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

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

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

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

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

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

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

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

GENERAL AGENDA INFORMATION

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

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

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

B. Approval of Agenda with Additions and Deletions.

C. Consent Agenda (see attached)

Open Forum

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

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

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

E. Reports

1. Museum of American Arts and Crafts Movement Funding Agreement

   (a) A resolution approving the Funding Agreement between the City of St. Petersburg, Florida and the American Craftsman Museum, Inc. a.k.a Museum of the American Arts and Crafts Movement (Developer) for the Developer to implement a Streetscape Improvement Plan for the Museum of the American Arts and Crafts Movement in an amount not to exceed $500,000; authorizing the City Attorneys office to make non-substantive changes to the Funding Agreement; authorizing the Mayor or his designee to execute the Funding Agreement and all other documents necessary to effectuate this transaction; approving a rescission in the amount of $300,000 from the unencumbered balance of the Citywide Infrastructure Fund (3027), Comprehensive Streetscape and Greenscape Project (Oracle No. 12897); approving a supplemental appropriation in the amount of $300,000 from the increase in the unappropriated balance of the Citywide Infrastructure Fund (3027) resulting from the above rescission to the Museum of American Arts and Crafts Movement Streetscape Improvement Plan Project (Oracle No. tbd); approving a recission in the amount of $200,000 from the unencumbered balance of the General Capital Improvement Fund (3001), Intown Streetscape Improvement FY15 Project (Oracle No. 14602); approving a supplemental appropriation in the amount of $200,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from the above rescission to the Museum of American Arts and Crafts Movement Streetscape Improvement Plan Project (Oracle No. tbd); and providing an effective date.
2. **Update on Healthy St. Petersburg Foundation/ Bayfront Health**

   (a) Resolution Supporting the City’s Continued Ownership of the Bayfront Hospital Facility.

3. **Sewer Report**

   (a) Approving the renewal of a blanket purchase agreement with Odyssey Manufacturing Co. for sodium hypochlorite for the Water Resources Department, at an estimated annual cost of $1,042,780, for a total contract amount of $4,332,980.

   (b) Approving a three-year blanket purchase agreement with Electrical Engineering Enterprises, Inc. for power distribution equipment maintenance and repair services for the Water Resources Department, at a total contract amount of $600,000.

   (c) Accepting a bid from Razorback LLC for exterior surface preparation and painting of two reclaimed water tanks at the Northeast Water Reclamation Facility, in the amount of $283,000.00; approving a supplemental appropriation in the amount of $250,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF NE Storage Tank Paint FY17 Project (15819); and providing an effective date.

   (d) Accepting a proposal for electrical generator control system upgrades from Asco Power Services, Inc., a sole source supplier, for the Water Resources Department, for a total cost of $256,768.50.

4. **A resolution approving the Key Business Points for a Mixed Use Project with a Parking Structure in the Edge District; supporting Administration’s negotiation of a Development Agreement, which shall include terms and conditions consistent with the Key Business Points; providing that such Agreement is subject to City Council approval; and providing an effective date.**

F. **New Business**

G. **Council Committee and Intergovernmental Reports**

   1. Homeless Leadership Board - (Oral) (Councilmember Foster)

   2. Public Arts Commission - (Oral) (Councilmember Kornell)

   3. Tampa Bay Regional Planning Council - (Oral) (Councilmember Kornell)

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. Confirming the preliminary assessment for Lot Clearing Number(s): LCA 1584.

2. Confirming the preliminary assessment for Building Securing Number(s) SEC 1230.

3. Confirming the preliminary assessment for Building Demolition Number(s) DMO 456.

4. Ordinance amending the Comprehensive Plan to implement legislative requirements of Chapter 163, Part II, Florida Statutes, related to the annual update of the Capital Improvements Element. (City File LGCP-CIE-2017)

5. Ordinance amending St. Petersburg City’s floodplain management ordinance, City Code, Chapter 8, the Building Code and Chapter 16, Land Development Regulations (LDRs). (City File LDR-2017-07)

6. Ordinance approving a vacation of a 10-foot east/west street easement along 5th Avenue Northeast at the intersection of 1st Street North and a 30-foot radius street easement at the intersection of 4th Avenue Northeast and 1st Street North. (City File 17-33000017)

7. Ordinance amending Chapter 25 of the St. Petersburg City Code relating to uses of rights-of-way for the provision of wireless communications services; adding definitions; creating a registration process and amending the permit application process for construction permits in the right-of-way; creating Subsection 25-316 of the St. Petersburg City Code relating to design standards for small wireless facilities.

**Quasi-Judicial Proceedings**

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

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

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

8. A City-initiated application requesting amendments to the Future Land Use Map and Official Zoning Map designations for an estimated 0.65-acre subject property, located on the south side of 5th Avenue South between 27th Street South and 28th Street South, at 2700 5th Avenue South. (City File FLUM-47-A)

   (a) Ordinance amending the Future Land Use Map designation from Industrial General to Planned Redevelopment-Mixed-Use.

   (b) Ordinance amending the Official Zoning Map designation from IT (Industrial Traditional) to CCT-1 (Corridor Commercial Traditional-1), or other less intensive use.

   (c) Resolution requesting an amendment to the Countywide Plan Map, as described above, to comply with the requirements of Forward Pinellas, in its role as the Pinellas Planning Council and Pinellas County Board of County Commissioners.
9. A private application requesting amendments to the Future Land Use Map and Official Zoning Map designations for a 0.33-acre subject property historically known as Preservation Area N-68, located at 10900 Roosevelt Boulevard North. (City File FLUM-48)

(a) Ordinance amending the Future Land Use Map designation from Preservation to Industrial Limited.

(b) Ordinance amending the Official Zoning Map designation from P (Preservation) to EC (Employment Center), or other less intensive use.

(c) Resolution requesting an amendment to the Countywide Plan Map, as described above, to comply with the requirements of Forward Pinellas, in its role as the Pinellas Planning Council and Pinellas County Board of County Commissioners.

10. Appeal of the Development Review Commission (DRC) approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property located at 1616 23rd Avenue North. (City File 17-32000022 Appeal)

J. Open Forum

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

(Procurement)

1. Approving the renewal of a blanket purchase agreement with Morelli Landscaping, Inc. for landscape services, for public facilities and rights-of-way, in the amount of $3,500,000, for a total contract amount of $8,900,000.

2. Approving a supplemental appropriation for FY18 in the amount of $700,000 from the increase in the unappropriated balance of the Sanitation Operating Fund (4021) for yard waste grinding services, with Consolidated Resource Recovery, Inc for a total contract amount of $1,983,100.

3. Approving the renewal of a blanket purchase agreement with Standard Insurance Company for group ancillary insurance, at an estimated annual premium of $798,509, for a total contract amount of $1,523,237.

4. Approving a new five year support services agreement and first year of annual support from Oracle America, Inc., a sole source supplier, for the Oracle eBusiness Suite and other Oracle and Solaris technology products, for the Department of Technology Services, at a first year cost of $739,396.57.

5. Accepting a proposal from Musco Sports Lighting, LLC, a sole source supplier, for athletic field LED lighting for the Parks and Recreation Department, at a total cost of $628,700.

6. Approving a supplemental appropriation of $76,000 from the unappropriated balance of the Technology Services Fund (5011); approving a three-year Enterprise Agreement, inclusive of software and services, with Environmental Systems Research Institute, Incorporated (ESRI) a sole source supplier for the Department of Technology Services, at a total contract amount of $504,700. [DELTED]

(Public Works)

7. Approving Partial Control Estimate #4 for WRF NW Reclaimed Water and Injection Wells Improvement Project (Engineering No. 17053-111; Oracle No. 15927) in an amount not to exceed $1,167,754 for PCL Construction Inc. (“PCL”) to procure piping, valves and accessories, and install underground and above ground piping; authorizing the Mayor or his designee to execute The Sixth Amendment to incorporate the above referenced Partial
Control Estimate into the Construction Manager Contract between the City of St. Petersburg, Florida and PCL dated April 17, 2017, as amended, and modify other necessary sections; and providing an effective date.

(Miscellaneous)

8. Authorizing the Mayor or his designee to sign and provide the Local Government Verification of Contribution Loan Form to FOUR6 Skyway, LLC, to be included as part of its application under the Florida Housing Finance Corporation (“FHFC”) request for applications number 2017-113; and to provide a loan in the amount of $290,750 from the Local Housing Assistance (“SHIP”) Fund (1019), and a loan in the amount of $165,000 from HOME Investment Partnership (“HOME”) Fund (1113), and approving a supplemental appropriation in the amount of $170,000 from the unencumbered Community Housing Donation Fund (“CHDF”) (1117) balance to the FOUR6 Skyway Project (16468) to fund any project costs for a total combined loan amount of $625,750 for the development of the FOUR6 Skyway, an affordable senior apartment building; providing that the City’s loan closing will be subject to the developer: 1) obtaining the recommendation for approval of FHFC administered 9% low income housing tax credit funding prior to June 30, 2018, 2) receiving final site plan approval, and 3) providing all of the standard underwriting due diligence documents to the City in order to close on the City loan by December 15, 2018; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction.
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 a blanket purchase agreement with Bright House Networks, LLC, for internet services for the Department of Technology Services (DoTS), at an estimated annual cost of $94,000, for a total contract amount of $479,000.

2. Accepting bids from L&H Signs, Inc. and Don Bell Signs LLC for wayfinding signs and installation for the Transportation & Parking Management Department, at a total cost of $411,488.

3. Approving blanket purchase agreements with Cemex, Inc., Davis Concrete, Inc., and Concrete-on-Call, Inc. for concrete mix materials, at an estimated annual cost of $240,000, for a total contract amount of $360,000.

4. Renewing an annual service agreement with Intergraph Corporation, dba Hexagon Safety & Infrastructure, for records management software applications for the Police Department, at a total cost of $273,360.36.

5. Approving a three-year blanket purchase agreement with Mac Papers, Inc., for envelopes and utility bill stock for the Marketing Department, at a total contract amount of $240,000.

6. Renewing an agreement with SCI Distribution LLC, a sole source supplier, for fleet management system maintenance, support and service for the Fleet Management Department, for a total contract amount of $180,000.

7. Accepting a proposal from Toshiba America Business Solutions, Inc., for public copiers and a print management system for the City’s Public Libraries, at a three-year contract amount of $150,000.

(City Development)

8. Expressing support for the Complete Streets project submitted on behalf of the City of St. Petersburg to Forward Pinellas for consideration within the Forward Pinellas Complete Streets Program.

9. Approving disbursement of up to $275,000 from the Capital Repair, Renewal and Replacement Sinking Fund Account for Tropicana Field Capital Projects; approving a supplemental appropriation in the amount of $275,000 from the unappropriated balance of the Tropicana Field Capital Projects Fund (3081) to the Tropicana Field FY18 Improvements Project (TBD); and providing an effective date.
10. Authorizing the Mayor, or his designee, to execute a five (5) year License Agreement with Paul and Jennifer Curry to fence a portion of a City-owned property located at approximately 1711 Main Street, Safety Harbor, for the City’s 36-inch Water Transmission Main for an annual fee of $50.00.

11. Authorizing the Mayor, or his designee, to execute a License Agreement with the St. Petersburg Junior Football Athletic Association, Inc., a Florida not-for-profit corporation, for the use of a concession stand/storage area and press box within a portion of the City-owned Campbell Park located at 1312 – 5th Avenue South, St. Petersburg, for a period of thirty-six (36) months for a fee of $36.00; and waiving the reserve for replacement requirement of City Council Resolution No. 79-740A. (Requires affirmative vote of at least six (6) members of City Council.)

12. Authorizing the Mayor, or his designee, to execute a License Agreement with Thaise Educational and Exposure Tours, Inc., a Florida not-for-profit corporation, for the use of ±300 sq. ft. office space within City-owned Enoch Davis Center located at 1111 – 18th Avenue South, St. Petersburg, for a period of thirty-six (36) months at a rental rate of $200.00 per month, plus $20.00 per month for telephone line access.

13. Authorizing the Mayor, or his designee, to execute a License Agreement with Boys and Girls Clubs of the Suncoast, Inc., a Florida not-for-profit corporation, for the use of ±2,290 sq. ft. classroom space within City-owned Dwight H. Jones Neighborhood Center ("Center"), with the non-exclusive right to utilize the common areas of the Center including, but not limited to, the auditorium located at 1035 Burlington Avenue North, St. Petersburg, for a period of thirty-six (36) months for a nominal fee of $36.00.

14. Authorizing the Mayor, or his designee, to execute a License Agreement with Pinellas Opportunity Council, Inc., a Florida not-for-profit corporation, for the use of ±560 sq. ft. classroom space within City-owned Dwight H. Jones Neighborhood Center located at 1035 Burlington Avenue North, St. Petersburg, for a period of thirty-six (36) months, for a nominal fee of $36.00.

15. Authorizing the Mayor, or his designee, to execute Port-a-Port specific license agreements, with individual owners, to utilize certain land within City-owned Albert Whitted Airport for the continued placement of privately-owned, portable aircraft storage hangars for terms of three (3) years. (Requires affirmative vote of at least six (6) members of City Council).

16. Authorizing the Mayor, or his designee, to sell the surplus, improved City-owned property located at 1018 Melrose Avenue South, St. Petersburg, to Smart Reentry "Incorporated", a Florida not-for-profit corporation, for the sum of $29,000. [DELETED]

17. Authorizing the Mayor or his designee to execute a Lease Agreement with Hillsborough County, a political subdivision of the State of Florida, for the continued use of City-owned property located in Hillsborough County known as Lake Rogers Park for a period of fifteen (15) years for an initial annual rent of $24,000.

18. Authorizing the Mayor or his designee to execute a Lease Agreement with Hillsborough County, a political subdivision of the State of Florida, for the continued use of City-owned property located in Hillsborough County known as Lake Park for a period of fifteen (15) years for an initial annual rent of $36,000.
19. Authorizing the Mayor, or his designee, to execute a Third Amendment to the Amended and Restated Lease Agreement dated July 15, 2010 between the City of St. Petersburg and Great Explorations, Inc.

(Public Works)

20. Approving the Second Amendment to the architect/engineering Agreement dated January 25, 2017 between the City of St. Petersburg, Florida and ASR U.S., LLC (“A/E”), as amended, modifying the Scope of Services to remove construction services associated with Injection Well IW-4 and adding additional design and construction services for the NWWRF Reclaimed Water and Injection Wells Improvements Project in an additional amount not to exceed $19,298, for a total contract amount not to exceed of $1,399,548 (Engineering Project No. 17053-111 Oracle No. 15927); authorizing the mayor or his designee to execute the Second Amendment and all documents necessary to effectuate this transaction.

21. Authorizing the Mayor or his designee to accept funding under a State of Florida Department of Transportation (“FDOT”) District Seven Highway Landscape Reimbursement And Maintenance Memorandum Of Agreement (HLRMOA) (“Agreement”) in an amount not to exceed $330,000 for FY 2018 for a portion of SR 687 (4th Street North); and to execute the Agreement and all other documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $330,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to FDOT HLRMOA FY18-1 SR 687 (4th St. N.), Project No. TBD.

22. Authorizing the Mayor or his designee to execute Task Order No. 16-11-KCA/STB (“Task Order”) to the architect/engineering agreement between the City of St. Petersburg (“City”) and Kisinger Campo & Associates, Corp. (“A/E”), dated July 19, 2016, for A/E to provide design and bid phase services for Bridge Replacement at Bayou Grande Blvd, North of Tanglewood Drive Northeast (Bridge No. 157184) in an amount not to exceed $375,195; (Engineering Project No. 18052-110; Oracle No. 16173); rescinding unencumbered appropriations from the following projects in the Citywide Infrastructure Fund (3027), $10,000 from the Bridge Recon/Ld Testing FY17 Project (15627) and $96,000 from the Bridge Recon/Load Testing FY18 Project (16140); approving a supplemental appropriation in the amount of $106,000 from the unappropriated balance of the Citywide Infrastructure Fund (3027) resulting from these rescissions to the 157184 Bayou Grande Project (16173) to provide for the necessary funding for Task Order No. 16-11-KCA/STB and engineering project management costs.

23. Approving the Second Amendment to the Architect/Engineering Agreement dated July 13, 2015 between the City of St. Petersburg, Florida and Associated Space Design, Inc. (“A/E”) in association with Rogers Partners, as amended, for A/E to provide additional design, construction administration and other services for the new St. Petersburg Pier Project in an amount not to exceed $64,800, for a total contract amount not to exceed of $4,550,800; authorizing the Mayor or his designee to execute the Second Amendment.

24. Authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 14-05-T / GMTI (“Task Order”) to the architect/engineering agreement between the City of St. Petersburg, Florida (“City”) and Tierra, Inc. (“A/E”), dated January 24, 2014, for A/E to provide Threshold Inspection Services related to the Police Facility / EOC Project in an amount not to exceed $36,440, providing that the total Task Order, as amended, shall not exceed $158,340; (Engineering Project No. 11234-018; Oracle No. 12847).
25. Approving the minutes of the November 2, November 9, and November 20, 2017 City Council meetings.

26. Authorizing the Mayor or his designee to sign and provide the Local Government Verification of Contribution Loan Form to Anchorage Apartments, Ltd., to be included as part of its application under the Florida Housing Finance Corporation (“FHFC”) request for applications number 2017-113; and to provide $90,000 from State Housing Initiatives Partnership (“SHIP”) program funding the development of the Anchorage Apartments, an affordable senior apartment complex; providing that the City’s loan closing will be subject to the developer: 1) obtaining the recommendation for approval of FHFC administered 9% low income housing tax credit funding prior to June 30, 2018, 2) receiving final site plan approval, and 3) providing all of the standard underwriting due diligence documents to the City in order to close on the City loan by December 15, 2018; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction.

27. Recommendation to Approve the Increase to Pension Benefits for Retirees and Beneficiaries Receiving Benefits under the Employees’ Retirement System (“Plan”).

28. Declaring the 33rd Annual MLK Dream Big Parade, to be held on January 15, 2018, to be a special event within the meaning of Section 16.70.030.1.5. C. 1. of the St. Petersburg City Code; delineating boundaries and the time period within which the declaration is to be effective; suspending pushcart vending permits for public property locations pursuant to Section 16.70.030.1.5. of the St. Petersburg City Code within the delineated boundaries during the time period.

29. Approving fifty-two (52) Forfeiture Fund Program/Projects awarded as a part of the 2017 Law Enforcement Trust Fund Grant Award Program; authorizing the Mayor or his designee to execute agreements and all documents necessary to effectuate these awards; approving a supplemental appropriation in the amount of $110,400 from the unappropriated balance of the Local Law Enforcement State Trust Fund (1601) to the Police Department, Local Law Enforcement State Trust (140-2857) to fully fund the awards.

30. Confirming the Mayor’s reappointment of Dr. Delphinia Davis and Mr. Stewart O. Olson as members of the St. Petersburg Housing Authority Board of Commissioners.

31. Confirming the Mayor’s appointment of Ms. Sharlene Gambrell-Davis as members of the St. Petersburg Housing Authority Board of Commissioners.

32. Confirming the appointment of Devon Haggitt as Assistant City Attorney.
Note: An abbreviated listing of upcoming City Council meetings.

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

**Health, Energy, Resiliency & Sustainability Committee**
*Thursday, December 14, 2017, 11:00 a.m., Room 100*

**Housing, Land Use & Transportation Committee**
*Thursday, December 14, 2017, 1:00 p.m., Room 100*

**Committee of the Whole: 2018 Calendar and Election of Chair and Vice-Chair**
*Thursday, December 14, 2017, 2:00 p.m., Room 100*

**Outgoing / Final Council Meeting**
*Tuesday, January 2, 2017, 9:30 a.m., Council Chambers*

**Incoming Council Swearing In Ceremony**
*Tuesday, January 2, 2017, 11:00 a.m., Council Chambers*

**Mayor Swearing In Ceremony**
*Tuesday, January 2, 2017, 12:00 p.m., City Hall Front Steps*
Civil Service Board
1 Alternate Member
(Term expires 6/30/17)

City Beautiful Commission
4 Regular Members
(Term expires 6/30/17)

Affordable Housing Advisory Committee
9 Regular Members
(Term expires 11/2/20)
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

FROM: Chris Ballestra, Managing Director, City Development Administration

SUBJECT: Museum of American Arts and Crafts Movement Funding Agreement

EXPLANATION: In 2013, a parcel of land located at 355 4th St. North was purchased by American Craftsman Museum, Inc., with the objective of bringing a world class museum to St. Petersburg. The Museum of American Arts and Crafts Movement, a not-for-profit 501c3 began construction in 2015, and a 303 space parking structure was completed on the site, and museum construction is now underway with an estimated completion in 2019.

The project is privately funded by Rudy Ciccarello, founder of the Two Red Roses Foundation, a Florida non-profit, and will house a world renowned collection of American arts and crafts generally from the early 1900’s through the 1930’s. Regarding the type of works in the collection, from the Two Red Roses website: "The Two Red Roses Foundation is a nonprofit educational institution dedicated to the acquisition, restoration, preservation, and public exhibition of important examples of furniture, pottery and tiles, lighting, woodblocks, textiles, photography, architectural faience, and fine arts from the American Arts and Crafts Movement".

The museum construction project will include a 5 story, 137,100 square foot museum with exhibit space, galleries, a retail shop, event spaces, 100 seat auditorium, and an area for children’s education, graphic arts studio and administrative offices. A 9,000 square foot restaurant is also part of the construction underway, adjacent to the completed 303 space parking structure. It is estimated that the project construction budget exceeds $90,000,000, not including the collection of art. The visitor experience and prominent location of this museum complex is a welcome addition to St. Petersburg’s active downtown and arts community. The Pinellas County Tourist Development Commission recommended and Pinellas County Commission recently approved a $6,000,000 funding contribution over a three year period. That review process included an economic impact study of the museum reflecting over 150,000 visitors to the museum, 17,000 room nights annually and total operating economic output of over $7 million annually.

FY18/19 Streetscape Improvements. Following the site purchase in 2013, MAACM pursued an aggressive design study to develop a construction plan consistent with the City’s Intown Redevelopment plan and plaza parkway guidelines. Consistent with those improvements, the City is providing additional right-of-way streetscape improvements to include the following components:

a. 3rd Avenue North. Approaching 3rd St. North, fund replacement of existing concrete sidewalks, curb & gutter as needed and associated landscaping improvements at 3rd Street north wrapping north, maintaining pedestrian emphasis. These improvements will be complimented by a "bulb-out" at the intersection of 3rd Street North and 3rd Avenue North.
b. 3rd Street North. Install sidewalk, curb & gutter with associated tree and landscape replacements as needed focused on pedestrian traffic between 3rd Avenue North and 4th Avenue North. An additional “bulb-out” will be added at the intersection of 3rd Street and 4th Avenue North.

c. 4th Avenue North. Sidewalk improvements will be made consistent with pending FDOT work on 4th Avenue North between 3rd and 4th Streets.

d. 4th Street North. Assist in sidewalk/streetscape improvements fronting on 4th Street North.

The mechanism for said City streetscape improvements is a funding agreement between the City and MAACM. The funding agreement includes an example of proposed improvements as well as provisions for MAACM maintenance of said improvements as well as complimentary (rent free) utilization of mutually agreed upon portions of Museum by the City up to 12 times per year.

COST/FUNDING INFORMATION: Approving a rescission in the amount of $300,000 from the unencumbered balance of the Citywide Infrastructure Fund (3027), Comprehensive Streetscape and Greenscape Project (Oracle No. 12897); and approving a supplemental appropriation in the amount of $300,000 resulting from the increase in the unappropriated balance of the Citywide Infrastructure Fund (3027) resulting from the above rescission to the Museum of American Arts and Crafts Movement Streetscape Improvement Plan Project (Oracle No. TBD); Approving a rescission in the amount of $200,000 from the unencumbered balance of the General Capital Improvement Fund (3001), Intown Streetscape Improvement FY15 Project (Oracle No. 14602) and approving a supplemental appropriation in the amount of $200,000 from the unappropriated balance of the General Capital Improvement Fund (3001) resulting from the above rescission to the Museum of American Arts and Crafts Movement Streetscape Improvement Plan Project (Oracle No. TBD).

RECOMMENDATION: Administration recommends approval of the attached resolution and funding agreement between the City of St. Petersburg and the Museum of American Arts and Crafts Movement in an amount up to $500,000 for streetscape improvements with assistance for wayfinding and marketing.

APPROVALS: Administration:

ATTACHMENTS: Resolution, Funding Agreement

cc: Mayor Kriseman
Deputy Mayor Tomalin
Gary Cornwell
Jackie Kovilaritch
Macall Dyer
Alan DeLisle
Chris Ballestra
RESOLUTION NO. 2017 -

A RESOLUTION APPROVING THE FUNDING AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND THE AMERICAN CRAFTSMAN MUSEUM, INC. A.K.A MUSEUM OF THE AMERICAN ARTS AND CRAFTS MOVEMENT ("DEVELOPER") FOR THE DEVELOPER TO IMPLEMENT A STREETSCAPE IMPROVEMENT PLAN FOR THE MUSEUM OF THE AMERICAN ARTS AND CRAFTS MOVEMENT IN AN AMOUNT NOT TO EXCEED $500,000; AUTHORIZING THE CITY ATTORNEY'S OFFICE TO MAKE NON-SUBSTANTIVE CHANGES TO THE FUNDING AGREEMENT; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE FUNDING AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; APPROVING A RESCISSION IN THE AMOUNT OF $300,000 FROM THE UNENCUMBERED BALANCE OF THE CITYWIDE INFRASTRUCTURE FUND (3027), COMPREHENSIVE STREETScape AND GREENSCAPE PROJECT (ORACLE NO. 12897); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $300,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE CITYWIDE INFRASTRUCTURE FUND (3027) RESULTING FROM THE ABOVE RESCISSION TO THE MUSEUM OF AMERICAN ARTS AND CRAFTS MOVEMENT STREETScape IMPROVEMENT PLAN PROJECT (ORACLE NO. TBD); APPROVING A RESCISSION IN THE AMOUNT OF $200,000 FROM THE UNENCUMBERED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), INTOWN STREETScape IMPROVEMENT FY15 PROJECT (ORACLE NO. 14602); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $200,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001) RESULTING FROM THE ABOVE RESCISSION TO THE MUSEUM OF AMERICAN ARTS AND CRAFTS MOVEMENT STREETScape IMPROVEMENT PLAN PROJECT (ORACLE NO. TBD); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The American Craftsman Museum, Inc. a.k.a. Museum of the American Arts and Crafts Movement is currently constructing a 5 story, 137,100 square foot museum ("Museum") that
includes exhibit space, galleries, a retail shop, a 3,600 square foot event space, 100 seat auditorium, an area for children’s education, graphic arts studio, a 9,000 square foot restaurant, and administrative offices; and

WHEREAS, the Developer has previously constructed a 303 space parking structure for the benefit of Museum patrons, surrounding businesses and residents of St. Petersburg; and

WHEREAS, City of St. Petersburg, Florida (“City”) has received a request from Developer for funding to implement certain streetscape improvements, as well as assistance in marketing the Museum and installing wayfinding signs to direct people to the Museum; and

WHEREAS, museums are an important part of the economic development of the City; and

WHEREAS, using public funds to further the economic development of the City constitutes a valid public purpose; and

WHEREAS, the City has agreed to (i) contribute an amount not to exceed $500,000 (on a reimbursement basis) toward the costs of Developer implementing certain streetscape improvements, (ii) assist in marketing the Museum, and (iii) install wayfinding signs, subject to the terms and conditions of the Funding Agreement; and

WHEREAS, a (i) rescission in the amount of $300,000 in the Citywide Infrastructure Fund (3027), Comprehensive Streetscape and Greenscape Project and a supplemental appropriation in the Citywide Infrastructure Fund (3027), Museum of American Arts and Crafts Movement Streetscape Improvement Plan Project (Oracle No. TBD) and (ii) rescission in the amount of $200,000 in the Capital Improvement Fund (3001), Intown Streetscape Improvement FY15 project (Oracle No. 14602) and a supplemental appropriation in the Capital Improvement Fund (3001) Museum of American Arts and Crafts Movement Streetscape Improvement Plan Project (Oracle No. TBD) are needed to provide necessary funding for the Funding Agreement; and

WHEREAS, Administration recommends approval of this resolution.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Funding Agreement between the City of St. Petersburg, Florida and The American Craftsman Museum, Inc. a.k.a Museum of the American Arts and Crafts Movement (“Developer”) for the Developer to implement a streetscape improvement plan for the Museum of the American Arts and Crafts Movement in an amount not to exceed $500,000 is hereby approved.

BE IT FURTHER RESOLVED that the City Attorney’s Office is authorized to make non-substantive changes to the Funding Agreement to correct typographical errors and clarify provisions of the Funding Agreement to conform to City Council’s direction.

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

BE IT FURTHER RESOLVED that the appropriation in the amount of $300,000 in the Citywide Infrastructure Fund (3027), Comprehensive Streetscape and Greenscape Project (Oracle No. 12897) is hereby rescinded.

BE IT FURTHER RESOLVED that there are hereby approved from the unappropriated balance of the Citywide Infrastructure Fund (3027), resulting from the above rescission, the following supplemental appropriation for Fiscal Year 2018:
Citywide Infrastructure Fund (3027)
Museum of American Arts and Crafts
Movement Streetscape Improvement
Plan Project (Oracle No. TBD) $300,000

BE IT FURTHER RESOLVED that the appropriation in the amount of $200,000 in the General Capital Improvement Fund (3001), Intown Streetscape Improvement FY15 project (Oracle No. 14602) is hereby rescinded.

BE IT FURTHER RESOLVED that there are hereby approved from the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above recission, the following supplemental appropration for Fiscal Year 2018:

General Capital Improvement Fund (3001)
Museum of American Arts and Crafts
Movement Streetscape Improvement
Plan Project (Oracle No. TBD) $200,000

This Resolution shall become effective immediately upon its adoption.

Approvals:
City Attorney (Designee) Administration

Budget
331523
12-14-17 Meeting
THIS MUSEUM OF THE AMERICAN ARTS AND CRAFTS MOVEMENT FUNDING AGREEMENT ("Agreement") made and entered into this ______ day of __________, 2017 ("Effective Date"), by and between the City of St. Petersburg, Florida, a municipal corporation, whose address is P.O. Box 2842, St. Petersburg, Florida 33731 ("City") and The American Craftsman Museum, Inc., aka Museum of the American Arts and Crafts Movement, whose address is 355 4th Street North, St. Petersburg, Florida, 33703 ("Developer") (collectively "Parties").

RECITALS

WHEREAS, Developer is currently constructing a 5 story, 137,100 square foot museum (i.e. Museum of the American Arts and Crafts Movement, a not-for profit 501c3) ("Museum") that includes exhibit space, galleries, a retail shop, a 3,600 square foot event space, 100 seat auditorium, an area for children's education, graphic arts studio, a 9,000 square foot restaurant, and administrative offices; and

WHEREAS, the Developer has previously constructed a 303 space parking structure for the benefit of Museum patrons, surrounding businesses and residents of St. Petersburg; and

WHEREAS, City has received a request from Developer for funding to implement certain streetscape improvements, as well as assistance in marketing the Museum and installing wayfinding signs to direct people to the Museum; and

WHEREAS, museums are an important part of the economic development of the City; and

WHEREAS, using public funds to further the economic development of the City constitutes a valid public purpose; and

WHEREAS, the City has agreed to (i) contribute an amount not to exceed $500,000 toward the costs of Developer implementing certain streetscape improvements, (ii) assist in marketing the Museum, and (iii) install wayfinding signs, subject to the terms and conditions of this Agreement.

NOW THEREFORE, in consideration of the foregoing recitals (which are an integral part of this Agreement and are incorporated herein by reference) and the promises and covenants contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Parties agree as follows:

1. **TERM.** The term of this Agreement shall be ten (10) years commencing on the Effective Date ("Term"), unless this Agreement is earlier terminated as provided for herein.

2. **CITY FUNDING.** The City shall pay Developer an amount not to exceed $500,000 during the Term ("City Funding") toward the costs of Developer implementing the proposed streetscape improvement plan ("Streetscape Plan"), as set forth in Appendix A, which is attached hereto and made a part hereof. The Streetscape Plan may be revised by mutual written consent of the Parties and upon such mutual written consent Appendix A will be
deemed amended accordingly. The City will disburse the City Funding to Developer on a reimbursement basis pursuant to the Streetscape Plan, upon receipt of an invoice from Developer. The invoice shall include reimbursement documentation which evidences payment pursuant to the Streetscape Plan. After the City's review and approval of the invoice and reimbursement documentation, the City shall pay Developer the amount set forth in the invoice.

3. REPAYMENT OF CITY FUNDING. If Developer does not maintain the streetscape improvements in accordance with the Maintenance Plan (defined herein) during the Term of this Agreement or if the Developer does not operate the Museum during the Term of this Agreement, the City may require Developer to repay the City Funding to the City within thirty (30) days after notice to repay the City Funding has been delivered to Developer.

4. CITY OBLIGATIONS.

A. Wayfinding Signage. Subject to any Florida Department of Transportation approvals required, City shall, at no cost to Developer, install wayfinding signage that shall direct museum patrons to the Museum.

B. Streetscape. City will assist the Developer in obtaining the approvals necessary to implement the Streetscape Plan.

C. Marketing. City shall advocate with Developer before the Pinellas County Tourist Development Council for funding for the Museum and shall market the Museum in publications and marketing materials prepared by the City's Marketing Department.

5. DEVELOPER OBLIGATIONS.

A. Operate the Museum. Developer, at its sole cost and expense, shall construct, operate, and maintain the Museum during the Term of this Agreement.

B. Streetscape Improvements. Developer must implement the improvements set forth in the Streetscape Plan by December 31, 2019. Upon completion of all the improvements set forth in the Streetscape Plan, the Parties shall execute a Memorandum of Completion substantially similar to Exhibit "B", attached hereto.

C. Maintenance. Prior to the Parties executing the Memorandum of Completion, Developer shall submit to City a plan for the repair and maintenance of the streetscape improvements set forth in the Streetscape Plan that are implemented pursuant to this Agreement ("Maintenance Plan"), which Maintenance Plan is subject to City approval. Once approved by City, Developer shall be responsible for repairing and maintaining the streetscape improvements set forth in the Streetscape Plan that are implemented pursuant to this Agreement for the Term in accordance with the approved Maintenance Plan. Developer acknowledges and agrees that City shall not be responsible for the repair or maintenance of the streetscape improvements set forth in the Streetscape Plan that are implemented pursuant to this Agreement. In the event Developer fails to repair and/or maintain the streetscape improvements set forth in the Streetscape Plan that are implemented pursuant to this Agreement, City shall have the right to remove any and all improvements.
6. **CITY RIGHTS TO USE MUSEUM SPACE.** During each year that the Museum is operating, City shall have the right to use space in the Museum up to twelve (12) times per year without the payment of any rental or use fee; provided, however, that City shall pay for all direct out-of-pocket expenses incurred in connection with such uses. The scheduling of days and times for City use of space in the Museum shall be mutually agreed upon by the Parties.

7. **INDEMNIFICATION.**

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

   i. The performance of this Agreement (including any amendments hereto) by Developer, its employees, agents, representatives or subcontractors; or

   ii. The failure of Developer, its employees, agents, representatives or subcontractors to comply and conform with applicable Laws (defined herein); or

   iii. Any negligent act or omission of Developer, its employees, agents, representatives, or subcontractors, whether or not such negligence is claimed to be either solely that of Developer, its employees, agents, representatives or subcontractors, or to be in conjunction with the claimed negligence of others, including that of any of the Indemnified Parties; or

   iv. Any reckless or intentional wrongful act or omission of Developer, its employees, agents, representatives, or subcontractors.

   B. The provisions of this paragraph are independent of, and will not be limited by, any insurance required to be obtained by Developer pursuant to this Agreement or otherwise obtained by Developer, and shall survive the expiration or earlier termination of this Agreement with respect to any claims or liability arising in connection with any event occurring prior to such expiration or termination.

8. **INSURANCE.**

   A. In addition to the insurance that Developer is required to maintain in accordance with applicable Laws, Developer shall obtain and maintain the following insurance:
i. Commercial general liability insurance in an amount of at least One Million Dollars ($1,000,000) per occurrence, Two Million Dollars ($2,000,000) aggregate in occurrences form. This policy shall include coverage for (i) personal injury or death or property damage or destruction; (ii) business interruption; (iii) fire legal liability in the minimum amount of One Hundred Thousand Dollars ($100,000); and (iv) contractual liability under this Agreement.

B. The commercial general liability insurance policy shall name City as an additional insured. Such policy shall provide that the City shall be notified at least thirty (30) days prior to any cancellation, reduction or material change in coverage. Developer shall provide City with Certificates of Insurance on a standard ACORD form reflecting all required coverage. All insurance required shall be provided by responsible insurers licensed in the State of Florida and rated at least A- in the then current edition of Best’s Insurance Guide.

9. CITY CONSENT AND ACTION.

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

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

10. ASSIGNMENT. Developer may not delegate performance nor assign this Agreement or any of its rights under this Agreement without the City’s prior written consent, which shall be granted or withheld in the City’s sole discretion.

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

CITY:

City of St. Petersburg, Florida
P. O. Box 2842
St. Petersburg, FL 33731
Attn: City Development Administrator
Phone: 727-892-5024
alan.delisle@stpete.org
12. **SEVERABILITY.** Should any paragraph or portion of any paragraph of this Agreement be rendered void, invalid or unenforceable by any court of law for any reason, such determination shall not render void, invalid or unenforceable any other paragraph or portion of this Agreement.

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

14. **TERMINATION.** Either party may terminate this Agreement upon written notice to the defaulting party in the event either party defaults on any of the terms or conditions of this Agreement and such failure continues for a period of thirty (30) days following notice from the notifying party specifying the default.

15. **GOVERNING LAW AND VENUE.** This Agreement shall be interpreted and construed in accordance with the laws of the State of Florida. Venue for any action brought in state court shall be in Pinellas County, St. Petersburg Division. Venue for any action brought in federal court shall be in the Middle District of Florida, Tampa Division, unless a division shall be created in St. Petersburg or Pinellas County, in which case the action shall be brought in that division. The Parties consent to the personal jurisdiction of the aforementioned courts and irrevocably waive any objections to said jurisdiction.

16. **ENTIRE AGREEMENT AND MODIFICATION.** This Agreement constitutes the entire agreement between the Parties pertaining to the subject matter covered herein and there are no oral representations, arrangements or understandings between or among the parties relating to the subject matter of this Agreement. No change to this Agreement will be valid unless made by a written amendment executed by the Parties.

17. **COMPLIANCE WITH LAWS.** Developer shall comply with all applicable federal, state, and local laws, ordinances, rules and regulations, the federal and state constitutions, and orders and decrees of any lawful authorities having jurisdiction over the matter at issue (collectively, "Laws"), including but not limited to Florida Public Records Laws (e.g. Chapter 119, Florida Statutes).

18. **NO THIRD PARTY BENEFICIARIES.** Notwithstanding anything to the contrary contained in this Agreement, persons or entities not a party to this Agreement may not claim any benefit hereunder or as third party beneficiaries hereto.
19. **NO CONSTRUCTION AGAINST PREPARER OF AGREEMENT.** This Agreement has been prepared by the City and reviewed by Developer and its professional advisors. The City, Developer and Developer's professional advisors believe that this Agreement expresses their agreement and that it should not be interpreted in favor of either the City or Developer or against the City or Developer merely because of their efforts in preparing it.

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

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

22. **BOOKS AND RECORDS.** Developer shall maintain financial books, records, and accounting information related to this Agreement. Developer shall, at any reasonable time requested by the City and as often as the City may deem necessary, make available to the City for examination all of its books, records and information with respect to all matters covered by this Agreement and shall permit the City or its designated authorized representatives to audit and inspect all such books, records and information relating to all matters covered by this Agreement. Developer shall retain all such books, records and information during the Term and for the retention periods set forth in the most recent General Records Schedule GS1-SL for State and Local Government Agencies following expiration or earlier termination of this Agreement. Nothing herein shall be construed to allow destruction of records that may be required to be retained longer by the statutes of the State of Florida.

23. **SURVIVAL.** All obligations and rights of any party arising during or attributable to the period prior to expiration or earlier termination of this Agreement, including but not limited to those obligations and rights related to indemnification and the City's rights to use space in the Museum, shall survive such expiration or earlier termination.

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

25. **PERMITS AND LICENSES.** Developer shall be responsible for obtaining any and all necessary permits, licenses, certifications and approvals which may be required by any government Developer in connection with Developer's performance of this Agreement. Upon request of the City, Developer shall provide the City with written evidence of such permits, licenses, certifications and approvals.
26. **SUCCESSORS AND ASSIGNS.** This Agreement shall inure to the benefit of and be enforceable by and against the Parties, their heirs, personal representatives, successors, and assigns, including successors by way of reorganization.

27. **SUBCONTRACT.** The hiring or use of outside services or subcontractors in connection with the performance of Developer's obligations under this Agreement shall be permitted. Contractor shall be solely responsible for ensuring that any subcontractor retained by Contractor acts in a manner consistent with and in accordance with the terms and conditions of this Agreement. Contractor shall promptly pay all subcontractors and suppliers. In no event shall Contractor's retention of a subcontractor relieve Contractor of any of its duties, obligations or representations under this Agreement.

28. **RELATIONSHIP OF PARTIES.** Nothing contained herein shall be deemed or construed by the Parties, or by any third party, as creating the relationship of principal and agent or of partnership or of joint venture between the Parties, it being understood and agreed that nothing contained herein, nor any acts of the Parties, shall be deemed to create any relationship between the Parties other than the relationship of independent contractors and principals of their own accounts.

29. **NONDISCRIMINATION.** Developer, its employees, agents, representatives, contractors, subcontractors and volunteers shall not discriminate because of race, color, religion, gender, national origin, marital status, age, disability, sexual orientation, genetic information or other protected category.

30. **NO RESPONSIBILITY OR LIABILITY.** The City shall not be responsible for or incur any liability for any claims or demands arising out of or in connection with this Agreement (including the streetscape improvements set forth in the Streetscape Plan that are implemented pursuant to this Agreement) or the operation of the Museum.

REMAINING PORTION INTENTIONALLY LEFT BLANK
IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives on the day and date first above written.

THE AMERICAN CRAFTSMAN MUSEUM, INC.

By: ______________________________
Print: ____________________________
Title: ____________________________

WITNESSES

By: ______________________________
Print: ____________________________

CITY OF ST. PETERSBURG, FLORIDA:

By: ______________________________
Print: ____________________________
Title: ____________________________

ATTEST:

(SEAL)

City Clerk (Designee)

Approved as to Form and Content:

City Attorney (Designee)

351640 12-1-17
Exhibit A

Proposed Streetscape Improvement Plan

<table>
<thead>
<tr>
<th>STREETSCAPE ITEMS</th>
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<td>Remove and replace light poles</td>
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<td>New bench on 4th St.</td>
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<td>12&quot; stabilized subgrade offsite</td>
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| SUBTOTAL                                             | $498,730 |

Exhibit B

Completion of Streetscape Improvements

THIS MEMORANDUM OF COMPLETION is entered into this _______ day of ________, 20____, by and between the City of St. Petersburg, Florida ("City"), a municipal corporation, whose address is P.O. Box 2842, St. Petersburg, Florida 33731 and The American Craftsman Museum, Inc., aka Museum of the American Arts and Crafts Movement ("Developer"), whose address is 355 4th Street North, St. Petersburg, Florida, 33703.

The Parties hereto agree that all of the Developer obligations related to the implementation of the streetscape improvements set forth in the Streetscape Plan in accordance with the terms and conditions of Museum of the American Arts and Crafts Movement Funding Agreement ("Agreement") dated ___________________________ have been completed as of the date first written above. Developer shall repair and maintain such improvements in accordance with the Agreement, including the Maintenance Plan (as defined in the Agreement). All other terms and conditions set forth in the Agreement remain in effect, including the City's right to use space in the Museum to 12 times per year that the Museum is operating without the payment of a rental or use fee.

Museum of the American Arts and Crafts Movement

By: __________________________

Tom Magoulis, as its Manager

City of St. Petersburg, Florida

By: __________________________

Print: __________________________

Approved as to Form and Content

__________________________
City Attorney (Designee)
ST. PETERSBURG CITY COUNCIL

Meeting of December 14, 2017

INFORMATIONAL ITEM

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

SUBJECT: Item E-2 – Update on Healthy St. Petersburg Foundation/ Bayfront Health.

FOUNDATION REQUEST: The City of St. Petersburg ("City") received a request from the Foundation for a Healthy St. Petersburg, Inc. ("Foundation") to have the City Council approve the sale of the Foundation's interest in the Joint Venture Entity (defined below) to Community Health Systems, Inc. ("CHS"). This would result in the Foundation no longer being an owner of the Joint Venture Entity which is a party to the Bayfront Hospital lease and wholly owns the Tenant of such lease.

BACKGROUND: The City is the owner of a large, metropolitan, acute care hospital located at 701 Sixth Street South, St. Petersburg, Florida, which was established in 1906 in response to the healthcare needs of the community. The hospital evolved into the City-owned Mound Park hospital, which the City operated until 1968. In 1968, following the recommendations of a Special Planning Commission, the hospital facility was leased to Bayfront Medical Center, Inc., a Florida not-for-profit corporation, then a wholly owned subsidiary of Bayfront Health System, Inc., a Florida not-for-profit corporation ("BHS"), who operated the hospital as Bayfront Hospital ("Hospital") on behalf of the City until 2012.

In 2012, BHS informed the City that due to material changes in the healthcare industry BHS would need to form a strategic partnership with a larger hospital operator to provide for the continued operation of the Hospital. An agreement was reached between BHS, Health Management Associates, Inc., a Delaware for profit corporation ("HMA") and Shands Teaching Hospital and Clinics, Inc., a Florida not-for-profit corporation ("Shands") to form a partnership for the continued operation of the Hospital.

The partnership resulted in BHS, repurposed and renamed as Bayfront Health, Education and Research Organization ("BHERO"), and HMA forming a joint venture entity, Bayfront HMA Healthcare Holdings, LLC, a Florida limited liability company. The joint venture entity is owned 80% by Central Florida HMA Holdings, LLC, a wholly owned subsidiary of HMA ("CFHMA") and 20% by Bayfront HERO Holdings, LLC, a wholly owned subsidiary of BHERO ("BHH") with Shands being a clinical partner (collectively, "Joint Venture Entity").

The Joint Venture Entity then formed, and owns 100% of, a second entity, Bayfront HMA Medical Center, LLC ("Tenant"). The Tenant is the actual tenant entity for the lease of the Hospital, and is responsible for the operation and management of the Hospital.
The City, the Tenant and the Joint Venture Entity executed an Amended and Restated Lease Agreement on April 1, 2013 ("Restated Lease") with business points that include the following:

- **Initial term expiring June 30, 2063**, with two (2) renewal option terms of ten (10) years each.
- **Nominal monetary rent.** In 1983, a lease was entered into between the City and BHS which provided that nominal rent ($10 per year) was pre-paid through 2047. The Restated Lease provided for a nominal rent of $10 per year to be pre-paid for the 16 years of the Restated Lease term beyond the already pre-paid rent under the terms of the 1983 lease with a Florida not-for-profit corporation. Upon payment of the additional rent of $160 no additional rent payment is due during the initial term under the terms of the Restated Lease.
- **Charity policy requiring the continuation of charitable care.** The current charity care policy is attached to the Restated Lease as an exhibit and requires City Council approval to change in the future. The policy does not define a specific amount of charity care the Tenant must provide, rather it defines the qualifications for determining if patients are eligible for financial assistance programs.
- **The Joint Venture Entity ownership to be maintained.** Ownership can only be changed if it does not reduce the CFHMA equity interest to less than 51% or BHH's equity interest to less than 20%, unless approved by City Council.
- **Voting structure of the Joint Venture Entity.** Requires that CFHMA and BHH will each have an equal number of directors on the Joint Venture Entity's Board of Directors and each such director will have one vote.
- **At the end of the term or earlier termination of the Restated Lease,** the Tenant is required to turn over to the City a fully functional licensed acute care hospital.

The majority of the rental consideration the City receives from the Restated Lease is in the form of the charity care the Tenant provides, governed by a charity care policy found attached as an exhibit to the Restated Lease ("Policy"). The Policy provides that "The purpose of the policy is to provide a systematic method for evaluating uninsured or underinsured patients for financial assistance programs such as community care, charity care, Pinellas County Health Plan." However, the Policy does not define how much charity care must be provided by the Tenant, only that the Policy must be followed in making eligibility determinations.

Administration supported requiring compliance with this Policy rather than requiring that Tenant provide a minimum amount of charity care in return for, among other things, the Foundation having an equal number of directors on the Joint Venture Entity's board of directors (even though the Foundation only owned 20% of the Joint Venture Entity). City Administration believed that by requiring an equal number of directors on the Joint Venture Entity board the Foundation would be able to 1) ensure the fulfillment of the City's priority of the Hospital providing for indigent care to the residents of St. Petersburg and 2) provide ongoing operational stability due to the Foundation having St. Petersburg citizens on the hospital board with historic knowledge and an understanding of the of the hospital’s local vision and mission.
Subsequent to the execution of the Restated Lease 1) Shands exited the Joint Venture Entity as a clinical partner, 2) HMA sold its overall ownership interest to Community Health Systems, Inc. ("CHS"), 3) BHERO was repurposed and renamed Foundation for a Healthy St. Petersburg, Inc., and BHH was renamed FHSP Holdings, LLC ("FHSPH"). Currently CHS, through CFHMA, and the Foundation, through FHSPH, are the owners of the Joint Venture Entity (80% and 20% ownership interests, respectively), which in turn is the owner of the Tenant.

**CURRENT SITUATION:** The Foundation has requested that the City Council approve the sale of the Foundation’s interest in the Joint Venture Entity to CHS.

**ANALYSIS:** The Foundation’s request for City Council to approve the sale of the Foundation’s interest in the Joint Venture Entity to CHS is a request City Council has the discretion to approve under the terms of the Restated Lease.

In the event the City Council approves the Foundation’s request, the result will be the City leasing a City-owned asset, valued by appraisers at between One Hundred Thirty Five Million One Hundred Thousand Dollars ($135,100,000) and One Hundred Seventy Nine Million Seven Hundred Thousand Dollars ($179,700,000), to a for profit, publicly traded company, CHS, with no rental payments due for the duration of the term of the lease. The only consideration the City will receive for the remainder of the term would be charity care in accordance with the Policy, which only defines qualifications for determining if patients are eligible for financial assistance programs.

**PROPOSED ACTION:** Administration believes the Foundation’s request substantially and materially changes the intent of the Restated Lease, and necessitates a lease amendment be a condition of approval of the Foundation’s request to address the change. If the City were to negotiate a lease directly with a for profit, publicly traded company, the resulting lease agreement would contain business points substantially different than those found in the Restated Lease.

Traditionally the City has relied upon appraisals to determine what a fair market value is for the disposition of City-owned assets, either by sale or by leasing. To determine a fair market value of the Hospital if the City were to create a new lease with a for profit company, the City had appraisals performed by two licensed commercial general appraisers to determine a fair market lease valuation. Heron Valuation Group determined a fair market lease rate to be $17,014,128 annually, and Callaway & Price, Inc. determined a fair market lease rate to be $8,800,000.00 annually.

To address the lack of rental payment, Administration would support a second amendment to the Restated Lease (the first amendment modified the leased premises shortly after the creation of the Restated Lease) that specifies a minimum amount of charity care Tenant would be required to provide on an annual basis of Ten Million Dollars ($10,000,000) as an alternative to Tenant paying fair market rent to the City. The amount of minimum charity care was determined based
upon the results of the appraisals, and represents what Administration could consider to be a fair market rental rate for the Hospital.

Administration directed Real Estate & Property Management to prepare a draft second amendment accordingly for CHS review, which was provided to CHS for their review and input on November 7, 2017.

Subsequently, CHS has indicated that they are not supportive of a second amendment to the Restated Lease. CHS' attorney has indicated that "CHS cannot put the hospital lease at risk" by amending the Restated Lease, and confirmed this position at several meetings held to attempt to arrive at a mutually acceptable agreement.

Rather, CHS has proposed making the City a party to the Membership Interest Purchase Agreement ("MIPA") by and between CHS and the Foundation. CHS proposes the performance standards that would survive the sale would be created in the MIPA. Under this theory, if CHS failed to perform to the said standards the City could conceivably be able to call CHS into default of the MIPA, specifically the requirement that a minimum of Ten Million Dollars ($10,000,000) annually in charity care be provided by the Tenant.

CHS has indicated that the other performance standards still included in the lease, such as the requirement to spend One Hundred Million Dollars ($100,000,000) as provided for in the Restated Lease and maintaining an at least Level II trauma center, along with continuing to provide charity care in accordance with the Policy, constitute sufficient rental consideration and, therefore, the sale of the Foundation's interest in the Joint Venture Entity does not require amending the Restated Lease. However, at face value those are items that have to be done in the normal course of the business of operating a hospital, but do not address the lack of a true rent or definable item in the lease to off-set the fair market rent that a for profit entity should be paying to the City.

Administration has concerns with limiting the City's remedy to attempted enforcement of the MIPA in the event that Tenant fails to provide a minimum of Ten Million Dollars ($10,000,000) of charity care, as this would be a circuitous route to enforce compliance. Stated another way, Administration believes it is more appropriate and in the City’s best interest to impose the Ten Million Dollars ($10,000,000) minimum charity care requirement in the Restated Lease since that requirement would be an obligation of the Tenant and is based on the Policy set forth in the Lease. Moreover, since the City intended and reasonably expected that the Foundation would oversee and safeguard Tenant's provision of charity care pursuant to the Restated Lease, Administration believes removing the Foundation from this role warrants alternative charity care assurances in the Restated Lease. In the event that the Restated Lease is not amended and the minimum charity care set forth in the MIPA is not provided, the City would not be able to default the Restated Lease. As such, Administration is not supportive of the MIPA in lieu of an amendment to Restated Lease.

ATTACHMENTS: Second Amendment to Restated Lease, Second Amendment to Membership Interest Purchase Agreement.
SECOND AMENDMENT TO THE AMENDED AND RESTATED LEASE AGREEMENT

CITY OF ST. PETERSBURG

BAYFRONT HMA MEDICAL CENTER, LLC

2017
SECOND AMENDMENT TO
THE AMENDED AND RESTATED LEASE AGREEMENT

THIS SECOND AMENDMENT TO THE AMENDED AND RESTATED LEASE AGREEMENT, ("Second Amendment") made this ____ day of _____________, 2017 by and between the CITY OF ST. PETERSBURG, FLORIDA, a Florida municipal corporation ("City"), and Bayfront HMA Medical Center, LLC, a Florida limited liability company ("Tenant"), (individually, a "Party" and collectively, "Parties"), and Bayfront HMA Healthcare Holdings, LLC, a Florida limited liability company (referred to in the original Amended and Restated Lease as "Joint Venture" and after the sale described below as "Holding Company"), and is made with reference to the following facts:

RECITALS

WHEREAS, the Parties executed an Amended and Restated Lease Agreement on April 1, 2013; and

WHEREAS, the Parties executed a First Amendment to the Amended and Restated Lease Agreement on September 26, 2013 amending the legal description of the property that is the subject of the lease (the Amended and Restated Lease Agreement as amended by the First Amendment, ("Lease"); and

WHEREAS, the Lease references a strategic partnership between Bayfront Health, Education and Research Organization, Inc. a not for profit corporation ("BHERO"), Shands Teaching Hospital and Clinics, Inc., a Florida not for profit corporation ("Shands"), and Health Management Associates, Inc., a Delaware for profit corporation ("HMA"); and

WHEREAS, subsequent to the execution of the Lease Shands withdrew from the strategic partnership; and

WHEREAS, in 2014 HMA was acquired by Community Health Systems, Inc. ("CHS"); and

WHEREAS, BHERO and CHS through their wholly owned subsidiaries own Joint Venture and Joint Venture owns 100% of the equity in Tenant; and

WHEREAS, in 2015 BHERO was repurposed and renamed as the Foundation for a Healthy St. Petersburg, Inc. ("Foundation") and changed its status to a private foundation; and

WHEREAS, the change in status to a private foundation on the part of the Foundation resulted in tax consequences to the Foundation; and

WHEREAS, due to such tax consequences and to allow the Foundation to more fully pursue its goals and strategies in accordance with the Foundation's new purpose, the Foundation has requested that the City approve the sale of the Foundation's ownership interest in Joint Venture to CHS; and
WHEREAS, paragraph 54 of the Lease provides that such sale is subject to City Council approval; and

WHEREAS, City Council supports the Foundation’s request, provided that Tenant commits to providing a minimum amount of quantifiable charitable care as more specifically described in this Second Amendment; and

WHEREAS, following the Foundation’s sale of its interest in Joint Venture, CHS will solely own such entity and such entity will no longer be a joint venture; and

WHEREAS, accordingly, references in the Lease to "Joint Venture" will be replaced with the term "Holding Company" to more accurately reflect the ownership structure of such entity.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the Parties hereto agree as follows:

1. RECITALS. The statements contained in the recitals of fact set forth above (collectively, the "Recitals") are true and correct and the Recitals are, by this reference, made a part of this Second Amendment.

2. AMENDMENTS TO LEASE. The Lease is hereby amended as follows:

2.1. All references to "Joint Venture" in the Lease are replaced with "Holding Company".

2.2. Paragraph 7.3 is deleted and replaced with the following:

7.3. MINIMUM CHARITY CARE.

7.3.1 Except as otherwise provided in paragraph 7.3.3 below and notwithstanding anything to the contrary contained in this Lease, Tenant shall provide at least $10,000,000, measured in actual cost to the Hospital without markup, of Qualifying Charity Care per calendar year ("Minimum Charity Care"). For purposes of this paragraph 7.3.1, Qualifying Charity Care shall mean charity care provided to legal residents of St. Petersburg in accordance with the Charity Care Policy (as hereinafter defined) and for which the Hospital neither seeks or receives any compensation of any kind from any source (e.g., no payment from patient, no effort to seek payment from patient either directly or through debt collection, no reimbursement from health insurance, Medicare or Medicaid, etc.). Further, Qualifying Charity Care shall not include any medical care required to be provided pursuant to applicable Laws (as hereinafter defined).

7.3.2 No later than March 15 of each calendar year, Tenant shall provide to the City without demand or notice a written certification signed by the Chief Operating Officer of Tenant stating the amount of Qualifying Charity Care provided by Tenant in the previous calendar year ("Charity Care Provided"). Such certification shall also include a summary of the types of Qualifying Charity Care.
provided and number of patients (i.e., legal residents of St. Petersburg) provided with Qualifying Charity Care.

7.3.3 In the event the amount of Charity Care Provided in a calendar year is less than the annual Minimum Charity Requirement set forth in paragraph 7.3.1., Tenant shall pay to the City an amount equal to Minimum Charity Care minus Charity Care Provided. Such amount shall constitute Additional Rent, as hereinafter defined, and be paid to the City on or before April 15 of each calendar year.

7.3.4 Reopener Language – Proposed language to be provided by CHS

2.3. A new Paragraph 7.4 is added as follows:

7.4 Other Consideration. At the expiration or earlier termination of this Lease, Tenant shall surrender such property and take such actions required by paragraph 28 of this Lease in accordance therewith. It is the intention of the Parties that such surrender and actions by Tenant shall enable City to continue to have a fully functional licensed acute care hospital.

2.4. Paragraph 12.4 is changed to read as follows:

12.4 Annual Oral Report. Within ninety (90) days of the close of Tenant’s fiscal year, No later than April 1 of each calendar year, Tenant shall provide an annual oral report to the City of St. Petersburg City Council ("City Council") regarding the state of the Hospital and Tenant’s ongoing pursuit of its Goals, including but not limited to metrics used to report levels of charity care and Tenant’s compliance with the Charity Care Policy, Charity Care Provided, the then current levels of Medicare and Medicaid patients, Tenant’s accreditation status, quantification of its heath education, Tenant’s relationship with its partners, significant Hospital and healthcare improvements, future plans, and other information requested by City Council or the Mayor.

2.5. Paragraph 23 is deleted and replaced with the following:

23. ASSIGNMENT; SALE; CHANGE IN OPERATIONAL CONTROL.

23.1 By Tenant or Involuntary Assignment. Tenant may not assign this Restated Lease or any of its rights under this Restated Lease, nor sell, convey or grant any stock or ownership interest in Tenant, without City Council’s prior approval, which approval shall be in City Council’s sole discretion. Any such purported assignment, sale, conveyance or grant shall be immediately null and void and shall constitute a default of this Restated Lease and City shall have the rights set forth in paragraph 25 of this Lease. Any purported involuntary assignment of this Lease or assignment by operation of law, whether by bankruptcy or
insolvency, merger or acquisition (whether as the surviving or disappearing entity), consolidation, dissolution, reorganization, transfer of Tenant or controlling interest in Tenant, or court order effectuating such assignment or any other method, shall be immediately null and void and shall constitute a default of this Lease and City shall have the rights set forth in paragraph 25 of this Lease, unless such underlying transaction is approved by City Council, which approval shall be in City Council’s sole discretion.

23.2 **Operational Control.** Tenant is a wholly owned subsidiary of Holding Company and Holding Company is a wholly owned subsidiary of CHS. Tenant, Holding Company and CHS have full and exclusive operational control of the Hospital ("Existing Operational Control"), subject to compliance with applicable Laws, as hereinafter defined. In addition to the prohibitions and restrictions set forth in paragraph 23.1.1 above, there shall be no change in Existing Operational Control (including but not limited to operational control related to the provision of charity care) unless such change is approved by City Council, which approval shall be in City Council’s sole discretion. Failure to obtain such approval shall constitute a default of this Lease and City shall have the rights set forth in paragraph 25 of this Lease.

23.3 **By City.** This Lease and all rights, title and interest of City hereunder are fully and freely assignable by City, and in the event of any such assignment, Tenant shall attorn to the assignee.

2.6. Paragraph 54 is deleted and replaced with the following:

54. **HOLDING COMPANY.** Holding Company is a Florida limited liability company solely owned by CHS. CHS shall not sell, convey, or grant any stock or equity interest in Holding Company ("Transfer") without City Council approval, which approval shall be granted or withheld in City Council’s sole discretion. Any Transfer not receiving City Council’s approval shall be deemed a prohibited transfer ("Prohibited Transfer"). Any purported Prohibited Transfer shall be immediately null and void and shall constitute a default of this Lease. Any purported involuntary Transfer or Transfer by operation either by bankruptcy, insolvency, or merger, whether as a surviving or disappearing entity, consolidation, dissolution, reorganization, transfer of controlling interest in Holding Company, or court order effectuating such Transfer, or any other method of involuntary transfer, shall be immediately null and void and shall constitute a default of this Lease. City shall have the rights set forth in paragraph 25 of this Lease unless (a) such Transfer or underlying transaction is approved by City Council, which approval shall be in the sole discretion of City Council; or (b) unless such approval is not required by this paragraph 54. Nothing contained in this paragraph 54 is intended to permit a variance from the requirement that Tenant operate a secular Hospital in accordance
with paragraph 10.2.8 of this Lease and otherwise comply with paragraph 31.6 of this Lease.

2.7 Paragraph 55 is deleted and replaced with the following:

55. NOTICES; PAYMENTS. Any notice, payment, demand, consent, request or other instrument which may be or is required to be given or delivered under this Second Amendment shall be in writing and shall be deemed to be delivered (i) whether or not actually received, ten (10) days after deposited in the United States mail, postage prepaid, certified or registered mail, return receipt requested, or (ii) when received (or when receipt is refused) if delivered personally or sent by a nationally recognized overnight courier, all charges prepaid, at the address of City or Tenant as set forth in this paragraph. Either Party may change its address hereunder by providing notice to the other Party given in accordance with this paragraph (such change of address to be effective ten (10) days following delivery to the non-changing Party). The Parties acknowledge that any notice sent by facsimile or e-mail is for convenience only, and shall not be deemed to be proper notice required hereunder.

If to City:
City of St. Petersburg
Director of Real Estate and Property Management
P.O. Box 2842, St. Petersburg, Florida 33731

With a copy to:
City of St. Petersburg
City Attorney
P.O. Box 2842, St. Petersburg, Florida 33731

If to Tenant
Bayfront HMA Medical Center, LLC
Attention: President and CEO
5811 Pelican Bay Blvd, Suite 500, Naples, Florida 34108

With a copy to:
Office of General Counsel
Attention: General Counsel
5811 Pelican Bay Blvd, Suite 500, Naples, Florida 34108

3.0 All terms and conditions of the Lease (as previously amended) not specifically amended by this Second Amendment shall remain in full force and effect.
IN WITNESS WHEREOF, the Parties hereto have caused this Second Amendment to be executed by their duly authorized representatives on the day and date first written above.

WITNESSES

BAYFRONT HMA MEDICAL CENTER, LLC, a Florida limited liability company

By: (TBD from CHS), LLC its Manager

Sign: ___________________________
Print: ___________________________

By: ___________________________
(Name, Title from CHS)

Date: ___________________________

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this _______ day of _________, 2017, by (Name from CHS), as (Title from CHS) of (Name of Company From CHS), LLC, a Florida limited liability company, as Manager of BAYFRONT HMA MEDICAL CENTER, LLC, a Florida limited liability company, organized under the laws of the State of Florida, on behalf of the company and appeared before me at the time of notarization. He/She is personally know to me or produced ________________ as identification.

Notary Public – State of Florida

(Notary Seal)

Signature
WITNESSES

Sign:________________________
Print:________________________

By: (TBD from CHS), LLC its Manager

Sign:________________________
Print:________________________

By:________________________
(Name, Title from CHS)

Date:________________________

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this _______ day of ___________ 2017, by (Name from CHS), as (Title from CHS) of (Name of Company from CHS), LLC, a Florida limited liability company, as Manager of BAYFRONT HMA MEDICAL CENTER, LLC, a Florida limited liability company, organized under the laws of the State of Florida, on behalf of the company and appeared before me at the time of notarization. He/She is personally know to me or produced ________________ as identification.

Notary Public – State of Florida

(Notary Seal)

Signature
STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this ___ day of _____________ 2017, by Rick Kriseman and Chan Srinivasa, as Mayor and City Clerk, respectively, of the City of St. Petersburg, Florida, a municipal corporation, existing under the laws of the State of Florida, on behalf of the corporation. They are personally known to me and appeared before me at the time of notarization.

Notary Public - State of Florida

Notary Signature

APPROVED AS TO CONTENT:

City Attorney (Designee)
By: ________________________________
Assistant City Attorney

APPROVED AS TO FORM:

City Attorney (Designee)
By: ________________________________
Assistant City Attorney
SECOND AMENDMENT TO MEMBERSHIP INTEREST PURCHASE AGREEMENT

THIS SECOND AMENDMENT TO MEMBERSHIP INTEREST PURCHASE AGREEMENT (this "Second Amendment") is dated as of November ___, 2017, by and among FHSP HOLDINGS, LLC, a Florida limited liability company ("Seller"), CENTRAL FLORIDA HMA HOLDINGS, LLC, a Delaware limited liability company ("Buyer"), BAYFRONT HMA HEALTHCARE HOLDINGS, LLC, a Florida limited liability company (the "Company"), and solely for purposes of Sections 9.15 and 9.16 the CITY OF ST. PETERSBURG, FLORIDA, a Florida municipal corporation (the "City"). Seller, Buyer, the Company and the City are sometimes referred to here as the "Parties". Capitalized terms used but not otherwise defined in this Second Amendment shall have the meanings ascribed to such terms in the Purchase Agreement.

RECITALS:

A. Buyer and Seller are the only two (2) members of the Company, holding eight percent (80%) and twenty percent (20%), respectively, of the total outstanding limited liability company interest of the Company. The Company holds one hundred percent (100%) of the outstanding limited liability company interest of Bayfront HMA Medical Center, LLC, a Florida limited liability company that leases the assets and holds the licenses necessary to operate the acute care hospital known as Bayfront St. Petersburg (the "Hospital").

B. Concomitant with a corporate sale and reorganization transaction involving Buyer, Seller, the Company and certain affiliates thereof during 2013, the Hospital, the Company and the City entered into that certain Amended and Restated Lease Agreement, dated April 1, 2013 and recorded on April 2, 2013 in O.R. Book 7945, Page 2267, et seq., Public Records of Pinellas County, Florida (the "Lease"). The Lease governs the Hospital’s use, operation, maintenance and improvement of the assets leased by the Hospital, as tenant, from the City, as landlord, in connection with the Hospital’s provision of health care services to residents of the City.

C. Section 54 of the Lease states, among other things, that Buyer and Seller (as equity owners of the Company) shall not take any action which will have the effect of (i) reducing the Seller’s equity interest to less than twenty percent (20%) or (ii) changing the voting structure of the Company, in each case, without approval of the City Council (individually, a "Consent Request" and, collectively, the "Consent Requests").

D. Seller, Buyer and the Company entered into that certain Membership Interest Purchase Agreement, dated as of May 15, 2017, which was amended by that certain First Amendment to Membership Interest Purchase Agreement, dated as of September 26, 2017 (as amended, the "Purchase Agreement"), pursuant to which, inter alia, Seller has agreed to sell to Buyer, and Buyer has agreed to purchase, Seller’s twenty percent (20%) ownership interest in the Company, subject to (among other conditions) approval of each Consent Request by the City.

E. The City has agreed to approve each Consent Request in exchange for the Hospital’s commitment to provide the Minimum Charity Care Amount (as defined below) in order to solidify the Hospital’s continued commitment to providing healthcare services to needy and underserved persons who are unable to pay for medical costs, during the term of the Lease, after the Company which owns and controls the Hospital undergoes a change in ownership and voting structure.
F. The Parties now desire to amend the Purchase Agreement, in accordance with the provisions of Section 10.20 of the Purchase Agreement, as set forth herein.

AGREEMENT:

NOW, THEREFORE, for and in consideration of the premises and the agreements, covenants, representations, and warranties hereinafter set forth and other good and valuable consideration, the receipt and adequacy of which are forever acknowledged and confessed, the Parties agree as follows:

1. **Parties to the Purchase Agreement.** The City hereby joins as a party to the Purchase Agreement for purposes of Sections 9.15 and 9.16 of the Purchase Agreement, as amended by this Second Amendment. The City hereby agrees to be bound by Sections 9.15 and 9.16 of the Purchase Agreement.

2. **Approved Consent Requests.** The following new Section 9.15 of the Purchase Agreement is hereby created and made part of the Purchase Agreement:

   "**9.15 Approved Consent Requests.** The City hereby consents to the (i) sale and transfer of Seller's Interest in, and (ii) change in the voting structure of, the Company, each as required by, and in accordance with the provisions of, the Lease."

3. **Charity Care.** The following new Section 9.16 of the Purchase Agreement is hereby created and made part of the Purchase Agreement:

   **9.16 Charity Care.** Following the Closing Date, the Parties agree to the following:

   **(a) Charity Care.** In consideration for the City approving the Consent Requests, the Hospital, during the term of the Lease, agrees to provide a minimum of $10 million annually in uncompensated health care services consistent with the Hospital's existing Charity Care Policy, attached hereto as Exhibit C, (the "Minimum Charity Care Amount"), which shall be calculated in arrears as set forth in Section 9.16(b) below. The Minimum Charity Care Amount shall be determined annually and certified by the Hospital in its annual report to the City, as required by the Lease; provided however, that failure by the Hospital to report or to provide the Minimum Charity Care Amount shall not be considered a default under the Lease or otherwise, or a failure of the Hospital to comply with the terms and conditions of the Lease.

   **(b) Calculation of Minimum Charity Care Amount; Cure Period.** The Parties hereby agree that, notwithstanding anything to the contrary (other than the "cure period"), the Minimum Charity Care Amount shall be calculated for all purposes as the average gross charges associated with uncompensated care at the Hospital for the then most recently completed three calendar years. Meaning, for illustrative purposes only, if the annual average gross charges associated with uncompensated care at the Hospital for years 2015, 2016 and 2017 is equal to or greater than $10 million, then the Hospital shall be in compliance with the Minimum Charity Care Amount for the 2018 calendar year. The Parties hereby further agree that the Hospital shall have a one-year "cure period" meaning that if, in the illustration above, the annual average gross charges associated with uncompensated
care at the Hospital for years 2015, 2016 and 2017 is not equal to or greater than $10 million, then the Hospital shall be entitled to calculate the Minimum Charity Care Amount for the 2018 calendar year using the annual average gross charges associated with uncompensated care at the Hospital for years 2015, 2016, 2017 and 2018.

(c) Ability to Revisit the Minimum Charity Care Amount. The Minimum Charity Amount shall have no effect on the existing terms and conditions of the Lease and shall be subject, in all respects, to (a) changes in legal requirements, reimbursements rules or governmental guidelines or policies affecting the Hospital. In addition, the Parties hereby agree to meet and confer in good faith negotiations to reach a reasonable amendment or modification to the Minimum Charity Amount for any mutually acceptable reason, including, but not limited to (a) recommendation from the Board of Trustees of the Hospital; (b) revisions or modifications to comply with similar hospital charity care policies in same geographical area as the Hospital; (c) material changes to, or elimination of, services or service lines of the Hospital, including, but not limited to, trauma services or labor and delivery services.

(d) Guarantee of Performance; Exclusive Remedy. Buyer and Seller shall guarantee to the City the full and timely performance by the Hospital of its obligation to provide the Minimum Charity Care Amount pursuant to this Agreement, subject to adjustments, modifications or right to cure described herein. Unless explicitly stated otherwise elsewhere in this Agreement, no Person other than the Parties themselves has any rights or remedies under this Agreement.

4. Effect on Purchase Agreement. Except as set forth in this Second Amendment, the terms and provisions of the Purchase Agreement remain unchanged and in full force and effect and are hereby affirmed. Each reference in the Purchase Agreement to “this Agreement,” “herein,” “hereof,” “hereby,” “hereto” and “hereunder” or words of like import, and each reference to the Purchase Agreement in the other documents and agreements executed and delivered by any of the signatories to this Second Amendment, shall mean and be a reference to the Purchase Agreement as amended by this Second Amendment.

5. General.

5.1 Consents, Approvals and Discretion. Except as herein expressly provided to the contrary, whenever this Second Amendment requires any consent or approval to be given by a Party, or whenever a Party must or may exercise discretion, the Parties agree that such consent or approval shall not be unreasonably withheld or delayed and such discretion shall be reasonably exercised.

5.2 Legal Fees and Costs. In the event a Party elects to incur legal expenses to enforce or interpret any provision of this Second Amendment by judicial or administrative proceedings, the prevailing Party will be entitled to recover such legal expenses, including, without limitation, reasonable attorneys’ fees, costs, and necessary disbursements at all court levels, in addition to any other relief to which such Party shall be entitled.
5.3 **Choice of Law.** The parties agree that this Second Amendment shall be governed by and construed in accordance with the laws of the State of Florida without regard to conflict of laws principles.

5.4 **Benefit/Assignment.** Subject to provisions herein to the contrary, this Second Amendment shall inure to the benefit of and be binding upon the Parties hereto and their respective legal representatives, successors, and assigns. No Party may assign this Second Amendment without the prior written consent of the other parties, which consent shall not be unreasonably withheld; provided, however, that any Party may, without the prior written consent of the other parties, assign its rights and delegate its duties hereunder to one or more Affiliates (hereinafter defined).

5.5 **Waiver of Breach.** The waiver by any Party of a breach or violation of any provision of this Second Amendment shall not operate as, or be construed to constitute, a waiver of any subsequent breach of the same or any other provision hereof.

5.6 **Notice.** Any notice, demand, or communication required, permitted, or desired to be given hereunder shall be deemed effectively given when personally delivered, when received by receipted overnight delivery, or five (5) days after being deposited in the United States mail, with postage prepaid thereon, certified mail, return receipt requested, addressed as follows:

**Seller:**
FHSP Holdings, LLC
744 6th Avenue South
St. Petersburg, Florida 33701
Randall H. Russell, President and CEO

With a simultaneous copy to:
Shumaker, Loop & Kendrick, LLP
101 E. Kennedy Blvd. Suite 2800
Tampa, Florida 33602
Attention: Erin Abel

**Buyer:**
Central Florida HMA Holdings, LLC
c/o CHSPSC, LLC
4000 Meridian Boulevard
Franklin, Tennessee 37067
Attention: Division President

With a simultaneous copy to:
CHSPSC, LLC
4000 Meridian Boulevard
Franklin, Tennessee 37067
Attention: General Counsel

**City:**
City of St. Petersburg
Director of Real Estate and Property Management
P.O. Box 2842, St. Petersburg, Florida 33731
5.7 **Severability.** In the event any provision of this Second Amendment is held to be invalid, illegal or unenforceable for any reason and in any respect, such invalidity, illegality, or unenforceability shall in no event affect, prejudice, or disturb the validity of the remainder of this Second Amendment, which shall be and remain in full force and effect, enforceable in accordance with its terms.

5.8 **Gender and Number.** Whenever the context of this Second Amendment requires, the gender of all words herein shall include the masculine, feminine, and neuter, and the number of all words herein shall include the singular and plural.

5.9 **Divisions and Headings.** The divisions of this Second Amendment into sections and subsections and the use of captions and headings in connection therewith are solely for convenience and shall have no legal effect in construing the provisions of this Second Amendment.

5.10 **Survival.** All of the representations, warranties, covenants, and agreements made by the Parties in this Second Amendment or pursuant hereto in any certificate, instrument, or documents shall survive the consummation of the transactions described herein, and may be fully and completely relied upon by the Parties, notwithstanding any investigation heretofore or hereafter made by any of them or on behalf of any of them, and shall not be deemed merged into any instruments or agreements delivered at the Closing or thereafter.

5.11 **Affiliates.** As used in this Second Amendment, the term “Affiliate” means, as to the entity in question, any entity that directly or indirectly controls, is controlled by or is under common control with, the entity in question and the term “control” means possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of an entity whether through ownership of voting securities, by contract or otherwise.

5.12 **No Inferences.** Inasmuch as this Second Amendment is the result of negotiations between sophisticated parties of equal bargaining power represented by counsel, no inference in favor of, or against, either Party shall be drawn from the fact that any portion of this Second Amendment has been drafted by or on behalf of such Party.

5.13 **No Third Party Beneficiaries.** The terms and provisions of this Second Amendment are intended solely for the benefit of the Parties and their respective permitted successors or assigns, and it is not the intention of the Parties to confer, and this Second Amendment shall not confer, third-party beneficiary rights upon any other Person.

5.14 **Enforcement of Agreement.** The parties hereto agree that irreparable damage would occur in the event that any of the provisions of this Second Amendment was not performed in accordance with its specific terms or was otherwise breached. It is accordingly
agreed that the Parties shall be entitled to an injunction or injunctions to prevent breaches of this Second Amendment and to enforce specifically the terms and provisions hereof in any court of competent jurisdiction, this being in addition to any other remedy to which they are entitled at law or in equity.

5.15 Waiver of Jury Trial. EACH PARTY HERETO HEREBY IRREVOCABLY WAIVES ANY AND ALL RIGHTS IT MAY HAVE TO DEMAND THAT ANY ACTION, PROCEEDING OR COUNTERCLAIM ARISING OUT OF OR IN ANY WAY RELATED TO THIS SECOND AMENDMENT OR THE RELATIONSHIPS OF THE PARTIES HERETO BE TRIED BY JURY. THIS WAIVER EXTENDS TO ANY AND ALL RIGHTS TO DEMAND A TRIAL BY JURY ARISING FROM ANY SOURCE INCLUDING, BUT NOT LIMITED TO, THE CONSTITUTION OF THE UNITED STATES OR ANY STATE THEREIN; COMMON LAW OR ANY APPLICABLE STATUTE OR REGULATIONS. EACH PARTY HERETO ACKNOWLEDGES THAT IT IS KNOWINGLY AND VOLUNTARILY WAIVING ITS RIGHT TO DEMAND TRIAL BY JURY.

[signature page follows]
IN WITNESS WHEREOF, the Parties hereto have caused this Second Amendment to be executed in multiple originals by their authorized officers, all as of the date first above written.

FHSP HOLDINGS, LLC

By: ________________________________
   Randall H. Russell
   President and CEO

CENTRAL FLORIDA HMA HOLDINGS, LLC

By: ________________________________
   Martin G. Schweinhart
   President

BAYFRONT HMA HEALTHCARE HOLDINGS, LLC

By: ________________________________
   Martin G. Schweinhart
   President

CITY OF ST. PETERSBURG, FLORIDA

By: ________________________________
   Rick Kriseman
   Mayor

Signature Page to Second Amendment to Membership Interest Purchase Agreement
Exhibit C

CHARITY CARE POLICY

(See attached)
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving the renewal of a blanket purchase agreement with Odyssey Manufacturing Co. for sodium hypochlorite for the Water Resources Department, at an estimated annual cost of $1,042,780, for a total contract amount of $4,332,980.

Explanation: This purchase is being made from Tampa Bay Water Contract No. 2015-042.

On November 24, 2014, City Council approved a three-year agreement for the supply of sodium hypochlorite, effective through December 31, 2015. The agreement has three, one-year renewal options. On November 12, 2015, and December 15, 2016, respectively, City Council approved the first and second annual renewal options. This is the third and final renewal.

The vendor furnishes and delivers sodium hypochlorite. This chemical is used to disinfect wastewater at the City’s three water reclamation facilities and is planned to be used this year to increase disinfection residual at the Oberly and Washington Terrace drinking water pump stations.

The Procurement Department, in cooperation with the Water Resources Department, recommends renewal utilizing Tampa Bay Water Contract No. 2015-042:

Odyssey Manufacturing Co. (Tampa) ..............................................................$1,042,780
2,257,100 gals. @ $0.462/gal.

<table>
<thead>
<tr>
<th>Amount</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original amount</td>
<td>$1,012,200</td>
</tr>
<tr>
<td>1&lt;sup&gt;st&lt;/sup&gt; renewal</td>
<td>1,139,000</td>
</tr>
<tr>
<td>2&lt;sup&gt;nd&lt;/sup&gt; renewal</td>
<td>1,139,000</td>
</tr>
<tr>
<td>3&lt;sup&gt;rd&lt;/sup&gt; renewal</td>
<td>1,042,780</td>
</tr>
<tr>
<td>Total contract amount</td>
<td>$4,332,980</td>
</tr>
</tbody>
</table>

Odyssey Manufacturing Co. has met terms and conditions of Tampa Bay Water Contract No. 2015-042, dated October 7, 2014. Administration recommends renewal of the agreement based on the vendor’s past satisfactory performance and demonstrated ability to comply with the terms and conditions of the agreement. The renewal will be effective from the date of approval through December 31, 2018.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Water Resources Fund (4001) and the General Fund (0001).

Attachments: Price History
Resolution

Approvals:

[Signatures]
### Price History

**Chemical, Sodium Hypochlorite**

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>FY17</th>
<th>FY18</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>885-40 Sodium Hypochlorite, Liquid, 12.5 Trade Percent</td>
<td>$0.482</td>
<td>$0.462</td>
<td>-4.1%</td>
</tr>
<tr>
<td></td>
<td>Available Chlorine</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
A RESOLUTION APPROVING THE THIRD AND FINAL RENEWAL TO THE THREE-YEAR BLANKET PURCHASE AGREEMENT WITH ODYSSEY MANUFACTURING CO. TO PROVIDE SODIUM HYPOCHLORITE FOR THE WATER RESOURCES DEPARTMENT AT AN ESTIMATED RENEWAL AMOUNT NOT TO EXCEED $1,042,780 FOR THE RENEWAL TERM; PROVIDING THE TOTAL CONTRACT AMOUNT SHALL NOT EXCEED $4,332,980; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 24, 2014, City Council approved a three-year blanket purchase agreement with Odyssey Manufacturing Co., with three one-year renewal options, to provide sodium hypochlorite to disinfect wastewater at the City's three water reclamation facilities for the Water Resources Department in the amount not to exceed $1,012,200; and

WHEREAS, on November 12, 2015, City Council approved the first renewal option in the amount of $1,139,000; and

WHEREAS, on December 15, 2016, City Council approved the second renewal option in the amount of $1,139,000; and

WHEREAS, this is the third renewal option, in the amount of $1,042,780, for this agreement; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Water Resources Department, recommends approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the third and final renewal to the three-year blanket purchase agreement with Odyssey Manufacturing Co. for sodium hypochlorite for the Water Resources Department at an estimated cost not to exceed $1,042,780 for the renewal term is hereby approved;

BE IT FURTHER RESOLVED that the total contract amount shall not exceed $4,332,980.

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:

City Attorney (Designee)
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving a three-year blanket purchase agreement with Electrical Engineering Enterprises, Inc. for power distribution equipment maintenance and repair services for the Water Resources Department, at a total contract amount of $600,000.

Explanation: The Procurement Department received one bid for power distribution equipment maintenance and repair services.

The vendor will provide all labor, supervision, transportation, equipment, tools and diagnostic devices to inspect, provide preventative maintenance and corrective repair to switchgear, contactors, and transformers. The vendor will also provide distributed uninterruptible power supply systems, power distribution equipment, and their associated appurtenances, subsystems and relays for the proper and continuous operation of all related power distribution equipment. Work also includes emergency repair services, field inspection, infrared inspection, harmonic analysis, correct adjustment, calibration, re-calibration and certification of existing power distribution equipment at the City’s water and wastewater treatment plants, pumping stations, lift stations and other miscellaneous sites throughout the City.

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

Electrical Engineering Enterprises, Inc. (Tampa) .................................. $600,000
(Three-years @ $200,000 per year)

Electrical Engineering Enterprises, Inc., has met the requirements of IFB No. 6612, dated October 26, 2017. The company is headquartered in Tampa, and has been in business since 1990. They have satisfactorily provided these services for the City of St. Petersburg in the past. A blanket purchase agreement will be issued and will be binding only for the actual quantities ordered. This agreement will be effective from date of award through December 31, 2020, with one, two-year renewal option.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Water Resources Fund (4001).

Attachments: Bid Tabulation
Resolution

Approvals:
<table>
<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>Est. Qty.</th>
<th>UOM</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Technician, 8:00 a.m. - 5:00 p.m. Monday - Friday</td>
<td>2,400</td>
<td>HR</td>
<td>$65.00</td>
<td>$156,000.00</td>
</tr>
<tr>
<td>2</td>
<td>Technician, 8:00 a.m. - 5:00 p.m.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>2 Hour (Maximum) Same Day Response Technician, 5:00 p.m. - 8:00 a.m. Monday - Friday</td>
<td>150</td>
<td>HR</td>
<td>$65.00</td>
<td>$9,750.00</td>
</tr>
<tr>
<td>4</td>
<td>Technician, City Holiday, Saturday, Sunday</td>
<td>50</td>
<td>HR</td>
<td>$97.50</td>
<td>$4,875.00</td>
</tr>
<tr>
<td>5</td>
<td>Helper, 8:00 a.m. - 5:00 p.m. Monday - Friday</td>
<td>800</td>
<td>HR</td>
<td>$60.00</td>
<td>$48,000.00</td>
</tr>
<tr>
<td>6</td>
<td>Helper, 8:00 a.m. - 5:00 p.m.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>2 Hour (Maximum) Same Day Response</td>
<td>150</td>
<td>HR</td>
<td>$55.00</td>
<td>$8,250.00</td>
</tr>
<tr>
<td>8</td>
<td>Helper, City Holiday, Saturday, Sunday</td>
<td>10</td>
<td>HR</td>
<td>$90.00</td>
<td>$900.00</td>
</tr>
<tr>
<td>9</td>
<td>Helper, City Holiday, Saturday, Sunday</td>
<td>10</td>
<td>HR</td>
<td>$90.00</td>
<td>$900.00</td>
</tr>
<tr>
<td>10</td>
<td>Shop Work Rate (work performed at vendor's facility)</td>
<td>25</td>
<td>HR</td>
<td>$60.00</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>11</td>
<td>Oil Sampling Testing</td>
<td>40</td>
<td>EA</td>
<td>$185.00</td>
<td>$7,400.00</td>
</tr>
<tr>
<td>12</td>
<td>Infrared Inspection (Technician)</td>
<td>200</td>
<td>HR</td>
<td>$85.00</td>
<td>$17,000.00</td>
</tr>
<tr>
<td>13</td>
<td>Harmonic Analysis (Technician)</td>
<td>10</td>
<td>HR</td>
<td>$100.00</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

**Total:** $258,575.00

**SBE Discount:** -

**2%/10 Payment Discount:** (5,171.50)

**Grand Total:** $253,403.50

Award
A RESOLUTION APPROVING A THREE-YEAR BLANKET PURCHASE AGREEMENT WITH ELECTRICAL ENGINEERING ENTERPRISES, INC., TO PROVIDE MAINTENANCE AND REPAIR SERVICES FOR POWER DISTRIBUTION EQUIPMENT FOR THE WATER RESOURCES DEPARTMENT AT A TOTAL CONTRACT AMOUNT SHALL NOT EXCEED $600,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received one bid for the power distribution equipment maintenance and repair services in response to IFB No. 6612, dated October 26, 2017; and

WHEREAS, Electrical Engineering Enterprises, Inc. has met the specifications, terms and conditions of IFB No. 6612; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Water Resources Department, recommends approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the three-year blanket purchase agreement with Electrical Engineering Enterprises, Inc. to provide maintenance and repair services for power distribution equipment for the Water Resources Department at a total contract amount not to exceed $600,000 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:

City Attorney (Designee)
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Accepting a bid from Razorback LLC for exterior surface preparation and painting of two reclaimed water tanks at the Northeast Water Reclamation Facility, in the amount of $283,000.00; approving a supplemental appropriation in the amount of $250,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF NE Storage Tank Paint FY17 Project (15819); and providing an effective date.

Explanation: The Procurement Department received three bids for the exterior surface preparation and painting of the 8- and 10 million gallon reclaimed water tanks at the Northeast Water Reclamation Facility. The bids were opened on September 26, 2017, and are tabulated as follows:

<table>
<thead>
<tr>
<th>Bidders</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Razorback LLC (Tarpon Springs)</td>
<td>$283,000</td>
</tr>
<tr>
<td>Harry's Painting &amp; Enterprises, Inc. (New Port Richey)</td>
<td>$309,732</td>
</tr>
<tr>
<td>Southern Road &amp; Bridge, LLC (Tarpon Springs)</td>
<td>$398,750</td>
</tr>
</tbody>
</table>

The contractor will furnish all labor, materials and equipment needed to repair concrete spalls, prepare the surfaces for painting, and apply two-coats of paint by roller to the walls and roofs. The IFB included alternate base bid options for roller and spray paint application methods, each with four additive alternates for the application of a second coat to the tank walls and roofs. The reclaimed water tanks were last painted in 2005 and earlier. The existing coatings are cracked, chalky, faded and have exceeded their service life.

The Procurement Department, in cooperation with the Water Resource Department, recommends an award to:

Razorback LLC (Tarpon Springs) ..................................$283,000

Razorback LLC, the lowest responsible and responsive bidder, has met the specifications, terms and conditions of Bid No. 6569, dated August 10, 2017. They have successfully completed work as a subcontractor on the City's Crescent Lake Elevated Water Tank, FDOT and City of Tampa's bridge painting contracts, and two lighthouse restorations projects in 2016 and 2017. The principal of the firm is Anthony Houllis, managing member.

The contractor will begin work approximately ten calendar days from written Notice to Proceed and is scheduled to complete the work within 110 calendar days thereafter. This project was sheltered for SBE’s.

Cost/Funding/Assessment Information: A portion of the funding has been previously appropriated in WRF NE Storage Tank Paint FY17 Project (15819). Additional funding will be available after the approval of a supplemental appropriation in the amount of $250,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF NE Storage Tank Paint FY17 Project (15819).

Attachments: Resolution

Approvals:
A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO RAZORBACK LLC FOR EXTERIOR SURFACE PREPARATION AND PAINTING OF TWO RECLAIMED WATER TANKS AT THE NORTHEAST WATER RECLAMATION FACILITY FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $283,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $250,000 FROM THE UNAPPROPRIATED BALANCE OF THE WATER RESOURCES CAPITAL PROJECTS FUND (4003) TO THE WRF NE STORAGE TANK PAINT FY17 PROJECT (15819); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received three (3) bids for the exterior surface preparation and painting of two reclaimed water tanks at the Northeast Water Reclamation Facility pursuant to Bid No. 6569 dated August 10, 2017; and

WHEREAS, Razorback LLC has met the specifications, terms and conditions of Bid No. 6569; and

WHEREAS, a portion of the funding has been previously appropriated in WRF NE Storage Tank Paint FY17 Project and the additional funding for this project will be available after a supplemental appropriation from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF NE Storage Tank Paint FY17 Project (15819); and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Water Resources Department recommends approval of this resolution.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the bid is hereby accepted and the award of an agreement to Razorback LLC for the exterior surface preparation and painting of two reclaimed water tanks at the Northeast Water Reclamation Facility at a total contract amount not to exceed $283,000 is hereby approved.

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

BE IT FURTHER RESOLVED that there is hereby approved the following supplemental appropriation from the unappropriated balance of the Water Resources Capital Projects Fund (4003) for fiscal year 2018:

Water Resources Capital Projects Fund (4003)  
WRF NE Storage Tank Paint FY17 Project (15819) $250,000

This Resolution shall become effective immediately upon its adoption.

Legal:

City Attorney (Designee)  
00351105

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

Subject: Accepting a proposal for electrical generator control system upgrades from Asco Power Services, Inc., a sole source supplier, for the Water Resources Department, for a total cost of $256,768.50.

Explanation: The City received a proposal to upgrade the existing Asco generator control system at the Northwest Water Reclamation Facility ("NWWRF").

The existing system is approximately 16 years old and has exceeded the normal 8- to 10-year life expectancy for the Programmable Logic Controller ("PCL") based control systems. The maintenance and repair of the current system is increasingly difficult and complex, as the software is unsupported and many parts are no longer available from the manufacturer. Because Asco is the original designer, supplier and manufacturer of the system, a sole source procurement is recommended.

The contractor will provide turnkey project services to upgrade the Asco generator and main electrical feed control system, including all parts, materials, software, labor and training of City personnel. Utilizing original electrical schematics and layout, the contractor will install new controls, PLC's, software, relays, switches, panel doors and all parts as defined in the scope of work.

This system controls the main electrical power system and the emergency generator power system for the NWWRF. Should the NWWRF lose the main utility power feed, this control system would start the backup generators, select which units would be online, how many units would be needed to furnish the power demands of the plant, run the units and supply power for the duration of the utility outage. Once utility power is re-established, the control system would switch back to utility power, go through a cool down cycle for the generators and shut down the generator system.

This system is vital for plant operations, especially during a storm event or anytime utility power is lost. If this system fails to operate, the plant will be down until power can be restored.

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

Asco Power Services, Inc.............................................$256,768.50

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 of 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 Capital Projects Fund (4003), WRF NW Generator Switchgear FY17 Project (15823).

Attachments: Sole Source (2 pages) Agreement (27 pages) Resolution

Approvals:

[Signatures]
City of St. Petersburg
Sole Source Request
Procurement & Supply Management

Department: Water Resources Dept.  Requisition No. 5375236

Check One:  X Sole Source  Proprietary Specifications

Proposed Vendor:  Asco Power Technologies

$256,768.50

Description of Items (or Services) to be purchased:

Complete retrofit of the Asco Generator Electrical Control system for the NWWRF. Asco installed the original system in “2001” as part of a generator replacement system and it’s been in operation ever since. In “2015” a complete Facility wide Electrical upgrade was completed except for the Asco controls and switch gear. The PLC’s, relays, monitoring equipment and most all the equipment have exceeded their life expectancy and are at the point where parts are hard to find or no longer available. The existing equipment is getting to the point where it is no longer reliable and maintaining it is getting difficult. This is a turnkey project all parts, materials, hardware, software, labor and training of plant personnel.

Purpose of Function of Items:

Controls the three generators that supplies back up power to the Northwest Water Reclamation Facility in the event that commercial power fails. This equipment has to be able to synchronize the three Generators units determine how much power is needed then provide the power to needed to run the entire facility. This equipment is very vital to the dependability of the facility. If a power outage occurs this equipment needs to function allowing the Operations personnel to tend to Plant Operation matters not power supply problems.

Justification for Sole Source of Proprietary specification:

Asco was the original designer of the system and they have maintained and worked with the system since it was installed. Asco has all the original designs, drawings, software and hardware that goes with the system. Asco assisted with the moving of the original system when the Facility Electrical upgrade was done. Because this is an ASCO system, they own the original software, prints, wiring diagrams and have all the equipment identified and needed for the project. Because this is a retrofit for them of their original system and they were involved in the move of the equipment plus the PLC portion is their standard equipment they already have the engineering portion done.

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.

Rev (1/11), (6/15)
AGREEMENT FOR SYSTEM IMPLEMENTATION

THIS AGREEMENT ("Agreement") is made and entered into on the ___ day of ____________, 2017, ("Effective Date") by and between ASCO Power Services, Inc., a New Jersey corporation registered to do business in Florida, ("Contractor") and the City of St. Petersburg, Florida, ("City") (collectively, "Parties").

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

1. Definitions. The defined terms set forth below are used in this Agreement, and unless context indicates otherwise, any reference to a defined term in the singular includes the plural and vice versa.

A. "Component" means any Hardware, Firmware, or Software included in the System.

B. "Firmware" means any computer code embedded in Hardware for the purpose of operating or controlling that Hardware or allowing that Hardware to interact with a Non-System Element.

C. "Hardware" means any tangible physical component that is provided or implemented by the Contractor pursuant to this Agreement, including but not limited to any cable, adapter, dongle, input or output device, or data storage device used in the System.

D. "Implementation Service" means any service of the Contractor required to complete installation and configuration of the System by the Contractor in accordance with this Agreement.

E. "Licensed Component" means any Component or other deliverable provided by the Contractor pursuant to this Agreement that the City will use pursuant to a Usage Right as more particularly described in Section 7. The Licensed Components include but are not limited to (i) Software; (ii) Firmware; and (iii) Support Documentation.

F. "Non-System Element" means any City-owned or -controlled hardware, software, firmware, system, computer network, or other element, regardless of manufacturer, that is not a part of the System but that is connected to the System at any time.
G. "Software" means any computer code used in the System other than Firmware, including but not limited to any desktop software, mobile application, API, or interface run on a computer or mobile device by the City's officers, employees, agents, subcontractors, elected or appointed officials, or volunteers.

H. "Support Documentation" means any documentation related to the System, whether in printed or electronic form, provided by the Contractor pursuant to this Agreement, including but not limited to documentation describing the specifications and expected operation of the System.

I. "System" means the combination of Components that, taken together as a whole, make up the system implemented by the Contractor pursuant to this Agreement.

