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

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

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

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

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

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

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

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

GENERAL AGENDA INFORMATION

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

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

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

B. Approval of Agenda with Additions and Deletions.

C. Consent Agenda (see attached)

Open Forum

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

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

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

Setting April 5, 2018 as the public hearing date for the following proposed Ordinance(s):

1. Ordinance approving the owner-initiated designation of “North Shore Section-Welch’s Mediterranean Row Local Historic District” as a local historic district to be listed in the St. Petersburg Register of Historic Places. (City File HPC 17-90300005)

E. Reports


2. Approving a five-year naming rights agreement with Big 3Entertainment and Crown Automotive Management pursuant to which the Mahaffey Theater parking garage will be named the “Crown Cars Parking Garage.”

3. Sewer Report

4. Tampa Bay Water

5. Acknowledging the selection of Cardno, Inc. (A/E) as the most qualified firm to provide professional services for the 40th Avenue Bridge Project; Supporting Administration entering into an architect/engineering agreement with A/E for A/E to perform Project Website Development, Temporary Traffic Flow Recommendations and Pedestrian Accessibility services for the 40th Avenue Bridge project for an amount not to exceed
$33,700; authorizing Administration to negotiate the bridge design and bidding services; Providing that the amendment to incorporate the design and bidding services into the agreement is subject to City Council approval; and providing an effective date. (Engineering Project No. 18032-110; Oracle No. 15071 and 15627)

6. Resolution approving the repayment in full of the BB&T non ad valorem note series 2010 and the JP Morgan Chase 2011 Non Ad Valorem Refunding Note; approving a transfer of $667,372 from the unappropriated balance of the Downtown Redevelopment Fund (1105) to the BB&T Non Ad Valorem Note Series 2010 fund (2014); approving a transfer of $5,347,930 from the unappropriated balance of the Downtown Redevelopment Fund (1105) to the JP Morgan Chase 2011 Non Ad Valorem Refunding Note Fund (2010); approving a transfer of $166,982 from the unappropriated balance of the CDBG Fund (1111) to the JP Morgan Chase 2011 Non Ad Valorem Refunding Note Fund (2010); approving supplemental appropriations from unappropriated fund balance from the above transfers in the amount of $674,170 for the BB&T Non Ad Valorem Note Series 2010 Fund (2014), and in the amount of $5,566,062 for the JP Morgan Chase 2011 Non Ad Valorem Refunding Note Fund (2010); providing for additional interest and Debt Service Reserve requirements for the Professional Sports Facilities Sales Tax Refunding Revenue Bonds (2027) by authorizing a transfer of $56,922 from the unappropriated balance of the Professional Sports Facilities Sales Tax Revenue Fund (1051); authorizing a supplemental appropriation in the amount of $18,974 for the Professional Sports Facilities Refunding Bonds Fund (2027); authorizing the mayor or his designee to execute the agreement and any documents necessary to effectuate these transactions.

F. New Business

1. Referring to the Health, Energy, Resiliency, and Sustainability (HERS) committee a discussion to consider a citywide restriction on the distribution of plastic drinking straws from point-of-sale. (Councilmember Driscoll)

2. Requesting that as part of the Sewer Report on the April 19 City Council meeting agenda, we receive additional information related to the Biosolids project. (Councilmember Kornell)

3. Respectfully request to refer to the Budget, Finance, & Taxation Committee a discussion for City Staff to develop an Action Plan to address the inequity in contracts awarded through the city's Small Business Enterprise Program. (Councilmember Driscoll)

4. Respectfully request to refer to the Housing, Land Use, and Transportation Committee discussion of a Resolution requiring that a meaningful amount (to be determined) of the $15 million in Penny for Pinellas funds reserved for Affordable Housing be used to house individuals and families at or below 80% of the Area Median Income. (Councilmember Rice)

G. Council Committee Reports

1. Budget, Finance & Taxation Committee (3/8/18)

(a) Resolution authorizing the mayor or his designee to accept the proposals submitted by Brown & Brown of Florida, Inc. to provide property insurance coverage effective April 1, 2018, at a total estimated cost of $3,752,345.60 and to provide additional coverage to the water resources program on or about December 2018 at a cost not to exceed $40,574 and to execute all documents necessary to effectuate this transaction.
2. Public Services & Infrastructure Committee (2/22/18 and 3/8/18)

H. Legal

1. Authorization to file a Proposal of Settlement in the amount of $75,000.00 in the case of Rosemar Machado v. City of St. Petersburg, Case No. 15-006073-CI.

