICAL ELEMENTS OF ADJUSTMENT**

| LOCATION | Average | 0% | 0% | 0% | 0% | -5% |
| ACCESS   | Average | 0% | 0% | 0% | 0% | 0% |
| SIZE (SF) | 31,471 | 5% | 10% | 0% | 0% | 0% |
| SHAPE    | "L" Shaped/Split | 0% | 0% | 0% | 0% | 0% |
| TOPOGRAPHY | Basically Level | 0% | 0% | 0% | 0% | 0% |
| UTILITIES | Available | 0% | 0% | 0% | 0% | 0% |
| FLOOD ZONE | "X" | 0% | 0% | 0% | 0% | 0% |
| LAND USE/ZONING | "IT" | 0% | 0% | 0% | 0% | 0% |
| NET ADJUSTMENTS (PSF) | N/A | $0.25 | $0.42 | $0.00 | $0.00 | ($0.29) |
| ADJUSTED PRICE PSF | N/A | $5.28 | $4.57 | $5.99 | $6.03 | $5.45 |
SALES COMPARISON APPROACH (Continued):

LAND SALES ADJUSTMENT GRID DISCUSSION

The comparables were adjusted to the subject site as necessary to make them similar to the subject site. If the comparable is superior to the subject property, a negative adjustment is made to make the comparable sale similar to the subject. If the comparable sale is inferior, a positive adjustment is made.

The five comparables were compared to the subject and adjusted on the "Land Sales Adjustment Grid" shown on page 24. Prior to making any adjustments, the prices ran from a low of $4.16 PSF to a high of $6.01 PSF.

FINANCING AND CONDITION OF SALE: We are not aware of any financing or conditions of sale that affected Sales #1, #2, #3 and #4 and no adjustments were made. The buyers of Sale #5 report paying a premium for an adjacent site. Sale #5 was adjusted downward 10%.

MARKET CONDITIONS: The market has been stable over the past 6 months and no adjustment was made to Sales #1 & #2. The market has improved over the past 29 Months. Sales #3 & #4 were adjusted upward 4% each and Sale #5 was adjusted upward 6% to reflect a moderate increase in values.

PHYSICAL UNIT COMPARISONS

Each of the comparables were then analyzed and adjusted to the subject site based on several elements of physical comparison and these elements have been detailed on the following page:

Location: The subject is located on 26th Street South and 6th Avenue South in St. Petersburg, Florida. Sale #1 is on 22nd Street South in St. Petersburg, Sale #2 is on 20th Street South in St. Petersburg, Sale #3 is on 62nd Avenue North in Pinellas Park and Sale #4 is on 28th Street South in St. Petersburg. We feel that these locations are similar to the subject and Sales #1, #2, #3 and #4 were not adjusted. Sale #5 is on 62nd Street North, off of U.S. Highway 19 North and south of Ulmerton Road in Clearwater. This is a superior location and Sale #5 was downward 5%.

Access: The subject has average access as do all five Sales, with no adjustments necessary.

Size: The subject contains 31,471 SF MOL. Sales #3, #4 & #5 are close to the size of the subject and were not adjusted. Sales #1 & #2 are larger than the subject and were adjusted upward 5% and 10%.

Shape: The subject is an "L" shaped parcel with a 6,000 SF parcel across 26th Street South. The more irregular in shape a parcel is the more costly it is to develop. Shape can also limit the placement of improvements. Sales #1 & #4 are irregular parcels that are bisected by alleys. Sales #1 & #4 were not adjusted. Sale #2 is a triangular shaped parcel and was not adjusted. Sales #3 & #5 are "L" shaped like the subject and were not adjusted.
McCORMICK, BRAUN, & SEAMAN

SALES COMPARISON APPROACH (Continued):

**Topography:** The subject is level as are the comparables with no adjustments required.

**Utilities:** The subject has utilities available as do the comparables, with no adjustments necessary.

**Flood Zone:** The subject is in a Flood Zone “X”, which is not a designated flood zone. All five Sales are also in “X” zones and were not adjusted.

**Land Use/Zoning:** The subject has an “IT” Industrial traditional zoning. All five sales have similar zonings and were not adjusted.

**Conclusion:** After adjusting the comparable sales to the subject site, the values per square foot ran from a low of $4.57 PSF to a high of $6.03 PSF. Based on the information derived from the comparables it is our opinion that the value indication for the subject underlying land is $5.00 PSF:

$$31,471 \text{ SF MOL} \times \$5.00 \text{ PSF} = \$157,355$$
Rounded to: $160,000

**RECONCILIATION:** The estimated “As Is” value of the subject site via the Sales Comparison Approach was $160,000. As discussed, the Cost and Income Approach were not considered applicable.

**Note:** The subject is used for the storage of vehicles, equipment and materials that could cause environmental hazards. We are not experts in this field and have no way to determine the cost, if any, to cleanup any environmental contamination there might be. Therefore, our value estimates are based on the site having no environmental contamination.

**Fee Simple Title** It is our opinion, considering the various factors contained within this report, that the estimated Market Value of the subject site, subject to the Limiting Conditions as noted on pages 3 - 6 of this report, Unencumbered, "As Is", In Fee Simple Title, as of September 27, 2016 was:

**ONE HUNDRED SIXTY THOUSAND ($160,000) DOLLARS**

**Extraordinary Assumptions:** In estimating the “As Is” values of the subject, we have not made any extraordinary assumptions.

**Hypothetical Conditions:** In estimating the “As Is” values of the subject, we have not assumed any hypothetical conditions.

**Note:** The values stated herein assume that the site is free of environmental contamination.
EXHIBIT “A”

APPRAISER QUALIFICATIONS
APPRAISER QUALIFICATIONS

SCOTT W. SEAMAN

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

APPRAISAL COURSES:
Business Practices and Ethics 2015
Supervisory Appraiser/Trainee Appraiser Course 2015
Litigation Assignments for Residential Appraisers: Doing Expert Work on Atypical Cases 2014
Methodology & Application of Sales Comparison 2014
Appraisal Review of Residential Properties 2014
Florida Law Update for Real Estate Appraisers/2014
National USPAP/2014
Front of House/Back of House/2013
Critical Issues/2012
Commercial Appraisal Productivity Seminar/2012
Loss Prevention/2011
Discounted Cash Flow Model/2011
Business Practices & Ethics/2011
Advanced Internet Search Strategies/2011
Supervisor Trainee Roles & Rules/2010
Property Tax Assessments/2009
Subdivision Valuation/2009
REO Appraisal: Appraisal of Residential Property Foreclosure
Maintaining Control: Dealing with Client Pressure/2008
Developing & Growing an Appraisal Practice/2008

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

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

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

EMPLOYMENT:
McCormick, Braun & Seaman
January 1996 to Present
Glenn E. McCormick Company, Inc.
Vice President/May 1985 - December 1995
Appraisal and Consulting Firm, St. Petersburg, Florida
City of St. Petersburg
Acquisition Agent/January 1983 - April 1985
Real Estate Department, St. Petersburg, Florida
L.J. Farham, MAI
Staff Appraiser/November 1983 - May 1984
St. Petersburg, Florida
The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2016

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

ISSUED: 11/04/2014   DISPLAY AS REQUIRED BY LAW   SEQ # L1411040002916
EXHIBIT "B"

ZONING
SECTION 16.20.100. INDUSTRIAL TRADITIONAL DISTRICT ("IT")

16.20.100.1. Composition of industrial traditional.

Many of the City's older industrial areas were developed along the two railroad lines which brought goods and services into the City. These industrial lands create a string of industrial property that runs throughout the City instead of being concentrated within a defined industrial park. Businesses in these industrial areas provided needed goods and services and this district is the only opportunity for certain uses to locate. These industrial uses and surrounding residential areas have grown towards one another, in some cases creating tension between uses and limiting the ability for industrial redevelopment.

(Code 1992, § 16.20.100.1)

16.20.100.2. Purpose and intent.

The purpose of the IT district regulations is to permit rehabilitation, improvement and redevelopment in a manner that is consistent with the character of the neighborhood and respects adjacent residential uses. Traditional Industrial areas consist of external areas which border residential or other uses, where buffering may be an issue, and internal areas which border only other industrial uses. Necessary buffering and transition differs between these two. This section:

1. Creates buffers and transitional zones between industrial corridors and abutting neighborhoods;
2. Provides standards and incentives for design including site planning, architectural design, signage and lighting; and
PART II - ST. PETERSBURG CITY CODE
Chapter 16 - LAND DEVELOPMENT REGULATIONS

SECTION 16.20.100. INDUSTRIAL TRADITIONAL DISTRICT ("IT")

(3) Establishes guidelines to shield storage areas, walls and fences to provide a better visual environment.

Flexibility is provided to encourage high quality economic development.

(Code 1992, § 16.20.100.2)

16.20.100.3. Permitted uses.

A. Uses in this district shall be allowed as provided in the Matrix: Use Permissions and Parking Requirements.

B. The size of an accessory use which is related to the principal use is subject to any size limits set forth in the plan.

(Code 1992, § 16.20.100.3)

16.20.100.4. Development potential.

Achieving maximum development potential will depend upon market forces, such as minimum desirable size, and development standards, such as minimum lot size, parking requirements, height restrictions and building setbacks.

Minimum Lot Size, Maximum Density and Maximum Intensity

<table>
<thead>
<tr>
<th>Minimum lot area (sq. ft.)</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot width</td>
<td>60 ft.</td>
</tr>
<tr>
<td>Maximum nonresidential intensity (floor area ratio)</td>
<td>0.75</td>
</tr>
<tr>
<td>Maximum impervious surface (surface area ratio)</td>
<td>0.95</td>
</tr>
</tbody>
</table>

Refer to technical standards regarding measurement of lot dimensions, calculation of maximum residential density, nonresidential floor area, and impervious surface.

(Code 1992, § 16.20.100.4)

16.20.100.5. Building envelope: Maximum height and building setbacks.

Maximum Building Height
## SECTION 16.20.100. INDUSTRIAL TRADITIONAL DISTRICT ("IT")

### Maximum Height

<table>
<thead>
<tr>
<th></th>
<th>IT</th>
</tr>
</thead>
<tbody>
<tr>
<td>All buildings</td>
<td>35 ft.</td>
</tr>
<tr>
<td>Outdoor storage yard</td>
<td>6 ft.</td>
</tr>
<tr>
<td></td>
<td>6 ft.</td>
</tr>
<tr>
<td></td>
<td>6 ft.</td>
</tr>
<tr>
<td>Lot abutting a nonindustrial zoned property or abutting a major street</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Lot abutting industrial zoned property only and not abutting a major street</td>
<td>50 ft.</td>
</tr>
</tbody>
</table>

All buildings 35 ft. 50 ft.

Outdoor storage yard 6 ft. 6 ft.

Within building envelope 6 ft. 50 ft.

Refer to technical standards regarding measurement of building height and height encroachments.

### Minimum Building Setbacks

<table>
<thead>
<tr>
<th>Building Setbacks</th>
<th>IT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot abutting a non-industrial zoned property or abutting a major street</td>
<td>Lot abutting an industrial zoned property</td>
</tr>
<tr>
<td>Yard adjacent to street</td>
<td>10</td>
</tr>
<tr>
<td>Interior yards</td>
<td>20</td>
</tr>
</tbody>
</table>

Additional criteria may affect setback requirements including design standards and building or fire codes.

Refer to technical standards for yard types and setback encroachment.
16.20.100.6 Buffer requirements.

As development and redevelopment occurs within the district, industrial land uses shall be shielded from view from non-industrial zoned property or major streets through the utilization of buffers. The buffer width required is determined by the type of fence or wall installed and maintained on the industrial-zoned property. Flexibility is provided based upon the type of fence utilized to create the required buffer. Such buffers shall be landscaped and not used for off-street parking or off-street loading or unloading of trucks. The required landscaping shall be provided and maintained on the exterior side of any fence or wall used to create the required buffer.

**Buffer Requirements**

<table>
<thead>
<tr>
<th>Type of Fence</th>
<th>Buffer Width Required</th>
<th>Landscaping Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vinyl-coated, chain link fence</td>
<td>20 ft.</td>
<td>Trees: One shade tree per 50 linear ft. measuring a minimum 10 ft. tall and 2.0 in. diameter at breast height (dbh); and Shrubs: Shall measure a minimum 24 in. tall with branches touching</td>
</tr>
<tr>
<td>Solid wood or solid vinyl fence</td>
<td>15 ft.</td>
<td>Trees: One shade tree per 50 linear ft. measuring a minimum 10 ft. tall and 2.0 in. diameter at breast height (dbh); and Shrubs: Shall measure a minimum 24 in. tall with branches touching</td>
</tr>
<tr>
<td>Masonry wall</td>
<td>10 ft.</td>
<td>Palms: One palm tree per 20 linear ft. measuring a minimum 10 ft. tall clear trunk (ct)</td>
</tr>
<tr>
<td>No fence; landscaping only</td>
<td>10 ft.</td>
<td>Trees: One shade tree per 40 linear ft. measuring a minimum 10 ft. tall and 2.0 in. diameter at breast height (dbh); Palms: One palm tree per 20 linear ft. measuring a minimum 10 ft. tall clear trunk (ct); and Shrubs: Shall measure a minimum 24 in. tall with branches touching</td>
</tr>
</tbody>
</table>
16.20.100.7. Building design.

The following design criteria allow the property owner and design professional to choose their preferred architectural style, building form, scale and massing, while creating a framework for good urban design practices which create a positive experience for the pedestrian. For a more complete introduction, see section 16.10.010.

Site layout and orientation. The City is committed to creating and preserving a network of linkages for pedestrians. Consequently, pedestrian and vehicle connections between public rights-of-way and private property are subject to a hierarchy of transportation, which begins with the pedestrian.

Building and parking layout and orientation.

1. All mechanical equipment and utility functions (e.g. electrical conduits, meters, HVAC equipment) shall be located behind the front façade line of the principle structure. Mechanical equipment that is visible from the primary street shall be screened with a material that is compatible with the architecture of the principle structure.

Building and architectural design standards. All buildings should present an inviting, human scale façade to the streets, internal drives, parking areas and surrounding neighborhoods. The architectural elements of a building should give it character, richness and visual interest.

Building style. New construction shall utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies.

1. Renovations, additions and accessory structures shall utilize the architectural style of the existing structure, or the entire existing structure shall be modified to utilize an identifiable...
architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies.

Building materials. Building material standards protect neighboring properties by holding the building's value longer thereby creating a greater resale value and stabilizing the value of neighboring properties.

1. Building materials shall be appropriate to the selected architectural style and shall be consistent throughout the project.

Accessory structures and equipment. Accessory structures should reinforce the pedestrian character of the City. Above-ground utility and service features shall be located and designed to reduce their visual impact upon the streetscape.

1. Outdoor storage shall not be visible from any non-industrially zoned property or major street. This can be accomplished through the construction of walls, fences or landscaping in accordance with the Code.

2. Solid waste containers shall not be located within the public rights-of-way. Solid waste containers shall be fully enclosed within a solid, opaque fence or wall that is architecturally compatible with the principal structure and includes shielding gates. Chain link fencing with inserted slats is prohibited.

3. Solid waste container enclosures located within the front yard shall be landscaped in accordance with the Code.

4. Mechanical equipment that is visible from the right-of-way, an adjacent neighborhood zoning district or adjacent residential use shall be screened with material compatible with the architecture of the principal structure.

# Matrix: Zoning Districts and Compatible Future Land Use Categories

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Max. Density/Intensity Permitted by Right, per acre</th>
<th>Compatible Land Use Category</th>
<th>Maximum FLUP Density, per acre</th>
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</thead>
<tbody>
<tr>
<td>NT-1</td>
<td>15/.50 FAR</td>
<td>Planned Redevelopment-Residential (PR-R)</td>
<td>15/.50 FAR (2)</td>
</tr>
<tr>
<td>NT-2</td>
<td>15/.50 FAR</td>
<td>Planned Redevelopment-Residential (PR-R)</td>
<td>15/.50 FAR (2)</td>
</tr>
<tr>
<td>NT-3</td>
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<td>Residential Urban (RU)</td>
<td>7.5/.40 FAR</td>
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<tr>
<td>NT-4</td>
<td>15/.85 FAR</td>
<td>Planned Redevelopment-Mixed Use (PR-MU)</td>
<td>24/1.25 FAR (2)</td>
</tr>
<tr>
<td>NSE</td>
<td>2/.20 FAR</td>
<td>Residential Low (RL)</td>
<td>5/.40 FAR</td>
</tr>
<tr>
<td>NS-1</td>
<td>7.5/.35 FAR</td>
<td>Residential Urban (RU)</td>
<td>7.5/.40 FAR</td>
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<tr>
<td>NS-2</td>
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<td>Residential Low (RL)</td>
<td>5/.40 FAR</td>
</tr>
<tr>
<td>NSM-1</td>
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<td>Residential Medium (RM)</td>
<td>15.50 FAR</td>
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<td>Residential High (RH)</td>
<td>30/.60 FAR</td>
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<td>NMM</td>
<td>8/.30 FAR</td>
<td>Residential Medium (RM)</td>
<td>15.50 FAR</td>
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<td>Residential Low Medium (RLM)</td>
<td>10/.50 FAR</td>
</tr>
<tr>
<td>CRT-1</td>
<td>24/1.0 FAR</td>
<td>Planned Redevelopment-Mixed Use (PR-MU)</td>
<td>24/1.25 FAR (2)</td>
</tr>
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<td>CRT-2</td>
<td>40/1.5 FAR</td>
<td>Community Redevelopment District (CRD)</td>
<td>Per Redevelopment Plan</td>
</tr>
<tr>
<td>CRS-1</td>
<td>15/.50 FAR</td>
<td>Residential/Office General (ROG)</td>
<td>15/.50 FAR</td>
</tr>
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<td>CRS-2</td>
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<td>CRS-2 (activity center)</td>
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<td>CCS-2</td>
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<td>55/1.25 FAR (2)</td>
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<tr>
<td>CCS-2 (activity center)</td>
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<td>Planned Redevelopment-Commercial (PR-C)</td>
<td>60/1.12 FAR (2)</td>
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</tr>
<tr>
<td>IT</td>
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<td>Industrial General (IG)</td>
<td>None/.75 FAR</td>
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<td>DC-Core</td>
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<td>See footnote (3)</td>
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<td></td>
<td>Central Business District (CBD)</td>
<td>See footnote (3)</td>
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<td>See footnote (3)</td>
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<tr>
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<tr>
<td>IC (ROG)</td>
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<td>Residential/Office General (ROG)</td>
<td>15/.50 FAR</td>
</tr>
<tr>
<td>IC (CRD, activity center)</td>
<td>24/1.35 FAR</td>
<td>Community Redevelopment District (CRD)</td>
<td>Per Redevelopment Plan</td>
</tr>
<tr>
<td>IC (TU)</td>
<td>None/.60 FAR</td>
<td>Transportation/Utility (TU)</td>
<td>None/.60 FAR</td>
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<tr>
<td>EC</td>
<td>75/1.37 FAR (1)</td>
<td>Industrial Limited (IL)</td>
<td>75/1.5 FAR (1)</td>
</tr>
<tr>
<td>RC-1</td>
<td>30/.75 FAR</td>
<td>Planned Redevelopment - Commercial (PR-C)</td>
<td>55/1.25 FAR (2)</td>
</tr>
<tr>
<td>RC-1 (activity center)</td>
<td>45/1.12 FAR</td>
<td>Planned Redevelopment - Commercial (PR-C)</td>
<td>45/1.12 FAR (2)</td>
</tr>
<tr>
<td>RC-2</td>
<td>55/1.0 FAR</td>
<td>Planned Redevelopment - Commercial (PR-C)</td>
<td>55/1.25 FAR (2)</td>
</tr>
<tr>
<td>RC-2 (activity center)</td>
<td>82/1.5 FAR</td>
<td>Planned Redevelopment - Commercial (PR-C)</td>
<td>82/1.5 FAR (2)</td>
</tr>
<tr>
<td>PRES</td>
<td>(4)</td>
<td>Preservation</td>
<td>0.10 FAR</td>
</tr>
</tbody>
</table>

1. Residential density pertains only to the property formerly known as the Sod Farm
2. Per Vision 2020 Special Area Plan
3. Per Areawide Development of Regional Impact (ADRI) and Redevelopment Plan
4. TDR, E shall equal 1.0 unit per acre/.05 FAR
5. Federal, State and local government buildings and grounds and cemeteries, hospitals, houses of worship and schools in any zoning district are also compatible with the Institutional (I) land use category.

This Matrix is a reference only. In any conflict between this and another regulation, the other regulation shall control.