J. "Update" means any error correction, patch, update, revision, fix, upgrade, new release, or other change to Software or Firmware implemented at any time following the City's initial acceptance of the Software or Firmware receiving that Update.

K. "Usage Right" means any license, sublicense, intellectual property right, proprietary interest, or other right pursuant to which the City may access or use a Licensed Component in accordance with this Agreement. A Usage Right may derive from an ownership interest held by the Contractor or held by a third party (e.g., a code library used in Software that was licensed to the Contractor by a third-party and then sublicensed by the Contractor to the City).

2. Scope of Work. In accordance with this Agreement, the Contractor shall provide the City with the following deliverables, which are more particularly described in the scope of work attached to this Agreement as Appendix A ("Scope of Work"): 

A. The Contractor shall grant or otherwise provide to the City every Usage Right needed for the City to use each Licensed Component in accordance with this Agreement and as more particularly described in Section 7.

B. The Contractor shall perform all Implementation Services necessary to provide the City with the System. The Implementation Services include (i) project management and requirements gathering; (ii) installation, configuration, integration, and testing of the System; (iii) user training for the System; and (iv) any other service described in the Scope of Work that is explicitly designated as an Implementation Service or that contributes to the initial implementation of the System.
C. The Contractor shall complete all Implementation Services in accordance with any schedule or deadlines set forth in the Scope of Work. The schedule for Implementation Services will not be adjusted automatically due to any cure period provided by Section 15 and may be adjusted only through written agreement between the Parties, which constitutes an amendment to this Agreement.

D. Upon the City’s acceptance of the entire System in accordance with Section 6, all Implementation Services will be deemed complete.

3. Agreement Components.

A. The components of the Agreement are this document; the appendices to this document; and the attached Purchase Order ("Purchase Order")

B. In the event of an inconsistency or conflict between or among the components of this Agreement, the following order of precedence shall govern: (i) this document, exclusive of its appendices; (ii) the appendices to this document; and (iii) the Purchase Order.

4. Term. The term of this Agreement will commence on the Effective Date and end upon the completion of all Implementation Services (the “Term”). The Contractor shall perform all Implementation Services in accordance with any schedule provided in the Scope of Work and shall fully complete all Implementation Services no later than 24 weeks after receiving the Purchase Order.

5. Payment; Fees.

A. The City shall pay the Contractor for its performance of this Agreement only as explicitly set forth in this Agreement, which includes the document attached to this Agreement as Appendix B (the “Payment Schedule”).

B. The City shall pay the Contractor a comprehensive fee that may not exceed $256,768.50 in total (the “Implementation Fee”) to cover all of the following: (i) all Hardware; (ii) all Usage Rights; and (iii) all Implementation Services.

C. The Implementation Fee is inclusive of any out-of-pocket expenses required to comply with the terms of this Agreement, including but not limited to transportation, mileage, lodging, and meals. Except as specifically provided by this Agreement, the Contractor shall, at its own expense, furnish all tools, equipment, apparatus, facilities, transportation, labor, and material necessary to furnish all Services, and the City shall not reimburse the Contractor for any out-of-pocket expenses unless specifically provided for in this Agreement. No increase in the Implementation
Fee will be effective unless made in accordance with the Contract Adjustment process set forth in section 36.

D. The Contractor shall invoice the City in accordance with procedures established by the City, and if the Contractor is in compliance with the terms of this Agreement at the time an invoice is submitted to the City, the City shall pay that invoice within thirty (30) days of receipt. Otherwise, City is not obligated to pay the Implementation Fee to the Contractor unless the Contractor is in full compliance with the terms of this Agreement. During any period during which the City delays payment of the Implementation Fee due to Contractor's failure to comply with this Agreement, the Contractor shall not terminate, suspend, impair, degrade, or otherwise limit any Usage Right.

6. Acceptance; Updates.

A. Except as provided by this Section 6, any Component, Update, or other deliverable provided by the Contractor pursuant to this Agreement has been delivered to the City (each an “Inspected Deliverable”), the Contractor shall provide a written summary of the Inspected Deliverable(s) to the City, the City shall inspect each Inspected Deliverable to determine whether it complies with this Agreement, and the City shall accept any Inspected Deliverable that complies with this Agreement.

B. If the City accepts an Inspected Deliverable, the City shall provide the Contractor with written notice of such acceptance. If the City rejects an Inspected Deliverable, the City shall provide the Contractor with written notice of the reasons for the rejection, and the Contractor shall bring that Inspected Deliverable into compliance with this Agreement in accordance with Section 15.

C. No testing, trial use, or other form of inspection of any Inspected Deliverable constitutes acceptance of that Inspected Deliverable or limits the City's right to reject that Inspected Deliverable.

D. Title to and risk of loss in any Hardware remains with the Contractor until the shipping point.

E. The Contractor shall notify the City in writing when an Update for Software or Firmware is available for installation, and the City shall, in accordance with this Section 6, determine whether to accept or reject that Update. An Update to Software or Firmware may be installed only after it has been accepted by the City, and the City shall control the installation of each such Update. Accordingly, the Contractor
shall not install any Update to Software or Firmware without the City’s express written consent to install that specific Update.

F. After any Update has been installed in accordance with this Section 6, that Update is deemed part of the Software or Firmware, as applicable, and included within the scope of the applicable Usage Right granted pursuant to Section 7.


A. The Contractor hereby grants or otherwise provides to the City each Usage Right needed for the use of each Licensed Component in the course of any lawful business or function of the City, without geographic limitation, by any of the City’s officers, employees, agents, subcontractors, elected or appointed officials, or volunteers, subject only to those limitations imposed by law or explicitly included in this Agreement. Unless otherwise prohibited by law or explicitly stated in this Agreement, each such Usage Right is perpetual, non-exclusive, fully sublicensable, fully transferrable, and paid for in full through the City’s payment of the Implementation Fee.

B. The Contractor has identified in Appendix C any Licensed Component that will be used by the City pursuant to a Usage Right granted to Contractor by a third-party (e.g., a code library used in Software that was licensed to the Contractor by a third-party and then sublicensed by the Contractor to the City). The Contractor has also disclosed in Appendix C the applicable terms of any such third-party Usage Right, and those terms are incorporated into this Agreement. In the event of conflict between a term in Appendix C and a term in the body of this Agreement or in any other Appendix to this Agreement, the term that provides the greatest rights to the City will control.

C. The City may transfer its Usage Right in any Firmware to another party in connection with any transfer of the Hardware upon which that Firmware is embedded.

D. The City may copy any Licensed Component for archival backup, disaster-recovery, or other internal purposes.

E. The City may install the Software in non-production environments for testing and configuration purposes, but unless explicitly authorized by this Agreement, the City shall not intentionally (i) remove or modify any markings or notice of the Contractor’s proprietary rights to the Software; (ii) copy, reverse engineer, disassemble, or decompile the Software; or (iii) make the Software available to any third party.
F. For purposes of section 365(n) of the Bankruptcy Code, the Parties intend each Usage Right for a Licensed Component to be a license of rights to "intellectual property" and each Licensed Deliverable to be an "embodiment" of "intellectual property," as those terms are defined in section 101 of the Bankruptcy Code. Nothing in this Agreement limits the City's rights under section 365(n) of the Bankruptcy Code or constitutes an election by the City under section 365(n) of the Bankruptcy Code. But the City explicitly reserves the right to request any such intellectual property or embodiment of intellectual property held by a trustee for the Contractor to the full extent authorized by section 365(n)(3) of the Bankruptcy Code.

G. The owner of any Licensed Component, whether the Contractor or a third party, retains exclusive ownership of all methods, ideas, concepts, algorithms, trade secrets, trademarks, trade names, logos, and other intellectual property contained in that Licensed Component unless otherwise provided for in this Agreement or a document that explicitly transfers ownership of that Licensed Component in whole or in part to the City.

H. The City retains ownership of (i) any data, document, or other information entered into, imported into, or otherwise contained in the System; (ii) any data, document, or other information created by the City using the System; and (iii) any workflow, business process, training material, report, or other information conceived, invented, created, or acquired by the City independently of any Service.

8. Confidentiality.

A. Each party ("Receiving Party") shall not disclose, publish, or disseminate the Confidential Information (as defined below) of the other party ("Disclosing Party") to anyone other than those of such Receiving Party's employees and subcontractors with a need to know, or as may be required by legal process or applicable Laws (including but not limited to Chapter 119, Florida Statutes, and the court decisions construing the same). Each party agrees to accept the other party's Confidential Information for the sole purpose of carrying out such Receiving Party's authorized activities under this Agreement. Each party agrees not to make copies of the other party's Confidential Information except to the extent permitted pursuant to this Agreement. Each party agrees not to use the Confidential Information of the other party for its own or any third party's benefit without the prior written approval of an authorized representative of the Disclosing Party in each instance. In the event a Receiving Party is required to disclose the Disclosing Party's Confidential Information in accordance with applicable Laws or by an order of a court or governmental agency, the Receiving Party shall give written notice to the Disclosing Party to
enable the Disclosing Party to make a reasonable effort to obtain a protective order or other confidential treatment for the Confidential Information. Such notice shall be provided prior to disclosure unless otherwise required by court order or applicable Laws. Contractor acknowledges that, in the event of a public records request, the City may be limited in the amount of notice that it may be able to provide Contractor prior to disclosure of records and agrees that the City Attorney shall have the sole and absolute discretion to determine when public records must be released in order to comply with Chapter 119, Florida Statutes, and the court decisions construing same. By designating information as Confidential Information, Contractor agrees to indemnify and hold harmless the Indemnified Parties for any award to a plaintiff for damages, costs and reasonable attorney’s fees incurred by the City by reason of any legal action challenging Contractor’s claim. Contractor shall require as a condition of any subcontract that the subcontractor expressly acknowledges and agrees to be bound by the same confidentiality requirements to which Contractor is bound by this Agreement.

B. “Confidential Information” means confidential and proprietary information of either party that is disclosed to the other party which, in the case of written information, is marked “confidential” or “proprietary” and which, in the case of information disclosed orally or stored electronically, is identified at the time of disclosure as confidential and proprietary and summarized and confirmed in writing as such by the Disclosing Party within thirty (30) days of the disclosure. Confidential Information shall not include information that (i) as of the Effective Date or after the Effective Date is or becomes generally available to the public through no fault or breach of the Receiving Party; (ii) the Receiving Party can demonstrate to have had rightfully in its possession prior to disclosure by the Disclosing Party; (iii) is independently developed by the Receiving Party without the use of any Confidential Information; or (iv) the Receiving Party rightfully obtains from a third party who has the right to transfer or disclose it. No representations, expressed or implied, are being made through the disclosure of Confidential Information.

C. The terms of this Section 8 survive termination of this Agreement.


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

(i) The performance of this Agreement (including any amendments thereto) by Contractor, its employees, agents, representatives or subcontractors; or

(ii) The failure of Contractor, its employees, agents, representatives or subcontractors to comply and conform with applicable Laws (as defined herein); or

(iii) Any negligent act or omission of Contractor, its employees, agents, representatives, or subcontractors; or

(iv) Any reckless or intentional wrongful act or omission of Contractor, its employees, agents, representatives, or subcontractors; or

(v) Contractor’s failure to maintain, preserve, retain, produce, or protect records in accordance with this Agreement and applicable Laws (including but not limited to Florida laws regarding public records); or

(vi) Any violation of any Usage Right, including but not limited to any license violation, claim of license violation, infringement, or claim of infringement of any patent, trademark, copyright, trade secret, or other intellectual property right or proprietary interest arising out of the use of the System by the City or the Contractor.

B. The provisions of this paragraph are independent of, and will not be limited by, any insurance required to be obtained by Contractor pursuant to this Agreement or otherwise obtained by Contractor, and shall survive the expiration or earlier termination of this Agreement with respect to any claims or liability arising in connection with any event occurring prior to such expiration or termination.

C. NEITHER PARTY IS LIABLE TO THE OTHER PARTY FOR ANY INDIRECT, CONSEQUENTIAL, INCIDENTAL, OR SPECIAL DAMAGES ARISING OUT OF OR RELATED TO THIS AGREEMENT. EXCEPT FOR CONTRACTOR’S INDEMNITY OBLIGATIONS SET FORTH IN SECTION 9, CONTRACTOR’S TOTAL LIABILITY ARISING OUT OF OR RELATED TO THIS AGREEMENT SHALL NOT EXCEED $2,000,000.
10. **Insurance.**

A. Contractor shall carry the following minimum types and amounts of insurance at its own expense:

   (i) Commercial general liability insurance in an amount of at least $1,000,000 per occurrence, $2,000,000 aggregate in occurrences form. This policy shall include coverage for (a) personal injury or death or property damage or destruction; (b) business interruption; (c) fire legal liability in the minimum amount of $100,000; and (d) contractual liability under this Agreement. Such contractual liability coverage must provide and pay for a defense for all claims or demands covered by the Contractor’s indemnification obligations under this Agreement and have an amount sufficient to cover the Contractor’s indemnification obligations under this Agreement.

   (ii) Automobile liability insurance of $1,000,000 combined single limit covering all owned, hired and non-owned vehicles.

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

   (iv) Cyber liability insurance in an amount of at least $1,000,000 per occurrence. This policy must include coverage for (a) security and privacy liability, including privacy breach response costs, regulatory fines and penalties, and cyber extortion; (b) media liability, including infringement of copyright, trademark, and trade dress; and (c) errors and omissions in any Software, Firmware, or Service. If coverage is on a “Claims Made” basis, it must include the Retro date of coverage.

B. All of Contractor’s insurance policies, except Workers’ Compensation, shall name the Indemnified parties as additional insureds.

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

D. Contractor shall provide the City with Certificates of Insurance on a standard ACORD form reflecting all required coverage. At the City’s request, Contractor shall provide copies of current policies with all applicable endorsements.
E. All insurance required shall be provided by responsible insurers licensed in the State of Florida and rated at least A- in the then current edition of Best's Insurance Guide.

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

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

CITY:

City of St. Petersburg
Procurement and Supply Management Department
P. O. Box 2842
St. Petersburg, FL 33731
Phone: 727-893-7027
Attention: Louis Moore

CONTRACTOR:

ASCO Power Services, Inc.
160 Park Avenue
Florham Park, NJ 07932
Attn: Law Department

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

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

14. **Assignment.** Contractor shall make no assignment of this Agreement without the prior written consent of the City. Any assignment of this Agreement contrary to this paragraph shall be void and shall confer no rights upon the assignee.

15. **Cure of Breach by Contractor.** If the City provides the Contractor with written notice of the Contractor’s breach of warranty or other failure to comply with this Agreement (for purposes of this Section 15, a “Breach”), the Contractor shall, at its own expense, take whatever steps are necessary to cure the Breach. The Contractor shall cure the Breach on or before a deadline agreed to by the Parties or, in the absence of such a mutually agreed-upon deadline, no more than thirty (30) days after receiving notice of the Breach. If the City determines that the Contractor has failed to cure the Breach by that deadline, the City may take one or more of the following actions: (i) terminate the Agreement, (ii) require the Contractor to execute an amendment reducing the Implementation Fee to reflect the damages to the City caused by the Breach, or (iii) avail itself of any other right or remedy available under this Agreement or applicable Laws. In the event that another provision of this Agreement provides specific terms for addressing a failure to comply with this Agreement, those specific terms will control in the event of conflict with the general terms set forth in this Section 15.

16. **Termination.**

   A. If the Contractor provides the City with written and specific notice of a violation of the terms of the City’s Usage Rights for a Licensed Component, the City shall cure the violation no later than thirty days after receiving such notice. During that period, the Contractor shall not terminate, suspend, impair, degrade, or otherwise limit any Usage Right. But if the City fails to cure the violation during the cure period provided by this Section 16(A), the Contractor may terminate this Agreement and the City’s Usage Right for that Licensed Component.

   B. If the Contractor fails to cure any Breach in accordance with Section 15, the City may terminate this Agreement immediately.

   C. If the City determines that Contractor has failed to comply with any of the terms and conditions of this Agreement related to safety, indemnification, insurance coverage, or Background Checks (as defined in section 40), the City may terminate this Agreement immediately, without providing Contractor with notice of default or an opportunity to cure.
D. The City may terminate this Agreement at any time and for any reason upon 30 days written notice to Contractor. In the event of termination by the City pursuant to this Section 16(D), the City shall (i) pay the Contractor for any Service performed prior to termination; (ii) pay the Contractor for any Hardware that the City has accepted; and (iii) return to the Contractor any Hardware that the City has not accepted.

E. Termination of this Agreement is deemed to be a termination of the Purchase Order.

17. **Governing Law and Venue.** The laws of the State of Florida shall govern this Agreement. Venue for any action brought in state court shall be in Pinellas County, St. Petersburg Division. Venue for any action brought in federal court shall be in the Middle District of Florida, Tampa Division, unless a division shall be created in St. Petersburg or Pinellas County, in which case the action shall be brought in that division. Each party waives any defense, whether asserted by motion or pleading, that the aforementioned courts are an improper or inconvenient venue. Moreover, the Parties consent to the personal jurisdiction of the aforementioned courts and irrevocably waive any objections to said jurisdiction.

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

19. **Entire Agreement.** This Agreement constitutes the entire agreement between the Parties and supersedes all prior and contemporaneous agreements, whether oral or written, between them.

20. **Compliance with Laws.** Contractor shall comply at all times with all federal, state, and local statutes, rules, regulations and ordinances, the federal and state constitutions, and the orders and decrees of lawful authorities having jurisdiction over the matter at issue (collectively, "Laws"), including but not limited to Florida laws regarding public records. Contractor shall also comply with all applicable City policies and procedures.

21. **Third Party Beneficiary.** Notwithstanding anything to the contrary contained in this Agreement, persons or entities not a party to this Agreement may not claim any benefit hereunder or as third party beneficiaries hereto.

22. **No Liens.** Contractor shall not suffer any liens to be filed against any City property by reason of any work, labor, services or materials performed at or furnished to City property, to Contractor, or to anyone using City property through or under Contractor. Nothing contained in this Agreement shall be construed as a consent on the part of the City to subject City property or any part thereof to any lien or liability under any Laws.

23. **No Construction against Preparer of Agreement.** This Agreement has been prepared by the City and reviewed by Contractor and its professional advisors. The City, Contractor
and Contractor's professional advisors believe that this Agreement expresses their agreement and that it should not be interpreted in favor of either the City or Contractor or against the City or Contractor merely because of their efforts in preparing it.

24. **Use of Name.** Subject to the requirements of Florida laws regarding public records, neither party shall use the other party's name in conjunction with any endorsement, sponsorship, or advertisement without the written consent of the named party.

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

26. **City Consent and Action.**

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

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

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

28. **Books and Records.** Contractor shall prepare in accordance with generally accepted accounting practice and shall keep, at the address for delivery of notices set forth in this Agreement, accurate books of account. All books and records with respect to this Agreement shall be kept by Contractor and shall be open to examination or audit by the City for the Term and for the retention periods set forth in the most recent General Records Schedule GS1-SL for State and Local Government Agencies. Nothing herein shall be construed

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to allow destruction of records that may be required to be retained longer by the statutes of the State of Florida.

29. **Survival.** All obligations and rights of any party arising during or attributable to the period prior to expiration or earlier termination of this Agreement, including but not limited to those obligations and rights related to indemnification, shall survive such expiration or earlier termination.

30. **Force Majeure.** In the event that either party hereto shall be delayed or hindered in or prevented from the performance required hereunder by reason of strikes, lockouts, labor troubles, failure of power, riots, insurrection, war, acts of God, or other reason of like nature not the fault of the party delayed in performing work or doing acts ("Permitted Delay"), such party shall be excused for the period of time equivalent to the delay caused by such Permitted Delay. Notwithstanding the foregoing, any extension of time for a Permitted Delay shall be conditioned upon the party seeking an extension of time delivering written notice of such Permitted Delay to the other party within ten (10) days of the event causing the Permitted Delay.

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

32. **Governmental Permits and Licenses.** Contractor shall be responsible for obtaining any and all necessary permits, licenses, certifications and approvals which may be required by any government agency in connection with Contractor's performance of this Agreement. Upon request of the City, Contractor shall provide the City with written evidence of such permits, licenses, certifications and approvals.

33. **Successors and Assigns.** This Agreement shall inure to the benefit of and be enforceable by and against the Parties, their heirs, personal representatives, successors, and assigns, including successors by way of reorganization.

34. **Subcontract.** The hiring or use of outside services or subcontractors in connection with the performance of Contractor's obligations under this Agreement shall not be permitted without the prior written approval of the City, which approval may be withheld by the City in its sole and absolute discretion. Contractor shall promptly pay all subcontractors and suppliers.
35. **Relationship of Parties.** Nothing contained herein shall be deemed or construed by the Parties, or by any third party, as creating the relationship of principal and agent or of partnership or of joint venture between the Parties, it being understood and agreed that nothing contained herein, nor any acts of the Parties, shall be deemed to create any relationship between the Parties other than the relationship of independent contractors and principals of their own accounts.

36. **Contract Adjustments.**

   A. Either party may propose additions, deletions, or modifications to the Scope of Work ("**Contract Adjustments**") in whatever manner such party determines to be reasonably necessary for proper compliance with this Agreement. Proposals for Contract Adjustments shall be submitted in writing to the non-requesting party. A Contract Adjustment will be effective only if made in the form of an amendment to this Agreement made in accordance with this Agreement.

   B. There shall be no modification of the Implementation Fee on account of any Contract Adjustment made necessary or appropriate as a result of the mismanagement, improper act, or other failure of Contractor or its employees, agents or subcontractors to properly perform their obligations and functions under this Agreement.

   C. In the event Contractor proposes a Contract Adjustment and the City does not approve such Contract Adjustment, Contractor will continue to perform the original Scope of Work in accordance with the terms and conditions of this Agreement.

   D. Notwithstanding anything to the contrary contained in this Agreement, there shall be no modification of the Implementation Fee except pursuant to an amendment to this Agreement made in accordance with this Agreement.

37. **Warranties.**

   A. The Contractor warrants that the System will operate in a manner that (i) satisfies the requirements set forth in this Agreement and (ii) is consistent with the Support Documentation. In the event of conflict, the requirements set forth in the Agreement take precedence over the content of the Support Documentation.

   B. The Contractor warrants that the System will be free of any virus, worm, Trojan Horse, bug, collection device, "back door," exploit, or other malware that impairs the use of, erases data from, or surreptitiously collects information from (i) any computer on which the Software is installed; (ii) any Non-System Element to which
the System is connected at any time; or (iii) any Hardware in which the Firmware is embedded.

C. The Contractor warrants that any Update (i) will not have an adverse impact on the overall performance and operation of the System; (ii) will be backwards compatible with previously delivered Software and Firmware unless otherwise agreed to in writing by the Parties; (iii) will be backwards compatible with any applicable Non-System Element unless otherwise agreed to in writing by the Parties; and (iv) will be installed only in accordance with Section 6.

D. The Contractor warrants that it has granted or otherwise provided to the City every Usage Right needed for the City to use every Licensed Component in accordance with this Agreement and that Appendix C is a complete and accurate disclosure, pursuant to Section 7(B), of any Usage Rights from a third party. If this warranty is breached, the Contractor shall cure such breach as follows:

(i) If the breach of this warranty can be cured by modifying a Licensed Component so as to eliminate the City’s need for the Usage Right at issue, the Contractor may make such modification. But such modification will be effective to cure the breach only if it has been accepted by the City in accordance with Section 6.

(ii) If the breach of this warranty is due to the Contractor’s failure to disclose a Usage Right from a third party in Appendix C, the Contractor may propose an amendment to Appendix C that discloses the missing license or intellectual property right and its terms. But such amendment will be valid only if executed in accordance with Section 18.

(iii) The Contractor may cure a breach of this warranty by granting or otherwise providing to the City, in writing, any Usage Right that is needed for the City to begin using the applicable Licensed Component in accordance with this Agreement. If the grant of such Usage Right is derived from a third-party, it will not be effective to cure the breach unless it is made in conjunction with an amendment to Appendix C as described in sub-subsection (ii), immediately above.

E. The Contractor warrants that, at the time any Hardware is delivered to the City, such Hardware will have clear title and be free of all liens, claims, or encumbrances of any kind.
F. The Contractor warrants that, at the time of acceptance by the City, the Hardware 
(i) will satisfy all requirements for the Hardware that are set forth in this Agreement 
and (ii) will be free from defects in materials and workmanship. If the Contractor 
cures a breach of warranty by replacing any Hardware upon which Firmware is 
embedded, such replacement will constitute a grant of a license for the use of the 
Firmware embedded in that replacement Hardware pursuant to Section 7. This war-
 ranty by the Contractor does not replace or eliminate any warranty for the Hardware 
that is available to the City from the manufacturer of the Hardware or any other 
third party.

G. The Contractor warrants that it shall provide each Service (i) in accordance with 
this Agreement (ii) in an expedient, professional, and competent manner; and 
(iii) once the System has been accepted by the City, in a manner that allows the City 
to use the System without significant functional downtime to ongoing operations.

H. The Contractor warrants that any person providing any Service to the City (includ-
 ing any employee of the Contractor or of an affiliate or subcontractor of the Con-
tractor) will have industry-standard skills and training, and the Contractor shall re-
place any person providing the Service to the City if the City, in its sole discretion, 
determines (i) that the person is incompetent, careless, unsuitable, objectionable, or 
otherwise does not comply with this warranty or (ii) that the person’s involvement 
is contrary to the best interests of the City.

I. The grant of any Usage Right pursuant to this Section 37, whether from the Con-
tractor or from a third party, will be deemed incorporated into this Agreement as if 
it was granted pursuant to Section 7

J. Unless explicitly stated otherwise, the Contractor is bound by each warranty or 
other obligation set forth in this Section 37 beginning at the time the City accepts 
the applicable component of the System, Licensed Component, or Service and end-
ing 18 months after completion of all Implementation Services.

38. Non-Exclusive Agreement. This Agreement imposes no obligation on the City to utilize 
Contractor for all of the work and services of this type that may be needed during the Term. 
The City specifically reserves the right to concurrently contract with other companies for 
similar work and services if it deems such action to be in the City’s best interest.
39. **Public Records.**

A. Contractor shall (i) keep and maintain public records (as defined in Florida’s Public Records law) required by the City to perform the services pursuant to this Agreement; (ii) upon request from the City Clerk’s Office, provide the City (at no cost to the City) with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided under Florida’s Public Records law or other applicable Laws; (iii) ensure that public records in Contractor’s possession that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by applicable Laws for the Term and after the expiration or earlier termination of this Agreement; and (iv) after the expiration or earlier termination of this Agreement, at the City’s request, either transfer, at no cost, to the City all public records in Contractor’s possession within ten (10) days following the City’s request and/or keep and maintain any public records required by the City to perform the services pursuant to this Agreement. If Contractor transfers all public records to the City upon the expiration or earlier termination of this Agreement, Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If Contractor keeps and maintains public records upon the expiration or earlier termination of this Agreement, Contractor shall meet all applicable requirements for retaining public records in accordance with this Agreement and all applicable Laws. At the City’s request, all public records stored electronically by Contractor shall be provided to the City in a format approved by the City.

B. **IF CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, AS TO CONTRACTOR’S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CITY CLERK’S OFFICE (THE CUSTODIAN OF PUBLIC RECORDS) AT 727-893-7448, CITY.CLERK@STPETE.ORG, OR 175 FIFTH ST. N., ST. PETERSBURG FL 33701.**

C. Nothing contained herein shall be construed to affect or limit Contractor’s obligations including but not limited to Contractor’s obligations to comply with all other applicable Laws and to maintain books and records pursuant to this Agreement.
40. **Background Checks.**

A. The Contractor shall conduct a criminal history check ("Background Check") for each Contractor and subcontractor employee, agent, or representative that will have access to the work site (each, a "Checked Individual"), and each such Background Check must be performed in accordance with the background check requirements set forth in Florida Statute Section 373.6055.

B. Prior to allowing a Checked Individual access to the work site, the Contractor shall submit to the City an affidavit certifying that each such Checked Individual is qualified to access the work site in accordance with Florida Statute Sections 373.6055(2), (3)(b), and (3)(c). If the Background Check for any Checked Individual identifies criminal convictions or other criminal history factors that disqualify that Checked Individual from access to the work site, the Contractor shall not allow that Checked Individual to have access to the work site, and an appeal process is not available. In the event Contractor becomes aware that any Checked Individual has been arrested or convicted for disqualifying offense, the Contractor shall immediately remove that Checked Individual from the work site.

C. An updated list of all Checked Individuals with access to the work site shall accompany the affidavit and be provided to the City, along with the cell phone number of the Contractor's representative responsible for those Checked Individuals. At any time, the City may request to view the Background Check of any Checked Individual working at the work site. Contractor shall make the Background Checks available for viewing as soon as possible, but no later than 24 hours after the request. If the Contractor fails to provide the requested documentation, the Checked Individual (s) in question will not be allowed to continue work until the appropriate documentation has been received. The Contractor shall not be allowed an extension of the Term due to any delay in the performance of the Implementation Services attributable to a Checked Individual’s inability to perform Implementation Services due to a Background Check being unavailable for inspection. The failure of the Contractor to submit an appropriate affidavit or the submission of an affidavit containing false information constitutes a substantial violation of the terms and conditions of this Agreement and entitles the City to terminate the Agreement immediately pursuant to section 16(C).
IN WITNESS WHEREOF, each Party is executing this Agreement on the date stated in the introductory clause.

WITNESS

ASCPO POWER SERVICES, INC.

Sign: ___________________________
Name: __________________________

By: ___________________________
Name: __________________________
Title: __________________________

Sign: __________________________
Name: __________________________

ATTEST

CITY OF ST. PETERSBURG, FLORIDA

_______________________________
City Clerk (Designee)

By: ___________________________
Name: Louis Moore, CPPO, Director
Title: Procurement & Supply Management

(SEAL)

Approved as to content and form as to the terms and conditions set forth in the body this Agreement:

_______________________________
City Attorney (or Designee)

Title: Project Manager

Provisions of contract approved

_______________________________
By: ___________________________
Name: __________________________
(ACKNOWLEDGMENT OF CONTRACTOR)

State of ____________________
County of ________________ ss:
City of ____________________

The foregoing Agreement was acknowledged- before me this ____ day of ________, 20____, by (officer’s name, title) ___________________________ of ASCO Power Services, Inc. (“Company”), on behalf of the Company. He/She is ____ personally known to me or ____ has produced ___________________________ (specify ID), as identification and appeared before me at the time of notarization.

______________________________ hereby warrants that he/she is authorized by the Company to execute the foregoing Agreement.

NOTARY PUBLIC,

(SEAL)

Sign: __________________________
Print: __________________________
Commission No. ____________________
APPENDIX A
SCOPE OF WORK

1. **Hardware and Software**: Contractor shall modify the existing ASCO Generator Synchronizing Control System consisting of the following:

   New front door (36" wide) and internal control panels (Supplied loose) for existing master control section - (Qty. 1 required) to include following:

   Single Programmable Logic Controller (PLC) - GE RX3i with CPU, Power Supply and I/Os

   24 inch LCD touch screen - (1920 x1080 resolution) Operator Interface Panel
   " PowerQuest Software - ASCO
   " Industrial Box PC, Microsoft OS Windows 7 Pro, 4GB RAM - Wonderware
   " Top Server License - (For Communication to BMS Modbus Protocol)

   Including the following screens:

   1. 3 Level Security Login Screen:
   2. One Line Diagram Screen:
   3. Generator and Totalizing Power Metering Screens:
   4. Engine Data Screen
   5. Status Panel & Control Station Screen:
   6. Load Demand, Bus Optimization & Load Priority Screen
   7. Alarm Summary Screen & Alarm History Screen
   8. Network Communication Status Screen
   9. Historical Trending Screen

   Synchronizing check relay (Device 25 - Basler ES25)

   Bus over/under frequency relay (Device 81O/U - Crompton)

   Bus Under/over voltage relay (Device 27/59 - Crompton)

   Load Priority, Bus Optimization and Load Demand control logic

   Synchroscope, SLOW-FAST, 4½" - Yokogawa

   Synchroscope Plant Selector Switch - Shallco

   ASCO Power Meter 5210 Digital Multifunction Meter
2-Voltmeters, 4-1/2", 1% accuracy, 600 Volt scale - Yokogawa

2-Frequency meters, 4-1/2", 1% accuracy, 55-65Hz scale - Yokogawa

Ammeter, 4-1/2", 1% accuracy, scale as required - Yokogawa

Watt meter, 4-1/2", 1% accuracy, scale as required - Yokogawa

Ammeter/Voltmeter, 4 position phase selector switch

3-Summing Current transformers, ratio as required - ITI

ASCO Master Control Station to include the following:
" Alarm Silence Reset push-button
" Bus Alarm Reset push-button
" Priority Load Shed Bypass/Reset push-button (One For Each Priority except Priority 1)
" Manual Parallel push button

System test switch located behind locked doors

Manual paralleling controls

2-24 point LED type system status indicating panels with push-button lamp test

Solid state DC control power selector system

DC - DC Converter

Alarm horn with silencing push-button and circuitry to allow subsequent malfunctions to resound alarm

Miscellaneous Components: (terminal blocks, control fuses, control relays, DC circuit breakers, etc.)

New front door (26" wide) and internal control panels (Supplied loose) for existing generator control sections - (Qty. 3 required) EACH to include following:

Digital Synchronizer Loading Controller - Woodward DSLC-2 to include following functions:

Active Synchronizer (Device 25)

VAR/PF Control
Reverse power relay (Device 32)

Versamax Programmable Logic Controller with CPU, Power Supply, Input/outputs - GE Fanuc

2-24 Point LED type generator status indicating panels with push-button lamp test

ASCO Power Meter 5210 Digital Multifunction Meter

ASCO Generator Control Station to include the following:
" Alarm Reset push-button
" Emergency Stop push button (Red colored with mushroom head)
" 4 Position Synchronizing mode selector switch with Permissive, Check, Off and Run positions - Shallco
" 5-Position Engine-Generator Control Switch with the following positions
" Automatic, Lockout/Reset, Off/Cool down, Test Off-Line, Test On-Line
" Voltage/Speed Control (Return-To-Center) selector switches with Lower-Off-Raise positions

Current shorting block

DC - DC Converter

Miscellaneous Components: (terminal blocks, control fuses, control relays, DC circuit breakers, etc.)

THE CONTRACTOR WILL ALSO MODIFY THE SEQUENCE OF OPERATION TO INCLUDE OPERATING THE TIE BREAKER AT SINGLE LOSS OF UTILITY IN-STEAD OF STARTING ENGINES.

2. Scope of Work:

(a) The Implementation Services do not include the setting of protective relays or circuit breakers. The Implementation Services do not include a coordination study to determine settings of circuit breaker trips or protective relaying. The City is responsible to provide all relay and circuit breaker settings.

(b) The Contractor has entered into this Agreement under the assumption that adequate load demand can be created on site for testing the equipment. If load banks are required, they shall be provided by the City. If requested, the Contractor can arrange to provide temporary load banks. Any and all costs associated with providing load banks is not the responsibility
of the Contractor, and additional charges will be incurred by the City and must be arranged for in advance.

3. **Project Timeframe:**

   (a) Engineering and manufacturing will require 18-20 weeks from receipt of Purchase Order. ASCO Power Services will schedule the work to be performed approximately 22-24 weeks from receipt of the Purchase Order.

   (b) Please allow 3-4 weeks from receipt of Purchase Order for submittals.

   (e) When scheduling dates for field work, a minimum of 2 weeks notice must be given or ASCO Power Services cannot guarantee the availability of the ASCO Power Services Field Service Technician.

4. **City Responsibilities:**

   (a) Provide access to facility and equipment as required to perform this scope of work.

   (b) Provide facility contact name and phone number for all scheduling and related conversations.

   (c) Provide a clean, safe and well lighted work environment for the Contractor’s technicians.

   (d) Wire termination to non-ASCO equipment, as required, is not the responsibility of ASCO Power Services and shall be provided by others.

   (e) Rigging of equipment, as required, is the responsibility of others and not provided by ASCO Power Services.
APPENDIX B
PAYMENT SCHEDULE

The City shall pay the Implementation Fee in accordance with the following schedule: 70% net thirty days from shipment from ASCO factory, and remainder 30% net thirty days from the City's acceptance of the entire System in accordance with section 6 of this Agreement.
APPENDIX C
THIRD-PARTY LICENSES AND INTELLECTUAL PROPERTY RIGHTS

The Contractor warrants that, as of the time this Agreement is executed, no Licensed Deliverable is subject to any Usage Right from a third-party. If any such third-party Usage Right is discovered or required, the Contractor shall propose an amendment to this Appendix C in accordance with the Agreement.
A RESOLUTION DECLARING ASCO POWER SERVICES, INC. TO BE A SOLE SOURCE SUPPLIER; ACCEPTING A PROPOSAL AND APPROVING THE PURCHASE OF ELECTRICAL CONTROL SYSTEM UPGRADES FROM ASCO POWER SERVICES, INC. FOR THE WATER RESOURCES DEPARTMENT AT A TOTAL COST NOT TO EXCEED $256,768.50; 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 replace the current Programmable Logic Controller ("PCL") electrical generator control system at the Northwest Water Reclamation Facility ("NWWRF") for the Water Resources Department which has reached the end of its economic service life; and

WHEREAS, ASCO Power Services, Inc. ("ASCO") is the sole source provider because it is the original designer, supplier and manufacturer of the current PCL electrical generator control system; 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 the approval of PCL electrical generator control system upgrades to ASCO 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 ASCO Power Services, Inc. is a sole source supplier for electrical control system upgrades for the Water Resources Department.

BE IT FURTHER RESOLVED that a proposal is accepted and the purchase of electrical control system upgrades from ASCO Power Services, Inc. for the Water Resources Department at a total cost not to exceed $256,768.50 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)
00351430
TO: The Honorable Darden Rice, Chair and Members of City Council

REQUEST: Approving the Key Business Points for a Mixed Use Project with Parking Structure in the Edge District; Supporting Administration’s negotiation of a Development Agreement

DATE: December 7, 2017

BACKGROUND: On February 2nd, 2017 City Council approved the EDGE District Improvement Plan ("Plan") that identifies priority improvements for the EDGE District ("District"). Increasing the supply of public parking to support the rapidly growing demand being generated by numerous new and successful businesses in the District is a top priority of the Plan. Parking enhancements are also a priority public improvement in the Intown West Community Redevelopment Area Plan ("CRA"). From the time of Plan adoption (and prior to Plan adoption) there have been ongoing discussions with the EDGE District Board, property owners and developers about where and how to locate and size a parking structure that would serve the public parking needs of the District businesses. The attached Term Sheet between the City and Tribridge Residential LLC ("Tribridge") is the next step in moving forward to realize the timely construction of new public parking spaces. The Term Sheet is the basis for the development of a final agreement that will be negotiated over the next few months. City Council approval of the Key Business Points has been requested by Tribridge to affirm the City’s interest in moving forward with the next level of negotiations. The sole funding source for the parking structure (should a Development Agreement be executed) is intended to be Intown West Tax Increment revenue. The final agreement will require CRA and City Council approval.

DESCRIPTION: Tribridge proposes developing a mixed use project with a parking garage on property currently owned by S&P Properties II, LLC and S&P Properties III, LLC ("Owners"). The property, currently under contract by Tribridge, is located on the south side of Central Avenue to the east of 13th Street South. Additional land currently owned by CSX may be added to the project site to allow for a larger parking structure to be built. The preliminary plan is for a mixed-use development that includes: (1) a parking deck with two and one half levels of public parking and one half level for reserved residential parking and a portion of the top level for a residential amenity deck, (2) approximately 10,000 square feet of commercial space on Central Avenue, and (3) approximately 64 residential units on 1st Avenue South. Key Business Points of the Term Sheet include:

- City would fund between 211 and 243 public parking spaces for a 50 year term at a price of $26,500 per space ($5,591,500 to $6,439,500). Two hundred and forty three (243) spaces would be constructed if the CSX property is purchased by Tribridge.
- City funding would be paid out in increments during the project as follows (provided that a guarantee of the City’s investment may be required depending upon the legal structure of ownership):
o 10% at City Council approval of the final Agreement
o 50% upon submission of complete building permit applications
o 30% upon 50% construction completion
o 10% upon issuance of a certificate of occupancy

- A Tribridge special purpose entity (SPE) would own and operate the public parking facility, subject to parties mutually agreeing upon the legal structure of such ownership.
- Tribridge would retain 100% of the net annual profits. The City would receive an annual management fee equal to 10% of the annual net profits or average equivalent.
- Tentatively, the timeline allows approximately 19 months from the date of Term Sheet approval to construction completion.
- The parking garage will be engineered and constructed to allow for an additional floor(s) to be constructed on the public parking structure.
- If the garage meets certain income thresholds, to be determined, the parties will discuss adding additional floor(s).
- After 3 years, if the garage does not meet target utilization rates, Tribridge has the right to purchase the City's interest in the garage by providing two years notice and paying for the remaining unamortized value per a mutually agreed upon amortization schedule.
- If the City funds or builds a new parking garage or lot in the "exclusion area" (defined as Arlington Avenue North to 1st Avenue South from 16th Street to 8th Street) within 5 years of Tribridge's completion of the parking garage described herein, Tribridge may purchase the City's interest in the parking garage described herein, as their exclusive remedy, by demonstrating that the new garage has negatively harmed Tribridge.
- The term sheet is non-binding and provides a framework for developing a final legally binding agreement. Either party may terminate negotiations without cause without any financial or legal responsibility.

RECOMMENDATION: Administration recommends APPROVAL of the attached Resolution that approves the Key Business Points for a Mixed Use Project with Parking Structure in the Edge District and supporting Administration's negotiation of a Development Agreement.

ATTACHMENTS: Term Sheet
Resolution
Site Map

APPROVAL:

[Signature]
Term Sheet

The parties, the City of St. Petersburg, hereinafter referred to as “City”, and Tribridge Residential, LLC, hereinafter referred to as “Tribridge”, have been discussing with the City a parking structure on the 1.25 acres Roger and Suzanne Perry, operating through wholly owned limited liability companies, S&P Perry Properties II, LLC and S&P Perry Properties III, LLC (the “Present Owners”) owns as identified by Exhibit “A” – Property. Said parking structure, shall include 211 to 243 parking spaces available for the public use including a newly constructed retail building(s) of approximately 10,000 square feet at market rates, for a primary term of fifty (50) years beginning on the date TriBridge closes on the Property. These negotiations, subject to additional due diligence, would enable a significant mixed-use project and also provide significant parking spaces to the EDGE District, St. Petersburg. It is currently conceived that a mixed use project containing restaurant, retail, residential apartments and public parking deck would be the targeted result if the parties are successful. The proposed preliminary mixed use development is currently planned for (1) a parking deck with two and one half levels for the public parking contemplated in this agreement, one and one half levels for reserved residential parking, and a portion of the top level of the deck will be for residential amenities including a pool; (2) approximately 10,000 square feet of commercial space; and (3) approximately 64 multi-family units. TriBridge reserves the right to make changes to the site plan that are consistent with mixed use intent; a fully defined scope will be included in the Development Agreement.

This Term Sheet outlines the key business points between City and Tribridge. Administration will ask City Council to approve the key business points set forth in this Term Sheet. Thereafter, the City and Tribridge will negotiate in good faith to finalize a Development Agreement that is consistent with the key business points, which agreement is subject to City Council approval.

City and Tribridge agree to the following key business points as the underlying basis for the project resulting in the creation of 211 to 243 public parking spaces for a fifty (50) year term:

Land/Site: The land and site for the location shall be the property identified in Exhibit “A,” 1.25 acres in St. Petersburg’s Edge District, containing approximately 190 feet of frontage on Central Avenue and approximately 400 feet of frontage on 1st Avenue South fronting Tropicana Field & Redevelopment Site (the “Property”). The Present Owners of the Property have entered into a contract to sell the Property to Tribridge. This property will allow Tribridge to build two-hundred eleven (211) parking spaces. Additionally, Tribridge is attempting to acquire from CSX Corporation a small portion of land which is railroad right-of-way which is located at the southwest corner of the Property and if the land is acquired, Tribridge expects to be able to build thirty-two (32) additional spaces. This would result in a total of two-hundred forty-three (243) parking spaces.

City Funding: City agrees to fund $26,500 per parking space for hard and soft costs to develop between 211 to 243 public use parking spaces at the site in exchange for the public use of the parking deck. In the event 211 public parking spaces are built, City will fund $5,591,500, and if 243 parking spaces are built, City will fund $6,439,500. City has indicated that sufficient funding is available through the EDGE District TIF, and other City sources, to fulfill the funding. Depending upon the legal structure of such ownership (which will be addressed the Development Agreement), a guarantee of the City’s investment may be required. City will pay the amounts listed below within 30 days of the milestone date:
- 10% of funding after City Council approval of a definitive agreement,
- 50% of the funding will be paid upon submittal for Building Permit
- 30% of the funding will be paid upon notice that the parking garage phase construction has reached 50% construction completion
- 10% of funding will be paid by the City upon issuance of a Certificate of Occupancy.

Ownership: The Public Parking facility is to be owned and operated by a Tribridge SPE, subject to parties mutually agreeing upon the legal structure of such ownership (which will be addressed the Development Agreement). After annual expenses for management, operations, maintenance, real estate
taxes, insurance, debt service and such other applicable, industry standard expenses directly attributable to the parking facility, Tribridge will retain 100% of the net annual profits.

City Asset Management Fee: City of St. Petersburg will be paid an asset management fee equal to 10% annual net profits or the average equivalent, which will be addressed in the Development Agreement.

Operations: Tribridge will either operate or retain a management company to operate the Public Parking facility herein described.

Timeline: Below is a preliminary proposed schedule which is subject to change.

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<th>Event</th>
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<tr>
<td>Council Hearing</td>
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<td>Executed Document(s)</td>
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<tr>
<td>Council Approval of Documents</td>
<td>3/15/2018</td>
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<tr>
<td>Commence Plan Production</td>
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</tr>
<tr>
<td>Submit for Site Plan and Permit Approval</td>
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<tr>
<td>Site Plan and Permit Approval Received</td>
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<td>Notice of Commencement</td>
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<tr>
<td>Construction Completion</td>
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Dr. BBQ Parking: City and Tribridge understand that the Perry family, one of the Present Owners, is opening one (1) restaurant concept (Dr. BBQ) adjacent to the project site, within the EDGE District, and Tribridge agrees that the customers of Dr. BBQ will have the right to park in the Public Parking facility at market rates. The City agrees to work with the Perry family to process any application to allow the Perry family the right to park in the Public Parking facility and that such parking will be counted or credited towards the required minimum parking requirements for the Dr. BBQ restaurant. City administration will support this concept during application.

Construction Parking: City agrees that if the project concept is approved, during the construction period, the City will provide a minimum of 50 parking spaces at the City owned 800 1st Avenue South lot or similar distance location pending approval by the Present Owners. Present Owners will pay market rate for this parking.

Additional Parking Deck: Tribridge agrees that the Public Parking structure will be engineered and constructed such that additional floor(s) of parking can be constructed on the top of the Public Parking structure. In the event the parking structure meets certain income thresholds, the parties will discuss construction of additional parking.

Conversion of the Parking Structure: After three (3) years from garage Certificate of Occupancy, Tribridge shall have the right to purchase City’s interest in the Public Parking facility by providing City two (2) years’ notice and paying back the City’s investment as reduced by a mutually agreed upon amortization schedule. Tribridge will have the right to purchase the City’s interest upon a showing by Tribridge that the facility is not performing as intended. Details of this paragraph will be further defined as part of the Development Agreement.

Competition Exclusion: This paragraph applies to an exclusion zone that is defined at the center line of Arlington Avenue North to the center line of 1st Avenue South from 8th Street North to 16th Street South which is commonly known as the boundary of the EDGE District. The City, so long as the parking garage is in operation, agrees that it does not intend to fund or develop any new off street parking (i.e. lot or deck) within the District for a period of 5 years; however, should the City fund or build new off street parking,
TriBridge has the right to provide notice to purchase the City’s interest between Years 3 to 5. This right is applicable if the newly developed parking comes on line within five years of this agreement’s effective date. TriBridge’s right to purchase is their exclusive remedy related to competition and is contingent upon TriBridge reasonably demonstrating that the new parking will or has harmed TriBridge financially as to be defined in the Development Agreement. Details of this paragraph will be further defined as part of the Development Agreement.

Construction Periods: The City acknowledges that should additional floor(s) of parking be added for either the City or TriBridge’s future development plans, areas of the existing parking may be unavailable at given times. TriBridge will use commercially reasonable efforts to minimize the impacts of such construction.

LOI Non-Binding: City and TriBridge recognize that this Term Sheet is non-binding upon the parties, but, wish to use this document to frame out the business terms and conditions of a final, legally binding document. Either party may terminate negotiations at will, and without cause without any financial or legal responsibility.

Agreed and accepted this 11th day of December, 2017.

TriBridge Residential, LLC

By: ____________________________
Name: Steve Browne
Title: Authorized Signature

Mayor Rick Kriseman,
City of St. Petersburg

Alan DeLisi
City of St. Petersburg, City
City Development Administrator
A RESOLUTION APPROVING THE KEY BUSINESS POINTS FOR A MIXED USE PROJECT WITH A PARKING STRUCTURE IN THE EDGE DISTRICT; SUPPORTING ADMINISTRATION’S NEGOTIATION OF A DEVELOPMENT AGREEMENT, WHICH SHALL INCLUDE TERMS AND CONDITIONS CONSISTENT WITH THE KEY BUSINESS POINTS; PROVIDING THAT SUCH AGREEMENT IS SUBJECT TO CITY COUNCIL APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2017, City Council approved the EDGE District Improvement Plan (“Plan”) that identifies priority improvements in the EDGE District; and

WHEREAS, increasing the supply of public parking to support the rapidly growing demand being generated by numerous new and successful businesses in the EDGE district is a top priority identified in the Plan; and

WHEREAS, Tribridge Residential LLC (“Tribridge”) is proposing to develop a mixed use project with a parking garage on property currently owned by S&P Properties II, LLC and S&P Properties III, LLC (which property Tribridge is under contract to purchase); and

WHEREAS, Administration and Tribridge have executed a term sheet which sets forth the Key Business Points for a Mixed Use Project with a parking structure in the EDGE District; and

WHEREAS, the mutually agreed upon Key Business Points are set forth in the Council Memo and Term Sheet, which are attached to this resolution; and

WHEREAS, Administration requests that City Council approve the Key Business Points for a Mixed Use Project with a Parking Structure in the EDGE District and support Administration’s negotiation of a Development Agreement.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the attached Key Business Points for a Mixed Use Project with a Parking Structure in the Edge District are hereby approved.

BE IT FURTHER RESOLVED that City Council supports Administration negotiating a Development Agreement, which shall include terms and conditions consistent with the Key Business Points.

BE IT FURTHER RESOLVED that the Development Agreement is subject to approval by City Council.

This Resolution shall become effective immediately upon its adoption.

Approvals

[Signatures]

City Attorney (Designee)
Administration

352562 Final 12-14-17 Meeting
ST. PETERSBURG CITY COUNCIL

MEETING OF: December 14, 2017

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Lot Clearing Number(s) LCA 1584

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

LCA: 1584
NUMBER OF STRUCTURES: 101
ASSESSABLE AMOUNT: $19,344.00

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

COST/FUNDING/ASSESSMENT INFORMATION:
The total assessable amount of $19,344.00 will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: ________________________________

COUNCIL ACTION: _______________________

FOLLOW-UP: ____________________________ AGENDA NO. ____________
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**ASSESSMENT OWNER NAME /MAILING ADDRESS**

**** City of St. Petersburg ****
Special Assessments Division
FINAL ASSESSMENT ROLL
12-14-2017

**ORIGINAL ASSESSMENT**

**ASSESSMENT NUMBER**

**PARCEL ID /LEGAL DESCRIPTION**

**PROPERTY ADDRESS**

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**TOTAL NUMBER OF ASSESSMENTS:** 101

**TOTAL ASSESSMENT AMOUNT:** 19,344.00
A RESOLUTION CONFIRMING AND APPROVING PRELIMINARY ASSESSMENT ROLLS FOR LOT CLEARING NO. 1584 ("LCA 1584") AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 16.40.060.4.4; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, preliminary assessment rolls for Lot Clearing No. 1584 ("LCA 1584") have been submitted by the Mayor to the City Council pursuant to St. Petersburg Code Section 16.40.060.4.4; and

WHEREAS, notice of the public hearing was duly published in accordance with St. Petersburg City Code Section 16.40.060.4.4; and

WHEREAS, City Council did meet at the time and place specified in the notice and heard any and all complaints that any person affected by said proposed assessments wished to offer; and

WHEREAS, City Council has corrected any and all mistakes or errors appearing on said preliminary assessment rolls.

NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council confirms the preliminary assessment rolls for Lot Clearing No. 1584 ("LCA 1584") as liens against the respective real property on which the costs were incurred and that pursuant to Section 16.40.060.4.4 of the St. Petersburg City Code said liens shall be superior in dignity to all other liens except taxes; and

BE IT FURTHER RESOLVED that the principal amount of all assessment liens levied and assessed herein shall bear interest at the rate of 12% per annum from the date of this resolution.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute and record notice(s) of the lien(s) provided for herein in the public records of the County.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

[Signature]
City Attorney (Designee)
00351634
ST. PETERSBURG CITY COUNCIL

MEETING OF: December 14, 2017

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Building Securing Number SEC 1230

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

SEC: 1230
NUMBER OF STRUCTURES 11
ASSESSABLE AMOUNT: $1,962.83

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

COST/FUNDING/ASSESSMENT INFORMATION:
The total assessable amount of $1,962.83 will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: ____________________________

COUNCIL ACTION: __________________

FOLLOW-UP: ________________________ AGENDA NO. ____________
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TOTAL NUMBER OF ASSESSMENTS: 11

TOTAL ASSESSMENT AMOUNT: 1,962.83
A RESOLUTION ASSESSING THE COSTS OF SECURING LISTED ON SECURING BUILDING NO. 1230 ("SEC 1230") AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 8-270; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg has proceeded under the provision of Chapter 8, of the St. Petersburg City Code to secure certain properties; and

WHEREAS, the structures so secured are listed on Securing Building No. 1230 ("SEC 1230"); and

WHEREAS, Section 8-270 of the St. Petersburg City Code provides that the City Council shall assess the entire cost of such securing against the property on which the costs were incurred and that assessments shall become a lien upon the property superior to all others, except taxes; and

WHEREAS, the City Council has held a public hearing on December 14, 2017, to hear all persons who wished to be heard concerning this matter.

NOW THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council assesses the costs of securing listed on Securing Building No. 1230 ("SEC 1230") as liens against the respective real property on which the costs were incurred and that pursuant to Section 8-270 of the St. Petersburg City Code said liens shall be superior in dignity to all other liens except taxes; and

BE IT FURTHER RESOLVED that the Special Assessment Certificates to be issued hereunder shall bear interest at the rate of 12% per annum on the unpaid balance from the date of the adoption of this resolution.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute and record notice(s) of the lien(s) provided for herein in the public records of the County.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)
00351635
TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Building Demolition Number DMO 456

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

DMO: 456

NUMBER OF STRUCTURES: 3

ASSESSABLE AMOUNT: $54,500.59

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

COST/FUNDING/ASSESSMENT INFORMATION: The total assessable amount of $54,500.59 will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: ____________________________

COUNCIL ACTION: __________________

FOLLOW-UP: ________________________ AGENDA NO._____
## BUILDING DEMOLITION NUMBER DMO 456

### COST/FUNDING/ASSESSMENT INFORMATION

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TOTAL NUMBER OF ASSESSMENTS: 4
TOTAL ASSESSMENT AMOUNT: 54,500.59
A RESOLUTION ASSESSING THE COSTS OF DEMOLITION LISTED ON BUILDING DEMOLITION NO. 456 ("DMO NO. 456") AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 8-270; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg has proceeded under the provision of Chapter 8, of the St. Petersburg City Code to demolish certain properties; and

WHEREAS, the structures so demolished are listed on Building Demolition No. 456 ("DMO No. 456"); and

WHEREAS, Section 8-270 of the St. Petersburg City Code provides that the City Council shall assess the entire cost of such demolition against the property on which the costs were incurred and that assessments shall become a lien upon the property superior to all others, except taxes; and

WHEREAS, the City Council has held a public hearing on December 14, 2017, to hear all persons who wished to be heard concerning this matter.

NOW THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council assesses the costs of the demolition listed on Building Demolition No. 456 ("DMO No. 456") as liens against the respective real property on which the costs were incurred and that pursuant to Section 8-270 of the St. Petersburg City Code said liens shall be superior in dignity to all other liens except taxes; and

BE IT FURTHER RESOLVED that the Special Assessment Certificates to be issued hereunder shall bear interest at the rate of 12% per annum on the unpaid balance from the date of the adoption of this resolution.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute and record notice(s) of the lien(s) provided for herein in the public records of the County.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)
00351632
TO: The Honorable Darden Rice, Chair, and Members of City Council

SUBJECT: ORDINANCE _____-H modifying the Comprehensive Plan to implement legislative requirements of Chapter 163, Part II, Florida Statutes, related to the annual update of the Capital Improvements Element.

REQUEST: It is requested that a proposed modification to the Local Government Comprehensive Plan related to the annual update of the Capital Improvements Element be approved.

Detailed analysis of the proposed modification is provided in the attached Staff Report to the Community Planning & Preservation Commission (City File LGCP-CIE-2017).

RECOMMENDATION:

Administration: The Administration recommends APPROVAL of the proposed ordinance.

Community Planning & Preservation Commission: On November 7, 2017 the Community Planning & Preservation Commission (CPPC) conducted a public hearing on this matter and approved the request via a 7-0 vote.

Public Input: The Planning & Economic Development Department did not receive any phone calls, visitors or correspondence regarding these amendments.

Recommended City Council Action: 1) CONDUCT the second reading and public hearing; AND 2) APPROVE the proposed ordinance.

Attachments: Proposed Ordinance including CIP schedules, Draft CPPC Minutes, Staff Report and Roadway Data and Analysis.
ORDINANCE NO. ______-H

AN ORDINANCE MODIFYING THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ST. PETERSBURG, FLORIDA BY UPDATING THE FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE AND REPLACING ALL PREVIOUSLY ADOPTED CAPITAL IMPROVEMENT SCHEDULES; ADOPTING FUND SUMMARIES FOR THE GENERAL CAPITAL IMPROVEMENT FUND (3001), BICYCLE/PEDESTRIAN SAFETY IMPROVEMENTS FUND (3004), CITYWIDE INFRASTRUCTURE FUND (3027), RECREATION AND CULTURE CAPITAL FUND (3029), MULTIMODAL IMPACT FEES CAPITAL IMPROVEMENT FUND (3071), DOWNTOWN PARKING IMPROVEMENT FUND (3073), WATER RESOURCES CAPITAL PROJECTS FUND (4003), STORMWATER DRAINAGE CAPITAL FUND (4013), AIRPORT CAPITAL PROJECTS FUND (4033), MARINA CAPITAL IMPROVEMENT FUND (4043), AND PORT CAPITAL IMPROVEMENT FUND (4093), FOR THE FISCAL YEARS 2018 THROUGH 2022; ADOPTING THE FDOT DISTRICT SEVEN’S ADOPTED FIVE-YEAR WORK PROGRAM FOR THE FISCAL YEARS 2017/18 TO 2021/22; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg has adopted a Comprehensive Plan to establish goals, policies and objectives to guide the development and redevelopment of the City; and

WHEREAS, the City has adopted level of service (LOS) standards for potable water, sanitary sewer, drainage, solid waste, recreation and open space; and

WHEREAS, the Comprehensive Plan includes a Capital Improvements Element containing five-year capital improvement schedules of costs and revenue sources for capital improvements necessary to achieve and/or maintain the City’s adopted LOS standards; and

WHEREAS, the Capital Improvements Element of the City’s Comprehensive Plan, including the five-year capital improvement schedules of costs and revenue sources, must be reviewed by the City on an annual basis pursuant to F.S. § 163.317(3)(b); and
WHEREAS, the City has reviewed the Capital Improvements Element for Fiscal Year 2017-2018 and has revised the five-year capital improvement schedules of costs and revenue sources for Fiscal Years 2018 through 2022, as set forth in Exhibits A through L attached to this ordinance; and

WHEREAS, the five-year capital improvement schedules of costs and revenue sources for the Florida Department of Transportation (FDOT) District Seven’s Adopted Five-Year Work Program has been reviewed and revised for Fiscal Years 2018 through 2022, as set forth in Exhibit L attached to this ordinance; and

WHEREAS, the City desires to modify its Capital Improvements Element to update the five-year capital improvement schedules of costs and revenue sources for Fiscal Years 2018 through 2022; and

WHEREAS, modifications of the Capital Improvements Element to update the five-year capital improvements schedules may be accomplished by ordinance pursuant to F.S. § 163.3177(3)(b); and

WHEREAS, under F.S. § 163.3177(3)(b), such modifications of the Capital Improvements Element to update the five-year capital improvements schedules may not be deemed to be amendments to the City’s Comprehensive Plan; and

WHEREAS, the Community Planning and Preservation Commission has reviewed the proposed updated five-year capital improvements schedules of costs and revenue sources at a public hearing on November 7, 2017, and has recommended approval; and

WHEREAS, the City Council, after taking into consideration the recommendations of the City Administration and the Community Planning and Preservation Commission, and the comments received during the public hearing conducted by the City Council on this matter, finds that the proposed modifications of the Capital Improvements Element to update the five-year capital improvements schedules are in the best interests of the City; now, therefore,

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

Section 1. Chapter 10, the Capital Improvements Element of the Comprehensive Plan, is hereby modified and updated by deleting pages CI15-Cl25 containing the existing fund summaries for Fiscal Years 2017 through 2021, and by replacing such deleted pages with the attached Exhibits A through L containing the fund summaries for Fiscal Years 2018 through 2022:
Section 2. Severability. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is deemed unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provision of this ordinance.

Section 3. 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 (5th) 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 of 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.
PUBLIC HEARING

A. City File LGCP-CIE-2017

Contact Person: Luis Teba, 551-3386

Request: City Administration requests that the Comprehensive Plan be modified to implement legislative requirements of Chapter 163, Part II, Florida Statutes, related to the annual update of the Capital Improvements Element (CIE).

Staff Presentation

Luis Teba gave a presentation based on the staff report.

Commissioner Michaels commented about the notation in the Sanitary Sewer section of the staff report pertaining to the addition of peak wet-weather capacity and evaluating the need for additional annual average capacity and then asked staff if whether or not they feel that the capital improvements included in this budget would meet that new standard. Mr. Teba replied that Sanitation would have to answer that question as it was out of his area. Mr. Dema explained that the significant capital outlays that have been made over the past year or so are designed to increase capacity peak flows during wet weather events and what is being looked at now is the average annual capacity, it’s really a dry weather and normal weather pattern that is evaluated against in terms of capacity.

Commissioner Michaels asked for additional information pertaining to the tourist population estimates listed in the Population Projections Methods and Data on page 6 of the staff report. Mr. Teba replied that SWFTMD has their owner criteria for how they estimate what they consider tourist population. [The requested information had since been provided.]

Commissioner Reese asked for what was the Deuces/Live Warehouse Arts District FY 2018 adopted budget of $500,000 listed on Exhibit “C” of the staff report. Mr. Teba stated that he will contact the Budget Department for the answer and will forward the findings when obtained. [The requested information had since been provided to Commissioner Reese.]

Commission Vice-Chair Rogo reminded the Commissioners that they are here just to find consistency with the Comprehensive Plan by the statutory requirements and that Mr. Teba may not know the answers to specific questions.

The process of the annual CIE updates was given by Mr. Teba for the benefit of the Commissioners to better understand how this information is obtained.
Public Hearing
No speakers present.

Executive Session

MOTION: Commissioner Michaels moved and Commissioner Wolf seconded to approve the modification of the Comprehensive Plan to implement legislative requirements of Chapter 163, Part II, Florida Statutes, related to the annual update of the Capital Improvements Element (CIE) in accordance with the staff report.

VOTE: YES – Michaels, Reese, Wolf, Wannemacher, Whiteman, Winters, Rogo
NO – None

Motion passed by a vote of 7 to 0.
Staff Report to the St. Petersburg Community Planning & Preservation Commission
Prepared by the Planning & Economic Development Department,
Urban Planning and Historic Preservation Division

For Public Hearing and Executive Action on November 7, 2017
at 2:00 p.m., in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

City File #LGCP-CIE-2017

Request

City Administration requests that the Comprehensive Plan be modified to implement legislative requirements of Chapter 163, Part II, Florida Statutes, related to the annual update of the Capital Improvements Element (CIE). Florida law continues to require that the CIE and the schedule of capital improvements, also referred to as the Capital Improvement Program (CIP), be reviewed on an annual basis and modified as necessary.

Changes to the growth management laws in 2011 resulted in the following changes to the CIE modification process from prior years:

1. The CIP is no longer required to be financially feasible. (Regardless of this change, the City’s budget remains in balance and the CIP continues to be financially feasible as explained further in this report and as reflected in the CIP schedules.)

2. The annual CIE update is now considered a modification to the Comprehensive Plan and not an amendment, however, it is still adopted by ordinance. (Pursuant to the 2011 Community Planning Act, the City can modify its CIE faster as there is no longer state and regional agency review. The ordinance will continue to require public hearings by the Community Planning & Preservation Commission and City Council.)

3. Capital projects must be identified as either funded or unfunded and given a level of priority for funding. (All projects listed in the City’s CIP are considered priority and are fully funded. There are no unfunded or partially funded projects in the City’s budget.)
4. The statutory provisions for school concurrency were rescinded. At its September 7, 2011 meeting the Pinellas Schools Collaborative recommended that the County and municipalities work toward an updated Public Schools Interlocal Agreement to reflect the change. On July 26, 2012 the St. Petersburg City Council approved a new Public Schools Interlocal Agreement which rescinded school concurrency requirements while continuing the City's residential development reporting and school planning coordination responsibilities. On February 21, 2013 the St. Petersburg City Council approved modifications to the Comprehensive Plan which deleted provisions related to the implementation of school concurrency, including the requirement to adopt the Pinellas County School Board's Five Year Work Program by reference in the CIE Annual Update.

5. The statutory provisions for transportation concurrency were rescinded. In the absence of state imposed transportation concurrency management requirements, the Pinellas County Metropolitan Planning Organization (MPO) authorized a multi-jurisdictional task force to develop a countywide approach to manage the transportation impacts associated with development or redevelopment projects through local site plan review processes. The task force created the Pinellas County Mobility Plan, which was adopted by the MPO in September 2013, and called for the renaming the Transportation Impact Fee Ordinance the Multimodal Impact Fee Ordinance. On March 3, 2016 the St. Petersburg City Council approved amendments to the Future Land Use, Transportation, Capital Improvements and Intergovernmental Coordination elements of the Comprehensive Plan in order to ensure consistency with the countywide approach to managing transportation impacts associated with development or redevelopment projects. The City no longer has a LOS standard for major roads, but the vast majority of the City’s major roads operate at the City’s previous standard of “D,” or better, based on the Forward Pinellas 2017 LOS Report. Four major road segments not on the Interstate system operate at LOS “E” or “F,” which have a total length of 3.7 miles. The total distance of the City’s major roadways not including the Interstate system is 211.8 miles. Consequently, only 1.8% of the major roads not on the Interstate system operate at a LOS “E” or “F”. This is partly due to the street network’s efficient grid pattern and history of providing extensive road capacity improvements citywide. The City will continue to work with the Florida Department of Transportation and Pinellas County to identify and fund cost feasible capacity improvements for motor vehicles on LOS “E” and “F” roadways that do not have a significantly negative impact on established residential and commercial developments, land use plans or multimodal initiatives. In terms of traffic impact review for land development projects, transportation management plans, and in some cases traffic studies, are required for large development projects (51 new peak hour trips or more) that impact deficient roads, which are defined countywide as major roads operating at peak hour LOS “E” and “F” and/or volume-to-capacity (v/c) ratio 0.9 or greater without a mitigating improvement scheduled for construction within three years. Road segments that have a v/c ratio of 0.9 or greater and a LOS of “D” or better include 38th Avenue North from 34th Street to 49th Street, Gandy Boulevard from 4th Street to Dr. ML King Jr. Street, and Haines Road from Dr. ML King Jr. Street to I-275.
The attached proposed ordinance modifies the CIE and replaces the existing schedules with new five-year capital improvement schedules (Exhibits A through L) for FY 2018 through FY 2022. These twelve schedules itemize projects over $250,000 which maintain or improve the City’s adopted LOS (level of service) standards for the following public facilities: potable water, sanitary sewer, solid waste, drainage, and recreation and open space. Due to their importance in the future growth and development of the City, capital projects related to the City’s transportation network are also included.

Concurrency

Concurrency means that the necessary public facilities and services to maintain the adopted LOS standards are available when the impacts of development occur. The schedules of capital improvements that are part of the CIE contain prioritized projects meant to ensure that adequate levels of service are maintained.

The City has adopted LOS standards for the following public facilities and services: potable water, sanitary sewer, solid waste, drainage, and recreation and open space. The City currently has excess public facility capacity for all applicable facilities, with the exception of portions of the drainage system and portions of the sanitary sewer system during extreme wet weather. The City’s CIP projects generally fall under the category of “replacement” and “maintenance” rather than “new” facilities or even “expansion” of existing facilities, largely due to the built-out nature of St. Petersburg.

Potable Water

Under the existing interlocal agreement with Tampa Bay Water (TBW), the City’s FY 2017 potable water demand was approximately 29.2 million gallons per day (mgd). With an overall potable water system capacity of 68 million gallons per day, there is more than adequate capacity to meet demand. While the City’s adopted LOS standard for potable water use is 125 gallons per capita per day, it is estimated that the actual per capita demand is 80 gallons per capita per day. Due to the excess capacity in the water system, no additional capital expenditures are anticipated beyond those concerning replacement, maintenance and efficiency, energy conservation and modernization (see Exhibit G, Fund 4003).

Sanitary Sewer

The City’s average flow rate for FY 2017 was 33.58 mgd, while the aggregated sanitary sewer system’s annual average capacity for its three wastewater treatment facilities was 56 mgd, resulting in an estimated excess annual average capacity of 22.42 mgd. Following several major rain events in 2016, the Water Resources Department is currently adding peak wet-weather capacity and evaluating the need for additional annual average capacity. City staff anticipates that the results of this evaluation will be included in future reports for subsequent annual updates.

Sanitation/Solid Waste

Solid waste collection is the responsibility of the City, but all solid waste disposal is the responsibility of Pinellas County. The City and the County have the same designated level of service (LOS) of 1.3 tons per year per person, however, the county’s LOS calculation does not
include recycling, which is handled at the local level. The growing success of the City of St. Petersburg’s recycling program has led to an increase in the amount of recyclable materials being diverted from the county’s facilities. Therefore, the County is receiving a lower tonnage for disposal, while the City is increasing its tonnage of collection. This has caused an increase in the level of service for the City when compared to that of the County. For 2016, the City’s actual demand for solid waste service was approximately 1.3 tons per person per year, meeting the adopted LOS standard. The overall county demand for solid waste service was approximately 0.88 tons per person per year, less than the LOS standard. The County currently receives and disposes of municipal solid waste generated throughout Pinellas County. The Pinellas County Waste-to-Energy (WTE) facility and the Bridgeway Acres Sanitary Landfill are the responsibility of the Pinellas County Department of Solid Waste. The WTE facility incinerated 496,151 tons of garbage in 2016, which is below its capacity to burn 930,750 tons per year. The Bridgeway Acres landfill disposed of 423,455 tons of garbage, and has approximately 86 years remaining, based on current grading and disposal plans. There are no solid waste related projects listed in the capital improvement schedules.

Drainage/Stormwater

Prior to the development or redevelopment of any property in the City, site plan approval is required. At that time, the stormwater management system for the site will be required to meet all City and SWFWMD (Southwest Florida Water Management District) stormwater management criteria. The City’s existing Stormwater Management Master Plan (SMMP) contains detailed information on the 26 basins that comprise the stormwater management area. The SMMP includes 85 projects. It is estimated that the City will spend an average of $6 million per year over a 20 year horizon to complete the projects. The plan is currently undergoing an update which is expected to be completed in 2021. SWFWMD grants are listed under funding resources in Exhibit H, Fund 4013, with the City match coming from “Penny for Pinellas” funds which are listed in Exhibit C, Fund 3027.

Recreation & Open Space

While the City has adopted a LOS standard of nine (9) acres of recreation and open space per 1,000 resident population, it enjoys an estimated 28.6 acres per 1,000. There are no recreation or cultural projects listed in the capital improvement schedules to address LOS deficiencies.

Financial Feasibility

While 2011 legislative changes no longer require the CIP to be financially feasible, the City continues to demonstrate a balanced program. Financial feasibility means that sufficient funding sources (revenues) are available for financing capital improvement projects (expenses) intended to achieve and maintain the adopted LOS standards. St. Petersburg accomplishes this by following fiscal policies that are codified in the City’s Administrative Policies and Procedures:

1. General Fiscal Policy I.A.4. – “The city shall prepare and implement a Capital Improvement Program (CIP) consistent with State requirements, which shall schedule the funding and construction of projects for a five-year period, including a one-year CIP Budget. The CIP shall balance the needs for improved public facilities and infrastructure,
consistent with the city’s Comprehensive Plan, within the fiscal capabilities and limitations of the city.”

2. General Fiscal Policy I.A.5. — “The city shall maintain its accounting records in accordance with Generally Accepted Accounting Principles (GAAP), applied to governmental units as promulgated by the Governmental Accounting Standards Board (GASB) and the Financial Accounting Standards Board (FASB). In addition, federal and state grant accounting standards will be met.”

3. Fiscal Policy for Capital Expenditures and Debt Financing, Policy IV.A.1.a. — “Revenue projections for the one-year Capital Improvement Program Budget and five-year Capital Improvement Program Plan shall be based on conservative assumptions of dedicated fees and taxes, future earnings and bond market conditions.”


Capital Improvement Budget

Each year the City Council approves an operating budget and a capital improvement budget. The capital improvement budget is the first year of the five-year Capital Improvement Program (CIP). The Capital Improvements Element of the Comprehensive Plan includes the five-year CIP along with 12 exhibits which are fund summaries for the various capital improvement funds. The fund summaries provide detailed revenue sources and project expenditure amounts, by fund, for FY18 through FY22. All funds are balanced in all years.

Compliance with the Comprehensive Plan

Early in each calendar year, the Planning & Economic Development Department reviews the proposed capital improvement projects for the next fiscal year’s budget. This ensures that projects comply with the requirements of the Comprehensive Plan objective and policies identified below.

The attached proposed ordinance and CIP schedules have been prepared to update the Capital Improvements Element of the Comprehensive Plan. The proposed CIP schedules do not commit the City to any financial expenditure beyond those itemized in the annual Capital Improvement Program (CIP) Budget. The following objective and policies from the Capital Improvements Element of the Comprehensive Plan are applicable to this annual update.

Policy CII.1:

Those projects exceeding $250,000, identified in the other elements of the Comprehensive Plan as necessary to maintain or improve the adopted level of service standards and which are of relatively large scale and high costs, shall be included in the Capital Improvement Element.
Objective C15:

To demonstrate the City's ability to provide for needed improvements identified in the other elements of the Comprehensive Plan, the City shall develop and adopt the capital improvement schedule, as part of the Comprehensive Plan. The Capital Improvement Schedule shall include: a schedule of projects; funding dates; all costs reasonably associated with the completion of the project; and demonstrate that the City has the necessary funding to provide public facility needs concurrent with or prior to previously issued Development Orders or future development.

Policy C15.1:

Proposed capital improvement projects must be reviewed by the planning department based on the following:

A. General consistency with the Comprehensive Plan - projects found inconsistent with the Comprehensive Plan shall not be approved until appropriate revisions are made to the project and/or the Comprehensive Plan to achieve consistency.

B. Evaluation of projects regarding the following eight areas of consideration from the State Comprehensive Planning Regulations:
   1. Elimination of Public Hazards;
   2. Elimination of Existing Capacity Deficits;
   3. Local Budget Impact;
   4. Locational Needs Based on Projected Growth Patterns (Activity Centers);
   5. Accommodation of New Development and Redevelopment Service Demands;
   6. Correction or replacement of obsolete or worn-out facilities;
   7. Financial Feasibility; and
   8. Plans of State Agencies and Water Management Districts that provide public facilities within the Local Government's jurisdiction.

The planning department shall advise the Department of Budget and Management of its findings regarding these eight areas of consideration to assist said Department with the ranking and prioritization of capital improvement projects.

Population Projections Methods and Data:

The Functional Population for 2016 was calculated using a combination of different sources to arrive at the most accurate population estimate. The base population number came from the Bureau of Economic and Business Research’s (BEBR) 2016 population estimate of 259,906 for the City of St. Petersburg. Since BEBR does not include seasonal and tourist populations, the Southwest Florida Water Management District’s 2016 seasonal and tourist population of 12,692 was combined with the permanent population data. Finally, an additional 2,290 individuals were
added based off of 1,329 residential permits for the 2016 calendar year. This process led to the total of 274,888 for 2016.

**Recommended Action**

Staff recommends that the Community Planning & Preservation Commission, in its capacity as the City’s Local Planning Agency, recommend to City Council **APPROVAL** of the attached ordinance modifying the Capital Improvements Element based on consistency with the Comprehensive Plan and compliance with statutory requirements.

Attachments: Proposed Ordinance and Exhibits A through L (CIP Schedules)
Exhibit Fund Summary

A General Capital Improvement Fund (3001)
B Bicycle/Pedestrian Safety Improvements Fund (3004)
C Citywide Infrastructure Fund (3027)
D Recreation and Culture Capital Fund (3029)
E Multimodal Impact Fees Capital Improvement Fund (3071)
F Downtown Parking Improvement Fund (3073)
G Water Resources Capital Projects Fund (4003)
H Stormwater Drainage Capital Fund (4013)
I Airport Capital Projects Fund (4033)
J Marina Capital Improvement Fund (4043)
K Port Capital Improvement Fund (4093).
L FDOT District Seven’s Adopted Five-Year Work Program
(Exhibit L lists projects for which the City has no funding responsibility)

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

Section 3. 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 (5th) 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 of 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.

REVIEWED AND APPROVED AS TO FORM AND CORRECTNESS:

City File: LGCP-CIE-2017

City Attorney/Designee

Planning & Economic Development Dept.
## General Capital Improvement Fund (3001)

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<td><strong>787,500</strong></td>
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### City Facilities

- **Fleet Shop Equipment Lifts**: 400,000
- **M.O.B. Repairs & Improvements FY18**: 2,025,000
- **M.O.B. Repairs & improvements FY21**: - 1,100,000

### Downtown/Intown Parking/Streetscape

- **Intown Streetscape**: 200,000

### Projects not in CIE

- **Prior Year Funding**: 134,901,884
- **Total Requirements**: 134,901,884

### Assigned for Police Equipment

- **Assigned for SCBA/Bunker Gear Fire**: 579,000

### Notes

GR = Grant Funding

CI - 15
## Bicycle/Pedestrian Safety Improvements (3004)

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<td>-</td>
<td>-</td>
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<td>797,000</td>
</tr>
<tr>
<td>GR FDOT LAP Sexton Elementary</td>
<td>- 308,341</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>308,341</td>
</tr>
<tr>
<td>GR FDOT LAP TI Trail</td>
<td>1,217,000</td>
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<td>1,217,000</td>
</tr>
<tr>
<td>GR FDOT LAP TI Trail Phase II</td>
<td>- 69,962</td>
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<tr>
<td>GR FDOT LAP Walter Fuller Park Trail</td>
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<tr>
<td>GR Pinellas Trail Extension Landscaping</td>
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<tr>
<td><strong>Total Resources</strong></td>
<td>6,406,300</td>
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<td>-</td>
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<td>7,912,186</td>
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### Transportation & Parking Management

<table>
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<th>Resources / Requirements</th>
<th>FY 2018 Adopted</th>
<th>FY 2019 Estimate</th>
<th>FY 2020 Estimate</th>
<th>FY 2021 Estimate</th>
<th>FY 2022 Estimate</th>
<th>CIP Total</th>
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<tbody>
<tr>
<td>HSIP - Downtown Bulbouts</td>
<td>1,127,583</td>
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<tr>
<td>Projects not in CIE</td>
<td>- 69,962</td>
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<td>-</td>
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<td>7,728,926</td>
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### Unappropriated Balance

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<th>FY 2019 Estimate</th>
<th>FY 2020 Estimate</th>
<th>FY 2021 Estimate</th>
<th>FY 2022 Estimate</th>
<th>CIP Total</th>
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<tr>
<td>Unappropriated Balance</td>
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### Notes

- **GR** = Grant Funding
# Citywide Infrastructure (3027)

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<tr>
<th>Resources / Requirements</th>
<th>Appropriated FY 2018 To Date</th>
<th>FY 2018 Adopted Estimate</th>
<th>FY 2019 Estimate</th>
<th>FY 2020 Estimate</th>
<th>FY 2021 Estimate</th>
<th>FY 2022 Estimate</th>
<th>CIP Total</th>
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<tbody>
<tr>
<td>Beginning Fund Balance</td>
<td>20,921,000</td>
<td>993,000</td>
<td>11,866,000</td>
<td>19,442,000</td>
<td>350,000</td>
<td>2,710,000</td>
<td>46,088,000</td>
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<tr>
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<td>11,000</td>
<td>1,700,000</td>
<td>4,300,000</td>
<td></td>
<td></td>
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<td>4,300,000</td>
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<tr>
<td>Local Option Sales Surplus</td>
<td>11,866,000</td>
<td>350,000</td>
<td>12,070,000</td>
<td>2,710,000</td>
<td></td>
<td>1,700,000</td>
<td>46,088,000</td>
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<tr>
<td>Miscellaneous/Other</td>
<td>19,442,000</td>
<td>1,700,000</td>
<td>4,300,000</td>
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<td>4,300,000</td>
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<td>PC Interlocal Agreement Sidewalks</td>
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<td>4,300,000</td>
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<td>4,300,000</td>
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<tr>
<td>PC Interlocal Agreement West Central</td>
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<td>1,700,000</td>
<td>46,088,000</td>
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<td>12,420,000</td>
<td>2,810,000</td>
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<td>74,513,000</td>
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</table>

## Bridge Recon/Replacement - Penny
- 157117 MLK South Over Booker Creek
- 157184 Bayou Grande, N of Tanglewood
- 157186 Venetian Blvd W of Shore Acres
- 157235 11th AvS Over Booker Creek

## Neighborhoods
- Deuces Live/Warehouse Arts District
- Innovation District Improvements

## Railway Crossing Improvements
- 9 A/N at 19th Street (RRX)
- Bridge Recon/Load Testing

## Stormwater Management Projects
- Drainage Line Rehab/Replacement
- Stormwater Vaults

## Street & Road Improvements
- Alley Reconstruction - Brick
- Alley Reconstruction - Unpaved
- Curb Replacement/Ramps
- Sidewalk Reconstruction
- Street and Road Improvements

## Transportation & Parking Management
- Complete Streets
- Neighborhood Transportation Management
- Sidewalk Expansion Program
- Wayfair Signage - Sign Replacement
- Undefined/Other - Penny
- Seawall Renovations & Replacement

## Inflation Contingency
- Prior Year Funding

## Notes
1) Projects shown in the plan for years 2018-2020 may be moved on a year-to-year basis to balance this fund. Decisions to move projects will be based on the status of previously scheduled projects and project priorities.
2) In FY16, as provided for in an interlocal agreement with Pinellas County (PC), $1.7 million was programmed as a resource from Pinellas County and is being used to fund the installation of missing sidewalk segments along county roads within the city.
3) In FY17, as provided for in an interlocal agreement with Pinellas County (PC), $4.3 million was programmed as a resource from Pinellas County and is being used to provide for Central Avenue improvements between Park Street and 59th Street.
### Recreation & Culture Capital (3029)

<table>
<thead>
<tr>
<th>Resources / Requirements</th>
<th>Appropriated To Date</th>
<th>FY 2018</th>
<th>FY 2019</th>
<th>FY 2020</th>
<th>FY 2021</th>
<th>FY 2022</th>
<th>CIP Total</th>
</tr>
</thead>
<tbody>
<tr>
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<tr>
<td>Earnings on Investments</td>
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<td>125,000</td>
<td>135,000</td>
<td>80,000</td>
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<td>-</td>
<td>545,590</td>
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<tr>
<td>Local Option Sales Surtax</td>
<td>13,431,590</td>
<td>8,086,000</td>
<td>8,619,000</td>
<td>2,209,000</td>
<td>-</td>
<td>-</td>
<td>32,345,590</td>
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<td>Transfer City Facilities Fund</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>20,000</td>
</tr>
<tr>
<td><strong>Total Resources</strong></td>
<td><strong>20,347,400</strong></td>
<td>8,211,000</td>
<td>8,754,000</td>
<td>2,289,000</td>
<td>-</td>
<td>-</td>
<td><strong>39,601,400</strong></td>
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</tbody>
</table>

#### Athletic Facilities

- Athletic Complex Restrooms/Concession: 415,000
- Athletic Facilities Improvements FY18: 200,000
- Athletic Field Lighting Improvements: - 250,000
- Outdoor Court Facility Improvement: 285,000

#### City Facilities

- Coliseum - Improvements: 150,000
- Coliseum N & E Window Replacements: 280,000
- Coliseum Painting and Waterproofing: - 250,000

#### Cultural Facilities Improvements

- Mahaffey Theater Improvements: 500,000

#### Libraries

- General Library Improvements: 200,000
- North Community Roof Replacement: 350,000

#### Parks & Open Space - Penny

- 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
- Restoration to Fountains/Plaques/Statues: 150,000

#### Pool Improvements

- Northwest Aquatic Complex Phase II: 200,000
- Swimming Pool Improvements: 350,000
- Recreation/Community Centers: 200,000
- Recreation Center Improvements: 200,000

#### Sunken Gardens

- Sunken Gardens Entrance Bid Refurbishment: 250,000
- Sunken Gardens Park Improvements: 250,000

#### Projects not in CIE

- Prior Year Funding: 18,325,870
- Total Requirements: 18,325,870

#### Assignment Shore Acres Rec Center

- 1,939,490
- 1,582,000
- 1,632,000
- 1,231,000
- 6,384,490

### Unappropriated Balance

- 82,040
- 201,040
- 1,290,915
- 471,253
- 471,253
- 471,253

### Notes

1) Projects shown in the plan for years 2018-2020 may be moved on a year-to-year basis to balance this fund. Decisions to move projects will be based on the status of previously scheduled projects and project priorities.

2) Assignments for the Shore Acres Recreation Center include: $240K in FY15, $283K in FY16, $1.414 million in FY17 and $4.445 million in FY18-20. In FY16, $267K was appropriated for the Shore Acres Park Expansion program and in FY17, $150K was appropriated for the Shore Acres Recreation Design. The grand total for the Shore Acres Recreation Center Project is $6.799 million.
### Multimodal Impact Fees Capital Improvement (3071)

<table>
<thead>
<tr>
<th>Resources / Requirements</th>
<th>Appropriated To Date</th>
<th>FY 2018 Adopted</th>
<th>FY 2019 Estimate</th>
<th>FY 2020 Estimate</th>
<th>FY 2021 Estimate</th>
<th>FY 2022 Estimate</th>
<th>CIP Total</th>
</tr>
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<tbody>
<tr>
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<td>185,000</td>
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<td>185,000</td>
<td>1,330,000</td>
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<tr>
<td>GATISAF Multimodal Impact Fees</td>
<td>551,000</td>
<td>100,000</td>
<td>100,000</td>
<td>100,000</td>
<td>100,000</td>
<td>100,000</td>
<td>1,051,000</td>
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<tr>
<td>Miscellaneous/Other</td>
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<td></td>
<td></td>
<td></td>
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<td>74,000</td>
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<tr>
<td>Transfer District 10</td>
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<td>2,000</td>
</tr>
<tr>
<td>Transfer District 11</td>
<td>556,000</td>
<td>598,000</td>
<td>350,000</td>
<td>350,000</td>
<td>350,000</td>
<td>350,000</td>
<td>2,554,000</td>
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<tr>
<td>Transfer Intown (District 11)</td>
<td>191,000</td>
<td>94,000</td>
<td>650,000</td>
<td>350,000</td>
<td>350,000</td>
<td>350,000</td>
<td>1,985,000</td>
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<tr>
<td><strong>Total Resources</strong></td>
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<td>20,960,000</td>
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#### Traffic Circulation - TIF & GATISAF

<table>
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<tr>
<th>Description</th>
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<th>FY 2019</th>
<th>FY 2020</th>
<th>FY 2021</th>
<th>FY 2022</th>
<th>CIP Total</th>
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<tbody>
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<td>Bike Share FY-18</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
<td>250,000</td>
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<tr>
<td>City Trails - Multi-use Trails FY-18</td>
<td>400,000</td>
<td>400,000</td>
<td>400,000</td>
<td>350,000</td>
<td>350,000</td>
<td>1,900,000</td>
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<tr>
<td>Downtown Intersection &amp; Pedestrian Facilities</td>
<td>250,000</td>
<td>250,000</td>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Sidewalk Expansion Program FY-18</td>
<td>200,000</td>
<td>75,000</td>
<td>50,000</td>
<td>50,000</td>
<td>25,000</td>
<td>400,000</td>
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<tr>
<td>Traffic Safety Program FY-18</td>
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<td>150,000</td>
<td>150,000</td>
<td>125,000</td>
<td>125,000</td>
<td>775,000</td>
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<tr>
<td>Complete Streets</td>
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<td>300,000</td>
<td>275,000</td>
<td>275,000</td>
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<td><strong>Projects not in CIE</strong></td>
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<td>30,625</td>
<td>47,500</td>
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<td>82,500</td>
<td>224,375</td>
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<td></td>
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<td>13,245,000</td>
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</table>

| **Total Requirements**                           | 13,245,000 | 1,575,000 | 1,255,625 | 997,500 | 913,750 | 18,894,375 |

| **Unappropriated Balance**                       | 2,498,000  | 1,900,000 | 1,929,375 | 1,916,875 | 1,988,125 | 2,065,625 |

CI - 19
## Downtown Parking Improvement (3073)

<table>
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<th>Resources / Requirements</th>
<th>Appropriated To Date</th>
<th>FY 2018 Adopted</th>
<th>FY 2019 Estimate</th>
<th>FY 2020 Estimate</th>
<th>FY 2021 Estimate</th>
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<tbody>
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<tr>
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<tr>
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<td>400,000</td>
<td>400,000</td>
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<tr>
<td><strong>Total Resources</strong></td>
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### Transportation & Parking Management

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</thead>
<tbody>
<tr>
<td>MSC Garage: 24-Hr Access</td>
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<tr>
<td>New Meter Technology</td>
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<tr>
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<tr>
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<td>410,000</td>
<td>420,000</td>
<td>430,000</td>
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### Projects not in CIE

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<thead>
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<th>FY 2019 Estimate</th>
<th>FY 2020 Estimate</th>
<th>FY 2021 Estimate</th>
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<td>60,000</td>
<td>10,000</td>
<td>20,000</td>
<td>30,000</td>
</tr>
</tbody>
</table>

### Prior Year Funding

| **Total Requirements** | 2,520,000 | 960,000 | 410,000 | 420,000 | 430,000 | 440,000 | 5,180,000 |

### Unappropriated Balance

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<tr>
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<th></th>
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</thead>
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<tr>
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<td>97,000</td>
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## Water Resource Capital Projects (4003)

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<th>FY 2019 Estimate</th>
<th>FY 2020 Estimate</th>
<th>FY 2021 Estimate</th>
<th>FY 2022 Estimate</th>
<th>CIP Total</th>
</tr>
</thead>
<tbody>
<tr>
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<td>800,000</td>
<td>700,000</td>
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<td>3,800,000</td>
<td>3,800,000</td>
<td>3,800,000</td>
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<tr>
<td>Advance Water Resources Operating Fund</td>
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<td>3,800,000</td>
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<tr>
<td>Bond Proceeds</td>
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<td>78,550,000</td>
<td>78,550,000</td>
<td>78,550,000</td>
<td>78,550,000</td>
<td>78,550,000</td>
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<tr>
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<td>75,000</td>
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</tr>
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<td>Connection Fees/Meter Sales Water</td>
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<tr>
<td>Department of Energy Biosolids Grant</td>
<td>518,000</td>
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<td>518,000</td>
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### Computerized Systems
- ASM Computer Hardware/Software: 100,000
- ASM SCADA Connection Upgrade: 50,000

### Environmental Compliance
- LAB HVAC Upgrades: 300,000

### Lift Station Improvements
- LST #10, 14, 37, 38 Rehab/Replace: 225,000
- LST #2, 12, 29, 55 Rehab/Replace: 1,500,000
- LST #21, 22, 34, 57, 66 Rehab/Replace: 300,000
- LST #23, 24, 79, 80 Rehab/Replace: 300,000
- LST #3, 9, 57, 60 Rehab/Replace: 1,200,000
- LST #42 Jim Walter Rehab: 1,100,000
- LST #87 Childs Park Master: 2,200,000
- LST Flow Meters: 200,000
- LST Landscape & Fence Replacement: 250,000
- LST SCADA Expansion: 1,000,000

### Reclaimed Water System Improvements
- REC Main/Valve Replace/Flushing Appurt: 100,000
- REC NE PCCP Replacement Phase 4: 7,900,000
- REC NW PCCP Replace 2 A/N 5 A/S: 400,000
- REC NW PCCP Replace NWWRF 2 Ave: 9,400,000
- REC Service Taps & Backflows: 50,000

### Sanitary Sewer Collection System
- SAN #67 Childs Park FM: 5,500,000
- SAN Annual Manhole Rehab Program: 750,000
- SAN Annual Pipe CIPP Lining Program: 2,500,000
- SAN Annual Pipe Repair & Replacement: 3,200,000
- SAN Flow Control LST #12: 3,000,000
- SAN Flow Monitoring Devices: 500,000
- SAN I & I Removal: 120,000
- SAN Manhole Ring/Cover Replacements: 150,000
- SAN Pasadena FM Replace Phase III: 6,200,000
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### Water Resources Building Improvements

| FAC Chilled Water Supply/Return Lines          | 220,000              | -       | -       | -       | 220,000  |           |           |
| FAC CHP Gen/150 Ton Absorption Chiller         | 350,000              | -       | -       | -       | 350,000  |           |           |
| FAC Equip Center & LS Shop Building            | 75,000               | 750,000 | -       | -       | 825,000  |           |           |
| FAC PV Parking Structure/Battery Storage       | -                    | -       | 750,000 | -       | 750,000  |           |           |
| FAC Repave/Restripe ADM Complex                | -                    | 250,000 | -       | -       | 250,000  |           |           |

### Water Treatment/Supply

| COS 36" Transmission Main to 42"               | -                    | 5,000,000| 10,000,000| 10,000,000| 25,000,000|           |           |
| COS Basin Security Covers                      | -                    | 300,000 | 700,000 | -       | 1,000,000|           |           |
### Water Resource Capital Projects (4003)

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<th>FY 2019 Estimate</th>
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<th>FY 2021 Estimate</th>
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#### Projects not in CIE

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City of St. Petersburg
Fiscal Year 2018

Exhibit "G"
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<th>FY 2020 Estimate</th>
<th>FY 2021 Estimate</th>
<th>FY 2022 Estimate</th>
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**Notes**

*GR = Grant Funding*
## Exhibit \( \text{"I"} \)

City of St. Petersburg

Fiscal Year 2018

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**Total Resources**: 9,161,420

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**Projects not in CIE**

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<td>Prior Year Funding</td>
<td>9,065,957</td>
<td>-</td>
<td>170,150</td>
<td>34,550</td>
<td>445,000</td>
<td>60,000</td>
<td>709,700</td>
</tr>
</tbody>
</table>

**Total Requirements**: 9,065,957

<table>
<thead>
<tr>
<th>Resources / Requirements</th>
<th>Appropriated To Date</th>
<th>FY 2018 Adopted</th>
<th>FY 2019 Estimate</th>
<th>FY 2020 Estimate</th>
<th>FY 2021 Estimate</th>
<th>FY 2022 Estimate</th>
<th>CIP Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unappropriated Balance</td>
<td>95,463</td>
<td>269,463</td>
<td>374,312</td>
<td>479,763</td>
<td>167,763</td>
<td>184,763</td>
<td>184,763</td>
</tr>
</tbody>
</table>

### Notes

GR = Grant Funding

---

CI - 26
## Marina Capital Improvement (4043)

<table>
<thead>
<tr>
<th>Resources / Requirements</th>
<th>Appropriated To Date</th>
<th>FY 2018 Adopted</th>
<th>FY 2019 Estimate</th>
<th>FY 2020 Estimate</th>
<th>FY 2021 Estimate</th>
<th>FY 2022 Estimate</th>
<th>CIP Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning Fund Balance</td>
<td>1,371,630</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1,371,630</td>
</tr>
<tr>
<td>Bond Proceeds Series 2017A</td>
<td>2,500,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2,500,000</td>
</tr>
<tr>
<td>Earnings on Investments</td>
<td>51,700</td>
<td>27,000</td>
<td>27,000</td>
<td>27,000</td>
<td>27,000</td>
<td>27,000</td>
<td>186,700</td>
</tr>
<tr>
<td>Future Borrowings</td>
<td>-</td>
<td>19,000,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>19,000,000</td>
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<tr>
<td>GR FDEP Florida Clean Vessel Act</td>
<td>85,575</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>85,575</td>
</tr>
<tr>
<td>Transfer Marina Operating</td>
<td>990,000</td>
<td>579,000</td>
<td>400,000</td>
<td>400,000</td>
<td>400,000</td>
<td>400,000</td>
<td>3,169,000</td>
</tr>
<tr>
<td><strong>Total Resources</strong></td>
<td><strong>4,998,905</strong></td>
<td><strong>606,000</strong></td>
<td><strong>19,427,000</strong></td>
<td><strong>427,000</strong></td>
<td><strong>427,000</strong></td>
<td><strong>427,000</strong></td>
<td><strong>26,312,905</strong></td>
</tr>
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### Marina Improvements

<table>
<thead>
<tr>
<th>Marina Improvements</th>
<th>FY 2018</th>
<th>FY 2019</th>
<th>FY 2020</th>
<th>FY 2021</th>
<th>FY 2022</th>
<th>CIP Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marina Facility Improvements</td>
<td>100,000</td>
<td>500,000</td>
<td>-</td>
<td>600,000</td>
<td>-</td>
<td>1,200,000</td>
</tr>
<tr>
<td>Marina Piling Replacement</td>
<td>165,000</td>
<td>-</td>
<td>165,000</td>
<td>-</td>
<td>165,000</td>
<td>495,000</td>
</tr>
<tr>
<td>Marina Rebuild Central Yacht Basin</td>
<td>200,000</td>
<td>19,000,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>19,200,000</td>
</tr>
</tbody>
</table>

### Projects not in CIE

<table>
<thead>
<tr>
<th>Prior Year Funding</th>
<th>FY 2018</th>
<th>FY 2019</th>
<th>FY 2020</th>
<th>FY 2021</th>
<th>FY 2022</th>
<th>CIP Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3,945,504</td>
<td>-</td>
<td>487,500</td>
<td>8,250</td>
<td>45,000</td>
<td>16,500</td>
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### Total Requirement

<table>
<thead>
<tr>
<th>Total Requirements</th>
<th>FY 2018</th>
<th>FY 2019</th>
<th>FY 2020</th>
<th>FY 2021</th>
<th>FY 2022</th>
<th>CIP Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3,945,504</td>
<td>465,000</td>
<td>19,987,500</td>
<td>173,250</td>
<td>645,000</td>
<td>181,500</td>
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</table>

### Unappropriated Balance

<table>
<thead>
<tr>
<th>Unappropriated Balance</th>
<th>FY 2018</th>
<th>FY 2019</th>
<th>FY 2020</th>
<th>FY 2021</th>
<th>FY 2022</th>
<th>CIP Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1,053,401</td>
<td>1,194,401</td>
<td>633,501</td>
<td>807,651</td>
<td>669,651</td>
<td>915,151</td>
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### Notes

GR = Grant Funding
### City of St. Petersburg

#### Fiscal Year 2018

### Port Capital Improvement (4093)

<table>
<thead>
<tr>
<th>Resources / Requirements</th>
<th>Appropriated To Date</th>
<th>FY 2018 Adopted</th>
<th>FY 2019 Estimate</th>
<th>FY 2020 Estimate</th>
<th>FY 2021 Estimate</th>
<th>FY 2022 Estimate</th>
<th>CIP Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning Fund Balance</td>
<td>182,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>182,000</td>
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<td>Earnings on Investments</td>
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<td>-</td>
<td>12,720</td>
</tr>
<tr>
<td>GR FSTED Port Repair &amp; Reno</td>
<td>68,040</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>68,040</td>
</tr>
<tr>
<td>GR FSTED Port Wharf Renovations</td>
<td>50,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>50,000</td>
</tr>
<tr>
<td><strong>Total Resources</strong></td>
<td><strong>312,760</strong></td>
<td><strong>-</strong></td>
<td><strong>-</strong></td>
<td><strong>-</strong></td>
<td><strong>-</strong></td>
<td><strong>-</strong></td>
<td><strong>312,760</strong></td>
</tr>
<tr>
<td>Projects not in CIE</td>
<td>241,079</td>
<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
<td>241,079</td>
</tr>
<tr>
<td><strong>Total Requirements</strong></td>
<td>241,079</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>241,079</td>
</tr>
<tr>
<td>Unappropriated Balance</td>
<td>71,681</td>
<td>71,681</td>
<td>71,681</td>
<td>71,681</td>
<td>71,681</td>
<td>71,681</td>
<td>71,681</td>
</tr>
</tbody>
</table>

**Notes**

GR = Grant Funding
# FDOT District Seven’s Adopted Five-Year Work Program
Fiscal Years 2017/18 to 2021/22
Road Capacity Projects in the City of St. Petersburg

<table>
<thead>
<tr>
<th>Project No.</th>
<th>Roadway</th>
<th>From</th>
<th>To</th>
<th>Project Description</th>
<th>Project Phases</th>
<th>2016 LOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Gateway Express</td>
<td>US 19 (SR 55)</td>
<td>E. of 28th St.</td>
<td>New Road Construction</td>
<td>Note 1</td>
<td>Note 2</td>
</tr>
<tr>
<td>2</td>
<td>I-275 Interstate Express Lanes</td>
<td>S. of Gandy Blvd.</td>
<td>N. of 4th St.</td>
<td>New Road Construction</td>
<td>Note 4</td>
<td>F/C</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project No.</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>Total 2018-2022</th>
<th>Revenue Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$6,159,699</td>
<td>$5,000,000</td>
<td>$10,420,000</td>
<td>$1,000,000</td>
<td>0</td>
<td>$22,579,699</td>
<td>Note 3</td>
</tr>
<tr>
<td>2</td>
<td>$486,871</td>
<td>$2,521,722</td>
<td>$8,970,613</td>
<td>$20,721,812</td>
<td>$23,211,404</td>
<td>$55,912,422</td>
<td>Note 5</td>
</tr>
</tbody>
</table>

**Notes:**
1. Project phases include preliminary engineering, railroad & utilities, environmental, and design build.
2. Existing level of service (LOS) data is not available because the Gateway Express will be a new road.
3. Federal, state and local funding will be used to construct the Gateway Express.
4. Project phases include preliminary engineering, environmental, and design build.
5. Federal and state funding will be used to construct the express lanes on I-275.
ST. PETERSBURG CITY COUNCIL

Meeting of December 14, 2017

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

SUBJECT: City File LDR-2017-07: City-initiated application amending the St. Petersburg City’s floodplain management ordinance, City Code, Chapter 8, the Building Code and Chapter 16, Land Development Regulations ("LDRs")

REQUEST: Public Hearing of the attached ordinance amending the St. Petersburg City’s floodplain management ordinance, City Code, Chapter 8, the Building Code and Chapter 16, Land Development Regulations ("LDRs")

ANALYSIS: The Planning and Economic Development Department, working with the City Attorney’s office, has prepared the attached proposal to amend the Building Code and the Land Development Regulations (LDRs). The proposal strengthens the floodplain management regulations that will allow the City to meet prerequisites for a greater discount to flood insurance premiums through the National Flood Insurance Program.