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 1587.

2. Confirming the preliminary assessment for Building Securing Number(s) SEC 1233.

3. Confirming the preliminary assessment for Building Demolition Number(s) DMO 459.

4. Ordinance 322-H in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement (JPA) for the Southwest Hangar Redevelopment Project (Project #14168), to be executed by the City, as a requirement for receipt of Florida Department of Transportation (FDOT) funds (Grant) including but not limited to the Aviation Program Assurances (Grant Assurances), which, inter alia, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed $1,600,000; approving a loan of $400,000 from the Economic Stability Fund (0008) to the Airport Capital Fund (4033) to provide the City match; approving a supplemental appropriation in the amount of $2,000,000 from the increase in the unappropriated balance of the Airport Capital Fund (4033) resulting from these additional revenues to the Southwest Hangar Redevelopment Project (14168); authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

5. Ordinance 323-H creating a new section 20-30(i); providing for appeals to the issuance of trespass warnings in certain situations; providing for Hearing Masters and procedures for appeals; clarifying and formalizing the process for an appeal of a trespass warning; amending section 20-30(e) to provide that trespass warnings shall identify the right to an appeal of a trespass warning.

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.

6. Appeal of the Development Review Commission (DRC) denial of a special exception and related site plan for a community assembly facility with a community garden, and a variance to the 35-foot setback. (City File 17-32000031 Appeal)

J. Open Forum

K. Adjournment
1. City Council Convenes as Community Redevelopment Agency.

2. Resolution finding the 68,473 square foot, 12 story building with 65 dwelling units, located at 745 Delmar Terrace South consistent with the Intown Redevelopment Plan (City File IRP 18-1a).

3. Adjournment Community Redevelopment Agency and Reconvening of City Council.
Consent Agenda A
March 15, 2018

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)


2. Accepting a proposal from Sun Life Assurance Company of Canada for aggregating specific stop loss insurance coverage (group health plan) for the Human Resources Department, at an estimated annual premium of $838,355; and authorizing the Mayor, or his designee, to execute all documents necessary to effectuate this transaction.

3. Approving the renewal of a blanket purchase agreement with Ajax Paving Industries of Florida, LLC for the purchase of recycled asphalt for the Stormwater, Pavement & Traffic Operations Department, at an estimated annual cost of $140,000, for a total contract amount of $520,000.

(City Development)

(Leisure Services)

(Public Works)

(Appointments)

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

(Procurement)

1. Approving the renewal of blanket purchase agreements with Pace Analytical Services, Inc. and Advanced Environmental Laboratories, Inc. for environmental laboratory testing services for the Water Resources Department, for a total contract amount of $465,000.

2. Accepting the bid from Shearer Companies, Inc., in the amount of $443,300, for the Mirror Lake Complex Upgrades FY11 Project; approving a supplemental appropriation in the amount of $60,000 from the unappropriated balance of the Recreation and Culture Capital Improvement Fund (3029) to the Mirror Lake Complex Upgrade 11 Project (Engineering/CID Project No. 11201-017; Oracle No. 12868); and providing an effective date.

3. Approving the purchase of heavy equipment from Ring Power Corporation for the Fleet Management Department, at a total cost of $343,863.

4. Approving a three-year blanket purchase agreement with Resource Efficiency Solutions Inc., for LED and induction lighting replacement parts, at an estimated annual cost of $100,000, for a total contract amount of $300,000.

5. Approving a three-year blanket purchase agreement with Bay Area Heating and Cooling Inc., for HVAC installation, maintenance and repair services for the Jamestown Apartments, at an estimated annual cost of $80,000, for a total contract amount of $240,000.