Revised 07.23.2010
EXHIBIT “C”

CLIENT FURNISHED DATA
APPRAISAL AGREEMENT

THIS APPRAISAL AGREEMENT, ("Agreement"), made and entered into by and between the CITY OF ST. PETERSBURG, a municipal corporation of the State of Florida, ("City") and MCCORMICK, BRAUN & SEAMAN ("Appraiser"), (collectively, "Parties"): "Parties"):

WITNESSETH

WHEREAS, the City desires to obtain an appraisal substantially in compliance with the appraisal instructions set forth in Exhibit "A", attached hereto, for the real property described in Exhibit "B" ("Property"), attached hereto and made a part hereof; and

WHEREAS, the Appraiser represents that the Appraiser is authorized and qualified to make such appraisal in accordance with recognized appraisal practices and standards and is a currently certified by the State of Florida as a Certified Appraiser.

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

1. RECITALS. The above recitals are true and accurate and are incorporated herein.

2. EFFECTIVE DATE; FACSIMILE. The effective date of this Agreement shall be the latest of the dates that the Appraiser and the appropriate City signatories have approved and signed this Agreement ("Effective Date"). A facsimile copy of this Agreement and any signatures thereon shall be considered for all purposes as originals.

3. APPRAISAL COMPLETION DATE; DELIVERY.
   A. Completion Date. The Appraiser, in conformance with recognized appraisal practices, shall perform the appraisal of the Property and prepare three (3) copies, one unbound and two bound, of the appraisal report ("Appraisal Report") on or before September 30, 2016 ("Completion Date"). Unless otherwise specified herein, the Appraisal Report shall include the market value of any and all interests and rights held by anyone, including but not limited, to leasehold interests and any market rent.

   B. Delivery. Appraiser shall not deliver the Appraisal Report to the City until notifying City of its completion.

4. INSPECTION BY SUPERVISING APPRAISER. The undersigned appraiser, as supervising appraiser or as any status requiring the co-signing of the appraisal report, does hereby affirm the undersigned appraiser has physically and personally inspected the subject property and the individual properties used as comparable sales.

5. LATE COMPLETION. The Appraiser agrees that, in the event the Appraiser fails to complete said Appraisal Report by the Completion Date, the City may assess liquidated damages in the amount of one quarter of one percent (0.25%) of the Appraisal Fee, as set forth below, up to a maximum liquidated damages of $330.00 per day, for each day or part of a day beyond which said reports remain uncompleted. Said assessment shall be deducted from the amount to be paid to the Appraiser by the City. The Completion Date may be extended without assessment of liquidated damages only with the written approval of the City.
6. **APPRASAL FEE.** In consideration for the performance of said appraisal services and furnishing of said Appraisal Report, the City shall pay the Appraiser the sum of Twelve hundred dollars ($1,200.00) within thirty (30) days following the receipt by the City of an invoice for the amount. The Appraiser agrees to update the Appraisal Report at no cost within one (1) year.

7. **APPRAISER'S TESTIMONY.** In the event the testimony of the Appraiser is required in any legal proceeding in connection with the City's use of the Appraisal Report, the Appraiser agrees to appear as a witness on behalf of the City and to accept as compensation from the City the sum of Three hundred, fifty dollars ($350.00) for each half day or less required attendance in court and for preparation in connection with such appearance.

8. **TERMINATION.** If through any cause, the Appraiser shall fail to fulfill in a timely and proper manner the Appraiser's obligation under this Agreement, the City shall have the right to terminate this Agreement upon the giving of five (5) working days written notice to the Appraiser of said termination and the City shall be relieved of all other obligations hereunder.

9. **ENTIRE AGREEMENT.** The drafting, execution and delivery of this Agreement by the Parties have not been induced by representations, statements, warranties or agreements other than those expressed herein. This Agreement embodies the entire understanding of the Parties, and there are no further or other agreements or understandings, written or oral, in effect between the Parties relating to the subject matter hereof, unless expressly referred to herein.

10. **NO MODIFICATIONS.** This Agreement may not be modified unless such modification is in writing and signed by both Parties hereto.

11. **NO DISCRIMINATION.** The Appraiser shall not discriminate against anyone in the performance of duties under this Agreement because of race, color, religion, gender, national origin, marital status, age, disability, sexual orientation, genetic information or other protected category.

12. **INDEMNIFICATION.** The Appraiser agrees to pay, indemnify, save and hold the City harmless from any and all claims, demands, damages, loss or liability, actions and suits occurring by reason of any act, error or omission in professional services rendered or that should have been rendered by the Appraiser, its officers, agents, consultants, employees or subcontractors or by any other person or whose acts, errors or omissions the Appraiser is responsible and arising out of the Appraiser's conduct as a real estate appraiser or occurring by reason of any injury to any person or property occasioned by an act or omission, neglect or wrong doing of the Appraiser or any of Appraiser's agents, consultants, employees or subcontractors or by any other person for whom the Appraiser is responsible and the Appraiser shall, at Appraiser's own cost and expense, defend and protect the City against any and all such claims or demands which may be claimed to have arisen as a result of or in connection with the services rendered by the Appraiser.

13. **DEFAULT.** If any claim, demand, liability, damage, loss, action or suit of any nature whatsoever arises due to the breach of, out of, or because of this agreement by the Appraiser, its agents, consultants, employees or subcontractors or due to any action or occurrence of omission or commission of the Appraiser, its agents, consultants, employees or subcontractors the City may, in its discretion, immediately and permanently suspend the Appraiser from its appraiser rotation list without penalty to the City.

14. **APPLICABLE LAWS.** This Agreement shall be governed by and interpreted in accordance with the laws of the State of Florida.
IN WITNESS WHEREOF, the Parties hereto have caused this document to be signed on the date(s) as expressed hereinafter.

WITNESSES AS TO APPRAISER:

McCormick, Braun & Seaman.

By: [Signature]

Date: 9/9/16

AS TO CITY:

ATTEST:

Chan Srinivasa, City Clerk

CITY OF ST. PETERSBURG

By: Bruce Grimes, Director
   Real Estate and Property Management
   as Mayor's Designee

Date

APPROVED AS TO CONTENT:

City Attorney (Designee)

By: [Signature]

APPROVED AS TO FORM:

City Attorney (Designee)

By: [Signature]
   Assistant City Attorney
EXHIBIT "A"

APPRaisal INSTRUCTIONS

Appraise the market value of subject property (land only - excluding consideration of parking lease on lot 5, block K, Colonial Annex).
EXHIBIT "B"

Property Address: 600 - 26th Street South

Parcel ID No. 23/3/16/17298 012/0010

Legal Description: Lots 1-5, Block L and Lot 5, Block K, Colonial Annex.
June 09, 2016

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

RE: Site Rehabilitation Completion Report
Former Atherton Oil Site
600 26th Street South
St. Petersburg, Pinellas County, Florida
Brownfield No. BF529901002
FDEP Site No.COM_264894/ Project No. 297799

Dear Mr. Frey:

The Florida Department of Environmental Protection (Department) has reviewed the Site Rehabilitation Completion Report dated May 18, 2016, prepared and submitted by GHD Services Inc. (GHD) on May 19, 2016 for the brownfield site referenced above.

The Department finds the proposal of a No Further Action acceptable. Please submit a draft restrictive covenant along with institutional controls supporting closure under Risk Management Options Level II (Rule 62-780 680(2), Florida Administrative Code) The Institutional Control Procedures Guidance can be found at the following link: h[link removed]

Please use the Declaration of Restrictive Covenant Checklist (Attachment 5 of the ICPG document) to ensure that the Draft RC is complete.

Please submit the Draft RC within 90 days of receipt of this letter. Should you have any questions, please contact Serge Kiyali, E.I at (813) 470-5764 or by email at serge.kiyali@dep.state.fl.us for further clarification. In an effort to reduce costs and waste, the agency is requesting all future submittals be sent in electronic format. Please reference FDEP Site No. COM_264894/ Project No. 297799.

Sincerely,

Mary E. Yeagar
Southwest District Director
Florida Department of Environmental Protection

cc: Gabrielle Enos, P.G., GHD, (via email: gabrielle.enos@ghd.com)
EXHIBIT "D"

LISTINGS
Properties for Sale

1 12501 Belcher Road, Largo, FL 33773

Property Details

<table>
<thead>
<tr>
<th>Property Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active</td>
</tr>
</tbody>
</table>

Lots

<table>
<thead>
<tr>
<th>#</th>
<th>Price</th>
<th>Size</th>
<th>Price/Size</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$595,000</td>
<td>2.50 AC</td>
<td>$238,000/AC</td>
<td>Site Plan 1 - 45,500 SF Manufacturing</td>
</tr>
<tr>
<td>2</td>
<td>$595,000</td>
<td>2.50 AC</td>
<td>$238,000/AC</td>
<td>Site Plan 2 - 7,000 SF Retail w/ 20,000 SF Multi-tenant Manufacturing</td>
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<tr>
<td>3</td>
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<td>Site Plan 3 - 37,700 SF RV/Boat/Self Storage</td>
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<td>4</td>
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<td>Site Plan 4 - 25,200 SF Manufacturing w/ Outdoor Storage</td>
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<tr>
<td>5</td>
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<td>2.50 AC</td>
<td>$238,000/AC</td>
<td>Site Plan 5 - 20,000 SF RV &amp; Boat Storage</td>
</tr>
<tr>
<td>6</td>
<td>$595,000</td>
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<td>$238,000/AC</td>
<td>Site Plan 6 - 34,625 SF Self Storage</td>
</tr>
</tbody>
</table>

Location Description

Located in the middle of a densely populated industrial market, this site provides a rare opportunity to build custom warehouse space for light manufacturing, distribution, showroom, self-storage, etc. while still having room for outdoor storage or sales. With two curb cuts and excellent visibility, the land could also be developed for a number of other retail and commercial uses. Please see the attached site plans for possible sizes, layouts, and building types. Site plans have not been approved by governing bodies and are intended only for feasibility.
Property Details

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<td>Zoning Description</td>
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Lots

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<td>$275,000</td>
<td>0.90 AC</td>
<td>$305,555.56/AC</td>
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</table>

Property Description

.9 acre MOL industrial site with water and sewer. There is also a 3,400 square foot MOL metal building/structure located on the site that needs upgrading but could be utilized by certain industries such as building products companies, landscaper’s or contractors. DO NOT CONTACT THE TENANT OR THEIR EMPLOYEES.

Location Description

North side of 114th Avenue North, just west of 66th Street North.
Property Details

<table>
<thead>
<tr>
<th>Property Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location Description</td>
<td>Mid Pinellas County. Bentley Business Center is located in Pinellas Park on the South side of 90 Avenue North between 66th Street North and Belcher Road.</td>
</tr>
</tbody>
</table>
Resolution No. 2017 -______

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LEASE AND DEVELOPMENT AGREEMENT WITH ORANGE BELT STATION, LLC, A FLORIDA LIMITED LIABILITY COMPANY, FOR CITY-OWNED PROPERTY LOCATED AT APPROXIMATELY 600 - 26th STREET SOUTH, ST. PETERSBURG; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City owns the following real property (collectively, "Property"):

Legal Description: Lots 4 & 5, Block K, and Lots 1 thru 5, Block L, COLONIAL ANNEX, as recorded in Pinellas County Plat Book 004, Page 065.

Approx. Address: 600 - 26th Street South, St. Petersburg

Parcel I.D. Nos.: 23-31-16-17298-011-0040 & 23-31-16-17298-012-0010; and

WHEREAS, the Property was a former bulk fuel distribution facility operated by the Atherton Oil Company who, abandoned the Property in 1989; and

WHEREAS, the Property conveyed to the City through the escheat process from Pinellas County in 2000; and

WHEREAS, a Phase II Site Assessment conducted in October, 2000, disclosed the presence of contamination which lead to a Brownfield Site Rehabilitation Agreement with the Florida Department of Environmental Protection that ultimately concluded in September, 2015, with a requirement that a Restrictive Covenant to be placed upon the western 40 ft. of Lot 5, Block K, within the Property located on the west side of 26th Street South; and

WHEREAS, on January 5, 2017, City Council approved, via Resolution No. 2017-22, a Restrictive Covenant for the groundwater restriction area pertaining to the Property, which was recorded on January 27, 2017 in Pinellas County Official Records Book: 19499, Pages 1566-1573 ("Restrictive Covenant"); and

WHEREAS, in response to multiple offers to acquire and develop the Property, Planning & Economic Development requested Real Estate & Property Management ("Real Estate") to issue a Request for Proposals ("RFP"), which was advertised on January 20, 2017, for the acquisition and development of the Property; and

WHEREAS, one qualified proposal was received by the deadline on February 21, 2017, from Orange Belt Station, LLC ("Tenant"); and

WHEREAS, after review, City Administration selected the Tenant proposal and directed Real Estate to negotiate a Lease and Development Agreement ("Lease") with the Tenant, subject to the approval of the City Council; and
WHEREAS, the Property was appraised on September 27, 2016, by Scott W. Seaman, SRA, State-Certified General Real Estate Appraiser, who indicated the estimated market value, "as is", unencumbered, and in fee simple title, of the Property was $160,000; and

WHEREAS, during negotiations with the Tenant, it was determined that the RFP inadvertently omitted an additional contiguous City-owned parcel, which should have been included; and

WHEREAS, the appraisal report was subsequently updated on May 11, 2017, indicating the estimated market value, "as is", unencumbered, and in fee simple title, of the Property was $185,000; and

WHEREAS, the Tenant has signed the Lease under the following substantive business points:

- **TERM:** The term of the Lease shall be for twenty-five (25) years.

- **RENT:** Beginning on the Commencement Date, Tenant shall pay City rent in the amount of $1,200.00 per month ("Rent"), which shall be credited toward the Purchase Price, not to exceed $60,000.00 ("Purchase Credit"). Beginning on the sixth (6th) anniversary of the Commencement Date, Rent shall be adjusted annually and increased by the City on each subsequent anniversary of the Commencement Date ("Adjustment Date") in accordance with customary CPI practices.

- **DEVELOPMENT:** Subject to the Restrictive Covenant, Tenant, at its sole cost and expense, shall develop ±14,000 square feet of climate controlled space and associated parking and amenities ("Improvements"), to be divided as follows: ±5,000 sq./ft. manufacturing facility, with the ability to add ±2,000 sq./ft. loft space for business expansion to be leased for use as a craft distillery; ±2,000 sq./ft. to be leased as artist studios and galleries; ±5,000 sq./ft. to be leased as light manufacturing/office space/ or as otherwise allowed by zoning regulations; ±5,000 sq./ft. courtyard/event space; parking to be dedicated in lots on the west side of 26th Street South.

- **OPTION TO PURCHASE:** Prior to the fifth (5th) anniversary of the Commencement Date ("Initial Adjustment Date"), the Tenant shall have the right to purchase the Property, subject to the Restrictive Covenant, at the appraised value of $185,000 ("Purchase Price"), following completion of the Improvements. If Tenant does not exercise its right to purchase the Property, then on the Initial Adjustment Date, the Purchase Price shall be adjusted to reflect the fair market value as of the Adjustment Date as determined by an independent certified appraisal of the Property. The Purchase Price shall be further adjusted in the same manner every five (5) years of the Term following the Adjustment Date.

- **DUE DILIGENCE:** Tenant has up to a one hundred eighty day (180) day due diligence period to perform its inspections, review documents, receive site plan approval, and provide evidence of its financial capability acceptable to the City for developing the Improvements. In the event of unexpected and unintended delays, Tenant may request a ninety (90) day extension of the due diligence period.
- **DEVELOPMENT TIMEFRAME:** Tenant shall commence construction not more than sixty (60) business days after the Commencement Date and be completed no later than eighteen (18) months after the Commencement Date. Completion of construction shall mean issuance of a temporary or permanent certificate of occupancy for all of the improvements.

- **TAXES/UTILITIES:** Tenant shall be responsible for paying all applicable taxes and utilities in connection with its use of the Property and Improvements.

- **MAINTENANCE:** Tenant shall be responsible for all maintenance of the Property and Improvements, when constructed including, but not limited to, all components, security, and landscaping.

- **INSURANCE:** Tenant will maintain an insurance policy including, but not limited to, commercial general liability in the amount of at least $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 Tenant’s use of the Property; and

WHEREAS, the Tenant initially expects to provide six (6) full-time jobs through its associated subtenants, with anticipation of more jobs added through additional subleasing; and

WHEREAS, the Tenant has indicated the relocation interest of a Tampa office/publishing tenant that could provide an additional eighteen (18) jobs; and

WHEREAS, in addition to the planned craft distillery, the Improvements will have space for artists/light manufacturing for artistic designs and accompanying galleries, in addition to a courtyard/event space available for tenant and community use for occasions such as musical, craft, artistic, cultural and culinary events, all of which can attract customers to the area, neighboring businesses, and to the artists and entrepreneurs who occupy the development.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor, or his designee, is authorized to execute a Lease and Development Agreement with Orange Belt Station, LLC, a Florida limited liability company, for City-owned property located at approximately 600 – 26th Street South, St. Petersburg, as legally described above; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

**LEGAL:**

City Attorney (Designee)

**APPROVED BY:**

David S. Goodwin, Director
Planning & Economic Development

**APPROVED BY:**

Bruce E. Grimes, Director
Real Estate & Property Management
TO: The Honorable Darden Rice, Chair and Members of City Council

SUBJECT: A resolution granting Habitat for Humanity of Pinellas County, Inc. an exception to the requirement, contained in the 2017 Special Assessment Lien Modification Program, Option "D", for the removal of principal and interest on special assessment liens subject to a Development Agreement, that a property must be located within the Southside Community Redevelopment Area to be eligible for release of Special Assessment Liens for a property located at 3030 – 21st Street North, St. Petersburg; and authorizing the Mayor, or his designee, to execute all documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: On November 1, 2012, City Council through the adoption of City Council Resolution No. 2012-515 established a Special Assessment Lien Modification Program ("2012 SA Program") that authorized the Mayor or his designee to take action on requests for relief of special assessment liens pursuant to the Policies and Procedures approved for the program. On December 5, 2013, City Council amended the 2012 SA Program through the adoption of City Council Resolution No. 2013-498 which extended the 2012 SA Program. On September 3, 2015, City Council amended the 2013 SA Program though the adoption of City Council Resolution No. 2015-405, which added an additional requirement that a property must be located in the Southside Community Redevelopment Area ("Southside CRA") for Option "D" under the 2015 SA Program and also extended the 2015 SA Program. On May 4, 2017, City Council amended the new 2017 Special Assessment Lien Modification Program ("2017 SA Program") which superseded the 2015 SA Program, as amended, through the adoption of City Council Resolution No. 2017-289.

On August 15, 2017, Billing and Collections received a Special Assessment Lien Modification application from Habitat for Humanity of Pinellas County, Inc. ("Habitat") requesting Option "D" under the 2017 SA Program for removal of principal and interest on special assessment liens on a property located at 3030 – 21st Street North, St. Petersburg ("Property"). The application was forwarded to Real Estate and Property Management for review.

The Property is unimproved and legally described as follows:

Lot 61, TOWNSEND'S SUBDIVISION
Pinellas County Parcel I.D. No.: 12/31/16/91566/000/0610

The 2017 SA Program Policies and Procedures Option "D", provides that an applicant can request removal of principal and interest on special assessment liens and request that the City recommend the release of Code Enforcement Board liens for properties, subject to a Development Agreement for Release of Special Assessment Liens ("Development Agreement") for properties located within the Southside CRA.

CM 170907 – 2 RE Habitat for Humanity Special Assessment Lien Removal 3030 – 21st St N 00338728 1
Habitat acquired the Property on July 7, 2017 and plans to construct and sell a new single-family residence to a new homeowner within one year from the commencement date of a Development Agreement with the City. Habitat represents that the requirement for Habitat to pay the special assessment principal and interest or even just the principal amount due will create a financial hardship on Habitat. Therefore, Habitat is requesting that the City grant it an exception to the requirement that the Property be located within the Southside CRA in order for the City to remove the principal and interest of the special assessment liens on the Property, which would allow Habitat to proceed with the construction of a new affordable residence on the Property.