RECOMMENDATION:

Administration:

The Administration recommends APPROVAL.

Development Review Commission:

- On November 1, 2017, the DRC reviewed the proposed amendments and voted unanimously to make a finding of consistency with the City’s Comprehensive Plan.
- Comments from the commissioners included the following:
  - One commissioner asked about the right to inspect provision
  - One commissioner asked about changing the 50% to 49% and whether improvements were cumulative
  - One commissioner expressed concerns regarding the additional cost to increase freeboard to two feet for commercial buildings, exceeding other agency requirements such as FDOT which requires 1.0 foot above the 100-year flood event, and that this is a substantial change that may put the City of St. Pete at a disadvantage to other jurisdictions that do not require this and overnight become the most restrictive community in Florida
Amended request

The ordinance has been amended to address concerns, providing for an exemption for existing commercial buildings.

Public Notice:

- In accordance with City policy, e-mail notification of this proposed text amendment was sent to the following organizations and included a copy of the Development Review Commission ("DRC") staff report: Council of Neighborhood Associations; St. Petersburg Area Chamber of Commerce; St. Petersburg Downtown Partnership; Pinellas Realtors Organization; and the Chair of the City’s Development Review Commission. Additional notice was provided to applicable City Departments and private citizens who have requested to receive such notices.

- In addition to the normal public notice requirements for the Development Review Commission, proper notice shall be published in the Tampa Bay Times for the City Council public hearing.

Citizen Input:

- None received to date.

Recommended City Council Action:

1. CONDUCT the second reading and public hearing; and
2. APPROVE the proposed ordinance.

Attachments: Ordinance
DRC Staff Report
Housing Affordability Impact Statement
AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA AMENDING THE CITY CODE TO ADOPT CRITERIA FOR RESIDENTIAL CONSTRUCTION IN CERTAIN FLOOD HAZARD AREAS; INCREASING THE HEIGHT REQUIREMENT ABOVE THE FEMA FLOOD ELEVATION REQUIREMENTS; CODIFYING CITY PRACTICES REGARDING BUILDING SLAB ELEVATION FOR ALL RESIDENTIAL CONSTRUCTION; PROVIDING FOR CITY INSPECTIONS OF CERTAIN STRUCTURAL ENCLOSURES; AMENDING THE CITY'S FLOODPLAIN MANAGEMENT ORDINANCE; ADDING NEW SUBMISSION REQUIREMENTS FOR SITE PLANS WITHIN FLOOD HAZARD AREAS; PROVIDING FOR NEW AND REVISED DEFINITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Constitution of the State of Florida has, in Article VIII, Section 2 — Municipalities, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the City of St. Petersburg, Florida and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare; and

WHEREAS, the City of St. Petersburg, Florida ("City") desires to implement more stringent criteria for residential construction within flood hazard areas to protect its citizens' life and property; and

WHEREAS, this ordinance increases, by two feet, the minimum elevation requirement of the Florida Building Code for dwellings in the "A" and "AO" flood hazard areas and is authorized pursuant to Section 553.73(5), Florida Statutes; and

WHEREAS, the City recognizes that increasing the minimum elevation requirement of residential dwellings in flood hazard areas will provide a buffer from uncertainty for homeowners, as flood maps are reviewed and revised every six (6) years; and

WHEREAS, uncertainty in the extent of flood hazard areas is further exacerbated by sea level rise; and

WHEREAS, the City desires to codify its Engineering Department's City Standard for all new residential construction, whether it lies in a flood hazard area or not, which requires the building slab to be at least one foot above the crown of the adjacent roadway; and

1
WHEREAS, the City finds that clarification of its right to inspect structural enclosures located below the design flood elevation promotes the health, safety, and general welfare of its citizens; and

WHEREAS, the City further finds that requiring additional information on applications for site plan approval or other construction documents for development within a flood hazard area promotes the health, safety, and general welfare of its citizens; and

WHEREAS, the City desires to increase its standing in the National Flood Insurance Program’s (NFIP) Community Rating System (CRS), a points-based system that incentivizes community floodplain management activities that exceed the minimum NFIP requirements by discounting flood insurance premium rates to reflect the reduced flood risk resulting from the community actions meeting the goals of the CRS; and

WHEREAS, the amendments to the Florida Building Code and the City’s Floodplain Management Ordinance set forth herein are intended to partially fulfill the City’s goals under the CRS; and

WHEREAS, individual residential policyholders within the flood hazard area should also enjoy an additional discount in their homeowners’ insurance policies.

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

SECTION 1. The Florida Building Code (FBC) which has previously been adopted by the City in Chapter Eight of the City Code, is hereby amended by making the following amendment to FBC Section 107.3.5 in Sec. 8-36(c)(1) to read as follows:

(1) Administrative amendments to the Florida Building Code, Building.

Modify Sec. 107.3.5 as follows:

107.3.5 Minimum plan review criteria for buildings.

Commercial Buildings: Building

8. Structural requirements shall include:

Flood requirements in accordance with Section 1612, including lowest floor elevations, enclosures, declaration of land restriction (nonconversion agreement), flood damage-resistant materials, 2 feet of freeboard or floodproofing. When an existing building or structure permitted under this section complies with the FIRM at the time of issuance of a permit for new construction/addition, neither the existing building nor the new construction/addition, is required to comply with the additional building height footage required to be added to the base flood elevation by this section.

SECTION 2. The Florida Building Code (FBC) which has previously been adopted by the City in Chapter Eight of the City Code, is hereby amended by making the following amendments to FBC Sections R322.2.1, R322.2.2, and R322.3.5 in Sec. 8-36(c)(2) to read as follows:

(2) Technical amendments to the Florida Building Code, Residential.
Modify Sec. R322.2.1 as follows:

R322.2.1 Elevation requirements.

* * *

6. Buildings and structures in flood hazard areas without a base flood elevation, such as an A or AO zone, must be elevated two feet above the base flood elevation calculated by the permit applicant.

7. For all residential buildings and structures, regardless of flood hazard designation: Building slab shall be at least one (1) foot above the centerline of the roadway to which the building or structure fronts, and not less than a minimum elevation of 103.00 per City Datum or as dictated by the Federal Emergency Management Agency.

Modify Sec. R322.2.2 as follows:

R322.2.2 Enclosed areas below design flood elevation. Enclosed areas, including crawl spaces, that are below the design flood elevation shall:

1. Be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators and shall not be temperature-controlled. The limitation on partitions does not apply to crawl space foundations. Storage shall be limited to items which otherwise would be stored outside a building or items normally used outside (e.g., grill, lawn mower, folding chairs, etc.). Access to enclosed areas shall be the minimum necessary to allow for permitted uses and limited to garage door and no more than two standard exterior doors. The City reserves the right to inspect at any time, enclosures to ensure the above requirements are being met.

Modify Sec. R322.3.5 as follows:

R322.3.5 Enclosed areas below the design flood elevation. Enclosed areas below the design flood elevation shall be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators and shall not be temperature-controlled. The limitation on partitions does not apply to crawl space foundations. Storage shall be limited to items which otherwise would be stored outside a building or items normally used outside (e.g., grill, lawn mower, folding chairs, etc.). Access to enclosed areas shall be the minimum necessary to allow for permitted uses and limited to garage door and no more than two standard exterior doors. The City reserves the right to inspect at any time, enclosures to ensure the above requirements are being met.

SECTION 3. Section 16.40.050.5.1. of the St. Petersburg City Code is hereby amended to read as follows:

16.40.050.5.1. - Information for development in flood hazard areas.
The site plan or construction documents for any development subject to the requirements of this section shall be drawn to scale and shall include, as applicable to the proposed development:

1. Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.
2. Where base flood elevations, or floodway data are not included on the FIRM or in the FIS, they shall be established in accordance with section 16.40.050.5.2(2) or (3).
3. Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than five acres and the base flood elevations are not included on the FIRM or in the FIS, such elevations shall be established in accordance with section 16.40.050.5.2(1).
4. Location of the proposed activity and proposed structures, and locations of existing buildings and structures.
5. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
6. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
7. Existing and proposed alignment of any proposed alteration of a watercourse.
8. The grade elevations on project lots shall show existing and proposed grade elevations and elevations of existing and proposed structures including retaining walls and swales, etc. The grade elevations on abutting property lots shall be shown from 1'12" from each property line and there shall be a minimum of elevations or shots shown at all corners and two (2) equally spaced elevations between corners. The site plan must provide positive drainage away from the building site to an approved point of collection that does not create a hazard or problem on neighboring properties. The Building Official or Deputy Building Official may require additional locations if deemed necessary for proper drainage analysis. The authority having jurisdiction may require elevations for additions and pools in Special Flood Hazard Areas if necessary.

The Building Official is authorized to waive the submission of site plans, construction documents, and other data that are required by this section but that are not required to be prepared by a licensed professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this section.

SECTION 4. The definitions of 'Substantial damage' and 'Substantial improvement' in Section 16.40.050.9.4. of the St. Petersburg City Code are hereby amended to read as follows:

*Substantial damage* means damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would be equal to or exceed 50 49 percent of the market value of the building or structure before the damage occurred.

*Substantial improvement* means any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds $50 49 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "repetitive loss" or "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:
1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

2. Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

SECTION 5. Section 16.40.050.9.4. of the St. Petersburg City Code is hereby amended by adding a new definition for ‘Repetitive loss,’ in the appropriate alphabetical order, to read as follows:

Repetitive loss means flood-related damage sustained by a structure on at least two (2) separate occasions during a ten-year period for which the cost of repairs at the time of each such event is either:

1. Greater than $1,000; or
2. On average, equals or exceeds 25% of the market value of the structure before damage occurred.

SECTION 6. The St. Petersburg City Code is hereby amended by adding a new Section 16.40.050.10.3. to read as follows:

16.40.050.10.3.—Buildings and structures above the crown of the nearest roadway.

For all residential buildings and structures, regardless of flood hazard designation: As set forth in the Florida Building Code, as amended by Chapter Eight of the City Code, building slab shall be at least one (1) foot above the centerline of the roadway to which the building or structure fronts, and not less than a minimum elevation of 103.00 per City Datum or as dictated by the Federal Emergency Management Agency.

SECTION 7. Coding: For Sections 1 and 2 of this Ordinance, which amend the Florida Building Code in Chapter 8 of the City Code, the following interpretive rules shall apply: Words that are struck through shall be deleted from the existing Florida Building Code and City Code and language which is double underlined shall be added to the existing Florida Building Code and City Code. Words with a single underline are previous City amendments to the Florida Building Code language. For Sections 3 through 6 of this Ordinance, which amend Chapter 16 of the City Code, the following interpretive rules shall apply: Words that are struck through shall be deleted from the existing City Code and language which is underlined shall be added to the existing City Code. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise.

SECTION 8. 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 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 the Ordinance, in which case the Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.
Approved as to form and content:

City Attorney (designee)
For Public Hearing on Wednesday, November 1, 2017
at 2:00 p.m. in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

APPLICATION: LDR 2017-07
Floodplain Management Ordinance Update

APPLICANT: City of St. Petersburg
175 Fifth Street North
St. Petersburg, Florida 33701

REQUEST: The City of St. Petersburg requests that the Development Review Commission ("DRC") review and recommend approval of the attached proposed amendments to the City Code of Ordinances, Chapter 16, Land Development Regulations (LDRs), confirming consistency with the City of St. Petersburg’s Comprehensive Plan ("Comprehensive Plan").

AUTHORITY: Pursuant to Section 16.80.020.1. of the City Code of Ordinances, the DRC, acting as the Land Development Regulation Commission ("LDRC"), is responsible for reviewing and making a recommendation to the City Council on all proposed amendments to the LDRs.

EVALUATION:

Recommendation
The Planning & Economic Development Department finds that the proposed request is consistent with the Comprehensive Plan and recommends APPROVAL.

Background
With an effort to better protect residents and businesses from the effects of flooding, the Planning and Economic Development Department, which is responsible for management of the floodplain regulations and the Community Rating System (CRS), is recommending modifications to the floodplain regulations in the Building Code, Chapter 8 and in the Land Development Code, Chapter 16. These modifications will lay the groundwork for a reclassification from a CRS Class 5 community to a CRS Class 4 community, effecting a 30% discount to all flood insurance premiums through the National Flood Insurance program. This 30% discount will overall cumulatively save approximately 12 million per year on insurance premiums for City property owners. These savings offset the increase to insurance premiums. These proposed regulations are prerequisites in order to attain a CRS Class 4. Implementing these regulations will allow the community to better prepare for flooding events and encourage sound floodplain management.
Proposal

The Planning & Economic Development Department, working with the City Attorney's office, has prepared the attached proposal to amend the Building Code and the Land Development Regulations (LDRs). The proposal strengthens the floodplain management regulations that will allow the City to meet pre-requisites for a greater discount to flood insurance premiums through the National Flood Insurance Program.

Compliance with the Comprehensive Plan

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

OBJECTIVE C1: The City of St. Petersburg shall attempt to reduce the potential for property damage and safety hazards caused by storm flooding through complying with or exceeding of minimum FEMA regulations. Policies: C1.1 The City will actively enforce minimum building standards identified in the Florida Building Code and Land Development Regulations for construction within the 100-year flood plain.

OBJECTIVE CM11: The City will reduce natural hazard impacts through compliance with FEMA regulations, participation in NFIP's Community Rating System (CRS) and by targeting repetitive flood loss and vulnerable properties for mitigation.

CM11.7 Site plan review criteria shall consider flood potential and hurricane hazards, including evacuation levels and sheltering, in a comprehensive manner.

CM11.9 The City shall continue to participate in the Federal Emergency Management Agency's National Flood Insurance Program and Community Rating System in order to achieve higher flood insurance premium discounts.

CM11.10 The City shall maintain an inventory of repetitive loss properties and target hazard mitigation programs to these properties.

CM11.11 Through hazard mitigation programs and compliance with FEMA flood elevation requirements, at least five (5) previously noncompliant structures per year will be brought into conformance with FEMA flood elevation standards or flood proofed consistent with FEMA standards.

CM11.12 The City will consider amendments to its comprehensive plan and land development regulations based upon any new or revised recommendations in the Pinellas County Local Mitigation Strategy.

CM11.14 In order to reduce flood risk resulting from or associated with high-tide events, storm surge, flash floods, stormwater runoff and the impacts related to sea-level rise, the City shall continue to promote the use of the development and redevelopment principles, strategies and engineering solutions contained in the Florida Building Code and the Land Development Regulations. Chapter Five, Coastal Management Element City of St. Petersburg Comprehensive Plan CM-14 Effective 2/5/16.

CM11.15 Through implementation of the Land Development Regulations, the City will continue to be consistent with, and in some instances more stringent than, the flood resistant construction requirements in the Florida Building Code and federal flood plain management regulations.
**Housing Affordability Impact Statement**

The proposed amendment will have little to no impact on housing affordability, availability or accessibility. This application includes an amendment to the procedural requirements of the floodplain management regulations which will ensure public safety related to future flooding events.

**Adoption Schedule**

The proposed amendment requires one (1) public hearing, conducted by the City of St. Petersburg City Council. The City Council shall consider the recommendation of the DRC and vote to approve, approve with modification or deny the proposed amendments:

- December 7, 2017: First Reading and First Public Hearing
- December 14, 2017: Second Reading and Adoption Public Hearing

**Exhibits and Attachments**

1. Proposed Ordinance
City of St. Petersburg
Housing Affordability Impact Statement

Each year, the City of St. Petersburg receives approximately $2 million dollars 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, Regulations, or Comprehensive Plan Amendment Under Consideration for adoption by Ordinance or Resolution:

The Planning and Economic Development Department, working with the City Attorney’s office, has prepared the attached proposal to amend the St. Petersburg City’s floodplain management ordinance, City Code, Chapter 8, the Building Code and Chapter 16, Land Development Regulations (“LDRs”)

The proposed amendments will have a mixed impact on housing affordability, availability or accessibility. This application strengthens the floodplain management regulations that will allow the City to meet prerequisites for a greater discount to flood insurance premiums through the National Flood Insurance Program, which in turn lowers the cost of annual flood insurance premiums for homeowners. It codifies city practices regarding minimum building slab elevation for residential construction. The proposed amendment will add costs associated with meeting the additional elevation requirement for new construction and substantial improvements to existing homes. However, the importance of improving the resilience and sustainability of St. Petersburg to potential impacts of climate change and sea level rise is considered a suitable justification for the additional costs.

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 fee, require more infrastructure costs up from, etc.)

No ___ (No further explanation required)
Yes X Explanation:
If yes, the per unit cost increase associated with this proposed policy change is estimated to be $ varies on a case by case basis and would only impact homes in the 100 year floodplain.
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 purpose outweighs the need to continue the
community's ability to provide affordable housing, please explain below:

CHECK ONE:

9 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.)

Department Director (signature)        Date

OR

9 The proposed regulation, policy, procedure, or comprehensive plan amendment being
proposed by resolution or ordinance will increase housing costs for some homes located
within the 100 year floodplain in the City of St. Petersburg. (Please attach this Impact
Statement to City Council Material, and provide a copy to Housing and Community
Development Department.)

[Signature]
Department Director (signature)        11-9-17     Date

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

SUBJECT: Ordinance approving a vacation of a 10-foot east/west street easement along 5th Avenue Northeast at the intersection of 1st Street North and a 30-foot radius street easement at the intersection of 4th Avenue Northeast and 1st Street North (City File No.: 17-33000017).

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

RECOMMENDED CITY COUNCIL ACTION:
1) Conduct the second reading and public hearing; and
2) Approve the proposed ordinance.

The Request: The request is to vacate a 10-foot east/west street easement along 5th Avenue Northeast at the intersection of 1st Street North and a 30-foot radius street easement at the intersection of 4th Avenue Northeast and 1st Street North.

These easements were dedicated by the plat of Townview Condo, approved by City Council in 1981. These easements were requested at that time by the City's Engineering Department. The applicant's goal is to vacate the easements in order to have greater use of the property.

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: City Engineering did indicate that vacation of the street easement would be acceptable with an added condition regarding any future wall to be built at the subject location. One private utility agency, TECO/Peoples Gas did indicate the presence of facilities in the adjoining right-of-way to the street easement to be vacated.

Public Comments: As of the date of this report, one call and two emails were received from the public in response to the notice. No objection was noted. The applicant will be required to provide an additional public notice prior to the public hearing before the City Council.
DRC Action: On November 1, 2017, the Development Review Commission (DRC) held a public hearing on the subject application. No person spoke in opposition to the request. After the public hearing, the DRC voted 7-0 to recommend approval of the proposed vacation.

RECOMMENDATION:

The Administration recommends APPROVAL of the street easement vacations, subject to the following conditions:

1. Prior to recording of the vacation ordinance, the applicant(s) shall address the location of TECO/Peoples Gas utilities and services by relocating private utilities at the applicant's expense, providing a private easement to TECO/Peoples Gas, or obtaining a letter of no objection from TECO/Peoples Gas. In any case a written letter of no objection from the utility provider is required.

2. Comply with the Condition of Approval in the Engineering Memorandum dated October 16, 2017: Any future wall installed along the northern property line adjacent to the western 87.6 feet of the property be constructed with a foundation which extends at least 3-feet below the land surface. This will prevent undermining of the wall foundation if a future sewer excavation is performed within the adjacent right of way of 5th Avenue Northeast.

3. Future construction on site shall comply with all requirements of Section 16.40.160. - Visibility at Intersections; Sight Triangles.

Attachments: Parcel Map, Aerial Map, Ordinance with Exhibit “A”, DRC Staff Report
ORDINANCE NO. _____

AN ORDINANCE APPROVING A VACATION OF A 10-FOOT EAST/WEST STREET EASEMENT ALONG 5TH AVENUE NORTHEAST AT THE INTERSECTION OF 1ST STREET NORTH AND A 30-FOOT RADIUS STREET EASEMENT AT THE INTERSECTION OF 4TH AVENUE NORTHEAST AND 1ST STREET NORTH; 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 November 1, 2017 (City File No. 17-33000017):

Legal Description: See attached Exhibit “A” – one page, incorporated as if fully stated therein.

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

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

1. Prior to recording of the vacation ordinance, the applicant(s) shall address the location of TECO/Peoples Gas utilities and services by relocating private utilities at the applicant’s expense, providing a private easement to TECO/Peoples Gas, or obtaining a letter of no objection from TECO/Peoples Gas. In any case a written letter of no objection from the utility provider is required.

2. Comply with the Condition of Approval in the Engineering Memorandum dated October 16, 2017: Any future wall installed along the northern property line adjacent to the western 87.6 feet of the property be constructed with a foundation which extends at least 3-feet below the land surface.

3. Future construction on site shall comply with all requirements of Section 16.40.160. - Visibility at Intersections; Sight Triangles.

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

LEGAL:  

[Signature]

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT:

[Signature]
LEGAL DESCRIPTION

That certain 10-foot East-West Street Easement as shown on Lot 1, Block 1, TOWNVIEW APARTMENTS REPLAT as recorded in Plat Book 84, Page 22, Public Records of Pinellas County, Florida, said easement also shown on TOWNVIEW, A CONDOMINIUM as recorded in Condominium Plat Book 64, Pages 20 through 32 inclusive, Public Records of Pinellas County, Florida.

Together with

Exhibit "A"

That certain 30-foot Radius Street Easement as shown on Lot 1, Block 1, TOWNVIEW APARTMENTS REPLAT as recorded in Plat Book 84, Page 22, Public Records of Pinellas County, Florida, said easement also shown on TOWNVIEW, A CONDOMINIUM as recorded in Condominium Plat Book 64, Pages 20 through 32 inclusive, Public Records of Pinellas County, Florida.

St. Petersburg, Florida

LEGEND

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: EAST ALONG THE NORTH LINE OF LOT 1, BLOCK 1, AS PER RECORD PLAT.
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" = 80'.
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.

PREPARED FOR:

TOWNVIEW CONDOMINIUMS
DESCRIPTION & SKETCH
SECTION 19, TOWNSHIP 31S., RANGE 17E.

JOB NO. 160200801SS

George F. Young, Inc.
299 Dr. Martin Luther King Jr. Street, N. St. Petersburg, Florida 33701
PHONE (727) 822-6317  FAX (727) 822-2019
BUSINESS ENTITY 1021
ARCHITECTURE-ENGINEERING-ENVIRONMENTAL-LANDSCAPE-PAMING-SURVEYING-UTILITIES
GAINESVILLE/LAKEMOOR RANCH-ORLANDO-PALM BEACH-GARDENS-ST. PETERSBURG-TAMPA

DATE

SCALE: 1" = 80'

FIFTH AVENUE NORTHEAST

10 FOOT EAST-WEST STREET EASEMENT

RADIUS = 30.00'
ARC LENGTH = 47.08'
CENTRAL ANGLE = 89°58'00"
CHORD = 45°02'00"E 42.40'
30 FOOT RADIUS
STREET EASEMENT

FOURTH AVENUE NORTHEAST

WELLS FARGO BANK OF FLORIDA

PREPARED FOR:

TOWNVIEW CONDOMINIUMS
DESCRIPTION & SKETCH
SECTION 19, TOWNSHIP 31S., RANGE 17E.

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DATE
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 November 1, 2017 at 2:00 P.M. in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.: 17-33000017

REQUEST: Approval of a Vacation of a 10-foot east/west street easement along 5th Avenue Northeast at the intersection of 1st Street North and a 30-foot radius street easement at the intersection of 4th Avenue Northeast and 1st Street North.

OWNER: Townview Condo Association, Inc.
9887 4th Street North #301
Saint Petersburg, Florida 33702

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

ADDRESSES AND PARCEL ID NOS.: 105 4th Avenue Northeast; 19-31-17-91613-000-0001 and all the parcels up to 19-31-17-91613-000-6290

LEGAL DESCRIPTION: On File

ZONING: Downtown Center-3 (DC-3)
DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate a 10-foot east/west street easement along 5th Avenue Northeast at the intersection of 1st Street North and a 30-foot radius street easement at the intersection of 4th Avenue Northeast and 1st Street North.

These easements were dedicated by the plat of Townview Condo, approved by City Council in 1981. These easements were requested at that time by the City's Engineering Department.

The area of the street easements proposed for vacation is depicted on the attached maps (Attachments A and B) and Sketch and Description (Exhibit "A") The applicant's goal is to vacate the easements in order to have greater use of the property.

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 street easements would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

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

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

The application was routed to the standard list of City Departments and private utility providers. The City does have sanitary sewer facilities within the right-of-way of 5th Avenue Northeast. As a suggested condition of this vacation, these facilities will be protected by a special condition included in the Engineering memorandum (Attachment C). TECO/Peoples Gas have also indicated that they have facilities in 1st Street North which may be affected. As a condition of approval, the applicant will either relocate these facilities, provide a private easement or obtain a letter of no objection from TECO/Peoples Gas.

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 these street easements will have no effect on 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 these street easements will have no effect on the existing roadway network.

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 street easements are not needed for the purpose for which the City has a legal interest and there is no known present or future need for expansion of the right-of-way. The easements were originally dedicated by the plat of Townview Apartments Replat in 1981.

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 property is within the boundaries of the Downtown Neighborhood Association. There are no policies in the neighborhood plan which affect vacation of street easements in this area of the City.

The subject property is also within the boundaries of the Intown Activity Center. The Intown Activity Center plan has no elements which may apply to the vacation of these street easements:

Comments from Agencies and the Public: As of the date of this report, one call and one email was received from the public in response to the notice. No objection was noted.

As noted above City Engineering did indicate that vacation of the street easement would be acceptable with an added condition regarding any future wall to be built at the subject location. One private utility agency, TECO/Peoples Gas did indicate the presence of facilities in the adjoining right-of-way to the street easement to be vacated. 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 easement vacations. If the DRC is inclined to support the vacation, Staff recommends the following special conditions of approval:

1. Prior to recording of the vacation ordinance, the applicant(s) shall address the location of TECO/Peoples Gas utilities and services by relocating private utilities at the applicant's expense, providing a private easement to TECO/Peoples Gas, or obtaining a letter of no
objection from TECO/Peoples Gas. In any case a written letter of no objection from the utility provider is required.

2. Prior to the recording of the vacation ordinance, comply with the Condition of Approval in the Engineering Memorandum dated October 16, 2017: Any future wall installed along the northern property line adjacent to the western 87.6 feet of the property be constructed with a foundation which extends at least 3-feet below the land surface. This will prevent undermining of the wall foundation if a future sewer excavation is performed within the adjacent right of way of 5th Avenue Northeast.

3. Future construction on site shall comply with all requirements of Section 16.40.160. - Visibility at Intersections; Sight Triangles.

REPORT PREPARED BY:

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

REPORT APPROVED BY:

ELIZABETH ABERNETHY, AICP, Zoning Official (POD)
Planning and Economic Development
Development Review Services Division


Exhibits: “A” – Sketch and Legal Description of the Street Easements to be Vacated
Memorandum
City of St. Petersburg
Engineering Department

To: Kathryn Younkin, Development Services

From: Nancy Davis, Engineering Plan Review Supervisor

Date: October 16, 2017

Subject: Street Easement Vacation – Engineering Comments Revision 1

File: 17-33000017

Location and Pin: 105 4th Avenue Northeast; 19/31/17/91613/000/0001

Atlas: E-4

Project: Easement - Vacation

Request: Approval of a Vacation of a 10-foot east/west street easement along 5th Avenue North at the intersection of 1st Street North and a 30-foot radius street easement at the intersection of 4th Avenue North and 1st Street North.

Comments: The Engineering Department has received the attached survey from George F. Young which identifies the location of the 10” public sanitary sewer main which exists within the southern parkway of 5th Avenue North. The survey indicates that the centerline of the 10” public sanitary sewer main is 6.3’ north of the northern property line (at the northwest property corner) and 10-feet north of the northern property line at a point 87.6’ west of the northwest property corner.

Based on the depth and field verified location of the sanitary sewer main, maintenance of the public sewer main can be accomplished within the remaining right of way of 5th Avenue North provided the applicant be required (as a condition of this approval) to comply with the following additional requirement:

1. Any future wall installed along the northern property line adjacent to the western 87.6’ of the property be constructed with a foundation which bears at least 3-feet below the land surface. This will prevent undermining of the wall foundation if a future sewer excavation is performed within the adjacent right of way of 5th Avenue North.

NED/MJR/meh

PC: Kelly Donnelly
Easement Vacation File 2017
Reading File
Correspondence File
That certain 10-foot East–West Street Easement as shown on Lot 1, Block 1, TOWNVIEW APARTMENTS REPLAT as recorded in Plat Book 84, Page 22, Public Records of Pinellas County, Florida, said easement also shown on TOWNVIEW, A CONDOMINIUM as recorded in Condominium Plat Book 64, Pages 20 through 32 inclusive, Public Records of Pinellas County, Florida.

Together with

Exhibit "A"

That certain 30-foot Radius Street Easement as shown on Lot 1, Block 1, TOWNVIEW APARTMENTS REPLAT as recorded in Plat Book 84, Page 22, Public Records of Pinellas County, Florida, said easement also shown on TOWNVIEW, A CONDOMINIUM as recorded in Condominium Plat Book 64, Pages 20 through 32 inclusive, Public Records of Pinellas County, Florida.

St. Petersburg, Florida

LEGAL DESCRIPTION

FIFTH AVENUE NORTHEAST

10 FOOT EAST–WEST STREET EASEMENT

WEST 200.00'

EAST 200.00'

TRACT "B"

PRESBYTERIAN TOWERS
PARTIAL REPLAT
PLAT BOOK 63, PAGE 2
PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA

LOT 1
BLOCK 1
TOWNVIEW APARTMENTS REPLAT
PLAT BOOK 84, PAGE 22
PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA

LOT 13, BLOCK 2
REVISED MAP OF ST. PETERSBURG
PLAT BOOK 1, PAGE 49
PUBLIC RECORDS OF HILLBOROUGH COUNTY, FLORIDA

RADIUS = 30.00'
ARC LENGTH = 47.09'
CENTRAL ANGLE = 89°56'00"'
CHORD = 545°02'00"E 42.40'
30 FOOT RADIUS
STREET EASEMENT
WEST 30.02'
WEST 200.00'

FOURTH AVENUE NORTHEAST

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: EAST ALONG THE NORTH LINE OF LOT 1, BLOCK 1, AS PER RECORD PLAT.
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" = 80'.
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.
ST. PETERSBURG CITY COUNCIL

Meeting of December 7, 2017

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

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

RE: Small Wireless Facilities Ordinance

SUBJECT: An ordinance amending Chapter 25 of the St. Petersburg City Code relating to uses of rights-of-way for the provision of wireless communications services; adding definitions; creating a registration process and amending the permit application process for construction permits in the right-of-way; creating Subsection 25-316 of the St. Petersburg City Code relating to design standards for small wireless facilities; and providing an effective date.

EXPLANATION: The Advanced Wireless Infrastructure Deployment Act became effective on July 1, 2017. This act amended Section 337.401 of the Florida Statutes and established a process whereby wireless providers may place small wireless facilities in the public rights-of-way under county or municipality control. The changes made to section s. 337.401, F.S. in this act, require changes to also be made to the City’s Code, specifically Chapter 25 – Streets, Sidewalks and Miscellaneous Public Places, Article VIII – use of Rights-of-Way for the Provision of Services.

A proposed Ordinance is attached for your consideration. The Ordinance:

- adds definitions,
- creates a registration process for providers,
- amends the permit application process for construction permits in the right-of-way, and
- creates design standards for small wireless facilities.

RECOMMENDATION: Administration recommends that City Council conduct a first reading of the proposed Ordinance on December 7, 2017 and consider the proposed Ordinance for final adoption following a Public Hearing on December 14, 2017.

ATTACHMENTS: Ordinance
ORDINANCE NO. 2017-______

AN ORDINANCE AMENDING CHAPTER 25 OF THE ST. PETERSBURG CITY CODE RELATING TO USES OF RIGHTS-OF-WAY FOR THE PROVISION OF WIRELESS COMMUNICATIONS SERVICES; ADDING DEFINITIONS; CREATING A REGISTRATION PROCESS AND AMENDING THE PERMIT APPLICATION PROCESS FOR CONSTRUCTION PERMITS IN THE RIGHT-OF-WAY; CREATING SUBSECTION 25-316 OF THE ST. PETERSBURG CITY CODE RELATING TO DESIGN STANDARDS FOR SMALL WIRELESS FACILITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") recognizes the emergence of small wireless facility technologies; and

WHEREAS, the City further recognizes the potential for a rapid expansion of these technologies and their imminent construction throughout its jurisdiction; and

WHEREAS, the City desires to draft regulations to address the potential concerns to its citizens' health, safety, and welfare, including their ability to traverse freely on the City's rights-of-way that are maintained by the City for the public trust; and

WHEREAS, the City further desires to adopt design regulations in accordance with amendments to Section 337.401, Florida Statutes, passed by the state legislature in 2017, entitled "The Advanced Wireless Infrastructure Deployment Act," ("Act"); and

WHEREAS, the design regulations set forth in this Ordinance are intended to enhance traffic, bicycle, and pedestrian safety and minimize aesthetic impacts associated with an excessive number of structures and unnecessarily high structures throughout the City, and particularly in its Traditional and Downtown Center Zones and its Charter Parks; and

WHEREAS, the City has also endeavored to provide options to providers of small wireless facilities technologies in the negotiation of alternative locations, pursuant to the Act, and to the design regulations set forth herein.

THE CITY OF ST. PETERSBURG DOES ORDAIN:
SECTION 1. Subsection 25-299 (a) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 25-299. - Words and definitions.

(a) Definitions. The definitions of the words and phrases set forth in F.S. §§ 202.11, 337.401 and 610.103, are expressly made a part of this article and are expressly incorporated by reference as if fully set forth herein. As used in this article, the following words and phrases shall have the following meanings ascribed to them respectively, regardless of whether or not the words and phrases are capitalized:

Abandoned facilities means facilities located in a right-of-way which have remained unused for 12 months and for which the provider is unable to satisfy the POD that:

1. The provider has a plan to begin using such facilities within the next 12 months;
2. The provider has a potential purchaser or user of the facilities who will be actively using the facilities within the next 12 months;
3. The availability of such facilities is required by the provider to adequately and efficiently operate its system; or
4. The facilities are reserved by the provider for future use.

Affiliate means any person who falls into one or more of the following categories:

1. A person having, directly or indirectly, a controlling interest in a provider;
2. A person in which a provider has, directly or indirectly a controlling interest;
3. Each officer, director, general partner, limited partner or shareholder holding an interest of 15 percent or more, joint venturer or joint venture partner, of a provider; and
4. Each person, directly or indirectly, controlling, controlled by, or under common control with the provider; provided, that the term "affiliate" shall not mean any limited partner or shareholder holding an interest of less than 15 percent of such provider, or any creditor of such provider solely by virtue of its status as a creditor and which is not otherwise an affiliate by reason of owning a controlling interest in, being owned by, or being under common ownership, common management, or common control with such provider.

Agreement or open video agreement means an agreement between the City and a provider of open video services pursuant to which such provider may offer such services in the City.

Antenna means as defined in F.S. § 337.401.

Air-to-ground communications service means a radio service provided to consumers while on board an aircraft.

Applicable codes means as defined in F.S. § 337.401.

Applicant means any person who seeks to obtain a permit.

Application means the process by which an applicant submits a request to the City to obtain a construction permit.
Cable services means as defined by F.S. § 202.11.

Cable system means a facility, consisting of a set of closed transmission paths and associated signal generation, reception and control equipment that is designed to provide cable service and that otherwise meets the definition of "cable system" in 47 USC 522.

Camouflage means the act of disguising one or more facilities as a natural object, or otherwise rendering a facility aesthetically pleasing through means including but not necessarily limited to the use of colors or textures appropriate to the environment of the facility, or the placement of foliage sufficient to conceal in whole or in substantial part the facility from view from the road, or the appearance of such facility after such act has been completed. The term "camouflage" also includes, when appropriate to the environment of the facility, the use of a facility designed to resemble a tree, flag pole, or spire or other architectural feature of a building.

Certificate of franchise authority means a certificate issued by the State to a cable or video service provider pursuant to F.S. ch. 610.

City means the municipality of St. Petersburg, Florida, with jurisdiction and control of the rights-of-way within the corporate limits.

Collocate or Collocation means as defined in F.S. § 337.401.

Communications facility means the aggregate of equipment for the transmission of voice or data such as telephones, facsimile equipment, conduits, cables, fiber optic cables, wireless facilities, and other electronic equipment used for various modes of transmission, such as light, digital data, audio signals, image and video signals.

Communications service or service means as defined by F.S. § 202.11.

Communications service provider means a person who provides communications services.

Construct means to excavate, obstruct, install wires, install poles, install cable or wire, install conduit, install signs, install equipment, or install physical features, other than landscaping, in, on, above, within, below or under any part of a right-of-way. The term "construct" also includes an extension or enlargement or the replacement or collocation of any such equipment or features.

Construction means the act or process of excavating, obstructing, installing wires, installing poles, installing signs, installing equipment, or installing physical features, other than landscaping, or extending, enlarging, or replacing any of the foregoing, in, on, above, within, below or under any part of a right-of-way.

Construction and major maintenance plan means a written plan including maps of the expected location and design of wire plant, wireless facilities, conduit and other related equipment and facilities of a provider which describes the new construction and replacement construction intended to be accomplished by the provider in the rights-of-way over the next calendar year. A maintenance project will be deemed major maintenance if the project requires linear excavation of any portion of a right-of-way greater than 500 feet in length, the excavation of any major or secondary arterial street regardless of length, or the replacement of any pole line involving six or more consecutive poles.

Construction permit means the permit which shall be obtained by a person before the person may construct in, or locate, occupy, move, maintain, or remove any of its facilities over, in, under, or on a right-of-way.
Continuing security fund means a performance bond or an irrevocable and unconditional letter of credit, or a combination thereof, posted to ensure proper and complete construction or repair of a facility and restoration of the affected rights-of-way pursuant to a construction permit, as provided in section 25-309.

Direct-to-home satellite service has the meaning ascribed in section 303(v) of the Telecommunications Act of 1996 (47 USC 303(v)).

Emergency means a condition that poses a clear and immediate danger to the life, health, or safety of any natural person or of a significant loss of property, or an out-of-service condition or an imminent threat to the continued provision of a communications service.

Facilities means any tangible thing located in any right-of-way; the term "facilities" does not include boulevard plantings or gardens planted or maintained in the right-of-way.

FCC means the Federal Communications Commission or any successor thereto.

Franchise means an agreement between the City and any provider as required or authorized by law, pursuant to which the provider may offer a service in the City.

In, with respect to any right-of-way, means and includes on, above, within, below or under any part of the right-of-way.

Inspector means any officer, employee or agent of the City who is authorized by the Mayor to carry out inspections related to the provisions of this article and other applicable provisions of the Code.

Inter-exchange carrier means a carrier of voice and data services who uses the right-of-way to transport inter-LATA voice and data signals using fiber optics or copper cable placed in the rights-of-way, and who provides communications services in the City.

Inter-LATA telecommunications services means telecommunications services that originate in one LATA and terminate in another LATA. Such services may pass through several LATAs before termination.

LATA or local access transport area means a geographical service area where a local telephone company is authorized to provide communications services.

Law means any applicable local, State, or federal statute or resolution, or binding judicial or administrative order or decision, constitutional provision, local ordinance or resolution, or any applicable regulation, rule, tariff, or other requirement in effect either as of the effective date of the ordinance from which this article is derived or at any time during the location of, and/or while a provider's facilities are located in a public right-of-way.

Micro wireless facility means as defined in F.S. § 337.401.

Open video service or OVS means any video programming service provided to any person through the use of rights-of-way, which provider is certified by the FCC to operate an open video system pursuant to sections 651 et seq. of the Telecommunications Act of 1996 (47 USC 651 et seq.), regardless of the facilities used.

Pass-through carrier means a carrier of voice or data services who uses the right-of-way to transport inter-LATA voice or data signals using fiber optics or copper cable placed in the rights-of-way, but who does not provide communications services in the City.
Permit means a construction permit.

Permit cost means all direct, incidental and indirect costs borne by the City for permit issuance, permit oversight and pavement degradation resulting from construction permit activity.

Private communications system means a communications system using the rights-of-way for the exclusive purpose of connecting two or more facilities of a private concern for the purpose of providing communications services for the sole and exclusive use of such person but not offering communications services for sale to the public.

Private communications system provider means any person who uses the right-of-way for the purpose of placing and maintaining any communications facilities therein for the sole and exclusive use of such person.

Probation means the status of a person who has not complied with, or is currently not in compliance with, conditions or requirements of this article and who has been given notice of such status after being given notice of noncompliance and a reasonable opportunity to take curative action.

Probationary period means one year from the date that a person has been notified in writing that they have been put on probation. The probationary period may be extended at the discretion of the POD.

Provider means a person who owns or operates a system providing a communications service, wireless infrastructure services, or any public utility service that does not have a franchise agreement with the City. The term "provider" does not include the City or any of its utility services.

PSC means the Public Service Commission of the State of Florida.

Public land means any property owned by the City that is not considered a public right-of-way under State law.

Restoration means the process and the resultant effects by which a right-of-way is returned to a condition as good as or better than its condition immediately prior to construction. Restoration shall occur in accordance with the City's rules and regulations for making openings in a public way.

Right-of-way means the surface and space above and below any real property in which the City has an interest in law or equity, whether held in fee, or other estate or interest, or as a trustee for the public. The term "right-of-way" includes, but is not limited to, any public street, road, highway, alley, sidewalk, river, tunnel, viaduct, bridge, or any other place, area, or real property owned by or under the legal or equitable control of the City over which the public has a right to travel and that, consistent with the purposes for which it was dedicated, may be used for the purposes of constructing, operating, or repairing a telecommunications system or any part thereof to provide a service as defined herein. The term "right-of-way" does not include public roads, streets and highways under the jurisdiction of the State or of the county for the purposes of maintenance and traffic control. The term "right-of-way" does not include buildings, parks, or other public property or easements that have not been dedicated to compatible uses, except to the extent the use or occupation of such property is specifically granted in a permit or by law.

Right-of-way costs means all direct, incidental and indirect costs borne by the City for the acquisition, management, administration and protection of the rights-of-way.
Rules and regulations for making openings in a public way means the administrative rules and regulations governing the making and restoration of openings in any right-of-way that have been adopted by the POD and are on file with the City Clerk and the department or agency of the City having direct responsibility for the administration of such rules, as amended.

Sales price means as defined by F.S. § 202.11.

Security fund means a continuing security fund, a security fund for a specific project, or a security fund for an occasional project.

Security fund for a specific project means a performance bond or an irrevocable and unconditional letter of credit, or a combination thereof that may be required to be posted to ensure proper and complete construction or repair of a facility and restoration of the affected rights-of-way pursuant to a permit, as provided in section 25-309.

Service means communications service (see Communications service).

Small wireless facility means as defined in F.S. § 337.401.

Substitute communications system means any telephone system or other system capable of providing communications services, which a person purchases, installs, rents or leases for his own use to provide himself with services used as a substitute for any switched service or dedicated facility by which a dealer of communications services provides a communication path. The term "substitute communications system" includes any key telephone system, electronic key telephone system, private branch exchange (PBX), voice over IP system, satellite communications system, V-SAT communications system, or any other similar system providing switched or dedicated voice, data or video services. The term "substitute communications system" does not include a system used by a provider which is being used for the provider's sole use.

Supplementary application means an application made to revise, modify or extend any of the terms of an existing construction permit.

System means any system of conduit, cables, pipes, wires, lines, towers, antennae wave guides, optic fiber, microwave, laser beams, and any associated converters, equipment, or facilities or utilities located in whole or in part in a right-of-way and designed and constructed for the purpose of producing, receiving, amplifying, delivering or distributing a communications service, as that term is defined in this section, to or from subscribers or locations within the City. A non-system component such as a pole, when used by a provider having the right to use such component to support an element of the provider's system will be deemed part of the provider's system to the extent of such right and use.

System representative means the specifically identified officer, employee or agent of a provider who is authorized to direct field activities of that provider and serve as official notice agent for system-related information (but who is not necessarily the agent of the provider for service of process). Any such system representative shall be required to be available at all times to receive notices of, and immediately direct responses to, system related emergencies or situations.

Telecommunications Act of 1996 means the Act of Congress which is codified at 47 USC 251 et seq., as amended.

Telecommunications company means as defined in F.S. § 364.02.

Telecommunications facility means communications facility, as defined herein.
Telecommunications service means communications service, as defined herein.

Trenchless technology means the use of directional boring, horizontal drilling, microtunneling and other techniques used in the construction or installation of underground portions of facilities to minimize disruption and damage to rights-of-way.

Underground facilities means all lines, cables, conduits, pipes, posts, tanks, vaults and any other facilities which are located wholly or partially underneath rights-of-way.

Utility or utilities means any water, sewer, gas, drainage, sprinkler or culvert pipe and any electric power, telecommunication, signal, communication, or cable television conduit, fiber, wire, trackless trolley wires, cable, or operator thereof.

Utility pole means as defined in F.S. § 337.401.

Wireless facility means as defined in F.S. § 337.401.

Wireless infrastructure provider means as defined in F.S. § 337.401.

Wireless provider means as defined in F.S. § 337.401.

Wireless services means as defined in F.S. § 337.401.

Wireless services provider means as defined in F.S. § 337.401.

Wireless support structure means as defined in F.S. § 337.401.

SECTION 2. Subsection 25-300 (b) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 25-300. - Rights-of-way administration; nature of grant; discontinuance of operations, abandoned and unused facilities.

(b) Nature of grant.

(1) A construction permit issued to any provider shall not convey equitable or legal title in the rights-of-way or any property interest therein. A construction permit is only a license or the limited permission to use or collocate within rights-of-way in the City, in accordance with the terms of the permit and in accordance with this article and other applicable Code provisions. The license to use the right-of-way may not be subdivided or subleased; provided, however, that two or more providers may collocate facilities in the same geographical area of a right-of-way so long as each such provider complies with the provisions of this article. Collocating providers may file a joint application for a construction permit.

(2) A construction permit shall not entitle a provider to use, alter, convert to, or interfere with, the facilities, easements, poles, conduits, lines, pipelines, wires, fiber, cable, or any other real or personal property of any kind whatsoever under the management or control of the City or any other person.

(3) Future uses; no liability. In allowing facilities to be placed in the rights-of-way, the City shall not be liable for any damages caused thereby to any provider's facilities that are already in place or may be placed in the future. No provider is entitled to rely on the
provisions of this article, and no special duty is created as to any provider. This article is enacted to protect the general health, welfare and safety of the public at large.

SECTION 3. Subsection 25-308 of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 25-308. - Construction permits.

(a) Generally.

(1) No person may construct any facility for use by any provider in any right-of-way without first having obtained a construction permit for the work. Provided, however, that any person constructing any facility in a right-of-way for use by any pass-through carrier or for use as a private or substitute communications system shall comply with the requirements of article VII of this chapter, and shall obtain a minor easement permit and a construction permit before commencing such work. The requirements of this article do not apply to facilities constructed for use by any pass-through carrier or for use as a private or substitute communications system, except the requirements of section 25-315.

(2) A construction permit allows the permit holder to construct in that part of the right-of-way described in such permit.

(3) A construction permit is valid only for the dates and the area of right-of-way specified in the permit.

(4) No permit holder may construct in the rights-of-way beyond the date specified in the permit or outside the area of the right-of-way described in the permit unless such permit holder:

a. Submits a supplementary application for another permit before the expiration of the initial permit; and

b. Obtains a new permit or a permit extension.

(5) Original permits shall be conspicuously displayed at all times at the indicated work site and shall be available for inspection by inspectors and authorized City personnel. If the original permit involves work conducted simultaneously at multiple locations, each location shall display a photocopy of the original permit.

(6) All providers must register with the City and update registration annually prior to applying for a permit to place or maintain facilities in the City right-of-way. The registration process includes:

a. The name and address of the provider.

b. Provide a Certificate of Franchise Authority issued by the State of Florida pursuant to Chapter 610, Florida Statutes, and verify that the City of St. Petersburg is listed as a service area; or provide evidence of a Certificate of Authorization from the Florida Public Service Commission; or provide applicant's Florida Department of Revenue Telecom Tax registration number. Also, provide a copy of the current Florida Annual Resale Certificate for Communications Services Tax. If none of the requirements of this subsection are applicable to the provider, then provider shall submit a written response indicating the intent to pay permit fees.
c. Provide a Certificate of Insurance on which the City of St. Petersburg is named as an additional insured, providing comprehensive general liability coverage, property damage liability coverage, automobile liability coverage, and umbrella coverage as required by City of St. Petersburg Municipal Code (see City Code section 25-304 (b), Indemnification and hold harmless; insurance).

d. Furnish a Continuing Security Fund in the amount of $25,000.00 per the requirements of City of St. Petersburg Municipal Code section 25-311 (Security Fund Requirements). The continuing security fund may be accepted from the provider or its parent company. The continuing security fund will be applicable for all construction permits issued to the provider during the year.

e. Provide the name, telephone number and e-mail address of the person who is responsible for providing information on the status of the active work, restoration, and warranty information related to the facility.

f. Provide verification that the provider has paid applicable business taxes required per City of St. Petersburg Municipal Code Section 17-124, to the extent permitted by section 202.24(2)(c)3, Florida Statutes.

(b) Construction permit applications - General.

(1) Application for a construction permit shall be made to the POD using a form to be provided by the POD.

(2) The application shall contain, and will be considered complete only upon compliance with the requirements of the following provisions:

a. Evidence that the applicant has obtained written authority to apply for a construction permit on behalf of a provider;

b. All required attachments and dated drawings showing the location and area of the proposed project and the location of all existing and proposed facilities, accompanied by the certification of a registered professional engineer that the drawings, plans and specifications submitted with the application comply with applicable technical codes, rules and regulations. However, per sections 471.003 and 471.037, Florida Statutes (F.S. §§ 471.003 and 471.037), drawings, plans and specifications prepared by regular full-time employees of a provider regulated by the Florida Public Service Commission, Federal Energy Regulatory Commission, or Federal Communications Commission are not required to be sealed and certified by a professional engineer unless required by the Florida Department of Transportation Utility Accommodation Manual Guidelines, as amended;

c. Payment of all money lawfully due to the City for:

   1. Prior construction permits issued to applicant; and

   2. Any loss, damage, or expense suffered by the City as a result of applicant's prior construction in the rights-of-way or any emergency actions taken by the City.

(c) Construction permit application for small wireless facilities.

(1) Application for a construction permit for wireless systems shall be made to the POD using a form to be provided by the POD.
The application shall contain, and will be considered complete only upon compliance with the requirements of the following provisions:

a. Evidence that the applicant has obtained written authority to apply for a construction permit on behalf of a provider;

b. Three (3) sets of plans drawn to a standard engineering scale showing proposed small wireless facilities and all existing facilities. Plans shall include:
   1. Latitude/Longitude coordinates of site and site address.
   2. Current photo documentation of the existing site and immediate surroundings.
   3. Rendering showing the proposed equipment superimposed on a current site photo.
   4. Height of pole, height of antenna, and height of tallest existing utility pole as of July 1, 2017 located in the same right of way within 500 feet of any proposed new pole or support structure to be placed in the right of way. The peak height of structures supporting electrical transmission systems should not be considered when determining the tallest existing utility pole height.
   5. Right of way boundaries and width.
   6. Width of the parkway.
   7. Existing underground and above ground public infrastructure in the vicinity of construction.
   8. A typical utility cross section profile (for all proposed underground work) showing all existing City infrastructure and proposed underground utilities near the work zone with proposed horizontal and vertical utility clearances noted.
   9. Adjacent private lot line boundaries near any proposed poles, support structures, or proposed above ground fixed utilities.
   10. Location and footage of proposed underground conduit/cable/fiber.
   11. Existing public sidewalk and driveway approach locations and width and other surface features in the right of way in the vicinity of construction (bicycle paths/trails, poles and/or support structures, signals, utility appurtenances, bus stops, street furnishings/art work, etc.).
   13. Visibility triangles for driveways and intersections per the City's Land Development Regulations.
   14. Illustration showing the size, height, color, and placement of all proposed and existing above ground fixed utilities or equipment.
      i. Include a declaration that size, volume, and height of all antennae, ancillary equipment, poles, and support structures meet the requirements of Florida Statutes, and comply with City regulations and design guidelines.
ii. Demonstrate adequate shielding of equipment. Include a feasibility statement discussing use of camouflage techniques when appropriate to meet City Design Guidelines, historic preservation, zoning restrictions, and neighborhood design review criteria. Examples of such camouflage techniques include, but are not limited to: integration as part of new or existing signs, including neighborhood signs, as part of new or existing electric light poles, as part of trash receptacles, or as part of public art approved by the City, as may be appropriate under local, state, and federal law.

iii. For all new above ground facilities provide the equipment designation number which identifies the pole owner, contact information, and location of the equipment. Clarify where this number is found on the infrastructure facility.

iv. It is presumed that new poles will not require guy wires. If guy wires are demonstrated by the applicant to be required for above ground facilities they must be shown on the plans when submitted for City review.

v. Provide method of equipment noise attenuation when internal fans are used and demonstrate measures implemented to eliminate noise disruption to adjacent private properties. Any noise disruptions complaints must be immediately resolved by the equipment owner.

vi. All equipment shall be mounted directly to the utility pole unless otherwise directed by the utility pole owner. Show the location and height of any pedestals.

15. The applicant shall provide a description of and sufficient details and specifications to demonstrate compliance with design standards to be utilized to minimize the visual impacts, in accordance with Sec. 25-316 of the City Code.

16. For collocation, provide the name of the owner of the utility pole.

i. If the pole is a City owned facility, include a structural plan prepared, signed, and sealed by a professional engineer licensed in the State of Florida certifying that the existing utility pole is structurally sufficient to support the wireless facilities; or.

ii. Applicants seeking to collocate a wireless facility on a City owned pole shall provide a make-ready plan for all necessary work to support the small wireless facility, including pole replacement if required, and shall be responsible to perform the make ready work at their sole expense. New poles shall be designed with all conduits internal to the pole; or.

iii. If the pole is owned by another entity provide evidence of pole attachment agreement.

17. Include a sworn statement acknowledging conformance with all standard City Engineering Right of Way Permit General Requirements, City Engineering Standards and Specifications.
18. Provide prior notification to all adjacent property owners and neighborhood associations. The notification shall include a description of the work and the Provider’s telephone number for citizen inquiries/concerns. The applicant shall adjust infrastructure locations to address reasonable citizen concerns to the greatest extent practical.

19. Include the intended construction schedule for initiation and completion of the work.

c. Payment of all money lawfully due to the City for:
   1. Prior construction permits issued to applicant; and
   2. Any loss, damage, or expense suffered by the City as a result of applicant's prior construction in any rights-of-way of the City or any emergency actions taken by the City.

(3) Within 14 days of the filing of a complete application for a small wireless facility construction permit, the POD may request that the proposed location of a small wireless facility be moved to another location in the right-of-way and placed on an alternative utility pole or support structure or may place a new utility pole. If the POD requests an alternative location for a small wireless facility, the City and the applicant may negotiate the alternative location, including any objective design standards, in accordance with Sec. 25-316 of the City Code, and reasonable spacing requirements for ground-based equipment, for 30 days after the POD’s request. The alternative location negotiation process described in this subsection shall be implemented and completed in accordance with section 337.401, Florida Statutes (F.S. § 337.401).

(de) Issuance of construction permit; conditions.

(1) If the POD determines that the applicant has satisfied the requirements of this article, including but not limited to bonding and insurance requirements, the POD shall issue a construction permit subject to the applicable provisions of the Code.

(2) The POD may impose reasonable conditions upon the issuance of the construction permit and the performance of the provider thereunder in order to protect the public health, safety and welfare, to ensure the structural integrity of the rights-of-way, to protect the property and safety of other users of the rights-of-way, and to minimize the disruption and inconvenience to the public.

(ed) Security funds. When a construction permit is requested, the applicant shall furnish to the POD a security fund meeting the requirements of article VIII of this chapter.

(fe) Joint applications. Applicants are encouraged to submit joint applications for construction permits to work in the rights-of-way at the same place and time.

(gf) Annual general permits. The Annual General Permit (AGP) allows a provider to construct, operate, maintain, renew and remove on an annual basis limited facilities as specifically described in the City Operational Standards for AGPs, adopted by the POD, a copy of which shall be made available for public inspection, the terms of which are incorporated by reference with each AGP. The AGCP shall be effective until February 28; however, if a complete and
acceptable application is filed after January 1, and an AGCP is issued before February 28 of the same year, the AGCP shall be valid until February 28 of the following calendar year.

SECTION 4. The St. Petersburg City Code is hereby amended by adding a new Section 25-316, to read as follows:

Sec. 25-316. – Design standards for small wireless facilities.

(a) Design Standards - General. Small wireless facilities and accessory equipment placed anywhere in the City right-of-way are subject to the following design guidelines:

(1) Small wireless facilities may not extend more than ten (10) feet above the utility pole upon which it is mounted.

(2) A new pole is limited to the height of the tallest existing utility pole, as of July 1, 2017, located in the same right-of-way and within 500 feet of the proposed new pole. If there is no existing pole within 500 feet of the new pole site, the new pole is limited to 50 feet.

(3) Above ground facilities must be located within the right-of-way where the shared property line between two parcels intersects the right-of-way boundary, or otherwise in a manner that demonstrates the least impact to access to private property.

(4) Equipment boxes and other ground equipment located at grade must be located in areas with existing foliage or another aesthetic feature to obscure it from the view, to the greatest extent possible. The application must include a depiction of techniques utilized for camouflaging.

(5) Equipment mounted to the exterior of a pole shall be a minimum of 12 feet above finished grade, excluding the electric meter and disconnect switch. The external finish of the equipment cases shall generally match the color of the pole. All mounting and banding fixtures shall also match the color of the pole. Conduits mounted to an existing pole must match the pole color and be encased with a shroud cover.

(6) New poles shall be located at or near roadway intersections or in alleys when possible. When mid-block locations are necessary, new poles shall be located near the property boundary line at the edge of the site or otherwise sited in a manner that demonstrates the least impact to access to private property.

(7) Separation from driveways and hydrants. Communications facilities and utility poles shall be located at least ten (10) feet from a driveway apron and at least thirty (30) feet from a fire hydrant.

(8) New poles shall be designed with conduit internal to the pole. Above the electric meter and disconnect switch, all conduit and wiring shall be located inside the pole.

(9) New poles shall be consistent with the existing poles located in the same right-of-way and within 500 feet of the proposed new pole, unless approved otherwise by the POD.

(10) Facilities shall not block or encroach into an existing or future public sidewalk paths as required in the City’s Land Development Regulations.
(11) Electric meters and disconnect switches shall not be located on the side of the pole that faces the sidewalk, or if there is not currently a sidewalk, the area identified for the preferred placement of any future sidewalk. Conduit leading to the electric meter box and disconnect switch shall generally match the color of the utility pole.

(12) Grounding rods shall not extend above the surface elevation and the ground wire between the pole and ground rod must be inside an underground conduit.

(13) All pull boxes shall be located outside of the sidewalk or pedestrian ramp. A concrete apron must be installed around all pull boxes located within the landscape area of the parkway.

(14) All pull boxes must be vehicle load bearing, comply with FDOT Standard Specifications and be listed on the FDOT Approved Products List.

(15) Small wireless facilities and accessory equipment shall meet all applicable historic preservation regulations required by the City's Historic and Archaeological Preservation Overlay Ordinance, including obtaining a certificate of appropriateness if necessary.

(b) Design Standards – Traditional Zones, Downtown Center Zones, and Charter Parks. Small wireless facilities and accessory equipment placed in the City right-of-way in an NT, CRT, CCT, or DC zone, or in a Charter Park, are subject to the following design guidelines, in addition to the general guidelines set forth above:

(1) New utility poles for small wireless facilities shall be constructed in alleys. Introduction of pedestrian level light poles which augment district design characteristics and accommodate small wireless facilities may be considered within the right-of-way and at intersections.

(2) Any request by an applicant to construct a new utility pole in City right-of-way that is not an alley shall be subject to the alternative location negotiation procedure, in accordance with Sec. 25-308(c)(3) of the City Code.

(c) Placement within a Scenic/Non-Commercial Corridor. Unless otherwise authorized by a franchise agreement, for public safety purposes, or waived in accordance with subsection (d) below, no net new utility poles shall be placed within a designated Scenic/Non-Commercial Corridor.

(d) Waiver of design standards. The design standards may be waived by the POD if a particular standard is either not reasonably compatible to a particular location or imposes an excessive expense.

SECTION 5. 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 6. 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 7. 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.

LEGAL: 

ADMINISTRATION:

City Attorney (designee)
ST. PETERSBURG CITY COUNCIL

Meeting of December 14, 2017

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

SUBJECT: City File: FLUM-47A: A city initiated application requesting to amend the Future Land Use Map and Official Zoning Map designations for the subject properties, an estimated 0.648 acres owned by David Wilson, Daniel W McMillan, and the First Mt. Pilgrim Missionary Baptist Church, generally located east of 27th Street South and south of 5th Avenue South.

A detailed analysis of the request is provided in Staff Report FLUM-47A, attached.

REQUEST: (A) ORDINANCE _____-L amending the Future Land Use Map designation from IG (Industrial General) to PR-MU (Planned Redevelopment-Mixed Use).

(B) ORDINANCE _____-Z amending the Official Zoning Map designation from IT (Industrial Traditional) to CCT-I (Corridor Commercial Traditional), or other less intensive use.

(C) RESOLUTION requesting an amendment to the Countywide Plan Map, as described above, to comply with the requirements of Forward Pinellas, in its role as the Pinellas Planning Council and Pinellas County Board of County Commissioners.

RECOMMENDATION:

Administration: The Administration recommends APPROVAL.

Public Input: City staff has received one phone call regarding the proposed amendment from residents and business owners in the area. They were seeking further clarification of the proposal and were not opposed to the rezoning.

Neighborhood Input: The subject property is located within the boundaries of the Palmetto Park Neighborhood Association. The Planning & Economic Development Department sent a copy of the public hearing notice, as well as a copy of the City Council Memorandum and Resolution initiating the amendments to the neighborhood association.

Community Planning & Preservation Commission (CPPC): The CPPC held a public hearing on this matter on November 7, 2017 and approved the request via a 7-0 vote.
Recommended City Council Action: 1) CONDUCT the second reading and public hearing; AND 2) APPROVE the proposed ordinances.

Attachments: Ordinances (2), Resolution, draft CPPC minutes, and Staff Report.
ORDINANCE NO. ___-L

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN FOR THE CITY OF ST. PETERSBURG, FLORIDA; BY CHANGING THE LAND USE DESIGNATION OF THE PROPERTY GENERALLY BOUNDED BY 27TH STREET SOUTH, AND 5TH AVENUE SOUTH, FROM INDUSTRIAL GENERAL TO PLANNED REDEVELOPMENT-MIXED USE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

THE CITY OF ST. PETERSBURG DOES ORDAIN:

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

Property

Lots 1, 2, 3, 15 and 16, COLONIAL ANNEX BLOCK A according to the plat thereof on file in the Office of the Clerk of the Circuit Court in and for Pinellas County, Florida recorded in Plat Book 4, page 65, said lands situated and being in Pinellas County Florida.
Land Use Category

From: Industrial General

To: Planned Redevelopment-Mixed Use

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

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

APPROVED AS TO FORM AND SUBSTANCE: FLUM-47A (Land Use)

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

ASSISTANT CITY ATTORNEY

11-6-17

11-7-17
ORDINANCE NO. ___-Z

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ST. PETERSBURG, FLORIDA; BY CHANGING THE ZONING OF THE PROPERTY GENERALLY BOUNDED BY 27TH STREET SOUTH, AND 5TH AVENUE SOUTH, FROM IT (INDUSTRIAL TRADITIONAL) TO CCT-1 (CORRIDOR COMMERCIAL TRADITIONAL-1); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

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

Property

Lots 1, 2, 3, 15 and 16, COLONIAL ANNEX BLOCK A according to the plat thereof on file in the Office of the Clerk of the Circuit Court in and for Pinellas County, Florida recorded in Plat Book 4, page 65, said lands situated and being in Pinellas County Florida.

District

From: IT (INDUSTRIAL TRADITIONAL)
To: CCT-1 (CORRIDOR COMMERCIAL TRADITIONAL-1)

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

SECTION 3. This ordinance shall become effective upon the date the ordinance adopting the required amendment to the City of St. Petersburg Comprehensive Plan’s Future Land Use Map becomes effective (Ordinance ___-L).

APPROVED AS TO FORM AND SUBSTANCE: FLUM-47A

(Zoning)

DATE

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

DATE

ASSISTANT CITY ATTORNEY

DATE
RESOLUTION NO. 2017-____

A RESOLUTION TRANSMITTING A PROPOSED AMENDMENT TO THE CITY OF ST. PETERSBURG LOCAL GOVERNMENT COMPREHENSIVE PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the St. Petersburg City Council has held the requisite public hearing in consideration of a request to amend the Local Government Comprehensive Plan; and

WHEREAS, the St. Petersburg City Council has considered and approved the proposed St. Petersburg Comprehensive Plan amendment, and determined it to be consistent with the Countywide Future Land Use Plan and Rules.

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

That the City Council of St. Petersburg does hereby transmit the proposed amendment to the Local Government Comprehensive Plan to the Pinellas Planning Council (PPC) for a consistency review with the Countywide Future Land Use Plan and Rules.

This Resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND SUBSTANCE: 

City File FLUM-47A

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT DATE

ASSISTANT CITY ATTORNEY DATE
CITY OF ST. PETERSBURG
COMMUNITY PLANNING & PRESERVATION COMMISSION
PUBLIC HEARING
November 7, 2017

QUASI-JUDICIAL PUBLIC HEARING

B. City File FLUM-47-A

Location: The subject property, comprised of four parcels estimated to be 0.65 acres in size, located on the south side of 5th Avenue South between 27th Street South and 28th Street South.

Request: City-initiated application to amend the Future Land Use Map designation from Institutional General to Planned Redevelopment-Mixed Use and the Official Zoning Map designation from IT (Industrial Traditional) to CCT-1 (Corridor Commercial Traditional-1), or other less intensive use.

Staff Presentation
Luis Teba gave a PowerPoint presentation based on the staff report.

Applicant Presentation
Angela Davis, representing the property owner, First Mt. Pilgrim Missionary Baptist Church, gave a presentation in support of the request.

Public Hearing
No speakers present.

Cross Examination
By City Administration
Waived

By Applicant
Waived

Rebuttal/Closing Remarks
By City Administration

Mr. Kilborn stated that the City is officially the applicant. The subject property has a long history of codes and the legality of the use so to help resolve some of these issues the questions were presented to City Council for
some additional direction. In response, City Council unanimously approved a resolution directing that in order to resolve the questions, that we City-initiate this rezoning and Future Land Use Map amendment. Although we are officially the applicant, we are in essence working on behalf of the agent and the property owner, Ms. Davis and the Church, itself.

By Applicant
Waived

Executive Session
Commissioner Michaels stated that because the current zoning has not been used for many years and that the church is doing a great service he will support the request.

MOTION: Commissioner Winters moved and Commissioner Michaels seconded to approve the Future Land Use Map designation from Institutional General to Planned Redevelopment-Mixed Use and the Official Zoning Map designation from IT (Industrial Traditional) to CCT-1 (Corridor Commercial Traditional-1) in accordance with the staff report.

VOTE: YES – Michaels, Reese, Wolf, Wannemacher, Whitman, Winters, Rogo
NO – None

Motion passed by a vote of 7 to 0.
Staff Report to the St. Petersburg Community Planning & Preservation Commission
Prepared by the Planning & Economic Development Department,
Urban Planning and Historic Preservation Division

For Public Hearing and Executive Action on November 7, 2017
at 2:00 p.m., in City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

City File: FLUM-47-A

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

This is a private application requesting to amend the Future Land Use Map category from IG (Industrial General) to PR-MU (Planned Redevelopment – Mixed Use) and rezone from IT (Industrial Traditional) to CCT-1 (Commercial Corridor Traditional). The Countywide Plan Map category will also change from I (Industrial) to MMC (Multimodal Corridor). The purpose of this application is to rezone several underperforming and vacant parcels of industrial land to a commercial category that is better suited to the uses of the surrounding area, as well as permit the continued operation of the First Mt. Pilgrim Missionary Baptist Church.

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- Site Description ....................................................... Page 2
- Zoning History ......................................................... Page 3
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- Staff Analysis ........................................................... Page 3
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Attachments
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- Attachment 2: Public Comments ................................. Page 16
- Attachment 3: Pre-Application City Council Staff Report  Page 17
**APPLICANT INFORMATION:**

**APPLICANT**

The City of St. Petersburg via Resolution 97-805

**PROPERTY OWNERS:**

Parcels 23-31-16-17298-001-0150 and 23-31-16-17298-001-0160
David A Wilson
Daniel W McMillan
877 37th Avenue North
St. Petersburg, Florida 33704

Parcels 23-31-16-17298-001-0010 and 23-31-16-17298-001-0030
First Mt. Pilgrim Missionary Baptist Church
2700 5th Avenue South
St. Petersburg, Florida, 33712

**SITE DESCRIPTION:**


General Description: East of 27th Street South and south of 5th Avenue South

Legal Description: Colonial Annex BLK A Lot 1; Colonial Annex BLK A, Lots 2&3; Colonial Annex BLK A Lot 15; Colonial Annex BLK A, Lot 16

Acreage: 0.648 acres

Zoning, Existing: IT (Industrial Traditional)

Future Land Use: IG (Industrial General)

Countywide Plan Map: I (Industrial)

Existing Use: 23-31-16-17298-001-0150 is outdoor storage
23-31-16-17298-001-0160 is outdoor storage
23-31-16-17298-001-0010 is vacant land
23-31-16-17298-001-0030 is a house of worship (not permitted)

Surrounding Uses: North of 5th Ave North; commercial uses. East of 27th St S; commercial uses. East of 28th St. S industrial uses.

Neighborhood Assoc.: Palmetto Park Neighborhood Association
ZONING HISTORY:

The present IT zoning designation has been in place since September 2007, following the implementation of the City’s Vision 2020 Plan, the citywide rezoning and update of the land development regulations (LDRs). Prior to 2007 the existing properties were zoned IG (Industrial General.)

SITE HISTORY:

There are four parcels under consideration for rezoning. The two parcels to the west (lot 15 and 16 of the Colonial Annex Block) are owned by David Wilson and are vacant properties which have never been developed. Additionally, Mr. Wilson owns the parcel directly to the west which is currently zoned CCT-1. The two parcels to the east (lots 1, 2, and 3 of the Colonial Annex Block) have belonged to Mt. Pilgrim Missionary Baptist church since 1995. One of the properties is vacant industrial land, while the other property is a house of worship. This house of worship was never permitted by the city and has been operating as an illegal use.

STAFF ANALYSIS:

The primary issues related to the applicant’s request are the following: 1) consistency of the requested designations with the established land use and zoning patterns; 2) loss of industrial land; 3) traffic impact; and 4) other level of service considerations.

CONSISTENCY AND COMPATIBILITY

The subject properties are located on 5th Avenue South, between 27th and 28th Streets South. This segment of corridor has a different zoning category on either side of the street. The parcels on the northern side of 5th Avenue South have a Future Land Use category of PR-MU, while the properties on the southern side of the block have a Future Land Use category of Industrial General. This rezoning will result in more logically drawn Land Use Plan boundaries by creating consistent zoning on both block faces, as well as lead to uniformity in potential building form and land uses. These changes are consistent with Policy LU3.6 which states that “land planning should weigh heavily the established character of predominantly developed areas where changes of use or intensity of development are contemplated”

The average depth of the PR-MU properties in the area is 127 feet, however, Lot 1 is only 60 feet in depth. In order to create a more unified land use depth on the south side of 5th Avenue, staff is recommending that Lots 2 and 3 also be rezoned. This will change the house of worship from an illegal use to a permitted principal use, as well create a more unified transition zone from PR-MU to the IG land to the south. This is consistent with Policy LU3.4 of the Comprehensive Plan, which states that “the Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of physical and natural separators.”
Existing conditions, such as underutilized structures and vacant properties, show that the area is not conducive to industrial uses; therefore, the rezoning is consistent with Policy LU3.7 which states that “land use planning decision shall include a review to determine whether existing Land Use Plan boundaries are logically drawn in relation to exiting conditions and expected future conditions.”

City staff believes that the applicant’s request is also consistent with Policy LU3.5, which states that “the tax base will be maintained an improved by encouraging the appropriate use of properties based on the locational characteristics and the goals, objectives and policies with this Comprehensive Plan.”

**LOSS OF INDUSTRIAL LAND**

The subject property presently has an IG (Industrial General) Future Land Use plan designation and IT (Industrial Traditional) zoning. The purpose and intent of the IT zoning district is to provide for areas where labor intensive light and heavy manufacturing can occur. Office, Retail, Uses, Commercial recreation, Commercial business Service and Personal/Office service is permitted as an accessory use which does not exceed 25% of the floor area. While the change to CCT-1 will lead to the loss of light and heavy manufacturing opportunities, the zoning change will lead to an expansion of the commercial uses already permitted as accessory, while allowing for additional commercial and residential uses currently not permitted.

While policies set forth in the Comprehensive Plan protect and support industrially-zoned land, in 2004 the City Council adopted Policy LU3.26 which is intended to allow greater flexibility in evaluating future land use plan amendments involving industrial land uses. It also provides clarity and guidance about when it is appropriate to designate property as industrial, and indicates when it is appropriate to remove an industrial land use designation. LU3.26a states that “Plan amendment applications that propose changing underperforming industrially designated areas (Industrial General or Industrial Limited) to a non-industrial designation may be favorably considered if one or more of the following characteristics exist over an extended period of time: 1) vacant or underutilized land; 2) vacant or underutilized buildings; 3) poor quality job creation in terms of pay, employee density and spin-off or multiplier effects; and 4) chronic competitive disadvantages in terms of location, transportation infrastructure/accessibility and other market considerations.

The request to rezone the subject property is consistent with the first criterion, because three of the 4 subject parcels have never been developed, even though they have been zoned industrial since at least 1977. The fourth parcel, containing the house of worship, has not functioned as industrial land since 1995. In addition, market considerations seem to favor commercial development in this area as there are a large number of vacant industrial parcels, and several grandfathered commercial business on industrial land.
TRAFFIC IMPACT

Roadway level of service (LOS) and traffic impacts are discussed in greater detail in the Impact Section of this report. To summarize, an amendment from Industrial General to Planned Redevelopment Mixed Use will likely result in a net increase of 12 p.m. peak hour trips; however, such an increase would not have an impact on roadway level of service.

City staff concludes that the traffic resulting from the proposed amendment will not significantly impact the surrounding roadway network, which is consistent with the following Comprehensive Plan policies:

- Policy LU3.18, which states that all retail and office activities shall be located, designed and regulated so as to benefit from the access afforded by major streets without impairing the efficiency of operation of these streets or lowering the LOS below adopted standards, and with proper facilities for pedestrian convenience and safety.

- Policy LU5.3, which states that the Concurrency Management System shall continue to be implemented to ensure proposed development to be considered for approval shall be in conformance with existing and planned support facilities and that such facilities and services be available, at the adopted level of service standards, concurrent with the impacts of development.

- Policy T1.3, which states that the City shall review the impact of all rezoning proposals and requests to amend the FLUM on the City’s transportation system. FLUM amendment requests that increase traffic generation potential shall demonstrate that transportation capacity is available to accommodate the additional demand.

LEVEL OF SERVICE (LOS) IMPACT

The Level of Service (LOS) impact section of this report concludes that the proposed rezoning will not significantly alter the City’s population or the population density pattern or have a negative effect upon the adopted LOS standards for public services and facilities including potable water, sanitary sewer, solid waste, traffic, mass transit, recreation, and stormwater management.

SPECIAL NOTE ON CONCURRENCY:

Completion of this rezoning and Future Land Use Map amendment does not guarantee the right to develop on the subject property. Level of Service impacts are addressed further in this report, however, approval of this rezoning request does not guarantee that the subject property will meet the requirements of concurrency at the time development permits are requested. Upon application for site plan review, or development permits, a full concurrency review will be completed to determine whether or not the proposed development may proceed. Additionally, The First Mt. Pilgrim Missionary Baptist Church on Lots 2 and 3 will still have to undergo a change of occupancy from warehouse to church, as well as a change of use to “house
of worship”. All property owners will have to comply with all laws and ordinances in effect at the time development permits are requested.

**RECOMMENDATION:**

City staff recommends **APPROVAL** of the applicant’s request to amend the Official Zoning Map designation from IT (Industrial Traditional) to CCT-1 (Corridor Commercial Traditional), The Future Land Use Map from IG (Industrial General) to PR-MU (Planned Redevelopment Mixed Use), and the Countywide Plan Map from I (Industrial) to MMC (Multimodal Corridor) on the basis that the proposal is consistent with prior development approvals and the goals, objectives and policies of the City’s Comprehensive Plan.

**RELEVANT CONSIDERATIONS ON AMENDMENTS TO OFFICIAL ZONING MAP:**

<table>
<thead>
<tr>
<th>a.</th>
<th>Compliance of probable use with goals, objectives, policies and guidelines of the City’s Comprehensive Plan.</th>
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<tbody>
<tr>
<td></td>
<td>The following policies and objectives from the Comprehensive Plan are applicable:</td>
</tr>
<tr>
<td>LU2.4</td>
<td>The City may permit an increase in land use intensity or density outside of activity centers where available infrastructure exists and surrounding uses are compatible.</td>
</tr>
<tr>
<td>LU3.1. (F)(2)</td>
<td>Planned Redevelopment –Mixed Use (MU) – allowing mixed use retail, office, service and medium density residential uses not to exceed a floor area ration of 1.25 and a net residential density of 24 dwelling units per acre.</td>
</tr>
<tr>
<td>LU3.4</td>
<td>The Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of physical and natural separators.</td>
</tr>
<tr>
<td>LU3.5</td>
<td>The tax base will be maintained and improved by encouraging the appropriate use of properties based on their locational characteristics and the goals, objectives and policies within this Comprehensive Plan.</td>
</tr>
<tr>
<td>LU3.6</td>
<td>Land use planning decisions shall weigh heavily the established character of predominately developed areas where changes of use or intensity of development are contemplated.</td>
</tr>
<tr>
<td>LU3.7</td>
<td>Land use planning decisions shall include a review to determine whether existing Land Use Plan boundaries are logically drawn in relation to existing conditions and expected future conditions.</td>
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</table>
LU3.17 Future expansion of commercial uses is encouraged when infilling into existing commercial areas and activity centers, or where a need can be clearly identified, and where otherwise consistent with the Comprehensive Plan.

LU3.18 All retail and office activities shall be located, designed and regulated so as to benefit from the access afforded by major streets without impairing the efficiency of operation of these streets or lowering the LOS below adopted standards, and with proper facilities for pedestrian convenience and safety.

LU3.26.a Plan amendment applications that propose changing underperforming industrially designated areas (Industrial General or Industrial Limited) to a non-industrial designation may be favorably considered if one or more of the following characteristics exist over an extended period of time: 1) vacant or underutilized land; 2) vacant or underutilized buildings; 3) poor quality job creation in terms of pay, employee density and spin-off or multiplier effects; and 4) chronic competitive disadvantages in terms of location, transportation infrastructure/accessibility and other market considerations.

LU4(2) Commercial – the City shall provide opportunities for additional commercial development where appropriate.

LU5.3 The Concurrency Management System shall continue to be implemented to ensure proposed development to be considered for approval shall be in conformance with existing and planned support facilities and that such facilities and services be available, at the adopted level of service standards, concurrent with the impacts of development.

LU11.2 The need for redevelopment should be assessed based on the following factors; 1) building conditions, 2) socio/economic characteristics, 3) land to improvement value ratios, 4) non-conforming uses and 5) potential for private investment.

LU18: Commercial development along the City's major corridors shall be limited to infilling and redevelopment of existing commercially designated frontages.

T1.3 The City shall review the impact of all rezoning proposals and requests to amend the FLUM on the City's transportation system. FLUM amendment requests that increase traffic generation potential shall demonstrate that transportation capacity is available to accommodate the additional demand.
b. Whether the proposed amendment would impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.

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

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

The proposed change will not alter population or the population density pattern significantly and thereby will not impact residential dwelling units and/or public schools.

d. Impact of the proposed amendment upon the following adopted levels of service (LOS) for public services and facilities including but not limited to: water, sewer, sanitation, traffic, mass transit, recreation, stormwater management.

The following analysis indicates that the proposed change will not have a significant impact on the City's adopted levels of service for potable water, sanitary sewer, solid waste, traffic, mass transit, stormwater management and recreation. Should the requested land use change and rezoning for the subject 0.65 acres be approved, the City has sufficient capacity to serve the subject property.

WATER

Under the existing inter-local agreement with Tampa Bay Water (TBW), the region's local governments are required to project and submit, on or before February 1 of each year, the anticipated water demand for the following water year (October 1 through September 30). TBW is contractually obligated to meet the City's and other member government's water supply needs. The City's current potable water demand is 28.4 million gallons per day (mgd), with an overall potable water system capacity of 68 million gallons per day.

The City's adopted LOS standard for potable water is 125 gallons per capita per day, while the actual usage is estimated to be 80 gallons per capita per day. Therefore, there is excess water capacity to serve the amendment area.

WASTEWATER

The proposed Future Land Use Map amendment could lead to an additional 15 units. Assuming 2.5 people per unit, and an indoor water use of 72 gpcd, this gives a total of (15*72*2.5=2,700) 2700 gallons per day or 0.00270 MGD. The subject property is served by the Southwest Reclamation Facility, which presently has excess average daily
capacity estimated to be 0.22 million gallons per day (MGD). The estimate is based on a permit capacity of 20 MGD and a calendar year 2016 daily average flow of 19.78 MGD. Therefore, there is excess average daily sanitary sewer capacity to serve the amendment area.

SOLID WASTE

All solid waste disposal is the responsibility of Pinellas County. The County currently receives and disposes of municipal solid waste, and construction and demolition debris, generated throughout Pinellas County. The Pinellas County Waste-to-Energy Plant and the Bridgeway Acres Sanitary Landfill are the responsibility of Pinellas County Utilities, Department of Solid Waste Operations; however, they are operated and maintained under contract by two private companies. The Waste-to-Energy Plant incinerated 496,151 tons of garbage in 2016, which is below its design capacity of incinerating 985,500 tons of solid waste per year. The continuation of successful recycling efforts and the efficient operation of the Waste-to-Energy Plant have helped to extend the life span of Bridgeway Acres. The landfill has approximately 86 years remaining, based on current grading and disposal plans. Thus, there is excess solid waste capacity to serve the amendment area.

TRAFFIC

Summary of traffic impact (p.m. peak hour trips):

<table>
<thead>
<tr>
<th>Category</th>
<th>Trips</th>
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<tbody>
<tr>
<td>Existing Industrial General Plan Category</td>
<td>15</td>
</tr>
<tr>
<td>Requested Planned Redevelopment Mixed-Use Plan Category</td>
<td>27</td>
</tr>
<tr>
<td>12 new p.m. peak hour trips</td>
<td></td>
</tr>
</tbody>
</table>

Existing Conditions

The subject properties have access to 5th Avenue South, which is a four-lane collector maintained by the city. Due to the low number of p.m. trips being added to this roadway, transportation staff has indicated that there is spare capacity to accommodate new trips.

The statutory provisions for transportation concurrency were rescinded in 2011. In the absence of state imposed transportation concurrency management requirements, the Pinellas County Metropolitan Planning Organization (MPO) authorized a multi-jurisdictional task force to develop a countywide approach to manage the transportation impacts associated with development or redevelopment projects through local site plan review processes. The task force created the Pinellas County Mobility Plan, which was adopted by the MPO in September 2013, and called for the renaming the Transportation Impact Fee Ordinance as the Multimodal Impact Fee Ordinance, which became effective on May 1, 2016. On March 3, 2016 the St. Petersburg City Council approved amendments to the Future Land Use, Transportation, Capital Improvements and Intergovernmental Coordination elements of the Comprehensive Plan in order to ensure
consistency with the countywide approach to managing transportation impacts associated with development or redevelopment projects.

Policy T3.1 in the Transportation Element, which previously identified the LOS D standard for major roads in St. Petersburg, was revised to include policies that pertain to the implementation of the Pinellas County Mobility Management System. Transportation management plans, and in some cases traffic studies, are required for large development projects (51 new peak hour trips or more) that impact deficient roads, which are defined countywide as major roads operating at peak hour LOS “E” and “F” and/or volume-to-capacity (v/c) ratio 0.9 or greater without a mitigating improvement scheduled for construction within three years. The proposed rezoning is not located on a deficient road, so a transportation management plan or traffic study would not be required.

MASS TRANSIT

The PSTA has one route on 4th Street North. Route 79 provides service from the Largo Transit center in the north, to Downtown Saint Petersburg in the south.

RECREATION

The City's adopted LOS for recreation and open space is 9 acres per 1,000 population, the actual LOS City-wide is estimated to be 28.9 acres per 1,000 population. If approved, there will be no impact on the adopted LOS standard for recreation and open space.

STORMWATER MANAGEMENT

Prior to any re/development within the subject area, site plan approval shall be required. At that time, the stormwater management system for the site will be required to meet all City and SWFWMD stormwater management criteria.

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

The land area is both appropriate and adequate for the anticipated use of the subject property.

f. The amount and availability of vacant land or land suitable for redevelopment shown for similar uses in the City or in contiguous areas.

There are 34 acres of vacant land within the CCT-1 Zoning category.

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

The proposed rezoning is consistent with the established land use pattern.

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

i. **If the proposed amendment involves a change from a residential to a nonresidential use, whether more nonresidential land is needed in the proposed location to provide services or employment to the residents of the City.**

The proposed amendment does not change from residential to non-residential.

j. **Whether the subject property is located within the 100-year flood plain or Coastal High Hazard Area as identified in the Coastal Management Element of the Comprehensive Plan.**

According to the FEMA Flood Insurance Rate Map ("FIRM"), the property is not located within the 100-year flood plain or the Coastal High Hazard Area ("CHHA").

k. **Other pertinent information.**

None.
PUBLIC COMMENTS

City staff has received one phone call regarding the proposed amendment from residents in the area. They were seeking further clarification of the proposal and were not opposed to the rezoning.
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 in introduction to the case history and explanation of possible next steps with City staff recommendations included.

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| Appeal | 30 |
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-1 (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)
ST. PETERSBURG CITY COUNCIL

Meeting of December 14, 2017

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

SUBJECT: City File: FLUM-48: A private application requesting amendments to the Future Land Use Map and Official Zoning Map designations for a 0.33-acre portion of property recorded as “Preservation Site N-68” and generally located southwest of Roosevelt Boulevard North, just west of the intersection with Dr. Martin Luther King Jr. Street North, at 10900 Roosevelt Boulevard North.

A map and detailed analysis of the request is provided in Staff Report FLUM-48, attached.

REQUEST: (A) ORDINANCE _____-L amending the Future Land Use Map designation from P (Preservation)/Activity Center/Target Employment Center to IL (Industrial Limited)/Activity Center/Target Employment Center, or other less intensive use.

(B) ORDINANCE _____-Z amending the Official Zoning Map designation from P (Preservation) to EC (Employment Center), or other less intensive use.

(C) RESOLUTION ________ requesting an amendment to the Countywide Future Land Use Plan Map, as described above, to comply with the requirements of the Pinellas Planning Council and Pinellas County Board of County Commissioners.

RECOMMENDATION:

Administration: The Administration recommends APPROVAL.

Public Input: The subject property is not located within the boundaries of a neighborhood, condominium, or business association representing the subject area. To date, the Planning & Economic Development Department has received no comments on this request.

Community Planning & Preservation Commission (CPPC): On November 7, 2017 the CPPC held a public hearing regarding these amendments, and unanimously voted 7 to 0 to recommend APPROVAL.

City Council Action: On December 7, 2017 the City Council conducted the first reading of the proposed ordinances and set the second reading and adoption public hearing for December 14, 2017.
**Recommended City Council Action:** 1) CONDUCT the second reading of the proposed ordinances; 2) CONDUCT the public hearing; AND 3) ADOPT the ordinances and associated resolution.

**Attachments:** Ordinances (2), Transmittal Resolution, Draft CPPC Minutes and Staff Report.
ORDINANCE NO. ___-L

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN FOR THE CITY OF ST. PETERSBURG, FLORIDA; BY CHANGING THE LAND USE DESIGNATION FOR A PORTION OF PROPERTY RECORDED AS "PRESERVATION SITE N-68" AND GENERALLY LOCATED SOUTHWEST OF ROOSEVELT BOULEVARD NORTH, JUST WEST OF THE INTERSECTION WITH DR. MARTIN LUTHER KING JR. STREET NORTH, FROM P (PRESERVATION) / ACTIVITY CENTER / TARGET EMPLOYMENT CENTER TO IL (INDUSTRIAL LIMITED) / ACTIVITY CENTER / TARGET EMPLOYMENT CENTER; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

THE CITY OF ST. PETERSBURG DOES ORDAIN:

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

Property

The subject area is recorded in the city records as "Preservation Site N-68" and located within a larger parcel described fully hereafter. "Preservation Site N-68" is illustrated in the attached "Exhibit A".
Lot 4, ST PETERSBURG GATEWAY INDUSTRIAL PARK, as recorded in Plat Book 92, Pages 88 and 89, Public Records of Pinellas County, Florida.

LESS THE FOLLOWING:
Commencing at the most Northerly corner of said Lot 4, proceed S. 40°03'16" West, 190.00 feet; thence N.49°56'44" W., 6.38 feet; thence 42.18 feet Southwesterly along the arc of a curve concave Southeasterly, having a radius of 600.00 feet, a central angle 4°01'45", a chord bearing S.31°20'56" W., 42.18 feet for a Point of Beginning; thence run S.07°40'36" E., for a distance of 331.99 feet; thence N.49°56'44" W., along the Northwesterly projection of the centerline of right-of-way of Cosmos Street, the same being 605 feet Southwesterly of and parallel with the centerline of Roosevelt Boulevard (State Road No. 686), for a distance of 153.98 feet to a point on a non-tangent curve, thence 243.05 feet Northeasterly along the arc of a curve concave Southeasterly, having a radius of 600.00 feet, a central angle of 23°12'36", a chord bearing N.17°43'46" E., 241.40 feet to a non-tangent point, a radial to said point being N.60°39'57" W., said point being the Point of Beginning.

ALSO LESS AND EXCEPT a portion of Lot 4, ST PETERSBURG GATEWAY INDUSTRIAL PARK, as recorded in Plat Book 92, Pages 88 and 89 of the Public Records of Pinellas County, Florida, lying in the East 1/2 of Section 13, Township 30 South, Range 16 East, Pinellas County, Florida, being described as follows:
Commence at a point on the Northeast line of Lot 4, ST. PETERSBURG GATEWAY INDUSTRIAL PARK, as recorded in Plat Book 92, Pages 88 and 89 of the Public Records of Pinellas County, Florida, lying N.51°05'23" W., 79.81 feet from the Easternmost corner of said Lot 4; thence along said Northeast line, also being the existing Southwesterly right of way line of State Road 686 (Roosevelt Boulevard) (per Florida Department of Transportation Section 15030-2505), N.49°56'38" W., 593.87 feet to the Point of Beginning; thence continue along said right of way line, N.49°56'38" W., 245.82 feet; thence, leaving said right of way line, S.40°02'43" W., 195.92 feet; thence S.15°36'27" W., 262.63 feet; thence S.49°56'38" E., 310.49 feet to a point on a line that delineates lease Parcel "A" and lease Parcel "B", per O.R. Book 5449, Page 1936 and O.R. Book 12022, page 521, of the Public Records of Pinellas County, Florida; thence along the Westerly line of said lease Parcel "A" and the Easterly line of said line Parcel "B", N.40°03'22" E., 240.41 feet; thence, leaving said lease delineation line, N.49°57'17" W., 160.37 feet; thence N.04°57'17" W., 18.38 feet; thence N.40°02'43" E., 181.62 feet to the Point of Beginning.

Land Use Category
From: P (Preservation)/Activity Center/Target Employment Center
To: IL (Industrial Limited)/Activity Center/Target Employment Center

SECTION 2. All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.
SECTION 3. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon approval of the required Land Use Plan change by the Pinellas County Board of County Commissioners (acting in their capacity as the Countywide Planning Authority) and upon issuance of a final order determining this amendment to be in compliance by the Department of Economic Opportunity (DEO) or until the Administration Commission issues a final order determining this amendment to be in compliance, pursuant to Section 163.3187, F.S. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective as set forth above.

APPROVED AS TO FORM AND SUBSTANCE:

FLUM-48
(Land Use)

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT DATE

ASSISTANT CITY ATTORNEY DATE

11/20/12
ORDINANCE NO. __-Z

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ST. PETERSBURG, FLORIDA; BY CHANGING THE ZONING FOR A PORTION OF PROPERTY RECORDED AS "PRESERVATION SITE N-68" AND GENERALLY LOCATED SOUTHWEST OF ROOSEVELT BOULEVARD NORTH, JUST WEST OF THE INTERSECTION WITH DR. MARTIN LUTHER KING JR. STREET NORTH, FROM P (PRESERVATION) TO EC (EMPLOYMENT CENTER); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

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

**Property**

The subject area is recorded in the city records as "Preservation Site N-68" and located within a larger parcel described fully hereafter. "Preservation Site N-68" is illustrated in the attached "Exhibit A".