6. Accepting a proposal from ForeverLawn of Florida, Inc., a sole source supplier, for artificial, anti-static synthetic turf for the Parks and Recreation Department, at a total cost of $186,000.

7. Accepting the bid from Gibson Air Conditioning & Refrigeration LLC, in the amount of $171,875.00 for the South Community Library Chiller Replacement Project; rescinding unencumbered appropriations totaling $121,875.00 from the following projects in the Recreation and Culture Capital Improvement Fund (3029): Branch Library Improvements FY12 (OP# 13261) $40,468.73; Branch Library Improvements FY14 (OP# 14141) $19,872.83; General Library Improvements FY17 (OP# 15665) $61,533.44; approving a transfer of $121,875.00 from the unappropriated balance of the Recreation and Culture Capital Improvement Fund (3029) to the City Facilities Capital Improvement Fund (3031); approving a supplemental appropriation in the amount of $121,875.00 from the increase in the unappropriated balance of the City Facilities Capital Improvement Fund.
8. Acknowledging the selection of Cardno, Inc. (A/E) as the most qualified firm to provide professional services for the 40th Avenue Bridge Project; Supporting Administration entering into an architect/engineering agreement with A/E for A/E to perform Project Website Development, Temporary Traffic Flow Recommendations and Pedestrian Accessibility services for the 40th Avenue Bridge project for an amount not to exceed $33,700; authorizing Administration to negotiate the bridge design and bidding services; Providing that the amendment to incorporate the design and bidding services into the agreement is subject to City Council approval; and providing an effective date. (Engineering Project No. 18032-110; Oracle No. 15071 and 15627) [MOVED TO REPORTS AS ITEM E-5]

9. Authorizing the Mayor, or his designee, to execute a five (5) year Lease Agreement with St. Pete Aviation Services, LLC d/b/a St. Pete Air, a Florida limited liability company, for the use of ±5,950 square feet of space in Hangar No. 1 and accompanying tie-down locations at Albert Whitted Airport. Requires affirmative vote of at least six (6) members of City Council.

10. Authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order CID-14-02-WJA (Task Order) to the architect/engineering agreement dated December 23, 2015 between the City of St. Petersburg, Florida (City) and Wannemacher Jensen Architects, Inc. (A/E) for A/E to provide additional solar photovoltaic and electrical design services at Fossil Park Fire Station No. 7 in an amount not to exceed $4,462, providing that the total Task Order, as amended, shall not exceed $259,972; approving a transfer in the amount of $42,468.33 from the Banc of America Leasing & Capital Fund (2017) from the balance of the proceeds from the Taxable Non Ad Valorem Revenue Note, Series 2017E to the General Capital Improvement Fund (3001); approving a supplemental appropriation in the amount of $42,468.33 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from the above transfer to the Fossil Park Fire Station 7 Project for the purchase of the solar panels for Fossil Park Fire Station No. 7; (Engineering Project No. 15227-018; Oracle No. 14625).

11. Authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 16-04-LWES/STB (Task Order) to the architect/engineering agreement dated July 14, 2016 between the City of St. Petersburg, Florida (City) and Land & Water Engineering Science, Inc. (A/E) for A/E to provide additional professional services for the Southwest Water Reclamation Facility Stormwater and Site Improvements Project in an amount not to exceed $63,804.86; providing that the total Task Order as amended shall not exceed $157,750.34 (Engineering Project No. 17071-111; Oracle No. 15999).

12. Authorizing the Mayor or his designee to execute Task Order No. 16-04-MC/W to the architect/engineering agreement between the City of St. Petersburg and McKim & Creed, Inc. (“A/E”) dated December 5, 2016 for A/E to provide professional engineering
consulting services as related to the Water Resources Utility Rate Study in an amount not to exceed $102,000.

(Appointments)

13. Confirming the appointment of Michele Tuegel as a regular member to the Arts Advisory Committee to serve an unexpired three-year term ending September 30, 2018.