According to Billing and Collection’s records, the special assessment liens on the Property were assessed prior to Habitat’s ownership. As of August 16, 2017, there were nine (9) special assessment liens on the Property with a principal amount of $4,775.49 and the accumulated interest due on the liens is $8,185.93 for a total of $12,961.42. One (1) of the special assessment liens is for the demolition of a home that was previously on the Property. The other special assessment liens are for lot clearings. Should Habitat be granted the exception to Option "D" under the 2017 SA Program and be allowed to enter into a Development Agreement, any authorized removal of principal and interest of special assessment liens will be effective only upon completion of the construction of the proposed residence within one (1) year from the commencement date of the Development Agreement.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution granting Habitat for Humanity of Pinellas County, Inc. an exception to the requirement, contained in the 2017 Special Assessment Lien Modification Program, Option "D", for the removal of principal and interest on the special assessment liens subject to a Development Agreement, that a property must be located within the Southside Community Redevelopment Area to be eligible for release of Special Assessment Liens for a property located at 3030 – 21st Street North, St. Petersburg; and authorizing the Mayor, or his designee, to execute all documents necessary to effectuate this transaction; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

APPROVALS: Administration: [Signature]

Budget: N/A

Legal: [Signature] (As to consistency w/attached legal documents)

Legal: 00338728.doc v2
ILLUSTRATION

Street Address: 3030 - 21st Street North, St. Petersburg
A RESOLUTION GRANTING HABITAT FOR HUMANITY OF PINELLAS COUNTY, INC. AN EXCEPTION TO THE REQUIREMENT, CONTAINED IN THE 2017 SPECIAL ASSESSMENT LIEN MODIFICATION PROGRAM, OPTION "D", FOR THE REMOVAL OF PRINCIPAL AND INTEREST ON SPECIAL ASSESSMENT LIENS SUBJECT TO A DEVELOPMENT AGREEMENT, THAT A PROPERTY MUST BE LOCATED WITHIN THE SOUTHSIDE COMMUNITY REDEVELOPMENT AREA TO BE ELIGIBLE FOR RELEASE OF SPECIAL ASSESSMENT LIENS FOR A PROPERTY LOCATED AT 3030 – 21ST STREET NORTH, ST. PETERSBURG; AND AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 15, 2017, Billing and Collections received a Special Assessment Lien Modification application from Habitat for Humanity of Pinellas County, Inc. ("Habitat") requesting Option "D" under the 2017 SA Program for removal of principal and interest on special assessment liens on a property located at 3030 – 21st Street North, St. Petersburg ("Property"), which was forwarded to Real Estate and Property Management for review; and

WHEREAS, the subject Property is unimproved and legally described as follows:

Lot 61, TOWNSEND’S SUBDIVISION
Pinellas County Parcel I.D. No.: 12/31/16/91566/000/0610; and

WHEREAS, the 2017 SA Program Policies and Procedures Option "D" ("Option D") provides that an applicant can request removal of principal and interest on special assessment liens and request that the City recommend the release of Code Enforcement Board liens for properties, subject to a Development Agreement for Release of Special Assessment Liens ("Development Agreement") for properties located within the Southside Community Redevelopment Area ("Southside CRA"); and

WHEREAS, Habitat acquired the Property on July 7, 2017 and plans to construct and sell a new single-family residence to a new homeowner within one year from the commencement date of a Development Agreement with the City; and
WHEREAS, Habitat represents that the requirement for Habitat to pay the special assessment principal and interest or even just the principal amount due will create a financial hardship on Habitat and therefore Habitat is requesting that the City grant it an exception to the requirement of Option D that the Property be located within the Southside CRA in order for the City to remove the principal and interest of the special assessment liens on the Property, which would allow Habitat to proceed with the construction of a new affordable residence on the Property; and

WHEREAS, according to Billing and Collection’s records, the special assessment liens on the Property were assessed prior to Habitat’s ownership; and

WHEREAS, as of August 16, 2017, there were nine (9) special assessment liens on the Property with a principal amount of $4,775.49 and the accumulated interest due on the liens is $8,185.93 for a total of $12,961.42; and

WHEREAS, one (1) of the special assessment liens is for the demolition of a home that was previously on the Property and the other special assessment liens are for lot clearings; and

WHEREAS, should Habitat be granted the exception to Option "D" under the 2017 SA Program and be allowed to enter into a Development Agreement, any authorized removal of the principal and interest of the special assessment liens will be effective only upon completion of the construction of the proposed residence within one (1) year from the commencement date of the Development Agreement.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that Habitat For Humanity Of Pinellas County, Inc. is hereby granted an exception to the requirement, contained in the 2017 Special Assessment Lien Modification Program, Option "D", for the removal of principal and interest on special assessment liens subject to a Development Agreement, that a property must be located within the Southside Community Redevelopment Area to be eligible for release of Special Assessment Liens for a property located at 3030 – 21st Street North, St. Petersburg; and the Mayor, or his designee, is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)

APPROVED BY:

Bruce E. Grimes, Director
Real Estate and Property Management

APPROVED BY:

Tammy Jerome, Director
Billing and Collections
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving a supplemental appropriation in the amount of $39,312 from the unappropriated balance of the Neighborhood & Citywide Infrastructure Fund (3027) to the Sidewalk Reconstruction/Expansion FY 17 Project (15626); and providing an effective date.

Explanation: Additional funding is needed for the Sidewalk Reconstruction/Expansion FY17 Project (15626). The Stormwater, Pavement and Traffic Operations Department has seen a significant increase in the number of requests for sidewalk repairs. This could be attributed to increased expectations in level of service and the ease of reporting through the See, Click, Fix App. Due to this increase in requests, the Sidewalk Reconstruction Project was depleted earlier than usual for FY17. This allocation of funds will enable the department to continue to provide a high level of service through the end of the fiscal year.

Cost/Funding/Assessment Information: Funding will be available after the approval of a supplemental appropriation in the amount of $39,312 from the unappropriated balance of the Neighborhood & Citywide Infrastructure Fund (3027) to the Sidewalk Reconstruction/Expansion FY 17 Project (15626).

Attachments: Resolution

Approvals:

[Signatures]
Resolution No. 2017 -

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $39,312 FROM THE UNAPPROPRIATED BALANCE OF THE NEIGHBORHOOD & CITYWIDE INFRASTRUCTURE FUND (3027) TO THE SIDEWALK RECONSTRUCTION/EXPANSION FY17 PROJECT (15626); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, additional funding is needed for the Sidewalk Reconstruction/Expansion FY17 Project (15626); and

WHEREAS, the Stormwater, Pavement and Traffic Operations Department has seen a significant increase in the number of requests for sidewalk repairs; and

WHEREAS, this could be attributed to increased expectations in level of service and the ease of reporting through the See, Click, Fix App; and

WHEREAS, due to this increase in requests the Sidewalk Reconstruction Project was depleted earlier than usual for FY17; and

WHEREAS, this allocation of funds will enable the department to continue to provide a high level of service through the end of the fiscal year.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that there is hereby approved from the unappropriated balance of the Neighborhood & Citywide Infrastructure Fund (3027) the following supplemental appropriation for Fiscal Year FY17:

<table>
<thead>
<tr>
<th>Neighborhood &amp; Citywide Infrastructure Fund (3027)</th>
<th>$39,312</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sidewalk Reconstruction/Expansion FY17 Project (15626)</td>
<td></td>
</tr>
</tbody>
</table>

This resolution shall become effective immediately upon its adoption.

Approvals:

City Attorney, designee: [Signature]  Administration: [Signature]

Budgets: [Signature]
TO: The Honorable Darden Rice, Chair, and Members of City Council

SUBJECT: A resolution authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 12-19-AED/W, as revised ("Task Order"), to the architect/engineering agreement dated July 1, 2014, between the City of St. Petersburg, Florida ("City") and Advanced Engineering & Design, Inc. ("A/E") for A/E to provide additional design services and re-permitting services for the Lift Station No. 11, Snell Isle Blvd. Rehabilitation Project in an amount not to exceed $22,110, for a total task order amount not to exceed of $79,650 (Engineering Project No. 16068-111; Oracle No. 14218)

EXPLANATION: Lift Station No. 11, a pump station located at the intersection of Snell Isle Boulevard Northeast and Barrett Boulevard Northeast, contains pumps, piping, valves and electrical controls which are nearing the end of their expected service life.

On June 19, 2014, Water Resources Department ("WRD") administratively approved Task Order 12-07-AED/W in the amount of $39,610 to provide professional engineering services for the rehabilitation of Lift Station No. 11. The scope of services included, but not limited to data collection, final design, and limited services during construction.

Construction of the improvements were proposed to be completed by WRD in-house construction crews. Due to the complexity of the rehabilitation, WRD requested the A/E to revise the Plans and Specification to be constructed by a Contractor.

On October 21, 2014, WRD administratively approved Revision No. 1 to Task Order 12-07-AED/W in the amount of $9,310 for scope of services to included, but not limited to prepare bid documents, bidding services, and additional services during construction.

Project Management was being conducted by WRD. During the design phase, the scope required revising as the existing generator could not be reused. This Project was transferred to Engineering & Capital Improvements Department ("ECID") to administer and manage the design, permitting and construction.

On April 8, 2016 ECID administratively approved Task Order 12-19-AED/W in the amount of $8,620 for scope of services to included, but not limited to design of a new generator and fuel tank.

The design plans were finalized and submitted for permitting through the City’s Building Department. One comment was to "flood proof" the lift station either by construction of a watertight hatch or elevating the top of the lift station. After discussion with operations staff, it was decided to elevate the top of the lift station to facilitate pump repairs if needed during heavy storm events.
Amendment No. 1 to Task Order No. 12-19-AED/W in the amount of $22,110 will provide funding for additional design and re-permitting services. This approval includes $5,000 of owner contingency.

Task Order No 12-07-AED/W, Revision No. 1 to Task Order No. 12-07-AED/W, Task Order No. 12-19-AED/W, and Amendment No. 1 to Task Order No. 12-19-AED/W includes the following phases and associated not to exceed costs respectively:

- Data Collection/Final Design/Services During Construction (Approved) $39,610
- Bid Document Preparation/Bidding Services/Additional Services During Construction (Approved) $9,310
- Additional Design Services (Approved) $8,620
- Additional Design/Re-Permitting Services (New) $22,110
- Revised Total A/E fees $79,650

RECOMMENDATION: Administration recommends the City authorize the Mayor or his designee to execute Amendment No. 1 to Task Order No. 12-19-AED/W, as revised (“Task Order”), to the architect/engineering agreement dated July 1, 2014, between the City of St. Petersburg, Florida (“City”) and Advanced Engineering & Design, Inc. (“A/E”) for A/E to provide additional design services and re-permitting services for the Lift Station No. 11, Snell Isle Blvd. Rehabilitation Project in an amount not to exceed $22,110, for a total task order amount not to exceed of $79,650 (Engineering Project No. 16068-111; Oracle No. 14218).

COST/FUNDING INFORMATION: Funds have been previously appropriated in the Water Resources Capital Project Fund (4003) LST #11 Snell Isle Reh FY14/15 Project (14218).

ATTACHMENTS: Resolution
Amendment No. 1 to Task Order No. 12-19-AED/W
Task Order No. 12-19-AED/W

APPROVALS:  
Administrative
Budget
RESOLUTION NO. 2017-______

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT NO. 1 TO TASK ORDER NO. 12-19-AED/W, AS REVISED ("TASK ORDER"), TO THE ARCHITECT/ENGINEERING AGREEMENT DATED JULY 1, 2014, BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA ("CITY") AND ADVANCED ENGINEERING & DESIGN, INC. ("A/E") FOR A/E TO PROVIDE ADDITIONAL DESIGN SERVICES AND RE-PERMITTING SERVICES FOR THE LIFT STATION NO. 11, SNELL ISLE BLVD. REHABILITATION PROJECT IN AN AMOUNT NOT TO EXCEED $22,110, FOR A TOTAL TASK ORDER AMOUNT NOT TO EXCEED OF $79,650 (ENGINEERING PROJECT NO. 16068-111; ORACLE NO. 14218); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") and Advanced Engineering & Design, Inc. ("A/E") entered into an architect/engineering agreement dated July 1, 2014 for A/E to provide miscellaneous professional services for Potable Water, Wastewater and Reclaimed Water Projects; and

WHEREAS, on June 19, 2014, Administration issued Task Order 12-07-AED/W ("Task Order") for A/E to provide professional engineering services including data collection, final design, and limited services during construction for an amount not to exceed $39,610; and

WHEREAS, on October 21, 2014, Administration issued Revision No. 1 to the Task Order for A/E to prepare bid documents, bidding services, and additional construction services for an amount not to exceed $9,310; and

WHEREAS, on April 8, 2016, Administration issued Revision No. 2 to the Task Order for A/E to design a new generator and fuel tank for an amount not to exceed $8,620; and

WHEREAS, Administration desires to issue Amendment No. 1 to the Task Order, as revised, for A/E to provide additional design services and re-permitting services for Lift Station No. 11, Snell Isle Blvd. Rehabilitation Project in an amount not to exceed $22,110 for a total Task Order, as revised, not to exceed $79,650.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to execute Amendment No. 1 to Task Order No. 12-19-AED/W, as revised ("Task Order"), to the Architect/Engineering Agreement dated July 1, 2014, between the City of St. Petersburg, Florida ("City") and Advanced Engineering & Design, Inc. ("A/E") for A/E to provide additional design services and re-permitting services for the Lift Station No. 11, Snell Isle Blvd. Rehabilitation Project in an amount not to exceed $22,110, for a total Task Order amount not to exceed of $79,650 (Engineering Project No. 16068-111; Oracle No. 14218) is hereby approved.

This resolution shall become effective immediately upon its adoption.
MEMORANDUM
CITY OF ST. PETERSBURG

Engineering and Capital Improvements Department

TO: The Honorable Darden Rice, Chair, and City Councilmembers

FROM: Brejesh Prayman, P.E., ENV SP, Director
Engineering & Capital Improvements Department

RE: Consultant Selection Information
Firm: Advanced Engineering & Design, Inc. (AED)
Amendment No. 1 to Task Order No. 12-19-AED/W in the amount of $17,110 for a total amended Project amount of $74,650

This memorandum is to provide information pursuant to City Council Policy and Procedures Manual, Chapter 3, Section I(F.) for agenda package information.

1. Summary of Reasons for Selection

The project involves Professional Services for design and construction of wastewater lift station.

Advanced Engineering & Design, Inc. has satisfactorily completed similar work under pervious A/E Annual Master Agreements in 2012, and is familiar with the City standards.

Advanced Engineering & Design, Inc. also has significant experience in the design and construction phase activities for water and wastewater utilities for the City and other Municipalities and Counties.

This is the nineteenth of twenty-three Task Orders issued under the 2012 Master Agreement.

This firm is a registered SBE with the City.

2. Transaction Report listing current work – See Attachment A

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<tr>
<th>Task Order No.</th>
<th>Project No.</th>
<th>Project Title</th>
<th>NTP Issued</th>
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<td>03/12/14</td>
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<td>SWWRF Service Area Wet Weather Flow Diversion</td>
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<td>09</td>
<td>13068-111</td>
<td>NE &amp; NW Sludge Transfer Force Mains to SWWRF</td>
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<td>Water Main Relocations-Gandy Blvd Overpass-Letter Agreement</td>
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<td>Lift Station No. 11, Snell Isle Blvd Rehabilitation</td>
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<td>Rev No. 1 - Additional Services</td>
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Total: 849,286.00
AMENDMENT NO. 1 TO TASK ORDER NO. 12-19-AED/W
LIFT STATION NO. 11, SNELL ISLE BLVD. REHABILITATION
MISCELLANEOUS PROFESSIONAL SERVICES FOR POTABLE WATER, WASTEWATER
AND RECLAIMED WATER PROJECTS
PROJECT NO. 16068-111

This Amendment No. 1 to Task Order No. 12-19-AED/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 July 1, 2014 ("Agreement") between Advanced Engineering & Design, 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

Lift Station No. 11, a pump station located at the intersection of Snell Isle Boulevard Northeast and Barrett Boulevard Northeast, contains pumps, piping, valves and electrical controls which have exceeded their service life. In order to improve function and reduce station maintenance, the station will be converted from a wet pit-dry pit facility to a submersible wet well type station. The station’s pumps, piping, valves and electrical controls will be removed and replaced as part of the rehabilitation effort.

Under Task Order 12-07-AED/W, A/E was approved for professional engineering services including: data collection, final design, and limited services during construction. The City’s initial approach was to construct the improvements using in-house forces. However, upon review of the early design phase plans, the City determined that it would be more prudent to have a Contractor perform the work. Revision No. 1 was for the A/E to prepare the bid documents, assist during bidding process and additional construction services.

It became apparent during plan development that relocation of a Duke Energy transformer would be needed in order to maximize the usage of the station’s current footprint. During coordination with Duke Energy, it became apparent that revising the station’s voltage would result in minimal additional charges with the resulting voltage change allowing for the installation of a pumps using a more "typical" voltage. However, performing this voltage revision required the design and specification of a new generator. The original design intent was to reuse the generator and, for this reason, a task order revision was needed. Therefore, under Task Order 12-19-AED/W (totaling $8,620.00), A/E was approved to design a new generator/fuel tank assembly and additional electrical design to match the newly proposed service voltage.

After discussion between City staff and A/E the decision was made to elevate the operating floor to minimize the mixing of sewage and floodwaters, and provide the City with a station that could remain unchanged in the event of a drastic roadway and structure elevation changes that could be experienced in future years.

This Amendment No. 1 is to re-design the operating floor for the proposed lift station.
II. SCOPE OF SERVICES

The Scope of Services shall consist of the following:

Task 2 – Operating Floor

2.01 The A/E shall develop structural details for the revisions. Additional sections shall be cut.

2.02 A conceptual site plan layout and section will be prepared by the A/E. A narrative discussing these revisions will be provided with the conceptual plan.

2.03 The A/E shall coordinate with the precast wall manufacturer. Connection details will be prepared.

2.04 Fuel tank configurations revisions will be evaluated by the A/E.

2.05 New station layout will be performed by the A/E. Site improvements needed to accommodate the new station's footprint will be designed. Applicable plan sheets will be revised to depict the new layout.

2.06 Technical specifications will be revised, as needed, by the A/E.

2.07 The Opinion of Probable Cost and proposal form will be revised, as needed, by the A/E.

2.08 Building Department permit resubmission will be performed by the A/E. The A/E will provide responses to Department commentary.

III. SCHEDULE

<table>
<thead>
<tr>
<th>Task</th>
<th>Description</th>
<th>Number of Weeks for Completion (excluding Review Time)</th>
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</thead>
<tbody>
<tr>
<td>2.0</td>
<td>Operating Floor Revisions</td>
<td>8</td>
</tr>
</tbody>
</table>

IV. A/E'S RESPONSIBILITIES

A/E will provide all resources necessary to provide the additional services described above.

V. CITY'S RESPONSIBILITIES

The City shall provide all available information on the current sanitary sewer system and adjacent utilities (GIS maps, Atlas sheets, etc.). Further, the City shall identify the proposed pump model and force main size.
VI. DELIVERABLES

The A/E shall provide four (4) copies of the construction plans incorporating the revisions and accompany each of these submittals with an updated Engineer’s Estimate to the City. Electronic versions of all documents shall be provided. Additional plan sets shall be distributed to the private utility companies. The A/E shall also provide plan sets for the submittal of the permit application to the Building Department and copy the City on all correspondence.

VII. A/E’S COMPENSATION

**Task Order No. 12-07-AED/W**

The A/E was authorized the not-to-exceed amount of $39,610 for Task Order No. 12-07-AED/W for Tasks 1 – 5, and the not-to-exceed amount of $9,310 for Revision No. 1 covering Task 6.

**Task Order No. 12-19-AED/W**

The A/E was authorized the not-to-exceed amount of $8,620 for Task Order No. 12-19-AED/W covering Task 1.

For Amendment No. 1 to Task Order No. 12-19-AED/W, the City shall compensate the A/E the not-to-exceed amount of $17,110 for Task 2, per Attachment 1.

This Amendment No. 1 to Task Order 12-19-AED/W establishes an Allowance in the amount of $5,000.00 for additional services not identified in the Scope of Services. Additional services may be performed only upon receipt of prior written authorization from the City and such authorization shall set forth the additional services to be provided by the A/E. The cost for any additional services shall not exceed the amount of the allowance set forth in this Amendment No. 1.

The total for Amendment No. 1 to the Task Order 12-19-AED/W shall not exceed $22,110.00 per Attachment 1.

The total amount of Task Order No. 12-19-AED/W including Amendment No. 1 shall not exceed $30,730.

**All Task Orders**

The total amount of all Task Orders, Revisions and Amendments shall not exceed $79,650.