Lot 4, ST PETERSBURG GATEWAY INDUSTRIAL PARK, as recorded in Plat Book 92, Pages 88 and 89, Public Records of Pinellas County, Florida.

LESS THE FOLLOWING:
Commencing at the most Northerly corner of said Lot 4, proceed S. 40°03'16" West, 190.00 feet; thence N.49°56'44" W., 6.38 feet; thence 42.18 feet Southwesterly along the arc of a curve concave Southeasterly, having a radius of 600.00 feet, a central angle 4°01'45", a chord bearing S.31°20'56" W., 42.18 feet for a Point of Beginning; thence run S.07°40'36" E., for a distance of 331.99 feet; thence N.49°56'44" W., along the Northwesterly projection of the centerline of right-of-way of Cosmos Street, the same being 605 feet Southwesterly of and parallel with the centerline of Roosevelt Boulevard (State Road No. 686), for a distance of 153.98 feet to a point on a non-tangent curve, thence 243.05 feet Northeasterly along the arc of a curve concave Southeasterly, having a radius of 600.00 feet, a central angle of 23°12'36", a chord bearing N.17°43'46" E., 241.40 feet to a non-tangent point, a radial to said point being N.60°39'57" W., said point being the Point of Beginning.

ALSO LESS AND EXCEPT a portion of Lot 4, ST PETERSBURG GATEWAY INDUSTRIAL PARK, as recorded in Plat Book 92, Pages 88 and 89 of the Public Records of Pinellas County, Florida, lying in the East 1/2 of Section 13, Township 30 South, Range 16 East, Pinellas County, Florida, being described as follows:
Commence at a point on the Northeast line of Lot 4, ST. PETERSBURG GATEWAY INDUSTRIAL PARK, as recorded in Plat Book 92, Pages 88 and 89 of the Public Records of Pinellas County, Florida, lying N.51°05'23" W., 79.81 feet from the Easternmost corner of said Lot 4; thence along said Northeast line, also being the existing Southwesterly right of way line of State Road 686 (Roosevelt Boulevard) (per Florida Department of Transportation Section 15030-2505), N.49°56'38" W., 593.87 feet to the Point of Beginning; thence continue along said right of way line, N.49°56'38" W., 245.82 feet; thence, leaving said right of way line, S.40°02'43" W., 195.92 feet; thence S.15°36'27" W., 262.63 feet; thence S.49°56'38" E., 310.49 feet to a point on a line that delineates lease Parcel "A" and lease Parcel "B", per O.R. Book 5449, Page 1936 and O.R. Book 12022, page 521, of the Public Records of Pinellas County, Florida; thence along the Westerly line of said lease Parcel "A" and the Easterly line of said parcel "B", N.40°03'22" E., 240.41 feet; thence, leaving said lease delineation line, N.49°57'17" W., 160.37 feet; thence N.04°57'17" W., 18.38 feet; thence N.40°02'43" E., 181.62 feet to the Point of Beginning.

**District**

From: P (Preservation)

To: EC (Employment Center)

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

SECTION 3. This ordinance shall become effective upon the date the ordinance adopting the required amendment to the City of St. Petersburg Comprehensive Plan’s Future Land Use Map becomes effective (Ordinance ___-L).

APPROVED AS TO FORM AND SUBSTANCE: FLUM-48

(Zoning)

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT DATE

ASSISTANT CITY ATTORNEY DATE
RESOLUTION NO. 2017-____

A RESOLUTION TRANSMITTING A PROPOSED AMENDMENT TO THE CITY OF ST. PETERSBURG LOCAL GOVERNMENT COMPREHENSIVE PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the St. Petersburg City Council has held the requisite public hearing in consideration of a request to amend the Local Government Comprehensive Plan; and

WHEREAS, the St. Petersburg City Council has considered and approved the proposed St. Petersburg Comprehensive Plan amendment, and determined it to be consistent with the Countywide Future Land Use Plan and Rules.

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

That the City Council of St. Petersburg does hereby transmit the proposed amendment to the Local Government Comprehensive Plan to the Pinellas Planning Council (PPC) for a consistency review with the Countywide Future Land Use Plan and Rules.

This Resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND SUBSTANCE: City File FLUM-48

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT 

ASSISTANT CITY ATTORNEY 

11/29/12
IV. QUASI-JUDICIAL PUBLIC HEARING

A. City File FLUM-48

Contact Person: Derek Kilborn, 893-7872

Location: The subject property, historically known as Preservation Area N-68 and estimated to be 0.33 acres in size, is located at 10900 Roosevelt Boulevard North.

Request: A private application to amend the Future Land Use Map designation from Preservation to Industrial Limited and the Official Zoning Map designation from P (Preservation) to EC (Employment Center), or other less intensive use.

Staff Presentation
Derek Kilborn gave a PowerPoint presentation based on the staff report.

Applicant Presentation
G. Jeffrey Churchill with George F. Young, Inc. and representing the applicant, Jabil, Inc., gave a presentation in support of the request.

Public Hearing
No speakers present.

Commissioner Michaels asked about the property ownership and what will happen with the property if the Preservation designation is removed. Mr. Kilborn replied that the City of St. Petersburg technically owns the property with Jabil as the tenant operating the land and understands that Jabil will be making improvements to the building that is there now but does not know what the potential site plan implications of those improvements might be. The City was asked through this application to assess the condition of the preservation area and whether or not it met the comprehensive plan policies for a rezoning.

Commissioner Michaels asked if the improvements would not affect the trees. Mr. Kilborn replied that he did not know but did try to emphasize that any proposal to impact the existing trees on the site will be evaluated through the tree maintenance and preservation section of the City’s landscape ordinance. If today’s request is approved, this does not empower them to remove any trees which are still subject to those regulations in Chapter 16.
Commissioner Michaels asked if the regulations have a means of allowing the removal of the trees. Mr. Kilborn replied not completely; a certain percentage of specimen trees and grand trees can be removed but cannot be removed in total. A specimen tree is defined as any tree in excess of 12 inches and a grand tree is any tree in excess of 30 inches. Most of the trees on the subject site are between 10 and 24 inches.

Commissioner Michaels asked who was responsible for the nurturing of the under story species as recommended by the USF expert in the 1983 Ecological Survey of Preservation Site N-68 and with City records stating that it is unclear whether these improvements and maintenance were ever executed. Mr. Kilborn replied that he did not know because of a gap of information in the file; nothing indicating a follow-up inspection or that work was done. The site plan approval for the company came in late 1982 and Mr. Kilborn assumes that it fell on the site plan applicant which at that time was Showa University, Research Institute for Biomedicine; however, he does not have a document that ties the requirement directly to them.

Commissioner Michaels asked if Policy C6.8 (That City owned preservation areas shall be enhanced through implementation of the Environmental Enhancement Urban Forestry Program) has been done in this case. Mr. Kilborn replied that as far as he knows, that fund no longer exists so it is possible that after the 1983 recommendation that there is some investment there. As of today, there is no dedicated fund for this particular purpose.

Commissioner Michaels asked Mr. Churchill to elaborate his reference to the practice of handling/managing these sites through fire where fire is not applicable in this situation. Mr. Churchill stated that there are other means that could be used like mechanical clearing and sometimes herbicides to control exotics; there are ways that you can mimic the management that fire used to do.

Commissioner Wannemacher asked who owned the property located northwest of the subject property, to which Mr. Kilborn replied the Florida Department of Transportation (FDOT).

Commissioner Wannemacher asked about the condition of the preservation pocket located in the northwest corner. Mr. Kilborn replied that that area was not evaluated as part of this review today so he was unable to give an assessment.

Commissioner Wannemacher asked if the City ever considers mitigation areas and, if so, in this case maybe increase the preservation pocket to make up the loss of the subject area that has been poorly maintained. Mr. Kilborn replied, it does and then explained the process.

Commissioner Michaels suggested an amendment to the motion asking mitigation to be made by adding new equivalent preservation land some other part in the City. Mr. Kilborn pointed out that the mitigation in the landscape section is mitigation for what is deemed to already be having environmental integrity that meets the minimum criteria for a preservation designation. In this case, it is really important to think about whether or not the subject property meets the minimum criteria for a preservation area and based on what staff has looked at,
they do not believe that the subject site continues to meet the vegetation type which then disqualifies this site as a preservation area; therefore, mitigation is not as important. Chris Johnson with Jabil went on to say that he agrees with Mr. Kilborn and if the site did meet the criteria, they would certainly look at mitigation options.

Commission Vice-Chair Rogo asked if the tree preservation ordinance applies to the property owned by FDOT, to which Mr. Kilborn replied, yes.

**Cross Examination**
By City Administration  
Waived

By Applicant  
Waived

**Rebuttal/Closing Remarks**
By City Administration  
Waived

By Applicant  
Waived

**Executive Session**
Commissioner Wannemacher stated that she would not support an amendment suggested by Commissioner Michaels because the subject preservation area does not meet the minimum standards required for a preservation area.

Commissioner Michaels stated that after hearing the testimony he will defer to the staff’s judgement of the site no longer meeting the requirements for preservation and will support the recommendation.

**MOTION:**  
*Commissioner Whiteman moved and Commissioner Winters seconded a motion to approve the Future Land Use Map designation from Preservation to Industrial Limited and the Official Zoning Map designation from P (Preservation) to EC (Employment Center) subject to the conditions of approval in accordance with the staff report.*

**VOTE:**  
*YES – Michaels, Reese, Wannemacher, Whiteman, Winters, Rogo  
NO – None*

*Motion passed by a vote of 6 to 0.*
Staff Report to the St. Petersburg
Community Planning and Preservation Commission
Prepared by the Planning & Economic Development Department,
Urban Planning & Historic Preservation Division
For Public Hearing and Executive Action on November 7, 2017
at 2:00 p.m., in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

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

City File: FLUM-48

This is a private application requesting the following:

Amend the Future Land Use Map:
- From P (Preservation) to IL (Industrial Limited), or other less intensive use
- AC (Gateway Activity Center) remains unchanged
- TEC (Gateway Area Target Employment Center) remains unchanged

Amend the Official Zoning Map:
- From P (Preservation) to EC (Employment Center), or other less intensive use

The purpose of this application is to amend the plan designation and zoning category for an existing preservation area, known as “Preservation Site N 68”. According to the applicant and supporting evidence, the subject property is of poor natural quality and no longer a pine flatwood as described in the original ecological survey.

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## APPLICANT INFORMATION

**APPLICANT:** Jabil Inc.  
10560 Roosevelt Boulevard North  
St Petersburg Florida 33716-3718

**PROPERTY OWNER:** City of St. Petersburg  
c/o Jabil Inc.  
10560 Dr. Martin Luther King Jr. St. North  
St. Petersburg, Florida 33716-3718

**AGENT:** G. Jeffrey Churchill  
George F. Young, Inc.  
299 Dr. Martin Luther King Jr. Street North  
St. Petersburg, Florida 33731-0683

## SITE DESCRIPTION

- **Street Address:** 10900 Roosevelt Boulevard North
- **Parcel ID Number:** (Portion of parcel) 13-30-16-78384-000-0040
- **General Description:** Southwest of Roosevelt Boulevard North, just west of the intersection with Dr. Martin Luther King Jr. Street North. *(A general location map is attached.)*
- **Acreage:** 0.33 acres
- **Zoning:** P (Preservation)
- **Future Land Use:** P (Preservation), Activity Center, Target Employment Center
- **Countywide Plan Map:** Activity Center
- **Preservation Site:** Preservation Site N-68
- **Existing Use:** Designated, preservation land embedded within larger parcel. The larger parcel is developed with an office building and an associated surface parking lot.
- **Surrounding Uses:** Northwest: vacant, natural land; Southwest: water body; Northeast: Roosevelt Boulevard; Southeast: Jabil Headquarters
- **Neighborhood Assoc.:** There is no neighborhood, condominium, or business association representing the subject area.
The present P (Preservation) zoning designation has been in place since September 2007, following the implementation of the City's Vision 2020 Plan, the City-wide rezoning and update of the Land Development Regulations (LDRs). Prior to 2007, the subject area was designated IP-PRES (Industrial Parkway - Preservation).

Development Potential

The subject area is approximately 0.33 acres, or 14,375 sq. ft. in size:

- **Current Zoning.** Providing all other district regulations are met, preservation related alterations or improvements shall not exceed a floor-area-ratio (FAR) of 0.05 or 719 square feet.

- **Proposed Zoning.** Providing all other district regulations are met, the development potential of the subject area shall not exceed a FAR of 1.37 or 19,694 square feet. Furthermore, within the EC zoning designation, a 100 percent (%) intensity bonus is allowed for manufacturing, office, and laboratories and research and development uses on parcels designated as Target Employment Center (TEC) overlay on the Future Land Use Map. Thus, these select land use types are permitted up to a maximum FAR of 2.74 or 39,388 square feet.
The primary issues associated with this private application are consistency and compatibility of the requested designations with the established land use and zoning patterns; preservation lands; and provision of adequate public services and facilities.

Background

Starting in 1982, the Showa University, Research Institute for Biomedicine, applied to the City of St. Petersburg for approval of a one-story, 32,600 square foot research laboratory. The site plan data identified a 22,254 square foot preservation area, including a 7,010 square foot encroachment for alterations. The site plan - SPR 306-P - was approved on September 1, 1982.

The size of the preservation area was subsequently amended by an ecological survey performed in 1983. Specifically, the ecological survey established the preservation area as totaling 0.33 acres or 14,375 square feet, less than the 22,254 square feet originally recorded and slightly less than the 15,244 square feet approved by SPR 306-P.

Preservation Site N-68

On February 25, 1983, an Ecological Survey of Preservation Site N-68 was performed and recorded by Donald Richardson, Plant Ecologist, University of South Florida (“USF”). See attached. The survey report generally describes the preservation area, includes an ecological description, evaluation, species list, and recommendations.

The ecological description identified the habitat of the subject area as an intermediate Pine Flatwoods, including an overstory, shrub layer, and groundcover. At the time of the survey, the overstory was comprised of slash pine, the shrub layer was comprised of five (5) different species, and the ground cover was comprised of nine (9) different species typical for this habitat type. Moreover, three (3) different invasive species were identified with Brazilian pepper seedlings and young shrubs posing the greatest threat to the areas ecological integrity.

The survey further noted that the presence of these invasive species and their impact on native pinewood components diminished the overall natural quality of the site stating, “...the overall natural quality of the site is poor.”

Despite this assessment, the recommendations included retention of the preservation area and regeneration of the native under-story species. It is unclear from city records whether these improvements and maintenance were ever executed. The applicant has included with their application a series of historic, aerial photographs showing a reduction in vegetation on or before 2001. Since this date, the shrub layer and ground cover have become almost non-existent, replaced only be a scattering of Sabal palm seedlings and mowed St. Augustine turf.

Finally, preservation areas often include delineated wetlands, but that is not the case here. Since this preservation area does not include a wetland, there is no delineated wetland line nor does the Southwest Florida Water Management District (“SWFWMD”) or the US Army Corps of Engineers (“ACOE”) have jurisdiction over this request.
Preservation Zoning, City Code Section 16.20.160

To be designated a preservation district within the City of St. Petersburg, City Code Section 16.20.160 prescribes that a subject area shall demonstrate a minimum number of four (4) points and exhibit at least one (1) of the listed vegetation types, which are assigned through the table titled “Relative Significance of Environmental Factors.” Factors are broken down into four categories: vegetation, wildlife, soils, and whether there is a city-designated nature preserve.

Vegetation. According to the University of Florida: Institute of Food and Agricultural Services (“UF/IFAS”), Pine Flatwoods are characterized by an open overstory of pines, an extensive shrub layer, and a variable herbaceous layer. Pine Flatwoods are normally granted 1.0 point; however, the diminished ecological integrity of this habitat, which lacks a shrub layer and native herbaceous layer makes the continued assignment of 1.0 point tenuous. Since the designation requires exhibition of at least one (1) of the listed vegetation types, these conditions likely disqualify the subject area from consideration as a Pine Flatwood and therefore, a preservation district.
Wildlife. In this instance, there is a wood pole and platform for an osprey nest located at the northern corner of the preservation area. According to the FFWCC’s list titled “Florida’s Endangered and Threatened Species” and most recently updated in May 2017, the Osprey (Pandion haliaetus) in Pinellas County is not an endangered, threatened, or species of concern. The site does not qualify for 1.0 point.

Soils. The subject area is located within the 100-year floodplain, which qualifies it for 2.0 points. Generally, large preservation areas within the 100-year floodplain can have a significant positive impact on flood mitigation. In this instance, the disconnected and small size of the preservation area will do little to mitigate flood impact.

Tree Protection and Maintenance

According to a site survey performed by the applicant in May 2017, the subject area includes a cluster of slash pine (Pinus elliottii) measuring from 5- to 24-inches and oak trees (Quercus et al) measuring from 10- to 27-inches in diameter. This request for rezoning and future land use map amendment does not exempt the property owner from full compliance with City Code Section 16.40.060 regulating tree protection and maintenance.

Consistency and Compatibility

City staff has concluded that this request to amend the Official Zoning Map from P (Preservation) to EC (Employment Center) and Future Land Use Map from P (Preservation) to IL (Industrial Limited) is consistent with the City’s Comprehensive Plan.

The requested designations are also consistent with:

- **Policy LU3.4** of the Comprehensive Plan, which states that the Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of physical and natural separators. The requested IL plan designation and EC zoning category are consistent with existing designations on the subject parcel and adjoining properties to the northwest, northeast, and southeast. A water body exists to the southwest.

- **Policy LU3.6** which states that land planning should weigh heavily the established character of predominantly developed areas where changes of use or intensity of development are contemplated. The established character of the surrounding area is dominated by manufacturing, office, and laboratories and research and development, and a minor arterial roadway.

- **Policy LU 3.7** which states that land use planning decisions shall include a review to determine whether the existing Land Use Plan boundaries are logically drawn in relation to existing conditions and expected future conditions. Boundaries for the present Target Employment Center, Activity Center, and surrounding Industrial Limited (IL) plan designation and EC (Employment Center) zoning category are logically drawn.

- **Policy LU3.21**, which states that the City shall continue to expand the acreage available for industrial development in appropriate locations, provided such expansion is supported by current and likely long-term market conditions. Similarly, **Policy LU16.1** states that development planning for the Gateway area shall include consideration of the promotion of industrial and office park development to diversify the City’s economic base and generate employment. In this instance, the ecological integrity of the preservation area, described in 1983 ecological survey as “poor”, has
been further diminished with additional loss of the shrub layer and native groundcover. Given the current condition of the subject area, reclassification will help incentivize the remaining balance of the subject parcel for new investment and target employment opportunities, while still offering protection of the overstory through the City’s tree protection and maintenance requirements.

- **Policy LU25.2**, which states that the City shall continue to enforce landscaping and tree preservation standards that increase shade and mitigate heat island effects. The proposed map amendment does not by itself authorize the property owner or applicant to remove shade or install additional elements that increase the heat island effect. As noted earlier, tree trimming and removal is regulated separately through City Code Section 16.40.060.

- **Policy C6.1**, which states that preservation sites identified on the Future Land Use map will be preserved to the maximum extent possible in their natural condition. In this instance, the ecological integrity of the preservation area is diminished and lacking the native shrub layer and groundcover common to the Pine Flatwoods habitat. The existing tree canopy retains ecological value and will continue to be regulated through City Code Section 16.40.060.

- **Policy C10**, which states that the City shall protect, to the maximum extent possible, all habitat, nesting areas, feeding grounds, and food sources of wildlife listed as endangered, threatened or a species of special concern by the U.S. Fish and Wildlife Service or Florida Fish and Wildlife Conservation Commission (“FFWCC”). In this instance, there is a wood pole and platform for an osprey nest located at the northern corner of the preservation area. According to the FFWCC’s list titled “Florida’s Endangered and Threatened Species” and most recently updated in May 2017, the Osprey (Pandion haliaetus) in Pinellas County is not an endangered, threatened, or species of concern. The property owner and applicant have no plans to remove the wood pole and platform, and the existing tree canopy nearby will continue to be regulated through City Code Section 16.40.060.

**LEVEL OF SERVICE (LOS) IMPACT**

The Level of Service (LOS) impact section of this report concludes that the proposed rezoning will not alter the City’s population or the population density pattern or have a negative effect upon the adopted LOS standards for public services and facilities including potable water, sanitary sewer, solid waste, traffic, mass transit, recreation, and stormwater management.

**SPECIAL NOTE ON CONCURRENCE**

Level of Service impacts are addressed further in this report. Approval of the requested Plan change and rezoning does not guarantee that the subject property will meet the requirements of concurrency at the time development permits are requested. Upon application for site plan review or development permits, a full concurrency review will be completed to determine whether or not the proposed development may proceed. The property owner will have to comply with all laws and ordinances in effect at the time development permits are requested.
RECOMMENDATION

Staff recommends APPROVAL on the basis that the request is consistent with the goals, objectives, and policies of the City's Comprehensive Plan:

Amend the Future Land Use Map:
  • From P (Preservation) to IL (Industrial Limited), or other less intensive use
  • AC (Gateway Activity Center) remains unchanged
  • TEC (Gateway Area Target Employment Center) remains unchanged

Amend the Official Zoning Map:
  • From P (Preservation) to EC (Employment Center), or other less intensive use
RELEVANT CONSIDERATIONS ON AMENDMENTS TO OFFICIAL ZONING MAP

a. Compliance of probable use with goals, objectives, policies and guidelines of the City's Comprehensive Plan.

The following objectives and policies from the Land Use Element and Transportation Element are applicable:

LU2 The Future Land Use Plan shall facilitate a compact urban development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services by concentrating more intensive growth in activity centers and other appropriate areas.

LU2.2 The City shall concentrate growth in the designated Activity Centers and prioritize infrastructure improvements to service demand in those areas.

LU3.4 The Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of physical and natural separators.

LU3.6 Land planning should weigh heavily the established character of predominantly developed areas where changes of use or intensity of development are contemplated.

LU3.7 Land use planning decisions shall include a review to determine whether existing Land Use Plan boundaries are logically drawn in relation to existing conditions and expected future conditions.

LU3.21 The City shall continue to expand the acreage available for industrial development in appropriate locations provided such expansion is supported by current and likely long-term market conditions.

LU16.1 Development planning for the Gateway shall include consideration of the following issues: 1. Promotion of industrial and office park development to diversify the City's economic base and generate employment...

LU25.2 The City shall continue to enforce landscaping and tree preservation standards that increase shade and mitigate heat island effects.

C6.1 Preservation sites identified on the Future Land Use map will be preserved to the maximum extent possible in their natural condition.

C10 The City shall protect, to the maximum extent possible, all habitat, nesting areas, feeding grounds, and food sources of wildlife listed as endangered, threatened or a species of special concern by the U.S. Fish and Wildlife Service or Florida Fish and Wildlife Conservation Commission ("FFWCC").
b. Whether the proposed amendment would impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.

In this instance, there is a wood pole and platform for an osprey nest located at the northern corner of the preservation area. According to the FFWCC’s list titled “Florida’s Endangered and Threatened Species” and most recently updated in May 2017, the Osprey (Pandion haliaetus) in Pinellas County is not an endangered, threatened, or species of concern. The property owner and applicant have no plans to remove the wood pole and platform, and the existing tree canopy nearby will continue to be regulated through City Code Section 16.40.060.

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

This small 0.33 acres will have no impact on the population or population density pattern of the immediate area. Residential units are prohibited within the EC (Employment Center) zoning category.

d. Impact of the proposed amendment upon the following adopted levels of service (LOS) for public services and facilities including but not limited to: water, sewer, sanitation, traffic, mass transit, recreation, stormwater management. (This analysis does not include the development potential of the existing Preservation land, which is considered negligible.)

The following analysis indicates that the proposed change will not have a significant impact on the City’s adopted levels of service for potable water, sanitary sewer, solid waste, traffic, mass transit, stormwater management and recreation. Should the requested land use change and rezoning for the subject 5.1 acre site be approved, the City has sufficient capacity to serve the subject property.

WATER

Under the existing inter-local agreement with Tampa Bay Water (TBW), the region’s local governments are required to project and submit, on or before February 1 of each year, the anticipated water demand for the following water year (October 1 through September 30). TBW is contractually obligated to meet the City’s and other member government’s water supply needs. The City’s current potable water demand is 28.8 million gallons per day (mgd).

The City’s adopted LOS standard for potable water is 125 gallons per capita per day, while the actual usage is estimated to be 80 gallons per capita per day. Therefore, there is excess water capacity to serve the amendment area.

WASTEWATER

The subject property is served by the Northeast Water Reclamation Facility, which presently has excess average day capacity estimated to be 7.13 million gallons per day (MGD). The estimate is based on a permit capacity of 16 MGD and a calendar year 2016 daily average flow of 8.87 MGD. Therefore, there is excess average daily sanitary sewer capacity to serve the amendment area.
SOLID WASTE

All solid waste disposal is the responsibility of Pinellas County. The County currently receives and disposes of municipal solid waste, and construction and demolition debris, generated throughout Pinellas County. The Pinellas County Waste-to-Energy Plant and the Bridgeway Acres Sanitary Landfill are the responsibility of Pinellas County Utilities, Department of Solid Waste Operations; however, they are operated and maintained under contract by two private companies. The Waste-to-Energy Plant continues to operate below its design capacity of incinerating 985,500 tons of solid waste per year. The continuation of successful recycling efforts and the efficient operation of the Waste-to-Energy Plant have helped to extend the life span of Bridgeway Acres. The landfill has approximately 30 years remaining, based on current grading and disposal plans. Thus, there is excess solid waste capacity to serve the amendment area.

TRAFFIC

Summary of traffic impact (p.m. peak hour trips):

Existing Preservation Plan Category 0
Requested Industrial Limited Plan Category 0

Existing Conditions

The subject property has access to Roosevelt Boulevard North, which is a six-lane, minor arterial that is maintained by the Florida Department of Transportation. Based on the Forward Pinellas 2016 Level of Service Report, the level of service (LOS) for Roosevelt Boulevard North from 4th Street to 16th Street is “C”. This level of service is based on the 2015 average annual traffic (AADT) volume of 26,822. The volume-capacity ratio for this six-lane divided facility is 0.715, so there is spare capacity to accommodate new trips.

The statutory provisions for transportation concurrency were rescinded in 2011. In the absence of state imposed transportation concurrency management requirements, the Pinellas County Metropolitan Planning Organization (MPO) authorized a multi-jurisdictional task force to develop a countywide approach to manage the transportation impacts associated with development or redevelopment projects through local site plan review processes. The task force created the Pinellas County Mobility Plan, which was adopted by the MPO in September 2013, and called for the renaming the Transportation Impact Fee Ordinance as the Multimodal Impact Fee Ordinance, which became effective on May 1, 2016. On March 3, 2016 the St. Petersburg City Council approved amendments to the Future Land Use, Transportation, Capital Improvements and Intergovernmental Coordination elements of the Comprehensive Plan in order to ensure consistency with the countywide approach to managing transportation impacts associated with development or redevelopment projects.

Policy T3.1 in the Transportation Element, which previously identified the LOS “D” standard for major roads in St. Petersburg, was revised to include policies that pertain to the implementation of the Pinellas County Mobility Management System. Transportation management plans, and in some cases traffic studies, are required for large development projects (51 new peak hour trips or
more) that impact deficient roads, which are defined countywide as major roads operating at peak hour LOS “E” and “F” and/or volume-to-capacity (v/c) ratio 0.9 or greater without a mitigating improvement scheduled for construction within three years. The proposed rezoning is not located on a deficient road, so a transportation management plan or traffic study would not be required for a land development project on the subject property.

MASS TRANSIT

The Citywide LOS for mass transit will not be affected. PSTA’s Routes 4 and 58 provide service along Roosevelt Boulevard North, with service frequencies of 15 minutes and approximately 60 minutes, respectively.

RECREATION

The City’s adopted LOS for recreation and open space is 9 acres per 1,000 population, the actual LOS City-wide is estimated to be 21.9 acres per 1,000 population. If approved, there will be no noticeable impact on the adopted LOS standard for recreation and open space.

STORMWATER MANAGEMENT

Prior to development of the subject property, site plan approval will be required. At that time, the stormwater management system for the site will be required to meet all City and SWFWMD stormwater management criteria.

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

This request is an evaluation of the current preservation status for the subject area.

f. The amount and availability of vacant land or land suitable for redevelopment shown for similar uses in the City or in contiguous areas.

This request is an evaluation of the current preservation status for the subject area.

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

The proposed IL plan designation and EC zoning category are the same as the remaining balance of the subject parcel, as well as adjoining properties to the northwest, northeast, and southeast. A water body exists to the southwest. The existing Gateway Activity Center and Gateway Area Target Employment Center overlays will remain unchanged.

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

The proposed IL plan designation and EC zoning category are the same as the remaining balance of the subject parcel, as well as adjoining properties to the northwest, northeast, and southeast. A water body exists to the southwest. The existing Gateway Activity Center and Gateway Area Target Employment Center overlays will remain unchanged.
i. If the proposed amendment involves a change from a residential to a nonresidential use, whether more nonresidential land is needed in the proposed location to provide services or employment to the residents of the City.

Not applicable.

j. Whether the subject property is located within the 100-year flood plain or Coastal High Hazard Area as identified in the Coastal Management Element of the Comprehensive Plan.

According to the FEMA Flood Insurance Rate Map (FIRM), the subject property is located in the 100-year flood plain. Specifically, the property is located in Special Flood Hazard Area AE, Flood Zone 9-feet, which requires that the top of the lowest habitable floor be at or above 9-feet NAVD (North American Vertical Datum). The subject property is also located within the CHHA (Coastal High Hazard Area) and Hurricane Evacuation Level “A.”

k. Other pertinent facts. None.
Ecological Survey of Preservation

Site N-68

February 25, 1983

by

Donald Richardson

Plant Ecologist

University of South Florida
Preservation Site N-68

The following report is a description of the existing vegetation with attendant recommendations for Preservation Site N-68, a parcel of land bordering the west side of Wisteria Street and the south side of Roosevelt Boulevard. The site is rectangular, about 200 feet along the east-west axis and 150 feet along the north-south axis. The total area is 0.33 acres.

ECOLOGICAL DESCRIPTION

The vegetation of Preservation Site N-68 is an intermediate Pine Flatwoods. The dominant overstory slash pines (Pinus elliottii) range in size from 5-14 inches dbh and extend upwards about 30 feet in height. Only 25 pines are present at this small site. The entire surrounding area has been cleared, which has allowed Brazilian pepper (Schinus terebinthifolius) to invade the margins. Two punk trees (Melaleuca quinquenervia) and a few Australian pines (Casuarina littorea) are also located on the margins. The litter layer ranges from 6-16 inches in depth with the deepest accumulations around the bases of the large slash pines.

The shrub layer is composed primarily of saw palmetto (Serenoa repens), beauty berry (Callicarpa americana) and a few pawpaw (Asimina reticulata) in sunny spots. Young Brazilian pepper plants do occur in the central portions of the site.

The ground cover is a mixture of typical Pine Flatwood and ruderal species. The most common include goldenrod (Euthamia minor; Solidago stricta), broomsedge grass (Andropogon virginicus), musky mint (Hyptis alata), beggar tick (Bidens alba), dogfennel (Eupatorium capillifolium), ragweed (Ambrosia artemisiifolia) and southern gaura (Gaura angustifolia). Most of the herbaceous species occur on the sunny margins or beneath canopy gaps. Wild grape (Vitis munsoniana) and saw brier (Smilax auriculata) are climbing in some of the pines.
EVALUATION

The vegetation of Preservation Site N-68 is an intermediate Pine Flatwoods that has burned periodically in the past but is now protected from fires. With the resultant closing canopy, succession has gradually moved species composition to favor more mesic hammock species. In addition, localized disturbance around the periphery has allowed several exotics and weeds to invade. Punk tree and Australian pine pose no immediate threat to the site because they occur only as isolated trees. However, Brazilian pepper seedlings and young shrubs are becoming increasingly common within and around the site. In this small site, establishment of Brazilian pepper will likely lead to the demise of the native pinewoods components. Thus, due to its small size and weediness, the overall natural quality of this site is poor. On the positive side, however, the site still has several characteristic Pine Flatwoods species so that proper management would allow it to retain its integrity as a pinewoods.

RECOMMENDATIONS

1. Even with its many drawbacks, it is my recommendation that Preservation Site N-68 be retained within the preservation plan of the city of St. Petersburg.

2. Any development should be located in the northwestern corner of the site, or at least in the northern quarter.

3. All exotics should be removed to allow regeneration of the native understory species.
**SPECIES LIST**

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<tr>
<td><strong>Herbs</strong></td>
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<td>Ambrosia artemisiifolia</td>
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<tr>
<td>Andropogon virginicus</td>
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<tr>
<td>Bidens alba</td>
<td>Beggars tick</td>
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<td>Spanish moss</td>
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29 September 2017

Derek Kilborn
Manager
City of St. Petersburg
Municipal Services Building - 8th Floor
One Fourth Street North
St. Petersburg, FL 33701

Re: Jabil TBRI Parcel Preservation Area N-68
Request for change in Future Land Use and Zoning

Dear Derek,

Enclosed please find our request for change in the future land use and zoning for what has historically been known as Preservation area N-68. This area was designated as a preservation area historically, but no longer meets the criteria for Preservation areas in Section 16.20.160.4 St. Petersburg Code of Ordinances. It appears that area N-68 has not met these criteria since prior to 2001 more than 15 years ago.

In support of our request we have included:
1) Boundary survey with Legal description,
2) Completed application,
3) Exhibit 1 showing Preservation Site N-68 as designated prior to 1982,
4) Copy of 1982 Site Plan approval,
5) Original Ecological Survey of Preservation Site N-68,
6) Recent Ecological Assessment of Preservation Site N-68,
7) Exhibits 2 through 5 showing changes in N-68 over time,
8) Recent photographs of Site N-68, and
9) A check for $2400.00 for processing.

We appreciate your assistance in processing our request. If we can provide any additional information that would help in your review please let us know.

Sincerely,

G. Jeffery Churchill
Principal Ecologist

Enc. – As listed above
Cc w/enc. – Chris Johnson, file 17018300SC, Allison Shaw
All applications are to be filed out completely and correctly. The application shall be submitted to the City of St. Petersburg's Planning and Economic Development Department, located on the 8th floor of the Municipal Services Building, One Fourth Street North, St. Petersburg, Florida.

GENERAL INFORMATION

APPLICATION

Date of Submittal: 6 October 2017
Street Address: 10900 Roosevelt Blvd. N, St. Petersburg, FL 33716
Parcel ID or Tract Number: 13-30-16-78384-000-0040
Zoning Classification: Present: Preservation Proposed: Employ Center
Future Land Use Plan Category: Present: Preservation Proposed: Industrial Lime

NAME of APPLICANT (Property Owner): City of St. Petersburg, FL
Street Address: One Fourth Street North
City, State, Zip: St. Petersburg, FL 33701
Telephone No: 
EmailAddress: 

NAME of any others PERSONS (Having ownership interest in property):
Specify Interest Held:
Is such Interest Contingent or Absolute:
Street Address:
City, State, Zip:
Telephone No:
EmailAddress: 

NAME of AGENT OR REPRESENTATIVE: G. Jeffery Churchill
Street Address: 299 Dr. Martin Luther King Jr. Blvd. North
City, State, Zip: St. Petersburg, FL 33701
Telephone No: 727-822-4317
EmailAddress: churchill@eapermit.co

AUTHORIZATION

Future Land Use Plan amendment and / or rezoning requiring a change to the Countywide Map $ 2,400.00
Future Land Use Plan amendment and / or rezoning NOT requiring a change to the Countywide Map $ 2,000.00
Rezoning only $ 2,000.00

Cash or credit card or check made payable to the "City of St. Petersburg"

The UNDERSIGNED CERTIFIES that the ownership of all property within this application has been fully divulged, whether such ownership be contingent or absolute, and that the names of all parties to any contract for sale in existence or any options to purchase are filed with the application. Further, this application must be complete and accurate, before the public hearings can be advertised, with attached justification form completed and filed as part of this application.

Signature: ___________________________ Date: ___________________________

Must be signed by title holder(s), or by an authorized agent with letter attached.
### PROPERTY INFORMATION:

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
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<tbody>
<tr>
<td>Street Address</td>
<td>10900 Roosevelt Blvd. North, St Petersburg, FL 33716</td>
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<tr>
<td>Parcel ID or Tract Number</td>
<td>13-30-16-78384-000-0040</td>
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<td>Square Feet</td>
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<td>Acreage</td>
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<td>Proposed Legal Description</td>
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<th>Answer</th>
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<tbody>
<tr>
<td>Is there any existing contract for sale on the subject property?</td>
<td>Yes</td>
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<tr>
<td>If so, list names of all parties to the contract:</td>
<td>City of St. Petersburg and Jabil Inc.</td>
</tr>
<tr>
<td>Is contract conditional or absolute:</td>
<td></td>
</tr>
<tr>
<td>Are there any options to purchase on the subject property?</td>
<td>Is so, list the names of all parties to option:</td>
</tr>
</tbody>
</table>

### REQUEST:

The applicant is of the opinion that this request would be an appropriate land use and/or rezoning for the above described property, and conforms with the Relevant Considerations of the Zoning Ordinance for the following reasons:

Area no longer meets the criteria in Section 16.20.160.4 to qualify as a Preservation area. See also the Ecological Assessment.
The TBRI site on the Jabil campus is the northwestern most parcel on the campus. It is located on Roosevelt Blvd. and includes an area that is currently shown on the Future Land Use Map as Preservation. It is also shown as Preservation on the zoning map. This Preservation area is located between the building and Roosevelt Blvd. and was originally shown on a site plan for the Showa University Research Institute for Biomedicine as 0.51 acres. It extended from the building location on that site plan into the Roosevelt Blvd. right of way.

In 1982 the Showa University Institute for Biomedicine applied for a site plan approval that proposed impacting 31.49% of this Preservation area. The actual site plan approval required that the applicant relocate a service drive further west on the site in order to reduce the impact to 25% of the Preservation area leaving 0.38 acres of Preservation area.

The City had an Ecological Survey of the Preservation area done in 1983 (Richardson 1983). This survey designated the area as Site N-68 and described it as pine flatwoods with an area of 0.33 acres. The Ecological Survey described the vegetation of the Preservation area in detail for the canopy, understory, and ground cover. It included a list of 19 species that occurred within the Preservation area. It also noted several exotic species and recommended their control in order to maintain the integrity of the pine flatwoods. It is unknown if any effort was made to remove the exotics including Australian pine, Brazilian pepper, and Melaleuca subsequent to the report.

At the time of the Ecological Survey Site N-68 was deemed to meet the criteria to qualify as a City Preservation area. Although the report noted that “due to its small size and weediness, the overall quality of the site is poor”. Section 16.20.160.4 of the City code provides the criteria for designating a preservation area. The criteria includes two parts. First Section 16.20.160.4 lists native plant communities that must be present in order for an area to qualify as a Preservation area. Second, there are a number of environmental factors an area may have that are assigned point values. In order to qualify as Preservation area it must accumulate at least 4 points on environmental factors in addition to being one the native plant communities listed in Section 16.20.160.4.

We recently visited Site N-68 to see if it would qualify as a Preservation area utilizing the criteria of Section 16.20.160.4. Based on the soils and 100 year floodplain the environmental factors add up to 4 points. However, the site is no longer a pine flatwoods as described in the Ecological Survey in 1983. It lack an understory and the ground cover is mowed and maintained St. Augustine grass. Therefore Site N-68 no longer qualifies as a Preservation area under 16.20.160.4.

Using historical aerial photographs (see exhibits 1, 2, 3, 4, and 5) we research the history of the site back to the time of the site plan approval in 1982. The existing building was
constructed in the early 1980's after the site plan approval in 1982. The canopy of the Preservation area remained similar to the early 1980s until the aerial photographs from 2001 showed it reduced in extent. In the 2001 and subsequent aerials the open areas of the canopy do not appear to have an understory and look like open grassy areas.

Section 16.20.160.8 requires maintenance of Preservation areas by the property owner to maintain them in a “viable natural condition”. We believe that there have been several different property owners since Preservation site N-68 ceased to meet criteria as a Preservation area under Section 16.20.160.4, likely prior to 2001. The current property owner was not responsible for the lack of maintenance that led to the degradation of the Preservation area.

Recent field review of Site N-68 indicates there is a scattered canopy that includes slash pine, laurel oaks, a single red maple, and carrot wood. The understory is non-existent except for one cluster of saw palmetto around the base of a laurel oak. A few scattered Sabal palm seedlings occur below the canopy. Ground cover is predominantly St. Augustine grass with scattered weedy species that is clearly mowed and maintained. It is likely that the Preservation area has been like this since 2001, when it appears this way in the aerial photographs.

Section 16.20.160.2 indicates that these regulations are intended to encourage preservation of lands in a natural state. Site N-68 is clearly no longer in a natural state. Its landscape position, adjacent to a major roadway and isolated from any other natural area, reduces the biological productivity, wildlife habitat value, and overall ecological value. In the 1983 Ecological Survey of Site N-68 (Richardson 1983) the area was deemed to be of poor natural quality. Changes that have occurred since that time have reduced the quality even more to the point where it no longer meets the criteria for Preservation Areas due to the fact that it is no longer a natural vegetative community. It is likely that Site N-68 has not met the criteria for preservation areas for more than 15 years.
APPLICANT: Dr. Meiian Nonoyama, Showa University Research Institute for Biomedicine 5180 113th Avenue North Clearwater, FL 33520

REPRESENTATIVE: Mr. Isamu Abe 13024 Firth Court Tampa, FL 33612

ARCHITECT OR ENGINEER: Rafael Garcia, Architect 4200 Alhambra Circle Coral Gables, FL 33146

LOCATION: Proposed legal: Partial Replat of Toytown Section A, Block 1, Lot 1, Gen: South side of Roosevelt Boulevard North approximately 510 feet west of 9th Street North.

REQUEST: Requesting approval of a Site Plan for a one-story, 32,600 sq. ft. research/experimental/testing laboratory on a 5.5 acre site zoned IP or IP Preservation.

### SITE DATA:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
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<tbody>
<tr>
<td></td>
<td>Research/Experimental/Testing Laboratory</td>
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<table>
<thead>
<tr>
<th>Site Area:</th>
<th>219,973 sq. ft.</th>
<th>5.05 acres m.o.l.</th>
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<tr>
<td>Proposed Building Coverage:</td>
<td>32,600 sq. ft.</td>
<td>15% of Site m.o.l.</td>
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<td>Preservation Area:</td>
<td>22,254.9 sq. ft.</td>
<td>10.1% of Site m.o.l.</td>
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<td>Maximum Alteration of Preservation Area Allowed:</td>
<td>5,563.7 sq. ft.</td>
<td>25% of Preservation Area</td>
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<th>Alteration of Preservation Area by Proposed Development:</th>
<th>7,010 sq. ft.</th>
<th>31.49% of Preservation Area</th>
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<td>Maximum Building Coverage:</td>
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<td>Proposed:</td>
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<td>Proposed Paving Coverage:</td>
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<td>Parking Spaces:</td>
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<td>Required:</td>
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<tr>
<td>Permitted:</td>
<td>50 ft.</td>
<td>Proposed: one-story</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 Sections 64.23 and 64.337 for a permitted use with a gross floor area up to and including 50,000 sq. ft. on a lot.

II. DISCUSSION AND RECOMMENDATIONS:

The applicant proposes to construct a one-story 32,600 sq. ft. research/testing/experimental laboratory on a 5.05 acre site zoned IP and IP Preservation. The site is presently undeveloped and the applicant is in the process of replatting the property.

According to Section 64.09 Subsection 22(a): Development, alteration or improvement shall not exceed twenty-five percent of the preservation area, leaving the remaining area in its natural state. The proposed site plan indicates a 31.49 percent development of the preservation area.

Item 1. The applicant shall submit a revised site plan showing development of only twenty-five percent of the preservation area.

The land area is adequate and sufficient for the proposed use. Staff recommends APPROVAL of the Site Plan subject to the following:

Item 2. No building permits shall be issued prior to the recordation of the plat.

Item 3. A planting arrangement of grass, trees, and shrubs shall be placed and maintained in an attractive manner in those areas not devoted or set aside for buildings, drives, parking, loading or other such uses.

Item 4. Persons conducting businesses in this district shall prevent the escape from said district of all fumes, odors, smoke, vibrations, and loud, sharp or penetrating noises which are offensive or which constitute a nuisance to surrounding activities or homes near enough to be adversely affected by them or which interfere with the conduct of any other business within this district. See Performance Standards, Section 64.09, Subsec. 8.

Item 5. No trucks, automobiles, busses or other equipment or vehicles shall be parked within fifty feet or any street property line or residentially zoned property, and all parking areas and drives shall be hardsurfaced with concrete, asphalt, or some similar heavy-duty surfacing material as approved by the City.

Item 6. No waste material or refuse shall be dumped upon or permitted to remain upon any part of said property outside of buildings constructed thereon.

Item 7. No materials or supplies shall be stored or permitted to remain upon any part of the property outside of the buildings constructed thereon. Any finished or semifinished products stored on the property outside of the buildings shall be confined to the rear one-half of the property, and shall in no instance be placed on that side of a building adjacent to a street.
Item 8  Acceleration/deceleration lanes, as approved by the City Traffic Engineer, shall be provided on all entrances on major streets in connection with these developments. Such streets shall be determined by the Major Street Map contained within this chapter.

Item 9  Detailed plans and specifications of the proposed operation shall be submitted to the appropriate environmental agency for review and approval before any building permits are issued. Such review shall determine any adverse environmental conditions and what corrective action must be taken by the applicant to prohibit such conditions.

III. THE SITE PLAN HAS BEEN REVIEWED FOR THE FOLLOWING CRITERIA:

a. INGRESS AND EGRESS: AND

b. LOCATION AND RELATIONSHIP OF OFF-STREET PARKING, ETC.:

The Department of Traffic Engineering has reviewed the proposed Site Plan and minimum standards have been met.

Item 10  The applicant shall relocate the proposed service drive to the West side of the site thereby diminishing the alteration of the preservation area.

c. SUFFICIENCY OF SETBACKS, SCREENS, BUFFERS AND GENERAL AMENITIES:

Setbacks are sufficient.

If possible, provision for handling all freight should be on those sides of any buildings which do not face on any street. All such facilities shall be screened from the street.

d. DRAINAGE:

As per City Ordinance #331-F, storm water run-off should not exceed run-off in the undeveloped state.

Item 11: Submit drainage calculations to Engineering Department for approval.

e. AVAILABILITY AND COMPATIBILITY OF HOOK-IN LOCATIONS:

Water and sewer services are being extended by the City to serve this site.

Treatment plant is adequate.

f. SIGNS:

Item 12. Sign Plans shall be submitted to License and Inspections for approval.
g. ORIENTATION AND LOCATION OF BUILDINGS, RECREATIONAL FACILITIES AND OPEN SPACE:
The structure is proposed on the west portion of the site with a landscaped courtyard in the center.

h. PROXIMITY, RELATIONSHIP AND COMPATIBILITY OF EXISTING AND PROPOSED SURROUNDING LAND USE:
The proposed use is a research and testing laboratory. The surrounding land is vacant industrial property.

i. GENERAL AMENITIES:
The proposed structure and landscaped area are general amenities for the site.

j. TREATMENT AND LOCATION OF HANDLING OF SOLID WASTE DISPOSAL:
The Sanitation Department has approved the site for front end loader pickup. Adequate space for the container must be provided.

k. LANDSCAPING AND PRESERVATION OF NATURAL MAN-MADE FEATURES:

Item 13 Landscaping plans shall be approved by Urban Forester, License and Inspections and shall meet Ordinances 22-F and 131-F.

Item 14. Tree removal permits shall be obtained from License and Inspections prior to the removal of any trees.

cc: Dr. Meihan Nonoyama
Showa University
Research Institute of Biomedicine
5180 113th Avenue North
Clearwater, FL 33520

Isamu Abe
c/o Toda America Inc.
13024 Firth Court, Suite B-11
Tampa, FL 33612

Rafael Garcia, Architect
4200 Alhambra Circle
Coral Gables, FL 33146
TO: The Honorable Darden Rice, City Council Chair, and Members of City Council

SUBJECT: Appeal of the Development Review Commission (DRC) approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property located at 1616 23rd Avenue North. (City File 17-32000022 Appeal)

RECOMMENDATION: The Administration recommends that the appeal be DENIED, thereby UPHOLDING the Development Review Commission's approval of the application.

INTRODUCTION: The subject property is located on 23rd Avenue North, just west of 16th Street North and north of 22nd Ave N., behind existing office buildings. The Development Review Commission (DRC) heard the subject application at the October 4, 2017 hearing. After hearing testimony from staff, the applicant, the registered opponent and the public, the DRC approved the application 4 to 3. One appeal to City Council was received, from the registered opponent, Mr. Kevin Lapio, owner of the single-family residence abutting the subject parcel to the west.

CURRENT PROPOSAL: The applicant is seeking to provide additional parking for a future tenant. The applicant has recently purchased a residential zoned lot along 23rd Avenue North that is northwest of the existing medical office building to add additional parking. Parking on a NT-1 zoned parcel is a Special Exception use. The Special Exception use is discussed in the attached DRC Staff Report.

The subject property is currently developed with a single-family residence and detached garage. The applicant is proposing to demolish the existing single-family residence and keep the detached garage. The proposed parking lot will accommodate 11 parking spaces. The parking lot will be accessed from the existing alley that connects to 22nd and 23rd Avenues North. The applicant will be required to install a fence or wall along the north and west sides of the proposed parking lot. Code required landscaping is also required.

DRC REVIEW AND DECISION: The DRC considered the application during the public hearing on October 4, 2017. The DRC heard testimony from City staff, the applicant, the registered opponent and seven members of the general public. The details of the testimony are provided in the attached meeting minutes. After considering all of the information provided, the DRC voted as follows:

Motion 1: Passed by a vote of 7-0 to modify special condition No. 6 to state that an 8-foot high vinyl fence or wall shall be constructed along the western property line of the new parking lot;
Motion 2: Passed by a vote of 7-0 to eliminate the requirement to replace the recently installed 5-foot wide sidewalks with a 6-foot wide sidewalk;

Motion 3: Passed by a vote of 7-0 to restrict the alley access to 23rd Avenue North to a right-out only, in conjunction with approval from City Transportation and Engineering staff;

Motion 4: Passed by a vote of 4-3 to amend special condition #4 to require the existing detached garage to be demolished and become uncovered parking, and

Final Action: Approval of the request passed by a vote of 4-3, subject to the special conditions as amended.

THE APPEAL: The City Clerk's office received one appeal from the Registered Opponent and abutting property owner, Mr. Kevin Lapio. Staff's analysis of the appeal is addressed in this report.

PROCEDURES: Pursuant to Chapter 16, Section 16.70.010.6., appeals require a supermajority vote of the City Council to overturn the DRC's decision. The standard of review for the appeal is de novo, which means that City Council may hear new evidence and may substitute its judgment for that of the DRC. City Council may decide to retain, eliminate, or further amend any of the conditions of approval, as amended. Adding new conditions of approval is also permissible. Amended special conditions of approval are included in the attached approval letter. The burden of proof for all appeals is on the Appellant.

The relevant legal criteria for this appeal of a Special Exception and related Site Plan are found in Chapter 16, Section 16.70.040.1.5.D. as follows:

D. Standards for review. In addition to the standards of review for a zoning and planning decision generally, a decision rendered under this section shall be guided by the following factors:
1. The use is consistent with the Comprehensive Plan;
2. The property for which a special exception is requested shall have valid land use and zoning for the proposed use prior to the public hearing;
3. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and county roads shall be based on the latest access management standards of FDOT or the county, respectively;
4. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;
5. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;
6. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval of a drainage plan as required City ordinance, county ordinance, or SWFWMD;
7. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;
8. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;
9. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;
10. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;
11. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;
12. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;
13. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;
14. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;
15. Sensitivity of the development to on-site and or adjacent (within 200 feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;
16. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;
17. Meets adopted levels of service and the requirements for a certificate of concurrency by complying with the adopted levels of service for:
   a. Water.
   b. Sewer.
   c. Sanitation.
   d. Parks and recreation.
   e. Drainage

STAFF'S APPEAL ANALYSIS: Staff has reviewed the arguments set forth in the attached appeal letter. The Administration recommends that the City Council deny the appeal and uphold the DRC based on the following analysis. Excerpts from the Appellants' letter are outlined below followed by Staff analysis and response.

Issue No#1: "I feel the DRC came to the wrong decision, in part, because the discussion was unintentionally sidetrackedsomewhat by a conversation about traffic patterns on the street. While the approved exception exacerbates that preexisting problem, it more importantly disregards that the Site Plan will eliminate any dwelling unit or like structure on a residential property and instead solely allow parking use by an adjacent commercial property. There is not a sufficient hardship to warrant such an exception that hurts the character and value of a residential-zoned property and its surrounding neighborhood"

Staff Response: Pursuant to Chapter 16, Section 16.70.040.1.5D., as shown on Pages 6-7 of the attached DRC staff report, there are specific review criteria by which staff reviews Special Exception applications. The DRC is responsible to evaluate the proposed use to ensure compliance with the applicable review criteria, with a focus on the potential for adverse impacts such as noise, light, traffic circulation, traffic congestion and compatibility. Hardship is not included in these criteria. However, compatibility is a criterion, and staff included special conditions intended to promote compatibility and minimize negative impacts on the adjacent residential neighborhood consistent with the applicable standards in the City's Land Development Regulations for these types of uses. Such conditions include construction of buffer walls along the west and north property lines and enhanced landscaping including hedges, shade trees and understory trees. The DRC further amended the conditions to address compatibility, as reflected in their Motions #1, #3 and #4.
Issue No#2: "The Report prepared by DRC Staff in relation to this request noted that the commercial property in question already has 31 existing parking spaces (3 handicapped), which already exceeds the city code requirement of 25 (1 handicapped). The approved exception increases the overall number to 38, or 151% of required. There is no hardship justifying that the city allows an exception for commercial accessory use on this residential lot."

Staff Response: In accordance with the review criteria outlined in Section 16.70.040.1.4(D), this concern is not a review criteria which staff can consider in making a recommendation. A commercial property owner is not precluded from providing more than the code minimum parking, and there are some uses which have a higher demand than the minimum required by code. In addition, by providing more than the minimum parking required, staff finds that it reduces the likelihood of vehicles parking along the residential street, as there is no on-street parking available on 22nd Avenue North or 16th Street North, adjacent to the subject commercial parcels.

Issue No#3: “During neighborhood outreach efforts, no residents have been found that are in favor of the exception, and all who have responded are opposed. More than half of the homeowners residing on the affected block signed a petition against the exception, and nearly as many attended the DRC hearing and spoke their opposition.”

Staff Response: In accordance with Section 16.70.040.1.4(D), this is not a review criteria which staff can consider in making a recommendation.

SUMMARY: Staff found that the application complied with the applicable provisions of the Land Development Regulations (LDR’s) and recommended approval to the Development Review Commission (DRC). The DRC considered all of the information presented during the public hearing and approved the project by a vote of 4 to 3, with several amended conditions of approval. Given the findings set forth in this report, Staff recommends that the appeal of the DRC decision should be denied and that the decision of the DRC should be upheld.

PUBLIC COMMENTS: Prior to the public hearing, staff received four emails from adjacent residents in opposition. At the DRC hearing, in addition to the Registered Opponent, five of the property owners from 23rd Avenue North spoke in opposition, and two filled out cards noting objections but did not speak. Staff has received two emails from adjacent residents in support of the appeal since the DRC hearing. All correspondence received is attached to this report.

RECOMMENDATION: The Administration recommends that the City Council APPROVE Resolution “A” to deny the appeal thereby upholding the decision of the DRC to approve the application.

Attachments: Request for Appeal, 17-3200022 Approval Letter and DRC Staff Report, DRC October 4, 2017 Meeting Minutes, Public Comments, Resolutions
Case #17-32000022

DRC Appeal

Request for Appeal
Request for Appeal

Case 17-32000022
The Development Review Commission Approved a Request for Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property.

Subject Address 1616 23rd Avenue North
Parcel: 12-31-16-98730-000-0310
Zoning: Neighborhood Traditional-i (NT-i)

Appellant Name Kevin M. Lapio
Address: 1620 23rd Avenue North
Phone: 727.215.6721
Email: KMLAAL@yahoo.com

Case Summary Special Exception Request was Approved with Additional Conditions
The request was heard 10/4/2017 by the Development Review Commission. They reviewed the Special Exception and its 14 conditions, and they approved 3 additional conditions attempting to satisfy objections raised by opponents. The DRC approved the Special Exception with these conditions by a final vote of 4-3.

Basis for Appeal City Planning Concerns; Lack of Hardship
I feel the DRC came to the wrong decision, in part, because the discussion was unintentionally sidetracked somewhat by a conversation about traffic patterns on the street. While the approved exception exacerbates that preexisting problem, it more importantly disregards that the Site Plan will eliminate any dwelling unit or like structure on a residential property and instead solely allow parking use by an adjacent commercial property. There is not a sufficient hardship to warrant such an exception that hurts the character and value of a residential-zoned property and its surrounding neighborhood.

The Report prepared by DRC Staff in relation to this request noted that the commercial property in question already has 31 existing parking spaces (3 handicapped), which already exceeds the city code requirement of 25 (1 handicapped). The approved exception increases the overall number to 38, or 152% of required. There is no hardship justifying that the city allows an exception for commercial accessory use on this residential lot.

During neighborhood outreach efforts, no residents have been found that are in favor of the exception, and all who have responded are opposed. More than half of the homeowners residing on the affected block signed a petition against the exception, and nearly as many attended the DRC hearing and spoke their opposition.
Case #17-32000022

DRC Appeal

DRC Approval Letter and Staff Report
October 11, 2017

Florida Holdings Group, LLC
PO Box 388
Pinellas Park, Florida 33780

Re: Case No.: 17-32000022
Addresses and Parcel ID Nos.: 1616 23rd Avenue North; 12-31-16-98730-000-0310
and 2200 16th Street North; 12-31-16-98730-000-0070
Request: Approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property.

Dear Applicant:

The Development Review Commission at its hearing of October 4, 2017, APPROVED by a vote of 4-3 the above-referenced request subject to the amended special conditions and conditions in the Staff Report. While a copy of the Staff Report and Vote Record are enclosed, the amended special conditions are as follows:

SPECIAL CONDITIONS OF APPROVAL:

1. The applicant and any future property owner(s) shall be responsible for restricting vehicular use of the portion of the parking lot zoned NT-1 between the hours of 10 p.m. and 7:00 a.m. The method to block the parking spaces shall be noted on the site plan submitted for permitting and shall be subject to review and approval by the Fire Department.

2. The applicant and any future property owner(s) shall be responsible for ensuring that the NT-1 portion of the parking lot is not utilized for any sales or service activities, long term parking, storage of dumpsters, heavy vehicles or similar equipment.

3. When the principal use is not open for business, the parking lot shall not be used for parking, except by employees.

4. The existing detached garage shall be demolished and become uncovered parking.

5. The hedge that is required to screen the parking lot along the north side of the property shall be installed on the exterior perimeter of the fence or wall.

6. An eight-foot high vinyl fence or wall shall be constructed along the west property line of the new parking lot.

7. A minimum four-foot high fence or wall shall be constructed along 23rd Avenue North, located a minimum of 10 feet back from the front property line.

8. Evergreen trees shall be installed around the exterior perimeter of the new parking lot.
9. One evergreen shade tree shall be installed every 30 linear feet in the 23rd Avenue North right-of-way. Evergreen understory trees can be substituted with shades tree at a ratio of 1.5 to 1 if there is a conflict with existing utilities.

10. A minimum of 25 percent of the 23rd Avenue North right-of-way shall be landscaped with ground cover or accent plants.

11. Exterior lighting shall comply with Section 16.40.070.

12. Bicycle parking shall comply with Section 16.40.090.4.1.

13. Plans shall be revised as necessary to comply with comments provided by the City’s Engineering Department memorandum dated September 6, 2017.

14. The special exception and related site plan approval is valid until October 4, 2020. Substantial construction shall commence prior to the expiration date, unless an extension has been approved by the POD. A request for an extension must be received in writing prior to the expiration date.

If there are any questions, please feel free to call Corey Malyszka at 727-892-5453.

Sincerely,

Elizabeth Abernethy, AICP
Zoning Official (POD)
Development Review Services Division

Enclosures: Vote Record, Staff Report

EA/CDM

ec: Florida Holdings Group, LLC
    Jonathan Gotwald, Agent
### VOTING RECORD

**FILE #** 17-32000022

**MOTION:**
- Increase Height of Fence to 8-feet
- Do not replace 5-ft sidewalk w/ 6-ft
- Restrict a left-out movement to 23rd Ave N Alley Access

**MOVED BY:**
- Walker
- Doyle
- Walker

**SECOND BY:**
- Flynt
- Flynt
- Flynt

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"Motion approved by a unanimous vote of all those present" or "Motion approved by a vote of...
"Motion denied by a vote of..." or "Motion denied due to not obtaining 4 concurring votes" or

**Attendance**

- Doyle
- Flynt
- Griner
- Samuel
- Schumaker
- Stowe
- Vickstrom
- Castellano *
- Rutland *
- Walker *
Development Review Commission

**VOTING RECORD**

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<tr>
<td>MOTION:</td>
<td>Eliminate the Covered Parking</td>
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<td>Approval of Special Except. &amp; Site Plan w/ Amended Special Conditions of Approval</td>
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<td>MOVED BY:</td>
<td>Flynt</td>
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<td>SECOND BY:</td>
<td>Samuel</td>
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**Attendance**

- Doyle | X
- Flynt | X
- Griner | X
- Samuel | X
- Schumaker | X
- Stowe | X
- Vickstrom | X
- Castellano * | X
- Rutland * | X
- Walker * | X

"Motion approved by a unanimous vote of all those present" or "Motion approved by a vote of...",
"Motion denied by a vote of..." or "Motion denied due to not obtaining 4 concurring votes" or
SPECIAL EXCEPTION 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 October 4, 2017, at 2:00 P.M. in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.: 17-32000022  PLAT SHEET: H-14
REQUEST: Approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property.
OWNER: Florida Holdings Group, LLC
        PO Box 388
        Pinellas Park, Florida 33780
AGENT: Jonathan Gotwald
        George F. Young, Inc.
        299 Dr. Martin Luther King Jr. Street North
        Saint Petersburg, Florida 33701
ADDRESS AND:
PARCEL ID NOS.: 1616 23rd Avenue North; 12-31-16-98730-000-0310
                   2200 16th Street North; 12-31-16-98730-000-0070
LEGAL DESCRIPTION: On File
ZONING: Neighborhood Traditional-1 (NT-1) and Corridor Residential Traditional (CRT-1)
SITE AREA TOTAL: 35,429 square feet or 0.81 acres
GROSS FLOOR AREA:
Existing: 8,821 square feet 0.25 F.A.R.
Proposed: 7,726 square feet 0.21 F.A.R.
Permitted: 28,562 square feet 1.0 F.A.R.

**BUILDING COVERAGE:**
- Existing: 8,821 square feet 25% of Site MOL
- Proposed: 7,726 square feet 21% of Site MOL
- Permitted: N/A

**IMPERVIOUS SURFACE:**
- Existing: 14,868 square feet 42% of Site MOL
- Proposed: 14,435 square feet 41% of Site MOL
- Permitted: 25,886 square feet 73% of Site MOL

**OPEN GREEN SPACE:**
- Existing: 13,210 square feet 37% of Site MOL
- Proposed: 13,642 square feet 39% of Site MOL
- Permitted: N/A

**PAVING COVERAGE:**
- Existing: 7,517 square feet 21% of Site MOL
- Proposed: 7,084 square feet 20% of Site MOL

**PARKING:**
- Existing: 31; including 3 handicapped spaces
- Proposed: 38; including 3 handicapped spaces
- Required: 25; including 1 handicapped spaces

**BUILDING HEIGHT:**
- Existing: 24 feet
- Proposed: 24 feet
- Permitted: 36 feet

**APPLICATION REVIEW:**

**I. PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 16.10.020.1 of the Municipal Code for an accessory surface parking lot which is a Special Exception use within the NT-1 Zoning District.

**II. DISCUSSION AND RECOMMENDATIONS:**

**The Request:**
The applicant seeks approval of a Special Exception and related site plan to construct an accessory surface parking lot on a residentially zoned lot. The subject property is located on the south side of 23rd Avenue North, west of 16th Street North.

**Current Proposal:**
The applicant is seeking to provide additional parking for a future tenant. The applicant has recently purchased a residential zoned lot along 23rd Avenue North that is northwest of the existing medical office building to add additional parking. Parking on a NT-1 zoned parcel is a Special Exception use. The Special Exception use is discussed later in the report.
The subject property is currently developed with a single-family residence and detached garage. The applicant is proposing to demolish the existing single-family residence and keep the detached garage. The existing detached garage has been enclosed with a block wall. In order for the detached garage to remain, the existing detached garage has to be accessible for the parking of a motor vehicle. A condition has been added to the report to address this issue.

The proposed parking lot will accommodate 11 parking spaces. The parking lot will be accessed from the existing alley that connects to 22nd and 23rd Avenues North. The applicant will be required to install a fence or wall along the north and west sides of the proposed parking lot. Code required landscaping is also required.

Special Exception:
As mentioned above, the parking spaces on the NT-1 zoned parcel is a Special Exception use that requires the Development Review Commission’s (DRC’s) review and approval. The DRC is responsible to evaluate the proposed use to ensure compliance with the applicable review criteria as outlined in City Code, with a focus on the potential for adverse impacts such as noise, light, traffic circulation, traffic congestion and compatibility. Staff has suggested several special conditions of approval for the DRC’s consideration. The special conditions are intended to promote compatibility and minimize negative impacts on the adjacent residential neighborhood consistent with the applicable standards in the City’s Land Development Regulations for these types of uses. If the request is approved consistent with the suggested special conditions, Staff does not anticipate a significant impact to the surrounding area.

Public Comments:
Staff received multiple emails requesting additional information. Staff did receive one email expressing frustration over the proposed project and one email objecting the proposed project, both emails have been attached to this report.

III. RECOMMENDATION:
A. Staff recommends APPROVAL of the Special Exception and related site plan, subject to the Special Conditions of Approval.

B. SPECIAL CONDITIONS OF APPROVAL:
1. The applicant and any future property owner(s) shall be responsible for restricting vehicular use of the portion of the parking lot zoned NT-1 between the hours of 10 p.m. and 7:00 a.m. The method to block the parking spaces shall be noted on the site plan submitted for permitting and shall be subject to review and approval by the Fire Department.
2. The applicant and any future property owner(s) shall be responsible for ensuring that the NT-1 portion of the parking lot is not utilized for any sales or service activities, long term parking, storage of dumpsters, heavy vehicles or similar equipment.
3. When the principal use is not open for business, the parking lot shall not be used for parking, except by employees.
4. The existing detached garage shall be accessible for the parking of a motor vehicle, otherwise the existing detached garage shall be demolished.
5. The hedge that is required to screen the parking lot along the north side of the property shall be installed on the exterior perimeter of the fence or wall.
6. A six (6) foot high vinyl fence or wall shall be constructed along the west property line of the new parking lot.

7. A minimum four (4) foot high fence or wall shall be constructed along 23rd Avenue North, located a minimum of 10 feet back from the front property line.

8. Evergreen trees shall be installed around the exterior perimeter of the new parking lot.

9. One evergreen shade tree shall be installed every 30 linear feet in the 23rd Avenue North right-of-way. Evergreen understory trees can be substituted with shades tree at a ratio of 1.5 to 1 if there is a conflict with existing utilities.

10. A minimum of 25 percent of the 23rd Avenue North right-of-way shall be landscaped with ground cover or accent plants.

11. Exterior lighting shall comply with Section 16.40.070.

12. Bicycle parking shall comply with Section 16.40.090.4.1.

13. Plans shall be revised as necessary to comply with comments provided by the City’s Engineering Department memorandum dated September 6, 2017.

14. The special exception and related site plan approval is valid until October 4, 2020. Substantial construction shall commence prior to the expiration date, unless an extension has been approved by the POD. A request for an extension must be received in writing prior to the expiration date.

C. STANDARD CONDITIONS OF APPROVAL

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:
1. The applicant shall contact the City’s Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.

2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:
1. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.
2. All site visibility triangle requirements shall be met (Chapter 16, Article 16.4C, Section 16.40.160).

3. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.

4. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

**Engineering Requirements:**

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.

2. As per Engineering Department requirements and prior to their approval of any permits, the applicant shall submit a copy of a Southwest Florida Water Management District (or Pinellas County Ordinance 90-17) Management of Surface Water Permit or Letter of Exemption to the Engineering Department and a copy of all permits from other regulatory agencies including but not limited to FDOT and Pinellas County required for this project.

3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.

4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.

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

**Landscaping Requirements:**

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Economic Development Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled "Landscaping and Irrigation."

2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.
3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.

4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.

5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.

6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.

7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.

IV. CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):

A. The use is consistent with the Comprehensive Plan.

B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;

C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;

D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;

F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;

G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;
I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;

J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;

K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;

L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;

M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;

1. The site is not within an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).

2. The property is not within a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).

P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;

Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service for:

   a. Water.
   b. Sewer (Under normal operating conditions).
   c. Sanitation.
   d. Parks and recreation.
   e. Drainage.

The land use of the subject property is: Planned Redevelopment Mixed-use and Planned Redevelopment Residential

The land uses of the surrounding properties are:

North: Planned Redevelopment Residential Mixed-use and Planned Redevelopment Residential

South: Planned Redevelopment Residential Mixed-use and Planned Redevelopment Residential

East Planned Redevelopment Residential Mixed-use and Planned Redevelopment Residential
West: Planned Redevelopment Mixed-use and Planned Redevelopment Residential

REPORT PREPARED BY:

COREY MALYSZKA, Urban Design & Development Coordinator

REPORT APPROVED BY:

ELIZABETH ABERNETHY, AICP, Zoning Official (POD)

Planning and Economic Development
Development Review Services Division

Attachments: Location map, Site plan, Landscape plan, Narrative, Engineering Department Memo dated September 6, 2017.
August 14, 2017

Elizabeth Abernathy
City of St. Petersburg
Planning and Zoning Dept.
One 4th Street North
P.O. Box 2842
St. Petersburg, FL 33731-2842
727-893-7471

RE: Special Exception Request for 1616 23rd Ave. N.

In association with the re-development of office parcels located on the northwest corner of 22nd Avenue North and 16th Street, (2200 16th Street North & 1600 23rd Ave. N.) Florida Holdings Group, LLC, would like to request a Special Exception for the parcel located at 1616 23rd Avenue North to allow for additional parking spaces and the associated stormwater pond for said parking spaces. We are submitting the attached Special Exception Application and required attachments for review. The parcel is currently Zoned NT-1 and is a single family residence. The house, some trees, and other improvements are to be demolished to make way for the new parking spaces and associated stormwater pond. There is a detached garage we are planning to leave in place. The new parking spaces will be located adjacent to the existing alley, which will be widened to allow for the 24' required drive isle for 90 degree parking spaces. The adjacent parcels, with medium intensity offices uses, are Zoned CRT-1. The owners are currently working with new tenants on future parking needs which is why we are making the request at this time.

We are hoping to maximize the buffering between the residential use with the placement of the pond and by leaving the existing garage in place. This should provide an approximate 28’ between the parking spaces and the proposed 6’ high opaque fence and buffer to the west or the residential use. We will provide landscaping within all buffers per the City of St. Petersburg’s Landscaping Regulations.

Please review the Special Exception Submittal Packet and feel free to contact me with any questions or concerns.

Sincerely,

GEORGE F. YOUNG, INC.

David Goree
TO: Pamela Jones, Development Services Department
FROM: Nancy Davis, Engineering Plan Review Supervisor
DATE: September 6, 2017
SUBJECT: Special Exception
FILE: 17-32000022

LOCATION: 1616 23 1/2 Avenue North
AND PIN: 12/31/16/98730/000/0310
ATLAS: 11-14
PROJECT: Special Exception

REQUEST: Approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property.

The Engineering Department no objection to the proposed special exception and related site plan with the following special conditions and standard comments:

SPECIAL CONDITIONS:

1. The scope of this project triggers compliance with the Drainage and Surface Water Management Regulations 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.

2. Submit a completed Stormwater Management Utility Data Form to the City Engineering Department with any plans for development on this site. This form may be obtained by contacting the Engineering front counter phone 727-893-7238.

3. 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 or a variance is obtained from the City’s Zoning division. Within the NT zoning district, a 4-foot wide sidewalk is required in the southern parkway of 23rd Avenue North, a 6-foot wide sidewalk is required in the western parkway of 16th Street North, and a 6-foot wide sidewalk is required in the northern parkway of 22nd Avenue North. Existing sidewalks must be upgraded to meet the width requirements of the City’s code as may be applicable. 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.

4. All required improvements shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City. A work permit issued by the City Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement.

5. 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.

STANDARD COMMENTS: Water service is available to the site. The applicant's Engineer shall coordinate potable water and/or fire service requirements through the City's Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City's Water Resources department or a variance is granted by the City Water Resources department). Note that the City's Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City's Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City’s Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). If an increase in flow of over 1000 gpd is proposed, the ADF information will be forwarded to the City Water Resources department for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City’s Water Resources department for system analysis of main sizes 10” and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.
Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right of way or easement.

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.

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.mca
cc: Kelly Donnelly
     Reading File
     Correspondence File
     Subdivision Fld: TANGERINE TERRACE
Thank you so much. This is a frustrating situation. I hope we are able to provide enough information to sway this decision. We've worked very hard to grow and foster a community on this block.

Thanks again and talk soon,
Jamie
street and the consensus was the same. There are many residents on our street very sick over this projection and we do plan to send you our feedback for committee review. We are working diligently to get this to you by/before Tuesday.

> Thank you for your help.
> Jamie Hall
> Sent from my iPhone
> Your Sunshine City<http://www.stpete.org/vision>
> <17016000SC CDs-Site Plan C-04.pdf>
Hi Corey - my name is Christine Leddy and I received a letter informing me of this case. I live at 1645 23rd Avenue N, just a few houses down and across the street. Your name was given as the contact for more information. I am opposed to this plan and would like to know what steps I need to take to get this on record. I may not be able to attend the hearing due to work obligations but will try.

Our street is a residential area, not a business district. There are children who live on our street and an elementary school and day care less than 1 mile away. This plan will increase traffic which is dangerous for little children and those of us who walk our dogs. This will also have a negative impact on the value of our homes. This is a nice, quiet neighborhood and we prefer to have a home in this location and not a parking lot for the businesses on 22nd Avenue.

Please contact me at this email address or by phone at (770) 880-8851.

Regards,
Christine Leddy
Homeowner
Hi Corey,

I am writing as a concerned resident on 23rd Avenue N in reference to the special request of development for the commercial lot on 1616 property.

The concerns we have in my residence and on our street are as follows:

-Safety of residents on our street. Unfortunately, we find our street is already often abused as a 'passer-through' street when 16 & 22nd traffic light jams and we feel that with introduction of commercial traffic to the street, traffic from unweary drivers will make it unsafe for children playing outside and discourage a neighborly engagement.
In addition to this traffic, we are also concerned that the school zone at 16th and 23rd will drive commercial drivers to continue onto 23rd as their main driving route, further increasing the safety concerns of any residents with young children or special needs.

-Noise from additional vehicle traffic. With the introduction of this additional traffic also comes unconcerned motorists and their car radios (not to mention increased litter). We are concerned that this noise will become a barrier with the development of our quaint, family-centric street.

-Aesthetics of the community feel. While we are aware this particular lot is not necessarily the green space we would like to see on the street, it is the only lot that lacks this trait. Just months ago, a house on the same side of the road a few houses down was ripped down and now we have a gorgeous home filling its previous space. 1616 is the only house on the street that needs this investment and with the proposal of the parking spaces we will lose this opportunity forever and simultaneously take away from all those who have worked hard to improve the beautification of our street.

-Finally, and perhaps most important to the city's commission: Alignment with 'Healthy St. Pete' city initiatives/goals. It would seem that a parking lot in a neighborhood goes against sustainability initiatives to increase pedestrian activity and become a less car-oriented society. Also, I understand our city has a sustainability oriented neighborhood initiative called "STAR communities" and allowing a parking lot in the middle of a neighborhood flies in the face of that initiative and their objectives for their 2019 certification.

As a side note, we took a look at the current commercial building on the corner of 16th & 22nd for which this proposal would be built and he currently has 25 non-designated spaces available as well as 2 spaces which are handicap accessible- all of which are empty every day. There are a multitude of successful businesses that thrive with less to work with.
Additionaly, there are a total of 18 houses on 23rd ave between 16th and 17th street where this proposed home sits. If approved, this once residential lot will absorb future potential our street could have. We do not have the excess available to lose a house for commercial use without the security of our homes and home value being negatively impacted.

I've attached photos that provide a more complete perspective of our street including the house mentioned above that is part of a recent rebuild and the relationship of the school zone to this particular home and hope that the commission will take into consideration the impact this would have if approved.

Thank you and best regards,
Jamie & Gordon Hall
1665 23rd Ave N.
Hello Corey,

My name is Angie Leonetti, I'm a home owner on the 1600 block of 23rd Avenue. I received your information from Jamie & Gordon Hall. Thank you for forwarding the details related to the application to create a commercial parking lot as noted in case 17-3200022.

I would like to express some concerns and objections I have related to this case:

1. Devaluing a wonderful neighborhood: While we are not organized as a neighborhood association like Woodlawn and Fuclid St. Paul (yet), we are a very well connected and proud neighborhood. Many of us have chosen to purchase homes in this area because we love the idea of living in a vibrant, safe neighborhood within the city limits of St. Petersburg. Many of us are active in St. Petersburg related organizations and are proud to call this city "home." We purposely invested in this particular neighborhood due to its friendly, welcoming atmosphere. We've made the effort to get to know our neighbors and we look out for one another. A parking lot is the exact opposite of a friendly, welcoming atmosphere and will bring unwanted activity to our peaceful block.

2. Encroaching commercial use property: Simply put, this will devalue our homes. We are already flanked by two busy, main roadways (16th Street & 22nd Ave). Yet, we've maintained a rather quite neighborhood environment. Many of the owners on this block have invested in major improvement to their homes in the last 2-3 years. The addition of another commercial zoned lot on our block we certainly have a negative impact on our property values, especially to those homes that are adjacent to the lot in question.

I not only concerned about the immediate intended use for the property but the future use as well. Once it is zoned commercial, it will be difficult to ever have it rezoned. We will then lose control over its long term use, yet not have the foresight to know exactly what will happen to the property in the future. I would hate to see that lot fall into disrepair like many of the other underdeveloped and poorly maintained lots that are prevalent on both 16th and 22nd. We already have enough of these that devalue the area. We do NOT need another.

The adjacent building on the comer of 16th & 22nd that is requesting the use of this lot for additional parking already has a sufficient number of parking spots. The fact that they are requesting more, leads me to believe they intend to develop that property for high-traffic use. Again, this will most certainly have a negative impact on our neighborhood in many of the ways I've already stated. If they need that much parking, they should consider a location in a commercial area that is suited for that level of traffic. NOT in our residential neighborhood.

3. Safety:
• 23rd is often used by walkers and bike riders as a more safe & peaceful alternative to busy 22nd Ave. The addition of this parking lot will simply deteriorate this safety with the addition of car traffic on 23rd.
• A parking lot that is NOT visible to traffic on 16th & 22nd could lead to unlawful activities such as car break-ins, drug activity and other such undesirable and alarming concerns. Bringing increased safety issues right next to our properties.

4. Value of the property: St. Petersburg is seeing unprecedented real estate growth. As more and more people are choosing to call St. Pete home, there is high demand for quality residential property. Developing the lot as a new residential home would have much more sustainable value than a parking lot. There are plenty of investors that would be willing to buy that land and build a brand new home. For proof, look to the other end of the block (corner of 17th & 23rd) and the brand new home that is being completed there as we speak and to the many other new construction homes that are popping up in the adjacent blocks.

5. Environmental issues: As St. Petersburg moves towards becoming a sustainable city, the addition of more asphalt and surface parking flies in the face of this master plan. It encourages more car use, when we should be focused on promoting public transportation. This commercial property requesting use of this lot sits adjacent to major roadways with bus stops near by, making access to the property easy via public transportation. And, yes, I'm fully aware that we are a long way from providing a public transportation system that most citizens will adopt more freely and use more frequently. However, we will never get there if we continue to cater to the car culture we're all so accustomed to.

I express these concerns not only as a resident of the block affected but as someone who cares deeply for our wonderful city and wants to see appropriate growth and development initiatives. This simply isn't one of them.

Please do not approve this application to rezone the property to commercial use.

I would like to be included on any future staff emails related to this matter. My email is littlelion75@yahoo.com

My Kindest Regards,
Angie Leonetti
1654 23rd Avenue N.
Case #17-32000022

DRC Presentation
Looking at the subject property (left side) and abutting residential dwelling
Looking at the front yard of the subject property and residential neighborhood
Looking at rear of the office building along 16th Street North

Looking at side parking lot on the north side of the office building along 16th Street North
Looking at rear of the office building along 16th Street North and alleyway heading to 22nd Avenue North

Looking at site of proposed parking lot (left side) and alleyway heading to 23rd Avenue North
Looking at the proposed parking lot from the north-south alley.

Looking at the rear of proposed parking lot and existing garage from the east-west alley.
Looking at the rear of proposed parking lot and existing garage from the east-west alley.
Case #17-32000022
DRC Appeal
DRC October 4, 2017
Meeting Minutes
Case No.: 17-32000022
DRC Meeting Minutes
October 4, 2017

STAFF REPORT
Corey Malyszka, Urban Design and Development Coordinator, gave a presentation based on the staff report, recommending approval of the Special Exception and related Site Plan, subject to the Special Conditions of Approval (attached).

APPLICANT PRESENTATION
Jonathan Gotwald, representing the applicant, stated that he had reviewed the plan with the staff for the eleven (11) parking spaces off the alley with a purpose to meet the land development code in all respects for the development. Mr. Gotwald stated that they have no objection, with the exception of special condition No.13, referring to the Engineering memorandum (dated September 6, 2017), which refers to the requirement of upgrading the sidewalks on 23rd Avenue, 16th Street, and 22nd Avenue North. He requested a modification of that condition to confine the conditions to the 23rd Avenue North sidewalk.

REGISTERED OPPONENT
Kevin Lapio spoke as the Registered Opponent, in opposition to this special request. He stated that he jointly owns and resides at the property that shares a line with the subject residence. His concerns are the encroaching commercial use in the neighborhood, property value impact, and safety. “First I would like to thank Florida Holdings Group for their interest in my community and I share their desire to see improvements to 1616”. Mr. Lapio stated that he felt that the subject dwelling has fallen into a state of disrepair. He stated that this is a significant commercial footprint that is within 200 feet of many families and that the owner appears to be taking advantage of a loop-hole to allow commercial use on a residential lot.

PUBLIC HEARING
Walter Wood, 1636 23rd Avenue North, spoke in opposition of the request. He stated concerns about the commercial encroaching into his neighborhood.

Linda Cadovius, 1651 23rd Avenue North, spoke in opposition of the request. She stated concerns about having to be careful that she doesn’t get run over from the people that are avoiding the 16th Street and 22nd Avenue light, turning on 17th and flying down 23rd, hitting the speedbump, if they are in a truck, parts are flying everywhere and making all kinds of noises. She stated that her house sits way at the back of the lot and she should not hear any of that, but she does.

Dorothy Cortright, 1642 23rd Avenue North, filled out card – “Against” application, but was unable to stay for this case.

Suraj Wagh, 1640 23rd Street North, filled out card – “Against” application, but was unable to stay for this case.

Angie Leonetti, 1654 23rd Avenue North, spoke in opposition of the request. She is concerned about the safety, not just the traffic. Since the neighborhood is farther west, and considerably closer to the interstate, they see a fair share of homeless traffic walking through the back alley and all alleys through the neighborhood.

Joanna Barris, 1619 23rd Avenue North, spoke in opposition of the request. Her property is directly across from the 1616 property in question. She stated concerns about the proposal to tear down a single-family home to build a parking lot, which she feels goes against the ideals of the neighborhood, her family, and the city.

Jamie Hall, 1665 23rd Avenue North, spoke in opposition of the request.
She stated concerns that the addition of this parking lot poses safety concerns for the school zone on 16th. She believes this will also cause a direct impact because of the people abusing their street, by avoiding the 16th Street and 22nd Avenue light.

CROSS EXAMINATION
City Staff waived cross examination.

Registered Opponent, Kevin Lapio asked if the applicant could speak to the interest in trying to acquire additional homes on their street and what the intent there is.

Jonathan Gotwald, representing the applicant, answered that there is no additional interest in pursuing any purchases west of this property.

Jonathan Gotwald, representing the applicant, waived cross examination.

REBUTTAL
City Staff waived rebuttal.

Registered Opponent, Kevin Lapio, stated that the nature of the Site Plan that has been proposed and the Special Exception request contrast with the code. He state that the purpose of the NT-1 is to protect the character of neighborhoods, while permitting rehabilitation, improvement and redevelopment in a manner that is consistent with the scale of the neighborhood. He urged the Commission to reject the request.

Jonathan Gotwald, representing the applicant, stated that the purpose of having the additional parking spaces for the medical office buildings is that they went through the renovation, they are in the process of attracting new doctors and new medical facilities. The one criteria that these users asked for is parking. The cut-through traffic on 23rd Avenue is not a function of this property.

He stated that adding the parking spaces as shown is a minimization of adding the parking spaces as opposed to adding four or five more by maximizing that space. He stated that they have increased the buffer of utilizing that area for a storm water pond and that whether the garage stays or not; if it does not get used as a parking space, by code and condition, it needs to be taken down. He state that it is for the betterment of the development of the medical office buildings so that they have the ability to provide the parking for their patrons and employees, rather than have to use the offsite parking.

EXECUTIVE SESSION
Commissioner Samuel state that he wants to get all of the parking off of the west side of the alley and get it on the east side of the alley.

Commissioner Flynt stated that his biggest concern is getting rid of the covered parking space. He sees the concern of the neighbors as it might harbor some people sleeping under it at night. He stated that as far as traffic flow, people are cutting the light and it is going to happen now and in the future.

Commissioner Walker stated that the code says “25”, their existing is “31” and they want to get up to “38” and he has a hard time following where the hardship is between what the code says, where they are at and where they want to be.

Vice-Chair Stowe stated he does not want to see commercial traffic going north of the alleyway between 22nd and 23rd. He thinks there is a natural boundary, which is the alleyway. He said the occupants are going to find another way to have parking.
Chair Griner stated a concern regarding the NT zoning designation and the fact that it is going to have an effect, whether minor or major, on the neighborhood. He stated that the folks that live there are not very in favor of it and that he feels that this is a really good design, but probably not the best thing for the neighborhood.

1st MOTION: Commissioner Walker moved and Commissioner Flynt seconded a motion to modify Special Condition No. 6 to state that an 8-foot high vinyl fence or wall shall be constructed on the western property line of the new parking lot.

VOTE: Yes – Doyle, Flynt, Samuel, Stowe, Griner, Castellano, Walker.
No – None

Motion passes by a vote of 7-0.

2nd MOTION: Commissioner Doyle moved and Commissioner Flynt seconded a motion that the sidewalks recently installed at a 5-foot width do not need to be replaced to 6-feet.

VOTE: Yes – Doyle, Flynt, Samuel, Stowe, Griner, Castellano, Walker.
No – None.

Motion passes by a vote of 7-0.

3rd MOTION: Commissioner Walker moved and Commissioner Flynt seconded a motion that the access to 23rd Avenue North restrict a left-out movement in conjunction with approval from Transportation and Engineering.

VOTE: Yes – Doyle, Flynt, Samuel, Stowe, Griner, Castellano, Walker.
No – None.

Motion passes by a vote of 7-0.

4th MOTION: Commissioner Flynt moved and Commissioner Samuel seconded a motion to modify Special Condition No. 4 stating that the existing detached garage shall be demolished and become uncovered parking.

VOTE: Yes – Doyle, Flynt, Samuel, Griner.
No – Stowe, Castellano, Walker.

Motion passes by a vote of 4-3.

5th MOTION: Commissioner Walker moved and Commissioner Doyle seconded a motion to approve a Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property subject to the amended conditions of approval.

VOTE: Yes – Doyle, Flynt, Samuel, Castellano.
No – Stowe, Griner, Walker.

Motion passes by a vote of 4-3.
Case #17-32000022

DRC Appeal

Public Comments
Thank you so much. This is a frustrating situation. I hope we are able to provide enough information to sway this decision. We've worked very hard to grow and foster a community on this block.

Thanks again and talk soon,
Jamie

Sent from my iPhone

> On Sep 21, 2017, at 12:25 PM, Corey D. Malyszka <Corey.Malyszka@stpete.org> wrote:
> > Jamie,
> > Page 13 is the old site plan. The revised site plan was attached as a separate attachment in the email I sent to your husband. Unfortunately, the code does not require that the applicant speak with the abutting neighbors. Code does require that the applicant inform any affected neighborhood association. Code also requires public notice be sent out to affected property owners within 200 feet of the subject property, minus right-of-way. City staff does encourage applicants to engage with the abutting neighbors.
> > I attached the revised site plan.
> >
> > Corey Malyszka
> > Urban Design and Development Coordinator, Planning and Economic Development Department City of St Petersburg
> > 727.892.5453
> > corey.malyszka@stpete.org
> >
> > -----Original Message-----
> > From: Jamie Fryer [mailto:jamielfryer@gmail.com]
> > Sent: Thursday, September 21, 2017 12:10 PM
> > To: Corey D. Malyszka <Corey.Malyszka@stpete.org>
> > Subject: Case no: 17-32000022
> >
> > Hi Corey,
> > My husband shared the files with me regarding the development proposal but page 13 is not legible. Is there a more clear copy? Also, page 5/13 is very frustrating since the ONLY notification we have been given was the proposal from the city. There were no other inquiries of residential feedback for submission-I have inquired with two other homes on the
street and the consensus was the same. There are many residents on our street very sick over this projection and we do plan to send you our feedback for committee review. We are working diligently to get this to you by/before Tuesday.

> Thank you for your help.
> Jamie Hall
> Sent from my iPhone
> Your Sunshine City<http://www.stpete.org/vision>
> <17016000SC CDs-Site Plan C-04.pdf>
Hi Corey - my name is Christine Leddy and I received a letter informing me of this case. I live at 1645 23rd Avenue N, just a few houses down and across the street. Your name was given as the contact for more information. I am opposed to this plan and would like to know what steps I need to take to get this on record. I may not be able to attend the hearing due to work obligations but will try.

Our street is a residential area, not a business district. There are children who live on our street and an elementary school and day care less than 1 mile away. This plan will increase traffic which is dangerous for little children and those of us who walk our dogs. This will also have a negative impact on the value of our homes. This is a nice, quiet neighborhood and we prefer to have a home in this location and not a parking lot for the businesses on 22nd Avenue.

Please contact me at this email address or by phone at (770) 880-8851.

Regards,
Christine Leddy
Homeowner
Hi Corey,

I am writing as a concerned resident on 23rd Avenue N in reference to the special request of development for the commercial lot on 1616 property.

The concerns we have in my residence and on our street are as follows:

-Safety of residents on our street. Unfortunately, we find our street is already often abused as a 'passer-through' street when 16 & 22nd traffic light jams and we feel that with introduction of commercial traffic to the street, traffic from unweary drivers will make it unsafe for children playing outside and discourage a neighborly engagement. 
In addition to this traffic, we are also concerned that the school zone at 16th and 23rd will drive commercial drivers to continue onto 23rd as their main driving route, further increasing the safety concerns of any residents with young children or special needs.

-Noise from additional vehicle traffic. With the introduction of this additional traffic also comes unconcerned motorists and their car radios (not to mention increased litter). We are concerned that this noise will become a barrier with the development of our quaint, family-centric street.

-Aesthetics of the community feel. While we are aware this particular lot is not necessarily the green space we would like to see on the street, it is the only lot that lacks this trait. Just months ago, a house on the same side of the road a few houses down was ripped down and now we have a gorgeous home filling its previous space. 1616 is the only house on the street that needs this investment and with the proposal of the parking spaces we will lose this opportunity forever and simultaneously take away from all those who have worked hard to improve the beautification of our street.

-Finally, and perhaps most important to the city's commission: Alignment with 'Healthy St. Pete' city initiatives/goals. It would seem that a parking lot in a neighborhood goes against sustainability initiatives to increase pedestrian activity and become a less car-oriented society. Also, I understand our city has a sustainability oriented neighborhood initiative called "STAR communities" and allowing a parking lot in the middle of a neighborhood flies in the face of that initiative and their objectives for their 2019 certification.

As a side note, we took a look at the current commercial building on the corner of 16th & 22nd for which this proposal would be built and he currently has 25 non-designated spaces available as well as 2 spaces which are handicap accessible - all of which are empty every day. There are a multitude of successful businesses that thrive with less to work with.
Additionaly, there are a total of 18 houses on 23rd ave between 16th and 17th street where this proposed home sits. If approved, this once residential lot will absorb future potential our street could have. We do not have the excess available to lose a house for commercial use without the security of our homes and home value being negatively impacted.

I've attached photos that provide a more complete perspective of our street including the house mentioned above that is part of a recent rebuild and the relationship of the school zone to this particular home and hope that the commission will take into consideration the impact this would have if approved.

Thank you and best regards,
Jamie & Gordon Hall
1665 23rd Ave N.
Hello Corey,

My name is Angie Leonetti, I'm a home owner on the 1600 block of 23rd Avenue. I received your information from Jamie & Gordon Hall. Thank you for forwarding the details related to the application to create a commercial parking lot as noted in case 17-32000022.

I would like to express some concerns and objections I have related to this case:

1. Devaluing a wonderful neighborhood: While we are not organized as a neighborhood association like Woodlawn and Euclid St. Paul (yet), we are a very well connected and proud neighborhood. Many of us have chosen to purchase homes in this area because we love the idea of living in a vibrant, safe neighborhood within the city limits of St. Petersburg. Many of us are active in St. Petersburg related organizations and are proud to call this city "home." We purposely invested in this particular neighborhood due to its friendly, welcoming atmosphere. We've made the effort to get to know our neighbors and we look out for one another. A parking lot is the exact opposite of a friendly, welcoming atmosphere and will bring unwanted activity to our peaceful block.

2. Encroaching commercial use property: Simply put, this will devalue our homes. We are already flanked by two busy, main roadways (16th Street & 22nd Ave). Yet, we've maintained a rather quite neighborhood environment. Many of the owners on this block have invested in major improvement to their homes in the last 2-3 years. The addition of another commercial zoned lot on our block we certainly have a negative impact on our property values, especially to those homes that are adjacent to the lot in question.

I not only concerned about the immediate intended use for the property but the future use as well. Once it is zoned commercial, it will be difficult to ever have it rezoned. We will then lose control over its long term use, yet not have the foresight to know exactly what will happen to the property in the future. I would hate to see that lot fall into disrepair like many of the other underdeveloped and poorly maintained lots that are prevalent on both 16th and 22nd. We already have enough of these that devalue the area. We do NOT need another.

The adjacent building on the corner of 16th & 22nd that is requesting the use of this lot for additional parking already has a sufficient number of parking spots. The fact that they are requesting more, leads me to believe they intend to develop that property for high-traffic use. Again, this will most certainly have a negative impact on our neighborhood in many of the ways I've already stated. If they need that much parking, they should consider a location in a commercial area that is suited for that level of traffic. NOT in our residential neighborhood.

3. Safety:
• 23rd is often used by walkers and bike riders as a more safe & peaceful alternative to busy 22nd Ave. The addition of this parking lot will simply deteriorate this safety with the addition of car traffic on 23rd.
• A parking lot that is NOT visible to traffic on 16th & 22nd could lead to unlawful activities such as car break-ins, drug activity and other such undesirable and alarming concerns. Bringing increased safety issues right next to our properties.

4. Value of the property: St. Petersburg is seeing unprecedented real estate growth. As more and more people are choosing to call St. Pete home, there is high demand for quality residential property. Developing the lot as a new residential home would have much more sustainable value than a parking lot. There are plenty of investors that would be willing to buy that land and build a brand new home. For proof, look to the other end of the block (corner of 17th & 23’rd) and the brand new home that is being completed there as we speak and to the many other new construction homes that are popping up in the adjacent blocks.

5. Environmental issues: As St. Petersburg moves towards becoming a sustainable city, the addition of more asphalt and surface parking flies in the face of this master plan. It encourages more car use, when we should be focused on promoting public transportation. This commercial property requesting use of this lot sits adjacent to major roadways with bus stops near by, making access to the property easy via public transportation. And, yes, I’m fully aware that we are a long way from providing a public transportation system that most citizens will adopt more freely and use more frequently. However, we will never get there if we continue to cater to the car culture we’re all so accustomed to.

I express these concerns not only as a resident of the block affected but as someone who cares deeply for our wonderful city and wants to see appropriate growth and development initiatives. This simply isn’t one of them.

Please do not approve this application to rezone the property to commercial use.

I would like to be included on any future staff emails related to this matter. My email is littlelion75@yahoo.com

My Kindest Regards,
Angie Leonetti
1654 23rd Avenue N.
Dear Elizabeth Abernathy,

My name is Suraj Wagh, my family and I live at 1640 23rd avenue north, three houses from 1616 23rd avenue north (proposed parking lot). My wife and I are opposed to the proposed parking lot project. We have a 4 year old daughter who plays in our front yard. There is always traffic going thru our street. We believe that there will be more traffic thru our neighborhood if the proposed parking lot is approved. We worry for our daughters safety due to high traffic. We would like to keep our street residential and believe that our neighborhood will be better served with a house on the property, not a parking lot.

Thank you

Suraj Wagh

PS Please feel free to contact me if you need any further information. My cell is 727 557 7985 and my email suraj1966@yahoo.com
Hello Liz,

I would like to submit my support for the appeal of the special exemption made for 1616 23rd Ave N to allow a commercial parking lot to be built on a resident zoned piece of property. Below are my reasons for the support of this appeal.

1. The vast majority of our neighborhood is in strong opposition of the special exemption approved by the DRC. During the DRC meeting 8 of 18 homes owners that are on our block of 1600 23rd were in attendance to oppose this case! That's a whopping 44% of the neighborhood! We showed up in numbers because we're are ALL passionate about the negative impact this will have on our neighborhood. This was by far the MOST opposition that was represented for any case during that meeting.

2. There were 14 original modifications requested by the city staff to the applicant even before they would "approve" the case." During the meeting, the council voted on and approved 3 additional modification in an attempt to make the case less negative to our neighborhood. This is a total of 17 modification just to simply make this case viable in their eyes. Commissioner Walker (who voted NO) made the comment that this is too complicated and therefore is an indication that it isn't the proper thing to do. If 17 modifications are needed to make an exemption acceptable, I agree with Commissioner Walker that is simply isn't the right thing to do!