(Miscellaneous)

14. Approving the minutes of the February 1, February 8, and February 15, 2018 City Council minutes.

15. Approving a supplemental appropriation from the unappropriated balance of the Local Law Enforcement State Trust Fund (1601) to the Police Department, Local Law Enforcement State Trust (140-2857) in the amount of $147,000, and from the unappropriated balance of the Federal Justice Forfeiture Fund (1602) to the Police Department, Federal Justice Forfeiture (140-2858) in the amount of $100,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.
Note: An abbreviated listing of upcoming City Council meetings.

**Budget, Finance & Taxation Committee**  
*Thursday, March 8, 2018, 8:00 a.m., Room 100*

**Public Services & Infrastructure Committee**  
*Thursday, March 8, 2018, 9:15 a.m., Room 100*

**CRA / Agenda Review**  
*Thursday, March 8, 2018, 1:30 p.m., Room 100*

**City Council Meeting**  
*Thursday, March 8, 2018, 3:00 p.m., Council Chamber*

**Budget, Finance & Taxation Committee**  
*Thursday, March 22, 2018, 8:00 a.m., Room 100*

**Public Services & Infrastructure Committee**  
*Thursday, March 22, 2018, 9:15 a.m., Room 100*

**Housing, Land Use & Transportation Committee**  
*Thursday, March 22, 2018, 10:30 a.m., Room 100*

**Health, Energy, Resiliency & Sustainability Committee**  
*Thursday, March 22, 2018, 1:00 p.m., Room 100*

**Committee of the Whole: Affordable Housing**  
*Thursday, March 22, 2018, 2:30 p.m., Room 100*
Civil Service Board
1 Alternate Member
(Term expires 6/30/17)

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

Nuisance Abatement Board
1 Regular Member
(Term expires 12/31/19)

Nuisance Abatement Board
2 Alternate Members
(Terms expire 8/31/19 and 11/30/19)
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 Apponent, 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 Lisa Wheeler-Bowman, Chair, and Members of City Council

SUBJECT: Owner-initiated Historic Landmark Designation of the North Shore Section — Welch's Mediterranean Row Local Historic District, which shall include the southern parcels of the 100 block of 19th Avenue Northeast (City File HPC 17-90300005).

An analysis of the request is provided in the attached Staff Report.

REQUEST: The request is to designate the North Shore Section — Welch's Mediterranean Row Local Historic District as a local historic district to be included in the St. Petersburg Register of Historic Places.

RECOMMENDATION:

Administration: Administration recommends approval.

Community Planning and Preservation Commission: On February 13, 2018, the Community Planning and Preservation Commission held a public hearing on this matter, and voted unanimously 7 to 0 to recommend approval of the landmark designation to City Council.

Recommended City Council Action: 1) CONDUCT the first reading of the attached proposed ordinance; AND 2) SET the second reading and quasi-judicial public hearing for April 5, 2018.

Attachments: Ordinance (including map), Staff Report to the CPPC, Designation Application
Boundaries and Contributing Properties
North Shore Section - Mediterranean Row Local Historic District

Contributing Building

Contributing Property

19TH AVE NE

18TH AVE NE

15TH ST N

BM ST NE

15TH ST N
ORDINANCE NO. _____


THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The City Council finds that the North Shore Section – Welch’s Mediterranean Row Local Historic District, which includes the properties bordering the southern edge of the 100 block of 19th Avenue Northeast and the urban landscape that immediately surrounds them, and is recognized for its significance as a highly intact collection of one-story Mediterranean Revival style single-family residences, primarily with alley-facing detached garage buildings, and streetscapes dating to a period of significance spanning from 1924 to 1925, meets at least one of the nine criteria listed in Section 16.30.070.2.5.D, City Code, for designating historic properties. More specifically, the North Shore Section – Welch’s Mediterranean Row Local Historic District meets the following criteria:

(a) Its value is a significant reminder of the cultural or archaeological heritage of the City, state or nation;
(e) Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance, and
(f) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials; and
(g) Its character is a geographically definable area possessing a significant concentration, or continuity of sites, buildings, objects or structures united in past events or aesthetically by plan or physical development.