VIII. PROJECT TEAM

The project’s key team members are:

William G. Reidy, P.E.  Project Manager  Advanced Engineering & Design, Inc.
Justin V. Keller, P.E.  Professional Engineer  Advanced Engineering & Design, Inc.
IX. MISCELLANOUS

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 Amendment No. 1 to Task Order No. 12-19-AED/W 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)

Advanced Engineering & Design, Inc.
(Company Name)

By: __________________________________________
William X. Randy
(Signature)
PROJECT MANAGER / PRINCIPAL
(Printed Name and Title)

Date: 8/23/17

WITNESSES:

By: __________________________________________
(Printed Name)

By: __________________________________________
(Signature)

By: __________________________________________
(Printed Name)

By: __________________________________________
(Printed Name)

00305432 - Final
Amendment No.1 to Task Order No. 12-19-AED/W
Page 5 of 5
### City of St. Petersburg

**Lift Station No. 11, Snell Isle Blvd. Rehabilitation**

**Amendment No. 1 to Task Order No. 12-19-AED/W**

**Proposed Man-hour Breakdown**

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<th>Sub Task No.</th>
<th>Task Description</th>
<th>Hours</th>
<th>Cost</th>
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<td><strong>2</strong></td>
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<td><strong>Operating Floor Revisions (Amendment No. 1)</strong></td>
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<tr>
<td>2.01</td>
<td>Develop Structural Details / Cut Additional Sections</td>
<td>4</td>
<td>16</td>
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<tr>
<td>2.02</td>
<td>Prepare Conceptual Site Plan and Sections / Prepare Narrative</td>
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<td>12</td>
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<td>2.03</td>
<td>Discussing Layout Revisions</td>
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<td>2.04</td>
<td>Coordination with Precast Wall Manufacturer / Detail Precast</td>
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<td>4</td>
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<td>and Cast-in-Place Wall Interface</td>
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<tr>
<td>2.05</td>
<td>Revise Generator Fuel Tank Layout</td>
<td>4</td>
<td>16</td>
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<td>2.06</td>
<td>Perform New Station Layout / Design Associated Site Work /</td>
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<td>8</td>
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<td>Revise Plan Set to Depict New Layout</td>
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<td>2.07</td>
<td>Revise Opinion of Probable Cost / Proposal Form</td>
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<td>4</td>
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<td>2.08</td>
<td>Resubmit Building Dept. Permit / Respond to Building Dept.</td>
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*Please note the following specific personnel listing: William G. Reidy, P.E., Project Manager; Justin V. Keller, P.E., Professional Engineer; Dan Stowers, P.E., Design Engineer; Steven Torres, CAD Manager*
ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 7, 2017

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

SUBJECT: A resolution authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 15-02-CAR/ENV ("Task Order") to the architect/engineering agreement dated February 26, 2015, between the City of St. Petersburg, Florida ("City") and Cardno, Inc. ("A/E") for A/E to furnish professional engineering services for the Soil Assessment & Interim Source Removal Project in an amount not to exceed $83,214.42, for a total task order amount not to exceed of $89,423.92; rescinding an unencumbered appropriation in the amount of $140,000 from the Infrastructure TBD FY17 Project (15675) in the City Facilities Capital Improvement Fund (3031); approving a supplemental appropriation in the amount of $140,000 from the unappropriated balance of the City Facilities Capital Improvement Fund (3031) resulting from this rescission to the Environ Cleanup Proj 16 (15199) to provide for the necessary funding for Amendment No. 1 to the task order, excavation and disposal services, and engineering project management costs (Engineering Project No. 17104-110; Oracle Nos. 14117, 14668 and 15119).

EXPLANATION: On September 9, 2014, a limited lead assessment report was completed by Greenfield Environmental for the City of St Petersburg Police Gun Firing Range which identified the presence of lead concentrations above Soil Cleanup Target Levels (SCTLs) as defined in Chapter 62-77 Florida Administrative Code (FAC). The SCTL exceedances were noted along the roof drip line areas on all sides of the onsite structure from 0 to 4 inches below land surface (bls).

On May 16, 2016, an Environmental Oversight Letter Report was completed by Cardno, Inc which identified the presence of SCTL exceedances for metals (arsenic, cadmium, and copper) on the west side of the onsite structure.

On July 24, 2017, a Limited Soil Assessment Survey was completed by Greenfield Environmental which identified the presence of SCTL exceedances for metals (lead, arsenic, barium, copper). Lead SCTL exceedances were noted along the roof drip line on all sides of the onsite structure from 0 to 0.5 feet bls and near the NW corner of the structure from 0 to 2 feet bls. The remaining metals exceedances were generally noted on all sides of the structure from 0 to 2 feet bls, and 2 to 4 feet bls at select locations (where analyzed).

On February 26, 2015, the City of St. Petersburg, Florida and Cardno, Inc executed an architect/engineering agreement, for A/E to provide miscellaneous professional services for Environmental Services

On August 25, 2017 Task Order 15-02-CAR/ENV was administratively approved in the amount of $6,209.50 for scope of services to include, but not limited, to completion of soil borings and soil analyses to delineate the limits of contamination required for remediation.
Amendment No. 1 to Task Order No. 15-02-CAR/ENV in the amount of $83,214.42, for a total contract amount not to exceed of $89,423.92 will provide funding for the interim source removal activities identified under the original assessment task order and reporting of the source removal activities.

Task Order No. 15-02-CAR/ENV and Amendment No. 1 to Task Order No. 15-02-CAR/ENV includes the following phases and associated not to exceed costs respectively:

- Soil Boring Installation and Analysis (Approved): $6,209.50
- Source Removal and Reporting: $83,214.42
- Revised Total A/E fees: $89,423.92

**RECOMMENDATION:** Administration recommends that City Council approve the attached Resolution authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 15-02-CAR/ENV ("Task Order") to the architect/engineering agreement dated February 26, 2015, between the City of St. Petersburg, Florida ("City") and Cardno, Inc. ("A/E") for A/E to furnish professional engineering services for the Soil Assessment & Interim Source Removal Project in an amount not to exceed $83,214.42, for a total task order amount not to exceed of $89,423.92; rescinding an unencumbered appropriation in the amount of $140,000 from the Infrastructure TBD FY17 Project (15675) in the City Facilities Capital Improvement Fund (3031); approving a supplemental appropriation in the amount of $140,000 from the unappropriated balance of the City Facilities Capital Improvement Fund (3031) resulting from this rescission to the Environ Cleanup Proj 16 (15199) to provide for the necessary funding for Amendment No. 1 to the task order, excavation and disposal services, and engineering project management costs (Engineering Project No. 17104-110; Oracle Nos. 14117, 14668 and 15119).

**COST/FUNDING INFORMATION:** Funds will be available after the rescission of an unencumbered appropriation in the amount of $140,000 from the Infrastructure TBD FY17 Project (15675) in the City Facilities Capital Improvement Fund (3031) and a supplemental appropriation in the amount of $140,000 from the unappropriated balance of the City Facilities Capital Improvement Fund (3031) resulting from this rescission to the Environ Cleanup Proj 16 (15199).

**ATTACHMENTS:** Resolution
Amendment No. 1 to Task Order No. 15-02-CAR/ENV

**APPROVALS:**

- Administrative
- Budget

Final
RESOLUTION NO. 2017-____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT NO. 1 TO TASK ORDER NO. 15-02-CAR/ENV ("TASK ORDER") TO THE ARCHITECT/ENGINEERING AGREEMENT DATED FEBRUARY 26, 2015, BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA ("CITY") AND CARDNO, INC. ("A/E") FOR A/E TO FURNISH PROFESSIONAL ENGINEERING SERVICES FOR THE SOIL ASSESSMENT & INTERIM SOURCE REMOVAL PROJECT IN AN AMOUNT NOT TO EXCEED $83,214.42, FOR A TOTAL TASK ORDER AMOUNT NOT TO EXCEED OF $89,423.92; RESCINDING AN UNENCUMBERED APPROPRIATION IN THE AMOUNT OF $140,000 FROM THE INFRASTRUCTURE TBD FY17 PROJECT (15675) IN THE CITY FACILITIES CAPITAL IMPROVEMENT FUND (3031); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $140,000 FROM THE UNAPPROPRIATED BALANCE OF THE CITY FACILITIES CAPITAL IMPROVEMENT FUND (3031) RESULTING FROM THIS REVERSION TO THE ENVIRON CLEANUP PROJ 16 (15199) TO PROVIDE FOR THE NECESSARY FUNDING FOR AMENDMENT NO. 1 TO THE TASK ORDER, EXCAVATION AND DISPOSAL SERVICES, AND ENGINEERING PROJECT MANAGEMENT COSTS (ENGINEERING PROJECT NO. 17104-110; ORACLE NOS. 14117, 14668 AND 15119); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") and Cardno, Inc ("A/E") executed an architect/engineering agreement on February 26, 2015, for A/E to provide miscellaneous professional services for Environmental Services; and

WHEREAS, on August 25, 2017, Administration issued Task Order 15-02-CAR/ENV ("Task Order") in the amount of $6,209.50 for A/E to completion of soil borings and soil analyses to delineate the limits of contamination required for remediation at St. Petersburg Police Firing Range; and

WHEREAS, Administration desires to execute Amendment No. 1 to the Task Order for A/E to provide additional professional services for the soil assessment and interim source removal project for the St. Petersburg Police Firing Range property in an amount not to exceed $83,214.42 for a total Task Order (as amended) amount not to exceed $89,423.92.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to execute Amendment No. 1 to Task Order No. 15-02-CAR/ENV ("Task Order") to the Architect/Engineering Agreement dated
February 26, 2015, between the City of St. Petersburg, Florida ("City") and Cardno, Inc. ("A/E") for A/E to furnish professional engineering services for the Soil Assessment & Interim Source Removal Project in an amount not to exceed $83,214.42, for a total Task Order amount not to exceed of $89,423.92.

BE IT FURTHER RESOLVED that the unencumbered appropriation in the amount of $140,000 in the City Facilities Capital Improvement Fund (3031), Infrastructure TBD FY17 Project (15675) is hereby rescinded.

BE IT FURTHER RESOLVED that there are hereby approved from the unappropriated balance of the City Facilities Capital Improvement Fund (3031) resulting from the above rescission the following supplemental appropriation for Fiscal Year 2017:

| City Facilities Capital Improvement Fund (3031) | Environ Cleanup Proj 16 (15199) | $140,000 |

This resolution shall become effective immediately upon its adoption.

Approved by:

City Attorney (Designee)

Approved by:

Bresh Prayman, P.E., SP, ENV
Engineering & Capital Improvements Director

Tom Greene
Budget Director

00339192 Final
This Amendment No. 1 Task Order No. 15-02-CAR/ENV is made and entered into this _____ day of ______________, 201__, pursuant to the ARCHITECT/ENGINEERING AGREEMENT FOR MISCELLANEOUS PROFESSIONAL SERVICES FOR ENVIRONMENTAL SERVICES PROJECTS dated February 26, 2015 ("Agreement") between Cardno, 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

As previously reported in the associated Task Order No. 15-02-CAR/ENV:

**September 2014 — Limited Lead Assessment**
A Limited Lead Assessment Report was completed by Greenfield Environmental, Inc. (GE) on September 9, 2014. The assessment revealed the presence of lead concentrations above Soil Cleanup Target Levels (SCTLs) as defined in Chapter 62-77 Florida Administrative Code (FAC). The SCTL exceedances were noted along the roof drip line areas on all sides of the onsite structure from 0 to 4 inches below land surface (bls).

**May 2016 — Environmental Oversight Letter Report**
An Environmental Oversight Letter Report was completed by Cardno, Inc. (as subconsultant to Driggers Engineering Services, Inc.) on May 16, 2016. The assessment revealed the presence of SCTL exceedances for metals (arsenic, cadmium, and copper) on the west side of the onsite structure.

Utilizing a review of benzo(a)pyrene SCTLs (detailed in a letter dated August 1, 2017 from the University of Florida to the FDEP), the residential SCTL for benzo(a)pyrene is now 1 mg/kg. Based on this, all of the benzo(a)pyrene concentrations were below SCTLs with the exception of B-6 (6 to 8') with a benzo(a)pyrene equivalents concentration of 1.54 mg/kg.

The B-6 benzo(a)pyrene exceedance is attributed to the sampling interval being located within the smear zone and is not considered to be indicative of vadose soil contamination. In addition, this 6 to 8 foot exceedance is considered to be effectively "capped" due to the 0 to 2 and 2 to 4 foot interval samples being below 1 mg/kg for benzo(a)pyrene.

**July 2017 — Limited Soil Assessment**
A Limited Soil Assessment Report was completed by GE on July 24, 2017. The assessment revealed the presence of SCTL exceedances for metals (lead, arsenic, barium, copper). The lead SCTL exceedances were noted along the roof drip line on all sides of the onsite structure from 0 to 0.5 feet bls and near the NW corner of the structure from 0 to 2 feet bls. The remaining metals exceedances were generally noted on all sides of the structure from 0 to 2 feet bls, and 2 to 4 feet bls at select locations (where analyzed).

Based on the new SCTL of 1 mg/kg, all of the benzo(a)pyrene concentrations noted in the analytical data associated with the July 2017 report by GE were below SCTLs.

The highest lead concentrations were noted in samples collected along the drip line on the west side of the building from 0 to 0.5 feet bls (DL-9 through DL-13). These samples were further analyzed via the Toxicity Characteristic Leaching Procedure (TCLP) methodology.
Four of the five samples (DL-9 through DL-12) were above the hazardous waste threshold of 5 mg/L.

Selected figures from all three of the historical reports above are attached. Note that benzo(a)pyrene constituents are "flagged" based on their prior SCTLs in these figures.

Following the soil delineation scoped in the Soil Assessment Task Order Proposal (Tasks 1 and 2), source removal activities will remove impacted soil as needed and replace the areas with clean fill (Task 3). Upon completion of source removal activities, a Supplemental Site Assessment and Interim Source Removal Report will be completed pursuant to 62-780.500 FAC (Task 4).

II. SCOPE OF SERVICES

TASK 3: Interim Source Removal

Impacted soil areas and volumes to remove will be determined following the receipt of the analytical data associated with Tasks 1 and 2, which may reduce the estimated volume of excavated material considered hazardous. Based on the currently available analytical data, up to an estimated 80 tons of impacted material will be removed from the site and placed into roll off dumpsters. The roll off dumpsters will be transported to the Emelle Hazardous Waste Facility located in Emelle, Alabama (or other appropriate disposal facility) for proper disposal. The excavated areas will be completed, as specified by the City, with backfill from an offsite source.

It is anticipated that this Task will require up to 1 week (5 days) to complete.

TASK 4: Reporting

Cardno will provide a Supplemental Soil Assessment and Interim Source Removal Report documenting the results of the soil analysis and subsequent source removal pursuant to 62-780.550 FAC criteria. The data in tabular and graphic forms will be included, compared to applicable criteria (i.e. FDEP SCTLs). Waste disposal manifests and weigh tickets will also be included to document the amount of hazardous material removed from the site.

III. SCHEDULE

Task 3 - It is anticipated that this Task will require up to one week (5 days), and will be completed upon receipt of the laboratory data associated with Tasks 1 and 2.

Task 4 - Reporting will be completed upon receipt of waste disposal manifests and weigh tickets.

IV. A/E'S RESPONSIBILITIES

The A/E will perform all services outlined in Section II. Scope of Services.

V. CITY'S RESPONSIBILITIES

The City's responsibilities are as follows:
• Upon joint review of the soil laboratory analytical results, provide concurrence on the extents and depths of excavation(s).
• Authorize the removal of any trees that are located within, or will be impacted by, excavation area(s) without requiring any tree removal permits or reparations.
• Ensure that excavation area(s) will be accessible to the A/E and its subcontractors for the duration required to complete the scoped activities.
• Provide waste manifest approval and signature as generator.

VI. DELIVERABLES

A draft report will be provided to the City for comment. The report will include: scaled figures depicting soil boring and excavation locations, copies of all applicable field notes logs, copies of all applicable laboratory analytical reports, and waste manifests along with associated weigh tickets. Cardno will address said comments from the draft report and deliver a final report to the City.

VII. A/E'S COMPENSATION

The A/E was authorized the not-to-exceed amount of $3,363.09 under the original Task Order for Task 1. Task 2 in the amount of $2,846.41, has not authorized as of this date.

For Amendment No. 1 - Tasks 3 and 4, the City shall compensate the A/E not-to-exceed amount of $83,214.42, per Appendix A.

The total Task Order amount including Amendment No. 1 shall not exceed $89,423.92.

VIII. PROJECT TEAM

Cardno, Inc.
WD Environmental Services, Inc. - Subcontracted Source Removal

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 Amendment No. 1 to Task Order to be executed by their duly authorized representatives on the day and date first above written.

ATTEST

By: __________________________
   Chandarahasa 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)

Cardno, Inc.

(Company Name)

By: __________________________
   (Signature)
   Rick Hagberg, PG Director
   (Printed Name and Title)

Date: 8/23/17

WITNESSES:

By: __________________________
   (Signature)
   Michael Cook, Cardno
   (Printed Name)

By: __________________________
   (Signature)
   Joe L. Marsh, Cardno
   (Printed Name)
APPENDIX A
Work Task Breakdown
St. Petersburg Police Firing Range - Assessment and Remediation
Project No. 17104-110

I. Manpower Estimate: All Tasks

<table>
<thead>
<tr>
<th>Direct Labor Rates Classifications</th>
<th>Project Director</th>
<th>Project Manager</th>
<th>Field Technician</th>
<th>Project Engineer/Geologist</th>
<th>Admin Asst</th>
<th>Total Hours</th>
<th>Labor Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct Salary</td>
<td>$65.00</td>
<td>$46.50</td>
<td>$30.00</td>
<td>$30.00</td>
<td>$15.00</td>
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<td></td>
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<tr>
<td>Multiplier/Overhead 161.98%</td>
<td>$105.29</td>
<td>$75.33</td>
<td>$48.60</td>
<td>$48.60</td>
<td>$24.30</td>
<td></td>
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<tr>
<td>Profit 15%</td>
<td>$25.55</td>
<td>$18.28</td>
<td>$11.79</td>
<td>$11.79</td>
<td>$5.90</td>
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<tr>
<td>Billing Rates</td>
<td>$195.84</td>
<td>$140.11</td>
<td>$90.39</td>
<td>$90.39</td>
<td>$45.20</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| TASK                             |                 |                |                 |                           |            |            |            |
| 3 Interim Source Removal          | 4               | 10             | 50               | 20                        | 84         | $8,511.76  |
| 4 Reporting                       | 4               | 10             | 20               | 2                         | 36         | $4,082.66  |

Totals: 8, 20, 50, 40, 2, 78, $12,594.42

II. Expenses

<table>
<thead>
<tr>
<th>Task</th>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Equipment (5 days Soil Assessment Kit @ 450/day)</td>
<td>$2,250.00</td>
</tr>
<tr>
<td></td>
<td>Sampling Vehicle (5 days at $150/day)</td>
<td>$750.00</td>
</tr>
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</table>

Totals $3,000.00

III. Fee Calculation

<table>
<thead>
<tr>
<th>Task</th>
<th>Labor Cost</th>
<th>Cardno Expenses</th>
<th>Subconsultant Costs (including 5% Markup)</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>$8,511.76</td>
<td>$3,000.00</td>
<td>$-</td>
<td>$11,511.76</td>
</tr>
<tr>
<td>4</td>
<td>$4,082.66</td>
<td>$-</td>
<td>$67,620.00</td>
<td>$71,702.66</td>
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<tr>
<td>Total</td>
<td>$12,594.42</td>
<td>$3,000.00</td>
<td>$67,620.00</td>
<td>$83,214.42</td>
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</tbody>
</table>
MEMORANDUM
CITY OF ST. PETERSBURG

Engineering and Capital Improvements Department

TO: The Honorable Darden Rice, Chair, and City Councilmembers
FROM: Brejesh Prayman, P.E., ENV SP, Director
   Engineering & Capital Improvements Department
RE: Consultant Selection Information
   Firm: Cardno, Inc. (CAR)
   Amendment No. 1 to Task Order No. 15-02-CAR/ENV in the amount of
   $83,214.42 for a total amended Project amount of $89,423.92

This memorandum is to provide information pursuant to City Council Policy and Procedures
Manual, Chapter 3, Section I(F.) for agenda package information.

1. Summary of Reasons for Selection

   The project involves Professional Services for design and construction of soil assessment
   and remediation.

   Cardno, Inc. has satisfactorily completed similar work under pervious A/E Annual Master
   Agreements, and is familiar with the City standards.

   Cardno, Inc. also has significant experience in site condition assessments and remediation
   for the City and other Municipalities and Counties.

   This is the second Task Order issued under the 2015 Master Agreement.

2. Transaction Report listing current work – See Attachment A
ATTACHMENT A

Transaction Report
for
Cardno, Inc.

Miscellaneous Professional Services for Environmental Services
A/E Agreement Effective - February 26, 2015
A/E Agreement Expiration - January 7, 2019

<table>
<thead>
<tr>
<th>Task Order No.</th>
<th>Project No.</th>
<th>Project Title</th>
<th>NTP Issued</th>
<th>Authorized Amount</th>
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<tbody>
<tr>
<td>01</td>
<td>16016-110</td>
<td>Childs Park Drainage Improvements</td>
<td>06/12/17</td>
<td>17,402.37</td>
</tr>
<tr>
<td>02</td>
<td>17104-110</td>
<td>Police Training Facility - Soil Assessment &amp; Source Removal</td>
<td>Pending</td>
<td></td>
</tr>
</tbody>
</table>

Total: 17,402.37
MEMORANDUM

Council Meeting of September 7, 2017

TO: Members of City Council

FROM: Mayor Rick Kriseman


Copies of their resumes has been provided to the Council office for your information.