3. Three of the Commissioners, including Chairman Griner were clearly and verbally opposed to this case! It was debated at length and they were trying very hard to ensure that it didn't pass by bring up many of the concerns that we as neighbors have. We were the most highly contested case that night and only lost by ONE vote.

4. No Hardship - it was mentioned by a few of the commissioners that there is NO hardship on the part of the applicant. They have ample current parking. There is simply NO need for the additional spaces. By tearing down a residential home and adding the parking spaces, it accomplishes one thing and one thing ONLY - to line the pockets of Mr. Stevens. Allowing him to rent hhs commercial properties easier by offering more parking to the tenants.

5. Property Value Negatively Impacted - The encroachment of this commercial parking lot into our neighborhood will without a doubt have a negative impact on property value to all of the homes adjacent to the lot. Many of the homes have been purchased in the last few years as part of the growth of St. Petersburg. Homeowners chose this area because it was residential, and a quiet street. The additional of this parking lot will drive more traffic to the area, creating more noise. The street will become less safe for our children to play and prospective home buyers will be deterred from purchasing a home near this lot.
6. Response after the vote from the applicant - I understand this next point is hearsay and less factual than my previous points. However, I feel it relevant to the case and very telling of the property owners true intentions. After the DRC meeting, many of the homeowners left city hall and were standing outside sadly discussing this defeat. The applicant walked up to address us. He started by saying that he is proudly born and raised in St. Pete and that he takes care of his properties. I don't dispute any of that. However he then went on to say that he is not a slum lord and that we should be thankful that at least he won't fill his properties with an ADULT BOOKSTORE! This was the most passive aggressive statement I could imagine he would make. He showed his true colors. We then went on to ask him how he plans to ensure the parking lot is closed at 10PM (as required by the DRC modification). He said that that would be up to the tenant. He has NO intention of ensuring the lot is closed at the 10pm curfew - that while he might be the owner of the property he won't be checking the lot every night to ensure the requirements are met. Showing his true colors that he DOES NOT care about our neighborhood AT ALL. He simply is in this for personal gain. When we asked if he would at least install some form of security, he also stated that this was not his responsibility and that in fact he would likely not even have lighting on the lot because it was not required by the city.

I'm steadfastly opposed to this special exemption! My full support is for this appeal. Please place my email on file with the other case documents.

Thank you!
Angie Leonetti
Home Owner
1654 23rd Ave N
Hi Liz,

I am writing an email in support of Kevin Lapio’s appeal on the DRC decision for 1616 23rd Avenue North.

My husband and family lives at 1619 23rd Avenue North, directly across the street from the property in question. I attended the initial DRC hearing and was able to express my concerns, as were my neighbors. I think it is notable to state that for a quiet street, ~50% of the households from our block on 23rd Ave N came to the initial hearing to speak against the request for special exception, which entails tearing down a home and garage (albeit unkempt from prior tenants) to build 11 parking spots and a water retention pond.

Living across the street from this property, my family will be directly impacted if the special exception, which was granted via a heated 4/3 decision at the initial DRC hearing, is upheld. I believe there are several logical concerns that remain unanswered and unaddressed by the applicant/property owner after initial hearing.

1) The need for additional 11 parking spots at all - this has been explained that the doctor's office that is adjacent via alley to this property would be more appealing to potential leasees if more parking spots are available. It unfortunately does not address that the office building has remained unoccupied for ~2 years since renovations have been completed, likely due to its location at a busy intersection. The current property has more than adequate amount of parking spots per current city requirements. At the initial DRC hearing, the applicant made it seem that a doctor would want this, so a doctor should get this. As a local physician myself, I would hedge that any local physician would not want special exceptions made that may compromise safety and development of a neighborhood solely for parking spots.

2) Increase in traffic affecting our neighborhood/street - there have been no traffic conduction studies to address how the proposed changes will affect and increase traffic in our neighborhood. We already have an influx of traffic at busy commuting times, as people use 23rd Ave North to avoid the busy intersection, and avoid school zones when the speed limit is decreased to 15mph. The addition of expanding the parking lot to include an adjacent lot opens the block to an even greater influx of traffic, which makes our neighborhood more unsafe for our children

3) Safety - in tearing down a single family home and building a parking lot, you in turn change the dynamic of our neighborhood altogether. Per the landowner, the leasee of the medical office building would be responsible for security and surveillance of the parking lot. Leaving this responsibility to a variable array of people, depending on the leasee, is unsettling. Needless to say, my neighbors and my family have numerous concerns regarding our safety

Although I understand the frustrations and disappointment of the property owners, who purchased a property that apparently has an unsalvageable house, it seems hasty to say the only possibility now would be to build a parking lot. An unsalvageable home on the other end of our block (I believe the address is 2217 17th Street
was torn down, and a family recently purchased the land and built a home on the property, which seems more in line with St Pete's initiatives than building a parking lot.

I am asking the City and DRC to consider making a positive decision for our neighborhood and our City. My neighbors and my family are proud of the growth St Petersburg is having, and proud to be a developing neighborhood, a quiet, family-friendly street not far from downtown, and residents of our beautiful City. Please make the right decision to keep my family and neighbors safe.

Joanna Coonradt, DO
Associate Director of Hospital Medicine, USF MAIN Hospitalists
Assistant Professor, Internal Medicine and Pediatrics
Morsani College of Medicine, University of South Florida
Hi Elizabeth - my name is Christine Leddy am writing in support of the appeal against the planned parking lot development at 1616 23rd Avenue N.

I live at 1645 23rd Avenue N, just a few houses down and across the street. Your name was given as the contact to provide my input.

Our street is a residential area, not a business district and the infringement of this parking area will alter the character of our neighborhood which could also impact the value of our homes. It also concerns me that parking lots are often seed beds for criminal activity such as drug deals.

It seems to me that there is plenty of parking for the existing businesses. This is a nice, quiet neighborhood and we prefer to have a home in this location as was the original intent when the lot was purchased.

Best regards,
Christine
Hello,

I am a resident of 23rd ave n and I wanted to reach out to you to let you know that I am in support of the appeal filed by Kevin Lapio to recall the special exception made by the DRC to allow the residence at 1616 to be demolished and the property utilized for additional business parking. I realize that the exception is legal, however, I do not see why the exemption is necessary at all. The businesses that will be utilizing the land currently meet the minimum parking requirements put forth by the city of St. Petersburg. Twenty-third avenue north is a residential area and while the 1616 property is not being re-zoned, turning it into a parking lot, instead of a single family residence will change the overall appeal of our neighborhood. I love that St. Pete is a growing city, and I support local businesses but some areas need to remain family-centered communities. The families in our neighborhood have invested time and money into making it a nice place to live, the addition of this parking lot will most likely lower the value of our properties and make the area less appealing to prospective buyers. There are several properties available on 22nd ave and 16th street that would be more suitable for parking/business purposes. Please reconsider the exception and help keep our neighborhood and St. Pete a great place to live,

Sincerely,

April Clark
Property owner
1620 23rd ave n
Elizabeth Abernethy

From: Wally Wood <walterjwood@gmail.com>
Sent: Tuesday, November 21, 2017 1:09 PM
To: Elizabeth Abernethy
Subject: 1616 23rd Ave N Special Exception Appeal Hearing

Elizabeth,
We just wanted to reach out to you to voice our concern about the development of 1616 23rd Ave No. We believe the alleyway to be a common and defining line between commercial space and residential space, this is very common of areas in St. Petersburg. We enjoy our community and purchased our home in a residential area of St. Petersburg, its shameful that DRC approved commercial development 2 doors down from "OUR FAMILY HOME", we feel very violated and appalled!

Kindest Regards,
Walter Wood
1636 23rd Ave North
St. Petersburg, FL. 33713
Case #17-32000022

DRC Appeal

Resolutions
RESOLUTION NO.________

A RESOLUTION DENYING THE APPEAL RECEIVED ON OCTOBER 11, 2017, (LAPIO APPEAL) AND UPHOLDING THE DEVELOPMENT REVIEW COMMISSION’S APPROVAL OF A SPECIAL EXCEPTION AND RELATED SITE PLAN TO CONSTRUCT A SURFACE PARKING LOT ON A RESIDENTIAL-ZONED PROPERTY LOCATED AT 1616 23RD AVENUE NORTH. (CITY FILE 17-32000022 APPEAL) AND APPROVING THE SPECIAL EXCEPTION AND RELATED SITE PLAN; MAKING FINDINGS BASED ON THE EVIDENCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 4, 2017, the Development Review Commission (DRC) held a public hearing for a proposed Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property located at 1616 23rd Avenue North.; and

WHEREAS, the appellant timely filed his Notice of Appeal of the DRC’s decision on October 11, 2017, to come before the City Council to seek a reversal of this decision; and

WHEREAS, the City Council finds that it is appropriate to deny the appeal by upholding the DRC’s approval of the Special Exception and related Site Plan.

NOW, THEREFORE BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida that the City Council makes the following findings:

1. The Special Exception and related Site Plan comply with the City’s applicable Land Development Regulations and Comprehensive Plan; and

2. The City Council finds that it is appropriate to DENY the appeal and UPHOLD the DRC’s approval of the Special Exception and related Site Plan, subject to the conditions of the Staff Report, as adopted by the DRC at the public hearing.

BE IT FURTHER RESOLVED that under its de novo and appellate authority, based upon the foregoing findings of fact based on evidence, this Council approves the Special Exception and related Site Plan, subject to the conditions in the Staff Report, and denies the appeal herein; and

BE IT FURTHER RESOLVED that this resolution shall become effectively immediately upon adoption.
APPROVED AS TO FORM AND SUBSTANCE:

Planning and Economic Development Department

City Attorney

Date

11/17/17

11/20/17
RESOLUTION NO.________

A RESOLUTION UPHOLDING THE APPEAL RECEIVED ON OCTOBER 11, 2017, (LAPIO APPEAL) AND OVERTURNING THE DEVELOPMENT REVIEW COMMISSION'S APPROVAL OF APPROVAL OF A SPECIAL EXCEPTION AND RELATED SITE PLAN TO CONSTRUCT A SURFACE PARKING LOT ON A RESIDENTIAL-ZONED PROPERTY LOCATED AT 1616 23RD AVENUE NORTH. (CITY FILE 17-32000022 APPEAL) AND DENYING THE SPECIAL EXCEPTION AND RELATED SITE PLAN); MAKING FINDINGS BASED ON THE EVIDENCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 4, 2017, the Development Review Commission (DRC) held a public hearing for a proposed Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property located at 1616 23rd Avenue North; and

WHEREAS, the appellant timely filed his Notice of Appeal of the DRC's decision on October 11, 2017, to come before the City Council to seek a reversal of this decision; and

WHEREAS, the City Council finds that it is appropriate to uphold the appeal by overturning the DRC's denial of the application and thereby denying a Special Exception and related Site Plan.

NOW, THEREFORE BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida that the City Council makes the following findings based on the evidence:

1. The requested Special Exception and Related Site Plan to construct a surface parking lot on a residential-zoned property does not comply with the applicable City Land Development Regulations and Comprehensive Plan.

2. The City Council finds that it is appropriate to UPHOLD the appeal and OVERTURN the DRC's approval of the Special Exception and Related Site Plan.

BE IT FURTHER RESOLVED that under its de novo appellate authority, based upon the foregoing findings based on the evidence, this Council denies the Special Exception and related Site Plan subject to the conditions in the Staff Report with an additional special condition of approval and upholds the appeal herein; and

BE IT FURTHER RESOLVED that this resolution shall become effectively immediately upon adoption.
APPROVED AS TO FORM AND SUBSTANCE:

[Signature]

Planning and Economic Development Department

Date

[Signature]

City Attorney

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

Subject: Approving the renewal of a blanket purchase agreement with Morelli Landscaping, Inc. for landscape services, for public facilities and rights-of-way, in the amount of $3,500,000, for a total contract amount of $8,900,000.

Explanation: On February 20, 2014, City Council approved a three-year blanket purchase agreement for landscape services for public facilities and rights-of-way, effective through March 31, 2017. The agreement has two, one-year renewal options. On December 18, 2014, April 21, 2016, and June 2, 2016, City Council approved increases in allocation associated with FDOT highway landscape funding awards and City department projections. On February 9, 2017, administration approved the first annual renewal, as all necessary funding had been previously approved. This is the second and final renewal.

The vendor provides landscape services for public facilities and transportation rights-of-way within the City. FY18 projects include various streetscape and highway beautification projects on City, county and State of Florida Department of Transportation (FDOT) rights-of-way (SR 687/4th Street North), traffic calming project landscapes, multi-use trail project landscapes, protected bike lane landscapes, business district landscapes, park landscapes, landscape restoration for the Roser Park drainage project, Lake Maggiore Nature Park landscaping and landscaping for the new Campbell Park Regional Skate Park. Projects are funded in individual department Capital Improvement Program (CIP) budgets.

FDOT right-of-way projects are fully funded by FDOT District Seven highway beautification funds and are governed by Highway Landscape Reimbursement and Maintenance Memorandum of Agreement (HLRMOA) agreements between the City and the FDOT. The FDOT project grant amount for this term is $330,000 and is pending approval by City Council on December 14, 2017.

This renewal includes the new city Tree Planting Program. On July 20, 2017, City Council approved a $475,000 allocation, and on November 2, 2017, City Council approved a $1,465,000 Weeki Wachee Fund allocation for the Tree Planting Program. This program includes new tree planting projects in several community-identified corridors as the City continues to focus on sustainability and reducing its carbon footprint.

The Procurement Department, in cooperation with the Office of Sustainability and the Engineering and Capital Improvements Department, recommends for renewal:

Morelli Landscaping, Inc. (Clearwater) .......................................................... $3,500,000

| Original agreement amount | $1,500,000 |
| 1st allocation increase   | 1,500,000  |
| 2nd allocation increase   | 1,500,000  |
| 3rd allocation increase   | 900,000    |
| Final renewal             | 3,500,000  |
| Total contract amount     | $8,900,000 |

The vendor has agreed to renew under the same terms and conditions of RQU No. 7563, dated November 19, 2013. Administration recommends renewal of the agreement based on the vendor’s past satisfactory performance and demonstrated ability to comply with the terms and conditions of the agreement. The renewal will be effective from the date of approval through March 31, 2019.
Cost/Funding/Assessment Information: Funds have been previously appropriated in the General Capital Improvement Fund (3001), the General Fund (0001), the Citywide Infrastructure Fund (3027), the Recreation & Culture Capital Fund (3029), and the Weeki Wachee Capital Projects Fund (3041).

Attachments: Resolution

Approvals:

[Signatures]

Administrative

Budget
A RESOLUTION APPROVING THE SECOND AND FINAL RENEWAL TO THE THREE-YEAR BLANKET PURCHASE AGREEMENT WITH MORELLI LANDSCAPING, INC., FOR LANDSCAPE SERVICES FOR THE OFFICE OF SUSTAINABILITY AND THE ENGINEERING AND CAPITAL IMPROVEMENTS DEPARTMENTS, AT AN ESTIMATED RENEWAL AMOUNT NOT TO EXCEED $3,500,000 FOR THE SECOND AND FINAL RENEWAL; PROVIDING THE TOTAL CONTRACT AMOUNT SHALL NOT EXCEED $8,900,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 20, 2014, City Council approved a three-year blanket purchase agreement with Morelli Landscaping, Inc. with two one-year renewal options to provide landscape services for the Office of Sustainability and the Engineering and Capital Improvements Department in the amount not to exceed $1,500,000; and

WHEREAS, on December 14, 2014, April 21, 2016 and June 2, 2016, City Council approved increases in allocations in the amount of $1,500,000 for the first and second increase and $900,000 for the third increase; and

WHEREAS, on February 9, 2017 City Council approved the first renewal option; and,

WHEREAS, this is the second and final renewal option in the amount of $3,500,000; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Office of Sustainability and the Engineering and Capital Improvements Department, recommends approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the second and final renewal to the three-year blanket purchase agreement with Morelli Landscaping, Inc. for landscape services for the Office of Sustainability and the Engineering and Capital Improvements Departments, at an estimated renewal amount not to exceed $3,500,000 for the second and final renewal is hereby approved;

BE IT FURTHER RESOLVED that the total contract amount shall not exceed $8,900,000.

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

Subject: Approving a supplemental appropriation for FY18 in the amount of $700,000 from the increase in the unappropriated balance of the Sanitation Operating Fund (4021) for yard waste grinding services, with Consolidated Resource Recovery, Inc for a total contract amount of $1,983,100.

Explanation: On January 21, 2016, Council approved a three-year blanket purchase agreement for yard waste grinding through January 31, 2019. The agreement has a two-year renewal option. Due to the increased use of the City's brush sites after implementation of the Brush Site Consent Form, the forecasted contract amount is expected to be exceeded prior to the end of the contract term. The Brush Site Consent Form allows landcapers access to the City's brush sites with the signature of a homeowner.

The vendor provides all labor, equipment and material necessary for grinding yard waste and logs into mulch. The contract allows for a quarterly fuel cost adjustment to 30 percent of total cost per hour, based on the U.S. Energy Administration East Coast (lower Atlantic) Diesel Fuel Index.

Intake of yard waste and logs to the City's brush sites has increased from an average of 42,000 to over 60,000 tons annually. The City collects the material from the brush sites and delivers it to the single waste grinder site at Lake Maggiore for processing. The mulch that is produced is available free of charge for pick up by citizens. The City also provides the mulch for other uses, including bio mass fuel, sod production, compost production and storm water reclamation projects.

The Procurement Department, in cooperation with the Sanitation Department, recommends approval:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original agreement</td>
<td>$1,283,100</td>
</tr>
<tr>
<td>Allocation request increase</td>
<td>700,000</td>
</tr>
<tr>
<td>New contract total amount</td>
<td>$1,983,100</td>
</tr>
</tbody>
</table>

Amounts paid to the vendor pursuant to the allocation increase will not exceed $1,983,100 during the contract term. This agreement is binding only for actual services rendered.

Cost/Funding/Assessment Information: A supplemental appropriation for FY18 in the amount of $700,000 from the increase in the unappropriated balance of the Sanitation Operating Fund (4021), Recycling (4502297) for yard waste grinding services will be necessary.

Attachments: Resolution

Approvals:
A RESOLUTION APPROVING THE INCREASE IN THE ALLOCATION IN THE AMOUNT OF $700,000 FOR THE AGREEMENT WITH CONSOLIDATED RESOURCE RECOVERY, INC. FOR YARD WASTE GRINDING SERVICES FOR THE SANITATION DEPARTMENT; PROVIDING THAT THE TOTAL CONTRACT AMOUNT SHALL NOT EXCEED $1,983,100; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $700,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE SANITATION OPERATING FUND (4021) TO THE RECYCLING DIVISION (4502297); AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 21, 2016, City Council approved a three-year blanket purchase agreement with Consolidated Resource Recovery, Inc. for yard waste grinding services for the Sanitation Department in an amount not to exceed $1,283,700; and

WHEREAS, an increase in the allocation is necessary due to the increased usage of the brush sites as a result of Hurricane Irma; and

WHEREAS, the Procurement & Supply Management Department in cooperation with the Sanitation Department recommends approval of this resolution.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the increase in the allocation in the amount of $700,000 for the agreement with Consolidated Resource Recovery, Inc. for yard waste grinding services for the Sanitation Department is hereby approved.

BE IT FURTHER RESOLVED that the total contract amount shall not exceed $1,983,100.

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

BE IT FURTHER RESOLVED that there is hereby approved the following supplemental appropriation from the increase in the unappropriated balance of the Sanitation Operating Fund (4021) for FY18:

Sanitation Operating Fund (4021) Recycling Division (4502297) $700,000

This Resolution shall become effective immediately upon its adoption.

Approved as to form and content:

City Attorney (designee)
00351088

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

Subject: Approving the renewal of a blanket purchase agreement with Standard Insurance Company for group ancillary insurance, at an estimated annual premium of $798,509, for a total contract amount of $1,523,237.

Explanation: On December 18, 2014, City Council approved a three-year blanket purchase agreement for group ancillary insurance services effective through March 31, 2018, with one, two-year renewal option. This is the final renewal.

Standard Insurance Company provides basic life and accidental death and dismemberment insurance (AD&D) for employees and retirees, voluntary supplemental life insurance for employees and their covered dependents, voluntary AD&D for employees, retirees and their covered dependents and long-term disability (LTD) for management employees and professional employees who participate in the City’s 401(a) Plan.

Basic life and AD&D insurance coverage is provided to eligible City employees at the City’s cost and to retirees at their expense. Voluntary supplemental life insurance premiums are paid by employees. Voluntary AD&D coverage is paid by covered employees and retirees. LTD coverage is provided for management employees and covered professional employees at the City’s cost.

Standard has agreed to hold all rates at current levels for the next two plan years. Rates charged to employees, retirees and departments (for Basic Life and LTD) will be slightly higher than the contracted rates in order to fund the cost of administrative expenses and maintain the required fund balance.

The Procurement Department, in cooperation with the Human Resources Department, recommends for renewal:

Standard Insurance Company...............................................................................$798,509

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original agreement amount</td>
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<tr>
<td>1st renewal</td>
<td>798,509</td>
</tr>
<tr>
<td>Total contract amount</td>
<td>$1,523,237</td>
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</table>
BASIC LIFE INSURANCE

<table>
<thead>
<tr>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Employees</td>
</tr>
<tr>
<td>Retirees</td>
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VOLUNTARY SUPPLEMENTAL LIFE INSURANCE

<table>
<thead>
<tr>
<th>Amount</th>
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<tbody>
<tr>
<td>Employee</td>
</tr>
<tr>
<td>Spouse</td>
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<tr>
<td>Child(ren)</td>
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VOLUNTARY AD&D

<table>
<thead>
<tr>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Employee</td>
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<tr>
<td>Retirees</td>
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</tbody>
</table>

LONG TERM DISABILITY

<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management</td>
</tr>
</tbody>
</table>

The vendor has agreed to uphold the terms and conditions of RFP No. 7726, dated August 20, 2014. Administration recommends renewal of the agreement based on the contractor’s past satisfactory performance and demonstrated ability to comply with the terms and conditions of the contract. This renewal will be effective through March 31, 2020. For Plan Year April, 2018–March, 2019, the projected cost of all coverage will be $798,509. The City’s cost is projected to be $182,661; the employees’ portion is projected to be $365,841, and the retirees’ portion is projected to be $250,007, depending on enrollment.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Life Insurance Fund (5123), Human Resources Group Benefits (0901177).

Attachments: Insurance Rate History (2 pages)
Resolution

Approvals:

[Signatures]
Administrative  Budget
City of St. Petersburg

Group Insurance

Standard Insurance Company Rates

<table>
<thead>
<tr>
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<td>Basic Employee Life Insurance*</td>
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<td>Voluntary AD&amp;D Insurance- EE**</td>
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</tr>
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</table>

*Cost per $1,000 of coverage
**Cost per $100 of covered earnings
City of St. Petersburg

Group Insurance

Internal Service Fund Charged Rates

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<tr>
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</thead>
<tbody>
<tr>
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<td>Spouse Supplemental Life*</td>
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<tr>
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<tr>
<td>Long Term Disability**</td>
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<td>$0.221</td>
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<td>$0.221</td>
</tr>
</tbody>
</table>

*Cost per $1,000 of coverage
**Cost per $100 of covered earnings
A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH STANDARD INSURANCE COMPANY FOR GROUP ANCILLARY INSURANCE TO EXTEND THE TERM AND INCREASE THE CONTRACT PRICE IN AN AMOUNT NOT TO EXCEED $798,509 FOR THE RENEWAL TERM; PROVIDING THAT THE TOTAL CONTRACT AMOUNT SHALL NOT EXCEED $1,523,237; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 18, 2014, City Council approved an agreement with Standard Insurance Company to provide group ancillary insurance for the Human Resources Department at an estimated annual cost of $724,728, pursuant to RFP No. 7726, dated August 20, 2014; and

WHEREAS, the agreement had one two-year renewal option; and

WHEREAS, Administration desires to amend the Agreement to extend the term and provide funding in the amount of $798,509 for the renewal term (for a total contract price not to exceed $1,523,237); and

WHEREAS, Standard Insurance Company has agreed to hold prices firm under the terms and conditions of RFP No. 7726; and

WHEREAS, the Procurement & Supply Management Department recommends approval of this resolution.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that an amendment to the agreement with Standard Insurance Company for group ancillary insurance to extend the term and increase the contract price in an amount not to exceed $798,509 for the renewal term is hereby approved.

BE IT FURTHER RESOLVED that the total contract amount shall not exceed $1,523,237.

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:

[Signature]
City Attorney (Designee)
00351072
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving a new five year support services agreement and first year of annual support from Oracle America, Inc., a sole source supplier, for the Oracle eBusiness Suite and other Oracle and Solaris technology products, for the Department of Technology Services, at a first year cost of $739,396.57.

Explanation: The City received a proposal for a new 5-year support services agreement and renewal of annual support for Oracle and Solaris products, including Oracle Work and Asset Management (WAM), Oracle Spatial and Oracle WebCenter. The vendor will provide 24/7 telephone support, access to its support database (My Oracle Support), application and technology updates, program fixes and issue escalation management for all Oracle and Solaris products. Because Oracle is a sole provider of maintenance, support, and software updates for its proprietary products, a sole source procurement is recommended. The first year annual support will be effective January 1, 2018 through December 31, 2018. Administration will request City Council approval for payment to Oracle for the remaining four years of support services on an annual basis.

The City utilizes Oracle software to manage a number of processes, including the Oracle eBusiness Suite and WebCenter Suite used for human resources, finance, payroll, budget, projects, grants, property management, housing loans, billing and collections, purchasing, and inventory. The Water Resources, Stormwater and Traffic Departments, and Marina use the Work and Asset Management (WAM) application to manage operations; and the Engineering Department is the primary user of the Spatial/GIS applications. The Solaris products support the operating systems for the eBusiness and Spatial/GIS applications.

The Procurement Department, in cooperation with the Department of Technology Services, recommends for renewal:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oracle America, Inc.</td>
<td>$739,396.57</td>
</tr>
<tr>
<td>Database</td>
<td>$ 468,027.47</td>
</tr>
<tr>
<td>Utilities</td>
<td>$ 133,347.89</td>
</tr>
<tr>
<td>Licenses</td>
<td>$ 120,275.07</td>
</tr>
<tr>
<td>Storage</td>
<td>$  17,746.14</td>
</tr>
</tbody>
</table>

This purchase is made in accordance with Section 2-249 of the Sole Source Procurement of the City Code, which authorizes City Council to approve the purchase of a supply or service of 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 previously been appropriated in the Technology Services Fund (5011), Oracle eBusiness Solutions Division (850-2559).

Attachments: Sole Source Resolution

Approvals:

[Administrative]

[Budget]
<table>
<thead>
<tr>
<th>Department:</th>
<th>Technology Services</th>
<th>Requisition No.</th>
<th>Procurement &amp; Supply Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Check One:</td>
<td>X Sole Source</td>
<td>Proprietary Specifications</td>
<td></td>
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<tr>
<td>Proposed Vendor:</td>
<td>Oracle American, Inc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Estimated Total Cost:</td>
<td>$690,419.29</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Description of Items (or Services) to be purchased:**

Annual Maintenance, Support and Software Update agreements for Oracle eBusiness Suite, Oracle Work and Asset Management (WAM), Oracle WebCenter, Oracle Spatial, and other Oracle and Solaris technology products.

**Purpose of Function of items:**

Annual Maintenance, Support and Software Update agreements

**Justification for Sole Source of Proprietary specification:**

Oracle is a sole source provider of maintenance, support, and software updates of Oracle products.

---

**Signatures:**

- **Department Director:**
  - Signed: [Signature]
  - Date: 10/7/16

- **Administrator/Chief:**
  - Signed: [Signature]
  - Date: 10/7/16

- **Louis Moore, Director:**
  - Signed: [Signature]
  - Date: 10/17/16

---

Rev (1/11), (6/15)
A RESOLUTION DECLARING ORACLE AMERICA, INC. ("ORACLE") TO BE A SOLE SOURCE SUPPLIER; APPROVING A FIVE YEAR SUPPORT SERVICES AGREEMENT WITH ORACLE FOR SUPPORT SERVICES FOR THE ORACLE eBUSINESS SUITE AND OTHER ORACLE AND SOLARIS TECHNOLOGY PRODUCTS; AUTHORIZING PAYMENT TO ORACLE IN AN AMOUNT NOT TO EXCEED $739,396.57 FOR THE FIRST YEAR OF SUPPORT SERVICES; PROVIDING THAT CITY COUNCIL SHALL APPROVE PAYMENT TO ORACLE FOR SUPPORT SERVICES IN FUTURE YEARS; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City utilizes Oracle eBusiness Suite, Oracle Work and Asset management applications, Oracle WebCenter, Oracle Spatial and other Oracle and Solaris technology products; and

WHEREAS, these products are the propriety technology of Oracle America, Inc., thereby the only company who can service and maintain the technology; and

WHEREAS, the current support services agreement has expired and the City desires to enter into a new 5-year support services agreement; 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 first year of support services is $739,396.57; and

WHEREAS, Administration will request City Council approval for payment to Oracle for future support services on an annual basis; and

WHEREAS, the Procurement and Supply Management Department, in cooperation with the Department of Technology Services, recommends approval of this award to Oracle America, Inc. as a sole source supplier; and

WHEREAS, the Mayor or his designee has prepared a written statement to the City Council certifying the condition and circumstances for the sole source purchase.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that Oracle America, Inc. ("Oracle") is a sole source supplier to provide support services and maintenance for the Oracle eBusiness Suite and other Oracle and Solaris technology products.
BE IT FURTHER RESOLVED that a five year support services agreement with Oracle for support services for the Oracle eBusiness Suite and other Oracle and Solaris technology products is hereby approved.

BE IT FURTHER RESOLVED that payment to Oracle in an amount not to exceed $739,396.57 for the first year of support services is hereby approved.

BE IT FURTHER RESOLVED that City Council shall approve payment to Oracle for support services in future years.

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

This Resolution shall become effective immediately upon its adoption.

Legal:

[Signature]

City Attorney (Designee)

00351298
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Accepting a proposal from Musco Sports Lighting, LLC, a sole source supplier, for athletic field LED lighting for the Parks and Recreation Department, at a total cost of $628,700.

Explanation: The vendor will furnish all materials, and provide all labor and equipment to demolish existing light poles and install new light poles on five, side-by-side tennis courts.

The work includes demolition of existing light poles, chipping existing pole bases to below grade, installation of electrical wiring, and permitting at five parks to include North Shore Park, Northwest Park, Fossil Park, Crescent Park, and Denver Park tennis courts. Musco Sports Lighting, LLC is the only manufacturer to meet the reduced glare and spill light requirements, therefore a sole source procurement is recommended.

The upgrade of the tennis court lighting has an energy savings of more than 60% over a standard lighting system, 70% less spill and glare for players, as well as adjoining properties, and provides a constant light level of 30fc (foot candles). Converting the existing metal halide lighting to LED lighting will also reduce maintenance costs through less frequent lamp replacement, in addition to reduced operational costs through energy efficiency.

The Procurement Department, in cooperation with the Parks and Recreation Department, recommends for approval.

Musco Sports Lighting, LLC. (Clermont, FL.) .............................................. $628,700

<table>
<thead>
<tr>
<th>Court Type</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Shore Tennis</td>
<td>$66,400</td>
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<tr>
<td>Northwest Tennis</td>
<td>166,500</td>
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<tr>
<td>Fossil Park Tennis</td>
<td>166,500</td>
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<tr>
<td>Crescent Park Tennis</td>
<td>119,800</td>
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<tr>
<td>Denver Park Tennis</td>
<td>109,500</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$628,700</strong></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 of 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 Recreation and Culture Capital Improvement Fund (3029), Outdoor Court Facility Improvements FY13 (13755), Outdoor Court Facility Improvements FY15 (14649), and Outdoor Court Facility Improvements FY18 (16214).

Attachments: Pictures (2 pages)
Sole Source (2 pages)
Resolution

Approvals:

Sherry K. McLee
By: Administrative

Stacey McLee
By: Budget
City of St. Petersburg
Sole Source Request
Procurement & Supply Management

Department: Parks and Recreation
Requisition No.

Check One: X Sole Source
Proprietary Specifications

Proposed Vendor: Musco Lighting

Proposed Vendor

Estimated Total Cost: $30,000.00 per tennis court

Description of Items (or Services) to be purchased:

LED Lighting for Tennis courts that will provide the photometric requirements (reduced glare and spill light requirements).

Purpose of Function of items:
To change out old metal halide lighting to new LED lighting on Tennis courts throughout the city. Moving toward the City's green initiative.

Justification for Sole Source of Proprietary specification:

MUSCO is a manufacturer but also a licensed Florida Contractor who provides a turnkey price for the sport lighting and is the only manufactured who is a turnkey provider that meets the specifications of our project. They manufacture and install the entire lighting system; no other manufacturer is licensed to do this. All other systems have varying part suppliers for the lighting, poles, structural, lighting controls, etc. This is important to us for many reasons but primarily warranty, service, and lifecycle effectiveness.

An entity submitting a bid has to hold an electrical or general contractors license per FL general statues. MUSCO Sports Lighting is a licensed unlimited electrical contractor in the state of Florida. No other lighting supplier of sports lighting systems has this; the other manufacturers bid with licensed contractors as the prime bidder which means we must bid this as a construction contract and pay the additional mark-up.

We have very specific photometric requirements. MUSCO is the only manufacturer to meet the reduced glare and spill light requirements.

MUSCO provides their systems through an active piggyback bids as well as nationally recognized cooperative purchase bid agreement, NJPA (National Joint Powers Alliance).

Musco's unique LED fixture design reduces glare to players and adjoining properties. There is both internal louvers to reduce side glare from the fixture as well as external visors to reduce the glare impact to the players and the community. Their fixture also has an adjustable visor that allows for field adjustments without affecting the photometric on the playing surface.

Most of our existing exterior sport lighting has been supplied by MUSCO which is key to reducing maintenance and operational costs.
Musco separates their drivers from the fixture and locates the driver approximately 15' above grade. This is unique to the Musco system and provides easy access to the drivers for maintenance and warranty purposes.

MUSCO is the only manufacturer that can provide this UL listed lighting system and is directly responsible for the production and performance of all components of their lighting systems from the foundations to the pole tops. This is very important from a liability standpoint.

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 638.22(2) it is a second degree felony to circumvent a competitive bidding process by using a sole-source contract for commodities or services.

[Signatures and dates]

Louis Moore, Director
Procurement & Supply Management

Rev (1/11), (6/16)
A RESOLUTION DECLARING MUSCO SPORTS LIGHTING, LLC AS THE SOLE SOURCE SUPPLIER OF ELEVATED LIGHTING FOR SIDE-BY-SIDE TENNIS COURTS FOR THE PARKS AND RECREATION DEPARTMENT; ACCEPTING A PROPOSAL AND APPROVING THE PURCHASE OF NEW ELEVATED LIGHTING FROM MUSCO SPORTS LIGHTING, LLC FOR THE PARKS AND RECREATION DEPARTMENT AT A TOTAL COST NOT TO EXCEED $628,700; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Parks and Recreation Department wishes to purchase elevated lighting for five parks, for each of their respective, side-by-side tennis courts; and

WHEREAS, Musco Sports Lighting, LLC is the sole source provider for these light poles because they are the only manufacturer to meet the reduced glare and spill light requirements; 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 Parks and Recreation Department, recommends approval of the purchase for five parks, for their respective, side-by-side tennis courts from Musco Sports Lighting, LLC, as a sole source supplier.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that Musco Sports Lighting, LLC is declared a sole source supplier of elevated lighting for side-by-side tennis courts for the Parks and Recreation Department.

NOW, THEREFORE, BE IT RESOLVED, that the proposal is accepted and the purchase of new elevated lighting from Musco Sports Lighting, LLC for the Parks and Recreation Department at a total cost not to exceed $628,700 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]

City Attorney (Designee)
00351071
TO: The Honorable Darden Rice, Chair, and Members of City Council

SUBJECT: A resolution approving Partial Control Estimate #4 for WRF NW Reclaimed Water and Injection Wells Improvement Project (Engineering No. 17053-111; Oracle No. 15927) in an amount not to exceed $1,167,754 for PCL Construction Inc. ("PCL") to procure piping, valves and accessories, and install underground and above ground piping; authorizing the Mayor or his designee to execute The Sixth Amendment to incorporate the above referenced Partial Control Estimate into the Construction Manager Contract between the City of St. Petersburg, Florida and PCL dated April 17, 2017, as amended, and modify other necessary sections; and providing an effective date.

EXPLANATION: On April 17, 2017, the City executed a Construction Manager Contract ("CM Contract") with PCL Construction Inc. ("PCL") for preconstruction and construction services for the Projects described in the CM Contract to increase treatment, disposal and capacity to handle peak wastewater flows during wet weather events at the Northwest Water Reclamation Facility.

The initial CM Contract included:

- Control Estimates for:
  - WRF NW Construction Manager FY17 (Engineering No. 17063-111; Oracle No. 15960)
    - Pre-Construction Services
  - WRF NW New Filters FY17 (Engineering No. 17052-111; Oracle No. 15926)
    - Filter Piping Construction

On May 18, 2017, City Council approved the First Amendment to the CM Contract, which incorporated Partial Control Estimate #2 for WRF NW New Filters FY17 (Engineering No. 17052-111; Oracle No. 15926) and (ii) Partial Control Estimate #1 for WRF NW New Injection Wells FY17 Project (Engineering No. 17053-111; Oracle No. 15927). The First Amendment included:

- Control Estimates for:
  - WRF NW New Filters FY17 (Engineering No. 17052-111; Oracle No. 15926)
    - UG/AG Piping and Appurtenances Installation
    - Backwash System
    - Pump Station and Piping Installation
    - Concrete structure for filtration system
    - Influent and & Effluent tie in at Existing Filter Structure
  - WRF NW New Injection Wells FY17 (Engineering No. 17053-111; Oracle No. 15927)
    - Procurement of Effluent Disposal Pumps
    - Acidization of IW-1 and IW-2

On June 1, 2017, City Council approved the Second Amendment to the CM Contract, which incorporated Partial Control Estimate #1 for WRF NW Construction Manager FY17 Project (Engineering No. 17063-111; Oracle No. 15960). The Second Amendment included:

- Control Estimates for:
• WRF NW Construction Manager FY17 (Engineering No. 17063-111; Oracle No. 15960)
  • Continuing General Conditions Services from May 1, 2017 through August 31st, 2017
  • Bonds (based on $20M)
  • Builders Risk/GL Insurances

On June 15, 2017, City Council approved the Third Amendment to the CM Contract, which incorporated Partial Control Estimate #3 for WRF NW New Filters FY17 (Engineering No. 17052-111; Oracle No. 15926) Partial Control Estimate #2 for WRF NW New Injection Wells FY17 Project (Engineering No. 17053-111; Oracle No. 15927). Third Amendment included:

- Control Estimates for:
  - WRF NW New Filters FY17 (Engineering No. 17052-111; Oracle No. 15926)
    - Electrical Work for Effluent Filtration Improvements
  - WRF NW New Injection Wells FY17 (Engineering No. 17053-111; Oracle No. 15927)
    - Pump and Pipe Install

On August 24, 2017, City Council approved the Fourth Amendment to the CM Contract, which incorporated Partial Control Estimate #4 for WRF NW New Filters FY17 (Engineering No. 17052-111; Oracle No. 15926) Partial Control Estimate #3 for WRF NW New Injection Wells FY17 Project (Engineering No. 17053-111; Oracle No. 15927). The Fourth Amendment included:

- Control Estimates for:
  - WRF NW New Filters FY17 (Engineering No. 17052-111; Oracle No. 15926)
    - Instrumentation & Controls
  - WRF NW New Injection Wells FY17 (Engineering No. 17053-111; Oracle No. 15927)
    - Instrumentation & Controls

On December 7th Council Agenda shall include for approval of the Fifth Amendment to the CM Contract in the amount of $2,092,587 including:

- Control Estimates for:
  - WRF NW Construction Manager FY17 (Engineering No. 17063-111; Oracle No. 15960)
    - Construction Manager Services for Projects currently under construction
    - Pre-Construction Services for Coarse Screening and Odor Control

The Sixth Amendment in the amount of 1,167,754 includes Control Estimate for:

- Control Estimate for:
  - WRF NW Reclaimed Water and Injection Wells Improvement Project (Engineering No. 17053-111; Oracle No. 15927)
    - Procurement of Piping, Valves and Accessories; Installation of Underground and Above Ground Piping.
The table below provides details of the Contract Costs approved to date and the additional Control Estimate Costs (Sixth Amendment) with their respective funding source(s).

<table>
<thead>
<tr>
<th>Project Numbers</th>
<th>WRF NW New Filters FY17</th>
<th>WRF NW New Injection Wells FY17</th>
<th>WRF NW Construction Manager FY17</th>
<th>Totals</th>
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<tbody>
<tr>
<td><strong>Original Contract</strong></td>
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<tr>
<td>Contract Cost</td>
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<td><strong>Subtotal</strong></td>
<td>$1,642,258</td>
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<td><strong>Subtotal</strong></td>
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<td><strong>Subtotal</strong></td>
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<td><strong>Total Funding Source</strong></td>
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<td>Total PCL Costs</td>
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<td>$3,259,817</td>
<td>$4,521,514</td>
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</table>

TOTAL CONSTR. COST $4,725,414 $3,364,817 $4,764,469 $12,882,700

Total PCL Costs $4,384,238 $3,259,817 $4,521,514 $12,165,569
Control Estimates are construction cost estimates and each estimate package includes an owner allowance. PCL shall prepare bid packages and solicit quotes for various scopes of work included in each control estimate package.

RECOMMENDATION: Administration recommends City Council approving Partial Control Estimate #4 for WRF NW Reclaimed Water and Injection Wells Improvement Project (Engineering No. 17053-111; Oracle No. 15927) in an amount not to exceed $1,167,754 for PCL Construction Inc. ("PCL") to procure piping, valves and accessories, and install underground and above ground piping; authorizing the Mayor or his designee to execute The Sixth Amendment to incorporate the above referenced Partial Control Estimate into the Construction Manager Contract between the City of St. Petersburg, Florida and PCL dated April 17, 2017, as amended, and modify other necessary sections; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Funds have been previously appropriated in the Water Resources Capital Projects Fund (4003), WRF NW New Injection Wells FY17 Project (15927).

ATTACHMENTS: Resolution
Partial Control Estimate #4 for WRF NW Reclaimed Water and Injection Wells Improvement Project

APPROVALS: 

[Signatures]
A RESOLUTION APPROVING PARTIAL CONTROL ESTIMATE #4 FOR WRF NW NEW INJECTION WELLS FY17 PROJECT (ENGINEERING NO. 17053-11: NWWRF RECLAIMED WATER & INJECTION WELLS IMPROVEMENTS; ORACLE NO. 15927) IN AN AMOUNT NOT TO EXCEED $1,167,754 FOR PCL CONSTRUCTION INC. ("PCL") TO PROCURE PIPING, VALVES AND ACCESSORIES, AND INSTALL UNDERGROUND AND ABOVE GROUND PIPING; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE SIXTH AMENDMENT TO INCORPORATE THE BELOW REFERENCED PARTIAL CONTROL ESTIMATE INTO THE CONSTRUCTION MANAGER CONTRACT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND PCL DATED APRIL 17, 2017, AS AMENDED, AND MODIFY OTHER NECESSARY SECTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") and PCL Construction, Inc. ("PCL") executed a Construction Manager Contract ("Contract") on April 17, 2017, for PCL to provide preconstruction and construction services for the Projects described in the Contract to increase treatment, disposal and capacity to handle peak wastewater flows during wet weather events at the Northwest Water Reclamation Facility; and

WHEREAS, following execution of the Contract, the City authorized PCL to (i) provide the preconstruction services in an amount not to exceed $407,175 and (ii) commence work on WRF NW New Filters FY17 (Engineering No. 17052-111: NWWRF Effluent Filtration Improvements; Oracle No. 15926), pursuant to a Partial Control Estimate; and

WHEREAS, on May 18, 2017, City Council approved the First Amendment, which incorporated Partial Control Estimate #2 for WRF NW New Filters FY17 (Engineering No. 17052-111: NWWRF Effluent Filtration Improvements; Oracle No. 15926) and (ii) Partial Control Estimate #1 for WRF NW New Injection Wells FY17 Project (Engineering No. 17053-11: NWWRF Reclaimed Water & Injection Wells Improvements; Oracle No. 15927) into the Contract; and

WHEREAS, on June 1, 2017, City Council approved the Second Amendment which incorporated Partial Control Estimate #1 for WRF NW Construction Manager FY17 Project (Engineering No. 17063-111; Oracle No. 15960) for PCL's extended general conditions for a four-month duration (May 1 through August 31) and the not to exceed amount for the premiums and costs for bond and insurance into the Contract (as amended); and

WHEREAS, on June 15, 2017, City Council approved the Third Amendment which incorporated Partial Control Estimate #3 for WRF NW New Filters FY17 Project (Engineering No. 17052-111: NWWRF Effluent Filtration Improvements; Oracle No. 15926) and Partial Control Estimate #2 for WRF NW New Injection Wells FY17 Project (Engineering No. 17053-11: NWWRF Reclaimed Water & Injection Wells Improvements; Oracle No. 15927) into the Contract (as amended); and
WHEREAS, on August 24, 2017, City Council approved the Fourth Amendment which incorporated Partial Control Estimate #3 for WRF NW New Injection Wells FY17 Project (Engineering No. 17053-11: NWWRF Reclaimed Water & Injection Wells Improvements; Oracle No. 15927) and Partial Control Estimate #4 for WRF NW New Filters FY17 Project (Engineering No. 17052-111: NWWRF Effluent Filtration Improvements; Oracle No. 15926) into the Contract (as amended); and

WHEREAS, on December 7, 2017, City Council approved the Fifth Amendment which incorporated Partial Control Estimate #2 for WRF NW Construction Manager FY17 Project (Engineering No. 17063-111; Oracle No. 15960) into the Contract (as amended); and

WHEREAS, in accordance with the requirements set forth in the Contract (as amended), PCL has submitted Partial Control Estimate #4 for WRF NW New Injection Wells FY17 Project (Engineering No. 17053-11: NWWRF Reclaimed Water & Injection Wells Improvements; Oracle No. 15927) in an amount not to exceed $1,167,754 for PCL to procure piping, valves and accessories, and install underground and above ground piping to the City for review and approval; and

WHEREAS, the City desires to execute the Sixth Amendment with PCL to incorporate the above referenced Partial Control Estimate into the Contract (as amended) and modify other necessary sections.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that Partial Control Estimate #4 for WRF NW New Injection Wells FY17 Project (Engineering No. 17053-11: NWWRF Reclaimed Water & Injection Wells Improvements; Oracle No. 15927) in an amount not to exceed $1,167,754 for PCL Construction Inc. (“PCL”) to procure piping, valves and accessories, and install underground and above ground piping is hereby approved.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the Sixth Amendment to incorporate the above referenced Partial Control Estimate into the Construction Manager Contract between the City of St. Petersburg, Florida and PCL dated April 17, 2017, as amended, and modify other necessary sections.

This resolution shall become effective immediately upon its adoption.

APPROVALS:

City Attorney (Designee)  
Administration

00351551 Final
November 17, 2017

Mr. Brejesh Prayman
Mr. Mike Ryle
City of St. Petersburg
MCS, 6th Floor
One 4th St. N
St. Petersburg, FL 33701

Re: Construction Manager – City of St. Petersburg NWWRF Wet Weather Capacity Upgrades
Partial Control Estimate #4 for Project 17053-111: NWWRF Reclaimed Water & Injection Wells Improvements

Sub-Project #1 Effluent Disposal Pumps: Diesel Driven Effluent Disposal Pump Procurement Only

Sub-Project #2 Well Acidization: Acidization of IW-1 and IW-2

Sub-Project #3 Pump and Piping Install: Install Pumps, Electrical Systems, Piping, Valves and Accessories

Sub-Project #4 Instrumentation & Controls: Instrumentation and Controls for the Effluent Disposal System

Sub-Project #5 Injection Wells IW-1 & IW-2: Procurement of Piping, Valves and Accessories; Installation of Underground and Aboveground Piping

Dear Mr. Prayman & Mr. Ryle,

PCL Construction, Inc. has prepared a Partial Control Estimate #4 for Project 17053-111 Reclaimed Water and Injection Wells Improvement, which is designed to provide additional effluent disposal capacity and, in conjunction with Project 17052-111 NWWRF Effluent Filtration Improvements, will allow for improved filtration treatment capacity along with the additional effluent disposal capacity at the City of St. Petersburg's NWWRF.
Established from the 30% design information that is currently available, this Partial Control Estimate #4 is based on discussions and design data developed between CH2M, the City of St. Petersburg and PCL staff in order to determine an anticipated scope for the NWWRF wet weather capacity upgrades project. PCL has included all design, preliminary, and conceptual level information that was utilized to prepare this partial control estimate.

This Partial Control Estimate #4 is for the following identified items for the permanent upgrades of the existing Injection Wells 1W-1 & IW-2 at the City of St. Petersburg NWWRF.

a. Existing site preparation, site safety, right of way/perimeter control and construction access
b. Procurement of all long lead piping, valve and accessory items that can be identified at this stage of the design completion
c. Installation of the underground and aboveground piping, valve and accessories

A future Control Estimate is anticipated to encompass the remaining scope of work required to provide functional completion of the project. This is anticipated to include but is not limited to Demolition, Structural/Concrete Work, Site and Restoration Work, Painting, Landscape and Perimeter Fencing and any other items necessary to provide a functional and integrated Effluent Disposal Injection Well and Secured Remote Site Facility.

The details for the material procurement and UG/AG Piping system installation at the existing injection wells are defined below:

**Existing Injection Wells IW-1 & IW-2 Improvements**

**SCOPE:**
The scope of this project is comprised of items identified and provided by the 30% design drawings developed by CH2M, PCL and City of St. Petersburg staff and will provide Permanent upgrades to the Existing Injection Wells 1W-1 and IW-2 adding disposal capacity during the upcoming wet weather season.

**Existing Site Preparation:** Establish site safety protocol, right of way/perimeter control and construction access

**Material Procurement:** Procurement of all long lead piping, valve and accessory items that can be identified at this stage of the design completion

**Piping Installation:** Installation of the underground and aboveground piping, valve and accessories
SCHEDULE:
Project 17053-111 NWWRF Injection Wells Improvements Anticipated Construction Timeframe:

City Council Approval (Procurement and UG/AG Piping Installation) December 14th, 2017
Procurement/PO & Subcontracts/Submittals 6 - 7 weeks
Commence Construction IW-1 9 weeks
Functional Completion IW-1 14 weeks
Commence Construction IW-2 15 weeks
Functional Completion IW-2 20 weeks
Anticipated Site/Perimeter Completion 24 weeks
Substantial Completion to be at a later date TBD

**Note: Weeks calculated from Anticipated Council Approval

SUMMARY OF PARTIAL CONTROL ESTIMATE #4 PRICING:

Sub-Project #1 Effluent Disposal Pumps: NWWRF Reclaimed Water & Injection Wells Improvements — Diesel Driven Effluent Disposal Pump Procurement Only (PREVIOUSLY SUBMITTED)

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Sub-Project #2 Well Acidization: NWWRF Reclaimed Water & Injection Wells Improvements — Acidization of IW-1 and IW-2 (PREVIOUSLY SUBMITTED)

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### Sub-Project #3 Pump and Piping Install: Install Pumps, Electrical Systems, Concrete/Stone Pads, Piping, Valves and Accessories (PREVIOUSLY SUBMITTED)

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### Sub-Project #4 Injection Wells Improvements: Instrumentation & Controls (PREVIOUSLY SUBMITTED)

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### Sub-Project #5 Injection Wells IW-1 & IW-2: Procurement of Piping, Valves and Accessories; Installation of Underground and Above Ground Piping

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**Total Partial Control Estimate for Project No. 17053-111:** $3,310,812

**Previously Approved Control Estimate #1:** $1,115,113

**Previously Approved Control Estimate #2:** $847,842

**Previously Approved Control Estimate #3:** $180,103

**Total Request for Funding Partial Control Estimate #4:** $1,167,754
This Partial Control Estimate #4 is based upon the attached clarifications and assumptions document, attached billable rate matrix, attached drawings and/or sketches provided by the applicable engineer, and preliminary field investigations conducted by PCL personnel.

If you have any questions regarding this Partial Control Estimate #4 or need additional information, please feel free to contact me at (941) 713-1947.

Respectfully,

Andrew T. Franosz
Project Manager

Cc: Mike McKinney
    Richard Hewitt
    Mauricio Ramos
    Shawn Britton
    Craig Yalcubow

Attachments:  
  Budget Estimate
  Clarifications and Assumptions Document
  Billable Rate Matrix
  Drawings and Specification used for Pricing
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**Notes:**
- **LS** denotes linear feet.
- **EA** denotes each.
- **HR** denotes hour.
- **SY** denotes square yard.
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**Price of Work and Material:** $1,101,656

**Contingency 0%:** $0

**Construction Manager Fee (6%)**:

**Total for Sub Project #6:** $1,167,754
Clarifications and Assumptions:

The following clarifications and assumptions are based on information currently available from the City of St Petersburg and their representative consultants. These clarifications and assumptions are applicable to the Partial Control Estimate #4 and for the NWWRF Wet Weather Capacity Improvement Projects (17053-111 Reclaimed Water & Injection Wells Improvements):

1. The price assumes that construction and testing water, and electrical consumption during construction, startup and testing through commissioning is assumed to be available for PCL's use at no cost. The price excludes all pricing for initial fill of chemicals, fuel, and expendables for startup, testing and commissioning.
2. PCL is not responsible for any Geotechnical Subsurface reports or studies, none have been provided by the City or its Consultants at this time. With no geotechnical information having been provided at this time, it is assumed that the native materials will be suitable for pipe bedding and backfill without processing. It is also assumed that the native material is suitable for all structural backfill.
3. Any costs associated with unidentified subsurface conditions encountered during the course of the construction will not be the liability of PCL and will be reflected in future Control Estimates.
4. Pipe pricing is based on discussions and preliminary drawings provided by the city and its associated consultants. It is understood that the piping configuration may change and this will reflect in future Control Estimates.
5. Any additional changes in the scope of work that may occur by owner/consultant request from the current 30% preliminary concept design progressing to final construction completion will be reflected in future Control Estimates.
6. PCL will provide the City of St Petersburg a copy of our general Site Safety Program.
7. Both parties shall agree to comply with the mutual parties safety programs.
8. PCL will comply with all site security requirements that are in place.
9. PCL will not be responsible for EPA Storm Water maintenance.
10. It is assumed that site dewatering can be discharged to the existing onsite storm water management structure.
11. The price includes completion of application for all applicable permits with the exception of the Storm Water Pollution permit, NPDES, and Wastewater Discharge permit. All actual permit fees or required inspections will be billed.
12. PCL will only be responsible for site clean-up and restoration in the immediate work areas and storage areas that will be used for the completion of the scope of work described.

13. This control estimate does not include any budgetary pricing for hazardous materials. Any hazardous materials encountered at the site of the Projects will be governed by section 10.3 of the A201–2007 AIA Contract Document.

14. It is assumed that plant access roads can be shut down for installation of construction work with reasonable notice to the owner.

15. PCL assumes that the shutdown of the existing filter #5 is acceptable for construction of the effluent filter connection structure with reasonable notice to the owner.

16. PCL assumes that the shutdown and bypass of the existing fine screening facility is acceptable for construction of the influent filter connection with reasonable notice to the owner.

17. Any potential contractors that are currently onsite or that will be onsite, are to be instructed by the city to not store any and/or move all material, equipment and temporary facilities from the areas of work required for the Wet Weather Capacity Improvements Projects.

18. If the City or any of its subcontractors plan shutdowns and/or closures they will notify PCL prior to that scope of work commencing.

19. The following scope of work and any associated management costs are not included in this Control Estimate:
   - Demolition
   - Structural/Concrete Work
   - Site and Restoration Work
   - Paint and Coatings
   - Landscape and Perimeter Fencing
   - Any Additional Changes in Scope by Owner/Consultant request

   This scope of work will be provided in future Control Estimates.
# NORTHWEST WRF INJECTION WELLS IMPROVEMENTS

## PROJECT NO. 17053-111

### PACKAGE 3 - EXISTING INJECTION WELL UPGRDES

**PRELIMINARY DESIGN**

<table>
<thead>
<tr>
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<td>DRAWING SHEET</td>
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<td>GENERAL ABBREVIATIONS</td>
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**ENGINEERING & CAPITAL IMPROVEMENTS DEPARTMENT**

**CITY of ST. PETERSBURG, FL.**

APPROVED FOR BID

DATE: MARCH 2017

CH2M HILL Project No. 691309

CH2M HILL PROJECT NO. 691309
GENERAL SITE NOTES:

1. All survey work shall be performed in accordance with the Florida State Plane Coordinate System, West Zone. The FDOT records drawings are based on the FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, whereas the Swinford record drawings were in an alternate datum and have therefore, not all of the information shown may be used on this project.

2. Horizontal Datum: The FDOT records drawings and the aerials are based on the Florida State Plane Coordinate System, West Zone. The Swinford record drawings were in an alternate datum and have been converted to their approximate State Plane Location.

3. Vertical Datum: Datum is at Mean High Water (MHW) at the St. Petersburg Harbor of Refuge.

4. Topographic, bathymetric, and site geometric surveys are being performed to locate existing elevations.

5. GENERAL LEGEND

- PROPERTY LINE
- CENTER LINE, BUILDING, ROAD, ETC.
- PROPERTY LINE
- CENTER LINE, BUILDING, ROAD, ETC.
- PROPERTY LINE
- CENTER LINE, BUILDING, ROAD, ETC.

6. MINIMUM ALLOWABLE CLEARANCE BETWEEN PIPES AT CROSSINGS SHALL BE 6'.

7. ALL PIPES SHALL HAVE A CONVEYOR BELT GLIDE BETWEEN INVERT ELEVATIONS UNLESS A FITTING IS SHOWN.

8. ALL WATER PIPES MUST BE PROPERLY FLUSHED, PRESSURE TESTED, AND BACTERIOLOGICALLY TESTED, AS SPECIFIED.

9. FOR PRE-EXISTING AND MAINLINE, SEE.

10. FOR SURFACE DISINFECTION OF EXISTING CONCRETE AND GRAVEL, SEE.

11. MATERIAL ALLOWABLE CLEARANCE BETWEEN PIPES AT CROSSINGS SHALL BE 6'.

CIVIL LEGEND

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GENERAL YARD PIPING AND UTILITIES NOTES:

1. All underground utilities shown on the Swinford record drawings are in an alternate datum and have been converted to their approximate State Plane Location.

2. Plan and elevation drawings are shown in the approximate State Plane Location.

3. Market and Civil Notes:

- PROTECT ALL EXISTING UTILITIES DURING CONSTRUCTION.
- FOR REAL TRENCHING AND BACKFILL, SEE EXISTING UNDERGROUND UTILITIES OBTAINED FROM AS-BUILTS.
- UNLESS OTHERWISE SHOWN, ALL PIPING SHALL HAVE A MINIMUM OF 3' COVER.
- ALL PIPES SHALL HAVE A CONVEYOR BELT GLIDE BETWEEN INVERT ELEVATIONS UNLESS A FITTING IS SHOWN.
- ALL WATER PIPES MUST BE PROPERLY FLUSHED, PRESSURE TESTED, AND BACTERIOLOGICALLY TESTED, AS SPECIFIED.
- ALL PVC PIPE DOWELS MUST BE SHOWN IDENTIFIED.
- FOR SURFACE DISINFECTION OF EXISTING CONCRETE AND GRAVEL, SEE.
- MATERIAL ALLOWABLE CLEARANCE BETWEEN PIPES AT CROSSINGS SHALL BE 6'.
- CENTRALIZED SECURITY ALL SUPPORT IS REQUIRED AS SHOWN ON.

4. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING A STAGING AREA FOR CONTRACTOR'S EMPLOYEE PARKING, CONTRACTORS TRAILERS, NO ON-SITE STORAGE OF MATERIALS.

5. CONTRACTOR SHALL FIELD VERIFY DEPTH OF EXISTING MONUMENT(S) IN A TIMELY MANNER AND AT THE CONTRACTORS EXPENSE.

6. CONTRACTOR SHALL TAKE ALL OTHER MEASURES TO POSITIVELY PRECLUDE EROSION MATERIALS FROM LEAVING THE SITE. CONTRACTOR TO SUBMIT EROSION CONTROL PLAN.

7. CONTRACTOR SHALL FIELD VERIFY DEPTH OF EXISTING MONUMENT(S) IN A TIMELY MANNER AND AT THE CONTRACTORS EXPENSE.

8. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING A STAGING AREA FOR CONTRACTOR'S EMPLOYEE PARKING, CONTRACTORS TRAILERS, NO ON-SITE STORAGE OF MATERIALS.

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10. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING A STAGING AREA FOR CONTRACTOR'S EMPLOYEE PARKING, CONTRACTORS TRAILERS, NO ON-SITE STORAGE OF MATERIALS.

11. CONTRACTOR SHALL FIELD VERIFY DEPTH OF EXISTING MONUMENT(S) IN A TIMELY MANNER AND AT THE CONTRACTORS EXPENSE.

12. CONTRACTOR SHALL TAKE ALL OTHER MEASURES TO POSITIVELY PRECLUDE EROSION MATERIALS FROM LEAVING THE SITE. CONTRACTOR TO SUBMIT EROSION CONTROL PLAN.
DESIGN CRITERIA

1. APPLICABLE CODES:

2. REFER TO THE DRAWINGS FOR ADDITIONAL AND SPECIFIC STRUCTURAL LOADINGS AND REQUIREMENTS.

3. FLOOR LOAD UNITS:
   - GRADING, EMBEDDED PLATE AND HATCH COVER:
     - 160 PSF (MIN)
     - 200 PSF

4. WIND LOAD:
   - ULTIMATE WIND SPEED (Z): 155 MPH

5. SOIL DESIGN PARAMETERS:
   - A. SHEET SOIL BEARING PRESSURE:
     - 2000 PSF
   - B. FIELD CONTROLLED SOIL BEARING PRESSURE:
     - 45 PSF
     - 60 PSF
     - 80 PSF

6. CONCRETE DESIGN STRENGTH:
   - 4,000 PSI (MIN)
   - 4,000 PSI (MIN)

7. REINFORCING STEEL:
   - BAR SIZE 43, 44, 10 (5, 6, 7, 48, 40, 60)

8. MATERIALS:
   - SCHEDULED DIA.
   - 3/8" to 1/2"

9. CONCRETE REINFORCING:
   - TYPICAL HORIZONTAL WALL REINFORCING SHALL LAP WITH THE CORNER HORIZONTAL.

10. STRUCTURAL STEEL AND METAL FABRICATIONS:
    - Structural Steel shall be fabricated in accordance with the AISC Manual of Structural Steel Construction, Current Edition, and current shop drawings.
    - Hitch points shall be designed to conform to the following:
      - Hitch points shall be designed to conform to the following:

11. CONCRETE:
    - Typical Concrete:
      - 4000 psi
      - 4000 psi

12. FABRICATION AND PLACEMENT OF REINFORCING STEEL:
    - Tie Rods shall be connected to the horizontal reinforcement with a minimum of 3/8" diameter.

13. CONSTRUCTION JOINTS:
    - CONSTRUCTION JOINTS INDICATED ARE SUGGESTED LOCATIONS. CONTRACTOR MAY REVISE LOCATION.
    - CONSTRUCTION JOINTS INDICATED ARE SUGGESTED LOCATIONS. CONTRACTOR MAY REVISE LOCATION.

14. FORMWORK, SHORING AND BRACING:
    - FORMWORK, SHORING AND BRACING:
      - FORMWORK, SHORING AND BRACING:

15. GENERAL:
    - REFER TO THE DRAWINGS FOR ADDITIONAL AND SPECIFIC STRUCTURE LOADINGS
    - REFER TO THE DRAWINGS FOR ADDITIONAL AND SPECIFIC STRUCTURE LOADINGS

GENERAL INFORMATION

1. GENERAL NOTES:
   - ASME BPV Code & ASCE 7-10.
   - ASME BPV Code & ASCE 7-10.

2. FOUNDATIONS:
   - REFER TO THE DRAWINGS FOR ADDITIONAL AND SPECIFIC STRUCTURE LOADINGS
   - REFER TO THE DRAWINGS FOR ADDITIONAL AND SPECIFIC STRUCTURE LOADINGS

3. EXCAVATIONS:
   - EXCAVATIONS:
   - EXCAVATIONS:

4. TYPICAL CONCRETE:
   - TYPICAL CONCRETE:
   - TYPICAL CONCRETE:

5. CONCRETE REINFORCING:
   - TYPICAL CONCRETE:
   - TYPICAL CONCRETE:

6. WELDING:
   - WELDING:
   - WELDING:

7.兩32m
### General Notes
1. Do not scale electrical drawings. Refer to the civil, architectural, mechanical, and structural drawings and approved manufacturer shop drawings for the exact location of all equipment.
2. All work shall comply with NEC and local codes.
3. Contractors shall not be misled except as noted in the specifications and shown on the drawings.
4. All contractors shall own equipment ground conductor sized for future use.
5. Construction shall verify existing underground utilities, pipes, etc., before new conduit, etc., as required.
6. All existing information shown must be field verified. Accuracy of existing wiring is not guaranteed.
7. Do not install any conductors, equipment, or devices, without obtaining manufacturer instructions.
8. Refer to specification section 26.45.04 for lighting protection system.
9. Provide any plans, drawings, and other items on new panel boards, control panels, and other equipment required by NEC Article 110.16 and specification section 26.45.04, electrical system analysis.

### ELECTRICAL SYSTEMS
- **Ground System Plan**
  - Ground Rod
  - Ground Rod in Test Well
- **Fire Alarm System Plan**
  - Fire Alarm Control Panel in NEMA 4X, 175 CI Enclosure
  - Fire Alarm Manual Pull Station at 175 CI Enclosure
  - Fire Alarm Non-Notch Fire Device
  - Fire Alarm Panel in NEMA 4X Enclosure

### Control Diagrams
- Pushbutton Switch, Momentary Contact, Normally Open
- Pushbutton Switch, Maintained Contact, Normally Closed
  - Selector Switch
  - Selector Switch, Maintained Contact, Normally Closed
    - Key Interlock
    - Key Interlock, Remote

### Symbol Legend
- Cable or Bus Connection Point
- Bus Bar (Gap Type)
- Capacitor (Varistor Indicated, 3 Phase)
- Capacitor, VAR Indicated
- Generator, VAR Indicated
- Utility Revenue Meter
- Ground
- G/0 to 120V Transformer, 240V, 480V, 575V Indicated
- Shielded Isolation Transformer
- Transformer, 240V, 480V, 575V Indicated
- Transformer, 480V, 575V Indicated
- Transfer Switch, 575V Indicated
- Transfer Switch, 480V Indicated
- Transfer Switch, 240V Indicated
- Transfer Switch, 120V Indicated

### Notes
1. These are Standard Legend Sheets, some symbols and abbreviations may appear on the legend and not on the drawings.
2. For additional abbreviations of other drawings (ME, ME, ME, etc.) see other legends.
null
### Instrument Identification

**Example Symbols**
- **MODIFIER**: (H), (I), (J), (K), (L), (M), (N), (O), (P), (Q), (R), (S), (T), (U), (V), (W), (X), (Y), (Z)
- **SUCCESSING LETTERS**: (AA), (AB), (AC), (AD), (AE), (AF), (AG), (AH), (AI), (AJ), (AK), (AL), (AM), (AN), (AO), (AP), (AQ), (AR), (AS), (AT), (AU), (AV), (AW), (AX), (AY), (AZ)
- **ADDENDUM**

**Digital System Interfaces**
- **Analog Input**
- **Analog Output**
- **Discrete Input**
- **Discrete Output**

**General Instrument or Functional Symbols**
- **Analog**
- **Digital**
- **Discrete**
- **Pilot**

**Accessory Devices**
- **Controller**
- **Relay**
- **Transformer**

**Special Cases**
- **Current to Hydraulic**
- **Current to Pneumatic**
- **Transmitter as an Accessory to Flow Element**

**Self Contained Valve & Equipment Tag Numbers**
- **Unit Process Number**
- **Unit Number**

**Line Legend**
- **Primary Process**
- **Secondary Process**
- **Process Open Channel**
- **Process Open Channel (A to B Whole Loop) (B) 3 Typical Sets of Signals Each 2 Total of 2 Signals (C) 5 Typical Sets of Signals Each (D) 2 Total of 2 Signals (E) 5 Typical Sets of Signals Each (F) 2 Total of 2 Signals (G) 5 Typical Sets of Signals Each (H) 2 Total of 2 Signals (I) 5 Typical Sets of Signals Each (J) 2 Total of 2 Signals (K) 5 Typical Sets of Signals Each (L) 2 Total of 2 Signals (M) 5 Typical Sets of Signals Each (N) 2 Total of 2 Signals (O) 5 Typical Sets of Signals Each (P) 2 Total of 2 Signals (Q) 5 Typical Sets of Signals Each (R) 2 Total of 2 Signals (S) 5 Typical Sets of Signals Each (T) 2 Total of 2 Signals (U) 5 Typical Sets of Signals Each (V) 2 Total of 2 Signals (W) 5 Typical Sets of Signals Each (X) 2 Total of 2 Signals (Y) 5 Typical Sets of Signals Each (Z) 2 Total of 2 Signals

**Interface Symbols**
- **Signal Interconnection**
- **Process Interconnection**

**General Notes**
- **Components and Pans are Shown with a Single Letter A to Z or Alphanumeric A to Z to Be Probed as Part of a Package System**
- **Components and Pans are Shown with a Single Letter A to Z or Alphanumeric A to Z to Be Probed as Part of a Package System**
- **This is a Standard Legend, Therefore, Not All of this Information May Be Used On the Project**

---

**Abbreviations & Letter Symbols**

**General Instrumentation and Control Legend - Sheet 1**

![Diagram](image-url)
DESTRUCTION GENERAL NOTES

1. CONTRACTOR SHALL NOTIFY ALL APPLICABLE LAW ENFORCEMENT AGENCIES PRIOR TO STARTING DESTRUCTION ACTIVITIES. CONTRACTOR SHALL SUBMIT A DESTRUCTION WORK PLAN TO THE CITY. CONTRACTOR SHALL PROVIDE DETAILS OF ALL DESTRUCTION ACTIVITIES TO THE CITY.

2. CONTRACTOR SHALL NOTIFY ALL APPLICABLE LAW ENFORCEMENT AGENCIES PRIOR TO STARTING DESTRUCTION ACTIVITIES. CONTRACTOR SHALL PROVIDE DETAILS OF ALL DESTRUCTION ACTIVITIES TO THE CITY.

3. CONTRACTOR SHALL NOTIFY ALL APPLICABLE LAW ENFORCEMENT AGENCIES PRIOR TO STARTING DESTRUCTION ACTIVITIES. CONTRACTOR SHALL PROVIDE DETAILS OF ALL DESTRUCTION ACTIVITIES TO THE CITY.

4. CONTRACTOR SHALL NOTIFY ALL APPLICABLE LAW ENFORCEMENT AGENCIES PRIOR TO STARTING DESTRUCTION ACTIVITIES. CONTRACTOR SHALL PROVIDE DETAILS OF ALL DESTRUCTION ACTIVITIES TO THE CITY.

5. CONTRACTOR SHALL NOTIFY ALL APPLICABLE LAW ENFORCEMENT AGENCIES PRIOR TO STARTING DESTRUCTION ACTIVITIES. CONTRACTOR SHALL PROVIDE DETAILS OF ALL DESTRUCTION ACTIVITIES TO THE CITY.

6. CONTRACTOR SHALL NOTIFY ALL APPLICABLE LAW ENFORCEMENT AGENCIES PRIOR TO STARTING DESTRUCTION ACTIVITIES. CONTRACTOR SHALL PROVIDE DETAILS OF ALL DESTRUCTION ACTIVITIES TO THE CITY.

7. CONTRACTOR SHALL NOTIFY ALL APPLICABLE LAW ENFORCEMENT AGENCIES PRIOR TO STARTING DESTRUCTION ACTIVITIES. CONTRACTOR SHALL PROVIDE DETAILS OF ALL DESTRUCTION ACTIVITIES TO THE CITY.

8. CONTRACTOR SHALL NOTIFY ALL APPLICABLE LAW ENFORCEMENT AGENCIES PRIOR TO STARTING DESTRUCTION ACTIVITIES. CONTRACTOR SHALL PROVIDE DETAILS OF ALL DESTRUCTION ACTIVITIES TO THE CITY.

9. CONTRACTOR SHALL NOTIFY ALL APPLICABLE LAW ENFORCEMENT AGENCIES PRIOR TO STARTING DESTRUCTION ACTIVITIES. CONTRACTOR SHALL PROVIDE DETAILS OF ALL DESTRUCTION ACTIVITIES TO THE CITY.
All Pre-construction management and labor will be charged at the billable rates per this Rate Matrix.

<table>
<thead>
<tr>
<th>Description of Management Staff</th>
<th>Billable Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Manager</td>
<td>$ 137.00 /hr</td>
</tr>
<tr>
<td>Pre-construction Manager</td>
<td>$ 120.00 /hr</td>
</tr>
<tr>
<td>Pre-construction Superintendent</td>
<td>$ 107.00 /hr</td>
</tr>
<tr>
<td>Senior Estimator</td>
<td>$ 115.00 /hr</td>
</tr>
<tr>
<td>Scheduler</td>
<td>$ 100.00 /hr</td>
</tr>
<tr>
<td>BIM Manager</td>
<td>$ 115.00 /hr</td>
</tr>
<tr>
<td>3-D Staff Modeler</td>
<td>$ 83.00 /hr</td>
</tr>
<tr>
<td>HSE Manager</td>
<td>$ 112.00 /hr</td>
</tr>
<tr>
<td>Business Diversity Manager</td>
<td>$ 74.00 /hr</td>
</tr>
<tr>
<td>Administrative Assistant</td>
<td>$ 48.00 /hr</td>
</tr>
</tbody>
</table>
All construction management, labor and equipment will be charged at the billable rates per this Rate Matrix.

### Description of Salary Management Staff

<table>
<thead>
<tr>
<th>Description</th>
<th>Billable Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Manager</td>
<td>$137/hr</td>
</tr>
<tr>
<td>Project Manager</td>
<td>$125/hr</td>
</tr>
<tr>
<td>Senior Project Superintendent</td>
<td>$127/hr</td>
</tr>
<tr>
<td>Project Superintendent</td>
<td>$114/hr</td>
</tr>
<tr>
<td>Project Engineer</td>
<td>$102/hr</td>
</tr>
<tr>
<td>Salary Foreman</td>
<td>$97/hr</td>
</tr>
<tr>
<td>Senior Estimator</td>
<td>$115/hr</td>
</tr>
<tr>
<td>Scheduler</td>
<td>$100/hr</td>
</tr>
<tr>
<td>BIM Manager</td>
<td>$115/hr</td>
</tr>
<tr>
<td>3-D Staff Modeler</td>
<td>$83/hr</td>
</tr>
<tr>
<td>HSE Manager</td>
<td>$112/hr</td>
</tr>
<tr>
<td>Business Diversity Manager</td>
<td>$74/hr</td>
</tr>
<tr>
<td>Administrative Assistant</td>
<td>$48/hr</td>
</tr>
</tbody>
</table>

### Description of Hourly Craft Labor Staff

<table>
<thead>
<tr>
<th>Description</th>
<th>Billable Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mechanical Foreman</td>
<td>$86/hr</td>
</tr>
<tr>
<td>Pipe Layer</td>
<td>$64/hr</td>
</tr>
<tr>
<td>Skilled Laborer</td>
<td>$40/hr</td>
</tr>
<tr>
<td>Unskilled Laborer</td>
<td>$33/hr</td>
</tr>
<tr>
<td>Foreman Carpenter</td>
<td>$52/hr</td>
</tr>
<tr>
<td>Carpenter</td>
<td>$45/hr</td>
</tr>
<tr>
<td>Metalworker</td>
<td>$46/hr</td>
</tr>
<tr>
<td>Rod Buster (Reinforcement Steel)</td>
<td>$43/hr</td>
</tr>
<tr>
<td>Concrete Finisher</td>
<td>$47/hr</td>
</tr>
<tr>
<td>Forklift Operator</td>
<td>$38/hr</td>
</tr>
<tr>
<td>Backhoe Operator</td>
<td>$52/hr</td>
</tr>
<tr>
<td>Excavator/Dozer Operator</td>
<td>$65/hr</td>
</tr>
<tr>
<td>Crane Operator</td>
<td>$72/hr</td>
</tr>
<tr>
<td>Rigger</td>
<td>$69/hr</td>
</tr>
<tr>
<td>Truck (Tandem) Operator</td>
<td>$44/hr</td>
</tr>
<tr>
<td>Mechanic (Tools/Equipment)</td>
<td>$47/hr</td>
</tr>
<tr>
<td>Welder</td>
<td>$79/hr</td>
</tr>
</tbody>
</table>
City of St. Petersburg

NWWRF Wet Weather Capacity Upgrades
PCL Construction, Inc.

***Construction Phase***

All construction management, labor and equipment will be charged at the billable rates per this Rate Matrix.

<table>
<thead>
<tr>
<th>Description of Equipment</th>
<th>Billable Rate</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>349 Excavator</td>
<td>276.28 /hr</td>
<td></td>
</tr>
<tr>
<td>329 Excavator</td>
<td>165.99 /hr</td>
<td></td>
</tr>
<tr>
<td>320 Excavator</td>
<td>153.55 /hr</td>
<td></td>
</tr>
<tr>
<td>Mini Excavator</td>
<td>28.32 /hr</td>
<td></td>
</tr>
<tr>
<td>310J Backhoe</td>
<td>42.42 /hr</td>
<td></td>
</tr>
<tr>
<td>950K Loader</td>
<td>109.62 /hr</td>
<td></td>
</tr>
<tr>
<td>938K Loader</td>
<td>94.35 /hr</td>
<td></td>
</tr>
<tr>
<td>928K Loader</td>
<td>70.60 /hr</td>
<td></td>
</tr>
<tr>
<td>D3 Dozer</td>
<td>82.60 /hr</td>
<td></td>
</tr>
<tr>
<td>60T Crane</td>
<td>185.42 /hr</td>
<td></td>
</tr>
<tr>
<td>90T Crane</td>
<td>341.15 /hr</td>
<td></td>
</tr>
<tr>
<td>12K Forklift</td>
<td>97.02 /hr</td>
<td></td>
</tr>
<tr>
<td>10K Forklift</td>
<td>70.10 /hr</td>
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<tr>
<td>9K Forklift</td>
<td>64.50 /hr</td>
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<tr>
<td>6K Forklift</td>
<td>57.43 /hr</td>
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</tr>
<tr>
<td>60' Aerial Boom Lift</td>
<td>43.71 /hr</td>
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<tr>
<td>40' Aerial Boom Lift</td>
<td>70.61 /hr</td>
<td></td>
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<tr>
<td>180cfm Compressor</td>
<td>18.34 /hr</td>
<td></td>
</tr>
<tr>
<td>Portable Air Compressor</td>
<td>11.50 /hr</td>
<td></td>
</tr>
<tr>
<td>Portable Generator</td>
<td>6.15 /hr</td>
<td></td>
</tr>
<tr>
<td>14&quot; Gas Demo Saw</td>
<td>3.29 /hr</td>
<td></td>
</tr>
<tr>
<td>2&quot; Submersible Pump</td>
<td>4.48 /hr</td>
<td></td>
</tr>
<tr>
<td>3&quot; Trash Pump</td>
<td>9.42 /hr</td>
<td></td>
</tr>
<tr>
<td>6-8&quot; Deawtering Pump</td>
<td>35.75 /hr</td>
<td></td>
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<tr>
<td>900# Plate Tamp</td>
<td>15.15 /hr</td>
<td></td>
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<tr>
<td>Trench Compactor</td>
<td>50.33 /hr</td>
<td></td>
</tr>
<tr>
<td>4 X 2 Pickup</td>
<td>14.17 /hr</td>
<td></td>
</tr>
<tr>
<td>Office Trailer</td>
<td>4.84 /hr</td>
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</tbody>
</table>
TO: The Honorable Darden Rice, Chair, and Members of City Council

SUBJECT: A resolution authorizing the Mayor or his designee to sign and provide the Local Government Verification of Contribution Loan Form to FOUR6 Skyway, LLC, to be included as part of its application under the Florida Housing Finance Corporation (“FHFC”) request for applications number 2017-113; and to provide a loan in the amount of $290,750 from the Local Housing Assistance (“SHIP”) Fund (1019), and a loan in the amount of $165,000 from HOME Investment Partnership (“HOME”) Fund (1113), and approving a supplemental appropriation in the amount of $170,000 from the unencumbered Community Housing Donation Fund (“CHDF”) (1117) balance to the FOUR6 Skyway Project (16468) to fund any project costs for a total combined loan amount of $625,750 for the development of the FOUR6 Skyway, an affordable senior apartment building; providing that the City’s loan closing will be subject to the developer: 1) obtaining the recommendation for approval of FHFC administered 9% low income housing tax credit funding prior to June 30, 2018, 2) receiving final site plan approval, and 3) providing all of the standard underwriting due diligence documents to the City in order to close on the City loan by December 15, 2018; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: On October 6, 2017, the Florida Housing Finance Corporation (“FHFC”) issued a Request for Applications (RFA 2017-113) for the award of Low Income Housing Tax Credits (“LIHTC”) for Developments located within the Counties of Broward, Duval, Hillsborough, Orange, Palm Beach, and Pinellas Counties. RFA 2017-113 indicates that applications are due on December 28, 2017. On October 13, 2017, housing staff requested that proposals from developers interested in applying for the contribution required for this competition be submitted to the City by November 3, 2016. Housing staff received five applications and forwarded them to the City’s Project Review Team (“PRT”), which is a group of development-related City staffers assembled to provide project review and critique. The PRT reviewed the merits of the proposals and is recommending that the applicant, FOUR6 Skyway, LLC, (“FOUR6”) be provided with a local government area of opportunity (“LGAO”) loan commitment for the purpose of the competition. The loan commitment will be subject to the developer: 1) obtaining a recommendation of approval for FHFC administered 9% Low Income Housing Tax Credit funding, 2) receiving final site plan approval, and 3) providing all of the standard underwriting due diligence documents to the City in order to close on the City loan by December 15, 2018. The FOUR6 loan commitment would be provided for the proposed development of an 80 unit affordable senior apartment complex, FOUR6 Skyway, to be located at the SW corner of 46th Ave. S. and 34th Street South.

The FHFC competition requires that an applicant proposing the development of affordable multifamily housing as part of this competition, secure a local contribution toward the financing of the development. In addition, a proposed project will receive a higher score if provided with an...
increased level of local funding commitment, which FHFC refers to as local government area of opportunity funding. The City often refers to the LGAO as priority funding. For the 2017 competition, a midrise concrete development in Pinellas would require $625,750 of LGAO funding. We anticipate that the County might also fund a priority project within Pinellas. If that is the case, and FOUR6 and the County’s project, score equally, their lottery numbers would then determine who would receive funding. The FHFC has indicated that 9% tax credit funding will most likely be awarded to 1 application per county for each of the six counties of Broward, Duval, Hillsborough, Orange, Palm Beach and Pinellas.

Representatives from FOUR6 have successfully completed a LIHTC funded development previously in St. Petersburg, (Campbell Landings) and they have stated that they have the requisite level of affordable housing developer experience to qualify its development to obtain maximum scoring related to the developer experience requirements of the LIHTC funding.

FOUR6 has requested that the City provide a non-recourse, 0% interest, subordinate loan of $625,750 as required by the FHFC in order to obtain the points associated with the LGAO priority funding portion of the competition. The City is currently allocated SHIP, HOME and CHDF Funds as sources for affordable multi-family rental housing development and FOUR6 Skyway senior apartments, would be eligible to be funded by the City from any of these funding sources.

On November 14, 2017, the City’s PRT Committee met to review the merits of the 5 applications received, and voted to request that FOUR6 and the Anchorage Apartments (see separate Resolution) both be forwarded to City Council for approval at its December 14, 2017 meeting; FOUR6 at the priority amount and Anchorage at the lower amount to serve as a backup application. On November 20, 2017, the Housing Services Committee members reviewed the project information and recommended that the item be forwarded to the full City Council for approval at the December 14, 2017 meeting. The developer is moving forward with preparation for the FHFC application deadline of December 28, 2017 and is hopeful to secure tax credit financing for its development as a result of this competition. The FHFC schedule indicates that it will request its board to approve the final ranking of LIHTC funding applicants in March 2018 and requires all applicants to have a local commitment valid through at least June 30, 2018.

RECOMMENDATION: The Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to sign and provide the Local Government Verification of Contribution Loan Form to FOUR6 Skyway, LLC, to be included as part of its application under the Florida Housing Finance Corporation (“FHFC”) request for applications number 2017-113; and to provide a loan in the amount of $290,750 from the Local Housing Assistance (“SHIP”) Fund (1019), and a loan in the amount of $165,000 from HOME Investment Partnership (“HOME”) Fund (1113), and approving a supplemental appropriation in the amount of $170,000 from the unencumbered Community Housing Donation Fund (“CHDF”) (1117) balance to the FOUR6 Skyway Project (16468) to fund any project costs for a total combined loan of $625,750 for the development of FOUR6 Skyway, an affordable senior apartment building; providing that the City’s loan closing will be subject to the developer: 1) obtaining the recommendation for approval of FHFC administered 9% low income housing tax credit funding prior to June 30, 2018, 2) receiving final site plan approval, and 3) providing all of the standard underwriting due diligence documents to the City in
order to close on the City loan by December 15, 2018; 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 have been previously appropriated in the local Housing Assistance Fund (Fund 1019) (SHIP Project 16468), and the HOME Investment Partnership Fund (Fund 1113) (Project 16468) for FY2017/18. A supplemental appropriation in the amount of $170,000 from the unappropriated Community Housing Trust Fund balance (Fund 1117) Housing Department (082) to the FOUR6 Skyway Project (16468) will be necessary.

**ATTACHMENTS:** PRT Application Summary, as modified
Resolution 2017-____

**APPROVALS:**

Administration: __________________________

Budget: _________________________________

Legal: 00351595.doc v3
A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO SIGN AND PROVIDE THE LOCAL GOVERNMENT AREA OF OPPORTUNITY LOAN FORM TO FOUR6 SKYWAY, LLC, TO BE INCLUDED AS PART OF ITS APPLICATION UNDER THE FLORIDA HOUSING FINANCE CORPORATION (“FHFC”) REQUEST FOR APPLICATIONS NUMBER 2017-113; AND TO PROVIDE A LOAN IN THE AMOUNT OF $290,750 FROM THE LOCAL HOUSING ASSISTANCE (“SHIP”) FUND (1019), AND A LOAN IN THE AMOUNT OF $165,000 FROM HOME INVESTMENT PARTNERSHIP (“HOME”) FUND (1113), AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $170,000 FROM THE UNENCUMBERED COMMUNITY HOUSING DONATION FUND (“CHDF”) (1117) BALANCE TO THE FOUR6 SKYWAY PROJECT (16468) TO FUND ANY PROJECT COSTS, FOR A TOTAL COMBINED LOAN AMOUNT OF $625,750 FOR THE DEVELOPMENT OF THE FOUR6 SKYWAY, AN AFFORDABLE SENIOR APARTMENT BUILDING; PROVIDING THAT THE CITY’S LOAN CLOSING WILL BE SUBJECT TO THE DEVELOPER: 1) OBTAINING THE RECOMMENDATION FOR APPROVAL OF FHFC ADMINISTERED 9% LOW INCOME HOUSING TAX CREDIT FUNDING PRIOR TO JUNE 30, 2018, 2) RECEIVING FINAL SITE PLAN APPROVAL, AND 3) PROVIDING ALL OF THE STANDARD UNDERWRITING DUE DILIGENCE DOCUMENTS TO THE CITY IN ORDER TO CLOSE ON THE CITY LOAN BY DECEMBER 15, 2018; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida (“City”) has established the need for additional affordable rental housing units as a priority in its 2016-2021 Consolidated Plan; and

WHEREAS, on October 6, 2017, the Florida Housing Finance Corporation (“FHFC”) issued a Request for Applications (“RFA”) 2017-113 for the award of Low Income Housing Tax Credits (“LIHTC”) to be awarded within each of the six counties of Broward, Duval, Hillsborough, Orange, Palm Beach, and Pinellas; and

WHEREAS, FOUR6 Skyway, LLC, (“Developer”) submitted an application to the City requesting a local government area of opportunity (“LGAO”) loan and represented that it has the requisite affordable housing developer experience to qualify its development to obtain sufficient scoring related to the developer experience requirements of the Florida Housing Finance Corporation administered Low Income Housing Tax Credits (“LIHTC”) under the FHFC RFA 2017-113; and
WHEREAS, the Developer has requested that the City provide a non-recourse, 0% interest, subordinate loan of $625,750, as required by the FHFC to meet the local government area of opportunity funding for a midrise concrete development located in Pinellas County; and

WHEREAS, the City of St. Petersburg is currently allocated State Housing Initiatives Partnership (“SHIP”) funds from the State of Florida, known locally as the Local Housing Assistance Fund (1019), HOME Investment Partnership (“HOME”) funds from the U.S. Department of Housing and Urban Development (1113), and Community Housing Donation funds (“CHDF”) from Pinellas County (1117) as sources for financing affordable housing developments; and

WHEREAS, the proposed development, if awarded LIHTC funding, would be eligible to be funded by the City from the SHIP, HOME and CHDF Funds; and

WHEREAS, the majority of the 80 units proposed for this development would be reserved for senior households with incomes at or below 60% of the area median income (AMI) and 8 units will be reserved for senior households with incomes at or below 40% AMI, and a portion of these will be required to remain affordable for the SHIP, HOME, and CHDF program’s 20 year compliance period; and

WHEREAS, on November 14, 2017, the City’s Project Review Team reviewed the merits of the 5 development proposals received and agreed that the following request should be forwarded to City Council for approval of a LGAO loan:

1. FOUR6 Skyway, LLC for the FOUR6 Skyway Apartments
   Proposed to be located at the SW corner of 46th Avenue South and 34th Street South.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to sign and provide the Local Government Verification of Contribution Loan Form to FOUR6 Skyway, LLC, to be included as part of its application under the Florida Housing Finance Corporation (“FHFC”) request for applications number 2017-113; and to provide a loan in the amount of $290,750 from Local Housing Assistance (“SHIP”) Fund (1019), and a loan in the amount of $165,000 from HOME Investment Partnership (“HOME”) Fund (1113), and

BE IT FURTHER RESOLVED that the following supplemental appropriation for FY 2017/18 is hereby approved from the unappropriated balance of the CHDF Fund (1117):

<table>
<thead>
<tr>
<th>Community Housing Development Fund (1117)</th>
<th>$170,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>FOUR6 Skyway Project (16468)</td>
<td></td>
</tr>
</tbody>
</table>

; and

BE IT FURTHER RESOLVED that the City Council of the City of St. Petersburg, Florida hereby approves a total combined loan amount of $625,750 for the development of FOUR6 Skyway, an 80 unit affordable senior apartment building; providing that the City’s loan closings will be subject to the developer: 1) obtaining the recommendation for approval of
FHFC administered 9% low income housing tax credit funding prior to June 30, 2018, 2) receiving final site plan approval, and 3) providing all of the standard underwriting due diligence documents to the City in order to close on the City loan by December 15, 2018; and

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

This Resolution shall become effective immediately upon its adoption.

LEGAL:

________________________
City Attorney (Designee)

HOUSING & COMMUNITY DEVELOPMENT:

________________________________________
Joshua Johnson, Director

Budget:

_____________________________
Tom Green, Director

Legal: 00351594.doc v3
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving the renewal of a blanket purchase agreement with Bright House Networks, LLC, for internet services for the Department of Technology Services (DoTS), at an estimated annual cost of $94,000, for a total contract amount of $479,000.

Explanation: On December 19, 2013, City Council approved a two-year agreement for internet services through December 31, 2015. The agreement has three, one-year renewal options. On December 3, 2015, City Council approved a one-year renewal option. On February 2, 2017, City Council approved a one-year renewal option. This is the final renewal option.

The vendor provides internet service and related support for both local City complexes and remote City office locations. The City operates a private wide-area data network that requires high-speed internet connectivity to the Police Department, City Hall, Water Resources, Sanitation, Fleet Management, Traffic Engineering, Fire Headquarters, and City Services complexes. In addition, the City operates a number of smaller remote office locations throughout the City and the Tampa Bay area that are connected over leased cable links that require Internet connectivity. All of the remote locations use standards-based Virtual Private Network ("VPN") technology to secure the City's data.

The Procurement Department, in cooperation with the DoTS, recommends renewal:

Bright House Networks, LLC.................................................................$94,000

| Original two-year agreement | $165,000 |
| 1st renewal                 | 110,000  |
| 2nd renewal                 | 110,000  |
| 3rd renewal                 | 94,000   |
| Total contract amount       | $479,000 |

The contractor has agreed to hold prices firm under the terms and conditions of RFP No. 7580, dated, June 18, 2013. Administration recommends renewal of the agreement based on the vendor's past satisfactory performance, demonstrated ability to comply with the terms and conditions of the contract, and no requested increase in unit prices. The renewal will be effective from the date of approval through December 31, 2018.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Technology Services Fund (5011) Department of Technology Services Network Support (8502565).

Attachments: Resolution

Approvals:

[Signatures]
A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH BRIGHT HOUSE NETWORKS, LLC FOR INTERNET SERVICES FOR THE DEPARTMENT OF TECHNOLOGY SERVICES TO EXTEND THE TERM FOR AN ADDITIONAL ONE YEAR PERIOD AND INCREASE THE CONTRACT PRICE IN AN AMOUNT NOT TO EXCEED $94,000 FOR THIS RENEWAL TERM; PROVIDING THAT THE TOTAL CONTRACT AMOUNT SHALL NOT EXCEED $479,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 19, 2013, City Council approved an agreement with Bright House Networks, LLC to provide internet services for the Department of Technology Services at an estimated annual cost of $165,000, pursuant to RFP No. 7580, dated June 18, 2013; and

WHEREAS, the agreement had three (1) year renewal options; and

WHEREAS, the first renewal option to extend the term and increase the contract price in an amount not to exceed of $110,000 (for a total contract amount not to exceed of $275,000) was approved by City Council on December 3, 2015; and

WHEREAS, the second renewal option to extend the term and increase the contract price in an amount not to exceed of $110,000 (for a total contract amount not to exceed of $385,000) was approved by City Council on February 2, 2017; and

WHEREAS, Administration desires to amend the agreement to extend the term for an additional one year period and provide funding in the amount of $94,000 for this renewal term (for a total contract price not to exceed $479,000); and

WHEREAS, Bright House Networks, LLC has agreed to hold prices firm under the terms and conditions of RFP No. 7580; and

WHEREAS, the Procurement & Supply Management Department in cooperation with the Department of Technology Services recommends approval of this resolution.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that an amendment to the agreement with Bright House Networks, LLC for internet services for the Department of Technology Services to extend the term for an additional one year period and increase the contract price in an amount not to exceed $94,000 for this renewal term is hereby approved.

BE IT FURTHER RESOLVED that the total contract amount shall not exceed $479,000.
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)

00351133
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Accepting bids from L&H Signs, Inc. and Don Bell Signs LLC for wayfinding signs and installation for the Transportation & Parking Management Department, at a total cost of $411,488.

Explanation: The Procurement Department received five bids for the installation of wayfinding signs. The bids were opened on July 18, 2017, and are tabulated as follows:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>L&amp;H Signs, Inc.</td>
<td>$299,259</td>
</tr>
<tr>
<td>Allied Environmental Signage LLC</td>
<td>$324,200</td>
</tr>
<tr>
<td>Creative Sign Designs LLC</td>
<td>$329,677</td>
</tr>
<tr>
<td>Don Bell Signs LLC</td>
<td>$349,062</td>
</tr>
<tr>
<td>Architectural Graphics, Inc.</td>
<td>$368,358</td>
</tr>
</tbody>
</table>

L&H Signs, Inc. and Don Bell Signs LLC will furnish all labor, equipment, and materials necessary to install 89 vehicular directional signs in downtown and 13 pedestrian signs respectively. These signs will be installed in the greater downtown area as Phase I of the program. The City's wayfinding program began in 2006 and serves a vital role for the City in establishing a place brand. The signage system informs, guides, and motivates visitors and residents and lists major destinations that have met destination eligibility criteria. The program was dormant during the recession, however funding was approved in FY2015 to reinstate the first phase of the program using the City's new branding color palette. In 2016, the pedestrian wayfinding components of the program were refined, and subsequently included as an add alternate to this solicitation. The Procurement Department, in cooperation with the Transportation & Parking Management Department, recommends an award to:

L&H Signs, Inc. (Reading, PA) $299,259
Don Bell Signs LLC (Port Orange, FL) $112,229

L&H Signs, Inc., the lowest responsible bidder for phase one vehicular directional signs and add alternates, excluding pedestrian signs, has met the specifications, terms and conditions of Bid No. 6523, dated May 30, 2017. L&H Signs, Inc. was incorporated in 1995 and is located in Reading, PA.

Don Bell Signs LLC, the lowest responsible bidder for the pedestrian signs, was incorporated in 2001 and is located in Port Orange, FL. Award for the pedestrian signs is not recommended to Allied Environmental Signage LLC, the apparent low bidder, as references did not meet the City's requirements. Award is also not recommended to Creative Sign Designs, LLC, the second low bidder for pedestrian signs, as their bid did not meet the SBE requirement of 5 percent.

Both recommended suppliers have performed similar work for the Atlanta Braves, Sun Trust Park, and the Tampa Bay Buccaneers, Raymond James Stadium respectively, and have performed satisfactorily. References have been checked and are acceptable.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Neighborhood & Citywide Infrastructure Fund 3027, Wayfinding Signage and Sign Replacement Project 14618.