SECTION 2. The City Council finds that the North Shore Section – Welch’s Mediterranean Row Local Historic District meets at least one of the seven factors of integrity listed in Section 16.30.070.2.5.D, City Code, for designating historic properties. More specifically, the property meets the following factors of integrity:

(a) Location. The place where the historic property was constructed or the place where the historic event occurred;
(b) Design. The combination of elements that create the form, plan, space, structure, and style of a property;
(c) Setting. The physical environment of a historic property;
(d) Materials. The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.
(e) Workmanship. The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.

(f) Feeling. The property’s expression of the aesthetic or historic sense of a particular period of time, and

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

SECTION 3. The North Shore Section – Welch’s Mediterranean Row Local Historic District, located within the following described boundaries, is hereby designated as a local historic district, and shall be added to the St. Petersburg Register of Historic Places, the list of designated landmarks, landmark sites, and historic and thematic districts which is maintained in the office of the City Clerk:

**Designation Boundary**

The official boundary of the local landmark designation shall encompass the entire parcels, generally described as *Snell & Hamlett’s North Shore Addition: Block 21, Lots 1 through 7*, and as depicted on Exhibit “A.”

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

Approved as to Form and Substance:

[Signature]

City Attorney (or Designee)

Date: 3/1/18

[Signature]

Planning and Economic Development Department

Date: 2/28/18
STAFF REPORT

COMMUNITY PLANNING AND PRESERVATION COMMISSION

REQUEST FOR LISTING IN THE ST. PETERSBURG REGISTER OF HISTORIC PLACES

For public hearing and recommendation to City Council on February 13, 2018 beginning at 2:00 PM, Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning and Economic Development Department records, Community Planning and Preservation Commission members Bob Carter and Jeff Wolf reside or have places of business within 2,000 feet of the proposed district. All other possible conflicts should be declared upon the announcement of the item.

<table>
<thead>
<tr>
<th>CASE NUMBER:</th>
<th>HPC 17-90300005</th>
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<tbody>
<tr>
<td>STREET ADDRESSES:</td>
<td>100 19th Avenue Northeast</td>
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<td>114 19th Avenue Northeast</td>
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<td>120 19th Avenue Northeast</td>
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<td>126 19th Avenue Northeast</td>
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<td>136 19th Avenue Northeast</td>
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<tr>
<td>LEGAL ADDRESSES:</td>
<td>Snell &amp; Hamlett’s North Shore Addition: Block 21, Lots 1 through 7</td>
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<td>LANDMARK NAME:</td>
<td>North Shore Section – Welch’s Mediterranean Row Local Historic District</td>
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<tr>
<td>OWNER:</td>
<td>Multiple</td>
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<tr>
<td>APPLICANT:</td>
<td>Guy Keirn (owner of property within proposed district), with technical assistance from Robin Reed</td>
</tr>
<tr>
<td>REQUEST:</td>
<td>Designation of the properties noted above as a local historic district to be added to the St. Petersburg Register of Historic Places</td>
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BACKGROUND

The North Shore Historic District (referred to herein as the North Shore National Register Historic District for clarity), a residential area encompassing approximately 425 acres and over 3,000 buildings, was listed in the National Register of Historic Places in 2003. The proposed district consists of a single block face of properties within the North Shore National Register Historic District, each of which is listed a contributing property therein. These properties are united not only by the fairly broad developmental context of the North Shore area's development at large, but by their construction by developer M.B. Welch within a six-month period of time.

On October 11, 2017, at the request of an owner of property within the district, City staff held a meeting at Westminster Church of which owners of all ten properties were directly noticed. The possibility, process, and implications of designation as a local historic district were discussed at this meeting. Representatives of seven of ten properties within the proposed district attended this meeting.

St. Petersburg's Historic Preservation Ordinance, City Code Section 16.30.070.2, specifies that, in order for an application for local historic district designation to be considered complete and proceed to public hearing before the Community Planning and Preservation Commission (CPPC) and City Council, support for the application from owners of 50% + 1 parcels within the district must be shown through ballots issued by City staff. Individual ballots were mailed on October 23, 2017 by staff to each owner of property within the boundaries of the proposed district. These boundaries were suggested by the applicant and evaluated by staff to be in keeping with criteria for local historic district eligibility, as established by City Code and guided by national standards set by the National Park Service.