RK/cs
Attachment
cc: D. Goodwin, Planning & Economic Development Director
    E. Abernethy, Zoning Official
BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council hereby confirms the reappointment of Charles E. Flynt and Ann Vickstrom as a regular member to the Development Review Commission to serve an unexpired three-year term ending September 30, 2020.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content

____________________________
City Attorney or (Designee)
TO: The Honorable Darden Rice, Chair, and Members of City Council

SUBJECT: A resolution approving the 2017 Emergency Medical Services ALS First Responder Agreement between the City of St. Petersburg and the Pinellas County Emergency Medical Services Authority for fiscal years 2017/2018 and 2018/2019; authorizing the Mayor or his designee to execute the 2017 Emergency Medical Services ALS First Responder Agreement; and providing an effective date.

EXPLANATION: In 2014, the City and Pinellas County Emergency Medical Services Authority (“Authority”) entered into the “2014 Emergency Medical Services ALS First Responder Agreement” which expires on September 30, 2017.

The City and Authority entered into negotiations for a new agreement titled “2017 Emergency Medical Services ALS First Responder Agreement” (the “Agreement”). The Agreement obligates the Authority to provide funding for the reasonable and customary costs associated with the provision of emergency medical services. The Agreement is for two (2) years and allows for three (3) one (1) year extensions. The compensation for FY 2017/2018 is $13,205,602. Beginning on October 1, 2018, the Authority will compensate the City in the amount of the City’s submitted budget for EMS services not to exceed a 3.5% increase for each fiscal year going forward. The Agreement covers service for the St. Petersburg EMS District which consists of the St. Petersburg Fire District, the Gandy Fire District and the East Highpoint Fire District.

The Agreement also incorporates the provisions of the 2016 Emergency Medical Services Continuing Medical Education Agreement which expires on September 30, 2017, and provides for the administration and reimbursement of continuing medical education for St. Petersburg Fire Rescue clinicians.

RECOMMENDATION: Administration recommends the approval of the 2017 Emergency Medical Services ALS First Responder Agreement; authorizing the Mayor or his designee to execute the 2017 Emergency Medical Services ALS First Responder Agreement; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Revenues received will be deposited into the Emergency Medical Services Fund (1009). Funding will be available in the FY 2018 Operating Budget after its adoption by City Council.

ATTACHMENTS: 2017 Emergency Medical Services ALS First Responder Agreement Resolution

APPROVALS:
Administration: [Signature] Budget: [Signature] 8.29.17

WHEREAS, Chapter 80-585, Laws of Florida, created a countywide Emergency Medical Services Authority ("Authority") and the electorate approved the creation of the emergency medical services taxing district which allowed for all real property within the taxing district to be subject to an ad valorem tax sufficient to pay the cost of providing emergency medical services ("EMS"), not to exceed a maximum of 1.5 mills; and

WHEREAS, the City of St. Petersburg ("City") is an advance life support ("ALS") provider of EMS; and

WHEREAS, Chapter 80-585, Laws of Florida, provided that full reimbursement shall be made by the Authority to the City as an EMS provider for the reasonable and customary costs of said services; and

WHEREAS, the City and the Authority entered into the 2014 Emergency Medical Services ALS First Responder Agreement for fiscal years 2014/2015, 2015/2016 and 2016/2017 dated June 24, 2014 that will expire on September 30, 2017; and

WHEREAS, the City and the Authority have negotiated the 2017 Emergency Medical Services ALS First Responder Agreement for fiscal years 2017/2018 and 2018/2019 that will expire on September 30, 2019, and allows for three (3) one (1) year extensions; and

WHEREAS, the Administration recommends that the 2017 Emergency Medical Services ALS First Responder Agreement be executed by the City.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the 2017 Emergency Medical Services ALS First Responder Agreement between the City of St. Petersburg and Pinellas County Emergency Medical Services Authority is hereby approved.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the 2017 Emergency Medical Services ALS First Responder Agreement between the City of St. Petersburg and Pinellas County Emergency Medical Services Authority.

This resolution shall become effective immediately upon its adoption.
Approvals:

Approved as to Form and Substance: Jane Wallace
City Attorney (designee)

Administration: [Signature]

[Signature]
2017
EMERGENCY MEDICAL SERVICES
ALS FIRST RESPONDER AGREEMENT
CITY OF ST. PETERSBURG
OCTOBER 1, 2017

PINELLAS COUNTY
EMERGENCY MEDICAL SERVICES AUTHORITY
12490 Ulmerton Road
Largo, FL 33774
AGREEMENT made this ______ day of __________________, 2017, between the City of St. Petersburg, a Florida municipal corporation ("Contractor"), and the PINELLAS COUNTY EMERGENCY MEDICAL SERVICES AUTHORITY, a special district ("Authority").

RECITALS

1. The Authority is a special district created for the purpose of providing Emergency Medical Services throughout Pinellas County ("County"), pursuant to Chapter 80-585, Laws of Florida and Chapter 54, Article III, Pinellas County Code, as amended ("The Acts").

2. The Authority has determined that a single-tier all Advanced Life Support ("ALS") EMS system with a first responder component and a transport component is in the best interest of public safety, health and welfare.

3. The Authority has contracted with various municipalities and independent special fire districts in the County to provide First Responder Services (as defined herein) and has also contracted with an Ambulance Contractor to provide ALS emergency and non-emergency transport services.

4. The Authority wishes to continue to provide for the long-term direction and financial stability of the entire Emergency Medical Services system through working with the First Responder agencies to control costs.

5. Authority is authorized to enter into agreements for Emergency Medical Services and the Contractor is willing and able to provide First Responder Services (as defined herein).

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions herein set forth to be kept and performed by and between the parties hereto, it is agreed as follows:
ARTICLE I
THE AGREEMENT

SECTION 101. RECITALS AND PURPOSE. The foregoing recitals are hereby incorporated and made part of this Agreement. The purpose of this Agreement is to define the obligations and responsibilities of the Parties hereto with respect to the provision of ALS First Responder Services in the County.

SECTION 102. COOPERATION. The Parties shall cooperate and use all reasonable efforts, pursuant to the terms of this Agreement, to facilitate the terms of this Agreement. Accordingly, the Parties further agree in good faith to mutually undertake resolution of disputes, if any, in an equitable and timely manner so as to limit the need for costly, time-consuming, adversarial proceedings to resolve such disputes.

SECTION 103. CONTRACT DOCUMENTS. The following Appendices are attached to and made part of this Agreement:

- Appendix A. ALS First Responder Profile
- Appendix B. ALS First Responder Contractor
- Appendix C. EMS Districts
- Appendix D. EMS Equipment
- Appendix E. EMS Financial Information Attestation Form
- Appendix F. Instructor Reimbursement Form

Subject to Section 912, this Agreement, together with the foregoing Appendices, constitutes the entire Emergency Medical Services ALS First Responder Agreement between the Parties with respect to the provision of ALS First Responder Services, except to the extent that HIPAA (Health Insurance Portability and Accountability Act) requires additional agreements, which will be handled separately, and shall supersede any prior agreement, contract or memorandum of understanding between the Parties regarding such services.

SECTION 104. SCOPE OF SERVICES. The services to be performed by the Contractor under this Agreement include the following:

(a) The response of an ALS First Responder Unit to the scene of an EMS Incident.
(b) The on-scene Patient care by Field Personnel.

(c) The continuation of Patient care, when Contractor's Paramedic accompanies the Patient during transport by the Ambulance Provider or medical helicopter. The transport of Patients to a medical facility, in extraordinary circumstances, shall be in accordance with Florida Statute 401.33 and the then current Medical Operations Manual, Transport Protocols.

(d) The episodic utilization of CME Instructors and Public Educators/Community Paramedics by participating Contractors.

Such services shall be provided in accordance with the terms and conditions of this Agreement. The specific terms and conditions of this Agreement shall govern and prevail over this Section 104.

ARTICLE II
DEFINITIONS

SECTION 201. WORDS AND TERMS. Unless the context otherwise requires, capitalized terms used herein shall have the following meanings ascribed to them:

“ALS” means Advanced Life Support.

“ALS First Responder Services” means the response of an ALS First Responder Unit to an EMS Incident and, if necessary, on-scene Patient care by EMTs and Paramedics, all in accordance with the protocols of the Authority.

“ALS First Responder Station” means any location designated by the Contractor and approved by the Authority at which an ALS First Responder Unit, with the minimum staffing required herein, is located.

“ALS First Responder Unit” means any of the ALS permitted vehicles provided by Contractor under this Agreement and listed on Appendix A; each of which is equipped to provide Advanced Life Support services and is used for rapid response to an EMS Incident. ALS First Responder Units may include, but not be limited to: ALS engines, Transport capable rescue units and non-Transport capable rescue units.

“Advanced Life Support” means treatment of life-threatening medical emergencies through the use of techniques such as endotracheal intubation, the administration of drugs or intravenous fluids, cardiac monitoring, and cardiac defibrillation by a qualified person, pursuant to rules of the Department.

“Ambulance” means a vehicle constructed, equipped and permitted as an ALS Ambulance,
pursuant to the rules of the Department for the transportation of Patients.

"Ambulance Contractor" means the entity selected by the Authority to provide ambulance service countywide.

"Annual Compensation" means the professional services fee listed on Appendix A and referenced in Section 701, as may be adjusted pursuant to the terms of this Agreement.

"Annual External Audit" means an audit conducted by an external certified public accountant, retained by the Contractor, who at the end of each Fiscal Year verifies and attests that the Contractor has complied with the requirement to utilize EMS funds solely for EMS purposes in accordance with Section 707 through the submission of the form shown on Appendix E.

"Authority" means the Pinellas County Emergency Medical Services Authority, a special district established by Chapter 80-585, Laws of Florida, as amended.

"Authority Funded Unit" means an ALS First Responder Unit authorized and funded by the Authority pursuant to the terms of this Agreement.

"Automatic Aid/Closest Unit Response Agreement" means the agreement by and between every political subdivision and fire control districts within Pinellas County dated October 16, 1990.

"BLS" means Basic Life Support.

"BLS First Responder Unit" means a vehicle equipped to provide Basic Life Support only.

"Basic Life Support" means treatment of medical emergencies by a qualified person through the use of techniques described in the Emergency Medical Technician Basic Training Course Curriculum of the United States Department of Transportation.

"CAD" means the computer aided dispatch system.

"Caller" means a person accessing the response system by telephone.

"Continuing Medical Education" or "CME" means (1) the minimum required continuing medical education required for Emergency Medical Technicians and Paramedics to maintain certified status within the EMS System, the State of Florida, and where applicable, the National Registry of Emergency Medical Technicians; and (2) education for individuals who have a specific deficiency that must be corrected to maintain or restore their status within the EMS System.

"CME Instructor" means a County Certified Paramedic, County Certified EMT or County Certified registered nurse, employed and approved by a Contractor or the Ambulance
Contractor, who meets the qualifications set forth in the EMS Rules and Regulations and is approved by the Medical Director. CME Instructors may be utilized to teach regular CME classes, specialized Courses, EMS System orientation or serve as a subject matter expert, curriculum developer or to complete a specific task assignment.

"Contractor" means any one of the entities described on Appendix B.

"Contractor Funded Unit" means an ALS First Responder Unit, approved by the Executive Director, which is funded and operated by the Contractor for their operational flexibility, but, the additional Unit is not necessary for the Contractor to meet its obligations under the terms of this Agreement.

"County" means Pinellas County, Florida, a political subdivision of the State of Florida.

"County Certified" means authorized to work in the EMS System in accordance with requirements established by the Medical Control Board, the Medical Director and approved by the Authority.

"Course" means any individual CME offering available online or through a sufficient number of classroom based training courses. Regular CME Courses, whether online or classroom based, will be two (2) hours in duration.

"Department" means the State of Florida Department of Health.

"Disaster" means an occurrence of a severity and magnitude that normally results in death, injuries and/or property damage and that cannot be managed through routine procedures and resources of the EMS system.

"Emergency Medical Technician" or "EMT" means any person who is trained in Basic Life Support, who is County Certified and who is certified by the Department to perform such services in emergency situations.

"Emergency Medical Services" or "EMS" means the services provided by the Contractor pursuant to Section 104.

"EMS Advisory Council" means the advisory board established by Chapter 80-585, Laws of Florida as codified in Chapter 54, Pinellas County Code.

"EMS Districts" means the districts designated by Authority pursuant to the Special Act and shown on Appendix C.

"EMS Emergency" means any occurrence or threat thereof in the County, any municipalities therein, or in Pasco, Hillsborough or Manatee County, which may result in unusual system
overload and is designated as an EMS Emergency by the Executive Director or Authority.

"EMS Equipment" means the equipment listed on Appendix D, as may be amended from time
to time by the Executive Director.

"EMS Incident" means an emergency or non-emergency request processed through the
Regional 9-1-1 Center that needs or is likely to need medical services.

"Emergency Response" means, for the purposes of measuring response time compliance in
Section 403, the act of responding to a request for services in which the Priority Dispatch
Protocols have determined that red lights and sirens will be used.

"EMS Mill" means the ad valorem real property tax imposed by the Authority pursuant to the

"EMS Ordinance" means Chapter 54, Article III of the Pinellas County Code, as may be amended.

"EMS System" means the network of organizations and individuals, including, but not limited to
the Authority, Ambulance Contractor, the Contractors, the EMS Advisory Council, the
Medical Control Board and the Medical Director, established to provide Emergency Medical
Services in Pinellas County.

"Executive Director" means the Director of the EMS System, or his or her designee.

"First Due Unit" means the ALS First Responder Unit, within Contractor's primary response area,
predetermined to be the nearest to the EMS Incident, in accordance with Section 409 hereof.

"Field Personnel" means Paramedics and EMTs employed by Contractor.

"First Responder Services" means ALS First Responder Services.

"Fiscal Year" means the year commencing on October 1 of any given year and ending on
September 30 of the immediately-succeeding year.

"Force Majeure" means any act, event, or condition, other than a labor strike, work stoppage or
slowdown, that has had or may reasonably be expected to have a direct material adverse effect
on the rights or obligations of either Party under this Agreement, and such act, event, or
condition is beyond the reasonable control of the Party relying thereon as justification for not
performing an obligation or complying with any condition required of such Party under this
Agreement, and is not the result of willful or negligent action or a lack of reasonable diligence
of the Party relying thereon. Such acts or events may include, but shall not be limited to: an
act of God (except normal weather conditions for the County), epidemic, landslide, or similar
occurrence, an act of the public enemy, war, blockade, insurrection, riot, general arrest or
restraint of government and people, civil disturbance or similar occurrence.

"Learning Management System" means the integrated fire and EMS software system utilized by Provider Agencies for online training, classroom based training, attendance tracking, in-service education, dissemination of administrative and medical control directives, tracking receipt of protocols and directives, skill assessment and testing results. Authority's staff and Medical Director shall have administrative rights to upload EMS CME and post CME curriculum, in-service training modules, administrative and medical control directives, run attendance and grade reports for all students, and reports for CME instructor activity. All Provider Agencies will utilize the common software platform, Target Solutions, or a successor software product as determined by the Authority upon agreement with the CME steering committee as defined in the EMS Rules and Regulations.

"Medical Case Review" means a review conducted by the Medical Director or designee, with all certified professionals involved with a case, to closely examine the care of a Patient using a positive and educational approach to determine where gaps in knowledge or errors occurred to ensure a positive and supportive culture that encourages quality Patient care.

"Medical Control" means the medical supervision of the EMS System provided by the Medical Director.

"Medical Control Board" means the board appointed by Authority pursuant to the EMS Ordinance and having the duties and responsibilities set forth in the EMS Ordinance.

"Medical Direction" means supervision by Medical Control through two-way communication or through established standing orders, pursuant to rules of the Department.

"Medical Director" means a licensed physician, or a corporation, association, or partnership composed of physicians, which employs a licensed physician for the purpose of providing Medical Control to the EMS System.

"Medical Operations Manual" means the clinical guidelines, prepared for the EMS System and approved by the Medical Control Board, as the same may be amended from time to time.

"On-Scene Equipment Exchange Program" means the Authority's program whereby an equipment item, such as backboards and immobilization devices, which many be amended from time to time by the Executive Director, is employed by Contractor in the course of preparing a Patient for transport and the ambulance personnel replaces the same from its own on-board inventory.

"Paramedic" means a person who is trained in Basic and Advanced Life Support, who is County
Certified, and who is certified by the Department to perform Basic and Advanced Life Support procedures pursuant to the provisions of state statute, regulations and the Medical Operations Manual.

“Party” or “Parties” means either the Authority or the Contractor, or both, as the context of the usage of such term may require.

“Patient” means an individual who is ill, sick, injured, wounded or otherwise incapacitated and is in need of or is at risk of needing medical care.

“Priority Dispatch Protocols” means the protocols adopted by the Authority, and as may be amended from time to time, governing the EMS System’s response to the different types of service requests.

“Provider Agencies” means ALS First Responder Services providers and Ambulance Contractor.

“Public Educator/Community Paramedic” means a County Certified Paramedic or County Certified EMT, or approved public educator employed and approved by Contractor or the Ambulance Contractor, who meets the qualifications set forth in the EMS Rules and Regulations and is approved by the Medical Director to participate in the Authority’s public education programs. Public Educators/Community Paramedics may be utilized to teach CPR, first aid, drowning prevention, fall prevention or any other type of EMS specific public education, or prevention program or established community paramedic/outreach program or to complete a specific task assignment related to EMS public education/community outreach.

“Regional 9-1-1 Center” means the Communications Center and related telephone, radio and data systems operated and maintained by Pinellas County as the countywide Public Safety Answering Point for the purpose of receiving 9-1-1 calls from citizens; providing emergency medical dispatch following the Priority Dispatch Protocols; providing for the dispatch of all BLS and ALS First Responder Units to EMS Incidents; and providing for the ongoing communications via radio and wireless data systems.

“Response” means the act of responding to a request for services, which act begins when ALS First Responder Units are dispatched to an EMS Incident.

“Response Time” means the period of time commencing when an ALS First Responder Unit is dispatched to an EMS Incident and ending when Contractor’s first ALS First Responder Unit
arrives on the scene of the incident.

"Rules and Regulations" means the rules and regulations adopted by the Authority, which is subject to amendment.

"Run Cards" means the Regional 9-1-1 Center's computer aided dispatch software database that, based upon the location of the EMS Incident and a predetermined listing of ALS First Responder Units which the Contractor has determined to be the closest by travel time or most appropriate in ranked order, recommends the closest or most appropriate ALS First Responder Unit(s) to respond to EMS Incidents, or successor methods such as global positioning satellite (GPS) automatic vehicle location (AVL) systems.


"Special Events" means non-emergency events, such as sporting events, parades, festivals and other group or mass gatherings, which may require BLS or ALS medical coverage.

"State" means the State of Florida.

"State of Emergency" means a Disaster which has been declared by proclamation of the State, County or a municipality in the County.

"Total Unit Hour Compensation" means Unit Hour Compensation multiplied by the number of Authority Funded Units provided by this Agreement.

"Transport" means the transportation of Patients to any destination by Ambulance.

"Uncontrollable Circumstance" means a Force Majeure, an EMS Emergency or a State of Emergency.

"Unforeseen Circumstances" means circumstances which could not reasonably be foreseen by the Parties at the time of execution of this Agreement.

"Unit Compensation" means the Annual Compensation in a Fiscal Year divided by the number of Authority Funded Units provided by this Agreement.

"Unit Hour Compensation" means the Unit Compensation divided by Eight Thousand, Seven Hundred and Sixty (8,760) Hours.

**SECTION 202. TERMS GENERALLY.** Whenever the context may require, any pronoun shall include corresponding masculine, feminine and neuter forms. The words "include", "includes" and "including" shall be deemed to be followed by the phrase "without limitation", except as the context may otherwise require. The words "agree", "agreement", "approval" and "consent" shall be deemed to be followed by the phrase "which shall not be unreasonably
withheld or unduly delayed”, except as the context may otherwise require.

ARTICLE III
REPRESENTATIONS

SECTION 301. REPRESENTATIONS OF AUTHORITY. Authority represents to Contractor that each of the following statements is presently true and correct:

(a) **Existing.** Authority has all requisite power and authority to carry on its business as now conducted and to perform its obligations under this Agreement and each document contemplated hereunder to which it is or will be a party.

(b) **Due Authorization.** This Agreement has been duly authorized by all necessary action on the part of, and has been or will be duly executed and delivered by Authority and neither the execution and delivery thereof, nor compliance with the terms and provisions thereof or hereof contravenes any existing law, judgment, government rule, regulation or order applicable to or binding on Authority.

(c) **Enforceability.** This Agreement constitutes a legal, valid and binding obligation of Authority enforceable against Authority in accordance with the terms thereof, except as such enforceability may be affected or limited by applicable bankruptcy, insolvency or similar laws, from time to time in effect, which affect creditor's rights generally and subject to usual equitable principles in the event that equitable remedies are involved.