Attachments: Bid Tabulation (2 pages)
Illustrations of Wayfinding Sign Family
Resolution

Approvals:

[Signatures]
<table>
<thead>
<tr>
<th>Item No.</th>
<th>Sign Types</th>
<th>Qty.</th>
<th>UOM</th>
<th>Installation Price</th>
<th>Material Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>VIRD.1 Concrete Installation</td>
<td>3</td>
<td>Each</td>
<td>$1,484.00</td>
<td>$1,973.00</td>
<td>$10,371.00</td>
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<tr>
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<td>$4,196.00</td>
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<td>$36,461.00</td>
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<td>VIRD.2 Existing Pole/Foundation</td>
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<td>$3,267.00</td>
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<td>$25,224.00</td>
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<td>VIRD.3a Concrete Installation</td>
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<td>$2,800.00</td>
<td>$26,880.00</td>
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<td>6b</td>
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<td>Each</td>
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<td>$2,785.00</td>
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**Pricing for Additional Signs as Needed**

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<th>Qty.</th>
<th>UOM</th>
<th>Installation Price</th>
<th>Material Price</th>
<th>Extended Price</th>
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<td>$1,752.00</td>
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<td>Each</td>
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<td>VIRD.5 Concrete Installation</td>
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<td>Each</td>
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<td>$1,450.00</td>
<td>$3,227.00</td>
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<td>VIRD.5 Softscape Installation</td>
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<td>Each</td>
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<td>$1,430.00</td>
<td>$2,190.00</td>
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<td>VIRD.6 Concrete Installation</td>
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<td>$1,752.00</td>
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<td>$2,638.00</td>
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<td>$2,638.00</td>
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<td>$445.00</td>
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<td>7</td>
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<td>$2,597.00</td>
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</tbody>
</table>

**Quantity Discount for Additional Signs as Needed**

- Discount offered for lines I through VI.a for Qty >= 10 Each, 6%
- Discount offered for lines I through VI.a for Qty 20 Each, 8%

**Award Pending**
# IFB No. 6523 WAY FINDING SIGNS / INSTALLATION

**City of St. Petersburg**

**Bid Tabulation**

**Procurement and Supply Management**

### Don Bell Signs, LLC

**Port Orange, FL**

**Terms:** 2% 10, Net 15

**Delivery:** 84 Days

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Sign Types</th>
<th>Qty.</th>
<th>UOM</th>
<th>Installation Price</th>
<th>Material Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>VIDR.1 Concrete Installation</td>
<td>3</td>
<td>Each</td>
<td>$2,123.67</td>
<td>$2,190.33</td>
<td>$12,912.00</td>
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<tr>
<td>1a</td>
<td>VIDR.1 Softscape Installation</td>
<td>4</td>
<td>Each</td>
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<td>2,053.00</td>
<td>14,382.00</td>
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<tr>
<td>2</td>
<td>VIDR.2 Concrete Installation</td>
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<td>Each</td>
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<td>Each</td>
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<td>VIDR.2 Existing Pole/Foundation</td>
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<td>Each</td>
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<td>875.67</td>
<td>3,558.00</td>
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<td>4</td>
<td>VIDR.2a Concrete Installation</td>
<td>6</td>
<td>Each</td>
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<td>3,143.83</td>
<td>18,833.96</td>
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<td>Each</td>
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<td>VIDR.3 Softscape Installation</td>
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<td>Each</td>
<td>1,956.00</td>
<td>2,339.00</td>
<td>6,678.00</td>
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<tr>
<td>6a</td>
<td>VIDR.3a Concrete Installation</td>
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<td>Each</td>
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<td>2,889.40</td>
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**2%10, Net 15 Discount:**

**GrandTotal for Phase 1 Order:**

### Architectural Graphics, Inc.

**Virginia Beach, VA**

**Terms:** Net 15

**Delivery:** 120 Days

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Sign Types</th>
<th>Qty.</th>
<th>UOM</th>
<th>Installation Price</th>
<th>Material Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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<td>Each</td>
<td>$2,317.00</td>
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<td>Each</td>
<td>1,494.00</td>
<td>1,970.00</td>
<td>13,856.00</td>
</tr>
<tr>
<td>2</td>
<td>VIDR.5 Concrete Installation</td>
<td>1</td>
<td>Each</td>
<td>1,494.00</td>
<td>1,970.00</td>
<td>13,856.00</td>
</tr>
<tr>
<td>2a</td>
<td>VIDR.5 Softscape Installation</td>
<td>1</td>
<td>Each</td>
<td>1,494.00</td>
<td>1,970.00</td>
<td>13,856.00</td>
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<tr>
<td>3</td>
<td>VIDR.5 Existing Pole/Foundation</td>
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<td>Each</td>
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<td>1,970.00</td>
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<td>4</td>
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<td>Each</td>
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<td>1,970.00</td>
<td>13,856.00</td>
</tr>
<tr>
<td>4a</td>
<td>VIDR.5a Softscape Installation</td>
<td>1</td>
<td>Each</td>
<td>1,494.00</td>
<td>1,970.00</td>
<td>13,856.00</td>
</tr>
<tr>
<td>5</td>
<td>VIDR.5a Existing Pole/Foundation</td>
<td>1</td>
<td>Each</td>
<td>1,494.00</td>
<td>1,970.00</td>
<td>13,856.00</td>
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<tr>
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<td>VIDR.5a Concrete Installation</td>
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<td>1,970.00</td>
<td>13,856.00</td>
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<td>Each</td>
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<td>1,970.00</td>
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<td>Each</td>
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**2%10, Net 15 Discount:**

**GrandTotal for Phase 1 Order:**

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### Pricing for Additional Signs as Needed

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Sign Types</th>
<th>Qty.</th>
<th>UOM</th>
<th>Installation Price</th>
<th>Material Price</th>
<th>Extended Price</th>
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<td>Each</td>
<td>$2,123.67</td>
<td>$2,190.33</td>
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<tr>
<td>I.a.</td>
<td>VIDR.4 Softscape Installation</td>
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<td>Each</td>
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<td>2,053.00</td>
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<tr>
<td>I.b.</td>
<td>VIDR.5 Concrete Installation</td>
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<td>Each</td>
<td>1,812.00</td>
<td>2,339.00</td>
<td>8,590.00</td>
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<td>I.b.a.</td>
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<tr>
<td>II.a.</td>
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<td>2,053.00</td>
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<tr>
<td>III.</td>
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<td>8,590.00</td>
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<td>IV.</td>
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<td>8,590.00</td>
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<td>IV.a.</td>
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<td>Each</td>
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<td>2,053.00</td>
<td>14,382.00</td>
</tr>
<tr>
<td>V.</td>
<td>VIDR.5a Existing Pole/Foundation</td>
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<td>Each</td>
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<td>2,339.00</td>
<td>8,590.00</td>
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<tr>
<td>V.a.</td>
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<td>$5,762.00</td>
<td>$8,900.00</td>
</tr>
<tr>
<td>VII.</td>
<td>PARK.2 Concrete Installation</td>
<td>1</td>
<td>Each</td>
<td>$1,778.00</td>
<td>$1,848.00</td>
<td>$3,626.00</td>
</tr>
<tr>
<td>VII.a.</td>
<td>PARK.2 Softscape Installation</td>
<td>1</td>
<td>Each</td>
<td>$1,778.00</td>
<td>$1,848.00</td>
<td>$3,626.00</td>
</tr>
<tr>
<td>VIII.</td>
<td>PED.1 Concrete Installation</td>
<td>1</td>
<td>Each</td>
<td>$1,963.00</td>
<td>$2,092.00</td>
<td>$4,055.00</td>
</tr>
<tr>
<td>VIII.a.</td>
<td>PED.1 Softscape Installation</td>
<td>1</td>
<td>Each</td>
<td>$1,963.00</td>
<td>$2,092.00</td>
<td>$4,055.00</td>
</tr>
<tr>
<td></td>
<td><strong>SubTotal for Phase 1 Order:</strong></td>
<td></td>
<td></td>
<td>$3,138.00</td>
<td>$5,762.00</td>
<td>$8,900.00</td>
</tr>
</tbody>
</table>

**2%10, Net 15 Discount:**

**GrandTotal for Phase 1 Order:**

### Quantity Discount for Additional Signs as Needed

- **Discount offered for lines I through VI.a for Qty 5 Each:** 2%
- **Discount offered for lines I through VI.a for Qty 25+ Each:** 5%
- **Discount offered for lines I through VI.a for Qty 50+ Each:** 7%

**NB**

---

*Award Pending*
stakeholder meetings

(+) proposed sign family

Primary Gateway
Downtown Trailblazer
District Arrival
Destination Directional - 6" Copy
Primary Destination Directional

Secondary Destination Directional
Sub-District Destination Directional
Destination Arrival
Parking Trailblazers
Parking Arrival
A RESOLUTION ACCEPTING THE BIDS AND APPROVING THE AWARD OF AGREEMENTS TO L&H SIGNS, INC. AND DON BELL SIGNS LLC FOR WAYFINDING SIGNS AND INSTALLATION FOR THE TRANSPORTATION & PARKING MANAGEMENT DEPARTMENT FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $411,488; 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 five (5) bids for wayfinding signs to be installed in the greater downtown area as Phase 1 of the City’s wayfinding program, pursuant to Bid No. 6523, dated May 30, 2017; and

WHEREAS, L&H Signs, Inc. and Don Bell Signs LLC have met the specifications, terms and conditions of Bid No. 6523; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Transportation & Parking Management Department recommends approval of this resolution.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the bids are hereby accepted and the award of agreements to L&H Signs, Inc. and Don Bell Signs LLC for wayfinding signs and installation for the Transportation and Parking Management Department for a total contract amount not to exceed $411,488 are hereby approved.

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

This Resolution shall become effective immediately upon its adoption.

LEGAL:

[Signature]
City Attorney (Designee)
00351344
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving blanket purchase agreements with Cemex, Inc., Davis Concrete, Inc., and Concrete-on-Call, Inc. for concrete mix materials, at an estimated annual cost of $240,000, for a total contract amount of $360,000.

Explanation: This purchase is being made from Pinellas County Contract No. 134-0315-B.

The vendors will furnish and deliver batch mixed concrete, ready mix concrete and other materials, which are used to maintain streets and sidewalks. The primary users are Stormwater, Pavement, and Traffic Operations and Parks and Recreation departments.

The Procurement Department, in cooperation with Stormwater, Pavement, and Traffic Operations and Parks and Recreation departments, recommends utilizing Pinellas County Contract No. 134-0315-B:

Concrete Mix Materials, Delivered.................................................................$360,000

Cemex, Inc. (West Palm Beach, FL)
Davis Concrete, Inc. (Clearwater, FL)
Concrete-on-Call, Inc. (Clearwater, FL)

The vendors have met the specifications, terms and conditions of Pinellas County Contract No. 134-0315-B. This purchase is made in accordance with Section 2-256(b) of the Procurement Code, which authorizes the Mayor, or his designee to participate in a cooperative bid process with other governmental entities. Blanket purchase agreements will be issued to the vendors and will be binding only for actual quantities purchased. These agreements will be effective from the date of award through July 23, 2019.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the General Fund (0001) and the Stormwater Utility Fund (4011).

Attachments: Bid Tabulation
             Resolution

Approvals:

[Signatures]
# Concrete Mix Materials, Delivered (Co-op)

Bid No.: 134-0315-B(LN)

## Renewal Pricing

<table>
<thead>
<tr>
<th>Description</th>
<th>UOM</th>
<th>Cemex, Inc. Unit Price</th>
<th>Concrete On Call, Inc. Unit Price</th>
<th>Davis Concrete, Inc. Unit Price</th>
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<tr>
<td><strong>BATCH MIX CONCRETE</strong></td>
<td></td>
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<td></td>
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<tr>
<td>3,000 PSI - Mixed On-Site</td>
<td>CY</td>
<td>$101.62</td>
<td>$98.28</td>
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<tr>
<td>3,500 PSI - Mixed On-Site</td>
<td>CY</td>
<td>$102.66</td>
<td>$100.62</td>
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<tr>
<td>4,000 PSI - Mixed On-Site</td>
<td>CY</td>
<td>$106.08</td>
<td>$102.96</td>
<td></td>
</tr>
<tr>
<td>5,000 PSI - Mixed On-Site</td>
<td>CY</td>
<td>$109.20</td>
<td>$107.64</td>
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<tr>
<td>3,000 PSI - Chatt Rock Mix (2&quot; Pump Mix) Mixed On-Site</td>
<td>CY</td>
<td>$101.92</td>
<td>$98.28</td>
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<tr>
<td><strong>READY MIX CONCRETE</strong></td>
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<tr>
<td>Ready Mix Concrete, 3000 PSI</td>
<td>CY</td>
<td>$114.40</td>
<td>$101.92</td>
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<tr>
<td>Ready Mix Concrete, 3500 PSI</td>
<td>CY</td>
<td>$116.48</td>
<td>$102.96</td>
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</tr>
<tr>
<td>Ready Mix Concrete, 4000 PSI</td>
<td>CY</td>
<td>$118.56</td>
<td>$106.08</td>
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<tr>
<td>Ready Mix Concrete, 5,000 PSI</td>
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<tr>
<td>Ready Mix Concrete, 3000 PSI Chatt Pump Mix</td>
<td>CY</td>
<td>$116.48</td>
<td>$101.92</td>
<td></td>
</tr>
<tr>
<td><strong>OTHER MATERIALS &amp; SERVICES</strong></td>
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<td></td>
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<td></td>
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<tr>
<td>Flowable Fill, 150 PSI Max, Pump Application</td>
<td>CY</td>
<td>$98.80</td>
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<td>$87.88</td>
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<tr>
<td>Fiber Mesh Reinforcement (.75&quot; Residential)</td>
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<td>$4.16</td>
<td>$4.16</td>
<td>$5.20</td>
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<tr>
<td>Fiber Mesh Reinforcement (1½&quot; Commercial)</td>
<td>CY</td>
<td>$6.24</td>
<td>$5.20</td>
<td>$5.20</td>
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<tr>
<td>Pumping Services Minimum (2 Hours)</td>
<td>HR</td>
<td></td>
<td>$88.40</td>
<td>$83.20</td>
</tr>
<tr>
<td>Delivery Charge for Loads Below 3 Yard Minimum</td>
<td>EA</td>
<td>$156.00</td>
<td></td>
<td>$102.96</td>
</tr>
</tbody>
</table>
A RESOLUTION APPROVING THE AWARD OF BLANKET PURCHASE AGREEMENTS WITH CEMEX, INC., DAVIS CONCRETE, INC., AND CONCRETE-ON-CALL, INC., FOR CONCRETE MIX MATERIALS FOR THE STORMWATER, PAVEMENT, AND TRAFFIC OPERATIONS DEPARTMENT AND THE PARKS AND RECREATION DEPARTMENT AT AN ESTIMATED ANNUAL COST NOT TO EXCEED $240,000; PROVIDING THE TOTAL CONTRACT AMOUNT SHALL NOT EXCEED $360,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, this purchase is being made by utilizing Pinellas County Contract No. 134-0315-B; and

WHEREAS, pursuant to Section 2-256(2) of the Procurement Code, the City is permitted to utilize competitively bid contracts of other governmental entities; and

WHEREAS, these agreements will be effective through July 23, 2019; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Stormwater, Pavement, and Traffic Operations Department and the Parks and Recreation Department, recommends approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Blanket Purchase Agreements with Cemex, Inc., Davis Concrete, Inc., and Concrete-on-Call, Inc., for concrete mix materials for the Stormwater, Pavement, and Traffic Operations Department and the Parks and Recreation Department at an estimated annual cost of $240,000;

BE IT FURTHER RESOLVED that the total contract amount shall not exceed $360,000;

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)

00349127
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Renewing an annual service agreement with Intergraph Corporation, dba Hexagon Safety & Infrastructure, for records management software applications for the Police Department, at a total cost of $273,360.36.

Explanation: The City received a proposal to renew an annual service agreement for the Intergraph database, including dispatch (I/CAD), mobile (I/Mobile and MPS), records management (I/Leads), tracker (I/Tracker), mobile dispatch inquiry (I/Netviewer), and all interfaces. The vendor provides 24 hours a day, seven days a week support, technology upgrades, program fixes and issue escalation management for all Intergraph products.

The City utilizes Intergraph software to provide services for police dispatch and records management systems. Because Intergraph, Inc. is the only provider of support for this proprietary software, a sole source procurement is recommended.

The Procurement Department, in cooperation with the Police Department, recommends:

Intergraph Corporation .................................................. $273,360.36

This purchase is made in accordance with Section 2-249 of the Sole Source Procurement of the City Code, which authorizes City Council to approve the purchase of a supply or service of over $100,000 without competitive bidding, if it has been determined that the supply or service is available from only one source.

The service agreement will be effective from January 1, 2018, through December 31, 2018.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the General Fund (0001), Police Department, Information & Technology Services (1401401).

Attachments: Sole Source
Resolution

Approvals:

[Signatures]
**City of St. Petersburg**

**Sole Source Request**

**Procurement & Supply Management**

---

Department: Police

Requisition No.

Check One: X Sole Source

Proprietary Specifications

Proposed Vendor: Intergraph Corporation d/b/a Hexagon Safety & Infrastructure

Estimated Total Cost: $273,360.36

---

Description of Items (or Services) to be purchased:

Annual maintenance agreement for I/CAD and I/LEADS suite of applications and interfaces.

---

Purpose of Function of Items:

Yearly support and maintenance agreement with the current CAD/RMS vendor for the Police Department.

---

Justification for Sole Source of Proprietary specification:

Intergraph is the sole provider for support services for the suite of applications used at the Police Department. These applications include dispatch (I/CAD), mobile (I/Mobile and MPS), records management (I/Leads), tracker (I/Tracker), mobile dispatch inquiry (I/Netviewer), and all interfaces currently being utilized.

---

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.

---

Department Director

[Signature]

Date: 11/17/17

Administrator/Chief

[Signature]

Date: 11/17/2017

Louis Moore, Director
Procurement & Supply Management

[Signature]

Date: 11/17/17

---

Rev (1/11), (6/15)
A RESOLUTION RENEWING THE ANNUAL SUPPORT SERVICES FOR INTERGRAPH SOFTWARE APPLICATIONS AND INTERFACES FOR POLICE DISPATCH AND RECORDS MANAGEMENT SYSTEMS FOR THE POLICE DEPARTMENT FROM INTERGRAPH CORPORATION D/B/A HEXAGON SAFETY & INFRASTRUCTURE AT A TOTAL COST OF $273,360.36; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida (“City”) has an agreement with Intergraph Corporation d/b/a Hexagon Safety & Infrastructure (“Intergraph”) for maintenance and support for the Intergraph software and interfaces for police dispatch and records management systems for the Police Department; and

WHEREAS, Administration desires to renew the annual support services for Intergraph software applications and interfaces for police dispatch and records management systems for the Police Department at an estimated cost of $273,360.36 for the renewal term, which is effective through December 31, 2018; and

WHEREAS, the Procurement & Supply Management Department in cooperation with the Police Department, recommends approval of this resolution.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the renewal of the annual support services for Intergraph software applications and interfaces for police dispatch and records management systems for the Police Department from Intergraph Corporation d/b/a Hexagon Safety & Infrastructure at a total cost of $273,360.36 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)
00351087
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Approving a three-year blanket purchase agreement with Mac Papers, Inc., for envelopes and utility bill stock for the Marketing Department, at a total contract amount of $240,000.

Explanation: The Procurement Department received eight bids for envelopes and utility bill stock. The vendor will furnish and deliver envelopes and utility bill stock, which will be used to print and send out monthly utility bills for the City’s water, sewer, and trash collection service customers. The envelopes and utility bill stock will be stocked at the Consolidated Warehouse.

The Procurement Department, in cooperation with the Marketing Department, recommends approval:

Mac Papers, Inc. (Jacksonville, FL) ........................................ $240,000
(Three-years @ $60,000 per year)

Award is not recommended to Tampa Envelope Mfg. & Paper Co. and Pride Enterprises, the apparent low bidders, as Tampa Envelope Mfg. & Paper Co. did not bid on all items, which must be fully compatible with each other. Pride Enterprises’ samples did not meet the requirements for image quality and envelope design as set forth in the IFB.

Mac Papers, Inc., the lowest responsible and responsive bidder, has met the requirements of IFB No. 6608 Envelopes & Utility Bill Stock. A blanket purchase agreement will be issued and will be binding only for the actual quantities ordered. This agreement will be effective from date of award through December 31, 2020, with one, two-year renewal option.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the General Fund (0001), Marketing and Communications, Print Shop (2302585).

Attachments: Bid Tabulation (3 pages)
Resolution

Approvals:
### City of St. Petersburg

#### Bid Tabulation

**Procurement and Supply Management**

<table>
<thead>
<tr>
<th>Line</th>
<th>Item #</th>
<th>Description</th>
<th>Qty.</th>
<th>UOM</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>65877</td>
<td>Paper, Utility Bill, 11 x 17 20lb Bond, White 3-1/2(n) Perforation From One Side</td>
<td>250</td>
<td>CASE</td>
<td>$34.75</td>
<td>$13,900.00</td>
</tr>
<tr>
<td>2</td>
<td>65785</td>
<td>Envelope, Utility Bill no. 9, Light Blue Without Window</td>
<td>400</td>
<td>CASE</td>
<td>$36.25</td>
<td>$14,500.00</td>
</tr>
<tr>
<td>3</td>
<td>65783</td>
<td>Envelope, Utility Bill no. 10 White with Window</td>
<td>450</td>
<td>CASE</td>
<td>$40.00</td>
<td>$18,000.00</td>
</tr>
</tbody>
</table>

**Tampa Envelope MFG & Paper Co.**

- **Tampa, FL**
- **Terms:** Net 30 Days
- **Delivery:** 5-10 Days

**Pride Enterprises**

- **Brandon, FL**
- **Terms:** Net 30 Days
- **Delivery:** 10-15 Days

**Mac Papers Inc**

- **Tampa, FL**
- **Terms:** Net 30 Days
- **Delivery:** 5 Days

---

**Tampa Envelope MFG & Paper Co.**

<table>
<thead>
<tr>
<th>Description</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>NB</td>
<td>$50.25</td>
<td>$12,562.50</td>
</tr>
<tr>
<td></td>
<td>$34.75</td>
<td>$13,900.00</td>
</tr>
<tr>
<td></td>
<td>$40.00</td>
<td>$18,000.00</td>
</tr>
</tbody>
</table>

**Total:** $31,900.00

**Pride Enterprises**

<table>
<thead>
<tr>
<th>Description</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$45.20</td>
<td>$11,300.00</td>
</tr>
<tr>
<td></td>
<td>$36.25</td>
<td>$14,500.00</td>
</tr>
<tr>
<td></td>
<td>$45.75</td>
<td>$20,587.50</td>
</tr>
</tbody>
</table>

**Total:** $49,787.50

**Mac Papers Inc**

<table>
<thead>
<tr>
<th>Description</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$45.20</td>
<td>$11,300.00</td>
</tr>
<tr>
<td></td>
<td>$36.25</td>
<td>$14,500.00</td>
</tr>
<tr>
<td></td>
<td>$45.75</td>
<td>$20,587.50</td>
</tr>
</tbody>
</table>

**Total:** $49,787.50

---

Determined as non-responsive as it is not in the City's best interest to award this agreement to more than one vendor.

Award
<table>
<thead>
<tr>
<th>Line</th>
<th>Item #</th>
<th>Description</th>
<th>Est. Qty.</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>65877</td>
<td>Paper, Utility Bill, 11 x 17 20lb Bond, White 3-1/2in Perforation From One Side</td>
<td>250 CASE</td>
<td>$44.55</td>
<td>$11,137.50</td>
</tr>
<tr>
<td>2</td>
<td>65785</td>
<td>Envelope, Utility Bill no 9, Light Blue Without Window</td>
<td>400 CASE</td>
<td>$51.75</td>
<td>$20,700.00</td>
</tr>
<tr>
<td>3</td>
<td>65783</td>
<td>Envelope, Utility Bill no. 10 White with Window</td>
<td>450 CASE</td>
<td>$50.60</td>
<td>$22,770.00</td>
</tr>
</tbody>
</table>

**SBE Discount:** 2% 10 Payment Discount: 
**Grand Total:** $54,607.50

---

**Walker Group, LLC**
Oklahoma City OK  
Terms: Net 30  
Delivery: 25 Days

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<tr>
<th>Unit Price</th>
<th>Extended Price</th>
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<tbody>
<tr>
<td>$45.20</td>
<td>$11,300.00</td>
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<td>$20,112.00</td>
</tr>
<tr>
<td>$55.11</td>
<td>$24,799.50</td>
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</table>

**Total:** $56,211.50

**American Solutions for Business**
Glenwood MN  
Terms: Net 30  
Delivery: 10-15 Days

<table>
<thead>
<tr>
<th>Unit Price</th>
<th>Extended Price</th>
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</thead>
<tbody>
<tr>
<td>$45.20</td>
<td>$11,300.00</td>
</tr>
<tr>
<td>$50.28</td>
<td>$20,112.00</td>
</tr>
<tr>
<td>$55.11</td>
<td>$24,799.50</td>
</tr>
</tbody>
</table>

**Total:** $56,211.50

**Florida Print Solutions Inc**
St. Petersburg FL  
Terms: Net 30  
Delivery: 14 Days

<table>
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<th>Extended Price</th>
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<tr>
<td>$64.66</td>
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**Total:** $74,527.00

**Award:** $68,564.84
### City of St. Petersburg

**Bid Tabulation**

**Procurement and Supply Management**

<table>
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<tr>
<th>Line</th>
<th>Item #</th>
<th>Description</th>
<th>Qty.</th>
<th>UOM</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>65877</td>
<td>Paper, Utility Bill, 11 x 17 20lb Bond, White 3-1/2in Perforation From One Side</td>
<td>250</td>
<td>CASE</td>
<td>$71.79</td>
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<td>2</td>
<td>65785</td>
<td>Envelope, Utility Bill no 9, Light Blue Without Window</td>
<td>400</td>
<td>CASE</td>
<td>$87.49</td>
<td>$34,996.00</td>
</tr>
<tr>
<td>3</td>
<td>65783</td>
<td>Envelope, Utility Bill no. 10 White with Window</td>
<td>450</td>
<td>CASE</td>
<td>$87.79</td>
<td>$39,505.50</td>
</tr>
</tbody>
</table>

**Staples Contract & Commercial Inc dba**

- Tampa FL
- Terms: Net 30
- Delivery: 15 Days

**Victor Envelope Company**

- Bensenville IL
- Terms: 2%/10
- Delivery: 5-7 Days

<table>
<thead>
<tr>
<th></th>
<th>Unit Price</th>
<th>Extended Price</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>$200.00</td>
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<tr>
<td>2%10 Payment Discount:</td>
<td>$52.50</td>
<td>$21,000.00</td>
</tr>
</tbody>
</table>

**Total:**

- **Extended Price: $92,449.00**
- **$92,732.50**

**SBE Discount:**

- **Grand Total:**

**Award**
A RESOLUTION ACCEPTING A PROPOSAL AND APPROVING A THREE-YEAR BLANKET PURCHASE AGREEMENT WITH MAC PAPERS, INC., FOR THE PURCHASE OF ENVELOPES AND UTILITY BILL STOCK FOR THE MARKETING DEPARTMENT, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $240,000; 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 received eight (8) bids for the envelopes and utility bill stock in response to IFB No. 6608, dated August 24, 2017; and

WHEREAS, Mac Papers, Inc. has met the specifications, terms and conditions of IFB No. 6608; and

WHEREAS, the Procurement and Supply Management Department, in cooperation with the Marketing Department, recommends approval of this resolution; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the proposal is hereby accepted and the award of a three-year blanket purchase agreement with Mac Papers, Inc., for the purchase of envelopes and utility bill stock for the Marketing Department, for a total contract amount not to exceed $240,000 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:

City Attorney (Designee)

00351110
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Renewing an agreement with SCI Distribution LLC, a sole source supplier, for fleet management system maintenance, support and service for the Fleet Management Department, for a total contract amount of $180,000.

Explanation: SCI Distribution LLC provides annual maintenance, support and service of a web-based fuel and fleet management system for the City. On June 11, 2015, City Council approved the implementation of the system. The maintenance agreement provides for annual one-year renewal options. Because the software is proprietary, SCI is the only provider of support and service. Therefore, a sole source procurement is requested.

The system monitors fuel usage, tracks vehicle locations and provides vehicle and driver performance data in real time from a web-connected server or handheld mobile devices. Service includes a link from GPS unit to Fleet Manager Software and unlimited access/updates for the GF'S Trace & Track Application.

Additionally, the system logs data for each refueling process, including: date and time; operator and vehicle identification number; vehicle VIN number and description; cost center/accounts; vehicle odometer miles; vehicle hours; fuel type, gallons pumped, and pump number.

The Procurement Department, in cooperation with the Fleet Management, recommends renewal:

   SCI Distribution LLC.................................................................$180,000

This purchase is made in accordance with Section 2-249 of the 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. This renewal will be effective from the date of approval through December 31, 2018.

Cost/Funding/Assessment Information: Funds have been appropriated in the Fleet Management Fund (5001), Fleet Maintenance Fleet Services (8002521).

Attachments: Sole Source
Resolution

Approvals:

[Signatures]
City of St. Petersburg

**Sole Source Request**

Procurement & Supply Management

<table>
<thead>
<tr>
<th>Department:</th>
<th>Fleet Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Check One:</td>
<td>X Sole Source</td>
</tr>
<tr>
<td>Requisition No.</td>
<td>5384901</td>
</tr>
<tr>
<td>Proposed Vendor:</td>
<td>SCI Distributions</td>
</tr>
<tr>
<td>Estimated Total Cost:</td>
<td>$180,000</td>
</tr>
</tbody>
</table>

**Description of Items (or Services) to be purchased:**

Parts, accessories for both the fuel and GPS systems also to include GPS monitoring services.

**Purpose of Function of items:**

Equipment needed to install on vehicles and equipment for the new fuel system and GPS monitoring service.

**Justification for Sole Source of Proprietary specification:**

SCI Distribution was approved as a Sole Source for implementation of Fleet's fuel and GPS monitoring systems on April 28, 2015, as they are the only vendor that provides both fuel system and GPS monitoring services in their software design. Approval of a Sole Source for ongoing purchases of parts, accessories, licenses and support for the system is requested as SCI is the sole provider of these proprietary items.

---

**Signature**

**Date**

**Signature**

**Date**

**Signature**

**Date**

---

Rev (1/11), (6/15)
A RESOLUTION APPROVING A ONE-YEAR RENEWAL OPTION TO THE AGREEMENT WITH SCI DISTRIBUTION, LLC FOR FLEET MANAGEMENT SYSTEM MAINTENANCE, SUPPORT, AND SERVICE, FOR THE FLEET MANAGEMENT DEPARTMENT, AT AN ANNUAL AMOUNT NOT TO EXCEED $180,000 FOR THE RENEWAL TERM; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 11, 2015, City Council approved an agreement with SCI Distribution, LLC, for the Web-Based Fuel and Fleet Management System and RFID readers for the Fleet Management Department for annual one-year renewal options; and

WHEREAS, SCI Distribution, LLC is the only company that has combined both fuel management and fleet management on a single Web application to enable fleet managers to virtually monitor and control fuel usage and fleet activity; and

WHEREAS, the original agreement has annual one-year renewal options; and

WHEREAS, Administration desires to exercise the renewal option at an estimated cost of $180,000 for the one-year renewal term, which is effective through December 31, 2018; and

WHEREAS, the Procurement & Supply Management Department in cooperation with the Fleet Management Department recommends approval of this resolution.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the one-year renewal option to the agreement with SCI Distribution, LLC for fleet management system maintenance, support, and service, for the Fleet Management Department, at an annual amount not to exceed $180,000 for the renewal term 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:

[Signature]
City Attorney (Designee)
00351096
To: The Honorable Darden Rice, Chair, and Members of City Council

Subject: Accepting a proposal from Toshiba America Business Solutions, Inc., for public copiers and a print management system for the City's Public Libraries, at a three-year contract amount of $150,000.

Explanation: The Procurement Department received three proposals for copiers and a print management system to replace the ten coin-operated, public-use copiers currently in use at six of the City's Public Libraries. The three proposals, and respective amounts per year, were received from:

<table>
<thead>
<tr>
<th>Offeror</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Canon Solutions America Inc.</td>
<td>$40,849.00</td>
</tr>
<tr>
<td>2. Konica Minolta Business Solutions U.S.A., Inc.</td>
<td>$54,814.67</td>
</tr>
<tr>
<td>3. Toshiba America Business Solutions, Inc.</td>
<td>$39,945.30</td>
</tr>
</tbody>
</table>

The proposals were evaluated by a cross-functional team from Library, Parks and Recreation, and Engineering. They Included:

Angela Falsey, Librarian III
Mark Stroemich, Computer Systems Coordinator, Parks and Recreation
Taylor Stanley, Capital Improvements Financial Coordinator

The proposals were evaluated on the following criteria:

- Experience and qualifications
- Ability to meet technical specifications
- Proposal
- Reasonableness of cost
- Financial Stability

The vendor will furnish and install leased, networked public-use copiers/printers, related equipment, and managed print services to be used by patrons of the City Libraries. Services will include, but are not limited to, equipment and software installation, testing, servicing, training and support; reporting and management tools. The vendor will also provide all necessary service and supplies for operation of the copier/printers and pay stations, including all repairs, parts, electrical components, OEM toner, developer, lubricants, waste cartridges, drums, maintenance kits, and other necessary supplies, excluding paper.

The Procurement Department, in cooperation with the Libraries, recommends approval:

Toshiba America Business Solutions, Inc. (Tampa, FL)................$150,000
(Three-years @ $50,000 per year)

Toshiba America Business Solutions, Inc. has met the requirements of RFP No. 6633, dated September 28, 2017. Toshiba America Business Solutions, Inc. was determined to be most advantageous to the City, taking into consideration price and the evaluation factors set forth in the RFP. This agreement will be in effect through December 31, 2020, with one, three-year renewal option, including the option to upgrade copier(s)/printer(s) by mutual agreement. A blanket purchase agreement will be issued and will be binding only for actual services rendered.

Continued on Page 2
Cost/Funding/Assessment Information: Funds have been previously appropriated in the General Fund (0001), Library Department (200), Mirror Lake Branch (1145), JW Johnson Branch (1153), North Branch (1157), South Branch (1161), Main Library, (1165), and Childs Park (1167) divisions.

Attachments: Evaluation Committee Minutes (4 pages)
Technical Evaluation Report (3 pages)
Resolution

Approvals:

[Signature]
By: [Signature]

[Adminstrative Budget]
City of St. Petersburg  
Meeting Minutes  
Procurement and Supply Management

Title: RFP No. 6633: Copiers, Public Library, Print Management System  
Meeting Date: Monday, October 16, 2017  
Time: 1:30 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: Angela Falsey, Mark Stroemich, Taylor Stanley</td>
</tr>
<tr>
<td>a. Public Comments</td>
<td>Committee Advisory: Mary Lindsay, Shane Harness, Cassidy Coutant</td>
</tr>
<tr>
<td>c. Prohibited Communication - AP #050100 [Fisher]</td>
<td>No members of the public in attendance.</td>
</tr>
<tr>
<td>d. Selection of Chairperson (Committee)</td>
<td>Motion by: Taylor Stanley to nominate Angela Falsey. Seconded by Mark Stroemich. Votes: Affirmative (3)</td>
</tr>
<tr>
<td>2. Evaluations of Proposals (Strengths and Weaknesses)</td>
<td>Action: Companies ranked in the following order:</td>
</tr>
<tr>
<td>b. Konica Minolta Business Solutions U.S.A., INC</td>
<td>2. Canon Solutions America Inc</td>
</tr>
<tr>
<td>c. Toshiba Business Solutions</td>
<td>3. Toshiba Business Solutions</td>
</tr>
<tr>
<td>3. Ranking/Short-list</td>
<td>Motion by: Angela Falsey for all offerors to presentations with requested clarifications on 10/30/17. Seconded by: Taylor Stanley Votes: Affirmative (3)</td>
</tr>
<tr>
<td>4. Oral Presentation</td>
<td></td>
</tr>
<tr>
<td>5. Clarifications/Questions</td>
<td></td>
</tr>
<tr>
<td>6. Adjournment</td>
<td>Meeting adjourned at 3:16 pm</td>
</tr>
</tbody>
</table>
City of St. Petersburg
Meeting Minutes
Procurement and Supply Management

Title: RFP No. 6633: Copiers, Public Library, Print Management System
Meeting Date: Monday, October 30, 2017
Time: 11:30 a.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>
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</thead>
<tbody>
<tr>
<td>1. Introductions</td>
<td>Committee Members in attendance: Angela Falsey, Mark Stroemich, Taylor Stanley</td>
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<td></td>
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<tr>
<td>a. Florida's Open Meeting Law</td>
<td>Committee Advisory: Mary Lindsay, Shane Harness</td>
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<td></td>
<td></td>
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<tr>
<td>b. Public Comments</td>
<td>Staff: Dawn Fisher</td>
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<tr>
<td>2. Evaluations of Proposals/Presentations (Strengths and Weaknesses)</td>
<td>Public Comments: Darrel Brown thanked all for the opportunity to present.</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>a. Canon Solutions America Inc</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>b. Konica Minolta Business Solutions U.S.A., INC</td>
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<td></td>
<td></td>
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<tr>
<td>c. Toshiba Business Solutions</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>3. Ranking</td>
<td>Action: Motion by Angela Falsey to rank offerors in the following order:</td>
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<tr>
<td></td>
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</tr>
<tr>
<td>1. Toshiba Business Solutions</td>
<td></td>
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<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Konica Minolta Business Solutions U.S.A., INC</td>
<td></td>
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<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Canon Solutions America Inc</td>
<td>Seconded by: Taylor Stanley</td>
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<td></td>
<td></td>
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<tr>
<td>Votes: Affirmative (3)</td>
<td></td>
</tr>
</tbody>
</table>
4. Clarifications/BAFO

Action: Motion by Angela Falsey to request clarifications from Toshiba Business Solutions and Konica Minolta Business Solutions U.S.A., INC. No further clarifications needed from Canon Solutions America Inc.
Seconded by: Seconded by: Taylor Stanley
Votes: Affirmative (3)

Next meeting scheduled for 11/9/17.

5. Adjournment

Meeting adjourned at 12:25 pm
City of St. Petersburg  
**Meeting Minutes**  
Procurement and Supply Management

**Title:** RFP No. 6633: Copiers, Public Library, Print Management System  
**Meeting Date:** Thursday, November 9, 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>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Introductions</strong></td>
</tr>
<tr>
<td>a. Florida's Open Meeting Law – FS 286.011 [Fisher]</td>
</tr>
<tr>
<td>b. Prohibited Communication – AP050100 [Fisher]</td>
</tr>
<tr>
<td>c. Public Comments</td>
</tr>
</tbody>
</table>
| **2. Evaluations of Proposals/Presentations**  
(Strengths and Weaknesses) [Falsey] |
| 1. Toshiba Business Solutions |
| 2. Konica Minolta Business Solutions U.S.A., INC |
| **3. Discussion of clarifications** |
| 1. Toshiba Business Solutions |
| 2. Konica Minolta Business Solutions U.S.A., INC |
| **4. Ranking** |
| Action: Motion by Mark Stroemich award to Toshiba Business Solutions without further clarifications or BAFO. Seconded by: Taylor Stanley  
Votes: Affirmative (3) |
| **5. BAFO/Additional clarifications** |
| **6. Adjournment** |
| Meeting adjourned at 1:29 pm |
Technical Evaluation
952-26 Copiers, Public Library, Print Management System

Summary Work Statement

The City received three proposals for RFP No. 6633: Copiers, Public Library, Print Management System. The successful offeror(s) will provide leased networked public use copier/printers, related equipment, and managed print services to be installed at City Libraries. The three proposals were received from:

1. Canon Solutions America Inc
2. Konica Minolta Business Solutions U.S.A., Inc
3. Toshiba Business Solutions

Evaluation Committee

The evaluations of the three proposals were conducted by:

Mark stroemich, Computer Systems Coordinator, Parks & Recreation
Angela Falsey, Librarian III
Taylor Stanley, CI Financial Coordinator

Evaluation Criteria

The proposals were evaluated based on the following criteria:

• Experience and qualifications
• Ability to meet technical specifications
• Proposal
• Reasonableness of cost
• Financial Stability

Offerors' Profiles

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

Canon Solutions America Inc is headquartered in Melville, New York, and was incorporated in Florida in 2003. The firm employs 35 people locally with 5,542 employees nationwide. Its strengths include:

• Has been in business 46 years
• Financially stable
• Single source for hardware and software
• ADA compliant
• Met minimum requirements for volume, speed, print quality, Energy Star rating, networking, and secure print job release to any machine.
Strengths include:

- Has been providing coin-operated technology in the Tampa Bay area for over 25 years
- Financially stable
- Has warehouse located in St. Petersburg
- Wireless solution allows Library patrons to print from smartphone or tablet
- Demonstrated environmental sustainability
- Uses PrinterOn service currently being utilized at the Libraries

Weaknesses include:

- Cost per copy $.0055 BW, $.042 color
- 36 month lease cost $164,444
- High cost for emergency service
- $500 for hard drive removal
- Pay station cannot give change in bills as requested in RFP

The proposal meets the City's requirements.

**Toshiba Business Solutions** is headquartered in Irvine, California, and was incorporated in Florida in 1999. The firm employs 35 people in locally with 3,020 employees nationwide. Its strengths include:

- Provided multi-function device solutions for over 40 years
- Financially stable
- Met all technical requirements of RFP including minimum criteria for volume, speed, quality, Energy Star rating, paper capacity, networking, secure print job release to any machine, scanning to and printing from USB, and wireless printing
- Pay stations can provide change in bills as requested in RFP
- 36 month lease cost $119,836
- Cost per copy $.0042 BW, $.045 color

Weaknesses included:

- Details on experience of service technicians, compatibility of wireless solution, and pay stations that provide change in bills were all resolved during clarifications and presentations

The proposal meets the City's requirements.
Short-listing and Oral Presentations

The proposals were initially evaluated solely on its evaluation criteria established in the RFP. The proposals were then ranked. On October 30, 2017, the three offerors were invited to make oral presentations before the evaluation committee for the purpose of clarifications and to ensure full understanding of the City's requirements. The presentations also enabled the committee to have a full understanding of the offerors' proposals and responses. Following the presentations, the evaluation committee ranked the proposals as follows:

<table>
<thead>
<tr>
<th>Rank</th>
<th>Firm</th>
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<tbody>
<tr>
<td>1.</td>
<td>Toshiba Business Solutions</td>
</tr>
<tr>
<td>2.</td>
<td>Konica Minolta Business Solutions U.S.A., Inc</td>
</tr>
<tr>
<td>3.</td>
<td>Canon Solutions America Inc</td>
</tr>
</tbody>
</table>

Recommendation for Award

On November 9, 2017, the evaluation committee met to evaluate final clarifications, offers, and presentations. The evaluation committee recommended:

<table>
<thead>
<tr>
<th>Rank</th>
<th>Firm</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>Toshiba Business Solutions</td>
</tr>
</tbody>
</table>

The offeror has met the requirements of RFP No. 6633 and has been determined to be the most advantageous to the City, taking into consideration price and the evaluation criteria set forth in the RFP.

Toshiba Business Solutions was selected for the following reasons:

- Many years of experience, including extensive experience working with public libraries
- Financially stable
- Only offeror to meet or exceed all technical requirements of the RFP including minimum criteria for volume, speed, quality, Energy Star rating, paper capacity, networking, wireless service, ADA compliance, and pay stations
- Lowest overall cost for the 36 month lease

Toshiba Business Solutions references have been checked and are satisfactory.

Angela Falsey, Chair

Taylor Stanley, Committee Member

Mark Stadnich, Committee Member

Rev (5/11)
A RESOLUTION ACCEPTING THE PROPOSAL AND APPROVING THE AWARD OF A THREE-YEAR AGREEMENT WITH TOSHIBA AMERICA BUSINESS SOLUTIONS, INC. FOR PUBLIC COPIERS AND A PRINT MANAGEMENT SYSTEM FOR THE CITY’S PUBLIC LIBRARIES AT A TOTAL COST NOT TO EXCEED $150,000 FOR THE INITIAL THREE-YEAR TERM; 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. 6633 on September 28, 2017 for copiers and print management system for the City’s Public Libraries; and

WHEREAS, the Procurement and Supply Management Department received three (3) proposals in response to this RFP; and

WHEREAS, on September 28, 2017, the evaluation committee selected Toshiba America Business Solutions, Inc. to provide copiers and print management system services for the Libraries; and

WHEREAS, Toshiba America Business Solutions, Inc. has met the specifications, terms and conditions of RFP No. 6633; and

WHEREAS, the Procurement & Supply Management Department in cooperation with the Library’s recommends approval of this resolution.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the proposal is hereby accepted and the award of a three-year agreement with Toshiba America Business Solutions, Inc., to provide copiers and print management system for the City’s Public Libraries at a total cost not to exceed $150,000 for the initial three-year term 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)
00351296
To: The Honorable Darden Rice, Chair and Members of City Council

Subject: A Resolution expressing support for the Complete Streets project submitted on behalf of the City of St. Petersburg to Forward Pinellas for consideration within the Forward Pinellas Complete Streets Program; and providing an effective date.

Explanation: In October 2017, Forward Pinellas issued its second annual Call for Applications to solicit concept planning or construction projects that encourage the implementation of Complete Streets that meet the needs of all roadway users and that help to reinforce desired land use and redevelopment activities that meet criteria identified in the adopted Countywide Land Use Plan. Funding opportunities exist for projects within two categories – Concept Planning and Construction. Forward Pinellas has indicated that funds for projects awarded in the first category, up to $100,000 total, will be made available in FY18. Funds in the second category, construction, are likely to be made available in the FDOT’s 2019/20 – FY2023/24 Work Program in an amount up to $1,000,000.

Given that the City was successful in being selected to receive up to $1M in future construction funding that was available through last year’s application cycle for the construction of a trail on the west side of 34th Street South in the Skyway Marina District, Administration felt that it was in the City’s best interest to focus on putting forth a strong candidate project for the Concept Planning application this year. Accordingly, the South St. Petersburg East-West Transportation Network Action Plan application was developed from recommendations within the South St. Petersburg Community Redevelopment Plan.

The South St. Petersburg East-West Transportation Network Action Plan is a study of the transportation network created by the east-west corridors of 18th Avenue South, 22nd Avenue South, and 26th Avenue South from 4th Street to 49th Street. The intent of the study would be to provide recommendations and a plan for modifications within the existing rights-of-way to determine how collectively the three roads will serve all roadway users as a Complete Streets network. The Plan would use recommendations from the South St. Petersburg Redevelopment Plan, specifically the calls for improvements to pedestrian circulation and safety along the major corridors and expansion/enhancement of the interconnected bicycle and pedestrian trail system, along with recommendations from the City’s Complete Streets Implementation Plan that has identified primary functionalities and modal priorities for each roadway.

The estimated cost of the East-West Transportation Network Action Plan will be based on the intensity of the scope of study which would be finalized following notification of a successful award by Forward Pinellas. However, it is anticipated the cost would be no more than $120,000. The application requests funding from Forward Pinellas in the amount of $60,000 with the difference of $60,000 to be borne with local funds. Additional support for the study will be
provided from data collected for the 22nd Avenue South Preliminary Engineering Report that is being developed by Pinellas County for the roadway that is under their jurisdictional control. The funds for the local match would be provided from the previously appropriated funds within the FY17 Complete Streets Program. It is anticipated that this strong local match, coupled with the merits of the concept, will make our application very competitive.

The evaluation criteria set forth by Forward Pinellas for projects within its Complete Streets Program includes demonstration of local support including an endorsement by the jurisdiction’s elected body, demonstration that the project serves as a redevelopment catalyst, demonstration that the project serves multiple modes and overcomes barriers for traditionally underserved, and that the administering jurisdiction has a Local Agency Program certification by the Florida Department of Transportation. While not specifically noted, it is implied that projects that work toward Forward Pinellas’ current SPOTlight Emphasis Areas will likely be received more favorably; those are a Vision for US19 (34th Street), Enhancing Beach Access, and a Master Plan for the Gateway/Mid-County Area. The South St. Petersburg East-West Transportation Network Action Plan would develop specific recommendations highlighting access to 34th Street South.

City staff is working and coordinating with several stakeholder groups to garner support for this year’s application with letters of support anticipated from such groups as the City’s Complete Streets Committee, American Association of Retired Persons (AARP), the South St. Petersburg CRA Citizen’s Advisory Committee, and the Pinellas County Urban League Young Professionals. With this Council’s support, all of the Forward Pinellas evaluation criteria will be satisfied such that the application stands to be received favorably and is well-positioned to receive the Complete Streets funding.

**Cost/Funding:**
The Forward Pinellas Complete Streets Program applications will be put through a competitive process by which projects that have a significant local match are anticipated to be received more favorably. Accordingly, the proposed application for Concept Planning category contemplates a contribution by the City in an amount up to $60,000. Funding for this effort can be provided in the previously approved FY17 allocation within the City’s Complete Streets Program, Neighborhood & Citywide Infrastructure CIP Fund (3027) Complete Streets FY17 Project 15638.

**Recommendations:**
Administration recommends that Council adopt the attached resolution expressing support for the Complete Streets project submitted on behalf of the City of St. Petersburg to Forward Pinellas for consideration within the Forward Pinellas Complete Streets Program; and providing an effective date.

**Attachments:**
(1) Resolution
Approvals:

[Signatures]

Administration

Budget

12-01-17
Date

12-01-17
Date
Resolution No. ___

A RESOLUTION EXPRESSING SUPPORT FOR THE COMPLETE STREETS PROJECT SUBMITTED ON BEHALF OF THE CITY OF ST. PETERSBURG TO FORWARD PINELLAS FOR FUNDING CONSIDERATION WITHIN THE FORWARD PINELLAS COMPLETE STREETS PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is working to implement a Complete Streets Program where streets are designed and operated to promote safety and accessibility for all users of the transportation network, including pedestrians, bicyclists, transit riders, motorists, commercial and emergency vehicles, and people of all ages and physical and economic abilities; and

WHEREAS, this City Council has previously stated an intent that all appropriate sources of funding, including city, county, state and federal sources, be drawn upon to implement the City’s Complete Streets Program; and

WHEREAS, Pinellas County’s Land Use and Transportation planning agency, Forward Pinellas, has developed a Complete Streets Program that is intended to support local governments by “creating an incentive program to encourage the implementation of Complete Streets projects that help to reinforce desired land use and redevelopment activities that meet criteria identified in the adopted Countywide Land Use Plan”; and

WHEREAS, Forward Pinellas has recently issued a Call for Applications to solicit projects for funding consideration in two categories, which are Concept Planning and Construction; and

WHEREAS, the City has identified an outstanding candidate Concept Planning project for consideration within the Forward Pinellas Complete Streets Program that meets or exceeds the minimum application criteria, and represents the City’s best opportunity to be awarded funds from the Forward Pinellas Complete Streets Program; and

WHEREAS, the candidate project is the South St. Petersburg East-West Transportation Network Action Plan which is intended to review the southern half of the South St. Petersburg Community Redevelopment Area (CRA) in a network
analysis of 18th, 22nd, and 26th Avenues South in order to further the community goals established in the CRA Redevelopment Plan; and

WHEREAS, this project has been endorsed by the City’s Complete Streets Committee and relevant local community groups to move forward as the City’s candidate project for the Forward Pinellas Complete Streets Program.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg that this Council hereby affirms its support of the Complete Streets project submitted on behalf of the City of St. Petersburg to Forward Pinellas for funding consideration within the Forward Pinellas Complete Streets Program.

This resolution shall become effective immediately upon its adoption.
To: The Honorable Darden Rice, Chair and Members of City Council

Subject: Approving disbursement of up to $275,000 from the Capital Repair, Renewal and Replacement Sinking Fund Account for Tropicana Field Capital Projects; approving a supplemental appropriation in the amount of $275,000 from the unappropriated balance of the Tropicana Field Capital Projects Fund (3081) to the Tropicana Field FY18 Improvements Project (TBD); and providing an effective date.

BACKGROUND: Section 5.01 of the Use Agreement with the Tampa Bay Rays (the “Team” or “Club”) established an escrowed sinking fund called the Capital Repair, Renewal and Replacement Sinking Fund Account (the “Capital Account”). This Capital Account is funded by naming rights revenue and ticket fees. The Use Agreement specifies that this Capital Account is to be used by the Team in making capital repairs, renewals and replacements to Tropicana Field. This section further requires that the Team consult with and receive approval from the City regarding expenditures from the Capital Account.

FabriTech Structures, LLC; the roof inspectors for Tropicana Field, recently completed their annual inspection. They noted several tears of the inner fabric roof liner which need to be repaired. City and Team staff reviewed the scope of work with FabriTech and support the recommended repairs. If approved, work will begin in January to ensure completion before the start of the 2018 baseball season.

Total cost for the above item, including a contingency and any required performance bond, is $275,000. City administration has reviewed this item and concurs with the Club that it meets the requirements established for use of the Capital Account.

RECOMMENDATION: City Administration recommends approval of the attached Resolution.

COST/FUNDING/ASSESSMENT INFORMATION: Funds are available in the Capital Repair, Renewal & Replacement Sinking Fund Account. This account has a current balance of approximately $830,000 (after deducting the $55,000 outer roof membrane testing approved by City Council on December 7th). A supplemental appropriation in the amount of $275,000 from the Tropicana Field Capital Projects Fund (3081) to the Tropicana Field FY18 Improvements Project (TBD) is needed to fund the above referenced item.
RESOLUTION NO. ___

A RESOLUTION APPROVING DISBURSEMENT OF UP TO $275,000 FROM THE TROPICANA FIELD CAPITAL REPAIR, RENEWAL AND REPLACEMENT SINKING FUND ACCOUNT FOR QUALIFYING CAPITAL ITEMS TO TROPICANA FIELD; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $275,000 FROM THE UNAPPROPRIATED BALANCE OF THE TROPICANA FIELD CAPITAL PROJECTS FUND (3081) TO THE TROPICANA FIELD FY18 IMPROVEMENTS PROJECT (TBD); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, section 5.01 of the Use Agreement with the Tampa Bay Rays (“Club”) established an escrowed sinking fund called the Capital Repair, Renewal and Replacement Sinking Fund Account (“Capital Account”) to be used by the Club in making capital repairs, renewals, and replacements to Tropicana Field; and

WHEREAS, the Club has brought forward for City approval a capital project for repairs to the inner fabric roof liner of Tropicana Field totaling approximately $275,000; and

WHEREAS, City Administration has reviewed this item and finds it acceptable for reimbursement from the Capital Account per the established guidelines.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of St. Petersburg, Florida, that disbursement of up to $275,000 for a capital item from the Capital Repair, Renewal and Replacement Sinking Fund Account, subject to receipt by the City of appropriate supporting documentation, is hereby approved.

BE IT FURTHER RESOLVED, that there is hereby approved from the unappropriated fund balance of the Tropicana Field Capital Projects Fund (3081), the following supplemental appropriation for FY18:

| Tropicana Field Capital Projects Fund (3081) | Tropicana Field FY18 Improvements Project (TBD) | $275,000 |

This resolution shall become effective upon adoption.

City Attorney (Designee)
Budget & Management
City Development Administration
TO: The Honorable Darden Rice, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his designee, to execute a five (5) year License Agreement with Paul and Jennifer Curry to fence a portion of a City-owned property located at approximately 1711 Main Street, Safety Harbor, for the City’s 36-inch Water Transmission Main for an annual fee of $50.00; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Real Estate and Property Management ("REPM") received a request from Paul and Jennifer Curry ("Licensee") to renew a five (5) year License Agreement to continue maintenance of fencing on City-owned property consisting of four (4) lots located at approximately 1711 Main Street, Safety Harbor, Florida ("Property") for the City’s 36-inch Water Transmission Main, which is adjacent to the Licensee’s property located at 1709 Main Street, Safety Harbor, Florida. The area that the Licensee has been allowed to fence since 2013 does not impede the City’s access to the Property for City inspection and maintenance purposes. This is a standard license agreement that the Water Resources Department requested REPM to develop for uses related to the City’s transmission main properties.

The Property is legally described as follows:

Lots 6, 7, 19 & 20, Block 4, HARBOR HIGHLANDS, as recorded in Plat Book 15, Page 19, of the Public Records of Pinellas County, Florida.

Pinellas County Parcel I. D. Nos.: 04/29/16/35964/004/0060 & 04/29/16/35964/004/0190

The Licensee has executed a License Agreement ("Agreement") for a term of five (5) years, subject to City Council approval. The Licensee shall pay a use fee of $50.00 per year, including applicable taxes, to the City for the entire term. Additionally, the Licensee shall maintain a $500,000 Personal and/or Premises Liability policy, protecting the City against all claims which may arise or be claimed on account of the Licensee’s use of the Property. The Licensee shall maintain the Property at its own cost and expense, remove the fence and deliver up the Property in good condition upon expiration of this Agreement.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute a five (5) year License Agreement with Paul and Jennifer Curry, for an annual use fee of $50.00, to fence a portion of a City-owned property located at approximately 1711 Main Street, Safety Harbor, for the City’s 36-Inch Water Transmission Main for an annual fee of $50.00; 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)  00351004.doc v1
ILLUSTRATION

SECTION 4, TOWNSHIP 29 SOUTH, RANGE 16 EAST

SECOND STREET NORTH

LOT 18
LOT 19
LOT 20
LOT 21

LOT 8
LOT 7
LOT 6
LOT 5

MAIN STREET

LEGAL DESCRIPTION FOR LICENSED AREA
LOTS 6, 7, 19, & 20, BLOCK 4, HARBOR HIGHLANDS, RECORDED IN PLAT BOOK 15, PAGE 19, OF THE OFFICIAL RECORDS OF PINELLAS COUNTY, FLORIDA.

ENGINEERING & CAPITAL IMPROVEMENTS DEPARTMENT
CITY OF ST. PETERSBURG

ENGINEERING SURVEY DIVISION
1744 NINTH AVENUE NORTH
ST. PETERSBURG, FLORIDA 33713
(727) 892-5346 892-5347

PROJECT NO. 10942-193
9/20/2012
Resolution No. 2017 - ______

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A FIVE (5) YEAR LICENSE AGREEMENT WITH PAUL AND JENNIFER CURRY TO FENCE A PORTION OF A CITY-OWNED PROPERTY LOCATED AT APPROXIMATELY 1711 MAIN STREET, SAFETY HARBOR, FOR THE CITY’S 36-INCH WATER TRANSMISSION MAIN, FOR AN ANNUAL FEE OF $50.00; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Paul and Jennifer Curry ("Licensee") desire a license to continue maintenance of fencing on a portion of City-owned property consisting of four (4) lots located at approximately 1711 Main Street, Safety Harbor, Florida ("Property") for the City’s 36-inch Water Transmission Main, which is adjacent to the Licensee’s property located at 1709 Main Street, Safety Harbor, Florida; and

WHEREAS, the area that the Licensee has been allowed to fence since 2013 does not impede the City’s access to the Property for City inspection and maintenance purposes; and

WHEREAS, this is a standard license agreement that the Water Resources Department requested the Real Estate and Property Management Department to develop for uses related to the City’s transmission main properties; and

WHEREAS, the Property is legally described as follows:

Lots 6, 7, 19 & 20, Block 4, HARBOR HIGHLANDS, as recorded in Plat Book 15, Page 19, of the Public Records of Pinellas County, Florida.

Pinellas County Parcel I. D. Nos.: 04/29/16/35964/004/0060 & 04/29/16/35964/004/0190; and

WHEREAS, the Licensee has executed a License Agreement ("Agreement"), wherein the Licensee shall pay a use fee of $50.00 per year to the City and is responsible for all applicable costs and maintenance associated with the Licensee’s use of the Property, subject to City Council approval; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his designee, is authorized to execute a five (5) year License Agreement with Paul and Jennifer Curry to fence a portion of a City-owned Property at approximately 1711 Main Street, Safety Harbor, for the City’s 36-inch Water Transmission Main, for an annual fee of $50.00; and to execute all documents necessary to effectuate same.
This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)

APPROVED BY:

John E. Palenchar, Interim Director
Water Resources Department

APPROVED BY:

Bruce E. Grimes, Director
Real Estate and Property Management
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 the St. Petersburg Junior Football Athletic Association, Inc., a Florida not-for-profit corporation, for the use of a concession stand/storage area and press box within a portion of the City-owned Campbell Park located at 1312 – 5th Avenue South, St. Petersburg, for a period of thirty-six (36) months for a fee of $36.00; waiving the reserve for replacement requirement of City Council Resolution No. 79-740A; and to execute all documents necessary to effectuate same; and providing an effective date. (Requires affirmative vote of at least six (6) members of City Council.)

EXPLANATION: Real Estate and Property Management received a request from St. Petersburg Junior Football Athletic Association, Inc. ("Licensee") to renew its license agreement for the use of a concession stand/storage area and press box within a portion of the City-owned Campbell Park located at 1312 – 5th Avenue South, St. Petersburg ("Premises"), that Licensee has utilized since 1987.

The Licensee has executed a new License Agreement ("License") for a term of thirty-six (36) months, subject to City Council approval, with the terms and conditions providing it with the same basic rights and privileges it has enjoyed during the preceding term. The fee is one dollar ($1.00) per month or thirty-six dollars ($36.00) for the entire term. The Licensee is responsible for all interior and exterior maintenance of both buildings and utilities/services including, but not limited to, water, electric, telephone, internet service, sewer, gas, cable/satellite television, trash collection and stormwater fees, in addition to any applicable taxes and insurance. Additionally, the Licensee will maintain a commercial general liability insurance policy in the amount of $1,000,000 per occurrence and $2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Licensee's use of the Premises. The License may be terminated without cause by either party with ninety (90) days written notice prior to the scheduled date of termination.

City Council Resolution No. 79-740A, dated October 4, 1979, establishes policies for the sale and leasing of City-owned park and waterfront property. This resolution requires that when leasing City property to a non-profit, private organization “. . . the organization pays operating cost plus a reserve for replacement.” Due to the limited financial resources of the organization, the City is charging a nominal fee and recommending that the reserve for replacement requirement be waived in an effort to minimize operating costs. These
terms and conditions are consistent with prior licenses with this and other non-profit organizations. Under the terms of the License, the City is under no obligation to provide a replacement facility under any circumstances.

Section 1.02 (c)(2) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property for three (3) years or less on residentially-zoned property with approval by an affirmative vote of at least six (6) members of City Council. The subject property is zoned (NS-E) Neighborhood Suburban Estate.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute a License Agreement with the St. Petersburg Junior Football Athletic Association, Inc., a Florida not-for-profit corporation, for the use of a concession stand/storage area and press box within a portion of the City-owned Campbell Park located at 1312 – 5th Avenue South, St. Petersburg, for a period of thirty-six (36) months for a fee of $36.00; waiving the reserve for replacement requirement of City Council Resolution No. 79-740A; 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: N/A

Budget: N/A

Legal: N/A

(As to consistency w/attached legal document(s)
00351006.doc v1)
Resolution No. 2017 - ______

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH THE ST. PETERSBURG JUNIOR FOOTBALL ATHLETIC ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE USE OF A CONCESSION STAND/STORAGE AREA AND PRESS BOX WITHIN A PORTION OF THE CITY-OWNED CAMPBELL PARK LOCATED AT 1312 - 5TH AVENUE SOUTH, ST. PETERSBURG, FOR A PERIOD OF THIRTY-SIX (36) MONTHS FOR A FEE OF $36.00; WAIVING THE RESERVE FOR REPLACEMENT REQUIREMENT OF CITY COUNCIL RESOLUTION NO. 79-740A; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, St. Petersburg Junior Football Athletic Association, Inc. ("Licensee") desires to continue to license certain City-owned property, which is classified as Park Property on the City Park and Waterfront map, to operate a concession stand/storage area and press box (collectively, "Premises"); and

WHEREAS, the proposed License Agreement ("License") will be for a term of thirty-six (36) months for a fee of $36.00, to be paid at the commencement of the License; and

WHEREAS, the Licensee is responsible for (i.) all interior and exterior maintenance of the Premises (excluding the restrooms); (ii.) payment of utilities including, but not limited to, electricity, telephone, internet service, water, gas, cable/satellite television, sewerage, garbage and trash collection; and (iii.) any applicable taxes; and

WHEREAS, the License is in accordance with the policies established in Resolution No. 79-740A provided, however, that due to the limited financial resources of the organization, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived in an effort to minimize operating costs; and

WHEREAS, these terms and conditions are consistent with prior leases with this and other non-profit organizations; and
WHEREAS, Section 1.02 (c)(2) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property for three (3) years or less on residentially-zoned property with approval by an affirmative vote of at least six (6) members of City Council; and

WHEREAS, the subject property is zoned (NS-E) Neighborhood Suburban Estate.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor, or his designee, is hereby authorized to execute a License Agreement with the St. Petersburg Junior Football Athletic Association, Inc., a Florida not-for-profit corporation, for the use of a concession stand/storage area and press box within a portion of the City-owned Campbell Park located at 1312 – 5th Avenue South, St. Petersburg, for a period of thirty-six (36) months for a fee of $36.00; and to execute all documents necessary to effectuate same; and

BE IT FURTHER RESOLVED that the reserve for replacement requirement pursuant to Resolution No. 79-740A is hereby waived.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

APPROVED BY:

City Attorney (Designee)

Michael J. Jefferis, Director
Parks and Recreation

Bruce E. Grimes, Director
Real Estate and Property Management
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 Thaise Educational and Exposure Tours, Inc., a Florida not-for-profit corporation, for the use of ±300 sq. ft. office space within City-owned Enoch Davis Center located at 1111 – 18th Avenue South, St. Petersburg, for a period of thirty-six (36) months at a rental rate of $200.00 per month, plus $20.00 per month for telephone line access; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Real Estate & Property Management received a request from Thaise Educational and Exposure Tours, Inc. ("Licensee") to enter into a new license agreement for another three (3) year term for use of office space within the Enoch Davis Center ("EDC") located at 1111 – 18th Avenue South, St. Petersburg ("Premises") to administer its after school enrichment and tutoring program ("Program"). In October, 2008, Thaise originally entered into an agreement with Leisure Services Office on Aging ("OAA") for utilizing a smaller office space consisting of ±128 sq. ft. to expand its services in the Enoch Davis Center.

The Program offered by the Licensee entails counseling, mentoring, enrichment and parenting classes, seminars, college and exposure tours, case management and referral services to youth 6 to 17 years of age in the high crime and high risk zip codes of St. Petersburg, with the goal to bring out the best in each youth by elevating their minds through education and exposure. In addition, the Licensee's goal is to reduce or eliminate teen pregnancy, drug abuse, tobacco use, alcohol abuse, juvenile crime and sexually transmitted diseases among these at-risk teens, along with increasing the high school graduation rate among these minority youth, with encouragement to attend a higher learning institute after graduation. The Licensee has executed a new License Agreement ("License") for a term of thirty-six (36) months, subject to City Council approval, with the terms and conditions providing it with the same basic rights and privileges it has enjoyed during the preceding term. OOA determined that the fee would be $200.00 per month for the new office space consisting of ±300 sq. ft., plus $20.00 per month for telephone line access during the entire term. The Licensee is responsible for daily cleaning and removal of all trash and debris in addition to providing and paying all costs (including installation, deposits, and usage) for utilities, additional telephone services, internet, and cable television in association with its use of the Premises. Additionally, the Licensee will maintain a commercial general liability insurance policy in the amount of $1,000,000 per occurrence and $2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Licensee's use of the Premises. The License may be terminated without cause by either party with thirty (30) days written notice prior to the scheduled date of termination.
Under the terms of the License, the City is under no obligation to provide a replacement facility under any circumstances. The subject property is zoned Neighborhood Traditional Single-Family - 2 (NT-2).

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute a License Agreement with Thaise Educational and Exposure Tours, Inc., a Florida not-for-profit corporation, for the use of ±300 sq. ft. office space within City-owned Enoch Davis Center located at 1111 – 18th Avenue South, St. Petersburg, for a period of thirty-six (36) months at a rental rate of $200.00 per month, plus $20.00 per month for telephone line access; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

APPROVALS: Administration: 
Budget: N/A
Legal: (As to consistency w/attached legal documents)
A Resolution Authorizing the Mayor, or His Designee, to Execute a License Agreement with Thaise Educational and Exposure Tours, Inc., a Florida Not-For-Profit Corporation, for the Use of ±300 Sq. Ft. Office Space Within City-Owned Enoch Davis Center Located at 1111 – 18th Avenue South, St. Petersburg, for a Period of Thirty-Six (36) Months at a Rental Rate of $200.00 per Month, Plus $20.00 per Month for Telephone Line Access; and to Execute All Documents Necessary to Effectuate Same; and Providing an Effective Date.

WHEREAS, Thaise Educational and Exposure Tours, Inc. ("Licensee") desires to utilize office space (consisting of ±300 sq. ft.) within the Enoch Davis Center ("EDC") located at 1111 – 18th Avenue South, St. Petersburg ("Premises") to administer its after school enrichment and tutoring program; and

WHEREAS, the Licensee has executed a new License Agreement ("License") for a term of thirty-six (36) months, with the terms and conditions providing it with the same basic rights and privileges it has enjoyed during the preceding term, at a rental rate of $200.00 per month, plus $20.00 per month for telephone line access during the entire term; and

WHEREAS, the Licensee is responsible for daily cleaning and removal of all trash and debris in addition to providing and paying for all costs (including installation, deposits, and usage) for utilities, additional telephone services, internet, and cable television in association with its use of the Premises; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor, or his designee, is hereby authorized to execute a License Agreement with Thaise Educational and Exposure Tours, Inc., a Florida not-for-profit corporation, for the use of ±300 sq. ft. office space within City-owned Enoch Davis Center located at 1111 – 18th Avenue South, St. Petersburg, for a period of thirty-six (36) months at a rental rate of $200.00 per month, plus $20.00 per month for telephone line access; and to execute all documents necessary to effectuate same.
This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)

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APPROVED BY:

Michael J. Jeffers, Director
Parks and Recreation

APPROVED BY:

Bruce E. Grimes, Director
Real Estate and Property Management
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 Boys and Girls Clubs of the Suncoast, Inc., a Florida not-for-profit corporation, for the use of ±2,290 sq. ft. classroom space within City-owned Dwight H. Jones Neighborhood Center ("Center"), with the non-exclusive right to utilize the common areas of the Center including, but not limited to, the auditorium located at 1035 Burlington Avenue North, St. Petersburg, for a period of thirty-six (36) months for a nominal fee of $36.00; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Real Estate & Property Management received a request from Boys and Girls Clubs of the Suncoast, Inc. ("Licensee") to renew its agreement with the City of St. Petersburg ("City") for the continued use of ±2,290 sq. ft. of classroom space within the Dwight H. Jones Neighborhood Center ("Center"), with the non-exclusive right to utilize the common areas of the Center including, but not limited to, the auditorium located at 1035 Burlington Avenue North, St. Petersburg, that the Licensee has utilized since November 1982.

The Licensee has executed a License Agreement ("License") for a term of thirty-six (36) months, subject to City Council approval, with the terms and conditions providing it with the same basic responsibilities, restrictions, and privileges that governed during the preceding term. The License term will commence January 1, 2018 and end December 31, 2020. The Licensee will pay the City a nominal fee of Thirty-six dollars ($36.00) for the entire term. The Licensee will keep and maintain the interior of the Premises and use all reasonable precautions to prevent waste or damage to the Premises. The Licensee is responsible for all costs of utilities and other services including telephone, internet services, and cable/satellite television, in addition to applicable taxes in association with its use of the Premises. Since utilities are not separately metered for the Premises, the License provides for an estimated utility bill payment of $400.00 per month with annual reconciliation of the estimated amounts paid with the actual costs incurred. Additionally, the Licensee will maintain a commercial general liability insurance policy in the amount of $1,000,000 per occurrence and $2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Licensee's use of the Premises. The License may be terminated without cause by either party with ninety (90) days written notice prior to the scheduled date of termination. Under the terms of the License, the City is under no obligation to provide a replacement facility under any circumstances. The subject property is zoned Neighborhood Suburban Multi-Family (NSM-2).
RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute a License Agreement with Boys and Girls Clubs of the Suncoast, Inc., a Florida not-for-profit corporation, for the use of ±2,290 sq. ft. classroom space within City-owned Dwight H. Jones Neighborhood Center ("Center"), with the non-exclusive right to utilize the common areas of the Center including, but not limited to, the auditorium located at 1035 Burlington Avenue North, St. Petersburg, for a period of thirty-six (36) months for a nominal fee of $36.00; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

APPROVALS: Administration:

Budget: N/A

Legal: (As to consistency w/attached legal documents)
00351587.docv2
Resolution No. 2017 -

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH BOYS AND GIRLS CLUBS OF THE SUNCOAST, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE USE OF 2,290 SQ. FT. CLASSROOM SPACE WITHIN CITY-OWNED DWIGHT H. JONES NEIGHBORHOOD CENTER ("CENTER"), WITH THE NON-EXCLUSIVE RIGHT TO UTILIZE THE COMMON AREAS OF THE CENTER INCLUDING, BUT NOT LIMITED TO, THE AUDITORIUM LOCATED AT 1035 BURLINGTON AVENUE NORTH, ST. PETERSBURG, FOR A PERIOD OF THIRTY-SIX (36) MONTHS FOR A NOMINAL FEE OF $36.00; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Boys and Girls Clubs of the Suncoast, Inc. ("Licensee") desires to renew its agreement with the City of St. Petersburg ("City") for the continued use of 2,290 sq. ft. of classroom space within the Dwight H. Jones Neighborhood Center ("Center"), with the non-exclusive right to utilize the common areas of the Center including, but not limited to, the auditorium located at 1035 Burlington Avenue North, St. Petersburg, that the Licensee has utilized since November 1982; and

WHEREAS, the Licensee has executed a License Agreement ("License") for a term of thirty-six (36) months at a nominal fee of thirty-six dollars ($36.00) for the entire term, subject to City Council approval, with the terms and conditions providing it with the same basic responsibilities, restrictions, and privileges that governed during the preceding term; and

WHEREAS, since utilities are not separately metered for the Premises, the License provides for an estimated utility bill payment of $400.00 per month with annual reconciliation of the estimated amounts paid with the actual costs incurred; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor, or his designee, is hereby authorized to execute a License Agreement with Boys and Girls Clubs of the Suncoast, Inc., a Florida not-for-profit corporation, for the use of 2,290 sq. ft. classroom space within City-owned Dwight H. Jones Neighborhood Center ("Center"), with the non-exclusive right to utilize the common areas of the Center including, but not limited to, the auditorium located at 1035 Burlington Avenue North, St. Petersburg, for a period of thirty-six (36) months for a nominal fee of $36.00; and to execute all documents necessary to effectuate same.
This Resolution shall become effective immediately upon its adoption.

LEGAL:

APPROVED BY:

Clay D. Smith, Director
Downtown Enterprise Facilities

Bruce E. Crimes, Director
Real Estate and Property Management
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 Pinellas Opportunity Council, Inc., a Florida not-for-profit corporation, for the use of ±560 sq. ft. classroom space within City-owned Dwight H. Jones Neighborhood Center located at 1035 Burlington Avenue North, St. Petersburg, for a period of thirty-six (36) months, for a nominal fee of $36.00; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Real Estate & Property Management received a request from Pinellas Opportunity Council, Inc. ("Licensee") to renew its agreement with the City of St. Petersburg ("City") for the use of ±560 sq. ft. of classroom space within the Dwight H. Jones Neighborhood Center located at 1035 Burlington Avenue North, St. Petersburg, that the Licensee has utilized since March 1991.

The Licensee has executed a License Agreement ("License") for a term of thirty-six (36) months, subject to City Council approval, with the terms and conditions providing it with the same basic responsibilities, restrictions, and privileges that governed during the preceding term. The License term will commence January 1, 2018 and end December 31, 2020. The Licensee will pay the City a nominal fee of Thirty-six dollars ($36.00) for the entire term. The Licensee will keep and maintain the interior of the Premises and use all reasonable precautions to prevent waste or damage to the Premises. The Licensee is responsible for all costs of utilities and other services including telephone, internet services, and cable/satellite television, in addition to applicable taxes in association with its use of the Premises. Since utilities are not separately metered for the Premises, the License provides for an estimated utility bill payment of $125.00 per month with an annual reconciliation of the estimated amounts paid with the actual costs incurred. Additionally, the Licensee will maintain a commercial general liability insurance policy in the amount of $1,000,000 per occurrence and $2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Licensee’s use of the Premises. The License may be terminated without cause by either party with ninety (90) days written notice prior to the scheduled date of termination. Under the terms of the License, the City is under no obligation to provide a replacement facility under any circumstances. The subject property is zoned Neighborhood Suburban Multi-Family (NSM-2).
RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute a License Agreement with Pinellas Opportunity Council, Inc., a Florida not-for-profit corporation, for the use of ±560 sq. ft. classroom space within City-owned Dwight H. Jones Neighborhood Center located at 1035 Burlington Avenue North, St. Petersburg, for a period of thirty-six (36) months, for a nominal fee of $36.00; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

APPROVALS: Administration: [Signature]

Budget: N/A

Legal: [Signature]

(As to consistency w/attached legal documents)

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Resolution No. 2017 -

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH PINELLAS OPPORTUNITY COUNCIL, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE USE OF ±560 SQ. FT. CLASSROOM SPACE WITHIN CITY-OWNED DWIGHT H. JONES NEIGHBORHOOD CENTER LOCATED AT 1035 BURLINGTON AVENUE NORTH, ST. PETERSBURG, FOR A PERIOD OF THIRTY-SIX (36) MONTHS, FOR A NOMINAL FEE OF $36.00; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Pinellas Opportunity Council, Inc. ("Licensee") desires to renew its agreement with the City of St. Petersburg ("City") for the use of ±560 sq. ft. of classroom space within the Dwight H. Jones Neighborhood Center located at 1035 Burlington Avenue North, St. Petersburg, that the Licensee has utilized since March 1991; and

WHEREAS, the Licensee has executed a License Agreement ("License") for a term of thirty-six (36) months at a nominal fee of $36.00, subject to City Council approval, with the terms and conditions providing it with the same basic responsibilities, restrictions, and privileges that governed during the preceding term; and

WHEREAS, since utilities are not separately metered for the Premises, the License provides for an estimated utility bill payment of $125.00 per month with an annual reconciliation of the estimated amounts paid with the actual costs incurred; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor, or his designee, is hereby authorized to execute a License Agreement with Pinellas Opportunity Council, Inc., a Florida not-for-profit corporation, for the use of ±560 sq. ft. classroom space within City-owned Dwight H. Jones Neighborhood Center located at 1035 Burlington Avenue North, St. Petersburg, for a period of thirty-six (36) months, for a nominal fee of $36.00; and to execute all documents necessary to effectuate same.
This Resolution shall become effective immediately upon its adoption.

LEGAL:  

[Signature]
City Attorney (Designee)

APPROVED BY:

[Signature]
Clay D. Smith, Director
Downtown Enterprise Facilities

APPROVED BY:

[Signature]
Bruce E. Grimes, Director
Real Estate and Property Management
TO: The Honorable Darden Rice, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his designee, to execute Port-a-Port specific license agreements, with individual owners, to utilize certain land within City-owned Albert Whitted Airport for the continued placement of privately-owned, portable aircraft storage hangars for terms of three (3) years; and to execute all documents necessary to effectuate same; and providing an effective date. (Requires affirmative vote of at least six (6) members of City Council.)

EXPLANATION: Real Estate & Property Management Department ("Real Estate") received a request from the Airport Manager of the City-owned Albert Whitted Airport ("Airport") to negotiate license agreements with the individual owners ("Owner(s)") of eight (8) privately-owned portable aircraft storage hangars, also known as Port-a-Ports ("PAP"), situated on certain land within the Airport, generally located to the North of the Albert Whitted Waste Water Treatment Plant and to the South of Airport Taxi Lane "C" ("Property"). Each PAP is owned, operated, and maintained by an Owner for storage of personal aircraft, which have been located at the Airport in various locations since the 1980's. The land is leased by PAP Owners from the Airport Management to accommodate each PAP and the City of St. Petersburg has no ownership interest in the PAP located on the Property. There are nine (9) PAP sites, with eight (8) being occupied, and one (1) being vacant due to removal of a PAP damaged by Hurricane Irma. Each PAP is currently on a month-to-month tenancy at will.

Five (5) of the eight (8) PAP Owners have executed a PAP Specific License Agreement ("PAP License"), subject to City Council approval, under the following substantive business points:

- The Term is three (3) years;
- The annual license fee is One Thousand Nine Hundred Twenty Dollars ($1,920.00) ("Fee"), payable in equal installments of One Hundred Sixty Dollars ($160.00) monthly, plus applicable taxes, and adjusted annually based upon the Consumer Price Index;
- The PAP and Property (collectively, "Premises") must be used for non-commercial purposes only and conform with all applicable laws, ordinances, regulations, and restrictions;
- The PAP Owners are permitted to use the Premises for storage of:
  - One fully-operational aircraft, which is currently airworthy and has an FAA registration number assigned to it, unless the aircraft is not required by the FAA to have an FAA registration number assigned, owned by the Owner, or by a business owned by the Owner; or
  - An aircraft that is undergoing a major repair or overhaul and which is out of service only for a period of time that shall not exceed one hundred and eighty (180) days; or
An aircraft construction project authorized by the City, which authorization shall not be unreasonably withheld, however, City may revoke the authorization if significant progress on the project has not been accomplished within three hundred and sixty-five (365) days of the date of authorization, unless mutually extended.

- Items and activities reasonably necessary for the maintenance and repair of the stored aircraft.

- The PAP Owners will be responsible for payment of all costs associated with use and maintenance of the Premises including, but not limited to, utilities and other services, applicable taxes, and security;

- The PAP Owners will maintain a commercial general liability insurance policy 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 PAP Owner's use of the Premises;

- Either party may terminate the PAP License by providing the other party with sixty (60) days written notice;

- The City is under no obligation to provide a replacement facility under any circumstances.

The Airport Manager is actively engaging the three (3) remaining PAP Owners in order to finalize their respective PAP Licenses.

Each PAP License is in compliance with Section 1.02(c)(4)A.1, of the City Charter, which permits the leasing of property at the Airport for a term not to exceed twenty-five (25) years with an affirmative vote of at least six (6) members of City Council. This property is zoned IT (Industrial Traditional).

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute Port-a-Port specific license agreements, containing the business points set forth above, with individual owners, to utilize certain land within Albert Whitted Airport for the continued placement of privately-owned, portable aircraft storage hangars for terms of three (3) years; 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)

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A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE PORT-A-PORT-SPECIFIC LICENSE AGREEMENTS, WITH INDIVIDUAL OWNERS, TO UTILIZE CERTAIN LAND WITHIN CITY-OWNED ALBERT WHITTED AIRPORT FOR THE CONTINUED PLACEMENT OF PRIVATELY-OWNED, PORTABLE AIRCRAFT STORAGE HANGARS FOR TERMS OF THREE (3) YEARS; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate & Property Management Department ("Real Estate") received a request from the Airport Manager of the City-owned Albert Whitted Airport ("Airport") to negotiate license agreements with the individual owners ("Owner(s)") of eight (8) privately-owned portable aircraft storage hangars, also known as Port-a-Ports ("PAP"), situated on certain land within the Airport, generally located to the North of the Albert Whitted Waste Water Treatment Plant and to the South of Airport Taxi Lane "C" ("Property"); and

WHEREAS, each PAP is owned, operated, and maintained by an Owner for storage of personal aircraft, which have been located at the Airport in various locations since the 1980's; and

WHEREAS, the land is leased by PAP Owners from the Airport Management to accommodate each PAP and the City of St. Petersburg has no ownership interest in the PAP located on the Property; and

WHEREAS, each PAP is currently on a month-to-month tenancy at will; and

WHEREAS, five (5) of the eight (8) PAP Owners have executed a PAP Specific License Agreement ("PAP License"), subject to City Council approval, under the following substantive business points:

- The Term is three (3) years;
- The annual license fee is One Thousand Nine Hundred Twenty Dollars ($1,920.00) ("Fee"), payable in equal installments of One Hundred Sixty Dollars ($160.00) monthly, plus applicable taxes, and adjusted annually based upon the Consumer Price Index;
- The PAP and Property (collectively, "Premises") must be used for non-commercial purposes only and conform with all applicable laws, ordinances, regulations, and restrictions;
• The PAP Owners is permitted to use the Premises for storage of one fully-operational aircraft, which is currently airworthy and has an FAA registration number assigned to it; or an aircraft that is undergoing a major repair or overhaul for a period not to exceed 180 days; or an aircraft construction project authorized by the City, which shall be accomplished within 365 days of the date of authorization, unless mutually extended; and items and activities reasonably necessary for the maintenance and repair of the stored aircraft;

• PAP Owners will maintain a commercial general liability insurance policy 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 PAP Owner's use of the Premises; and

WHEREAS, the Airport Manager is actively engaging the three (3) remaining Owners in order to finalize their respective PAP Licenses; and

WHEREAS, the PAP License is in compliance with Section 1.02(c)(4)A.1, of the City Charter, which permits the leasing of property at the Airport for a term not to exceed twenty-five (25) years with an affirmative vote of at least six (6) members of City Council.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his designee, is authorized to execute Port-a-Port-specific license agreements with individual owners, to utilize certain land within Albert Whitted Airport for the continued placement of privately-owned, portable aircraft storage hangars for terms of three (3) years; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

APPROVED BY:

City Attorney (Designee)
Clay D. Smith, Director
00351578.doc v3
Downtown Enterprise Facilities

APPROVED BY:

Bruce Grimes, Director
Real Estate & Property Management
ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of December 14, 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 Agreement with Hillsborough County, a political subdivision of the State of Florida, for the continued use of City-owned property located in Hillsborough County known as Lake Rogers Park for a period of fifteen (15) years for an initial annual rent of $24,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: The Real Estate and Property Management Department received a request from Hillsborough County ("Lessee") to enter into a new lease agreement with the City of St. Petersburg ("City") for the continued use of City-owned property located in Hillsborough County known as Lake Rogers Park ("Premises"), as depicted in the attached Illustration. The Lessee originally entered into a fifteen-year term for use of the Premises, effective January 6, 1988 ("Lease"), which has continued beyond the expiration date of the Lease term on a month-to-month basis requiring a 2-year termination notice.

The Premises was purchased by the City as a well field to provide potable water to the City and currently Tampa Bay Water maintains seven wells and related pipelines on the Premises. The Lessee currently utilizes the Premises to operate a park, Lake Rogers Park, which allows the general public to experience the Premises in its natural state. The Premises also includes restrooms, picnic pavilions, ranger residence(s), maintenance building(s) and associated roads, trails, and fences.

The Lessee will execute a new Lease Agreement ("Agreement") for a term of fifteen (15) years, effective January 1, 2018, subject to City Council approval. The Lessee shall pay the City rent in the amount of twenty-four thousand dollars ($24,000) per year, with the annual rental rate adjusted according to the Consumer Price Index at the 5th and 10th anniversary of the term of the Agreement. The Agreement allows for passive and active recreational activities related to hiking and non-motorized boating while still serving the primary function of providing potable water from the wells. The Lessee will keep and maintain the Premises and preserve and protect the water resources and conservation values of the Premises, at the Lessee's sole cost and expense. The Agreement provides that the Lessee manage the Premises in such a way as to ensure a balance between public access, general public passive recreational purposes, and the restoration and protection of its natural state and condition.
Additionally, the Lessee is an institution of the State of Florida and its self-insurance limitations are provided by law. The Lessee is provided with comprehensive general liability insurance pursuant to the terms and limits of Florida Statutes, Section 768.28 and Chapter 284, Part II, protecting the City against all claims or demands that may arise or be claimed on account of the Lessee’s use of the Premises. The Agreement may be terminated without cause by either party with a three (3) year written notice prior to the scheduled date of termination. Under the terms of the Agreement, the City is under no obligation to locate or provide a replacement Premises under any circumstances.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor or his designee to execute a Lease Agreement with Hillsborough County, a political subdivision of the State of Florida, for the continued use of City-owned property located in Hillsborough County known as Lake Rogers Park for a period of fifteen (15) years for an initial annual rent of $24,000; authorizing the Mayor or his designee 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) 00351477
WHEREAS, the Real Estate and Property Management Department received a request from Hillsborough County ("Lessee") to enter into a new lease agreement with the City of St. Petersburg ("City") for the continued use of City-owned property located in Hillsborough County known as Lake Rogers Park ("Premises"); and

WHEREAS, the Lessee originally entered into a fifteen-year term for use of the Premises, effective January 6, 1988 ("Lease"), which has continued beyond the expiration date of the Lease on a month-to-month basis requiring a 2-year termination notice; and

WHEREAS, the Lessee will execute a new Lease Agreement ("Agreement") for a term of fifteen (15) years, effective January 1, 2018, subject to City Council approval; and

WHEREAS, the Lessee shall pay the City rent in the amount of twenty-four thousand dollars ($24,000) per year, with the annual rental rate adjusted according to the Consumer Price Index at the 5th and 10th anniversary of the term of the Agreement; and

WHEREAS, the Agreement allows for passive and active recreational activities related to hiking and non-motorized boating while still serving the primary function of providing potable water from the wells; and

WHEREAS, the Lessee will keep and maintain the Premises and preserve and protect the water resources and conservation values of the Premises, at the Lessee’s sole cost and expense; and

WHEREAS, the Agreement provides that the Lessee manage the Premises in such a way as to ensure a balance between public access, general public passive recreational purposes, and the restoration and protection of its natural state and condition; and
WHEREAS, the Lessee is an institution of the State of Florida and its self-insurance limitations are provided by law and the Lessee is provided with comprehensive general liability insurance pursuant to the terms and limits of Florida Statutes, Section 768.28 and Chapter 284, Part II, protecting the City against all claims or demands that may arise or be claimed on account of the Lessee’s use of the Premises; and

WHEREAS, the Agreement may be terminated without cause by either party with a three (3) year written notice prior to the scheduled date of termination; and

WHEREAS, under the terms of the Agreement, the City is under no obligation to locate or provide a replacement Premises under any circumstances.

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 Agreement with Hillsborough County, a political subdivision of the State of Florida, for the continued use of City-owned property located in Hillsborough County known as Lake Rogers Park for a period of fifteen (15) years for an annual rent of $24,000.

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

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)

APPROVED BY:

Claude Tankersley, Administrator
Public Works

APPROVED BY:

Bruce E. Grimes, Director
Real Estate and Property Management
TO: The Honorable Darden Rice, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor or his designee to execute a Lease Agreement with Hillsborough County, a political subdivision of the State of Florida, for the continued use of City-owned property located in Hillsborough County known as Lake Park for a period of fifteen (15) years for an initial annual rent of $36,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: The Real Estate and Property Management Department received a request from Hillsborough County ("Lessee") to enter into a new lease with the City of St. Petersburg ("City") for the continued use of City-owned property located in Hillsborough County known as Lake Park ("Premises"), as depicted in the attached Illustration. The Lessee originally entered into a ten-year term for use of the Premises, effective October 17, 1984 ("Lease"), which has continued beyond the expiration date of the Lease on a month-to-month basis requiring a 5-year termination notice.

The Premises was purchased by the City as a well field to provide potable water to the City and currently Tampa Bay Water maintains six wells and related pipelines on and adjacent to the Premises. The Lessee currently utilizes the Premises to operate a park, Lake Park. The Lease allows for passive and active recreational activities within the park related to hiking, non-motorized boating, archery, camping, BMX bicycle racing, remote controlled car racing, and horseback riding, while still serving the primary function of providing potable water from the wells.

The Premises contains restrooms, picnic pavilions, parking lots, playground equipment, an equestrian stadium, a BMX bicycle race track, a remote controlled car race track, ranger residence(s), maintenance building(s) and associated roads, trails, and fences. The Agreement provides that the Lessee manage the Premises in such a way as to ensure a balance between public access, general public passive recreational purposes, and the restoration and protection of its natural state and condition.

The Lease term is in effect through July 3, 2019, with the City having provided the required 5-year notice of termination July 2, 2014. Subsequent to the notice of termination, a sinkhole was discovered on the Premises in an access road that resulted in the Premises being closed by the Lessee to allow for evaluation of the sinkhole. The result of the sinkhole evaluation was that the Lessee would be required to either fill the sinkhole or create an alternative route for accessing a portion of the park normally served by the route with the sinkhole. Due to the expense of creating
the alternative route, the Lessee requested the new lease agreement start earlier than the expiration of the current term.

The Lessee will execute a new Lease Agreement ("Agreement") for a term of fifteen (15) years, effective January 1, 2018, subject to City Council approval. The Lessee shall pay the City rent in the amount of thirty-six thousand dollars ($36,000) per year, with the annual rental rate adjusted according to the Consumer Price Index at the 5th and 10th anniversary of the term of the Agreement. The Agreement provides that the Lessee manage the Premises in such a way as to ensure a balance between public access, general public passive recreational purposes, and the restoration and protection of its natural state and condition. The Agreement provides for specific improvements to the Premises to be made, along with the ability for the City to approve requests by the Lessee to make additional improvements in the future. The current improvements permitted with the Agreement are as follows: 1) improving the east/west roadway to prevent seasonal flooding and 2) installing a replacement bridge over the ditch connecting Starvation Lake and Lake Jackson. Additional improvements to existing use areas will require City approval. The Lessee will keep and maintain the Premises and preserve and protect the water resources and conservation values of the Premises, at the Lessee’s sole cost and expense.

Additionally, the Lessee is an institution of the State of Florida, and its self-insurance limitations are provided by law. The Lessee is provided with comprehensive general liability insurance pursuant to the terms and limits of Florida Statutes, Section 768.28 and Chapter 284, Part II, protecting the City against all claims or demands that may arise or be claimed on account of the Lessee’s use of the Premises. The Agreement may be terminated without cause by either party with a three (3) year written notice prior to the scheduled date of termination. Under the terms of the Agreement, the City is under no obligation to locate or provide a replacement Premises under any circumstances.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor or his designee to execute a Lease Agreement with Hillsborough County, a political subdivision of the State of Florida, for the continued use of City-owned property located in Hillsborough County known as Lake Park for a period of fifteen (15) years for an initial annual rent of $36,000; authorizing the Mayor or his designee 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) 00351479 Final
WHEREAS, the Real Estate and Property Management Department received a request from Hillsborough County ("Lessee") to enter into a new lease agreement with the City of St. Petersburg ("City") for the continued use of City-owned property located in Hillsborough County known as Lake Park ("Premises"); and

WHEREAS, the Lessee originally entered into a ten-year term for use of the Premises, effective October 17, 1984 ("Lease"), which has continued beyond the expiration date of the Lease on a month-to-month basis requiring a 5-year termination notice; and

WHEREAS, the Lessee will execute a new Lease Agreement ("Agreement") for a term of fifteen (15) years, effective January 1, 2018, subject to City Council approval; and

WHEREAS, the Lessee shall pay the City rent in the amount of thirty-six thousand dollars ($36,000) per year, with the annual rental rate adjusted according to the Consumer Price Index at the 5th and 10th anniversary of the term of the Agreement; and

WHEREAS, the Agreement provides that the Lessee manage the Premises in such a way as to ensure a balance between public access, general public passive recreational purposes, and the restoration and protection of its natural state and condition; and

WHEREAS, the Agreement provides for specific improvements to the Premises to be made, along with the ability for the City to approve requests by the Lessee to make additional improvements in the future as follows: 1) improving the east/west roadway to prevent seasonal flooding and 2) installing a replacement bridge over the ditch connecting Starvation Lake and Lake Jackson, while additional improvements to existing use areas will require City approval; and
WHEREAS, the Lessee will keep and maintain the Premises and preserve and protect the water resources and conservation values of the Premises, at the Lessee’s sole cost and expense.

WHEREAS, the Lessee is an institution of the State of Florida, and its self-insurance limitations are provided by law and the Lessee is provided with comprehensive general liability insurance pursuant to the terms and limits of Florida Statutes, Section 768.28 and Chapter 284, Part II, protecting the City against all claims or demands that may arise or be claimed on account of the Lessee’s use of the Premises; and

WHEREAS, the Agreement may be terminated without cause by either party with a three (3) year written notice prior to the scheduled date of termination; and

WHEREAS, under the terms of the Agreement, the City is under no obligation to locate or provide a replacement Premises under any circumstances.

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 Agreement with Hillsborough County, a political subdivision of the State of Florida, for the continued use of City-owned property located in Hillsborough County known as Lake Rogers Park for a period of fifteen (15) years for an initial annual rent of $36,000.

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

This Resolution shall become effective immediately upon its adoption.

LEGAL:

APPROVED BY:

Claude Tankersley, Administrator
Public Works

APPROVED BY:

Bruce E. Grimes, Director
Real Estate and Property Management
TO: The Honorable Darden Rice, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his designee, to execute a Third Amendment to the Amended and Restated Lease Agreement dated July 15, 2010 between the City of St. Petersburg and Great Explorations, Inc.; and providing an effective date.

BACKGROUND: City Administration requested Real Estate & Property Management to develop an amendment to the Amended and Restated Lease Agreement dated July 15, 2010 ("Third Amendment") with Great Explorations, Inc. ("Great Ex") to allow Great Ex to receive a Cultural Facilities Grant from the State of Florida, Department of State, Division of Cultural Affairs.

Great Ex currently leases a portion of City-owned real estate commonly known as "Sunken Gardens," and operates a children's museum and Children's Center ("Center"), within a portion of the facility located at 1925 Fourth Street North, St. Petersburg ("Premises"), which is regulated by the Pinellas County Licensing Board for Children’s Centers and Family Day Care Homes.

The City and Great Ex executed a lease agreement for use of the Premises on March 20, 2001 that was subsequently amended and restated on July 15, 2010 ("2010 Lease"), which allowed for a maximum of 52 enrollees to the Center. The 2010 Lease was further amended on February 26, 2014 ("First Amendment"), which allowed for the number of enrollees to be increased to 83 to the Center. Subsequently, on October 24, 2014, Great Ex exercised its right to extend the term of the 2010 Lease to March 31, 2020.

The 2010 Lease was further amended on October 6, 2015 ("Second Amendment") which provided for 1) a reduction of the rent payment to $2,750 per month beginning on October 1, 2015; 2) another reduction of the rent payment to a nominal fee of $1.00 per month, effective October 1, 2016, for the remainder of the term; 3) the elimination of the common area maintenance fee; 4) reduction of the after-hours event payment to $550; and 5) a contractual commitment to deliver documented services to the community annually including, but are not limited to:

- 25 free field trips to benefit undeserved children
- 45 camp scholarships
- 40 community outreaches
- 240 free museum admissions
- 60 after hours for free museum rentals to community non-profit organizations.

In 2017, Great Ex applied for, and received, a Cultural Facilities Grant from the State of Florida, Department of State, Division of Cultural Affairs in the amount of $400,000 ("Grant") to allow for the expansion of the Center. The Grant will allow for the expansion of the space utilized by Great Ex for the Center and installation of restroom facilities that will serve the Center ("Expansion").

The Grant requires that a restrictive covenant be recorded against the leasehold interest of Great Ex, with a lease term of ten (10) years remaining at the time of recording. Great Ex has requested...
that the term of the 2010 Lease be extended to June 30, 2029 to provide for the 10-year term required by the restrictive covenant.