A total of seventeen ballots were mailed to owners of ten parcels. Per Code, each parcel is counted as a single vote, but conflicting votes from multiple owners of a single parcel shall cancel one another out. Votes of support have been received from all owners of nine of the proposed district's ten properties, or ninety percent. No ballot was returned from the single remaining property. A sample ballot and summary of returns is included in Appendix C of this report.

A completed Local Landmark Designation Application form and the required fee were received by staff on December 26, 2017. Since ballots showing sufficient support to proceed had already been received by that date, the application was determined to be complete at that time. Prepared by Guy Keirn, who owns property within the proposed district, with technical assistance from Robin Reed, the application (Appendix B) includes extensive research on the area's development and thorough documentation of the proposed district's existing conditions and the significance of its resources. An evaluation of the proposed North Shore Section – Mediterranean Row Local Historic District's eligibility for such designation follows.
STAFF FINDINGS

Narrative Description and Historical Context

Historical Context

Much of Florida, particularly the southern portion of the peninsula, remained largely unsettled through the mid-nineteenth century.¹ The land which would eventually become Florida was estimated to have had a population of roughly 350,000 native people at the time of Ponce de Leon’s first landing in the early sixteenth century. However, this number had dwindled to about 10,000 by 1821, when Florida became part of the United States, fairly evenly divided between Seminoles and European Americans, in addition to a relatively small number of African Americans, most of whom were enslaved. Development in the remaining decades of the nineteenth century was generally concentrated along the state’s northern border with Alabama and Georgia.²

When Fort Brooke was established by the United States Army at the mouth of the Hillsborough River and across Tampa Bay from the Pinellas Peninsula, the peninsula is thought to have been mostly unsettled. A small coastal settlement of individuals who were possibly Seminoles or Spanish Indians was identified along the peninsula’s western shore in 1821, but complete removal of Tampa Bay’s Native American population was carried out by the government during and following the Second Seminole War of 1835 to 1842.

Around this time, a small number of European American settlers began to establish themselves near the site that would soon become St. Petersburg, beginning with Antonio Maximo Hernandez, a Spanish fisherman who operated a rancho at what is now known as Maximo Point. A small handful of other fishermen and homesteaders settled on the Pinellas Peninsula, generally seeking locations on the shoreline. The already-miniscule population decreased following a devastating storm in 1848, and again during the Civil War. Although the site of today’s downtown St. Petersburg waterfront had been identified as a favorable location for a seaside rail depot and port in 1854, the sparse population that existed in the present-day “Sunshine City” was not concentrated in this area. Perhaps the most notable cluster of settlement was that of the Miranda-Bethell-Leonardi family, who established the Pinellas Village on the shore of Big Bayou beginning in the late-1850s.³

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¹ Due to the similarity of context, and to ensure a level of consistency in reporting, relevant portions of the following Historical Context, as well as other selected sections contained within this Staff Report, have been extracted from the 700 Block of 18th Avenue Northeast Local Historic District (HPC 16-90300008) and 200 Block 10th Avenue Northeast Local Historic District (HPC 17-90300004) staff reports, prepared by city staff in 2016 and 2017, respectively. Certain contextual information has additionally been distilled from the North Shore Historic District (BPI009640) National Register of Historic Places Registration Form by Kate Hoffman and Carl Shiver in 2003.


As trains were the predominant method of long-distance transportation in the late nineteenth century, Pinellas remained remote with the nearest depot 90 miles away in Cedar Key. The expansion of railroad construction southward into the state, often financed by speculators, allowed a growing number of large-scale landowners to begin developing what had previously been agricultural or unsettled land. One such landowner was Peter Demens (born Pyotr Alexeyevitch Dementyev), a Russian immigrant and speculative real estate developer. Partially financed by fellow area landowner Hamilton Disston (who, at one point, was the largest landowner in the United States), Demens expanded a rail line into, and platted the land that would become St. Petersburg. The line’s route was influenced by John Constantine Williams, who owned 1,600 acres on the Pinellas Peninsula – land he had collected with the ambition of establishing a town. When the first trains of the Orange Belt Railway arrived in the newly-named St. Petersburg in 1888, it was home to only thirty residents. The introduction of reliable rail transportation into the area provided access to new markets and brought tourists and permanent residents into the area; by 1892, when St. Petersburg was incorporated as a city, the population had grown to over 300.