(d) **Financial Capability.** Authority is fully capable, financially and otherwise, to perform its obligations hereunder, subject to availability of funds lawfully appropriated for the purposes provided in this Agreement.

(e) **No Litigation.** There are no pending, or to the knowledge of Authority, threatened actions or proceedings before any court or administrative agency to which Authority is a party, questioning the validity of this Agreement or any document or action contemplated hereunder, or which are likely, in any case or in the aggregate, to materially adversely affect the consummation of the transactions contemplated hereunder.

SECTION 302. REPRESENTATIONS OF CONTRACTOR. Contractor represents to Authority that each of the following statements is presently true and correct:

(a) **Existing.** Contractor is a Florida municipal corporation or independent special district having all requisite power and authority in Florida to carry on its business as now conducted, to own or
hold or otherwise control its properties, and to enter into and perform its obligations under this
Agreement and under each instrument described herein to which it is or will be party.

(b) **Due Authorization.** This Agreement has been duly authorized by all necessary
action on the part of and has been duly executed and delivered by Contractor and neither the
execution and delivery thereof, nor compliance with the terms and provisions thereof or hereof
contravenes any existing law, judgment, government rule, regulation or order applicable to or
binding on the Contractor.

(c) **Enforceability.** This Agreement constitutes a legal, valid and binding obligation of
Contractor enforceable against Contractor in accordance with the terms thereof, except as such
enforceability may be limited by applicable bankruptcy, insolvency or similar laws, from time to
time in effect, which affect creditor's rights generally and subject to usual equitable principles in
the event that equitable remedies are involved.

(d) **No Litigation.** There are no pending, or to the knowledge of Contractor, threatened
actions or proceedings before any court or administrative agency to which Contractor is a party,
questioning the validity of this Agreement or any document or action contemplated hereunder, or
which are likely, in any case or in the aggregate to materially adversely affect the consummation
of the transactions contemplated hereunder.

(e) **Financial Capability.** Contractor is fully capable, financially and otherwise, to
perform its obligations hereunder subject to availability of funds lawfully appropriated for the
purposes provided in this Agreement.

ARTICLE IV
DUTIES AND RESPONSIBILITIES OF CONTRACTOR

SECTION 401. **VEHICLES AND EQUIPMENT.**

(a) **Obligation to Provide Vehicles.** At all times during the term of this Agreement,
Contractor shall provide the number of Authority Funded Units described on Appendix A.
Contractor reserves the right to select and acquire vehicles and apparatus used in the
performance of this Agreement.

(b) **Maintenance of Vehicles and Fuel.** Contractor shall be responsible for the
maintenance and repair of ALS First Responder Units and for furnishing maintenance, equipment,
supplies, repairs, spare parts, replacement vehicles and fuel. Contractor shall maintain records
of maintenance and fuel in order to document that ALS First Responder Units are maintained and
used in accordance with this Agreement.

(c) **Staffing of Vehicles.** Each ALS First Responder Unit shall be staffed in compliance
with Chapter 401, Florida Statutes, with a minimum of one (1) Paramedic. Contractor shall
maintain records of staffing in order to document that ALS First Responder Units are staffed in
accordance with this Agreement.

(d) **Equipment and Supplies.** With the exception of equipment maintained by the Authority
in Section 507, Contractor shall furnish and maintain all EMS Equipment, required to be provided by
the Contractor pursuant to Appendix D. Contractor shall also be responsible for the cost of replacing
outdated medical supplies as provided in Section 504, which are lost through inadequate stock rotation;
as well as the cost of medical supplies which are lost, stolen, damaged, or unaccounted for due to
Contractor’s negligence. The Authority shall be responsible for the cost of any medical supplies which
are lost, stolen, or damaged due to a cause other than Contractor’s negligence. Contractor shall be
subject to the Authority’s On-Scene Equipment Exchange Program.

(e) **Medical Communications Equipment.** Contractor shall be responsible for the
replacement of all medical communications equipment that is lost, stolen or damaged due to
Contractor’s negligence. Contractor shall also be responsible for all routine maintenance of such
equipment. The Authority shall be responsible for the replacement of any medical communications
equipment that is lost, stolen or damaged due to a cause other than Contractor’s negligence.

(f) **Inspections.** Contractor shall allow representatives of the Authority and of the
Medical Director to inspect ALS First Responder Units, equipment and ALS First Responder
Stations as may be reasonably required to determine compliance with this Agreement.

(g) **Patient Care Reporting System Equipment.** Contractor shall be responsible for
the replacement of all field equipment for the Patient Care Reporting System (e.g. notebook
computers) that is lost, stolen or damaged due to Contractor’s negligence. The Authority shall be
responsible for the replacement of field equipment for the Patient Care Reporting System that is
lost, stolen or damaged due to a cause other than Contractor’s negligence.

**SECTION 402. PRIORITY DISPATCH PROTOCOLS.** Contractor shall respond to EMS
Incidents in accordance with the then current Priority Dispatch Protocols. Contractor shall
cooperate with the Authority in implementing periodic enhancements and improvements to the
Priority Dispatch Protocols. During the term of this Agreement, Contractor and Authority will work
collaboratively to expand the use of Priority Dispatch Protocols to reduce responses to certain non-life threatening EMS Incidents. The expansion of the use of Priority Dispatch Protocols will be dependent on the Authority revising their level of service resolution to adopt Contractor's current ALS deployment as the minimum foundation necessary to maintain current service levels within the St. Petersburg EMS District in accordance with Section 403.

**SECTION 403. RESPONSE TIME.** Response Time to not less than ninety percent (90%) of all EMS Incidents in a Fiscal Year which are (1) prioritized as an Emergency Response; (2) are within Contractor's EMS District as set forth in Appendix C; and (3) for which Contractor's ALS First Responder Unit is determined, in accordance with Section 409, to be the First Due Unit, shall be within seven (7) minutes and thirty (30) seconds or less; provided, however, that such Response Time standard shall not be applicable to Responses which occur during periods of Uncontrollable Circumstances or to Responses to remote areas or areas of limited accessibility, as requested by Contractor and approved by the Executive Director. The Authority and the Contractor desire to maintain Response Times for the St. Petersburg EMS District at or below the Response Times enjoyed in FY2014 by the St. Petersburg EMS District. Such level of service shall be met by Authority Funded Units in accordance with Section 709.

**SECTION 404. CONTINUING MEDICAL EDUCATION.**

(a) Field Personnel. Contractor shall make available its Field personnel for Continuing Medical Education as required by state regulation, Rules and Regulations and the Medical Control Board. Satisfactory participation by Contractor's Field personnel in Continuing Medical Education provided and made available by the Authority shall constitute fulfillment of this obligation. Contractor shall be responsible for ensuring that its Field personnel attend Continuing Medical Education training, either in classroom based training or distance learning methods as determined by the Medical Director, in accordance with the Rules and Regulations. Contractor may prepare and submit to the Executive Director a report evaluating performance of the CME program. Contractor shall use any prepared forms that the Authority requests it to use for this evaluation.

(b) CME Instructors. Contractor will use its best efforts to provide a sufficient
number of CME Instructors to conduct courses. The Authority will use its best efforts to provide a sufficient number of classes available at regional training sites on days, times and shifts necessary to maximize the availability of First Responder units and ambulances up to one hundred eighty (180) classes per regular CME Course or ninety (90) classes for paramedic only CME Courses. Contractor understands the Authority is responsible for the provision of CME instruction and if the pool of CME Instructors made available by the Contractor is deemed inadequate or insufficient by the Authority, the Authority may elect to provide the CME program directly or through another means.

SECTION 405.  MEDICAL QUALITY CONTROL.

(a)  Medical Director. The Medical Director of the EMS System shall also serve as medical director of Contractor's EMS or ALS First Responder Services. Contractor may not use or employ another Medical Director for the provision of Emergency Medical Services within Contractor's EMS District.


(c)  Ride-Along. Contractor shall allow the Medical Director and the Executive Director or their representative to ride in ALS First Responder Units during Responses to EMS Incidents. However, such representatives shall conduct themselves in a professional and courteous manner, shall not interfere with Contractor's employees in the performance of their duties, except as necessary to assure protocol compliance and good Patient care, and shall at all times be respectful of Contractor's employee/employer relationship. The Medical Director, Executive Director, or their representatives, shall provide proof of employment, proof of workers' compensation insurance and shall complete any waiver or release forms which may be required by the Contractor prior to riding in ALS First Responder Units.

(d)  On-Scene Patient Care. Contractor shall comply at all times with the Authority's protocol for on-scene control of Patient care. If Contractor's Paramedic is requested to ride to the hospital with the Ambulance Contractor's Paramedic, Contractor's Paramedic shall comply. Contractor's Paramedic may also decide to ride to the hospital with Ambulance Contractor's Paramedic. Contractor shall be responsible for the return of the Paramedic from the hospital.
(e) **Special Events.** In the event Contractor provides either BLS or ALS medical coverage at a Special Event in their EMS District, Contractor shall be under the auspices of the Authority, the Medical Control Board and the Medical Director. In providing medical coverage at a Special Event, Contractor shall comply with the Rules and Regulations and with the protocols established in the Medical Operations Manual. Authority Funded Units will not be used for dedicated special events coverage in excess of four (4) hours without the written approval of the Executive Director. Contractor and Authority will notify each other of large scale Special Events, which may require additional resources or adversely affect the EMS System, to ensure coordinated event coverage.

(f) **Quality Assurance.** Contractor shall adhere to the then current quality assurance and quality management program established by the Medical Director and shall participate in quality assurance reviews.

**SECTION 406. MEDICAL CASE REVIEWS.** Medical Case Reviews may include access to data, records review, written and verbal statements by Field Personnel and EMS Coordinator, and attendance at interviews and informal and formal hearings, in accordance with the then current EMS Rules and Regulations and Florida Statute 401.425. Contractor shall cooperate in obtaining such records, verbal and written statements and ensure that its Field Personnel attend Medical Case Reviews when reasonably requested.

**SECTION 407. PERSONNEL.**

(a) **Training and Qualifications.** All Field Personnel employed by the Contractor in the performance of work under this Agreement shall be trained and qualified at a level consistent with the standard established by the Authority for delivering Patient care and shall hold appropriate credentials in their respective EMS profession.

(b) **Standard of Conduct.** Contractor’s personnel shall conduct themselves in a professional and courteous manner at all times. Contractor shall address and correct any departures from this standard of conduct. Contractor’s Field Personnel shall be easily identified as EMTs or Paramedics while on scene of an EMS Incident.

(c) **Part-Time Employment.** Contractor shall not unreasonably restrict its employees from seeking or performing part-time employment with Authority’s Ambulance Contractor.

(d) **EMS Coordinator.** Contractor shall designate a County Certified Paramedic as the EMS
Coordinator who will be responsible for performing or supervising, at a minimum, for:

1. Reviewing Patient care records in accordance with the then current procedures established by the Medical Director.
2. Responding to EMS Incidents and overseeing Patient care in accordance with the then current procedures established by the Medical Director.
3. Monitoring Contractors' EMS personnel to ensure compliance with CME requirements.
4. Monitoring Contractors' EMS personnel to ensure clinical competence and good customer service.
5. Attending and actively participating in EMS related meetings and quality improvement committees.

SECTION 408. STATE OF EMERGENCY ASSISTANCE, EMS EMERGENCY AND MUTUAL AID

(a) State of Emergency Assistance Within Pinellas County. Immediately upon notification by the Authority of a State of Emergency within Pinellas County, Contractor shall commit such resources as mutually agreed upon by the Parties, given the nature of the State of Emergency and shall assist in accordance with applicable plans and protocols mutually agreed upon by the Parties. During a State of Emergency, Contractor shall be released from the requirements of Section 403 and the time requirements of Section 705. When Contractor ceases providing assistance with the State of Emergency, Contractor shall resume normal operations as rapidly as is practical and notify the Authority’s authorized representative that Contractor is able to resume normal operations considering exhaustion of personnel, need for restocking and other relevant considerations.

(b) State of Emergency Assistance Outside of Pinellas County. Contractor shall manage any State of Emergency assistance response outside of Pinellas County in a manner which does not prevent Contractor from rendering services in accordance with this Agreement.

(c) EMS Emergency. Immediately upon notification by the Authority of an EMS Emergency, Contractor shall assist in the locality where the EMS Emergency has occurred. The level of assistance provided by Contractor shall be mutually agreed upon by the Parties. During an EMS Emergency, the Contractor shall be released from the requirements of Section 403. When Contractor ceases providing assistance during an EMS Emergency, Contractor shall resume normal operations as rapidly as is practical considering exhaustion of personnel, need for restocking, and other relevant considerations. During the course of an EMS Emergency, Contractor shall use best
efforts to continue to provide local ALS emergency coverage.

(d) **Mutual Aid.** Mutual aid responses outside of Pinellas County, rendered by the Contractor outside of Pinellas County that are not due to a State of Emergency or EMS Emergency, shall be performed in accordance with the terms and conditions of this Agreement.

**SECTION 409. AUTOMATIC AID/CLOSEST UNIT RESPONSE.** Upon notification by the Regional 9-1-1 Center of an EMS Incident, Contractor shall provide ALS First Responder Services in accordance with the Automatic Aid/Closest Unit Response Agreement. The ALS First Responder Unit which is predetermined to be the closest to the emergency scene, by the Run Cards, shall be dispatched without regard to EMS District or jurisdictional boundaries. In the event that the Automatic Aid/Closest Unit Response Agreement is terminated, Contractor shall provide ALS First Responder Services in accordance with the then current Run Cards for all EMS Incidents. The Contractor's authorized representative will periodically, or at the request of the Authority, update their Run Cards to insure their accuracy and coordinate any changes with any affected Contractor(s).

**SECTION 410. MEDICAL SUPPLIES AND INVENTORY CONTROL.** Contractor shall establish and implement inventory control procedures for the stocking and use of medical supplies. Contractor shall report, as of September 30th during each year this Agreement is in effect, the balance of all medical supplies held by the Contractor in inventory. Such report will list the item's identification number, the item's description, and the quantity held. Contractor will report the quantity of medical supplies which are lost, damaged, or unaccounted for, due to Contractor's negligence, and medical supplies unusable due to inadequate stock rotation. Contractor agrees to not maintain more than thirty (30) days of medical supplies in stock based upon historical use. Contractor shall maintain inventory records that identify all ALS First Responder Unit supplies issued from stock, and will keep stock under lock so that access is limited to only authorized personnel. Contractor shall adhere to inventory control procedures that the Authority may require, as long as they are reasonable and prudent. Contractor shall follow all federal, state and local laws and protocols in the distribution and handling of controlled substances. Contractor shall provide list of personnel authorized to receive controlled substances from the warehouse and any change to such list.

**SECTION 411. PATIENT CARE REPORTING SYSTEM.** Contractor shall cooperate with
the Authority in refining and improving the fully-integrated, electronic patient care reporting system. This system shall meet the information needs of the Contractor, the Medical Director, the Medical Control Board and the Authority. Contractor shall gather and enter data into the Authority's electronic patient care reporting system for every Patient encountered and every EMS Incident responded to by the Contractor's Field Personnel. Operating costs of this information system shall be the responsibility of the Authority. The Executive Director shall determine the start date and implementation timeline to ensure seamless implementation in the EMS System.

The database of the Authority's patient care reporting system shall be fully comprehensive, including complete and integrated information on all EMS System activities beginning with the receipt of an EMS Incident; dispatch activities and Response Times; every Patient assessment and all treatment rendered while Contractor's Field Personnel are attending the Patient. Contractor shall require Field Personnel to comply with the completion of paper reports and the data entry requirements of the EMS System and insure the accuracy and completeness of such reports, as approved and periodically revised by the Authority. Authority agrees that the procedures used to implement and operate the electronic patient care reporting system shall be mutually agreed upon by the Parties.

Contractor shall have unlimited access, regardless of storage location or medium, to electronic patient care reports and associated data generated by the Contractor's EMS personnel and all dispatch-related data.

SECTION 412. UTILIZATION OF REGIONAL 9-1-1 CENTER.

(a) Regional 9-1-1 Center. Contractor shall utilize the Regional 9-1-1 Center for the dispatch of all BLS and ALS First Responder Units to EMS Incidents. Contractor shall utilize the Regional 9-1-1 Center's radio and data systems to include, but not limited to, computer aided dispatch (CAD) software, mobile communications terminal software, and the County's public safety and intergovernmental voice and data radio system.

Contractor shall provide and maintain all fire station alerting systems, base stations, pagers, fire station computers and peripherals, all mobile and portable radios except as provided in Section 503, and mobile communications terminals and radio modems to communicate with the Regional 9-1-1 Center's radio and data system following the County's technical specifications.
Authority shall provide and maintain, at no cost to the Contractor, all necessary broadband networking from Fire Stations to the Regional 9-1-1 Center's data system, and access to the County's 800MHz High Performance Data (HPD) system following the County's technical specifications.

Authority shall provide a mutually agreed upon appropriate planning phase, cost analysis, changes in the County's technical specifications, and implementation plan for any future upgrades or system changes.

Contractor shall ensure all frontline ALS First Responder Units are equipped with GPS enabled mobile communications terminals running mobile CAD software. Contractor shall ensure GPS enabled mobile communications terminals are kept in working order and repaired in a timely manner to ensure efficient and accurate dispatch.

(b) Requests for Emergency Medical Assistance. Should Contractor receive any request for emergency medical assistance, including walk-ins, Contractor shall record the address and telephone number of the caller, obtain the location and nature of the emergency, shall immediately respond to the request for emergency medical assistance, if appropriate, and shall immediately advise the 9-1-1 Center of the information received, and the Response initiated by Contractor, if any.

SECTION 413. COMMUNITY INVOLVEMENT. Contractor is encouraged to make available to their local community, health promotions and prevention education (i.e., CPR training, public access defibrillation programs, drowning prevention, health risk assessments). The programs may be developed by the individual contractor or in coordination with the Medical Director or the Authority. Contractor may elect to participate in the Authority's public education/prevention/community outreach/community paramedic programs that are established, as set forth in the EMS Rules and Regulations and approved by the Medical Director.

SECTION 414. LICENSURE AND CERTIFICATION. Contractor shall maintain the appropriate licensure with the Department as an ALS provider. Contractor or Contractor's employees, as the case may be, shall be responsible for payment of any fees associated with
EMS and Paramedic certification and recertification using funds provided under this Agreement.

SECTION 415. ACCURATE INFORMATION. Any news releases, statements, or public information given by the Contractor's or Authority's personnel to the public or the media shall accurately reflect the design and operation of the EMS system.

ARTICLE V
DUTIES AND RESPONSIBILITIES OF AUTHORITY

SECTION 501. MEDICAL DIRECTION AND CONTROL. The Authority shall be responsible for providing, or cause to be provided, Medical Direction and Medical Control to the Contractor.

SECTION 502. CONTINUING MEDICAL EDUCATION. Authority shall provide and make available to Contractor a Continuing Medical Education training program at multiple, regionally-located training sites and not at a single, centralized training site. Authority shall endeavor to utilize distance learning methodologies and technology to deliver CME training whenever possible.

SECTION 503. MEDICAL COMMUNICATIONS EQUIPMENT. Authority has provided, or shall provide, as applicable, one (1) 800 MHZ Mobile Radio, and one (1) 800 MHZ Portable Radio for each Authority Funded Unit approved on Appendix A. The radio equipment shall be installed in the Authority Funded Units by the Contractor and become Contractor's property. Contractor shall be responsible for such equipment, as provided for in Section 401(e) hereof. Authority shall be responsible for replacing such equipment at the end of a reasonable useful life, as determined by the Authority. Such equipment will be replaced through the County's "P25 Communications System Upgrade".

SECTION 504. MEDICAL SUPPLIES. The Authority shall provide and replace, as necessary, without cost to Contractor, the medical supplies used by Contractor in rendering Patient care under this Agreement. The Authority shall deliver, or cause to be delivered, all medical supplies, except controlled substances, every two weeks to Contractor's designated medical supply receiving location. Contractor's authorized representative shall sign for and pick up controlled substances at a central location designated by the Authority. The Authority shall not be responsible for costs of replacing inventory items lost, stolen, damaged or unaccounted for due to Contractor's negligence but the Authority shall be responsible for the costs of replacing inventory items lost, stolen, damaged or
unaccounted for due to a cause other than Contractor's negligence. Where applicable, Contractor shall relocate supplies nearing their expiration dates to ALS First Responder Units serving areas of higher demand within their EMS District. All medications and supplies shall be returned to the Authority not later than sixty (60) days after the respective expiration dates. If such medications and supplies are not returned to Authority within sixty (60) days after their respective expiration dates, or at the direction of the Medical Director, Contractor shall be charged for the replacement of such supplies. A fully comprehensive narcotic control system shall be provided by the Authority to include boxes, electronic locks, and web-based tracking software.