As Great Ex currently utilizes restroom facilities and lobby space shared with Sunken Gardens ("Shared Areas") for the Center, the Third Amendment also provides that Great Ex resume paying for the use of the Shared Areas. Effective January 1, 2018, Great Ex will pay $1,500 per month, for the duration of the term of the 2010 Lease, which will be due and payable on the first day of each month ("Shared Area Expense"). Upon completion of the Expansion, and once Great Ex has demonstrated that the new restrooms adequately serve the needs of the Center, the Shared Area Expense will be reduced to $1,000 per month for the duration of the term of the 2010 Lease.

Upon completion of the Expansion, the Third Amendment also provides that Great Ex will be allowed to increase the allowable number of enrollees attending the Center from 83 to 110 children for the duration of the term. In addition, the Third Amendment provides that prior to applying for any new grants that would require the encumbrance of the City-owned property, Great Ex must receive the City’s approval.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute a Third Amendment to the Amended and Restated Lease Agreement dated July 15, 2010 between the City of St. Petersburg and Great Explorations, Inc.; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENT: Resolution

APPROVALS: Administration:

Budget: N/A

Legal:

(As to consistency w/attached legal documents)
Resolution No. 2017 -_______

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A THIRD AMENDMENT TO THE AMENDED AND RESTATED LEASE AGREEMENT DATED JULY 15, 2010 BETWEEN THE CITY OF ST. PETERSBURG AND GREAT EXPLORATIONS, INC.; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City Administration requested Real Estate & Property Management to develop an amendment to Amended and Restated Lease Agreement dated July 15, 2010 ("Third Amendment") with Great Explorations, Inc. ("Great Ex") to allow Great Ex to receive a Cultural Facilities Grant from the State of Florida, Department of State, Division of Cultural Affairs; and

WHEREAS, Great Ex currently leases a portion of City-owned real estate commonly known as "Sunken Gardens," and operates a children's museum and Children's Center ("Center"), within a portion of the facility located at 1925 Fourth Street North, St. Petersburg ("Premises"), which is regulated by the Pinellas County Licensing Board for Children's Centers and Family Day Care Homes; and

WHEREAS, in 2017, Great Ex applied for, and received, a Cultural Facilities Grant from the State of Florida, Department of State, Division of Cultural Affairs in the amount of $400,000 ("Grant") to allow for the expansion of Great Ex's operations and installation of restroom facilities to serve the Center; and

WHEREAS, the Grant requires that a restrictive covenant be recorded against the leasehold interest of Great Ex, with a lease term of ten (10) years remaining at the time of recording; and

WHEREAS, Great Ex has requested that the term of the 2010 Lease be extended to June 30, 2029 to provide for the 10-year term required by the restrictive covenant; and

WHEREAS, as Great Ex currently utilizes restroom facilities and lobby space shared with Sunken Gardens ("Shared Areas") for the Center, the Third Amendment also provides that Great Ex resume paying for the use of the Shared Areas; and

WHEREAS, effective January 1, 2018, Great Ex will pay $1,500 per month, for the duration of the term of the 2010 Lease, due and payable on the first day of each month ("Shared Area Expense"); and

WHEREAS, upon completion of the Expansion, and once Great Ex has demonstrated that the new restrooms adequately serve the needs of the Center, the Shared Area Expense will be reduced to $1,000 per month for the duration of the term of the 2010 Lease; and
WHEREAS, upon completion of the Expansion, the Third Amendment also provides that Great Ex will be allowed to increase the number of enrollees attending the Center from 83 to 110 children for the duration of the term; and

WHEREAS, in addition, the Third Amendment provides that prior to applying for any new grants that would require the encumbrance of the City-owned property, Great Ex must receive the City's approval.

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 Third Amendment to the Amended and Restated Lease Agreement dated July 15, 2010 between the City of St. Petersburg and Great Explorations, Inc.; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

APPROVED BY:

City Attorney (Designee)

Clay D. Smith, Director
Downtown Enterprise Facilities

Bruce E. Grimes, Director
Real Estate & Property Management
TO: The Honorable Darden Rice, Chair, and Members of City Council

SUBJECT: A resolution approving the Second Amendment to the architect/engineering Agreement dated January 25, 2017 between the City of St. Petersburg, Florida and ASR U.S., LLC ("A/E"), as amended, modifying the Scope of Services to remove construction services associated with Injection Well IW-4 and adding additional design and construction services for the NWWRF Reclaimed Water and Injection Wells Improvements Project in an additional amount not to exceed $19,298, for a total contract amount not to exceed of $1,399,548 (Engineering Project No. 17053-111 Oracle No. 15927); authorizing the mayor or his designee to execute the Second Amendment and all documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: On January 25, 2017, City Council approved an A/E Agreement between the City of St. Petersburg and ASRus, LLC ("ASRus") to furnish professional engineering services for the NWWRF Reclaimed Water and Injection Wells Improvements Project in the amount of $1,173,000. The scope of services included design, permitting, bidding, and construction of the injection wells and a Basis of Design Report (BODR) for the associated piping and pumping facilities.

The City utilizes two existing 30" deep injection wells currently permitted to inject up to 32 million gallons per day (MGD) surplus reclaimed water approximately 1,100 feet in depth. An additional injection well, (IW-3) with associated monitoring well (MW-4), is required to provide increased disposal capacity to inject approximately 45 MGD during extreme wet weather conditions.

The Scope of Services authorized in the A/E Agreement included the design of up to two Class I injection wells, permitting assistance, bidding assistance, and construction services including, but not limited, to field inspections, construction meetings, and shop drawing reviews.

On April 6, 2017, City Council approved a construction contract for Youngquist Brothers Inc. for construction of IW-3 and MW-4.

Using the Agreement allowance, the City authorized additional services for the final design of one (1) fast track package for piping connections and pumping for IW-3. The one (1) fast track package is referenced here:

Temporary Pumping to IW-3 - Diesel-driven, skid mounted, critically silenced, self-priming centrifugal pumps and piping connection to IW-3 currently being constructed.

On June 1, 2017 City Council approved Amendment No. 1 to the A/E Agreement in the amount of $207,250 to provide funding for services during construction of the piping and pumping package and an evaluation of surge control under different scenarios utilizing the existing surge tank or a new surge tank. This included final design and services during construction for surge control of the NWWRF Injection Wells.
Acidization of existing Injection Wells IW-1 and IW-2 has increased capacity of those Injection Wells from 32 MGD to 40 MGD and the construction of IW-3 has provided an additional 18.7 MGD capacity for a total disposal capacity of 58.7 MGD. The Second Amendment will modify the Scope of Services to remove construction services related to IW-4 which is not being constructed at this time, resulting in a cost reduction of $387,000. IW-4 will be further evaluated as part of the Integrated Master Plan Project.

The Second Amendment to A/E Agreement for NWWRF Reclaimed Water and Injection Wells Improvements Project will authorize additional late track final design and services during construction, in amount not to exceed $396,298 and an allowance in the amount of $10,000 for a total amount not to exceed $406,298. The cost of the additional services will be reduced by the amount of $387,000 for the removal of construction services associated with IW-4 for an increase in the Agreement amount of $19,298 with a total Agreement amount not to exceed $1,399,548. The scope of work includes two (2) late track packages which consist of onsite equipment upgrades and existing injection well upgrades. Onsite equipment upgrades include but not limited to permanent installation of the temporary diesel pumps and connection of the new and existing high service pumps to IW-1, IW-2, IW-3, and future IW-4. Existing injection well upgrades include but not limited to upgrading the piping to IW-1 and IW-2 to sustain peak flows. The wellheads that currently reside underground in a vault at Walter Fuller Park will be brought above ground for easier operation and maintenance and enclosed by fencing and shrubs.

A/E Agreement for NWWRF Reclaimed Water and Injection Wells Improvements Project, the First Amendment, and Second Amendment under A/E Agreement includes the following and not to exceed costs respectively:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>A/E Agreement - Construction Phase Services (Approved)</td>
<td>$ 814,000</td>
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<tr>
<td>A/E Agreement - BODR/Design/Permitting (Approved)</td>
<td>$ 314,000</td>
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<tr>
<td>Allowance (Approved)</td>
<td>$ 45,000</td>
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<tr>
<td>Admin/CEI Costs (Approved)</td>
<td>$ 60,000</td>
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<tr>
<td></td>
<td>$ 1,233,000</td>
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<tr>
<td>Amendment No 1 - Fast Track Services During Construction/Surge Evaluation</td>
<td></td>
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<tr>
<td>(Approved)</td>
<td>$ 167,250</td>
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<tr>
<td>Allowance (Approved)</td>
<td>$ 40,000</td>
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<tr>
<td></td>
<td>$ 207,250</td>
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<tr>
<td>Amendment No 2 - Refund from Injection Well Services During Construction</td>
<td></td>
</tr>
<tr>
<td>(New)</td>
<td>$ (387,000)</td>
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<tr>
<td>Amendment No 2 - Late Track Design and Services During Construction (New)</td>
<td></td>
</tr>
<tr>
<td>Allowance (New)</td>
<td>$ 10,000</td>
</tr>
<tr>
<td></td>
<td>$ 406,298</td>
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<tr>
<td>Amendment No 2 - Net</td>
<td>$ 19,298</td>
</tr>
<tr>
<td>Revised Total including Admin/CEI Costs</td>
<td>$ 1,459,548</td>
</tr>
<tr>
<td>Revised Total A/E Fees</td>
<td>$ 1,399,548</td>
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- 2 -
RECOMMENDATION: Administration recommends authorizing the Mayor or his designee to execute the Second Amendment to the architect/engineering Agreement dated January 25, 2017 between the City of St. Petersburg, Florida and ASR U.S., LLC ("A/E"), as amended, modifying the Scope of Services to remove construction services associated with Injection Well IW-4 and adding additional design and construction services for the NWWRF Reclaimed Water and Injection Wells Improvements Project in an additional amount not to exceed $19,298, for a total contract amount not to exceed of $1,399,548 (Engineering Project No. 17053-111 Oracle No. 15927); authorizing the mayor or his designee to execute the Second Amendment and all documents necessary to effectuate this transaction; and providing an effective date.

COST/FUNDING INFORMATION: Funds have been previously appropriated in the Water Resources Capital Project Fund (4003), WRF NW New Injection Wells FY17 Project (15927).

ATTACHMENTS: Resolution
Amendment No. 2 to A/E Agreement

APPROVALS: Brijesh Pragmane Administrative
                Jerry McKeever Budget
Resolution No. 2017 -

A RESOLUTION APPROVING THE SECOND AMENDMENT TO THE ARCHITECT/ENGINEERING AGREEMENT DATED JANUARY 25, 2017 BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND ASR U.S., LLC ("A/E"), AS AMENDED, MODIFYING THE SCOPE OF SERVICES TO REMOVE CONSTRUCTION SERVICES ASSOCIATED WITH INJECTION WELL IW-4 AND ADDING ADDITIONAL DESIGN AND CONSTRUCTION SERVICES FOR THE NWWRF RECLAIMED WATER AND INJECTION WELLS IMPROVEMENTS PROJECT IN AN ADDITIONAL AMOUNT NOT TO EXCEED $19,298, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED OF $1,399,548 (ENGINEERING PROJECT NO. 17053-111 ORACLE NO. 15927); AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE SECOND AMENDMENT AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") and ASR U.S., LLC ("A/E") entered into an architect/engineering agreement ("Agreement") on January 25, 2017 for A/E to provide miscellaneous professional services for the Northwest WRF Reclaimed Water & Injection Wells Improvements Project in the amount of $1,173,000; and

WHEREAS, on June 1, 2017, City Council approved the First Amendment to the Agreement for A/E to provide additional services during construction of the piping and pumping package and an evaluation of surge control under different scenarios utilizing the existing surge tank or a new surge tank in an amount not to exceed $207,250, for a total contract amount not to exceed of $1,380,250; and

WHEREAS, the City desires to amend the architect/engineering agreement and modify the Scope of Services to remove construction services associated with Injection Well IW-4 and add additional design and construction services for the NWWRF Reclaimed Water and Injection Wells Improvements Project in an additional amount not to exceed $19,298, for a total contract amount not to exceed of $1,399,548; and

WHEREAS, Administration recommends approval of the Second Amendment to the Agreement for A/E to modify the Scope of Services to remove construction services associated with Injection Well IW-4 and adding additional design and construction services for the NWWRF Reclaimed Water and Injection Wells Improvements Project in an additional amount not to exceed $19,298.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Second Amendment to the architect/engineering Agreement dated January 25, 2017 between the City of St. Petersburg, Florida and ASR U.S., LLC ("A/E"), as
amended, modifying the Scope of Services to remove construction services associated with Injection Well IW-4 and adding additional design and construction services for the NWWRF Reclaimed Water and Injection Wells Improvements Project in an additional amount not to exceed $19,298, for a total contract amount not to exceed of $1,399,548 is hereby approved.

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

This Resolution shall become effective immediately upon its adoption.

Approved by:

City Attorney (Designee)
00351678
APPENDIX A

PROJECT NO. 17053-111
ADDITIONAL SCOPE OF 
SERVICES 
NORTHWEST WATER RECLAMATION FACILITY (NWWRF) 
RECLAIMED WATER AND INJECTION WELLS 
IMPROVEMENTS

I. DESCRIPTION OF PROJECT

This project pertains to the addition of up to two injection wells at the City of St. Petersburg's (CITY's) Northwest Water Reclamation Facility (NWWRF) deep injection well (DIW) system and related well infrastructure. This project also includes improvements to the NWWRF pump station.

The initial work authorized to be performed under this project included; a project kick-off and scoping meeting, siting meeting, construction permit assistance, bidding assistance including technical specifications and drawings, well services during construction, preliminary engineering design, and basis of design report.

From an Allowance, approved previously by Council, A/E was authorized the final design of one (1) fast track package, for piping connection and pumping to IW-3 referenced here:

Package 1: Temporary Pumping to IW-3: Diesel-driven, skid mounted, critically silenced, self-priming centrifugal pumps and piping connection to IW-3 currently being constructed.

Amendment No.1 to the A/E Agreement authorized fast track services during construction for Package 1- Temporary Pumping to IW-3 and an evaluation of surge control under different scenarios utilizing the existing surge tank or a new surge tank. This included final design and services during construction for surge control of the NWWRF Injection Wells.

Amendment No. 2 to the A/E Agreement will provide services for final design and services during construction for two (2) packages for a permanent pump station and upsizing piping to IW-1 and IW-2 referenced here:

Package 2: Onsite Equipment Upgrades – Permanent installation of the temporary diesel pumps that were acquired under Package 1 and connection of the new and existing high service pumps to the existing IW-1 and IW-2 and the proposed IW-3 and IW-4.

Package 3: Existing Injection Well Upgrades – Upgrade the undersized piping of the existing Class I injection well system (IW-1 and IW-2) which includes raising the well headers to above-grade, upsizing the existing 16" well headers to 24" diameter piping, expanding the 20" reclaimed water connection to IW-2 to 24", and alleviating a 24" hydraulic restriction that allows the high service pump station to discharge to the dedicated 42" diameter piping to the existing injection wells.

In addition to these scope items, this amendment includes a cost reduction from Task 5 Well Services During Construction (SDCs). Task 5 included SDCs for IW-3 and IW-4 at the NWWRF, since IW-4 was not constructed a reduction in the fee for this task is offered in this Amendment.
II. **SCOPE OF SERVICES**

The following tasks will be included in this Amendment:

**Task 5 – Well Construction Services During Construction (revision)**

Services during construction was previously authorized for two injection wells IW-3 and IW-4. SDCs for IW-4 is hereby removed from this project since this well has not been funded for construction. A reduction in fee for Task 5 in the amount of $387,000 is included as part of this amendment and is shown as a credit in the cost breakdown presented in Exhibit 1.

**Task 9 – Late Track Design**

Under this task, A/E will provide full design documents and cost estimates of the following design packages: Onsite Equipment Upgrades (Task 9.1), Existing Injection Well Upgrades (Task 9.2).

Attend up to two preliminary design confirmation meetings, one for each design package, prior to initiating design work. The purpose of these meetings will be to review the current design of each project, confirm design criteria, and agree on adjustments to include in the design. Significant adjustments may need to be addressed under the project owner's allowance. Agreed-upon design criteria will be incorporated into an updated Basis of Design Report that was delivered previously as part of this project.

Prepare 60% contract documents for each package. The 60% submittal will complete specific design details for the civil, mechanical, electrical, I & C and structural elements of the project. In addition, with this documentation, drafts of the key project technical specifications will be provided for review by the City.

Submit 60% drawings, draft technical specifications, standard details, and cost estimate (Class III per AACE) to the CITY. A 60% design review meeting will be conducted during the one-week CITY review period. Once comments have been received, this package will be progressed to 90% design.

Prepare 90% contract documents for each package. The 90% submittal will complete specific design details for the civil, mechanical, electrical, I & C, and structural elements of the project. In addition, with this documentation, final drafts of the key project technical specifications will be provided for review by the CITY.

Submit 90% drawings, technical specifications, standard details, and cost estimate (Class II per AACE) to the CITY. A 90% design review meeting will be conducted during the one-week City review period. Once comments have been received, this package will be progressed to 100% design.

Prepare 100% design documents for each package thereby completing all project documentation for final review by the CITY. The 100% design documents are inclusive of drawings, technical specifications, and standard details.

Prepare a final estimate of probable construction cost (Class I per AACE) for the project based upon the 100% drawings, technical specifications, and standard details.
**Task 10 – Late Track Services During Construction**

Under this task, A/E will provide services to support the CITY and Construction Manager (CM) during the construction phase of the following design packages: Onsite Equipment Upgrades, Existing Injection Well Upgrades.

10.1 Preconstruction Meeting with the CITY and the CM prior to the mobilization for each package.

10.2 Shop Drawings - review and approve shop drawings and other CM submittals during construction. It is assumed that approximately 20 shop drawings will be needed with an average anticipated review effort of 6 labor hours each.

10.3 Requests for Information (RFIs) - When requested, and as approved by the CITY, respond to the CM's RFIs and keep track of all responses. It is assumed that approximately 12 RFIs will be needed with an average response effort of 4 labor hours each.

10.4 Construction Progress Meetings - participate in weekly construction progress meetings to be hosted by the CITY, to review the status of the construction progress, submittals, and RFIs. Up to 16 meetings are included in this task.

10.5 CM Coordination - participate in additional meetings and correspond to inquiries and recommendations from the CM during the design and construction phase. Coordinate with CITY and CM for review of plans, specifications, and other design documents during design development phase, and construction documents phase.

10.6 Substantial and Final Completion Inspections - participate in an inspection to determine if each design package is substantially complete and a final inspection to determine if the work has been completed in general conformance with the Contract Documents. A construction punch list will be prepared by unit process and discipline to track completion of work items. Based upon these inspections, A/E will provide its recommendation to the CITY for final payment to the CM and may give written notice to CITY and the CM that the work is acceptable (subject to any conditions, therein expressed).

10.7 Operation and Maintenance (O&M) Manual and Operating Protocol – summarize the new installed equipment and compile new product Operations and Maintenance Manuals into a single folder for housing at the NWWRF. This O&M Manual may also include an operating protocol for the new equipment.

10.8 As-builts - revise the original construction drawings to reflect information provided by the CM regarding the as-constructed project including but not limited to red lines and a certified survey. Three (3) hard copies and one electronic CAD version in AUTOCAD format will be submitted to the CITY. A/E will provide record drawings and certification of construction completion to the Florida Department of Environmental Protection (FDEP) to allow the new project to be placed in service.

10.9 Project Management - provide project management and administrative services in support of the services during construction phase of this project. Tasks will include, but are not limited to preparing invoices and project status reports, tracking and managing SDCs phase budgets, coordinating and planning staff utilization, coordinating and overseeing deliverables, and miscellaneous administrative services related to the implementation of the project.
Assumptions

In addition to the assumptions listed in the above scope of work, the following items are assumed:

- A/E is not responsible for Regulatory Agency delays.
- Survey needed for this project will be performed by the CITY or included under a separate contract for the on-site Construction Manager.
- The construction duration will be up to 4 months. Additional construction time may cause additional late-track services during construction. There additional services may be requested under this project's owners allowance through an additional Amendment to this scope of work.
- All estimates of probable construction cost used for planning the project will be developed using the appropriate estimate class for completion of the design and consistent with Industry Standards, Association for the Advancement of Cost Engineering (AACE) adjusted for local site conditions. The final construction cost can only be determined after competitive bidding of the project by the CITY. In providing opinions of cost, financial analyses, economic feasibility projections, and schedules for the project, A/E has no control over cost or price of labor and materials; unknown or latent conditions of existing equipment or structures that may affect operation or maintenance costs; competitive bidding procedures and market conditions; time or quality of performance by operating personnel or third parties; and other economic and operational factors that may materially affect the ultimate project cost or schedule. Therefore, A/E makes no warranty that CITY'S actual project costs, financial aspects, economic feasibility, or schedules will not vary from A/E's opinions, analyses, projections, or estimates.
- A/E's Subconsultant, CH2M, will utilize WinHydro to perform gravity-flow hydraulic modeling, which is a CH2M proprietary software. CH2M retains all rights to, and ownership to WinHydro.
- A/E's Subconsultant, CH2M will utilize Applied Flow Technologies' Fathom to perform pressurized-flow hydraulic modeling.
- Additional reject and/or reclaimed water storage capacity will not be included in this scope of work.
- Regular progress update calls with outside stakeholders are not necessary.
- The wellhead design will be similar for all injection wells.
III. **SCHEDULE**

The following schedule applies to this Agreement.

<table>
<thead>
<tr>
<th>Task</th>
<th>Task 9.1 Duration</th>
<th>Task 9.2 Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 — Late Track Design</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preliminary Design Confirmation Meeting (PDCM)</td>
<td>1 Week from NTP</td>
<td>1 Week from NTP</td>
</tr>
<tr>
<td>Develop 60% Design Documents for Late Track</td>
<td>4 Weeks from PDCM</td>
<td>3 Weeks from PDCM</td>
</tr>
<tr>
<td>Packages</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Review Meeting</td>
<td>5 Weeks from PDCM</td>
<td>(1 Week for Written</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Comments)</td>
</tr>
<tr>
<td>Develop 90% Design Documents for Late Track</td>
<td>8 Weeks from PDCM</td>
<td>--</td>
</tr>
<tr>
<td>Packages</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Review Meeting</td>
<td>9 Weeks from PDCM</td>
<td>--</td>
</tr>
<tr>
<td>Develop 100% Design Documents for Late Track</td>
<td>10 weeks from PDCM</td>
<td>7 weeks from PDCM</td>
</tr>
<tr>
<td>Packages</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 — Late Track Services during Construction</td>
<td>TBD</td>
<td>TBD</td>
</tr>
</tbody>
</table>

The construction duration by which to complete this scope of services is assumed to be up to 4 months. Additional construction time may cause additional late-track services during construction. There additional services may be requested under this project's owner's allowance or through an additional assignment to this scope of work.

IV. **A/E'S RESPONSIBILITIES**

Consultant will provide the scope of work described herein including deliverables summarized in Section III. Schedule.

V. **CITY'S RESPONSIBILITIES**

CITY will provide A/E all available data, reports, and as built drawings requested by A/E to perform the evaluations described in the scope of services.

VI. **DELIVERABLES**

1. 60% Design Documents
2. 90% Design Documents
3. 100% Design Documents
VII. A/E'S COMPENSATION

The A/E was authorized the not-to-exceed amount of $299,000 under the A/E Agreement for Tasks 1 through 4 and 6 (Council approval was for $1,173,000 which included $814,000 for Task 5, which included for that Task a $40,000 Allowance, a $5,000 Allowance for Task 4, and a $55,000 Allowance for Task 6).

Revision No. 1 to the A/E Agreement authorized the A/E the not-to-exceed amount of $55,000 (from the Allowance) for Task 6.

Revision No. 2 to the A/E Agreement authorized the A/E the not-to-exceed amount of $774,000 for Task 5 (from original approval of Council).

Amendment No. 1 to the A/E Agreement authorized the A/E the not-to-exceed amount of $167,250 for Task 7 and 8. (Council approval was for $207,250 which included $40,000 Allowance)

For Amendment No. 2 to the A/E Agreement, A/E shall receive a refund of $387,000 from Task 5. The CITY shall also compensate the A/E the not-to-exceed amount of $406,298 for Task 9 and 10, per Exhibit 1. The total compensation for the A/E will be of a not-to-exceed amount of $9,298.

Amendment No. 2 to the A/E Agreement establishes an additional Allowance in the amount of $10,000 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 for in the Amendment No. 2 to the A/E Agreement.

The total for Amendment No. 2 including the Allowance is $19,298, per Exhibit 1.

The total Task Order amount including Amendment No. 1 and Amendment No. 2 shall not exceed $1,399,548.

VIII. PROJECT TEAM

Assisting ASRus, with the scope of work outlined in this Amendment will be CH2M (Task 9 and Task 10).
Exhibit 1
Work Task Breakdown
Exhibit 1
Work Task Breakdown
CITY of St. Petersburg Northwest WRF Reclaimed Water and Injection Wells Improvements

I. Manpower Estimate: All Tasks

<table>
<thead>
<tr>
<th>Direct labor Rates Classifications</th>
<th>Principal in Charge</th>
<th>Senior Professional Geologist</th>
<th>Senior Construction Manager</th>
<th>Staff Scientist</th>
<th>Graphics Designer</th>
<th>Senior Clerical</th>
<th>Clerical</th>
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<tr>
<td>Project Role</td>
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<td>Wall Task Manager/Assistant PM</td>
<td>Construction Manager</td>
<td>Resident Observation</td>
<td>Graphics</td>
<td>Admin</td>
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<td>T. McNeal</td>
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<td>2016 Billing Rates</td>
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<td>$70.00</td>
<td>$55.00</td>
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<table>
<thead>
<tr>
<th>Task</th>
<th>Labor Cost</th>
<th>Expenses²</th>
<th>Subconsultant Services</th>
<th>Mark-up on Subconsultant Services²</th>
<th>Total Cost Without Allowance</th>
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</thead>
<tbody>
<tr>
<td>9</td>
<td>$6,340.00</td>
<td>$0.00</td>
<td>$245,806.00</td>
<td>$12,290.00</td>
<td>$264,436.00</td>
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<tr>
<td>10</td>
<td>$6,340.00</td>
<td>$0.00</td>
<td>$119,545.00</td>
<td>$5,977.00</td>
<td>$131,922.00</td>
</tr>
<tr>
<td>Total</td>
<td>$12,680.00</td>
<td>$0.00</td>
<td>$365,351.00</td>
<td>$18,267.00</td>
<td>$383,618.00</td>
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II. Fee Calculation

<table>
<thead>
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<th>Expenses²</th>
<th>Subconsultant Services</th>
<th>Mark-up on Subconsultant Services²</th>
<th>Total Cost Without Allowance</th>
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<tbody>
<tr>
<td>5</td>
<td>$6,340.00</td>
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<td>$0.00</td>
<td>$365,351.00</td>
<td>$18,267.00</td>
<td>$383,618.00</td>
</tr>
</tbody>
</table>

III. Fee Limit

| Time and Materials Cost (Tasks 5, 9, 10) | $9,298.00 |
| Allowance³ | $10,000.00 |
| Total¹ | $19,298.00 |

IV. Notes:

1. Sum of each task.
2. Includes expenses for reproduction, postage, mileage, and miscellaneous charges.
3. Allowance to be used only upon City's written authorization.
4. Includes 5 percent markup of SUBCONSULTANT.
5. Portions of the work under each task could be re-assigned from ASRs to SUBCONSULTANTS or between SUBCONSULTANTS with approval of CITY and as long as the budget of each task does not change.
SUBCONSULTANT PROPOSALS
November 13, 2017

Subject: Northwest WRF Reclaimed Water and Injection Wells Improvements – Third Assignment

Dear Mr. McNeal,

Please find below our scope of work and fee for the Third Assignment under the City of St. Petersburg (City) Northwest WRF Reclaimed Water and Injection Wells Improvements project, which provides professional engineering services during construction for the late-track design packages identified below.

(City Project No. 17053-111)

Scope of work

CH2M is in the process of developing project definition-level design documents for two late-track packages. For reference, a description of each package is as follows:

**Package 2: Onsite Equipment Upgrades** — Permanent installation of the temporary diesel pumps that were acquired under Package 1, connection of the new and existing high service pumps to the existing IW-1 and IW-2 and the proposed IW-3 and IW-4, and alleviating a 24” hydraulic restriction that allows the high service pump station to discharge to the dedicated 42” diameter piping to the existing injection wells.

**Package 3: Existing Injection Well Upgrades** — Upgrade the undersized piping of the existing Class I injection well system (IW-1 and IW-2) which includes raising the well headers to above-grade, upsizing the existing 16” well headers to 24” diameter piping, and expanding the 20” reclaimed water connection to IW-2 to 24”.

CH2M will assist ASRus with the following tasks outlined in their scope of work with the City as detailed below.

**Task 9 — Late Track Design**

Under this task, CH2M will provide full design documents and cost estimates of the following design packages: Onsite Equipment Upgrades (Task 9.1), Existing Injection Well Upgrades (Task 9.2).

CH2M will conduct up to two preliminary design confirmation meetings, one for each design package, prior to initiating design work. The purpose of these meetings will be to review the current design of each project, confirm design criteria, and agree on adjustments to include in the design. Significant adjustments may need to be addressed under the project owner’s allowance. Agreed-upon design
criteria will be incorporated into an updated Basis of Design Report that was delivered previously as part of this project.

CH2M will prepare 60% contract documents for each package. The 60% submittal will complete specific design details for the civil, mechanical, electrical, I & C and structural elements of the project. In addition, with this documentation, drafts of the key project technical specifications will be provided for review by the City.

CH2M will submit 60% drawings, draft technical specifications, standard details, and cost estimate (Class III per AACE) to the City. A 60% design review meeting will be conducted during the one-week City review period. Once comments have been received, CH2M will progress this package to 90% design.

CH2M will prepare 90% contract documents for each package. The 90% submittal will complete specific design details for the civil, mechanical, electrical, I & C, and structural elements of the project. In addition, with this documentation, final drafts of the key project technical specifications will be provided for review by the City.

CH2M will submit 90% drawings, technical specifications, standard details, and cost estimate (Class II per AACE) to the City. A 90% design review meeting will be conducted during the one-week City review period. Once comments have been received, CH2M will progress this package to 100% design.

CH2M will prepare 100% design documents for each package thereby completing all project documentation for final review by the City. 100% design documents are inclusive of drawings, technical specifications, and standard details.

CH2M will prepare a final estimate of probable construction cost (Class I per AACE) for the project based upon the 100% drawings, technical specifications, and standard details.

Task 10 – Late Track Services during Construction

Under this task, CH2M will provide services to support the City and Construction Manager (CM) during the construction phase of the following design packages: Onsite Equipment Upgrades, Existing Injection Well Upgrades.

10.1. Preconstruction Meeting - CH2M will attend a preconstruction meeting with the CITY and the CM prior to the mobilization for each package.

10.2. Shop Drawings - CH2M will review and approve shop drawings and other CM submittals during construction. It is assumed that approximately 20 shop drawings will be needed with an average anticipated review effort of 6 labor hours each.

10.3. Requests for Information (RFIs) - When requested, and as approved by the City, respond to the CM's RFIs and keep track of all responses.

It is assumed that approximately 12 RFIs will be needed with an average response effort of 4 labor hours each.

10.4. Construction Progress Meetings - CH2M will participate in weekly construction progress meetings to be hosted by the City, to review the status of the construction progress, submittals, and RFIs. Up to 16 meetings are included in this task.

10.5. CM Coordination - CH2M will participate in additional meetings and correspond to inquiries and recommendations from the CM during the design and construction phase. CH2M will coordinate with City and CM for review of plans, specifications, and other design documents during design development phase, and construction documents phase.
10.6. Substantial and Final Completion Inspections - CH2M will participate in an inspection to determine if construction is substantially complete and a final inspection to determine if the work has been completed in general conformance with the Contract Documents. A construction punch list will be prepared by unit process and discipline to track completion of work items. Based upon these inspections, CH2M can provide its recommendation to the City for final payment to the CM and may give written notice to City and the CM that the work is acceptable (subject to any conditions, therein expressed).

10.7. Operation and Maintenance (O&M) Manual and Operating Protocol — CH2M will summarize the new installed equipment and will compile new product Operations and Maintenance Manuals into a single folder for housing at the Northwest Water Reclamation Facility. This O&M Manual may also include an operating protocol diagram for the new equipment.

10.8. As-builts - CH2M will revise the original construction drawings to reflect information provided by the CM regarding the as-constructed project including but not limited to red lines and a certified survey. Three (3) hard copies and one electronic CAD version in AUTOCAD format will be submitted to the City. CH2M will provide record drawings and certification of construction completion to the Florida Department of Environmental Protection (FDEP) to allow the new project to be placed in service.

10.9. Project Management - CH2M will provide project management and administrative services in support of the services during construction phase of this project. Tasks will include, but are not limited to preparing invoices and project status reports, tracking and managing SDC phase budgets, coordinating and planning staff utilization, coordinating and overseeing deliverables, and miscellaneous administrative services related to the implementation of the project.

Assumptions

In addition to the assumptions listed in the above scope of work, the following items are assumed:

- CH2M is not responsible for Regulatory Agency delays.
- Survey needed for this project will be performed by the City or included under a separate contract for the on-site Construction Manager.
- The construction duration will be up to 4 months. Additional construction time may cause additional late-track services during construction. These additional services may be requested under this project's owner's allowance or through an additional amendment to this scope of work.
- All estimates of probable construction cost used for planning the project will be developed using the appropriate estimate class for completion of the design and consistent with Industry Standards, Association for the Advancement of Cost Engineering (AACE) adjusted for local site conditions. The final construction cost can only be determined after competitive bidding of the project by the City. In providing opinions of cost, financial analyses, economic feasibility projections, and schedules for the project, CH2M has no control over cost or price of labor and materials; unknown or latent conditions of existing equipment or structures that may affect operation or maintenance costs; competitive bidding procedures and market conditions; time or quality of performance by operating personnel or third parties; and other economic and operational factors that may materially affect the ultimate project cost or schedule. Therefore, CH2M makes no warranty that City's actual project costs, financial aspects, economic feasibility, or schedules will not vary from CH2M's opinions, analyses, projections, or estimates.
• The work assignment does not include a site assessment to determine if the drilling sites or pipeline alignments contain contaminated groundwater or soils, landfill material, or items that may require an archaeological investigation. If during the course of construction, conditions such as these are encountered, construction progress may be delayed until the appropriate actions are taken. The Consultant is in no way liable for delays in the project as a result of these events. No remediation activities or coordination of such activities are provided under this work assignment.

• CH2M will utilize WinHydro to perform gravity-flow hydraulic modeling, which is a CH2M proprietary software. CH2M retains all rights to, and ownership to WinHydro.

• CH2M will utilize Applied Flow Technologies' Fathom to perform pressurized-flow hydraulic modeling.

• Additional reject and/or reclaimed water storage capacity will not be included in this scope of work.

• Regular progress update calls with outside stakeholders are not necessary.

• The well head design will be similar for all injection wells.

Schedule

The schedule for the above scope of work is described as follows:

<table>
<thead>
<tr>
<th>Task</th>
<th>Task 9.1 Duration</th>
<th>Task 9.2 Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>9— Late Track Design</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preliminary Design Confirmation Meeting (PDCM)</td>
<td>1 Week from NTP</td>
<td>1 Week from NTP</td>
</tr>
<tr>
<td>Develop 60% Design Documents for Late Track Packages</td>
<td>4 Weeks from PDCM</td>
<td>3 Weeks from PDCM</td>
</tr>
<tr>
<td>City Review Meeting</td>
<td>5 Weeks from PDCM</td>
<td>(1 Week for Written Comments)</td>
</tr>
<tr>
<td>Develop 90% Design Documents for Late Track Packages</td>
<td>8 Weeks from PDCM</td>
<td>--</td>
</tr>
<tr>
<td>City Review Meeting</td>
<td>9 Weeks from PDCM</td>
<td>--</td>
</tr>
<tr>
<td>Develop 100% Design Documents for Late Track Packages</td>
<td>10 weeks from PDCM</td>
<td>7 weeks from PDCM</td>
</tr>
<tr>
<td>10— Late Track Services during Construction</td>
<td>TBD</td>
<td>TBD</td>
</tr>
</tbody>
</table>

The construction duration by which to complete this scope of services is assumed to be up to 4 months. Additional construction time will cause additional late-track services during construction. These additional services may be requested under this project's owner's allowance or through an additional assignment to this scope of work.
Fee, Monthly Status Report, and Invoicing

For the above described SCOPE OF SERVICES comprising Task 9 and Task 10, ASRus shall compensate CH2M on a Time and Materials basis in the total amount of $365,351 inclusive of labor and expenses. Labor will be calculated using a 2.82 raw labor multiplier. Expenses will be billed at cost.

Invoices will be submitted monthly based on the labor and expenses accrued through the billing period indicated on each invoice.

The following table provides a breakdown of the fee for each task.

<table>
<thead>
<tr>
<th>Task</th>
<th>Fee</th>
<th>Billing Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 — Late Track Design</td>
<td>$245,806</td>
<td>Time and Materials</td>
</tr>
<tr>
<td>10 — Late Track Services during Construction</td>
<td>$119,545</td>
<td>Time and Materials</td>
</tr>
<tr>
<td>Total Fee</td>
<td>$365,351</td>
<td></td>
</tr>
</tbody>
</table>

Deliverables

All electronic deliverables will only be provided to the City as PDF files. The following deliverables outlined in this scope of work are summarized by Task below:

Task 9 — Electronic files of each package at each milestone indicated below, and up to 10 hard copies of 100% half size drawings signed and sealed of each package at each milestone indicated below:

- **Package 2: Onsite Equipment Upgrades** - 60% Design Documents, 90% Design Documents, 100% Design Documents
- **Package 3: Existing Injection Well Upgrades** - 60% Design Documents, 90% Design Documents, 100% Design Documents

Task 10 — TBD

Regards,

CH2M HILL Engineers, Inc.

Niel H. Postlethwait, P.E.
Operations Manager
TO: The Honorable Darden Rice, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor or his designee to accept funding under a State of Florida Department of Transportation ("FDOT") District Seven Highway Landscape Reimbursement And Maintenance Memorandum Of Agreement (HLRMOA) ("Agreement") in an amount not to exceed $330,000 for FY 2018 for a portion of SR 687 (4th Street North); and to execute the Agreement and all other documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $330,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to FDOT HLRMOA FY18-1 SR 687 (4th St. N.), Project No. TBD; and providing an effective date.

EXPLANATION: The State of Florida Department of Transportation ("FDOT") has established programs to fund the beautification of existing state highways, and has proposed an HLRMOA for landscape improvements along a portion of State Road 687/SR 600 (US92) (4th Street North) from SR 595 (5th Avenue North) (Section 15090-000, M.P. 0.895) to 62nd Avenue North (CR 216) (Section 15090-000, M.P. 4.391) in Pinellas County, Florida.

The City’s Engineering and Capital Improvements Department will coordinate the design of landscape plans for the project with the FDOT District Seven Landscape Architect and submit plans to FDOT for approval prior to installation by City forces. The City’s Engineering and Capital Improvements Department will coordinate the installation and establishment of the landscape improvements and invoice the FDOT for landscape design, installation and establishment costs after the work is completed, up to a maximum of $330,000.

The City’s Stormwater, Pavement and Traffic Operations Department currently performs routine maintenance of landscaped areas along the state road corridors within the City of St. Petersburg pursuant to FDOT program agreements. The Agreement requires the City to perform ongoing maintenance, including litter removal, weeding, pruning, fertilizer application, chemical application, mulching and removal or replacement of dead plants at the City’s option. The Agreement will be in effect until terminated by either the FDOT or the City following sixty (60) days written notice.

RECOMMENDATION: Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to accept funding under an FDOT District Seven Highway Landscape Reimbursement And Maintenance Memorandum Of Agreement (HLRMOA) ("Agreement") in an amount not to exceed $330,000 for FY 2018 for a portion of SR 687 (4th Street North); and to execute the Agreement and all other documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $330,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to FDOT HLRMOA FY18-1 SR 687 (4th St. N.); Project No. TBD; and providing an effective date.
COST/FUNDING/ASSESSMENT INFORMATION: Funds will be available after approval of a supplemental appropriation from the Landscape Reimbursement and Maintenance Memorandum Agreement (HLRMOA) ("Agreement") in the amount of $330,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the FDOT HLRMOA FY18-1 SR 687 (4th St. N.), Project No. TBD.

ATTACHMENT: Resolution

APPROVALS: Brynd Payman for cfi
Administration

Budget

Legal: 00351604.doc v1
RESOLUTION NO. 2017 — _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT FUNDING UNDER AN FDOT DISTRICT SEVEN HIGHWAY LANDSCAPE REIMBURSEMENT AND MAINTENANCE MEMORANDUM OF AGREEMENT (HLRMOA) ("AGREEMENT") IN AN AMOUNT NOT TO EXCEED $330,000 FOR FY 2018 AND TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $330,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), RESULTING FROM THESE ADDITIONAL REVENUES, TO FDOT HLRMOA FY18-1 SR 687 (4th St. N.), PROJECT NO. TBD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The State of Florida Department of Transportation ("FDOT") has established programs to fund the beautification of existing state highways, and has proposed an HLRMOA for landscape improvements along a portion of State Road 687/SR 600 (US92) (4th Street North) from SR 595 (5th Avenue North) (Section 15090-000, M.P. 0.895) to 62nd Avenue North (CR 216) (Section 15090-000, M.P. 4.391) in Pinellas County, Florida; and

WHEREAS, FDOT has offered the City funding in the amount not to exceed $330,000 for landscape improvements for this portion of SR 687 (4th Street North), pursuant to a District Seven Highway Landscape Reimbursement and Maintenance Memorandum of Agreement (HLRMOA) ("Agreement"); and

WHEREAS, under the Agreement, the City's Engineering and Capital Improvements Department will coordinate the design, installation and establishment of the landscape improvements, and the City's Stormwater, Pavement and Traffic Operations Department will accomplish the project and perform the ongoing maintenance, including litter removal, weeding, pruning, fertilizer application, chemical application, mulching and removal or replacement of dead plants at the City's option; and

WHEREAS, the City's maintenance responsibilities shall remain in full force and effect until the Agreement is terminated by either the FDOT or the City following sixty (60) days written notice.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to accept funding under an FDOT District Seven Highway Landscape Reimbursement and Maintenance Memorandum of Agreement (HLRMOA) ("Agreement") in an amount not to exceed $330,000 for FY 2018.

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

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, the following supplemental appropriation for FY 2018:

General Capital Improvement Fund (3001)
FDOT HLRMOA FY18-1 SR 687 (4th St. N.),
Project No. TBD, $330,000

This resolution shall become effective immediately upon its adoption.

Approved by: 

[Signature]
Legal Department
By: (City Attorney or Designee)

[Signature]
Tom Greene
Budget Director

Approved by:

[Signature]
Brijesh Prayman, P.E.
Engineering Director

Legal: 00351605.doc v1
TO: The Honorable Darden Rice, Chair and Members of City Council

SUBJECT: A Resolution authorizing the Mayor or his designee to execute Task Order No. 16-11-KCA/STB ("Task Order") to the architect/engineering agreement between the City of St. Petersburg ("City") and Kisinger Campo & Associates, Corp. ("A/E"), dated July 19, 2016, for A/E to provide design and bid phase services for Bridge Replacement at Bayou Grande Blvd, North of Tanglewood Drive Northeast (Bridge No. 157184) in an amount not to exceed $375,195; (Engineering Project No. 18052-110; Oracle No. 16173); rescinding unencumbered appropriations from the following projects in the Citywide Infrastructure Fund (3027), $10,000 from the Bridge Recon/Ld Testing FY17 Project (15627) and $96,000 from the Bridge Recon/Load Testing FY18 Project (16140); approving a supplemental appropriation in the amount of $106,000 from the unappropriated balance of the Citywide Infrastructure Fund (3027) resulting from these rescissions to the 157184 Bayou Grande Project (16173) to provide for the necessary funding for Task Order No. 16-11-KCA/STB and engineering project management costs; and providing an effective date.

EXPLANATION: In January of 2016, the City received the final report for the Bridge Inventory Management which reviewed and prioritized sixteen bridges to be replaced. This report identified Bridge No. 157184, constructed in 1950, was identified for replacement.

On July 19, 2016, the City Council approved an Architect/Engineering Agreement with the professional consulting engineering firm of Kisinger Campo & Associates, Corp. ("A/E") for engineering services related to the design and construction of Stormwater, Transportation, and Bridges.

Task Order 16-11-KCA/STB in the amount of $375,195 provides professional engineering services for the Replacement of Bridge No. 157184 located at Bayou Grande Blvd, North of Tanglewood Drive Northeast; Pre-Design Meeting, Data Collection, Geotechnical Investigation, Permitting Assistance, Detailed Design, and Pre-Bid meeting. Tasks included replacement design of the bridge and specifications, preparation of bidding documents, cost estimating, and bidding phase services.

Task Order 16-11-KCA/STB includes the following phases and associated “not to exceed” costs respectively:

<table>
<thead>
<tr>
<th>Phase</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminary Design/Detailed Design/Permitting and Bidding Phase</td>
<td>$375,195.00</td>
</tr>
<tr>
<td>Total A/E Fees</td>
<td>$375,195.00</td>
</tr>
</tbody>
</table>

RECOMMENDATION: Administration recommends authorizing the Mayor or his designee to execute Task Order No. 16-11-KCA/STB ("Task Order") to the architect/engineering agreement between the City of St. Petersburg ("City") and Kisinger Campo & Associates, Corp. ("A/E"), dated July 19, 2016, for A/E to provide design and bid phase services for Bridge Replacement at Bayou Grande Blvd, North of Tanglewood Drive Northeast (Bridge No. 157184) in an amount not to exceed $375,195; (Engineering Project No. 18052-110; Oracle No. 16173); rescinding unencumbered appropriations from the following...
projects in the Citywide Infrastructure Fund (3027), $10,000 from the Bridge Recon/Ld Testing FY17 Project (15627) and $96,000 from the Bridge Recon/Load Testing FY18 Project (16140); approving a supplemental appropriation in the amount of $106,000 from the unappropriated balance of the Citywide Infrastructure Fund (3027) resulting from these rescissions to the 157184 Bayou Grande Project (16173) to provide for the necessary funding for Task Order No. 16-11-KCA/STB and engineering project management costs; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Funds will be available after the rescission of unencumbered appropriations from the following projects in the Citywide Infrastructure Fund (3027), $10,000 from the Bridge Recon/Ld Testing FY17 Project (15627) and $96,000 from the Bridge Recon/Load Testing FY18 Project (16140) and a supplemental appropriation in the amount of $106,000 from the unappropriated balance of the Citywide Infrastructure Fund (3027) resulting from these rescissions to the 157184 Bayou Grande Project (16173).

ATTACHMENTS:
Resolution
Task Order No. 16-11-KCA/STB
Map

APPROVALS: 

B, Administrative

Budget
RESOLUTION NO. 2017-____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE TASK ORDER NO. 16-11-KCA/STB ("TASK ORDER") TO THE ARCHITECT/ENGINEERING AGREEMENT DATED JULY 19, 2016 BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA ("CITY") AND KISINGER CAMPO & ASSOCIATES, CORP. ("A/E") FOR A/E TO PROVIDE DESIGN AND BID PHASE SERVICES FOR THE BRIDGE REPLACEMENT AT BAYOU GRANDE BLVD., NORTH OF TANGLEWOOD DRIVE NORTHEAST (BRIDGE NO. 157184) PROJECT IN AN AMOUNT NOT TO EXCEED $375,195; (ENGINEERING PROJECT NO. 18052-110; ORACLE NO. 16173); RESCINDING UNENCumbered appropriations FROM THE FOLLOWING PROJECTS IN THE CITYWIDE INFRASTRUCTURE FUND (3027), $10,000 FROM THE BRIDGE RECON/LD TESTING FY17 PROJECT (15627) AND $96,000 FROM THE BRIDGE RECON/LOAD TESTING FY18 PROJECT (16140); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $106,000 FROM THE UNAPPROPRIATED BALANCE OF THE CITYWIDE INFRASTRUCTURE FUND (3027) RESULTING FROM THESE RESCISSIONS TO THE 157184 BAYOU GRANDE PROJECT (16173) TO PROVIDE FOR THE NECESSARY FUNDING FOR TASK ORDER NO. 16-11-KCA/STB AND ENGINEERING PROJECT MANAGEMENT COSTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") and Kisinger Campo & Associates, Corp. ("A/E") entered into an architect/engineering agreement on July 19, 2016 for A/E to provide miscellaneous professional services for Stormwater Management, Transportation, and Bridge Improvement Projects; and


NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is hereby authorized to execute Task Order No. 16-11-KCA/STB ("Task Order") to the architect/engineering agreement dated July 19, 2016 between the City of St. Petersburg, Florida ("CITY") and Kisinger Campo & Associates, Corp. ("A/E") for A/E to provide design and bid phase services for the Bridge Replacement at Bayou Grande Blvd., North of Tanglewood Drive Northeast (Bridge No. 157184) Project and associated roadway reconstruction projects in an amount not to exceed $375,195.
BE IT FURTHER RESOLVED that the unencumbered appropriations from the following projects in the Citywide Infrastructure Fund (3027), $10,000 from the Bridge Recon/Ld Testing FY17 Project (15627) and $96,000 from the Bridge Recon/Load Testing FY18 Project (16140) are hereby rescinded.

BE IT FURTHER RESOLVED that there is hereby approved the following supplemental appropriation from the unappropriated balance of the Citywide Infrastructure Fund (3027) for fiscal year 2018:

Citywide Infrastructure Fund (3027)  
Bridge Replacement at Bayou Grande (16173) $106,000

This resolution shall become effective immediately upon its adoption.

Approved by:  

Approved by:  

City Attorney (Designee)  
00351450  

Brejosh Prayman  
P.E., SP, ENV  
Engineering & Capital Improvements Director  

Budget Director
I. DESCRIPTION OF PROJECT

The Tanglewood Bridge (Bridge No. 157184) was constructed in 1950 and services Bayou Grande Boulevard NE over Tanglewood Canal. The 67 year old bridge has exceeded its expected service life and is experiencing ongoing deterioration.

In July 2015, the A/E inspected nine City bridges which did not qualify for the Florida Department of Transportation's (FDOT) inspection program. As a result of this inspection, Bridge No. 157184 was posted for load restrictions.

In January 2016, the A/E completed a bridge inventory management study for the City, and recommended Bridge No. 157184 be replaced.

The A/E shall provide engineering design services to produce final construction plans and permitting for the Tanglewood Bridge Replacement as outlined in this Scope of Services.

II. SCOPE OF SERVICES

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

Task 1. Bridge Replacement Design and Permitting

This project will consist of the production of a Bridge Development Report (BDR) Memo, Bridge Hydraulic Report (BHR) Memo, Geotechnical Report, Final Construction Plans, Specifications and Permitting required for the replacement of the Tanglewood Bridge and associated roadway reconstruction. Engineering discipline effort will include roadway design, structures design, drainage design, environmental/permitting, utility coordination, utility relocation design, maintenance of traffic, survey, subsurface utility engineering (SUE), geotechnical engineering and public involvement.

Due to the nature of bridge replacement projects over navigable waterways, there are some tasks that may be required by the United States Coast Guard (USCG) (Lead Federal Agency for permitting) that are currently not included in this Scope of Services. The extent of any additional effort is unknown until the preliminary design and USCG coordination is
completed. Additional efforts may include, but are not limited to, contamination screenings, cultural resource evaluations, air/noise evaluations and additional public meetings/hearings.

III. SCHEDULE

The following table represents the project schedule as indicated by deliverable milestones in calendar days from the receipt of the written Notice to Proceed:

<table>
<thead>
<tr>
<th>Milestones</th>
<th>Calendar Days from NTP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Survey, SUE and Geotechnical Exploration</td>
<td>60</td>
</tr>
<tr>
<td>BDR Memo, BHR Memo, Geotechnical Report, 30% Roadway Plans</td>
<td>120</td>
</tr>
<tr>
<td>Public Information Meeting</td>
<td>150</td>
</tr>
<tr>
<td>Submit USCG Permit Application</td>
<td>160</td>
</tr>
<tr>
<td>60% Construction Plans</td>
<td>240</td>
</tr>
<tr>
<td>Submit SFWMD, ERP and USACE Permit Application</td>
<td>240</td>
</tr>
<tr>
<td>100% Construction Plans and Specifications</td>
<td>360</td>
</tr>
<tr>
<td>Final Plans Ready for Construction</td>
<td>420</td>
</tr>
<tr>
<td>Final Permits Received</td>
<td>540</td>
</tr>
</tbody>
</table>

IV. A/E'S RESPONSIBILITIES

The A/E will perform the services outlined in Section II, Scope of Services.

V. CITY'S RESPONSIBILITIES

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

- Provide all available bridge information (plans, reports, previous repair documentation, etc.), as requested by the A/E.
- Review and comment on the A/E's deliverables within fifteen (15) calendar days of submittal.
- Attend and participate in any project meetings, as necessary.
- Provide location for Public Information Meeting.
- Develop mailing list, develop notification letters, mail notification letters and provide newspaper advertisements as required by the United States Coast Guard.

VI. DELIVERABLES

All reports, construction plans and specifications will be delivered in Portable Document Format (PDF). Signed and sealed hard copies of final documents will be provided upon
request. It is anticipated that the following documents will be provided to the City throughout the project duration:

- Bridge Development Report (BDR) Memo
- Bridge Hydraulics Report (BHR) Memo
- Geotechnical Report
- Construction Plans
- Design Calculations
- Cost Estimates
- Specifications
- Permitting Documentation
- CADD files

VII. A/E'S COMPENSATION

For work under Task 1, the City shall compensate the A/E in a lump sum amount of $375,261.00, per Appendix A.

VIII. PROJECT TEAM

The key members proposed for this project are indicated below:

Lead Design Consultant:

Design Sub-Consultants:
OMNI Communications, LLC — Will provide survey and subsurface utility engineering services.
AREHNA Engineering, Inc. — Will provide geotechnical engineering services.

IX. MISCELLANOUS

In the event of a conflict between this Task Order and the Agreement, the Agreement shall prevail.
IN WITNESS WHEREOF the Parties have caused this Task Order to be executed by their duly authorized representatives on the day and date first above written.

ATTEST

By: ______________________________
    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)

Kisinger Campo & Associates, Corp.
(Company Name)

By: ______________________________
    Paul Foley, P.E. - President
    (Printed Name and Title)

Date: 11-28-17

WITNESSES:

By: ______________________________
    (Signature)
    Ron Gott - Sr. Vice President/CFO
    (Printed Name)

By: ______________________________
    (Signature)
    Veronica Green
    (Printed Name)
Appendix A

Work Task Breakdown
# APPENDIX A

## Work Task Breakdown

**Bridge Replacement at Bayou Grande Blvd., North of Tanglewood Bridge No. 157184**  
**Project No. 18052-110**

### I. Manpower Estimate: All Tasks

<table>
<thead>
<tr>
<th>Direct Labor Rates Classification</th>
<th>Project Manager</th>
<th>Chief Engineer</th>
<th>Senior Engineer</th>
<th>Project Engineer</th>
<th>Engineer</th>
<th>Senior Designer</th>
<th>Engineer Intern</th>
<th>Chief Scientist</th>
<th>Senior Scientist</th>
<th>Scientist</th>
<th>Total Hours</th>
<th>Labor Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct Salary</td>
<td>$ 59.62</td>
<td>$ 72.49</td>
<td>$ 62.94</td>
<td>$ 51.24</td>
<td>$ 44.42</td>
<td>$ 42.24</td>
<td>$ 30.52</td>
<td>$ 61.11</td>
<td>$ 37.68</td>
<td>$ 25.30</td>
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<tr>
<td>Multiplier/Overhead 3.00</td>
<td>$ 119.34</td>
<td>$ 144.98</td>
<td>$ 124.68</td>
<td>$ 112.48</td>
<td>$ 88.84</td>
<td>$ 84.48</td>
<td>$ 63.04</td>
<td>$ 122.22</td>
<td>$ 75.36</td>
<td>$ 50.60</td>
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<tr>
<td>Billing Rate</td>
<td>$ 179.00</td>
<td>$ 217.00</td>
<td>$ 187.00</td>
<td>$ 154.00</td>
<td>$ 133.00</td>
<td>$ 127.00</td>
<td>$ 92.00</td>
<td>$ 183.00</td>
<td>$ 113.00</td>
<td>$ 76.00</td>
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<tr>
<td><strong>TASK</strong></td>
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<tr>
<td>1. Bridge Replacement Design and</td>
<td>233</td>
<td>242</td>
<td>559</td>
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<td>298</td>
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<td>$ 357,186.00</td>
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<td>Permitting</td>
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<tr>
<td><strong>Totals</strong></td>
<td>233</td>
<td>242</td>
<td>559</td>
<td>333</td>
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<td>82</td>
<td>82</td>
<td>2271</td>
<td>$ 357,186.00</td>
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</tbody>
</table>

### II. Fee Calculation

<table>
<thead>
<tr>
<th>Task</th>
<th>Labor Cost</th>
<th>Expense&lt;sup&gt;1&lt;/sup&gt;</th>
<th>Subconsultant Services&lt;sup&gt;2&lt;/sup&gt;</th>
<th>Mark-up on Subconsultant Services&lt;sup&gt;3&lt;/sup&gt;</th>
<th>Total Cost Without Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$357,186.00</td>
<td>$0.00</td>
<td>$18,075.00</td>
<td>$0.00</td>
<td>$375,261.00</td>
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<tr>
<td>Total</td>
<td>$357,186.00</td>
<td>$0.00</td>
<td>$18,075.00</td>
<td>$0.00</td>
<td>$375,261.00</td>
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</table>

### III. Fee Limit

- Lump Sum Cost: $375,261.00
- Allowance<sup>4</sup>: $0.00
- Total: **$375,261.00**

### IV. Notes:

1. Rates per Agreement.
2. Includes expenses for.
3. Includes 5 percent markup of SUBCONSULTANT.
4. Allowance to be used only upon City's written authorization.
Appendix B
A/E Staff Hour Detailed Description
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Project Activity 8: Environmental Permits

ESTIMATE OF WORK EFFORT AND COST

- PRIME

CONSULTANT

Tanglewood Dr. Bridge Replacement (Bridge # 157184)
Pinellas
City of St. Petersburg

Name of Project:
County:
FPN:
rAr Na.:
Staff Classification

3. Project General and Project Common Tasks
4. Roadway Analysis
5. Roadway Plans
6a. Drainage Analysis
fib. Drainage Plans
7. Utilities
8. Environmental Permits, Compliance & Clearances
10. Structures- Bridge Development Report
11. Structures -Temporary Bridge
12. Structures - Short Span Concrete Bridge
13. Structures - Medium Span Concrete Bridge
14. Structures - Structural Steel Bridge

Hours From
"SH
Summary Firm'
156
127
79
260
39
108

Consultant Name: Kisinger Campo and Associates
Consultant No.: 001-201621
Date: 11/9/2017
Estimator. Jason LaBarbera
Salary
SH
Staff ClassiStaff Cloud-

project
Manager

Chief
Engineer

Senior
Engineer

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Cost By
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Average
Rate Per
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18. Structures - Miscellaneous
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20. Signing & Pavement Marking Plans

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26. Landscape Architecture Plans
27. Survey (Field & Office Support)

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30. Terrestrial Mobile MAR
31. Architecture Development
32. Noise Barriers Impact Design Assessment
33. Intelligent Transportation Systems Analysis

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15. Structures - Segmental Concrete Bridge
it. Structures - Movable Span
17. Structures -Retaining Walls

34. Intagent Transportation Systems Plans
35. Geotechnical
38.30 Modeling
Total Staff Hours
Total Staff Cost

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59,266.00

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2,271

$13,577

109
$19,947.00

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Survey Field Days by Subconsultant
4 - Person Crew:
Notes:
1. This sheet lobe used by Prime Consultant to calculate the Grand Total fee.

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36,232.00

SALARY RELATED COSTS:
OVERHEAD:
OPERATING MARGIN:
FCCM (Facilities Capital Cost Money):
EXPENSES:
Survey (Field - if by Prime)
SUBTOTAL ESTIMATED FEE:

2. Manually enter fee from each subconsultanL Unused subconsuttant rows may be hidden.

Subconsultant: Enter Name Sub 1
Subconsultant: Sub 2
Subconsultant: Sub 3
Subconsultant: Sub 4
Subconsultant Sub 5

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Tanglewood_11.9.17.xlsx

Page 1 01 31

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Subconsultent: Sub 6
Subconsultent: Sub 7
Subconsultent: Sub 8
Subconsultent: Sub 9
Subconsultent: Sub 10
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Subconsultent: Sub 12

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<tr>
<th>Item Description</th>
<th>Fee</th>
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<tr>
<td>Subtotal Estimated Fee:</td>
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<tr>
<td>Geotechnical Field and Lab Testing</td>
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<tr>
<td>Optional Services</td>
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<tr>
<td>Grand Total Estimated Fee:</td>
<td>$367,186.00</td>
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Project Activity: Environmental Permits

KCA_Staff_Hours_Tanglewood_11.9.17.xlsx
Fee Sheet - Prime_ Page 2 of 31 11/9/2017
Appendix C
OMNI Communications, LLC
Scope and Fee Estimate
August 10, 2017

Kisinger Campo & Associates (KCA)
ATTN: Jason LaBarbera, P.E.
201 N. Franklin St., Suite 400
Tampa, FL 33602

RE: City of St. Petersburg – Tanglewood Dr. Bridge Replacement (Bridge # 1571840)
Topographic Survey with SUE Services

Dear Mr. LeBarbera:

In accordance with your request, OMNI Communications, LLC (OMNI) is pleased to submit our proposal to provide Designating, Locating and Survey services for the above reference project.

DESCRIPTION OF SERVICES:

Survey Scope
OMNI will complete a topographic survey included SUE designation services for the project limits:

Project limits: Right of Way to Right of Way, 200’ from bridge along Tanglewood Dr. and 100’ upstream and downstream of bridge of canal.

1. Topographic Survey Items.
2. Establish Horizontal Project Control utilizing VRS GPS.
3. Establish Vertical Project Control on site.
4. Recover existing property monumentation to establish existing property lines in area of Survey.
5. Prepare digital terrain model of the surface using cross-sections and break lines collected.
6. Prepare a topographic survey to include the following:
   - Visible features (pavement, curbs, sidewalks, walls, fences, power poles, fire hydrants, etc.).
   - Locate and obtain size, type, and invert elevations of existing drainage facilities.
   - Locate visible evidence of subsurface utilities (marker posts, pull boxes, valve boxes, manholes, etc.).
   - Major landscape and trees greater that 12” at DBH.
   - Location of paint lines of utilities designated.

Project coordinates will be based on State Plane 1983/2011 values.
Vertical data will be based Pinellas County Vertical Control.
DESCRIPTION OF SUE SERVICES:

OMNI will provide technicians, equipment and special tools to designate the horizontal position of the utilities in the project area as described in the survey section using EM and GPR methods (see below).

Electromagnetic (EM) induction is a method in which a transmitter signal is applied by directly coupling to a metallic target. A receiver is then used to detect the transmitted signal. Passive detection is another technique used to locate naturally occurring magnetic fields that exist on power cables generating a 50/60 Hz. signal. Additionally, very low frequency (VLF) signals can be detected on other metallic utilities that are typically long in length and are well grounded electrically. Some utility systems contain portions of non-metallic material and, therefore, we may not be able to locate using EM techniques.

Ground Penetrating Radar (GPR) uses a high frequency radio signal that is transmitted into the ground and reflected signals are returned to the receiver for storage on digital media. The computer measures the time taken for a pulse to travel to and from the target indicating its depth and location. The reflected signals are interpreted by the system and displayed on the unit’s LCD panel.

DELIVERABLES:

Topographic Survey delivered in Microstation or Autocad format, based on request.
DTM tin file of triangles
Report of Survey

COMPENSATION:

The above services will be provided for the following lump sum amounts:

Professional Survey Services .......................................................... $ 7,550.00
Subsurface Utility Investigation Designating (SUE Level B) only ............... $ 2,550.00

If you have any questions or need additional information please do not hesitate to contact me. Again, we appreciate this opportunity and look forward to working with you on this project.

Sincerely,

Jim Godfrey, PLS
Survey Manager

8509 Benjamin Road, Suite E, Tampa, FL 33634
Telephone: (813) 852-1888  Fax: (866) 485-3356
OMNI
Surveying & Mapping • Subsurface Utility Engineering
Utility Coordination • Public Involvement

OMNI’S GENERAL CONDITIONS

1. SCOPE OF WORK: Work means the specific subsurface utility engineering or other service to be performed by Omni as set forth in Omni’s proposal. Client’s acceptance of the scope of work and these General Conditions. Additional work ordered by Client shall also be subject to these General Conditions. “Client” refers to the person or business entity ordering the work to be done by Omni. Client shall communicate these General Conditions to each and every third party to whom Client transmits any part of Omni’s work. Omni shall have no duty or obligation to any third party greater than that set forth in Omni’s proposal, Client’s acceptance of Omni’s proposal and these General Conditions. The ordering of work from Omni, or the reliance on any of Omni’s work, shall represent acceptance of the terms of Omni’s proposal and these General Conditions, regardless of the terms of any subsequently issued document.

2. RIGHT-OF-ENTRY - The client will provide right-of-entry for Omni and all necessary equipment in order to complete the work. While Omni will take all reasonable precautions to minimize any damage to the property, it is understood by Client that in the normal course of work some damage may occur; the correction of which is not part of this agreement.

3. LOCATION OF EXISTING FACILITIES - The Client, understands the limitations associated with subsurface utility engineering and the location of underground facilities. Utilization of electromagnetic induction and vacuum excavation techniques is the industry recognized procedure for finding and locating underground utilities and features. Although effective and reliable, there is the possibility that all utilities may not be detected due to environmental conditions, soil conditions, water table, excessive depth, and/or feature makeup.

4. STANDARD OF CARE - Service performed by Omni under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. No other warranty, expressed or implied, is made.

5. ORAL AGREEMENTS - No oral agreement, guarantee, promise, representation or warranty shall be binding.

6. OWNERSHIP OF DOCUMENTS - All reports, field data and notes, calculations, estimates and other documents prepared by Omni, as instruments of service, shall remain the property of Omni until final payment is received and a letter of copyright transfer been executed.

7. BASIS OF PAYMENT - Payment is due within 30 days of date of invoice. Payments not made when due shall bear interest at eighteen (18) percent annum or at the maximum rate allowed by law from the date of the invoice until same is paid.

7.1 If the Client fails to make any payment due to Omni for service and/or expenses within 60 days of date of invoice, Omni may, after giving seven days’ written notice to Client, suspend services until all outstanding amounts have been paid to Omni in full. Further, Omni may, in addition to withholding services, or singularly, withhold reports, plans and other documents not paid in full by the Client. In the event that final payment for completed work is not made, Omni shall request that all copyrighted documents which were submitted to client be returned and all information used in project plans be removed from project documents.

7.2 In the event it is necessary to take legal action to effect collection, whether or not litigation is commenced, the Client agrees to reimburse Omni for expenses in connection with any claims or suits, including reasonable attorney’s fees, including but not limited to the trial and appellate levels.

7.3 This contract shall be governed by the laws of the State of Florida.

8.0 INDEMNIFICATION - Omni agrees to hold harmless and indemnify Client from and against liability arising out of Omni’s negligent performance of the work. Client agrees to indemnify and hold Omni harmless from all liability including all costs, attorney’s fees and expenses of defense for any claims by any other person or corporation which may arise out of the performance or breach of this contract for which Omni was not solely negligent.

9.0 LIMITATION OF LIABILITY - The Client/Owner agrees to limit Omni’s liability for negligent professional acts, errors or omissions, such that the total aggregate liability of Omni shall not exceed $50,000 or the total fee for the services rendered on this project; whichever is greater. The Owner further agrees to require the contractor and his subcontractors a similar limitation of liability suffered by the contractor or the subcontractors arising from Omni’s negligent professional acts, errors or omissions.

10.0 INSURANCE - Omni represents and warrants that it and its agents, staff and consultants employed by it are protected by Worker’s Compensation insurance and Employer’s Liability Insurance in conformance with applicable state laws. Omni has such coverage under public liability and property damage insurance policies that Omni deems to be adequate. A Certificate of Insurance can be supplied evidencing such coverage upon request.

8509 Benjamin Road, Suite E, Tampa, FL 33624
Telephone: (813) 852-1888 Fax: (866) 485-3356
10.1 Within the limits and conditions of such insurance, Omni agrees to indemnify and save client harmless from and against any loss, damage or liability arising from any negligent acts by Omni, its agents, staff and consultants employed by it. Omni shall not be responsible for any loss, damage or liability beyond the amounts, limits and considerations of such insurance. Omni shall not be responsible for any loss, damage or liability arising from any acts by clients, its agents, staff and other consultants employed by it.

10.2 Cost of the above coverage is included in our quoted fees. If additional coverage or increased limits of liability are required, Omni will endeavor to obtain the requested insurance and charge separately for costs associated with additional coverage or increased limits.

11.0 TERMINATION - This agreement may be terminated by either party upon seven days written notice in the event of substantial failure by the other party to perform in accordance with the terms thereof. Such termination shall not be effective if the substantial failure has been remedied before expiration of the period specified in the written notice. In the event of termination, Omni shall be paid for services performed to the termination notice date plus reasonable termination expenses.

11.1 In the event of termination or suspension for more than three months, prior to completion of all reports contemplated by this Agreement, Omni may complete a report on the services performed to the date of notice of termination or suspension. The expenses of termination or suspension shall include all direct costs for Omni in completing such analyses, records and reports.

12.0 CLIENT'S OBLIGATION TO NOTIFY OMNI - Client represents and warrants that it has advised Omni of any known or suspected hazardous materials or conditions, utility lines and pollutants at any site at which Omni is to do work hereunder, and unless Omni has assumed in writing the responsibility of locating subsurface objects, structures, lines or conduits, Client agrees to defend, indemnify and save Omni harmless from all claims, suits, losses, costs and expenses, including reasonable attorney's fees as a result of personal injury, death or property damage occurring with respect to Omni's performance of its work and resulting to or caused by contact with subsurface or latent objects, structures, lines or conduits where the actual or potential presence and location thereof were not revealed to Omni by Client.

13.0 HAZARDOUS MATERIALS - This agreement shall not be interpreted as requiring Omni to assume the status of an owner, operator, generator, storer, transporter, treater or disposal facility as those terms appear within RCRA or within any Federal or State statute or regulation governing the generation, transportation, treatment, storage and disposal of pollutants.
August 8, 2017

Jason LaBarbera, PE
Kisinger Campo & Associates
201 N. Franklin St., Suite 400
Tampa, FL 33602

Jason.LaBarbera@kisingercampo.com

Subject: Proposal for Geotechnical Engineering Services
Tanglewood Drive Bridge Replacement (#157184)
St. Petersburg, Florida
AREHNA B.Prop-17-116

AREHNA Engineering, Inc. is pleased to present this proposal to provide geotechnical engineering services for the referenced project. This proposal summarizes our understanding of the project, presents our scope of services, and provides a lump sum fee and schedule.

Project Description
The site is located along Tanglewood Drive NE between Bayou Grande Boulevard NE and Tanglewood Way NE in St. Petersburg, Florida. The existing bridge, Bridge #157184, is to be replaced. The new bridge is anticipated to be a single span bridge supported on pile foundations with concrete sheetpile wall abutments.

Scope of Services
The purpose of our geotechnical study is to obtain information on the general subsurface conditions for use in evaluation of the planned bridge foundations and sheetpile wall abutments. The following services will be performed to achieve the above-outlined objectives:

- Coordinate utility location services with you and Sunshine State One-Call (811).
- Perform one Standard Penetration Test (SPT) bridge boring in accordance to ASTM D 1586, drilled to a depth of 100 feet.
- The SPT boring will be sampled continuously for the first 15 feet and 5 feet intervals thereafter. After completion of the boring, the borehole will be backfilled with grout in accordance with the Southwest Florida Water Management District's and FDEP's requirements.
• The soil samples will be classified in general accordance with the Unified Soil Classification System (ASTM D 2488). We will conduct a laboratory testing program as needed for classification, index property testing and scour analyses.

• Corrosion series tests (pH, soil resistivity, chloride content, and sulfate content) will be performed at the bridge site in order to evaluate the environmental classification of the soil and water.

• Perform axial pile capacity analyses for driven pile foundations and provide Davison capacity curves.

• Provide FBMultiPier soil parameters for the lateral analyses to be performed by others.

• Provide recommended soil parameters for the sheet pile wall analyses to be performed by others.

• Report the results of the field exploration, lab testing and engineering analysis. The results of the subsurface exploration will be presented in a written report, signed and sealed by a professional engineer specializing in geotechnical engineering, with the data obtained summarized on standard Report of Core Boring Sheets.

Schedule
We can mobilize to the site within one to two weeks from receiving authorization to proceed. Locations of known underground utilities near the boring locations will be established by Sunshine811 during that time. The fieldwork should take one full day to complete. Our signed and sealed report should be available within approximately one to two weeks after the completion of the fieldwork and any laboratory testing.

Service Fee
We propose to complete our geotechnical engineering services for a lump sum fee of $7,975. To authorize our services, please provide us with a task work assignment.

We appreciate the opportunity to support you on this project. If you have any questions with regard to this proposal, please do not hesitate to contact us at 813.944.3464.

Sincerely,
AREHNA Engineering, Inc.

Amy L. Guisinger, P.E.
Senior Geotechnical Engineer

Jessica A. McRory, P.E.
President

Attachments: Fee Estimate
**PROPOSAL NO:** B.Prop-17-116  
**JOB NAME:** Tanglewood Bridge Replacement  
**AREHNA Engineering, Inc.**  
**PREPARED BY:** ALG  
**DATE:** 08/08/17

### Scope

1 @ 100'

### Engineering Services

<table>
<thead>
<tr>
<th>Role</th>
<th>Quantity</th>
<th>Units</th>
<th>Rate</th>
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<tbody>
<tr>
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<td>Staff Engineer</td>
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<td>CAD Operator</td>
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<tr>
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<td>Technician</td>
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**Engineering Services Subtotal:** $3,820.00

### Field Services

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<td>Support Vehicle</td>
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<td>Casing</td>
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**Field Services Subtotal:** $3,475.00

### Laboratory Services

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<td>Percent Fines</td>
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<td>Corrosion Testing</td>
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**Laboratory Services Subtotal:** $680.00

**Geotechnical Services Total:** $7,975.00
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: Kisinger Campo & Associates, Corp.
   Task Order No. 16-11-KCA/STB in the amount of $375,195

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 includes pre-design meeting, data collection, geotechnical investigation, permitting, design, construction plans, technical specifications, preparation of bidding documents, cost estimating, and bidding phase services.

   Kisinger Campo & Associates, Corp. has successfully completed similar work under previous A/E Agreements with the City and FDOT.

   Kisinger Campo & Associates, Corp. has FDOT and local government experience in the design, permitting and construction phase activities of bridge structures and is familiar with bridge design requirements and standards and City design standards.

   This is the eleventh Task Order issued under the 2016 Master Agreement.

2. Transaction Report listing current work — See Attachment A
## Transaction Report

for

Kisinger Campo & Associates, Corp.

Miscellaneous Professional Services for Stormwater Management, Transportation and Bridge Improvement Projects

A/E Agreement Effective - July 19, 2016

A/E Agreement Expiration - July 13, 2020

<table>
<thead>
<tr>
<th>Task Order No.</th>
<th>Project No.</th>
<th>Project Title</th>
<th>NTP Issued</th>
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<td>Concrete Repair &amp; Waterproofing Design-Sundial Parking Garage</td>
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<td>04</td>
<td>17074-112</td>
<td>Carillon Park Intersection Improvements</td>
<td>06/12/17</td>
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<td>05</td>
<td>17073-110</td>
<td>Retaining Wall Replacement at 1st A/S, East of 16th S/S, South of Bridge No. 157122</td>
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<td>06</td>
<td>17005-110</td>
<td>City Bridge Inventory Replacement Cost Estimates</td>
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<td>Warehouse Arts District/Deuces Live - Conceptual Plan</td>
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<td>08</td>
<td>17006-110</td>
<td>40th Avenue NE Bridge Remediation</td>
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<td>10</td>
<td>18033-110</td>
<td>Pedestrian Bridge Inspection FY18</td>
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<td>11</td>
<td>18052-110</td>
<td>Bridge Replacement at Bayou Grande Blvd.</td>
<td>Pending</td>
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Total: 700,381.86
Bridge Replacement at Bayou Grande Blvd, North of Tanglewood Dr
Bridge No 157184
TO: The Honorable Darden Rice, Chair, and Members of City Council

SUBJECT: Approving the Second Amendment to the Architect/Engineering Agreement dated July 13, 2015 between the City of St. Petersburg, Florida and Associated Space Design, Inc. ("A/E") in association with Rogers Partners, as amended, for A/E to provide additional design, construction administration and other services for the new St. Petersburg Pier Project in an amount not to exceed $64,800, for a total contract amount not to exceed of $4,550,800; authorizing the Mayor or his designee to execute the Second Amendment.

EXPLANATION: On July 9, 2015, City Council approved an A/E agreement between the City of St. Petersburg and Associated Space Design, Inc. for design and construction administration services related to the new St. Petersburg Pier project in the amount of $4,366,000. The scope of services included planning, programming, design and construction administration services for an approximately $33 million replacement of the Municipal Pier, as part of an overall $46 million budget.

On November 3, 2016, City Council approved the First Amendment to the A/E Agreement for additional design services required in order to revise the plans for the pier plaza to include the design of a single pavilion shade structure with restrooms and a snack bar, including architecture, landscape architecture, civil engineering, structural, mechanical and electrical engineering services.

The request for additional design services is required for the following items:

a) Coordination of the master stormwater system with the Pier Approach project requiring plan revisions to the pier plaza resulting in a more cost effective method of stormwater conveyance and treatment,
b) Additional structural design services for the tilted lawn structure resulting from unforeseen field conditions,
c) Design revisions related to anticipated tenant modifications for the Education Center to accommodate greater structural loads and reconfiguration of the restroom,
d) Additional construction administration services related to the marine structural engineering discipline for periodic observation of the concrete deck rebar placement and the pouring of the deck over water, and
e) Federal permit compliance obligations resulting in additional seagrass monitoring services.
The A/E Agreement includes the following phases and associated lump sum fees and costs:

- Phase I – Schematic Design (complete) $1,187,000
- Phase II – Design Development (complete) $905,000
- Phase III – Construction Document $1,203,000
- Phase IV - Construction Administration $821,000
- Reimbursable Cost $150,000
- Design Contingency $100,000
- Total Contract Amount $4,366,000
- Additional Services Amendment No. 1 $120,000
- Additional Services Amendment No. 2 $64,800
- Revised Total A/E fees $4,550,800

**RECOMMENDATION:** Administration recommends City Council adopt the attached resolution approving the Second Amendment to the Architect/Engineering Agreement dated July 13, 2015 between the City of St. Petersburg, Florida and Associated Space Design, Inc. ("A/E") in association with Rogers Partners, as amended, for A/E to provide additional design, construction administration and other services for the new St. Petersburg Pier Project in an amount not to exceed $64,800, for a total contract amount not to exceed of $4,550,800; authorizing the Mayor or his designee to execute the Second Amendment.

**COST/FUNDING INFORMATION:** Funds have been previously appropriated in the Pier Visioning Project (11988).

**ATTACHMENTS:** Resolution, Attachment 2 to Appendix A (Scope of Services).

**APPROVALS:**

- [Signatures]
  - Administrative
  - Budget
Resolution No. 2017 -

A RESOLUTION APPROVING THE SECOND AMENDMENT TO THE ARCHITECT/ENGINEERING AGREEMENT DATED JULY 13, 2015 BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND ASSOCIATED SPACE DESIGN, INC. ("A/E") IN ASSOCIATION WITH ROGERS PARTNERS, AS AMENDED, FOR A/E TO PROVIDE ADDITIONAL DESIGN, CONSTRUCTION ADMINISTRATION AND OTHER SERVICES FOR THE NEW ST. PETERSBURG PIER PROJECT IN AN AMOUNT NOT TO EXCEED $64,800, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED OF $4,550,800; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE SECOND AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 13, 2015, the City of St. Petersburg, Florida ("City") and the Associated Space Design, Inc. ("A/E") in association with Rogers Partners executed an architect/engineering agreement for A/E to provide design and construction administration services related to the New St. Petersburg Pier project in the amount of $4,366,000; and

WHEREAS, on November 3, 2016, City Council approved the First Amendment and the City and A/E executed the First Amendment for A/E to provide additional services to revise the plans for the "Welcome Plaza" in an amount not to exceed $120,000, for a total contract amount not to exceed of $4,486,000; and

WHEREAS, the City and A/E desire to amend the architect/engineering agreement for a second time for A/E to provide (i) additional design services related to the titled lawn and Education Center, (ii) additional construction administration services related to the marine structural engineering of the concrete deck rebar placement and pouring of deck, (iii) coordination of the stormwater system with the Pier Approach, and (iv) federal permit compliance regulations; and

WHEREAS, Administration recommends approval of the Second Amendment for A/E to provide additional design, construction administration and other services for the new St. Petersburg Pier Project in an amount not to exceed $64,800.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Second Amendment to the Architect/Engineering Agreement dated July 13, 2015 between the City of St. Petersburg, Florida and Associated Space Design, Inc. ("A/E") in association with Rogers Partners, as amended, for A/E to provide additional design, construction administration and other services for the new St. Petersburg Pier Project in an amount not to exceed $64,800, for a total contract amount not to exceed of $4,550,800 is hereby approved.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the Second Amendment.
This Resolution shall become effective immediately upon its adoption.

Approved by:

[Signature]

City Attorney (Designee)

00351103 - Final
General Description – Additional Services:

In addition to the services, activities, Deliverables and responsibilities set forth in Appendix A, as well as the Attachment 1 to Appendix A, the A/E shall provide additional design services as follows: a) redesign the structural system for the tilted lawn to accommodate field conditions uncovered during site demolition and improved constructability issues; b) redesign of the pier plaza stormwater drainage conveyance system to redirect the underground drainage pipes to assure connection to the storm water connection system as proposed by the Pier Approach design team; c) to provide additional seagrass monitoring environmental services; d) to provide design services necessary to modify the structural deck supporting the Education Center building and revisions to the restroom due to future tenant coordination needs; e) additional construction administration services to be provided by the Structural Engineer of Record required for periodic observation of reinforcing steel in the concrete deck over water as well as the installation of piles and the pouring of the concrete deck.

Design and Construction Administration Services:

The A/E shall provide the following services and deliverables for these revisions:

The A/E shall prepare revised Construction Documents for the various elements described above for the City's approval and the Construction Manager's use once approved by the City. Such Construction Documents may include but not be limited, to site plans, floor plans, elevations sections and other documents which fix and describe the size and character of the revised area as to architectural, civil, landscape, marine, structural, mechanical, and electrical systems, geotechnical analysis, survey data, materials and other essential elements as may be requested by
Construction Administration Phase Deliverables

The A/E shall submit all deliverables electronically in PDF, Word and dwg. format as well as four (4) hard copies. The A/E shall upload all deliverables to an ftp or similar site as determined by the City. The deliverables for Design Development Phase are:

- Construction documents, design sketches, outline specifications and structural inspection reports
The A/E fees and costs shall be as shown below:

**Initial A/E Agreement Scope of Services**
- Phase I - Schematic Design (complete) $1,187,000
- Phase II - Design Development (complete) $905,000
- Phase III - Construction Documents $1,203,000
- Phase IV - Construction Administration $821,000
- Reimbursable Cost $150,000
- Design Contingency $100,000

**Revised Total A/E Fees** $4,366,000

**First Amendment Additional Services**
- $120,000

**Second Amendment Additional Services**
- Tilted Lawn Structural Redesign $5,500
- Pier Plaza Storm Water Strategy Adjustment $11,700
- Unanticipated Permit Request $8,600
- Education Center Design Changes Based on Tenant Coordination $11,000
- Additional Construction Administration Services $20,000
- Reimbursable Expenses $8,000

**Revised Total A/E Fees** $4,550,800
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. 14-05-T / GMTI ("Task Order") to the architect/engineering agreement between the City of St. Petersburg, Florida ("City") and Tierra, Inc. ("A/E"), dated January 24, 2014, for A/E to provide Threshold Inspection Services related to the Police Facility / EOC Project in an amount not to exceed $36,440, providing that the total Task Order, as amended, shall not exceed $158,340; (Engineering Project No. 11234-018; Oracle No. 12847); and providing an effective date.

EXPLANATION: The Police Facility / EOC project is currently in the construction phase. The new Police Facility is classified by Florida Statutes as a Threshold Building, and will require special inspection as outlined in the Florida Statutes and Florida Building Code.

On January 24, 2014, the City of St. Petersburg, Florida ("City") and Tierra, Inc. ("A/E") entered into an architect/engineering agreement between and for A/E to provide Miscellaneous Professional Services for Geotechnical and Materials Testing and Inspection Projects.

On May 18, 2017, City Council approved Task Order No. 14-05-T / GMTI in the amount of $121,900 for a scope of services to include, but not limited to, providing professional engineering threshold inspection services for the Police Facility / EOC Project. The scope of work includes but not limited to, providing threshold inspection pf the Administration Building, Annex Building and Parking Garage, and Threshold Certification Package upon completion of the Project.

Amendment No. 1 to Task Order No. 14-05-T / GMTI in the amount of $36,440 provides for visual and ultrasonic structural steel / welding inspections and fireproofing inspections on the Administration / EOC Building, 2-story Annex Building, 4-story Precast Parking Garage, and CEP Building; and Field and laboratory Fireproofing Material Testing will be provided on the Administration/EOC Building, 2-story Annex Building, and CEP Building.

Task Order No. 14-05-T / GMTI and Amendment Nos. 1 to Task Order No. 14-05-T / GMTI includes the following phases and associated not to exceed costs respectively:

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<tr>
<th>Threshold Inspection (Approved)</th>
<th>$121,900.00</th>
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</thead>
<tbody>
<tr>
<td>Structural Steel Welding &amp; Fireproofing Inspections</td>
<td>$36,440.00</td>
</tr>
<tr>
<td>Revised Total A/E Fees</td>
<td>$158,340.00</td>
</tr>
</tbody>
</table>

RECOMMENDATION: Administration recommends authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 14-05-T / GMTI ("Task Order") to the architect/engineering
RESOLUTION 2017-_____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT NO. 1 TO TASK ORDER NO. 14-05-T/GMTI ("TASK ORDER") TO THE ARCHITECT/ENGINEERING AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA ("CITY") AND TIERRA, INC. ("A/E"), DATED JANUARY 24, 2014, FOR A/E TO PROVIDE THRESHOLD INSPECTION SERVICES RELATED TO THE POLICE FACILITY/EOC PROJECT IN AN AMOUNT NOT TO EXCEED $36,440 PROVIDING THAT THE TOTAL TASK ORDER AS AMENDED SHALL NOT EXCEED $158,340; (ENGINEERING PROJECT NO. 11234-018; ORACLE NO. 12847); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") and Tierra, Inc. ("A/E") entered into an architect/engineering agreement on January 24, 2014, for A/E to provide Miscellaneous Professional Services for Geotechnical and Materials Testing and Inspection Projects; and

WHEREAS, on May 18, 2017, City Council approved Task Order No. 14-05-T/GMTI ("Task Order") in the amount of $121,900 for A/E to perform threshold inspections of structural components of the proposed Police Administration Building, Annex Building and Parking Garage, and provide Threshold Certifications upon completion; and

WHEREAS, Administration desires to issue Amendment No. 1 to the Task Order in the amount of $36,440 for A/E to provide visual and ultrasonic structural steel/welding inspections and fireproofing inspections on the Administration/EOC Building, 2-story Annex Building, 4-story Precast Parking Garage, and CEP Building, and Field and Laboratory Fireproofing Material Testing will be provided on the Administration/EOC Building, 2-story Annex Building, and CEP Building.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is hereby authorized to execute Amendment No. 1 to Task Order No. 14-05-T/GMTI ("Task Order") to the architect/engineering agreement between the City of St. Petersburg, Florida ("City") and Tierra, Inc. ("A/E"), dated January 24, 2014, for A/E to provide Threshold Inspection Services related to the Police Facility/EOC Project in an amount not to exceed $36,440 is hereby approved.

BE IT FURTHER RESOLVED that the total Task Order, as amended, shall not exceed $158,340.

This resolution shall become effective immediately upon its adoption.

Approved by:

[Signature]
City Attorney (Designee)
00351474

Approved by:

[Signature]
Brigitte Prayman, P.E., SP, ENV
Engineering & Capital Improvements Director
AMENDMENT NO. 1 TO TASK ORDER NO. 14-05-T/GMTI
POLICE FACILITY/EOC -
STRUCTURAL STEEL INSPECTION AND FIREPROOFING TESTING SERVICES
CITY PROJECT NO. 11234-018

This Amendment No. 1 to Task Order No. 14-05-T/GMTI is made and entered into this ____ day of ___________ 201__, pursuant to the ARCHITECT / ENGINEERING AGREEMENT FOR MISCELLANEOUS PROFESSIONAL SERVICES FOR GEOTECHNICAL AND MATERIALS TESTING AND INSPECTION PROJECTS dated January 24, 2014 ("Agreement") between Tierra, 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

On May 31, 2017, the City authorized the A/E to commence Threshold Inspection Services (Structural Special Inspections) on the new 3-story St. Petersburg Police Administration/EOC Building, Annex Building and Parking Garage.

This Amendment No. 1 is to modify the Task Order's Scope of Services, Schedule and Fee to provide visual and ultrasonic structural steel/welding inspections on the Administration/EOC Building, 2-story Annex Building, 4-story Precast Parking Garage, and CEP Building; and Field and laboratory Fireproofing Material Testing will be provided on the Administration/EOC Building, 2-story Annex Building, and CEP Building.

II. SCOPE OF SERVICES

TASK 4 - STRUCTURAL STEEL INSPECTIONS

4.01 - Administration/EOC Building
Perform a visual inspection of all field welded and bolted connections. In addition 50% of full penetration moment connections will be tested utilizing ultrasonic methods. Metal deck installation will be verified for conformance to project drawings. Nelson studs on the decking will be verified for compliance with project requirements. Any stud that does not exhibit 360 degrees of fusion around the circumference of the stud will be bend tested to 15% past vertical. Weld inspection for concrete tilt and hung panels will be performed for conformance to project specifications and AWS visual inspection criteria.

4.02 - Annex Building
Perform a visual inspection of all field welded and bolted connections. In addition 50% of full penetration moment connections will be tested utilizing ultrasonic methods. Metal deck installation will be verified for conformance to project drawings. Nelson studs on the decking will be verified for compliance with project requirements. Any stud that does not exhibit 360 degrees of fusion around the circumference of the stud will be bend tested to 15% past vertical. Weld inspection for concrete tilt and hung panels will be performed for conformance to project specifications and AWS visual inspection criteria.
4.03 - Parking Garage
Perform a visual inspection of all field welded and bolted connections.

4.04 - CEP
Perform a visual inspection of all field welded and bolted connections.

TASK 5 - FIREPROOFING INSPECTIONS AND TESTING SERVICES

5.01 - Administration/EOC Building
Perform density testing and bond testing of the SFRM at a frequency of 1 test per every 10,000 square feet of area. Perform the density testing in general accordance with Paragraph 8.2 of ASTM E605, Standard Test Method for Thickness and Density of Sprayed Fire Resistant Materials. Bond testing will be performed in general accordance with ASTM736, Standard Test Method for cohesion/Adhesion of Sprayed Fire Resistant Materials Applied to Structural Members. One set of thickness testing, which includes one test for each type of element receiving SFRM, will be performed for each 10,000 square feet of area. Thickness reading will be performed in general accordance with ASTME605.

5.02 - Annex Building
Perform density testing and bond testing of the SFRM at a frequency of 1 test per every 10,000 square feet of area. Perform the density testing in general accordance with Paragraph 8.2 of ASTM E605, Standard Test Method for Thickness and Density of Sprayed Fire Resistant Materials. Bond testing will be performed in general accordance with ASTM736, Standard Test Method for cohesion/Adhesion of Sprayed Fire Resistant Materials Applied to Structural Members. One set of thickness testing, which includes one test for each type of element receiving SFRM, will be performed for each 10,000 square feet of area. Thickness reading will be performed in general accordance with ASTME605.

5.03 - CEP
Perform density testing and bond testing of the SFRM at a frequency of 1 test per every 10,000 square feet of area. Perform the density testing in general accordance with Paragraph 8.2 of ASTM E605, Standard Test Method for Thickness and Density of Sprayed Fire Resistant Materials. Bond testing will be performed in general accordance with ASTM736, Standard Test Method for cohesion/Adhesion of Sprayed Fire Resistant Materials Applied to Structural Members. One set of thickness testing, which includes one test for each type of element receiving SFRM, will be performed for each 10,000 square feet of area. Thickness reading will be performed in general accordance with ASTME605.

5.04 - Lab Testing for Density
Perform the density testing in general accordance with Paragraph 8.2 of ASTM E605, Standard Test Method for Thickness and Density of Sprayed Fire Resistant Materials

III. SCHEDULE

Services to be provided on an ongoing/as needed basis during construction of the new Police Department Facility.
IV. **A/E'S RESPONSIBILITIES**

Provide services outlined in Section II, Scope of Services.

V. **CITY'S RESPONSIBILITIES**

- The City will make the facilities available to the A/E as needed, on an ongoing basis.
- The City will provide existing information and as-built drawings as needed, and if available.

VI. **DELIVERABLES**

- Submit a daily field report following each visit.
- Distribute signed and sealed reports to recipients designated by the City of St. Petersburg's Project Manager.

VII. **A/E'S COMPENSATION**

The A/E was authorized the not-to-exceed amount of $116,900.00 under the original Task Order for Tasks 1 through 3.

A $5,000.00 Allowance remains 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 the Task Order.

For Amendment No. 1 - Tasks 4 and 5, the City shall compensate the A/E the not-to-exceed amount of $36,440.00, per Appendix A.

The total Task Order amount including Amendment No. 1 shall not exceed $158,340.00.

VIII. **PROJECT TEAM**

Project team will consist of Tierra, Inc. and Ardaman and Associates, Inc. (Specialty Inspection subconsultant) staff.

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: 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)

-----------------------
Tierra, Inc.
(Company Name)

By: [Signature]
   Harmon C. Bennett, PE, VP
   (Printed Name and Title)

Date: 10/12/17

WITNESSES:

By: [Signature]
   Manuel J. Valdez
   (Printed Name)

By: [Signature]
   James Gibbs
   (Printed Name)
APPENDIX A

Work Task Breakdown
City of St. Petersburg
Police Facility/EOC - Structural Steel Inspection and Fireproofing Testing Services
Project No. 11234-018

I. Manpower Estimate: All Tasks

<table>
<thead>
<tr>
<th>TASK</th>
<th>Direct Labor Rates Classifications</th>
<th>Senior Engineering Technician/Inspector</th>
<th>Senior Engineer/Project Engineer</th>
<th>Total Hours</th>
<th>Labor Cost</th>
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<tbody>
<tr>
<td>4</td>
<td>Structural Steel Inspections</td>
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<td>4.01</td>
<td>Administration/EOC Building</td>
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<td>Parking Garage</td>
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<tr>
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<td>CEP</td>
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<td></td>
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<td>5</td>
<td>Fireproofing Inspections and Testing Services</td>
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<td>5.01</td>
<td>Administration/EOC Building</td>
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<td>Annex Building</td>
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<td>10</td>
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<td>CEP</td>
<td>20</td>
<td>8</td>
<td>28</td>
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<td>5.04</td>
<td>Lab Testing for Density (1 Hr Inspector per Test)</td>
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<td>187</td>
<td>$16,170.00</td>
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II. Fee Calculation

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<tr>
<th>Task</th>
<th>Labor Cost</th>
<th>Subconsultant Cost</th>
<th>Total Cost</th>
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<tr>
<td>4.01</td>
<td>$0.00</td>
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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: Tierra, Inc.
    Task Order No. 14-05-T / GMTI Amendment No 1 in the amount of $36,440

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

   Tierra, Inc. was selected to provide Geotechnical and Materials Testing and Inspection services based upon their qualifications, past experience with Threshold Inspections, Florida Statutes and Florida Building Code requirements, and availability.

   Tierra, Inc. has satisfactorily completed previous Task Orders for the City for specialty Testing and Inspection Services and is familiar with industry standard specification and City standards.

   Tierra, Inc. has significant experience in the testing and specialty inspection services for structures and facilities. This work is a continuation of existing services being provided.

   This is the fifth Task Order issued under the 2014 Master Agreement.

2. Transaction Report listing current work – See Attachment A
## ATTACHMENT A

### Transaction Report for Tierra, Inc.

**Miscellaneous Professional Services for Geotechnical and Materials Testing and Inspection Services**

**A/E Agreement Effective - January 24, 2014**

**A/E Agreement Expiration - January 22, 2018**

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<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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<td>15041-110</td>
<td>Bayshore Drive Seawall Replacement - Al Lang Facility to Courtesy Dock</td>
<td>12/18/14</td>
<td>10,320.00</td>
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<td>14065-113</td>
<td>Albert Whitted Airport - Runway 7/25 and Connector Taxiways Rehabilitation - Quality Assurance Testing</td>
<td>09/18/15</td>
<td>40,810.00</td>
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<td>03</td>
<td>15017-110</td>
<td>14th A/N from 4th S to Crescent Lake - Storm Drainage Improv Rev No. 1 - Additional Services Rev No. 2 - Field Investigation Rev No. 3 - Field Investigation</td>
<td>11/02/15</td>
<td>7,541.60</td>
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<td>02/12/16</td>
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<td>04</td>
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<td>CNG Fueling Station - Box Culvert, Ponds, Fueling Station, etc. Rev No. 1 - ESA Report</td>
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<td>05</td>
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<td>Police Facility/EOC - Threshold Inspection Services Amendment No 1</td>
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<td>Total: 199,287.10</td>
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Edited: 11/16/2017
ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of December 14, 2017

TO: City Council Chair & Members of City Council

SUBJECT: City Council Minutes

EXPLANATION: City Council minutes of November 2, November 9, and November 20, 2017 City Council meetings.
A RESOLUTION APPROVING THE MINUTES OF
THE CITY COUNCIL MEETINGS HELD ON
NOVEMBER 2, NOVEMBER 9, AND NOVEMBER 20,
2017; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that
the minutes of the City Council meetings held on November 2, November 9, and November 20,
2017 are hereby approved.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM
AND SUBSTANCE:

City Attorney or Designee
REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL
Thursday, November 2, 2017, AT 8:30 A.M.

Chair Darden Rice called the meeting to order with the following members present: Amy Foster, Charles Gerdes, James R. Kennedy, Jr., Steve Kornell, Ed Montanari, Karl Nurse, Darden Rice, and Lisa Wheeler-Bowman. City Administrator Dr. Gary Cornwell, City Attorney Jacqueline Kovilaritch, Chief Assistant City Attorney Jeannine Williams, City Clerk Chan Srinivasa and Senior Deputy City Clerk Cathy Davis were also in attendance. Absent. None.

A moment of silence was observed to remember the following fallen Firefighters and Police Officers of the City of St. Petersburg that lost their lives in the line of duty during this month: Officer Gene A. Bessette – November 10, 1961.

In connection with the approval of the agenda, Councilmember Gerdes moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda with the following changes as amended:

**MOVED CA-1** A resolution accepting the Guaranteed Maximum Price (GMP) Proposal for construction of the new Police Training Facility project in an amount not to exceed $5,420,056 submitted by Ajax Building Corporation (Ajax) on October 20, 2017; authorizing the Mayor or his designee to execute the First Amendment to the Construction Manager at Risk Agreement with a Guaranteed Maximum Price between the City of St. Petersburg and Ajax dated May 4, 2017 (Contract) to incorporate the GMP Proposal into the Contract and modify other necessary provisions; approving a transfer in the amount of $5,600,000 from the TD Bank, N.A. Fund (2018) from the proceeds of a non ad valorem revenue note, series 2017D for the construction of the new Police Training Facility and other project expenses to the General Capital Improvement Fund (3001); approving a supplemental appropriation in the amount of $5,600,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from the above transfer to the Police Training Facility Project (Engineering & CID Project No. 11234-118; Oracle Project No. 15924); and providing an effective date. [MOVED TO REPORTS AS E-6]

**MOVED CB-10** Approving an agreement to support the Solar United Neighbors of Florida program over a one-year period by providing $75,000 in funding and providing an effective date. [MOVED TO REPORTS AS E-7]
MOVED CB-11 Approving an agreement to support the Solar and Energy Loan Fund program (SELF) over a three-year period by providing $300,000 in funding and an office space in a City-owned facility; requesting City staff continue to assist SELF in identifying an appropriate City-owned facility for use as an office and negotiate and prepare a separate agreement for occupancy and use of that facility by SELF; and providing an effective date. [MOVED TO REPORTS AS E-8]

ADD CB-12 Authorizing the Mayor, or his designee, to execute a five (5) year Amended and Restated Lease and Management Agreement with Sheltair Albert Whitted, LLC, a Florida limited liability company, for fixed based operator services at Albert Whitted Airport. Requires affirmative vote of at least six (6) members of City Council.

ADD CB-13 Resolution identifying scrivener's errors and errors of fact in the plat of Gandy Boulevard self-storage, superseding and replacing Resolution 2017-504, and approving the amended and corrected 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)

REVISE E-5 Authorizing the Mayor to enter into an Interlocal Agreement with the Pinellas County Office of Human Rights (PCOHR) to enforce the City's wage theft ordinance Article 15, Chapter III of the municipal code. (Revised cover memo only.)

ADD E-2(b) Florida Fish and Wildlife Conservation Commission Report

INFO F-4 Ordinance amending Article V of the St. Petersburg City Code by adding Division 8, entitled Living Wage Requirements for Major Contracts, to provide for implementation of a minimum hourly wage for employees of certain contractors and subcontractors; providing findings; providing for definitions; prohibiting retaliation against employees for exercising their rights pursuant to this ordinance; providing remedies for aggrieved employees through the City's wage theft ordinance; providing for penalties; providing for monitoring effectiveness of this ordinance following implementation.

REVISE F-7 Ordinance repealing and superseding ordinances 300-H and 302-H for the purpose of implementing campaign finance reform for municipal elections in the City of St. Petersburg; making findings regarding foreign influence, super-PAC funding, and disclosure in municipal elections; amending the city Code to impose limits on contributions and expenditures related to municipal elections involving super PACs and foreign-influenced entities and to require increased disclosure of campaign finance matters related to municipal elections. [PUBLIC HEARING DATE MOVED TO NOVEMBER 9, 2017, AT 6:00 P.M.]

ADD G-1 Requesting City Council support of HB 347 and SB 66 — Florida Competitive Workforce Act. (Chair Rice)

ADD G-2 Referral to a Committee of the Whole for a discussion on the October 2017 Potable Water Supply System Water Audit prepared by Greeley and Hansen. (Councilmember Montanari)
11/02/2017

ADD G-3 Requesting consideration of a resolution to provide for defense and indemnity of City staff members against claims arising out of the campaign finance provisions to be added to City Code, and discussion of expectations for legal defense fund suggested by Free Speech for People. (Councilmember Kennedy)

INFO H-2 Committee of the Whole: Booker Creek Park; Weeki Wachee Fund- Multi Year Tree Planting Program; Foundation for a Healthy St. Pete (10/19/17)

DEFER H-4 Legislative Affairs and Intergovernmental Relations Committee (10/19/2017) [DEFERRED TO 11/9/2017 CITY COUNCIL MEETING]

INFO H-6 Public Services & Infrastructure Committee (10/26/17)

ADD H-6(a) Resolution of the City of St. Petersburg City Council requesting the Board of County Commissioners of Pinellas County Florida to study the impacts of residential wood burning devices and if necessary, add criteria to their Comprehensive Air Quality Ordinance to further address impacts from residential wood burning devices; requesting the board allocate additional resources for the enforcement of the Air Quality Code.

INFO H-7 Housing, Land Use & Transportation (10/26/17)

ADD H-7(a) Ordinance of the City of St. Petersburg amending the City Code to add a definition of low-flow toilet; adding low-flow toilets to required plumbing systems and equipment for residential dwelling units; adding a requirement that all residential dwelling units have attic insulation of R-30 or better rating.

INFO H-9 Youth Services Committee (10/26/19)


In connection with approval of the Consent Agenda, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Wheeler-Bowman that the following resolutions be adopted approving the attached Consent Agenda as amended.


In connection with reports, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-619 A RESOLUTION APPROVING AN AGREEMENT TO SUPPORT THE SOLAR UNITED NEIGHBORS OF FLORIDA PROGRAM OVER A ONE-YEAR PERIOD BY PROVIDING $75,000 IN FUNDING AND PROVIDING AN EFFECTIVE DATE.

In connection with reports, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-620  A RESOLUTION APPROVING AN AGREEMENT TO SUPPORT THE SOLAR AND ENERGY LOAN FUND PROGRAM ("SELF") OVER A THREE-YEAR PERIOD BY PROVIDING $300,000 IN FUNDING AND AN OFFICE SPACE IN A CITY-OWNED FACILITY; REQUESTING CITY STAFF CONTINUE TO ASSIST SELF IN IDENTIFYING AN APPROPRIATE CITY-OWNED FACILITY FOR USE AS AN OFFICE AND NEGOTIATE AND PREPARE A SEPARATE AGREEMENT FOR OCCUPANCY AND USE OF THAT FACILITY BY SELF; AND PROVIDING AN EFFECTIVE DATE.


In connection with the Open Forum portion of the agenda, the following person(s) came forward:

1. Theresa Lassiter, thanked everyone who participated in this year’s Lawfest.

In connection with reports, Raul Quintana, City Architect gave a PowerPoint presentation to Council regarding the construction of the new Police Training Facility. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Kennedy moved with the second of Councilmember Gerdes that the following resolution be adopted:

2017-621  A RESOLUTION ACCEPTING THE GUARANTEED MAXIMUM PRICE ("GMP") PROPOSAL FOR CONSTRUCTION OF THE NEW POLICE TRAINING FACILITY PROJECT IN AN AMOUNT NOT TO EXCEED $5,420,056 SUBMITTED BY AJAX BUILDING CORPORATION ("AJAX") ON OCTOBER 20, 2017; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE FIRST AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT WITH A GMP BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND AJAX DATED MAY 4, 2017, ("CONTRACT") TO INCORPORATE THE GMP PROPOSAL INTO THE CONTRACT AND MODIFY OTHER NECESSARY PROVISIONS; APPROVING A TRANSFER IN THE AMOUNT OF $5,600,000 FROM THE TD BANK, N.A. FUND (2018) FROM THE PROCEEDS OF A NON AD VALOREM REVENUE NOTE, SERIES 2017D FOR THE CONSTRUCTION THE NEW POLICE TRAINING FACILITY PROJECT AND OTHER PROJECT EXPENSES TO THE GENERAL CAPITAL IMPROVEMENT FUND (3001); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $5,600,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001) RESULTING FROM THE ABOVE TRANSFER TO THE POLICE TRAINING FACILITY PROJECT (ENGINEERING & CID PROJECT NO. 11234-118; ORACLE PROJECT NO. 15924); AND PROVIDING AN EFFECTIVE DATE.
In connection with reports, Kurt Smith, RCS Pinellas Executive Director presented the RCS Pinellas report. No action was taken.

In connection with reports, John Palenchar, Interim Water Resources Director presented the Sewer Report. Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

2. Walter Donnelly, 6 Academy Way South, spoke in support of the Sewer Report.

Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-622  A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO FLORIDA DESIGN DRILLING CORPORATION TO DRILL AND CONSTRUCT ONE NEW INJECTION WELL (IW-5) AT THE SOUTHWEST WATER RECLAMATION FACILITY ("SWWRF") FOR THE SWWRF RECLAIMED WATER & INJECTION WELL IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED $1,860,025; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

Chair Rice recessed the meeting at 10:26 a.m. for a short break.

Chair Rice reconvened the meeting at 10:39 a.m.

In connection with a Legal item, City Attorney Jacqueline Kovilaritch announced an Attorney-Client Session, to be heard at 10:30 a.m. or soon thereafter, pursuant to Florida Statue 286.011(8), in conjunction with the lawsuit styled Suncoast Waterkeeper, Our Childrens Earth Foundation, and Ecological Rights Foundation, Case No: 8:16-cv-3319-JDW-AEP. No action was taken.

In connection with a Legal item, City Attorney Jacqueline Kovilaritch announced a settlement of Kenneth Jamison (Employee/Claimant) v. City of St. Petersburg, (Employer); State of Florida, Division of Administrative Hearings, Office of Judge of Compensation Claims, Case Numbers 15-015625-SLR and 15-027207-SLR.

Councilmember Nurse moved with the second of Councilmember Kennedy that the following resolution be adopted:

2017-623  A RESOLUTION APPROVING SETTLEMENT OF THE WORKER’S COMPENSATION LAWSUIT OF KENNETH JAMISON (EMPLOYEE/CLAIMANT) v. CITY OF ST. PETERSBURG (EMPLOYER,

In connection with the Sewer Report, Councilmembers expressed their opinions regarding the Florida Fish and Wildlife Conservation Commission Report. No action was taken.

In connection with reports, Sophia Sorolis, Economic Development Manager gave a presentation to Council regarding financial support for Project B7060935956 Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Kennedy moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-624 A RESOLUTION RECOMMENDING THAT PROJECT B7060935956 ("PROJECT"), A CONFIDENTIAL PROJECT PURSUANT TO SECTION 288.075, FLORIDA STATUTES, BE APPROVED AS A QUALIFIED TARGET INDUSTRY ("QTI") BUSINESS PURSUANT TO SECTION 288.106, FLORIDA STATUTES WITH AN AVERAGE PRIVATE SECTOR WAGE COMMITMENT CALCULATION BASED ON 115% OF THE AVERAGE STATE OF FLORIDA WAGE; FINDING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR THE PROJECT EXIST; COMMITTING $30,900 AS THE CITY'S SHARE OF THE LOCAL FINANCIAL SUPPORT FOR THE PROJECT BEGINNING IN STATE FY 2019, SUBJECT TO ANNUAL APPROPRIATIONS AND CONDITIONED ON THE PROJECT MEETING STATUTORY REQUIREMENTS; AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.


In connection with reports, Sophia Sorolis, Economic Development Manager gave a presentation to Council regarding financial support for Project B7020737880. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Foster moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-625 A RESOLUTION RECOMMENDING THAT PROJECT B7020737880 ("PROJECT"), A CONFIDENTIAL PROJECT PURSUANT TO SECTION 288.075, FLORIDA STATUTES, BE APPROVED AS A QUALIFIED TARGET INDUSTRY ("QTI") BUSINESS PURSUANT TO SECTION 288.106, FLORIDA STATUTES WITH AN AVERAGE PRIVATE SECTOR WAGE COMMITMENT CALCULATION BASED ON 200% OF THE AVERAGE
STATE OF FLORIDA WAGE; FINDING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR THE PROJECT EXIST; COMMITTING $90,000 AS THE CITY'S SHARE OF THE LOCAL FINANCIAL SUPPORT FOR THE PROJECT BEGINNING IN STATE FY 2019 FROM THE CITY'S ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION PROGRAM (SUBJECT TO CITY COUNCIL APPROVAL) AND/OR THROUGH THE APPRAISED VALUE OF CITY LAND PROVIDED TO THE PROJECT AT A DISCOUNT, SUBJECT TO ANNUAL APPROPRIATIONS AND CONDITIONED ON THE PROJECT MEETING STATUTORY REQUIREMENTS; AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.


In connection with reports, Chris Guella, Human Resources Director gave a presentation to Council regarding an Interlocal Agreement with the Pinellas County Office of Human Rights to enforce the City’s wage theft ordinance. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-626  A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE PINELLAS COUNTY OFFICE OF HUMAN RIGHTS; AUTHORIZING THE PINELLAS COUNTY OFFICE OF HUMAN RIGHTS TO ADMINISTER AND ENFORCE THE CITY'S WAGE THEFT ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.


In connection with new ordinances, the Clerk read the title of proposed Ordinance 106-HL. Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Susan Kozgus, 6665 68th Street North, spoke in support of the proposed Ordinance.

Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting November 20, 2017 as the public hearing date for the following proposed Ordinance(s):
PROPOSED ORDINANCE NO. 106-HL

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE "200 BLOCK OF 10TH AVENUE NORTHEAST" HISTORIC DISTRICT, LOCATED BETWEEN BAY STREET AND OAK STREET, AS A LOCAL HISTORIC DISTRICT AND ADDING THE PROPERTY TO THE ST. PETERSBURG REGISTER OF HISTORIC PLACES PURSUANT TO SECTION 16.30.070, CITY CODE; AND PROVIDING AN EFFECTIVE DATE.


In connection with new ordinances, the Clerk read the title of proposed Ordinance 1103-V. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kennedy moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting November 20, 2017 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 1103-V

AN ORDINANCE APPROVING A VACATION OF 2ND STREET NORTH BETWEEN 99TH AVENUE NORTH AND GANDY BOULEVARD; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.


In connection with new ordinances, the Clerk read the title of proposed Ordinance 1104-V. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kennedy moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting November 20, 2017 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 1104-V

AN ORDINANCE RESTATING THE APPROVAL OF A VACATION OF PLAZA COMERCIO IN ORDER TO CORRECT A SCRIVENER'S ERROR; SUPERCEDING AND REPLACING ORDINANCE 1057-V; MEMORIALIZING THE PROPER VACATION OF AN 80 FOOT WIDE UNIMPROVED RIGHT-OF-WAY OF PLAZA COMERCIO THROUGH A CORRECTED AND ACCURATE SKETCH, SAID AREA OF VACATION SITUATED NORTH OF SAVONA
DRIVE AND EAST OF SAN MERINO BOULEVARD NORTHEAST; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.


In connection with new ordinances, the Clerk read the title of proposed Ordinance 294-H. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting November 20, 2017 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 294-H

AN ORDINANCE AMENDING ARTICLE V OF THE ST. PETERSBURG CITY CODE BY ADDING DIVISION 8, ENTITLED “LIVING WAGE REQUIREMENTS FOR MAJOR CONTRACTS,” TO PROVIDE FOR IMPLEMENTATION OF A MINIMUM HOURLY WAGE FOR EMPLOYEES OF CERTAIN CONTRACTORS AND SUBCONTRACTORS; PROVIDING FINDINGS; PROVIDING FOR DEFINITIONS; PROHIBITING RETALIATION AGAINST EMPLOYEES FOR EXERCISING THEIR RIGHTS PURSUANT TO THIS ORDINANCE; PROVIDING REMEDIES FOR AGGRIEVED EMPLOYEES THROUGH THE CITY’S WAGE THEFT ORDINANCE; PROVIDING FOR PENALTIES; PROVIDING FOR MONITORING EFFECTIVENESS OF THIS ORDINANCE FOLLOWING IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.


In connection with new ordinances, the Clerk read the title of proposed Ordinance 1105-V. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting November 20, 2017 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 1105-V

AN ORDINANCE APPROVING A VACATION OF AN EIGHT (8) FOOT BY SEVENTY-ONE (71) FOOT PORTION OF ELM STREET NORTHEAST LOCATED IMMEDIATELY ADJACENT TO THE EAST OF LOT 1, SNELL & HAMLETT’S NORTH SHORE ADDITION REVISED REPLAT BLOCK 68, EXTENDING NORTH FROM THE EASTWEST ALLEY IN THE BLOCK;
SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.


In connection with new ordinances, the Clerk read the title of proposed Ordinance 107-HL. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting November 20, 2017 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 107-HL


Chair Rice recessed the meeting at 11:59 a.m. for a lunch break.

Chair Rice reconvened the meeting at 1:07 p.m.

In connection with new ordinances, the Clerk read the title of proposed Ordinance 306-H. Brett Pettigrew, Assistant City Attorney gave a presentation to Council regarding the proposed Ordinance. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Nurse moved with the second of Councilmember Gerdes that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting November 9, 2017 as the public hearing date for the following proposed Ordinance(s):
PROPOSED ORDINANCE NO. 306-H

AN ORDINANCE REPEALING AND SUPERSEDING ORDINANCES 300-H AND 302-H FOR THE PURPOSE OF IMPLEMENTING CAMPAIGN FINANCE REFORM FOR MUNICIPAL ELECTIONS IN THE CITY OF ST. PETERSBURG; MAKING FINDINGS REGARDING FOREIGN INFLUENCE, SUPER-PAC FUNDING, AND DISCLOSURE IN MUNICIPAL ELECTIONS; AMENDING THE CITY CODE TO IMPOSE LIMITS ON CONTRIBUTIONS AND EXPENDITURES RELATED TO MUNICIPAL ELECTIONS INVOLVING SUPER PACS AND FOREIGN-INFLUENCED ENTITIES AND TO REQUIRE INCREASED DISCLOSURE OF CAMPAIGN FINANCE MATTERS RELATED TO MUNICIPAL ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.


In connection with a new business item presented by Councilmember James R. Kennedy, Jr., Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Cathy Harrelson, 605 48th Avenue North, expressed her concerns regarding the new business item.

Councilmember Foster moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-627 A RESOLUTION PROVIDING FOR THE DEFENSE AND INDEMNITY OF MEMBERS OF CITY STAFF FOR CLAIMS ARISING OUT OF THE IMPLEMENTATION OR ENFORCEMENT OF PROVISIONS OF THE CITY CODE ADOPTED FOR THE PURPOSE OF IMPLEMENTING CAMPAIGN FINANCE REFORM FOR MUNICIPAL ELECTIONS IN THE CITY OF ST. PETERSBURG AND PROVIDING AN EFFECTIVE DATE.


Councilmember Kennedy moved with the second of Councilmember Montanari that the following resolution be adopted:

-BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council refer to the Budget, Finance & Taxation Committee for consideration to consider a discussion regarding exceptions for legal defense fund suggested by Free Speech for People.


In connection with a new business item presented by Chair Rice, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse
moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council refer to the Legislative Affairs and Intergovernmental Relations Committee for consideration to consider supporting HB 347 and SB 66 — Florida Competitive Workforce Act.


In connection with a new business item presented by Councilmember Ed Montanan, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Montanan moved with the second of Councilmember Foster that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council refer to the Committee of the Whole for consideration to consider a discussion a discussion on the October 2017 Potable Water Supply System Water Audit prepared by Greeley and Hansen.


In connection with the Land Use and Transportation report presented by Chair Rice, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council refer to the Legislative Affairs and Intergovernmental Relations Committee for consideration to consider a discussion on Texting While Driving and the Waterboard Transportation Grant Program.


Councilmember Montanan moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Land Use and Transportation report presented by Chair Rice.


In connection with the Committee of the Whole: Booker Creek Park; Weeki Wachee Fund-Multi Year Tree Planting Program; Foundation for a Healthy St. Pete report, Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:
11/02/2017

1. Cathy Harrelson, spoke in support of the Tree Planting Program.

Councilmember Kornell moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council request Administration to continue negotiating with the hospital and foundation to sell 20% interest to the hospital and amend the lease to include a minimum fare market rate value of rent to be specified as a charity care obligation to support a finding of public purpose, while keeping the existing charity care policy.


Councilmember Kornell moved with the second of Councilmember Nurse that the following resolution be adopted:

2017-628 A RESOLUTION APPROVING THE RECOMMENDATION OF THE COMMITTEE OF THE WHOLE TO PROVIDE FUNDING FOR THE BOOKER CREEK PARK PROJECT FROM WEEKI WACHEE FUNDS; APPROVING A TRANSFER IN THE AMOUNT OF $99,500 FROM THE UNAPPROPRIATED BALANCE OF THE WEEKI WACHEE OPERATING FUND (1041) TO THE WEEKI WACHEE CAPITAL PROJECTS FUND (3041); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $99,500 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE WEEKI WACHEE CAPITAL PROJECTS FUND RESULTING FROM THIS TRANSFER IN THE AMOUNT OF $99,500 TO THE BOOKER CREEK PARK PROJECT (TBD); AND PROVIDING AN EFFECTIVE DATE.


Councilmember Kornell moved with the second of Councilmember Nurse that the following resolution be adopted:

2017-629 A RESOLUTION APPROVING THE RECOMMENDATION OF THE COMMITTEE OF THE WHOLE TO PROVIDE FUNDING FOR THE TREE PLANTING PROGRAM PROJECT FROM WEEKI WACHEE FUNDS; APPROVING A TRANSFER IN THE AMOUNT OF $1,465,000 FROM THE UNAPPROPRIATED BALANCE OF THE WEEKI WACHEE OPERATING FUND (1041) TO THE WEEKI WACHEE CAPITAL PROJECTS FUND (3041); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $1,465,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE WEEKI WACHEE CAPITAL PROJECTS FUND RESULTING FROM THIS TRANSFER IN THE AMOUNT OF $1,465,000 TO THE TREE PLANTING PROGRAM PROJECT (TBD); AND PROVIDING AN EFFECTIVE DATE.

Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

**2017-630**

A RESOLUTION APPROVING THE RECOMMENDATION OF THE COMMITTEE OF THE WHOLE TO PROVIDE INCREASED FUNDING FROM WEEKI WACHEE FUNDS FOR THE TENNIS CENTER COURT ADDITION PROJECT AT BARTLETT PARK (15642); APPROVING A TRANSFER IN THE AMOUNT OF $54,320 FROM THE UNAPPROPRIATED BALANCE OF THE WEEKI WACHEE OPERATING FUND (1041) TO THE WEEKI WACHEE CAPITAL PROJECTS FUND (3041); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $54,320 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE WEEKI WACHEE CAPITAL PROJECTS FUND RESULTING FROM THIS TRANSFER IN THE AMOUNT OF $54,320 TO THE TENNIS CENTER COURT ADDITION PROJECT AT BARTLETT PARK (15642); AND PROVIDING AN EFFECTIVE DATE.


Councilmember Montanan moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Committee of the Whole: Booker Creek Park; Weeki Wachee Fund- Multi Year Tree Planting Program; Foundation for a Healthy St. Pete report of October 19, 2017 presented by Chair Rice.


In connection with the Health, Energy, Resiliency and Sustainability Committee report, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the October 19, 2017 Health, Energy, Resiliency and Sustainability Committee report presented by Chair Rice.


In connection with the Budget, Finance and Taxation report, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kennedy moved with the second of Councilmember Nurse that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council request Administration to look into increased marketing for voluntary assistance programs to rate payers, increased marketing for the one day a week garbage pick-up and re-implementing the LIFT-Up program.

Councilmember Kennedy moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the October 26, 2017 Budget, Finance and Taxation Committee reports presented by Councilmember James R. Kennedy, Jr.


In connection with the Public Services and Infrastructure Committee report, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Kennedy that the following resolution be adopted:

2017-631 A RESOLUTION OF THE CITY OF ST. PETERSBURG CITY COUNCIL REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY FLORIDA TO STUDY THE IMPACTS OF RESIDENTIAL WOOD BURNING DEVICES AND IF NECESSARY, ADD CRITERIA TO THEIR COMPREHENSIVE AIR QUALITY ORDINANCE TO FURTHER ADDRESS IMPACTS FROM RESIDENTIAL WOOD BURNING DEVICES; REQUESTING THE BOARD ALLOCATE ADDITIONAL RESOURCES FOR THE ENFORCEMENT OF THE AIR QUALITY CODE; AND PROVIDING AN EFFECTIVE DATE.


Councilmember Kornell moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Public Services and Infrastructure Committee report of October 26, 2017 presented by Councilmember Kornell.


In connection with the Youth Services Committee report, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Wheeler-Bowman moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Youth Services Committee report of October 26, 2017 presented by Councilmember Wheeler-Bowman.

In connection with the Housing, Land Use and Transportation Committee report, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting December 7, 2017 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 309-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING THE CITY CODE TO ADD A DEFINITION OF LOW-FLOW TOILET; ADDING LOW-FLOW TOILETS TO REQUIRED PLUMBING SYSTEMS AND EQUIPMENT FOR RESIDENTIAL DWELLING UNITS; ADDING A REQUIREMENT THAT ALL RESIDENTIAL DWELLING UNITS HAVE ATTIC INSULATION OF R-30 OR BETTER RATING; AND PROVIDING AN EFFECTIVE DATE.


Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Housing, Land Use and Transportation Committee report of October 26, 2017 presented by Councilmember Nurse.


In connection with the Co-Sponsored Events Committee report, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Co-Sponsored Events Committee report of October 26, 2017 presented by Councilmember Gerdes.

Councilmember Gerdes moved with the second of Councilmember Kennedy that the following resolution be adopted:

2017-633  A RESOLUTION IN ACCORDANCE WITH CITY CODE SECTION 21-38(D) EXEMPTING STING ROCKS THE VINOY (VINOY PARK) FROM THE BEER AND WINE ONLY RESTRICTIONS IN CITY CODE SECTION 21-38(D) UPON THE ISSUANCE OF A PERMIT FOR ALCOHOLIC BEVERAGES (FOR ON PREMISES CONSUMPTION ONLY) TO BE SOLD, SERVED, DISPENSED, POSSESSED, USED, AND/OR CONSUMED AT THE VENUE DURING THE EVENT AS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.


Councilmember Gerdes moved with the second of Councilmember Kennedy that the following resolution be adopted:

2017-632  A RESOLUTION APPROVING EVENTS FOR CO-SPONSORSHIP IN NAME ONLY BY THE CITY FOR FY18; WAIVING THE NON-PROFIT REQUIREMENT OF RESOLUTION NO. 2000-562(A)8 FOR THE CO-SPONSORED EVENTS TO BE PRESENTED BY ACTIVE ENDEAVORS, INC. AND KNIGHT GLOBAL ENTERTAINMENT, LLC; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

CONSENT AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

Consent Agenda A
November 2, 2017

NOTE: Business items listed on the yellow Consent Agenda cost more than one-half million dollars while the blue Consent Agenda includes routine business items costing less than that amount.

1. A resolution accepting the Guaranteed Maximum Price (GMP) Proposal for construction of the new Police Training Facility project in an amount not to exceed $5,420,056 submitted by Ajax Building Corporation (Ajax) on October 20, 2017; authorizing the Mayor or his designee to execute the First Amendment to the Construction Manager at Risk Agreement with a Guaranteed Maximum Price between the City of St. Petersburg and Ajax dated May 4, 2017 (Contract) to incorporate the GMP Proposal into the Contract and modify other necessary provisions; approving a transfer in the amount of $5,600,000 from the TD Bank, N.A. Fund (2018) from the proceeds of a non-ad valorem revenue note, series 2017D for the construction of the new Police Training Facility and other project expenses to the General Capital Improvement Fund (3001); approving a supplemental appropriation in the amount of $5,600,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from the above transfer to the Police Training Facility Project (Engineering & CID Project No. 11234-118; Oracle Project No. 15924); and providing an effective date. [MOVED TO REPORTS AS E-6]

2017-605

2. Awarding a contract to Ajax Paving Industries of Florida, LLC, in the amount of $643,057.00, for the construction of SPG-Albert Whitted Airport, Taxiway “C” Rehabilitation. (Engineering Project No. 17040-113; Oracle Project Nos. 15120 and 15617).

2017-606

3. Approving a three-year blanket purchase agreement with Stan Weeks & Associates, Inc. and All About Hauling, Inc. for road and landscape materials for the Stormwater Pavement and Traffic Operations Department and the Parks and Recreation Department, at a total contract amount of $600,000.
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.

2017-607 1. Approving a three-year blanket purchase agreement with Johnson Controls, Inc. for HVAC Maintenance and Repair Services for the Real Estate and Property Management Department, at a total contract amount of $460,593.

2017-608 2. Accepting a bid from New Vista Builders Group LLC, for the Jamestown Apartments and Townhomes Renovations, Phase 3F Project, in the amount of $452,000 (Engineering Project No.16203-519, Oracle Project No. 15114); and providing an effective date.

2017-609 3. Accepting a bid from Avatar Construction, Inc. for the Jamestown Apartments and Townhomes Renovations, Phase 3E Project, in the amount of $397,235 (Engineering Project No.16203-419, Oracle Project No. 15114); and providing an effective date.

2017-610 4. Accepting a proposal from Bottling Group, LLC dba, Pepsi Beverages Company, for a beverage vending agreement for the Parks and Recreation Department, Library, and Golf Courses at a five-year contract amount of $200,000.

2017-611 5. Approving the renewal of a blanket purchase agreement with Eco-Land Design, LLC for outdoor water conservation irrigation evaluation services for the Water Resources Department, for a total contract amount of $162,590.

2017-612 6. Authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 16-05-AID/AWA ("Task Order") to the architect/engineering agreement dated February 21, 2016 between the City of St. Petersburg, Florida ("City") and American Infrastructure Development, Inc. ("A/E"), for A/E to provide bidding and construction phase services related to rehabilitating Taxiway C at the Albert Whitted Airport in an amount not to exceed $45,635.75, providing that the total Task Order, as amended, shall not exceed $145,540.61 (Engineering Project No. 17040-113; Oracle Project Numbers 15120 and 15617).

2017-613 7. Authorizing the Mayor or his designee to execute Task Order No. 16-08-KHA/T to the architect/engineering agreement dated June 1, 2016 between the City of St. Petersburg, Florida ("City") and Kimley-Horn and Associates ("A/E") for professional engineering services pertaining to the St. Pete Innovation District Streetscape Design Project in an amount not to exceed $259,134.70 (Engineering Project No. 17103-112; Oracle Project No. 15612).
8. Authorizing the Mayor or his designee to execute a Letter of Agreement and Contract with the University of South Florida ("USF") for pass through of funds from the Florida Department of Transportation ("FDOT") in the amount of $72,294.00 to fund Police Department overtime costs incurred by High Visibility Enforcement for the Pedestrian and Bicycle Safety Campaign; and to execute all documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $72,294.00 from the increase in the unappropriated balance of the General Fund (0001) resulting from these additional revenues to the Police Department, Traffic & Marine (140-1477), High Visibility Enforcement Grant (TBD).

9. Approving the minutes of the September 14 and September 21, 2017 City Council meetings.

10. Approving an agreement to support the Solar United Neighbors of Florida program over a one year period by providing $75,000 in funding and providing an effective date. [MOVED TO REPORTS AS E-7]

11. Approving an agreement to support the Solar and Energy Loan Fund program (SELF) over a three year period by providing $300,000 in funding and an office space in a City-owned facility; requesting City staff continue to assist SELF in identifying an appropriate City-owned facility for use as an office and negotiate and prepare a separate agreement for occupancy and use of that facility by SELF; and providing an effective date. [MOVED TO REPORTS AS E-8]

12. A resolution authorizing the Mayor, or his designee, to execute a five (5) year Amended and Restated Lease and Management Agreement with Sheltair Albert Whitted, LLC., a Florida limited liability company, for fixed based operator services at Albert Whitted Airport. Requires affirmative vote of at least six (6) members of City Council.

13. Resolution identifying scrivener’s errors and errors of fact in the plat of Gandy Boulevard Self Storage, superseding and replacing Resolution 2017-504, and approving the amended and corrected 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)

14. Resolution changing the beginning time of the City Council meeting scheduled on November 9, 2017 from 3:00 p.m. to 5:30 p.m.

There being no further business, Chair Rice adjourned the meeting at 2:53 p.m.

Darden Rice, Chair-Councilmember
Presiding Officer of the City Council

Attest:
Chan Srinivasa, City Clerk
Chair Darden Rice called the meeting to order with the following members present: Amy Foster, Charles Gerdes, James R. Kennedy, Jr., Steve Kornell, Ed Montanari, Karl Nurse, Darden Rice and Lisa Wheeler-Bowman. City Administrator Dr. Gary Cornwell, City Attorney Jacqueline Kovilaritch, Chief Assistant City Attorney Jeannine Williams, City Clerk Chan Srinivasa and Senior Deputy City Clerk Cathy Davis were also in attendance. Absent. None.

In connection with the approval of the agenda, Councilmember Gerdes moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida that Council approve the agenda with the following changes as amended:

ADD CB-3 Authorizing the Mayor, or his designee, to execute a License Agreement with Museum of Fine Arts of St. Petersburg, Florida, Inc., a Florida not-for-profit organization, for valet parking, staff parking and semi-trailer and equipment storage within the Dolphin Parking Lot for a period of six (6) months for nominal consideration. (Requires affirmative vote of at least six (6) members of City Council.)

INFO D-2 Ordinance enacting year-end appropriation adjustments for Fiscal Year 2017 for the operating Budget and Capital Improvement Program Budget and adjustments to the Fiscal Year 2018 budget.

DELETE E-1 Sewer Report

ADD F-1 Referring the Housing, Land Use and Transportation Committee to discuss code changes related to non-usable alleys. (Councilmember Nurse)

ADD G-1 Legislative Affairs and Intergovernmental Relations Committee (10/19/17)


In connection with approval of the Consent Agenda, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Wheeler-Bowman that the following resolutions be adopted approving the attached Consent Agenda as amended.

In connection with the Open Forum portion of the agenda, the following person(s) came forward:

1. Theresa Lassiter, spoke regarding activities in St. Petersburg.

In connection with new ordinances, the Clerk read the title of proposed Ordinance 307-H. Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward. Councilmember Gerdes moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting November 20, 2017 as the public hearing date for the following proposed Ordinance(s):

**PROPOSED ORDINANCE NO. 307-H**

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING CHAPTER 20, ARTICLE IV, DIVISION 2, HANDBILLS, TO DELETE THE DEFINITIONS OF COMMERCIAL HANDBILL AND NONCOMMERCIAL HANDBILL; DELETING CHARGES FOR COMMERCIAL HANDBILL DISTRIBUTION; AND PROVIDING AN EFFECTIVE DATE.


In connection with new ordinances, the Clerk read the title of proposed Ordinance 308-H. Tom Greene, Budget Director gave a PowerPoint presentation to Council regarding the proposed Ordinance. Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Theresa Lassiter, expressed her concerns regarding the proposed Ordinance.

Councilmember Gerdes moved with the second of Councilmember Nurse that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting November 20, 2017 as the public hearing date for the following proposed Ordinance(s):

**PROPOSED ORDINANCE NO. 308-H**

AN ORDINANCE ENACTING YEAR-END APPROPRIATION ADJUSTMENTS FOR FISCAL YEAR 2017 FOR THE OPERATING BUDGET AND CAPITAL IMPROVEMENT PROGRAM BUDGET AND ADJUSTMENTS TO THE FISCAL YEAR 2018 BUDGET.


In connection with a new business item presented by Councilmember Karl Nurse, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.
Councilmember Nurse moved with the second of Councilmember Gerdes that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council refer to the Housing, Land Use and Transportation Committee for consideration to consider a discussing regarding code changes related to non-usable alleys.


In connection with the Legislative Affairs and Intergovernmental Relations Committee report, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Montanari moved with the second of Councilmember Gerdes that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the October 19, 2017 Legislative Affairs and Intergovernmental Relations Committee report presented by Councilmember Montanari.


In connection with public hearings, the Clerk read the title of proposed Ordinance 306-H. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 306-H entitled:

PROPOSED ORDINANCE NO. 306-H

AN ORDINANCE REPEALING AND SUPERSEDING ORDINANCES 300-H AND 302-H FOR THE PURPOSE OF IMPLEMENTING CAMPAIGN FINANCE REFORM FOR MUNICIPAL ELECTIONS IN THE CITY OF ST. PETERSBURG; MAKING FINDINGS REGARDING FOREIGN INFLUENCE, SUPER-PAC FUNDING, AND DISCLOSURE IN MUNICIPAL ELECTIONS; AMENDING THE CITY CODE TO IMPOSE LIMITS ON CONTRIBUTIONS AND EXPENDITURES RELATED TO MUNICIPAL ELECTIONS INVOLVING SUPER PACS AND FOREIGN-INFLUENCED ENTITIES AND TO REQUIRE INCREASED DISCLOSURE OF CAMPAIGN FINANCE MATTERS RELATED TO MUNICIPAL ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

Consent Agenda A
November 9, 2017

NOTE: Business items listed on the yellow Consent Agenda cost more than one-half million dollars while the blue Consent Agenda includes routine business items costing less than that amount.
NOTE: The Consent Agenda contains normal, routine business items that are very likely to be approved by the City Council by a single motion. Council questions on these items were answered prior to the meeting. Each Councilmember may, however, defer any item for added discussion at a later time.

1. Authorizing the Mayor or his designee to accept a Childcare Food Program grant in the amount of $205,245 from the Florida Department of Health, Bureau of Childcare Food Programs for after-school programs at City recreation centers and to execute all other documents necessary to effectuate this transaction.

2. Authorizing the Mayor or his designee to execute a three-party Railroad Reimbursement Agreement, Grade Crossing Traffic Control Devices – Municipal, between the City of St. Petersburg ("City"), the Florida Department of Transportation ("FDOT"), and CSX Transportation ("CSXT") for the replacement and upgrade of the automatic grade crossing signals and traffic control devices at the 9th Avenue North near 18th Street North railroad crossing (FDOT Financial Project No. 44043015701, FDOT/AAR Crossing 626716K).

3. Authorizing the Mayor, or his designee, to execute a License Agreement with Museum of Fine Arts of St. Petersburg, Florida, Inc., a Florida not-for-profit organization, for valet parking, staff parking and semi-trailer and equipment storage within the Dolphin Parking Lot for a period of six (6) months for nominal consideration. (Requires affirmative vote of at least six (6) members of City Council.)

There being no further business, Chair Rice adjourned the meeting at 6:19 p.m.

Darden Rice, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: Chan Srinivasa, City Clerk
Chair Darden Rice called the meeting to order with the following members present: Amy Foster, Charles Gerdes, James R. Kennedy, Jr., Steve Kornell, Karl Nurse, Darden Rice and Lisa Wheeler-Bowman. Mayor Rick Kriseman, Deputy Mayor Dr. Kanika Tomlin, City Administrator Dr. Gary Cornwell, City Attorney Jacqueline Kovilaritch, Chief Assistant City Attorney Jeannine Williams, City Clerk Chan Srinivasa and Senior Deputy City Clerk Cathy Davis were also in attendance. Absent. Ed Montanari.

In connection with the approval of the agenda, Councilmember Kornell moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda with the following changes as amended:

MOVED CB-4 A resolution authorizing the Mayor, or his designee, to execute a Second Amendment to the Lease and Development Agreement with Tampa Bay Innovation Center, operated by STAR-TEC Enterprises, Inc., a Florida non-profit corporation, for use of City-owned property located at the southwest corner of 4th Street South and 11th Avenue South. [MOVED TO REPORTS AS E-5]

INFO CB-13 Declaring the Results of the General Election held on November 7, 2017.

DELETE E-1 Sewer Report

DELETE E-2 Foundation for Healthy St. Petersburg – (Tentative)

ADD E-3 Lease Agreement for Historic Manhattan Casino

ADD E-3(a) Resolution recommending City Council approval of the proposed disposition of Block 1, Lot 2, Dome Industrial Subdivision (Historic Manhattan Casino) by a Lease Agreement ("Disposition") for a term of five (5) years, with three (3) optional renewal terms of five (5) years each, to Callaloo Group, LLC, a Florida limited liability company, and finding the Disposition consistent with the South St. Petersburg Community Redevelopment Plan.

ADD E-4 Sunken Gardens Forever Foundation

ADD F-1 Requesting City Council to separate the Utility Rate Ordinance into two ordinances so the Reclaimed Water can be approved separately from the Water and Wastewater charges. (Councilmember Kornell)
Referring Campaign Finance to the Budget, Finance & Taxation Committee to include a discussion on the process for retaining outside legal counsel.

Homeless Leadership Board — (Oral) (Councilmember Foster)

Public Services & Infrastructure Committee (11/9/17)

Budget, Finance & Taxation Committee (11/9/17)

Ordinance relating to utility rates; amending Chapter 27, subsections 27-405 (b) (1) amending the stormwater utility fee; providing for severability of provisions; providing an explanation of words struck through and underlined; establishing a date to begin calculating new rates for billing purposes.

Ordinance relating to utility rates and charges; amending Chapter 27, subsections 27-141 (a), 27-144 (c), 27-146 (d), 27-177 (a), and 27-283 (a) of the St. Petersburg City Code; amending volume charges for water service; amending volume charges for irrigation only accounts; amending monthly charges for commercial water only accounts; amending reclaimed water rates and charges; amending base and volume charges for wastewater service; 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.

Resolution of the City Council of the City of St. Petersburg, Florida amending and restating the definition of the Project as provided in Resolution 2017-280; making certain covenants and agreements in connection therewith.

An Ordinance relating to utility rates and charges; amending Chapter 27, subsections 27-141 (A), 27-144 (C), 27-146 (D), and 27-283 (A) of the St. Petersburg City Code; amending volume charges for water service; amending volume charges for irrigation only accounts; amending monthly charges for commercial water only accounts; amending base and volume charges for wastewater service; 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.

An Ordinance relating to utility rates and charges; amending Chapter 27, subsection 27-177 (a) of the St. Petersburg City Code; amending reclaimed water rates and charges; 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.

Ordinance 306-H repealing and superseding ordinances 300-H and 302-H for the purpose of implementing campaign finance reform for municipal elections in the City of St. Petersburg; making findings regarding foreign influence, super-PAC funding, and disclosure in municipal elections; amending the city Code to impose limits on contributions and expenditures related to municipal elections involving super PACs and foreign-influenced entities and to require increased disclosure of campaign finance matters related to municipal elections.
Ordinance 308-H enacting year-end appropriation adjustments for Fiscal Year 2017 for the operating Budget and Capital Improvement Program Budget and adjustments to the Fiscal Year 2018 budget.

Ordinance 309-H of the City of St. Petersburg amending the City Code to add a definition of low-flow toilet; adding low-flow toilets to required plumbing systems and equipment for residential dwelling units; adding a requirement that all residential dwelling units have attic insulation of R-30 or better rating.

Ordinance 107-HL approving the owner-initiated designation of Kenwood Section-Seminole Park Local Historic District as a local historic district to be listed in the St. Petersburg Register of Historic Places. (City File HPC 17-90300003) (Title revised to include ordinance number.)

Ordinance 106-HL approving the owner-initiated designation of North Shore Section-200 Block of 10th Avenue Northeast Local Historic District as a local historic district to be listed in the St. Petersburg Register of Historic Places. (City File HPC 17-90300004) (Title revised to include ordinance number.)

Ordinance 294-H amending Article V of the St. Petersburg City Code by adding Division 8, entitled Living Wage Requirements for Major Contracts, to provide for implementation of a minimum hourly wage for employees of certain contractors and subcontractors; providing findings; providing for definitions; prohibiting retaliation against employees for exercising their rights pursuant to this ordinance; providing remedies for aggrieved employees through the City’s wage theft ordinance; providing for penalties; providing for monitoring effectiveness of this ordinance following implementation.

City Council Convenes as Community Redevelopment Agency.

Approval of a Resolution finding 1) that the disposition of Block 1, Lot 2, Dome Industrial Subdivision (Historic Manhattan Casino) by a Lease Agreement ("Disposition") for a term of five (5) years, with three (3) optional renewal terms of five (5) years each, to Callaloo Group, LLC, a Florida limited liability company, is consistent with the South St. Petersburg Community Redevelopment Plan; and 2) recommending approval of the Disposition to the City Council of the City of St. Petersburg, Florida; authorizing the Executive Director or his designee to execute all documents necessary to effectuate this Resolution; and providing an effective date.

Adjournment of the Community Redevelopment Agency and Reconvening of City Council

In connection with approval of the Consent Agenda, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Foster moved with the second of Councilmember Kornell that the following resolutions be adopted approving the attached Consent Agenda as amended.
In connection with the Open Forum portion of the agenda, the following person(s) came forward:

1. Lucinda Johnston, 348 11th Avenue Northeast, spoke regarding the Parks and Recreation Department.
2. Faye Watson, 2410 3rd Avenue South, spoke regarding the Manhattan Casino.
3. Gloria Campbell, 833 22nd Street South, spoke regarding the Manhattan Casino.
4. Pastor G. Gregg Murray, 420 4th Street South, spoke regarding the Manhattan Casino.
5. Michelle Ligor, 5203 Central Avenue, spoke regarding the Manhattan Casino.
6. Theresa Lassiter, 2300 36th Street South, spoke regarding speeding vehicles.
7. Amy Sauers, 879 Addison Drive, spoke regarding Deuces Live’s support of the Manhattan Casino.
8. Syanika Porter, 833 22nd Street South, spoke regarding the Manhattan Casino.

In connection with new ordinances, the Clerk read the title of proposed Ordinance 310-H. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Nurse that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting December 7, 2017 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 310-H

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(C)(3), ST. PETERSBURG CITY CHARTER, AUTHORIZING THE GRANT OF A PUBLIC UTILITY EASEMENT TO DUKE ENERGY FLORIDA, INC., A FLORIDA CORPORATION, D/B/A DUKE ENERGY, WITHIN THE 31ST STREET SOUTH SPORTS COMPLEX LOCATED AT 4801 - 31ST STREET SOUTH, ST. PETERSBURG; AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.


In connection with new ordinances, the Clerk read the title of proposed Ordinance 311-H. Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward. Councilmember Nurse moved with the second of Councilmember Gerdes that the following resolution be adopted:
BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting December 7, 2017 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 311-H

AN ORDINANCE AMENDING CHAPTER 22 OF THE ST. PETERSBURG CITY CODE RELATING TO THE SUPPLEMENTAL FIREFIGHTER'S RETIREMENT SYSTEM BY (1) AMENDING SECTION 22-196 TO ADD A DEFINITION OF EARNABLE COMPENSATION AND BY INCLUDING DRIVER ENGINEER PAY AND CERTAIN OVERTIME HOURS; 2) AMENDING SECTION 22-201 BY CHANGING THE SERVICE-BASED CRITERIA FOR NORMAL RETIREMENT ELIGIBILITY FROM 30 TO 25 YEARS, BY CHANGING THE AGE-BASED CRITERIA FOR NORMAL RETIREMENT ELIGIBILITY FROM AGE 53 TO AGE 55, BY ELIMINATING EARLY RETIREMENT WITH REGARD TO APPLICATIONS FILED ON OR AFTTER OCTOBER 1, 2017; 3) AMENDING SECTION 22-206 TO CLARIFY THAT A MEMBER MAY ENTER THE DROP AT 25 YEARS OF SERVICE; 4) AMENDING VARIOUS SECTIONS OF DIVISION 4 OF CHAPTER 22 TO CORRECT GRAMMATICAL, TYPOGRAPHICAL AND SCRIVENER'S ERRORS; AND 5) PROVIDING AN EFFECTIVE DATE.


Chair Rice recessed the City of St. Petersburg City Council meeting at 3:50 p.m. and convened as the Community Redevelopment Agency.

The City Council was reconvened at 5:45 p.m.

In connection with a Community Redevelopment item, Alan DeLisle, City Development Administration gave a presentation to Council regarding the Lease Agreement for the Historic Manhattan Casino. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Nurse moved with the second Councilmember Wheeler-Bowman that the following resolution be adopted:

2017-654 A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LEASE AGREEMENT WITH CALLALOO GROUP, LLC, A FLORIDA LIMITED LIABILITY COMPANY, FOR THE USE OF THE CITY-OWNED HISTORIC MANHATTAN CASINO, LOCATED AT 642 – 22ND STREET SOUTH, ST. PETERSBURG, TO OPERATE A RESTAURANT AND EVENT SPACE, FOR A TERM OF FIVE (5) YEARS WITH THREE (3) OPTIONAL RENEWAL TERMS OF FIVE (5) YEARS EACH, FOR A BASE RENT OF FORTY THOUSAND DOLLARS ($40,000) ANNUALLY PLUS PERCENTAGE RENT; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

Chair Rice recessed the meeting at 5:46 p.m. for a short break.

Chair Rice reconvened the meeting at 5:57 p.m.

In connection with reports, Robin Reed, Sunken Gardens Forever Foundation Board President gave a presentation to Council regarding the Sunken Gardens Forever Foundation. No action was taken.

In connection with reports, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Kennedy that the following resolution be adopted:

2017-655 A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A SECOND AMENDMENT TO THE LEASE AND DEVELOPMENT AGREEMENT WITH TAMPA BAY INNOVATION CENTER, OPERATED BY STAR-TEC ENTERPRISES, INC., A FLORIDA NON-PROFIT CORPORATION, FOR USE OF CITY-OWNED PROPERTY LOCATED AT THE SOUTHWEST CORNER OF 4TH STREET SOUTH AND 11TH AVENUE SOUTH; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.


Chair Rice recessed the meeting at 6:07 p.m. for a dinner break.

Chair Rice reconvened the meeting at 6:47 p.m.

In connection with a new business item presented by Councilmember James R. Kennedy, Jr., Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kennedy moved with the second of Councilmember Nurse that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council refer to the Budget, Finance & Taxation Committee for consideration to consider a discussion on the process for retaining outside legal counsel regarding Campaign Finance.


In connection with a new business item presented by Councilmember Steve Kornell, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kennedy moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:
BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council table Councilmember Kornell’s new business item regarding the separation of the Utility Rate Ordinances into two ordinances until the rate discussion.


In connection with public hearings, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Foster that the following resolutions be adopted:

2017-656  A RESOLUTION CONFIRMING AND APPROVING PRELIMINARY ASSESSMENT ROLLS FOR LOT CLEARING NO. 1583 AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 16.40.060.4.4; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

2017-657  A RESOLUTION ASSESSING THE COSTS OF SECURING LISTED ON SECURING BUILDING NO. 1229 ("SEC 1229") AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 8-270; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

2017-658  A RESOLUTION CONFIRMING AND APPROVING PRELIMINARY ASSESSMENT ROLLS FOR LOT CLEARING NO. 1581 AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 16.40.060.4.4; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; SUPERSEeding RESOLUTION 2017-554; AND PROVIDING AN EFFECTIVE DATE.


In connection with public hearings, the Clerk read the title of proposed Ordinance 1103-V. Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:
1. Marc Weintraub, 4545 Dolphin Cay Lane South, spoke in support of the proposed Ordinance.

Councilmember Kennedy moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 1103-V entitled:

PROPOSED ORDINANCE NO. 1103-V

AN ORDINANCE APPROVING A VACATION OF 2ND STREET NORTH BETWEEN 99TH AVENUE NORTH AND GANDY BOULEVARD; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

be adopted on second and final reading.


In connection with public hearings, Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Elihu Brayboy, 144 23rd Avenue South, expressed his concerns regarding the preliminary assessment for Building Demolition Number: DMO 455.

2. Roy Binger, 1288 Snell Isle Boulevard Northeast, expressed his concerns regarding the preliminary assessment for Building Demolition Number: DMO 455.

Councilmember Gerdes moved with the second of Councilmember Foster that the following resolutions be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council defer the matter of the Mayweather Building until the January 18, 2017 City Council meeting.

2017-659 A RESOLUTION ASSESSING THE COSTS OF DEMOLITION LISTED ON BUILDING DEMOLITION NO. 455 ("DMO NO. 455") AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 8-270; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

In connection with public hearings, the Clerk read the title of proposed Ordinance 307-H. Assistant City Attorney Heather Judd gave a presentation to Council regarding the proposed Ordinance. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Gerdes moved with the second of Councilmember Foster that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 307-H entitled:

PROPOSED ORDINANCE NO. 307-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING CHAPTER 20, ARTICLE IV, DIVISION 2, HANDBILLS, TO DELETE THE DEFINITIONS OF COMMERCIAL HANDBILL AND NONCOMMERCIAL HANDBILL; DELETING CHARGES FOR COMMERCIAL HANDBILL DISTRIBUTION; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.


The Clerk administered the oath to those present wishing to present testimony in connection with the quasi-judicial proceedings.

The Chair reviewed the Quasi-Judicial process to be followed. The Clerk read the title of proposed Ordinance No. 107-HL. A presentation was made by Laura Duvekot, Urban Planning and Historic Preservation Department regarding proposed Ordinance No. 107-HL (City File HPC 17-90300003). Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Burt Kline, 1012 North Shore Drive Northeast, spoke in support of the proposed Ordinance.
2. Carol Kline, 1012 North Shore Drive Northeast, spoke in support of the proposed Ordinance.
3. Laura McGrath, 2900 Burlington Avenue North, spoke in support of the proposed Ordinance.
4. Catherine Landstra, 515 11th Avenue Northeast, spoke in support of the proposed Ordinance.
5. Jeff Danner, 2351 Dartmouth Avenue, spoke in support of the proposed Ordinance.
6. Bob Jeffrey, 2302 1st Avenue North, spoke in support of the proposed Ordinance.
7. Tracy Boyle, 261 29th Street North, spoke in support of the proposed Ordinance.
8. Linda Kellett, 242 30th Street North, spoke in support of the proposed Ordinance.
9. Michelene Everett, 2250 6th Avenue North, spoke in support of the proposed Ordinance.
The following person(s) were present but did not wish to speak:

1. Mary Dowd, 205 8th Avenue Northeast, was in support of the proposed Ordinance.
2. William Heyen, 2420 7th Avenue North, was in support of the proposed Ordinance.

Councilmember Nurse moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 107-HL entitled:

PROPOSED ORDINANCE NO. 107-HL


be adopted on second and final reading.


The Clerk administered the oath to those present wishing to present testimony in connection with the quasi-judicial proceedings.

The Chair reviewed the Quasi-Judicial process to be followed. The Clerk read the title of proposed Ordinance No. 106-HL. A presentation was made by Larry Frey, Urban Planning and Historic Preservation Department regarding proposed Ordinance No. 106-HL (City File HPC 17-90300004). Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Sue Blanshan, 241 10th Avenue Northeast, spoke in support of the proposed Ordinance.
2. Irma Witbreuk, 255 10th Avenue Northeast, spoke in support of the proposed Ordinance.
3. Barbara Smith, 241 10th Avenue Northeast, spoke in support of the proposed Ordinance.
4. Alan Hebdon, 255 10th Avenue Northeast, spoke in support of the proposed Ordinance.
5. Zoe Wilkinson, 215 10th Avenue Northeast, spoke in support of the proposed Ordinance.
6. Cathy Rome, 305 18th Avenue Northeast, spoke in support of the proposed Ordinance.
The following person(s) were present but did not wish to speak:

1. Mary Dowd, 205 8th Avenue Northeast, was in support of the proposed Ordinance.
2. Darrel Gordon, 2934 Burlington Avenue North, was in support of the proposed Ordinance.
3. Bob Jeffrey, 2302 1st Avenue North, was in support of the proposed Ordinance.
4. Catherine Landstra, 515 11th Avenue Northeast, was in support of the proposed Ordinance.
5. Charlene McGrath, 376 18th Avenue Northeast, was in support of the proposed Ordinance.
6. Ken Young, 234 9th Avenue Northeast, was in support of the proposed Ordinance.

Councilmember Kennedy moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 106-HL entitled:

PROPOSED ORDINANCE NO. 106-HL

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE "200 BLOCK OF 10th AVENUE NORTHEAST" HISTORIC DISTRICT, LOCATED BETWEEN BAY STREET AND OAK STREET, AS A LOCAL HISTORIC DISTRICT AND ADDING THE PROPERTY TO THE ST. PETERSBURG REGISTER OF HISTORIC PLACES PURSUANT TO SECTION 16.30.070, CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.


In connection with the Budget, Finance and Taxation Committee report, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kennedy moved with the second of Councilmember Nurse that the following resolution be adopted:

2017-660

A RESOLUTION APPROVING A TRANSFER IN THE AMOUNT OF $300,000 FROM THE BANC OF AMERICA LEASING AND CAPITAL FUND (2017) FROM THE PROCEEDS OF A TAXABLE NON-AD VALOREM REVENUE NOTE, SERIES 2017E TO THE GENERAL CAPITAL IMPROVEMENT FUND (3001); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $300,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001) RESULTING FROM THE ABOVE TRANSFER TO A SOLAR ENERGY EFFICIENCY PROJECT (TBD) FOR SOLAR PHOTOVOLTAIC SYSTEMS ON CITY FACILITIES; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $327,296 RESERVED FROM THE BP SETTLEMENT PROCEEDS FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL

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FUND (0001) TO THE MAYOR’S OFFICE (020) ENERGY EFFICIENCY & RETROFIT PROJECT (15941) FOR THE IMPLEMENTATION OF ENERGY EFFICIENCY RETROFITTING; AND PROVIDING AN EFFECTIVE DATE.


In connection with the Budget, Finance and Taxation Committee report, the Clerk read the title of Ordinance 312-H. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kennedy moved with the second of Councilmember Nurse that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting December 7, 2017 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 312-H

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


In connection with a new business item presented by Councilmember Steve Kornell, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council separate the Utility Rate Ordinance into two ordinances so the Reclaimed Water can be approved separately from the Water and Wastewater charges.


In connection with the Budget, Finance and Taxation Committee report, no action was taken on Agenda item G-5(b) regarding an ordinance relating to utility rates and charges.

In connection with the Budget, Finance and Taxation Committee report, the Clerk read the title of Ordinance 314-H. Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Matt Walker, 4527 Huntington Street Northeast, expressed his concerns regarding the proposed Ordinance.
2. Sonny Friedman, 1912 Arrowhead Drive Northeast, spoke in opposition to the proposed Ordinance.

3. David Delrahim, 3900 Arkansas Avenue Northeast, spoke in opposition to the proposed Ordinance.

4. Irene Mitchell, 4201 Overlook Drive Northeast, spoke in opposition to the proposed Ordinance.

5. Michael Higgins, 1906 Arrowhead Drive Northeast, spoke in opposition to the proposed Ordinance.

Councilmember Gerdes moved with the second of Councilmember Nurse that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting December 7, 2017 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 314-H

AN ORDINANCE RELATING TO UTILITY RATES AND CHARGES; AMENDING CHAPTER 27, SUBSECTION 27-177 (a) OF THE ST. PETERSBURG CITY CODE; AMENDING RECLAIMED WATER RATES AND CHARGES; 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.


In connection with the Budget, Finance and Taxation Committee report, the Clerk read the title of Ordinance 313-H. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Nurse moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting December 7, 2017 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 313-H

AN ORDINANCE RELATING TO UTILITY RATES AND CHARGES; AMENDING CHAPTER 27, SUBSECTIONS 27-141 (a), 27-144 (c), 27-146 (d), 27-177 (a), AND 27-283 (a) OF THE ST. PETERSBURG CITY CODE; AMENDING VOLUME CHARGES FOR WATER SERVICE; AMENDING VOLUME CHARGES FOR IRRIGATION ONLY ACCOUNTS; AMENDING
MONTHLY CHARGES FOR COMMERCIAL WATER ONLY ACCOUNTS; AMENDING RECLAIMED WATER RATES AND CHARGES; AMENDING BASE AND VOLUME CHARGES FOR WASTEWATER SERVICE; 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.


In connection with the Budget, Finance and Taxation Committee report, Councilmember Kennedy moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the November 9, 2017 Budget, Finance and Taxation Committee report presented by Councilmember Kennedy.


In connection with public hearings, the Clerk read the title of proposed Ordinance 294-H. Chair Rice asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Gary MacMath, 1859 Bonita Way South, spoke in opposition to the proposed Ordinance.
2. Jason Spears, 445 34th Avenue Northeast, spoke in opposition to the proposed Ordinance.
3. Chris Steinocher, 100 2nd Avenue North, spoke in opposition to the proposed Ordinance.

The following person(s) were present but did not wish to speak:

1. Tim Smith, was in opposition to the proposed Ordinance.

Councilmember Nurse moved with the second of Councilmember Gerdes that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 294-H entitled:

PROPOSED ORDINANCE NO. 294-H

AN ORDINANCE AMENDING ARTICLE V OF THE ST. PETERSBURG CITY CODE BY ADDING DIVISION 8, ENTITLED "LIVING WAGE REQUIREMENTS FOR MAJOR CONTRACTS," TO PROVIDE FOR IMPLEMENTATION OF A MINIMUM HOURLY WAGE FOR EMPLOYEES OF CERTAIN CONTRACTORS AND SUBCONTRACTORS; PROVIDING FINDINGS; PROVIDING FOR DEFINITIONS; PROHIBITING RETALIATION
AGAINST EMPLOYEES FOR EXERCISING THEIR RIGHTS PURSUANT TO
THIS ORDINANCE; PROVIDING REMEDIES FOR AGGRIEVED
EMPLOYEES THROUGH THE CITY’S WAGE THEFT ORDINANCE;
PROVIDING FOR PENALTIES; PROVIDING FOR MONITORING
EFFECTIVENESS OF THIS ORDINANCE FOLLOWING IMPLEMENTATION;
AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading as amended.


In connection with public hearings, the Clerk read the title of proposed Ordinance 1104-V. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 1104-V entitled:

PROPOSED ORDINANCE NO. 1104-V

AN ORDINANCE RESTATING THE APPROVAL OF A VACATION OF
PLAZA COMERCIO IN ORDER TO CORRECT A SCRIVENER’S ERROR;
SUPERCEDING AND REPLACING ORDINANCE 1057-V; MEMORIALIZING
THE PROPER VACATION OF AN 80 FOOT WIDE UNIMPROVED RIGHT-OF-
WAY OF PLAZA COMERCIO THROUGH A CORRECTED AND ACCURATE
SKETCH, SAID AREA OF VACATION SITUATED NORTH OF SAVONA
DRIVE AND EAST OF SAN MERINO BOULEVARD NORTHEAST; SETTING
FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND
PROVIDING FOR AN EFFECTIVE DATE.

be adopted on second and final reading.


In connection with public hearings, the Clerk read the title of proposed Ordinance 1105-V. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Foster moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 1105-V entitled:
PROPOSED ORDINANCE NO. 1105-V

AN ORDINANCE APPROVING A VACATION OF AN EIGHT (8) FOOT BY SEVENTY-ONE (71) FOOT PORTION OF ELM STREET NORTHEAST LOCATED IMMEDIATELY ADJACENT TO THE EAST OF LOT 1, SNELL & HAMLET’S NORTH SHORE ADDITION REVISED REPLAT BLOCK 68, EXTENDING NORTH FROM THE EAST/WEST ALLEY IN THE BLOCK; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

be adopted on second and final reading.


In connection with public hearings, the Clerk read the title of proposed Ordinance 308-H. Tom Greene, Budget Director gave a PowerPoint presentation to Council regarding the proposed Ordinance. Chair Rice asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Wheeler-Bowman moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 308-H entitled:

PROPOSED ORDINANCE NO. 308-H

AN ORDINANCE ENACTING YEAR-END APPROPRIATION ADJUSTMENTS FOR FISCAL YEAR 2017 FOR THE OPERATING BUDGET AND CAPITAL IMPROVEMENT PROGRAM BUDGET AND ADJUSTMENTS TO THE FISCAL YEAR 2018 BUDGET; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.


In connection with the Public Arts Commission report, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Public Arts Commission report presented by Councilmember Steve Kornell.

In connection with the Tampa Bay Regional Planning Council report, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Tampa Bay Regional Planning Council report presented by Councilmember Steve Kornell.


In connection with the Public Services and Infrastructure Committee report, Chair Rice asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Wheeler-Bowman that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Public Services and Infrastructure Committee report of November 9, 2017 presented by Councilmember Steve Kornell.

Consent Agenda A
November 20, 2017

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

1. Accepting a bid from Kamminga & Roodvoets, Inc., for the Oak Street Drainage Improvements, in the amount of $1,276,186, (Engineering Project No. 15046-110; Oracle Project No. 14923).

2. Approving the renewal of blanket purchase agreements with Mader Electric, Inc. and Apollo Construction & Engineering Services, Inc. for Industrial Maintenance & Repair Services for the Water Resources Department, at an estimated annual cost of $200,000, for a total contract amount of $700,000.

3. Accepting a proposal from Bibliotheca, LLC, a sole source supplier for radio frequency identification (RFID) services for the St. Petersburg Library System, at a total cost of $521,020.10; rescinding unencumbered appropriations in the amount of $36,500 from the General Library Improvements FY18 Project (16160) in the Recreation and Culture Capital Improvement Fund (3029); and approving a supplemental appropriation in the amount of $36,500 from the unappropriated balance of the Recreation and Culture Capital Improvement Fund (3029) resulting from the above rescission to the Radio Frequency Id System Project (15110).

4. Authorizing the Mayor or his designee to execute an Interlocal Agreement ("Agreement") between the City of St. Petersburg (the "City") and Pinellas County (the "County") wherein the County will provide one-half of the funding up to a maximum of $700,000 for the construction of Oak Street Storm Drainage Improvements, (Engineering Project No. 15046-110; Oracle No. 14923) and all other documents necessary to effectuate the Agreement; approving a supplemental appropriation in the amount of $340,000 from the increase in the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013) resulting from these additional revenues, to the Gandy Blvd & Oak Street NE SDI Project (14923).

5. Authorizing the Mayor or his designee to execute a one year agreement in the amount of $521,501.76 between the School Board of Pinellas County, Florida and the City of St Petersburg for the continuation of the School Resource Officer Program in the public school system of Pinellas County, and to execute all other documents necessary to effectuate this transaction.
NOTE: The Consent Agenda contains normal, routine business items that are very likely to be approved by the City Council by a single motion. Council questions on these items were answered prior to the meeting. Each Councilmember may, however, defer any item for added discussion at a later time.

1. Approving a contract with Kompan, Inc., in an amount not to exceed $150,000, for design-build services for a natural-feel playground at the Boyd Hill Nature Preserve. (Engineering Project No. 17210-017, Oracle Project No. 15661); and providing an effective date.

2. Accepting a proposal from R.C. Beach & Assoc., Inc., a sole source supplier, for reclaimed water pump services for the Water Resources Department, at a total cost of $138,295.

3. A resolution authorizing the Mayor, or his designee, to execute a five (5) year License Agreement with Pam Piper to fence a minor portion of a City-owned property located at approximately 5022 Parrish Lane, Safety Harbor, for the City’s 36-Inch Water Transmission Main for an annual fee of $50.00.

4. A resolution authorizing the Mayor, or his designee, to execute a Second Amendment to the Lease and Development Agreement with Tampa Bay Innovation Center, operated by STAR-TEC Enterprises, Inc., a Florida non-profit corporation, for use of City-owned property located at the southwest corner of 4th Street South and 11th Avenue South. [MOVED TO REPORTS AS E-5]

5. Authorizing the Mayor or his designee to execute a Local Agency Program Agreement between the City of St. Petersburg, Florida and the State of Florida Department of Transportation (“FDOT”) for participation by FDOT in the design activities of the Treasure Island Causeway Project, Phase 2 (“Project”) in an amount not to exceed $68,962 (FDOT Financial Project No. 415743 1 38 01).

6. Authorizing the Mayor or his designee to execute Amendment No. 2 to Task Order No. 12-04-LWES/GC (“Task Order”) to the architect/engineering agreement dated July 23, 2014 between the City of St. Petersburg (“City”) and Land & Water Engineering Science, Inc. (“A/E”) for A/E to provide construction phase services for the Oak Street Stormwater Drainage Improvements Project in an amount not to exceed $19,769, providing that the total Task Order, as amended, shall not exceed $211,888. (Engineering Project No. 15046-110; Oracle No. 14640, 14923 & 15632).

7. Authorizing the Mayor or his designee to execute Revision No. 1 to Task Order No. 14-01-URS/LA (“Task Order”) to the Architect/Engineering Agreement dated July 9, 2014 between the City of St. Petersburg, Florida (“City”) and AECOM (formerly, URS Corporate Southern) to use the allowance in the amount of $4,000 for irrigation plans for the I-275 Underpass at 22nd Street South Project for a total Task Order not to exceed $59,866.29 (Engineering Project No. 16032-119; Oracle No. 14609).
8. Authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 17-01-AE/SEM ("Task Order") to the architect/engineering agreement dated August 1, 2017 between the City of St. Petersburg ("City") and Affiliated Engineers SE, Inc. ("A/E"), for commissioning services for the Police Facility / EOC Project in an amount not to exceed $192,293, providing that the total Task Order, as amended, shall not exceed $196,989; (Engineering Project No. 11234-018; Oracle No. 12847)

9. Authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 12-07-GH/W ("Task Order") as revised to the architect/engineering agreement dated November 20, 2012 between the City of St. Petersburg, Florida ("City") and Greeley and Hansen, LLC ("A/E") for A/E to provide additional design services and re-modelling services for the Cosme Optimization Design Project in an amount not to exceed $65,723, providing that the total Task Order, as amended, shall not exceed $518,196 (Engineering Project No. 15060-111; Oracle No. 14789).

10. Authorizing the Mayor or his designee to execute Task Order No. 16-03-AUS/W to the architect/engineering agreement dated December 13, 2016 between the City of St. Petersburg, Florida ("City") and Arcadis U.S. Inc. ("A/E") for A/E to provide design and permitting services for the Oberly Pumping Station and Chemical Injection Project in an amount not to exceed $99,260 (Engineering Project No. 17106-111; Oracle No. 16059).

11. Authorizing the Mayor or his designee to execute Amendment No. 2 to Task Order No. CID-15-04-CBA, ("Task Order") as amended to the architect/engineering agreement dated December 23, 2015, between the City of St. Petersburg, Florida ("City") and Canerday, Belfsky and Arroyo, Inc. ("A/E") for A/E to provide additional design services for the Agriculture Education Building at Pioneer Settlement at Boyd Hill Nature Park, in an amount not to exceed $3,500, providing that the total Task Order, as amended, does not exceed $51,500.00 (Engineering Project No. 17227-017; Oracle No. 15904).

12. Authorizing the Mayor or his designee to execute Amendment No. 2 to Task Order No. 15-02-CAR/ENV ("Task Order"), as amended, 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 provide project oversight for the Soil Assessment & Interim Source Removal Project in an amount not to exceed $108,517.57; providing that the total task order, as amended, shall not exceed $197,941.49; approving a rescission of an unencumbered appropriation in the amount of $68,200 from the Infrastructure TBD FY18 Project (16164) in the City Facilities Capital Improvement Fund (3031); approving a supplemental appropriation in the amount of $68,200 from the unappropriated balance of the City Facilities Capital Improvement Fund (3031) resulting from the above rescission to the Environmental Cleanup Project 16 (15119), (Engineering Project No. 17104-110, Oracle Nos. 14117, 14668 and 15119).


There being no further business, Chair Rice adjourned the meeting at 10:35 p.m.

Darden Rice, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: Chan Srinivasa, City Clerk

475
TO: The Honorable Darden Rice, Chair, and Members of City Council

SUBJECT: A resolution authorizing the Mayor or his designee to sign and provide the Local Government Verification of Contribution Loan Form to Anchorage Apartments, Ltd., to be included as part of its application under the Florida Housing Finance Corporation (“FHFC”) request for applications number 2017-113; and to provide $90,000 from State Housing Initiatives Partnership (“SHIP”) program funding the development of the Anchorage Apartments, an affordable senior apartment complex; providing that the City’s loan closing will be subject to the developer: 1) obtaining the recommendation for approval of FHFC administered 9% low income housing tax credit funding prior to June 30, 2018, 2) receiving final site plan approval, and 3) providing all of the standard underwriting due diligence documents to the City in order to close on the City loan by December 15, 2018; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: On October 6, 2017, the Florida Housing Finance Corporation (“FHFC”) issued a Request for Applications (RFA 2017-113) for the award of Low Income Housing Tax Credits (“LIHTC”) for Developments located within the Counties of Broward, Duval, Hillsborough, Orange, Palm Beach, and Pinellas Counties. RFA 2017-113 indicates that applications are due on December 28, 2017. On October 13, 2017, housing staff requested that proposals from developers interested in applying for the contribution required for this competition be submitted to the City by November 3, 2016. Housing staff received five applications and forwarded them to the City’s Project Review Team (“PRT”), which is a group of development-related City staffers assembled to provide project review and critique. The PRT reviewed the merits of the proposals and is recommending that the applicant, Anchorage Apartments, Ltd. (“Anchorage”) be provided with the minimum local government contribution for the purpose of the competition. The loan commitment will be subject to the developer: 1) obtaining a recommendation of approval for FHFC administered 9% Low Income Housing Tax Credit funding, 2) receiving final site plan approval, and 3) providing all of the standard underwriting due diligence documents to the City in order to close on the City loan by December 15, 2018. The Anchorage Apartment Ltd.’s loan commitment would be provided for the proposed development of an 87 unit affordable senior apartment complex, Anchorage Apartments, to be located at 311 112th Avenue Northeast.

The FHFC competition requires that an applicant proposing the development of affordable multifamily housing as part of this competition, secure a local contribution toward the financing of the development. In addition, a proposed project will receive a higher score if provided with an increased level of local funding commitment, which FHFC refers to as local government area of opportunity funding (“LGAO”). The City often refers to the LGAO as priority funding. The City is proposing to provide LGAO funding to FOUR6 Skyway (see separate Council item). We anticipate that the County might also fund a priority project within Pinellas. If that is the case, and FOUR6 and...
the County’s project score equally, their lottery numbers would then determine who would receive funding. If neither of the priority projects are successful, projects receiving the minimum contribution would then be considered. Since the FHFC has indicated that 9% tax credit funding will most likely be awarded to 1 application per county for each of the six counties of Broward, Duval, Hillsborough, Orange, Palm Beach and Pinellas, the City has opted to provide enough funding for a priority LGAO applicant, and one backup applicant which would receive the minimum contribution amount.

Representatives from Anchorage have successfully completed a LIHTC funded development previously in St. Petersburg, (Booker Creek Apartments) and they have stated that they have the requisite level of affordable housing developer experience to qualify its development to obtain maximum scoring related to the developer experience requirements of the LIHTC funding.

Anchorage will be provided with a non-recourse 0% interest subordinate loan of $90,000 structured in a manner to equate to a minimum $75,000 Net Present Value contribution loan amount as required by the FHFC after using the FHFC published discount rate of 5.55%, which in this case will include forgiveness of up to $57,000 of the loan after 20 years. The City is currently allocated SHIP program funds as a source for affordable multi-family rental housing development and the Anchorage Apartments, would be eligible to be funded by the City from any of these funding sources.

On November 14, 2017, the City’s PRT Committee met to review the merits of the 5 applications received, and voted to request that the Anchorage Apartments and FOUR6 Skyway (see separate Resolution) both be forwarded to City Council for approval at its December 14, 2017 meeting; FOUR6 at the priority LGAO amount and Anchorage at a lower amount to serve as a backup application. The developer later advised that in order to serve as the backup application it would require a change from a family development to a senior development. This change was approved by the PRT committee in a subsequent vote. On November 20, 2017, the Housing, Land Use and Transportation Committee members reviewed the project information and recommended that the item be forwarded to the full City Council for approval at the December 14, 2017 meeting. The developer is moving forward with preparation for the FHFC application deadline of December 28, 2017 and is hopeful to secure tax credit financing for its development as a result of this competition. The FHFC schedule indicates that it will request its board to approve the final ranking of LIHTC funding applicants in March 2018 and requires all applicants to have a local commitment valid through at least June 30, 2018.

RECOMMENDATION: The Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to sign and provide the Local Government Verification of Contribution Loan Form to Anchorage Apartments, Ltd., to be included as part of its application under the Florida Housing Finance Corporation (“FHFC”) request for applications number 2017-113; and to provide $90,000 from State Housing Initiatives Partnership (“SHIP”) program funding the development of the Anchorage Apartments, an affordable senior apartment complex; providing that the City’s loan closing will be subject to the developer: 1) obtaining the recommendation for approval of FHFC administered 9% low income housing tax credit funding prior to June 30, 2018, 2) receiving final site plan approval, and 3) providing all of the standard underwriting due diligence documents to the City in order to close on the City loan by December 15, 2018; 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 have been previously appropriated in the local Housing Assistance Fund (Fund 1019) (SHIP Project 16469), Housing Department (082).

**ATTACHMENTS:** PRT Application Summary, as modified
Resolution 2017-____

**APPROVALS:**

Administration: ________________________________

Budget: _________________________________

Legal: 00350882.doc v1
A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO SIGN AND PROVIDE THE LOCAL GOVERNMENT VERIFICATION OF CONTRIBUTION LOAN FORM TO ANCHORAGE APARTMENTS, LTD., TO BE INCLUDED AS PART OF ITS APPLICATION UNDER THE FLORIDA HOUSING FINANCE CORPORATION (“FHFC”) REQUEST FOR APPLICATIONS NUMBER 2017-113; AND TO PROVIDE $90,000 FROM STATE HOUSING INITIATIVES PARTNERSHIP (“SHIP”) PROGRAM FUNDING THE DEVELOPMENT OF THE ANCHORAGE APARTMENTS, AN AFFORDABLE SENIOR APARTMENT COMPLEX; PROVIDING THAT THE CITY’S LOAN CLOSING WILL BE SUBJECT TO THE DEVELOPER: 1) OBTAINING THE RECOMMENDATION FOR APPROVAL OF FHFC ADMINISTERED 9% LOW INCOME HOUSING TAX CREDIT FUNDING PRIOR TO JUNE 30, 2018, 2) RECEIVING FINAL SITE PLAN APPROVAL, AND 3) PROVIDING ALL OF THE STANDARD UNDERWRITING DUE DILIGENCE DOCUMENTS TO THE CITY IN ORDER TO CLOSE ON THE CITY LOAN BY DECEMBER 15, 2018; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida (“City”) has established the need for additional affordable rental housing units as a priority in its 2016-2021 Consolidated Plan; and

WHEREAS, on October 6, 2017, the Florida Housing Finance Corporation (“FHFC”) issued a Request for Applications (“RFA”) 2017-113 for the award of Low Income Housing Tax Credits (“LIHTC”) to be awarded within each of the six counties of Broward, Duval, Hillsborough, Orange, Palm Beach, and Pinellas; and

WHEREAS, Anchorage Apartments, Ltd., (“Developer”) submitted an application to the City requesting the priority local government area of opportunity funding (“LGAO”) for the development of a family apartment complex and represented that it has the requisite affordable housing developer experience to qualify its development to obtain sufficient scoring related to the developer experience requirements of the Florida Housing Finance Corporation administered Low Income Housing Tax Credits (“LIHTC”) under the FHFC RFA 2017-113; and

WHEREAS, on November 14, 2017, the City’s Project Review Team met to review the merits of the 5 applications received and the Developer was not selected by the PRT to receive the LGAO, but instead recommended as a backup application eligible to receive the minimum amount of local government contribution as required by the FHFC; and
WHEREAS, Developer later advised that the site it identified would not qualify to obtain scoring sufficient to receive LIHTC funding if submitted as a family apartment complex without the LGAO and requested to revise its development to senior housing in order to obtain the required scoring which would be necessary for a development receiving only the minimum local government contribution; and

WHEREAS, the PRT members agreed in a separate vote to allow this revision; and

WHEREAS, if approved by the FHFC and awarded LIHTC funding, the City will provide the Developer with a non-recourse, 0%, interest subordinate loan of $90,000, structured in a manner to equate to a $75,000 minimum net present value minimum contribution loan amount as required by the FHFC, after using the FHFC published Discount Rate of 5.55%, which includes forgiveness at the end of 20 years of $57,000 of the loan; and

WHEREAS, the City of St. Petersburg is currently allocated State Housing Initiatives Partnership (SHIP) funds from the State of Florida as a source for financing affordable housing developments; and

WHEREAS, the proposed development, if awarded LIHTC funding, would be eligible to be funded by the City from the SHIP Funds; and

WHEREAS, 90% the units proposed for this development would be reserved for senior households with incomes at or below 60% of the area median income (AMI) and 10% for households whose income is no greater than 40% AMI and would be required by the City to remain affordable for the SHIP program’s 20 year compliance period as well as for the FHFC required 50 year compliance period; and

WHEREAS, on November 20, 2017, the Housing, Land Use, and Transportation Committee reviewed the PRT’s recommendation and agreed that the following request should be forwarded to City Council for approval of a minimum local government contribution:

Anchorage Apartments, Ltd. for the development of the Anchorage Apartments Proposed to be located at 311 – 112th Avenue Northeast.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to sign and provide the local government verification of contribution loan form to Anchorage Apartments, Ltd., to be included as part of its application under the Florida Housing Finance Corporation (“FHFC”) request for applications number 2017-113; and to provide $90,000 from State Housing Initiatives Partnership (“SHIP”) program funding the development of the Anchorage Apartments, an affordable senior apartment complex; providing that the City’s loan closing will be subject to the Developer: 1) obtaining the recommendation for approval of FHFC administered 9% low income housing tax credit funding prior to June 30, 2017, 2) receiving final site plan approval, and 3) providing all of the standard underwriting due diligence documents to the City in order to close on the City loan by December 15, 2018; and
BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)

HOUSING & COMMUNITY DEVELOPMENT:

Joshua Johnson, Director
TO: The Honorable Chair and Members of City Council

SUBJECT: Recommendation to Approve the Increase to Pension Benefits for Retirees and Beneficiaries Receiving Benefits under the Employees’ Retirement System (“Plan”)

EXPLANATION:

Sections 22-137 and 22-168 of the St. Petersburg City Code provide for an annual cost-of-living adjustment to be applied to the current pension benefits of eligible retirees and beneficiaries of the Employees’ Retirement System. Under current Code provisions, the Pension Board reviews the recommendation of the plan actuary as to the rate of increase to be granted each year and approves that recommendation, subject to approval by City Council.

The Employees’ Retirement System Pension Board annually receives a recommendation from the plan actuaries for the level of increase to be granted based on the increase in the Consumer Price Index (“CPI”), subject to a maximum adjustment equaling 2% for Prior Plan retired accounts and 1.5% for Supplemental Plan retired accounts. Given that the 2017 CPI reflects an inflation rate of 2.2%, the actuary recommended an increase of 2.0% for Prior Plan retired accounts and 1.5% for Supplemental Plan retired accounts. This recommendation was approved by the Pension Board.

The adjustment is proposed to become effective January 1, 2018 with the increase first appearing in the retirement benefit payments issued in January, 2018, and will affect approximately 1,332 pension accounts. The recommended adjustment will provide an annual increase of approximately $349,272 to the eligible group.

COST/FUNDING/ASSESSMENT INFORMATION:

The cost of the adjustment is within actuarial funding projections and will not increase the current rate of City contributions to the Employees’ Retirement System.

ATTACHMENTS: (1) Resolution approving Cost-of-Living Adjustments to retirees and beneficiaries of the City Employees’ Retirement System.

APPROVALS:

Administration: ________________________

___________  ____________

Date        Date

Budget:

____________________________

____________________________
A RESOLUTION AUTHORIZING THE ADJUSTMENT OF PENSION BENEFITS PAYABLE BY THE EMPLOYEES’ RETIREMENT SYSTEM AS PROVIDED BY THE CITY CODE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the St. Petersburg City Code provides for an annual determination of the cost-of-living adjustment to be applied to pension benefits of the Employees’ Retirement System (“Plan”); and

WHEREAS, the Board of Trustees of the Employees’ Retirement System (“Board”) has reviewed and approved the recommendation of the plan’s actuary that said adjustment be 2.0% for Prior Plan retired accounts and 1.5% for Supplemental Plan retired accounts.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that this Council approves an annual adjustment of 2.0% for Prior Plan retired accounts and 1.5% for Supplemental Plan retired accounts to be applied effective January 1, 2018.

BE IT FURTHER RESOLVED that all retired accounts established prior to October 1, 2017, shall be deemed eligible for the application of said adjustment.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:

_________________________________     ________________________
     City Attorney (designee)    Date
MEMORANDUM
CITY OF ST. PETERSBURG

TO: The Honorable Chair and Members of City Council
    The Honorable Rick Kriseman, Mayor

FROM: Leah McRae, Esq., Director of Education and Community Engagement

DATE: November 30, 2017

RE: MLK Dream Big Parade

SCLC, Inc. and Advantage Village Academy, Inc., sponsors of the 33rd Annual MLK Dream Big Parade ("Parade"), have requested that the Parade which will take place on January 16, 2017, be declared a special event within the meaning of Section 16.70.030.1.5. C. 1. of the St. Petersburg City Code.

Section 16.70.030.1.5. establishes regulations for pushcart vending permits. Section 16.70.030.1.5. C. 1. provides that those permits, when issued for public property locations, will not be valid within designated areas for certain events when City Council declares the event to be a special event and defines the designated area.

The Parade will be held on Monday, January 15, 2018, over a route and staging area, beginning at Albert Whitted Park and Parking lot, proceeding north along Bay Shore Drive Northeast, west to 1st Avenue South, west to 16th Street South from each terminus of the Parade route, from 8:00 a.m. to 4:30 p.m.

The City has in the past designated certain MLK and Festival of States events as special events within the meaning of Section 16.70.030.1.5. C. 1.

The sponsors are requesting that the special event designated area extend two blocks on either side of the parade route and staging area and two blocks in all directions from each terminus of the Parade route, from 8:00 a.m. to 4:30 p.m. on Monday, January 15, 2018.

Adoption of the attached resolution will declare the Parade which will take place on January 15, 2018, to be a special event within the meaning of Section 16.70.030.1.5. C. 1. of the St. Petersburg City Code and will delineate the boundaries and the time within which the special event declaration is to be effective.

Attachment: Resolution

Legal: 00299061.doc V. 1
NO. 2017-_____

A RESOLUTION DECLARING THE 33rd ANNUAL MLK DREAM BIG PARADE, TO BE HELD ON JANUARY 15, 2018, TO BE A SPECIAL EVENT WITHIN THE MEANING OF SECTION 16.70.030.1.5. C. 1. OF THE ST. PETERSBURG CITY CODE; DELINEATING BOUNDARIES AND TIME PERIOD WITHIN WHICH THE DECLARATION IS TO BE EFFECTIVE; SUSPENDING PUSHCART VENDING PERMITS ISSUED FOR PUBLIC PROPERTY LOCATIONS PURSUANT TO SECTION 16.70.030.1.5. OF THE ST. PETERSBURG CITY CODE WITHIN THE DELINEATED BOUNDARIES DURING THE TIME PERIOD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 16.70.030.1.5 of the St. Petersburg City Code establishes the regulations for pushcart vending permits; and

WHEREAS, Section 16.70.030.1.5.C.1. provides that permits required for pushcart vending, when issued for locations on the right-of-way pursuant to this section, shall not be valid during any event declared to be a special event by a resolution adopted by the City Council, which shall delineate the boundaries within which the special event declaration is to be effective; and

WHEREAS, SCLC, Inc. and Advantage Village Academy, Inc., sponsors of the 33rd Annual MLK Dream Big Parade ("Parade"), have requested that the Parade which will take place on January 15, 2018, be declared a special event; and

WHEREAS, this City Council is in agreement with this request.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the 33rd Annual MLK Dream Big Parade ("Parade") to be held on January 15, 2018, is declared to be a special event within the meaning of Section 16.70.030.1.5. C. 1. of the St. Petersburg City Code; and

BE IT FURTHER RESOLVED that the boundaries within which the special event declaration is to be effective are two blocks on either side of the Parade route and staging area, beginning at Albert Whitted Park and Parking Lot, proceeding north along Bay Shore Drive Northeast, west on 1st Avenue South, west to 16th Street South, and two blocks in all directions from each terminus of the Parade route ("Delineated Area"), from 8:00 a.m. to 4:30 p.m. on January 15, 2018; and

BE IT FURTHER RESOLVED that pushcart vending permits issued for public property locations pursuant to Section 16.70.030.1.5 of the St. Petersburg City Code shall be suspended within the Delineated Area from 8:00 a.m. to 4:30 p.m. on January 15, 2018.
This resolution shall become effective immediately upon its adoption.

APPROVED BY:
Leah McRae
Education and Community
Engagement Director

LEGAL:
City Attorney (Designee)
00351468.doc v2
TO: The Honorable Darden Rice, Chair and Members of City Council

SUBJECT: A resolution approving fifty-two (52) Forfeiture Fund Program/Projects awarded as a part of the 2017 Law Enforcement Trust Fund Grant Award Program; authorizing the Mayor or his designee to execute agreements and all documents necessary to effectuate these awards; approving a supplemental appropriation in the amount of $110,400 from the unappropriated balance of the Local Law Enforcement State Trust Fund (1601) to the Police Department, Local Law Enforcement State Trust (140-2857) to fully fund the awards; and providing an effective date.

EXPLANATION: Pursuant to Section 932.7055, Florida Statutes, the St. Petersburg Police Department is required to expend at least 25% of the proceeds realized through the seizure and forfeiture of property used in violation of the Florida Contraband Forfeiture Act for the support or operation of eligible programs in the following categories: Crime Prevention, Neighborhood Safety, Drug Abuse Education and Prevention Programs, and School Resource Officer Program(s). Based on the statutory formula (25%), a minimum of $101,934.00 is to be available and approved for distribution in the 2017 award program.

The Funding Approval Committee met on November 16, 2017. The Committee approved fifty-two (52) eligible programs which includes Chief of Police programs/projects for full or partial funding in the amount of $110,400. The Chief of Police has approved the recommendations of the Committee.

For each applicant awarded funding, the administration will enter into an agreement with the applicant. The agreement will outline the requirements for completion of the project to include the expenditure documentation process, the disbursement of the awards, and the time line for completion of the funded projects.

RECOMMENDATION: The administration recommends that City Council adopt the attached resolution approving fifty-two (52) Forfeiture Fund Program/Projects awarded as a part of the 2017 Law Enforcement Trust Fund Grant Award Program; authorizing the Mayor or his designee to execute agreements and all documents necessary to effectuate these awards; authorizing a supplemental appropriation in the amount of $110,400 from the unappropriated balance of the Local Law Enforcement State Trust Fund (1601) to the Police Department, Local Law Enforcement State Trust (140-2857) to fully fund the awards; and providing an effective date.

COST/FUNDING INFORMATION: Funds for the 2017 Law Enforcement Fund Grant Award Program will be available after approval of a supplemental appropriation in the amount of $110,400 from the unappropriated balance of the Local Law Enforcement State Trust Fund (1601) to the Police Department, Local Law Enforcement State Trust (140-2857). The fund balance after this appropriation will be approximately $710,000.

Approvals:

Administration: ___________________________ Budget: ____________________________

Legal: 00351582.doc v2
Resolution No. 2017 - _______

A RESOLUTION APPROVING FIFTY-TWO (52) FORFEITURE FUND PROGRAM/PROJECTS AWARDED AS A PART OF THE 2017 LAW ENFORCEMENT TRUST FUND GRANT AWARD PROGRAM; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AGREEMENTS AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE AWARDS; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $110,400 FROM THE UNAPPROPRIATED BALANCE OF THE LOCAL LAW ENFORCEMENT STATE TRUST FUND (1601) TO THE POLICE DEPARTMENT, LOCAL LAW ENFORCEMENT STATE TRUST (140-2857) TO FULLY FUND THE AWARDS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg Police Department (“Department”) is required by Florida Statute 932.7055 to expend at least 25% of the total fiscal year deposits into its forfeiture trust fund for crime prevention, neighborhood safety, drug abuse education, drug prevention or school resource officer program(s); and

WHEREAS, the Department has developed a Law Enforcement Fund Grant Award Program (“Program”) in which neighborhood groups, organizations, other City departments or associations may apply for a portion of said funds; and

WHEREAS, the Department solicited applications and the Funding Approval Committee (“Committee”) approved fifty-two (52) programs/projects for full or partial funding for a total of $110,400; and

WHEREAS, one of the programs/projects is the Chief’s program to be used by the Chief of Police to fund programs/projects meeting the criteria of F.S. 932.7055; and

WHEREAS, the Chief of Police has approved the recommendations of the Committee.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that fifty-two (52) forfeiture fund programs/projects awarded as a part of the 2017 Law Enforcement Trust Fund Grant Award Program are hereby approved and the Mayor or his designee is authorized to execute agreements and all documents necessary to effectuate these awards; and

BE IT FURTHER RESOLVED that there is hereby approved from the unappropriated balance of the Local Law Enforcement State Trust Fund (1601), the following supplemental appropriation for FY2017:

Local Law Enforcement State Trust Fund (1601)
Police Department, Local Law Enforcement State Trust (140-2857) $110,400

This Resolution shall become effective immediately upon its adoption.

Approvals:

Legal: ____________________________ Administration: ____________________________

Budget: ____________________________

Legal: 00351084.doc v1
MEMORANDUM

Council Meeting of December 14, 2017

TO: Members of City Council

FROM: Mayor Rick Kriseman

RE: Confirmation of Reappointment to the St. Petersburg Housing Authority

I respectfully request that Council confirm the reappointment of Dr. Delphinia Davis as a member to the St. Petersburg Housing Authority to serve a four-year term ending November 30, 2021; and Mr. Stewart Olson as a member to the St. Petersburg Housing Authority to serve a four-year term ending December 31, 2021

Copies of their resumes have been provided to the Council office for your information.

RK/cs
Attachments
cc: Tony Love, Executive Director, St. Petersburg Housing Authority
    J. Johnson, Housing and Community Development Director
WHEREAS, the Mayor appoints the members of the St. Petersburg Housing Authority (“Housing Authority”) Board of Commissioners (“Members”) and City Council confirms those appointments; and

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

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

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

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

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

- Dr. Delphinia Davis to serve a new four year term ending 11-30-2021
- Mr. Stewart O. Olson to serve a new four year term ending 12-31-2021

; and

WHEREAS, the Housing, Land Use and Transportation Committee has interviewed the candidate and recommends confirmation of her appointment.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor’s appointment of Dr. Delphinia Davis and Mr. Stewart O. Olson as a members of the St. Petersburg Housing Authority Board of Commissioners is confirmed.

This resolution shall become effective immediately upon its adoption.
MEMORANDUM

Council Meeting of December 14, 2017

TO: Members of City Council

FROM: Mayor Rick Kriseman

RE: Confirmation of Appointment to the St. Petersburg Housing Authority

I respectfully request that Council confirm the appointment of Ms. Sharlene Gambrell Davis as a member to the St. Petersburg Housing Authority to serve a four-year term ending December 31, 2021.

A copy of Ms. Davis’ resume has been provided to the Council office for your information.

RK/cs
Attachments
cc: Tony Love, Executive Director, St. Petersburg Housing Authority
    J. Johnson, Housing and Community Development Director
Resolution No. 2017 ____

A RESOLUTION CONFIRMING THE MAYOR’S APPOINTMENT OF MS. SHARLENE GAMBRELL-DAVIS AS MEMBERS OF THE ST. PETERSBURG HOUSING AUTHORITY BOARD OF COMMISSIONERS; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

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

- Ms. Sharlene Gambrell-Davis to fill the unexpired term of Commissioner Artesha Adras ending on 12-31-2020;

; and

WHEREAS, the Housing, Land Use and Transportation Committee has interviewed the candidate and recommends confirmation of her appointment.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor’s appointment of Ms. Sharlene Gambrell-Davis as a members of the St. Petersburg Housing Authority Board of Commissioners is confirmed.

This resolution shall become effective immediately upon its adoption.

Approvals:
Legal: __________________________ Administration: __________________________
MEMORANDUM

TO: Chan Srinivasa, City Clerk
FROM: Jacqueline M. Kovilaritch, City Attorney
DATE: December 8, 2017
RE: Submission of Item for Additions/Deletions for December 14 Council Agenda

The attached Council Memo and Resolution for Appointment of Devon Haggitt as Assistant City Attorney is submitted for Adds/Deletes. This submission is late because the offer and conditional acceptance of employment process did not conclude until after the agenda deadline, and due to the Legal Department’s need to commence Ms. Haggitt’s employment as soon as possible.

Gary Cornwell has approved this request for submission.

Attachments

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A RESOLUTION OF THE CITY COUNCIL OF
ST. PETERSBURG, FLORIDA CONFIRMING
THE APPOINTMENT OF DEVON HAGGITT AS
ASSISTANT CITY ATTORNEY; AND
PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that this Council confirms the appointment by the Mayor, made upon the recommendation of the City Attorney, of Devon Haggitt as Assistant City Attorney.

This resolution shall take effect immediately upon its adoption.

Approved as to form and content:

[Signature]
City Attorney (designee)
MEMORANDUM

TO: The Honorable Darden Rice, Chair and Members of City Council
FROM: Jacqueline M. Kovilaritch, City Attorney
DATE: December 14, 2017
RE: Vacant Assistant City Attorney Position

Since the departure of Jordan Wolfgram, the Legal Department has been one attorney short of its normal strength. I have recommended, and the Mayor has appointed, an individual whom we feel is highly qualified for this open position.

Devon Haggitt graduated with honors from the University of Florida Levin College of Law in 2013 and was admitted to The Florida Bar in the same year. Prior to attending law school, Devon earned a Bachelor of Science in Wildlife Ecology and Conservation from the University of Florida. Devon has several years of experience working in private practice and also completed an externship with the Alachua County Environmental Protection Department. Devon’s assignments will include Codes compliance matters, ordinance drafting and sustainability related issues.

Your December 14, 2017 City Council meeting agenda will include a consent agenda item requesting that you confirm Devon Haggitt as an Assistant City Attorney. This appointment will take effect immediately upon its adoption. Devon will begin employment on Monday December 18, 2017.

This item is being included with Adds/Deletes because the offer and conditional acceptance process did not conclude until after the agenda deadline, and due to the need to commence Ms. Haggitt’s employment as soon as possible.

If you have any questions, please let me know.

Attachment

cc: Mayor Rick Kriseman