SECTION 505. EXTRAORDINARY MODIFICATIONS. Notwithstanding the provision of Section 401(b) hereof, Authority shall separately provide and fund any modifications to ALS First Responder Units or equipment which may be required by the Authority and which do not constitute routine maintenance, repair or replacement.

SECTION 506. BILLING. The Authority shall have sole responsibility for submitting claims for transports made by either the Authority or by Contractor.

SECTION 507. ECG EQUIPMENT AND MAINTENANCE. The Authority shall provide all electrocardiogram (ECG) monitoring/defibrillation equipment and pulse oximetry/capnography equipment for Authority Funded Units including adequate spare equipment (at approximately 30% above the number of units). Contractor agrees to continue using the Contractor's current equipment on Contractor Funded Units over its useful life which equipment will be maintained by the Authority and repaired or replaced at the Authority's option. The Authority shall be responsible for replacing such equipment at the end of a reasonable useful life, as determined by the Authority. At the point that the equipment is replaced with new equipment, the Contractor will transfer ownership of the equipment being replaced to the Authority who will trade in the used equipment to reduce the cost of replacement. Contractor shall be responsible for any repairs that are necessary due to Contractor's negligence.

SECTION 508. BIOHAZARD WASTE COLLECTION. The Authority shall provide or cause to be provided, the collection and disposal of all biohazard waste from ALS First Responder Stations on a periodic basis, no less than monthly. Contractor shall follow any procedures necessary for biohazard waste to be collected.
SECTION 509. PATIENT CARE REPORTING SYSTEM EQUIPMENT. Authority shall provide, as applicable, a ruggedized notebook computer or tablet computer for each Authority Funded Unit and Contractor Funded Unit including adequate spare equipment (at approximately 30% above the number of units). The equipment shall be utilized on Authority Funded Units and Contractor Funded Units by the Contractor for the purpose of completing electronic patient care reports. Only Authority authorized software and peripherals may be utilized to ensure a highly reliable and coordinated system. Authority provided patient care reporting system equipment shall remain property of the Authority. Contractor shall be responsible for such equipment, as provided for in Section 401(g) hereof. Authority shall be responsible for maintaining such equipment and replacing it at the end of a reasonable useful life, as determined by the Authority. Contractor agrees to continue using the Contractor's current equipment on any Contractor Funded Units over its useful life which equipment will be maintained by the Authority and repaired and replaced at the Authority’s option.

ARTICLE VI
INSURANCE AND INDEMNIFICATION

SECTION 601. MINIMUM INSURANCE REQUIREMENTS. Contractor shall be self-insured or shall pay for and maintain at least the following insurance coverage and limits as listed below. Insurance coverage and limits shall be evidenced by delivery to the Authority of: a certificate of insurance executed by the insurer(s) listing coverage and limits, expiration dates and terms of policies and all endorsements whether or not required by the Authority, and listing all carriers issuing said policies; and, a certified copy of each policy, including all endorsements. Where applicable, Contractor shall submit to Authority a letter from Contractor’s Risk Manager stating that Contractor is self-insured, or the amount of insurance per claim and per occurrence, any gap and the amount of excess insurance up to its coverage. Notwithstanding anything to the contrary contained in this Agreement, Contractor does not waive any immunity or limitation of liability it may have under the doctrine of sovereign immunity or Section 768.28 Florida Statutes. The following insurance requirements shall remain in effect throughout the term of this Agreement (unless Contractor is self-insured, in which case Contractor shall not be required to comply with the following insurance requirements):

(a) Provide Workers' compensation insurance as required by Florida Law.

(b) Provide commercial general liability, employers’ liability and commercial vehicle
liability insurance that reflects the limits of liability for governmental entities in accordance with Section 768.28(5), F.S., should the State Legislature change these limits, coverage consistent with law shall be obtained.

(c) Professional Liability Insurance, including errors and omissions, with minimum limits of $1,000,000 per occurrence; if occurrence form is available; or claims made form with "tail coverage" extending three (3) years beyond the ending date of this Agreement. In lieu of "tail coverage" the Contractor may submit annually to the Authority a current certificate of insurance proving claims made insurance remains in force throughout the same three (3) year period. This coverage is subject to statutory and regulatory requirements of Federal, State or local law.

(d) Personal and/or Bodily Injury including death and property damage liability Insurance with minimum limits of $1,000,000 Combined Single Limit insurance in excess of all primary coverage.

SECTION 602. ADDITIONAL INSURANCE REQUIREMENTS. To the extent that Contractor maintains insurance policies rather than being self-insured, each insurance policy shall include the following conditions by endorsement to the policy:

(a) Each policy shall require that forty-five (45) days prior to expiration, cancellation, non-renewal or any material change in coverage or limits, a notice thereof shall be given to Authority. Contractor shall also notify Authority within twenty-four (24) hours after receipt of any notices of expiration, cancellation, non-renewal or material changes in coverage received by said Contractor from its insurer.

(b) Companies issuing the insurance policy, or policies, shall have no recourse against Authority or County for payment of premiums or assessments for any deductibles which all are at the sole responsibility and risk of Contractor.

(c) The Authority shall be endorsed to the required policy or policies as an additional insured, exclusive of professional liability insurance. The additional insured clause covers the actions of the Contractor while providing services under the terms of this Agreement.
(d) The policy clause “Other Insurance” shall not apply to any insurance coverage currently held by the Authority or the County, to any such future coverage, or to County’s Self-Insured Retention of whatever nature.

SECTION 603. LIABILITY. Contractor and Authority agree to be fully responsible for their own acts of negligence or their respective agents’ acts of negligence when acting within the scope of their employment, and agree to be liable for any damages resulting from said negligence. Nothing herein is intended to serve as a waiver of sovereign immunity or the limits of liability contained in Section 768.28, Florida Statutes, by the Contractor, County or Authority. Nothing herein shall be construed as consent by Contractor or Authority to be sued by third parties in any manner arising out of this Agreement. Contractor is not liable for the causes of action arising out of the negligence of the Authority, its employees or agents, or arising out of the negligence of any persons or entities contracted by, appointed by, or approved by the Authority to provide services related to this Agreement (including but not limited to other Contractors, the Ambulance Contractor, Medical Control Board and Medical Director). This Section 603 shall survive expiration or earlier termination of this Agreement.

ARTICLE VII
COMPENSATION AND OTHER FINANCIAL PROVISIONS

SECTION 701. COMPENSATION.

(a) **FY 2017 – 2018.** Authority and Contractor have agreed to an amount reflecting Contractor’s submitted budget for EMS services during Fiscal Year 2017 – 2018. The approved budget amounts for the Fiscal Year commencing October 1, 2017, shall be equal to that shown on Appendix A.

(b) **FY 2018 – 2019 through FY 2021 - 2022.** Contractor shall submit a budget by April 1st each year for the following Fiscal Year. Budgets shall be prepared in the same manner as the budget submitted for FY 2017 – 2018, so long as said budgets are less than a three and one half (3 ½) percent increase from the prior Fiscal Year, and the Authority shall pay Annual Compensation to Contractor in accordance with said budgets.
(c) **Capital for EMS Vehicle Replacement.** Authority will provide funding for EMS vehicle replacements. Units will be replaced after at least five (5) years, but no more than seven (7) years, of frontline service. Contractor represents that its projected capital replacement needs are as shown in Appendix A. Fire engines and other fire apparatus are not subject to EMS vehicle replacement funding. The Authority shall determine a reasonable standardized reimbursement amount for rescue units, medic units and staff vehicles each Fiscal Year based upon the then current market rate for such vehicles as stated in the EMS Authority's annual budget and capped therein. The amounts for FY17-18 are rescue units ($200,000), medic units ($100,000), and staff vehicles ($50,000). EMS reserve funds may be spent on EMS vehicle replacement upon mutual agreement between Authority and Contractor.

(d) **Payment.** Payments shall be paid monthly in arrears in (approximately) equal monthly installments.

(e) **Extraordinary Budget Increase.** If any proposed budget submitted by Contractor to the Authority for the following Fiscal Year should exceed three and one half (3 ½) percent of the prior Fiscal Year's budget, Authority and Contractor agree to reopen this Section 701 to negotiate no later than May 1st of the then current Fiscal Year the Annual Compensation for the following Fiscal Year. For any Fiscal Year in which Section 701 is reopened to negotiate the Annual Compensation for the following Fiscal Year, if Authority and Contractor cannot reach agreement on the Annual Compensation by June 30th (or such later date agreed upon in writing by Contractor), this Agreement shall terminate on the last day of the then current Fiscal Year.

(f) **EMS Reserve Funds.** Authority and Contractor acknowledge EMS reserve funds currently held by Contractor. Authority and Contractor agree that the minimum EMS reserve funds held by the Contractor should not be less than 2% of the Annual Compensation amount as the final audited balance for the end of any Fiscal Year. Any necessary EMS expenses may be paid by use of the EMS reserve funds down to a minimum EMS reserve fund balance of 2% of the Annual Compensation amount. Authority and Contractor agree that maximum EMS reserve funds held by the Contractor should not exceed 8% of the Annual Compensation amount as the final audited balance for the end of any Fiscal Year. In any Fiscal Year where the final audited balance is greater than 8% of the Annual Compensation amount, EMS reserve funds in excess of that amount will be returned to the Authority by adjusting the next twelve (12) monthly payments by 1/12 of the excess EMS funding being held by Contractor in EMS reserve funds.
SECTION 702. EAST HIGHPOINT. The lump sum amount of compensation for East Highpoint services shall be equal to that shown on Appendix A. It is hereby agreed that the amount of this yearly lump sum compensation is intended to continue at the same amount for the East Highpoint area for a period of time not to exceed two (2) years. A change in the yearly lump sum compensation may occur should the Authority and Contractor agree in writing to such a change and choose to extend the East Highpoint Fire District Fire Protection Services Agreement for one additional five (5) year term.

SECTION 703. CME AND PUBLIC EDUCATION REIMBURSEMENT.

(a) Learning Management System. The Authority shall reimburse annually, in the first payment in each Fiscal Year, the Contractor’s cost for the use of the Learning Management System for its students. Such reimbursement shall be fifty percent (50%) of the costs of use of the Learning Management System up to $50 per student per Fiscal Year (does not include payment for student training time).

(b) Reimbursement for CME Instructors. The Authority shall reimburse Contractor for the actual cost of salary and benefits up to $60.00 per hour for overtime or backfill costs for the Contractor’s CME Instructor hours that are actually performed and preapproved in writing, through the published master EMS training calendar by the Authority. Contractor may establish a rate of pay for CME Instructor which shall be subject to the $60.00 per hour cap. The Authority shall not reimburse Contractor for the personnel costs for students to attend Courses or CME Instructor hours that are not preapproved in writing. Contractor shall submit invoices to Authority utilizing Appendix F within twenty (20) days following the last day of each month. Contractor shall be reimbursed monthly in arrears. For each year during the term of this Agreement, the total compensation amounts shall be established through the Authority's budget process, but in no event, shall the cumulative compensation to all Provider Agencies for all payments under this provision, and payment for the analogous training provisions of the Ambulance Services Agreement, as amended, for any Fiscal Year exceed the amount budgeted by the Authority. The reimbursement amount shall not exceed $750,000.00 in any fiscal year. It is recognized by the Parties that no payment may be compelled or made without a budget amendment approved by the Authority for any compensation that exceeds the total compensation authorized through the Authority approved budget for CME training. It is further agreed and understood among the Parties
that the Authority may not compel the Provider Agencies to incur expenses beyond the Authority's approved budget amount until such time as a budget amendment raising such budget is approved.

(c) Reimbursement for Public Education/Prevention/Community Paramedic Programs. The Authority shall reimburse each Contractor for the actual cost of salary and benefits up to $60.00 per hour for overtime or backfill costs for the Contractor's Public Educator/Community Paramedic hours that are actually performed and preapproved in writing, through the published master EMS public education/prevention/community paramedic calendar by the Authority. Contractor may establish a rate of pay for Public Educator/Community Paramedic which shall be subject to the $60.00 per hour cap. The Authority shall not reimburse Contractor for the personnel costs for Public Educator/Community Paramedic hours that are not preapproved in writing. Contractor shall submit invoices to Authority utilizing Appendix F within twenty (20) days following the last day of each month. Contractor shall be reimbursed monthly in arrears. For each year during the term of this Agreement, the total compensation amounts shall be established through the Authority's budget process, but in no event, shall the cumulative compensation to all Provider Agencies for all payments under this provision, and payment for the analogous training provisions of the Ambulance Services Agreement, as amended, for any Fiscal Year exceed the amount budgeted by the Authority. The reimbursement amount shall not exceed $100,000.00 in any fiscal year. It is recognized by the Parties that no payment may be compelled or made without a budget amendment approved by the Authority for any compensation that exceeds the total compensation authorized through the Authority approved budget for Public Education/Community Paramedic programs. It is further agreed and understood among the Parties that the Authority may not compel the Provider Agencies to incur expenses beyond the Authority's approved budget amount until such time as a budget amendment raising such budget is approved.

SECTION 704. DEDUCTION FOR FAILURE TO PROVIDE FIRST RESPONDER UNIT.
In the event Contractor fails to provide an ALS First Responder Unit, or substitutes a BLS First Responder Unit instead of an ALS First Responder Unit, for an extended period (as described below) of time and without the advance approval of the Authority, the Authority may deduct an amount equal to the Contractor's Unit Hour Compensation multiplied by each hour or portion thereof for each day or portion thereof that the Contractor has failed to provide an ALS First Responder Unit. Such deduction shall be made from the following monthly Annual Compensation
payment. For purposes of this Agreement, an extended period of time means, with respect to mechanical problems and personnel, more than four (4) consecutive hours in any given day, and with respect to training, more than ten (10) hours in any given day; provided however this Section shall not be applicable when the Executive Director has waived the provisions of this Section, or when Contractor has failed to provide an ALS First Responder Unit or substitutes a BLS First Responder Unit during periods of Uncontrollable Circumstances.

SECTION 705. **DEDUCTION FOR FAULTY DOCUMENTATION**

In the event that the Contractor transports a Patient, in compliance with the then current Medical Operations Manual transport protocols, Contractor shall provide a billable Patient Care Report to the Authority within four (4) business days from the date of service. The report shall include, at a minimum, the medical reason for Transport, the Patient’s condition, the Patient’s demographic information, the Transport mileage, and all medical care rendered. Contractor's Field Personnel shall obtain the Patient's signature and any other signatures necessary to process a bill.

SECTION 706. **ADJUSTMENT FOR EXTRAORDINARY COST INCREASES.** Contractor may apply for and receive prospective compensation adjustments to the Annual Compensation as necessary to offset documented increases in Contractor’s cost of production directly resulting from increases in the prices paid by Contractor for fuel due to Unforeseen Circumstances and subject to the following stipulations:

(a) Contractor must document, using generally accepted accounting procedures, the actual financial impact of the increased fuel prices upon Contractor’s costs of production.

(b) Only the effects of increased direct fuel prices—excluding any effects of increased fuel consumption, overhead allocations and indirect costs—shall be considered.
SECTION 707. **FUNDS TO BE USED SOLELY FOR EMS FIRST RESPONSE.** Contractor recognizes that monies received hereunder are derived from the EMS Mill and that the EMS Mill, pursuant to referendum, has been dedicated solely to the provision of Emergency Medical Services. Contractor, therefore, agrees that funding provided under this Agreement will be used strictly for the provision of the services described herein.

Contractor shall have an Annual External Audit conducted by a Certified Public Accounting firm to state the Authority funded EMS income, Authority funded EMS expenditures, and Authority funded EMS reserves. The Annual External Audit shall include the "EMS Financial Information Attestation Form" prepared by the Contractor and signed by the Contractor's auditor. The required "EMS Financial Information Attestation Form" is attached as Appendix E. Contractor shall provide to Authority the audited financial statement that includes the "EMS Financial Information Attestation Form" within ten (10) business days of Contractor's receipt of the Annual External Audit. The cost of the Annual External Audit will be expended from Contractor's EMS funds.

SECTION 708. **FUTURE/ADDITIONAL SERVICES.** Contractor and Authority understand that, in the future, health care delivery and Emergency Medical Services may evolve to include pathway management, an expanded scope of practice, primary care services or other activities where EMS resources provided under this Agreement may be used. Contractor and Authority shall discuss the manner in which such additional services shall be effected, evaluate the relationship of such services; and determine the impact of such services on the EMS system. Contractor’s obligations shall be limited to those specifically set forth in this Agreement. Contractor shall not be responsible for providing any additional services unless Contractor agrees in writing to provide such additional services.

SECTION 709. **ADDITIONAL UNITS.**

(a) **Authority Funded.** During the term of the Agreement, the Authority may determine that additional Authority Funded Unit(s) are needed. Additionally, Contractor may request that consideration be given for approval of an additional Authority Funded Unit. If the Authority determines that additional Authority Funded Unit(s) are needed from Contractor, then Authority and Contractor shall negotiate a mutually-agreeable compensation for such additional Authority Funded Unit(s) In those instances where the Contractor requests Authority to approve additional
Authority Funded Unit(s), the Authority shall meet with the Contractor to determine the need for the requested Authority Funded Unit(s). If approved, the Authority will negotiate a mutually-agreeable compensation for such additional Authority Funded Unit, Units or Unit Hours. Compensation for such additional Authority Funded Unit(s), or Unit Hours, shall begin upon approval by the Authority.

(b) **Contractor-Funded.** Contractor and Authority understand that the EMS System is a unified, integrated system requiring the cooperation of all providers in the EMS System. To insure coordinated implementation of any improvements to the EMS System and to insure the integrity of the EMS System, if Contractor desires to operate additional ALS First Responder Unit(s) as a Contractor Funded Unit, Contractor will obtain approval from the Authority in writing prior to operating the Contractor Funded Unit. Contractor may elect to cease operation of a Contractor Funded Unit at its sole discretion. Contractor is responsible for all costs associated with staffing and operating such Contractor Funded Units. The Authority shall provide Medical Control and medical equipment and supplies for authorized Contractor Funded Units.

**SECTION 710. AUDITS AND INSPECTIONS.** At any time during normal business hours, and as often as may reasonably be deemed necessary, representatives of the Authority or Medical Director may observe Contractor's operations. Contractor shall make available to Authority for its examination, its records with respect to all matters covered by this Agreement, and Authority may audit, examine, copy, and make excerpts or transcripts from such records, and may make audits of all contract, invoices, materials, payrolls, inventory records, records of personnel, daily logs, conditions of employment, and other data related to all matters covered by this Agreement to the extent permitted by law.

Contractor shall make available to the Medical Director its records with respect to all clinical matters covered by this Agreement and the Medical Director may audit, examine, copy and make excerpts or transcripts from such records and inspections to the extent permitted by law.

The Authority's right to observe and inspect operations or records in Contractor's business office shall, however, be restricted to normal business hours, and reasonable notification shall be given the Contractor in advance of any such visit.

Records relating to contract activities shall be retained for three (3) years from final payment in each year.
All representatives of the Authority, Medical Control Board and Medical Director who observe Contractor's operations or audit or examine Contractor's records shall conduct themselves in a polite manner; complete any training required by law; and not interfere with Contractor's employees' duties. Audits and inspections shall be done to the extent permitted by law.

SECTION 711. FISCAL NON-FUNDING. In the event sufficient budgeted funds are not available for a new Fiscal Year, the Authority shall timely notify Contractor of such occurrence prior to the end of the current Fiscal Year and this Agreement shall terminate on the last day of current Fiscal Year.

ARTICLE VIII
TERM AND TERMINATION

SECTION 801. TERM. The initial term of this Agreement shall be for two (2) years, commencing October 1, 2017 and ending at midnight September 30, 2019, unless this Agreement is earlier terminated as provided for herein in this Agreement. This Agreement may be extended for three (3) additional one (1) year periods following the initial term, provided that the Parties mutually agree in writing to such extension prior to July 1st of each extension year, which is subject to Authority and City Council approval prior to September 30th of each extension year. References in this Agreement to "Term" shall include the initial term of this Agreement and all extensions thereof.

SECTION 802. TERMINATION.
(a) By Authority for Cause. This Agreement may be terminated by the Authority for cause upon twenty (20) days written notice to Contractor. For purposes of this section 802(a), "cause" shall mean (1) the event that Contractor, for any reason, fails to meet the licensing requirements in the State of Florida pursuant to the provisions of Chapter 401, Florida Statutes, or (2) a material breach by Contractor of any term, covenant or warranty contained in this Agreement; provided, however, that in the case of a breach of any term, covenant or warranty, the Authority shall provide written notice of such breach and Contractor shall have the opportunity to cure such breach within twenty (20) days of receipt of such notice or within such additional period of time mutually agreed upon by the Parties.
(b) **By Contractor for Cause.** This Agreement may be terminated by Contractor for cause upon twenty (20) days written notice to the Authority. For purposes of this section 802(b), "cause" shall mean a material breach by the Authority of any term, covenant or warranty contained in this Agreement; provided, however, that in the case of a breach of any term, covenant or warranty, Contractor shall provide written notice of such breach and the Authority shall have the opportunity to cure such breach within twenty (20) days of receipt of such notice, or, within such additional period of time mutually agreed upon by the Parties.

(c) **By Authority or Contractor Without Cause.** This Agreement may be terminated without cause by Contractor or the Authority upon six (6) months written notice to the other Party.

(d) **Provision of Emergency Medical Services Upon Termination.** In the event of termination of this Agreement by either Contractor or the Authority, Contractor shall continue to participate in the EMS System and Emergency Medical Services shall be provided in Contractor's EMS District in accordance with the Special Act, EMS Ordinance, previous litigation and orders and judgments associated therewith.

**SECTION 803. RESOLUTION OF DISPUTES.** To the extent that Contractor and Authority cannot, after good faith attempts, resolve any controversy or dispute that may have arisen under this Agreement, Contractor and Authority shall appoint an ad-hoc committee consisting of one mutually agreed upon representative from the Medical Control Board, the EMS Advisory Council, and the Pinellas County Fire Chiefs Association to facilitate a timely and effective resolution. The ad-hoc committee shall meet as often as necessary under the circumstances in an attempt to resolve the controversy or dispute. The committee shall review each Party's submittal of its interpretation of the Agreement and may request additional information as necessary. The committee shall complete its review within sixty (60) days of the date that the Committee is notified of the controversy or dispute (unless the Parties mutually agree to extend this period of time) and submit any recommendation to the Pinellas County Administrator and Contractor. All recommendations and other actions of the committee shall be non-binding. After the committee has submitted its recommendation to the Pinellas County Administrator and Contractor, either Party may thereafter refer the matter to non-binding mediation in the State of Florida. If the Parties do not agree upon representatives for the committee, if either Party chooses not to engage in mediation or if the Parties engage in mediation but mediation fails to resolve the dispute, either
Party may pursue its legal remedies, including, but not limited to, filing a complaint (including but not limited to a complaint for injunctive relief) in the appropriate court possessing competent jurisdiction.

ARTICLE IX
MISCELLANEOUS

SECTION 901. NON-DISCRIMINATION IN EMPLOYMENT. The Contractor will not discriminate against any applicant for employment because of age, race, color, religion, gender, sexual orientation, marital status, disability, genetic information, national origin or any other protected category. Contractor agrees that applicants will be employed, and that employees are treated during employment, (e.g. layoff or termination, promotion, demotion, transfer, rates of pay and compensation, and selection for training, including apprenticeship), without regard to age, race, color, religion, gender, sexual orientation, marital status, disability, genetic information, national origin or any other protected category. The Contractor will post in conspicuous places, available to all employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

SECTION 902. NOTICES. All notices, consents and agreements required or permitted by this Agreement shall be in writing, and, as applicable, shall be transmitted by registered or certified mail, return receipt requested, with notice deemed to be given upon receipt; postage prepaid, and shall be addressed as follows:

If to Authority: Executive Director, Pinellas County EMS Authority
Pinellas County Public Safety Services
12490 Ulmerton Road
Largo, Florida 33774

If to Contractor: See Appendix B

SECTION 903. ENTIRE AND COMPLETE AGREEMENT. Subject to Section 912, this Agreement, as amended, and all Appendices hereto, constitute the entire and complete agreement of the Parties with respect to the services to be provided hereunder. This Agreement, unless provided herein to the contrary, may be modified only by written agreement duly executed by the Parties with the same formality as this Agreement.

SECTION 904. OTHER DOCUMENTS. Each Party agrees to execute and deliver any
instruments and to perform any acts that may be necessary or reasonably requested in order to give full effect to this Agreement.

SECTION 905. APPLICABLE LAW. Florida Law shall govern the validity, interpretation, construction and performance of this Agreement.

SECTION 906. WAIVER. Unless otherwise specifically provided by the terms of this Agreement, no delay or failure to exercise a right resulting from any breach of this Agreement shall impair such right or shall be construed to be a waiver thereof, but such may be exercised from time to time and as often as may be deemed necessary. Any waiver shall be in writing and signed by the Party granting such waiver. If any representation, warranty or covenant contained in this Agreement is breached by either Party and thereafter waived by the other Party, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other breach under this Agreement.

SECTION 907. SEVERABILITY. In the event that any provision of this Agreement shall, for any reason, be determined to be invalid, illegal, or unenforceable in any respect, the Parties hereto shall negotiate in good faith and agree to such amendments, modifications, or supplements of or to this Agreement or such other appropriate actions as shall, to the maximum extent practicable in light of such determination, implement and give effect to the intentions of the Parties as reflected herein.

SECTION 908. CONTRACTOR IS INDEPENDENT CONTRACTOR. The Parties agree that throughout the term of this Agreement, and during the performance of any obligations hereunder, Contractor is an independent contractor in all respects and shall not be the agent, servant, officer, or employee of the Authority or Pinellas County.

SECTION 909. NO THIRD-PARTY BENEFICIARIES; ASSIGNMENT. This Agreement is not intended, nor shall it be construed, to inure to the benefit of any third person or entity not a party hereto, and no right, duty or obligation of the Contractor under this Agreement, shall be assigned to any person, private association or corporation, not-for-profit corporation, or public body without the prior written consent of the Authority.

SECTION 910. HEADINGS. Captions and headings in this Agreement are for ease of reference and do not constitute a part of this Agreement.
SECTION 911. COUNTERPARTS. This Agreement may be executed in more than one counterpart, each of which shall be deemed an original.

SECTION 912. NO WAIVER OF RIGHTS UNDER SPECIAL ACT. Authority and Contractor have worked together in good faith to reduce spending under the EMS Mill based upon the extraordinary economic times facing local governments at present. Notwithstanding anything to the contrary contained in this Agreement, it is the intent of Contractor and Authority that any actions or determinations taken in order to reach the agreement herein not be seen as a waiver of any rights either the Contractor, or the Authority may have under the Special Act, previous litigation and orders and judgments associated therewith.
IN WITNESS WHEREOF the parties hereto, by and through their undersigned authorized officers have caused this Agreement to be executed on this _____ day of ________________________, 2017.

ATTEST:
KENNETH BURKE, CLERK

PINELLAS COUNTY EMERGENCY MEDICAL SERVICES AUTHORITY
By and through its Board of County Commissioners

by: ____________________________
Deputy Clerk

by: ____________________________
Chairman

(seal)

APPROVED AS TO FORM:

Office of the County Attorney

CITY OF ST. PETERSBURG, FLORIDA

By: ____________________________
Print: ____________________________
Title: ____________________________

Attest: ____________________________
Eva Andujar, City Clerk

Approved as to Content and Form:

City Attorney (designee)

(seal)
## Appendix A
### ALS First Responder Profile

<table>
<thead>
<tr>
<th>Contractor</th>
<th>St. Petersburg</th>
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<td>EMS District(s)</td>
<td>St. Petersburg EMS District</td>
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<td>Medic 1 (12/7)</td>
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<td><strong>Contractor Funded Units</strong></td>
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<td><strong>EMS Coordination</strong></td>
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<td>EMS Coordinator (Rescue Chief) – 1 FTE</td>
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<td>EMS Captain (Rescue Captain) – 1 FTE</td>
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<td>EMS Administrative Lt. – 1 FTE</td>
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<td>EMS Administrative Support – 1 FTE</td>
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<td>Rescue Lt. (LR1) – 1 Position 24/7</td>
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<td>Rescue Lt. (LR13) – 1 Position 24/7</td>
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<td><strong>FY17-18 Annual Compensation</strong></td>
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<td>Highpoint = $638,020</td>
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<td><strong>Projected Capital</strong></td>
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<td>FY17-18 Rescue Units - 2</td>
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<td>FY18-19 Rescue Units - 2; Staff - 2</td>
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<td>FY19-20 Rescue Units - 2</td>
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<td>FY20-21 Rescue Unit - 1; Medic Units - 2; Staff - 1</td>
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<td>FY21-22 Rescue Units - 3</td>
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Appendix B
First Responder Contractor

City of St. Petersburg
175 Fifth St. N.
St Petersburg, FL 33701
Attn: Mayor's Office
The St. Petersburg EMS District is defined as the St. Petersburg Fire District, the Gandy Fire District, and the East Highpoint Fire District.
Appendix D
EMS Equipment

Provided by the Authority:

- All Medical Supplies and Equipment authorized by the Authority, except for equipment to be provided by Contractor listed below.

- Phillips MRx ECG Monitor/Defibrillator with the following clinical specifications: biphasic defibrillation, Q-CPR meter, pulse oximetry, waveform capnography, pacing, 12 lead acquisition and transmission, and non-invasive blood pressure monitoring as determined by the Medical Control Board and Authority for all Authority Funded ALS First Responder Units to include all patient cables, accessories, cases, battery chargers and batteries as needed.

- Phillips MRx ECG Monitor/Defibrillators in the same configuration above shall be utilized for reserve and spare equipment.

Provided By Contractor:

- Rescue equipment required by the Department
EMS FINANCIAL INFORMATION ATTESTATION FORM

Instructions:

In accordance with the 2017 Emergency Medical Services ALS First Responder Agreement, monies derived from the Emergency Medical Services Mill must be used solely for Emergency Medical Services ("EMS"). A designated Emergency Medical Services Fund is used solely for EMS revenue and expenditures. The following form is provided for consistent expenditure reporting and shall be submitted within ten (10) business days of City's receipt of Annual External Audit.

To be completed by City:

City or Fire District
Name of Person Completing Form
Phone Number and Email Address

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<th>FY</th>
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<tbody>
<tr>
<td>1.</td>
<td>EMS Funding Received by City</td>
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<td>2.</td>
<td>EMS Expenditures Incurred by City</td>
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<td>3.</td>
<td>Difference to be placed into City's EMS Fund</td>
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</table>

Audit Page:  

Please include a copy of Annual Audit and Supporting Documentation as needed.

We have audited the Schedule of Revenue and Expenditures related to the Emergency Medical Services (EMS) of the City of St. Petersburg, Florida for the year ended each September 30. The expenditures identified in line 2 above, are related to the prior Fiscal Year EMS Authority Approved Budget for EMS Authorized positions and units in accordance with the 2017 Emergency Medical Services ALS First Responder Agreement. We have reviewed payroll expenditures, salary and benefit expenditures, relief staffing expenditures incurred to maintain continuous staffing of Authorized positions, and expenditures for supervision, fuel, maintenance and repairs.

External Auditor Signature and Date
Appendix F

Instructor Reimbursement Form
## INSTRUCTOR REIMBURSEMENT FORM

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<thead>
<tr>
<th></th>
<th>Course Name (a)</th>
<th>Date</th>
<th>Start Time</th>
<th>Stop Time</th>
<th>Location</th>
<th>PCEMS Authorized Class Code (b)</th>
<th>Straight Time (ST)</th>
<th>Overtime (OT)</th>
<th>Backfill (BF)</th>
<th>Backfill Name (c)</th>
<th>Hours Worked (d)</th>
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**TOTAL Reimbursement Amount:** $-

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**Print Name & Title**

**Submitted By - Authorized Signature**

**Date**

**Notes:**

(a) One Instructor per form
(b) Course Name (i.e. January CME, Public Education Class, EMS System Orientation, PHTLS, ACLS, TCCC, etc.)
(c) For reimbursement the class must be preauthorized by PCEMS through the issuance of an Authorized Class Code.
(d) First Name, Last Name of person covering - must be same rank or below.
(e) Actual Hours Worked - Up to 60 minutes for preparation/setup, breakdown, paperwork and travel for each Class.

07-11-17 C.Hare
TO: The Honorable Darden Rice, Chair and Members of City Council

SUBJECT:
A resolution authorizing the Mayor or his designee to credit bid on each property or properties that the city has been granted a final judgement for, up to the greater of the just market value of the property as determined by the Pinellas County Property Appraiser or the amount of the city’s final judgement on the property, at judicial sales.

EXPLANATION:
The city is addressing several abandoned, vacant and blighted properties through the foreclosure process. A previous Resolution (No. 2016-13) authorized the Mayor or his designee to credit bid up to the just market value at foreclosure auctions. The city has and continues to identify properties the city is interested in acquiring. However, the city has been outbid at a foreclosure auction. The attached Resolution will permit the administration to credit bid up to the final judgement amount, which will provide the city a better opportunity of acquiring properties of interest at a foreclosure auction.

RECOMMENDATION:
Administration recommends approval of the attached resolution authorizing the Mayor or his designee to credit bid on each property or properties that the city has been granted a final judgement for, up to the greater of the just market value of the property as determined by the Pinellas County Property Appraiser or the amount of the city’s final judgement on the property, at judicial sales.

COST/FUNDING/ASSESSMENT INFORMATION:
No additional funding is being requested as a result of this Resolution.
A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO CREDIT BID ON EACH PROPERTY OR PROPERTIES THAT THE CITY HAS BEEN GRANTED A FINAL JUDGMENT FOR, UP TO THE GREATER OF JUST MARKET VALUE OF THE PROPERTY AS DETERMINED BY THE PINELLAS COUNTY PROPERTY APPRAISER OR THE AMOUNT OF THE CITY’S FINAL JUDGEMENT ON THE PROPERTY, AT JUDICIAL SALES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City, through Resolution No. 2016-13, has previously tried to address the problem of abandoned, vacant, and blighted properties or those that have a large number of City liens recorded against them (“Negative Conditions”) by authorizing the Mayor or his designee to credit bid up to fair market value on such properties at judicial sales; and

WHEREAS, the City has been outbid by investors or other purchasers at judicial sales; and

WHEREAS, persons or entities purchasing properties at judicial sales continue to do so for investment purposes, which can result in a continued deterioration of the property or a lack of improvement of Negative Conditions; and

WHEREAS, Administration believes that by authorizing the Mayor or his designee to bid up to the greater of either just market value or the amount of the City’s final judgement on any given property, the City will be able to acquire more properties; and

WHEREAS, Administration believes that by acquiring more properties, the City will increase its opportunities to ameliorate the Negative Conditions; and

WHEREAS, Administration believes that although the approval of Resolution No. 2016-13 has been successful in achieving some of the goals set forth therein, by expanding the ability to acquire properties, the purposes set forth in Resolution No. 2016-13 can be better achieved.

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 credit bid on each property or properties that the City has been granted a final judgment for, up to the greater of just market value of the property as determined by the Pinellas County Property Appraiser or the amount of the City's final judgement on the property, at judicial sales.

This resolution shall become effective immediately upon its adoption.
Approved as to Form and Substance:

[Signature]

City Attorney (Designee)
Legal: 00339205.doc v5
MEMORANDUM

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

FROM: Jacqueline M. Kovilaritch, City Attorney

DATE: August 29, 2017

RE: Resolution Amending City Council Policy and Procedures Manual

In connection with the new business item considered during the August 24, 2017 Public Services & Infrastructure Committee meeting, attached is a resolution amending the City Council Policy and Procedures Manual. The amendment adds a new Section VIII to Chapter 2 entitled Delay of Agenda Items.

Please feel free to contact me with any questions.
A RESOLUTION APPROVING AN AMENDMENT TO
THE CITY COUNCIL POLICY AND PROCEDURES
MANUAL RELATED TO DELAY OF AGENDA ITEMS;
AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, City Council wishes to amend the Manual to prohibit the delay of
agenda items under certain circumstances.

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

This resolution shall become effective immediately upon its adoption.

Approved as to form and content:

_____________________________
City Attorney (Designee)

00339283
VIII. **Delay of Agenda Items.** Unless otherwise required by law or the Charter, City Council shall not delay action on an agenda item in order to allow the drafting of substantive changes to one or more documents (e.g., contracts, ordinances, etc.) to be voted upon later in the same meeting. Any Council member may move to suspend this policy for one or more agenda items. The motion must be seconded and a majority vote of the quorum present is required for passage.
TO: The Honorable Darden Rice, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his designee, to execute a License Agreement with Greater Mt. Zion African Methodist Episcopal Church of St. Petersburg, Florida, Inc., a Florida non-profit corporation, for the use of unimproved City-owned property located at approximately 1120 – 16th Street South, St. Petersburg, for hosting a community event (tent revival services), for a nominal fee of $10.00; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Real Estate and Property Management received a request from Administration to initiate an agreement with Greater Mt. Zion African Methodist Episcopal Church of St. Petersburg, Florida, Inc. ("Licensee") to use unimproved City-owned property located at approximately 1120 – 16th Street South, St. Petersburg, while hosting tent revival services to support the Seven x 7 Revival event during September 18 through September 22, 2017. The Licensee hopes the use of this property will help to make this event a success and will bring about a positive impact within the community of St. Petersburg. The Property consists of ±18,540 sq. ft. and is zoned CCT-1 (Corridor Commercial Traditional -1).

The Property is legally described as follows:

Lots 10 thru 13, MCELGIN BARTLETT SUBDIVISION
Pinellas County Parcel I.D. No.: 25/31/16/53658/000/0100

The Licensee has executed a License Agreement ("License") for a term of six (6) days, subject to City Council approval. The License provides that the Licensee shall be responsible for all applicable costs (including installation, deposits, and usage) for utilities associated with the Licensee’s use of the Property. The Licensee shall pay a use fee of $10.00 to the City for the term and shall obtain any and all permits necessary to conduct this event. Additionally, the Licensee shall maintain a $1,000,000 Commercial General Liability policy, protecting the City against all claims which may arise or be claimed on account of the Licensee’s use of the Property. The Licensee shall maintain the Property at its own cost and expense, remove all goods and effects used during the event, and deliver up the Property in good condition clean and clear of trash and other debris upon expiration of this License.
RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute a License Agreement with Greater Mt. Zion African Methodist Episcopal Church of St. Petersburg, Florida, Inc., a Florida non-profit corporation, for the use of unimproved City-owned property located at approximately 1120 – 16th Street South, St. Petersburg, for hosting a community event (tent revival services), for a nominal fee of $10.00; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

APPROVALS: Administration:

Budget: N/A

Legal: (As to consistency w/attached legal documents)

Legal: 00340388.doc v1
Resolution No. 2017 - _______

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH GREATER MT. ZION AFRICAN METHODIST EPISCOPAL CHURCH OF ST. PETERSBURG, FLORIDA, INC., A FLORIDA NON-PROFIT CORPORATION, FOR THE USE OF UNIMPROVED CITY-OWNED PROPERTY LOCATED AT APPROXIMATELY 1120 – 16TH STREET SOUTH, ST. PETERSBURG, FOR HOSTING A COMMUNITY EVENT (TENT REVIVAL SERVICES), FOR A NOMINAL FEE OF $10.00; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management received a request from Administration to initiate an agreement with Greater Mt. Zion African Methodist Episcopal Church of St. Petersburg, Florida, Inc. ("Licensee") to use unimproved City-owned property located at approximately 1120 – 16th Street South, St. Petersburg, for hosting tent revival services to support the Seven x 7 Revival event during September 18 through September 22, 2017; and

WHEREAS, the Licensee hopes the use of this property will help to make this event a success and will bring about a positive impact within the community of St. Petersburg; and

WHEREAS, the Property consists of ±18,540 sq. ft. and is zoned CCT-1 (Corridor Commercial Traditional -1); and

WHEREAS, the Property is legally described as follows:

Lots 10 thru 13, MCCELGIN BARTLETT SUBDIVISION
Pinellas County Parcel I.D. No.: 25/31/16/53658/000/0100; and

WHEREAS, the Licensee has executed a License Agreement ("License") for a term of six (6) days, subject to City Council approval; and

WHEREAS, the License provides that the Licensee shall be responsible for all applicable costs (including installation, deposits, and usage) for utilities associated with the Licensee's use of the Property; and

WHEREAS, the Licensee shall pay a use fee of $10.00 to the City for the term and shall obtain any and all permits necessary to conduct this event; and
WHEREAS, the Licensee shall maintain a $1,000,000 Commercial General Liability policy, protecting the City against all claims which may arise or be claimed on account of the Licensee’s use of the Property; and

WHEREAS, the Licensee shall maintain the Property at its own cost and expense, remove all goods and effects used during the event, and deliver up the Property in good condition clean and clear of trash and other debris upon expiration of this License.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his designee, is authorized to execute a License Agreement with Greater Mt. Zion African Methodist Episcopal Church of St. Petersburg, Florida, Inc., a Florida non-profit corporation, for the use of unimproved City-owned property, located at approximately 1120 – 16th Street South, St. Petersburg, for hosting a community event (tent revival services), for a nominal fee of $10.00; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:  

APPROVED BY:

[Signature]

City Attorney (Designee)
Legal: 00340388.doc v1

[Signature]

Alfred G. Wendler, Acting Director
Real Estate & Property Management