Demens did not remain in Florida, but investors including Frank A. Davis, George Gandy, Charles Hall, C.M. Roser, and C. Perry Snell saw opportunity and moved to the young city to develop the land surrounding downtown St. Petersburg. While Florida as a whole remained disproportionately agricultural at the turn of the twentieth century, new rail connections allowed the young cities of the Tampa Bay area to urbanize. Hillsborough County (which included all of present-day Pinellas County until 1912) was the only county south of Orlando with a population density surpassing 20 people per square mile in 1900.4 Into the early twentieth century, St. Petersburg’s core and close-in suburbs continued to grow rapidly. Over 20,000 residential lots were created in St. Petersburg between 1911 and 1914 alone. Residential sections were platted and landscaped, and street lights and utilities run to the neighborhoods as their developers advertised the perks of Florida living to potential transplants.

The land that would ultimately become the proposed North Shore Section – Mediterranean Row Local Historic District is, as its title suggests, part of an area of the city that came to be known historically as North Shore, though the name “Old Northeast” is now more commonly used by locals. This area, extending north from St. Petersburg’s downtown core and nestled between the Tampa Bay shoreline and Fourth Street, was purchased by C. Perry Snell beginning shortly after his relocation to St. Petersburg from Louisville, Kentucky in 1904. In Kentucky, Snell had operated a successful drug store; with financial backing from his wife Lillian Allen Snell, he began venturing into real estate development in St. Petersburg.5

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4 Stronge, 2-3.
5 Arsenault, 137.
Snell and several other investors organized the Bay Shore Land Company in 1905, and a year later Snell purchased property formerly owned by the Orange Belt Railroad, including the Detroit Hotel and land between Mirror Lake and Crescent Lake, which he subdivided. In 1910, Snell partnered with Tennessee capitalist James C. Hamlett and began purchasing the land that became the North Shore neighborhood under the name Snell & Hamlett Real Estate Company. The company was acquired entirely by C. Perry Snell in 1919.6

North Shore developed over a period of approximately 35 years, beginning in the 1910s with construction in the area’s lower section and spreading northward over time. Although secondary developers ultimately built many of the neighborhood’s homes, Snell and the various real estate ventures that he commanded were instrumental in the establishment of the area’s urban landscape and infrastructure. Snell advocated for, and later aided in the expansion of, William Straub’s Waterfront Park, which borders the neighborhood’s Tampa Bay shore and creates its eastern border. His company additionally financed an extension of the City’s streetcar line to run up Locust Street to foster development (Figure 1).7 Snell sought to promote his subdivisions as beautiful, exclusive, and prestigious through the addition of lush landscaping, neatly-gridded streets, and deed restrictions dictating the orientation and minimum cost of homes to be built therein, and animals that could be kept.

By the early 1920s, St. Petersburg’s population was welcoming a dozen or more new residents each day. Its population more than doubled between 1920 and 1926 to a total of over 30,000.8

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8 Arsenault, 190.
Though construction boomed throughout the city, North Shore had established itself as a high-end residential neighborhood by this time (Figure 2). “It is an admitted fact by everyone who knows that the most valuable residential section in St. Petersburg is the North Shore,” local realtor W. McKee Kelley was quoted as saying in 1923. “Every person familiar with St. Petersburg believes that St. Petersburg is going to grow very fast. As it grows, the demand for homes and lots in this choice section will steadily increase.”

Homes built in North Shore during this period included both those constructed specifically for individual owners and those constructed by speculative builders. The land now containing the proposed district was platted in 1911 as part of the fifteen-block Snell & Hamlett’s North Shore Addition Subdivision (Figure 3).

According to the National Register of Historic Places Registration Form and documentation for the North Shore Historic District, which includes the entirety of the proposed district,

The largest amount of building [in the North Shore neighborhood] took place during the Florida Land Boom years of the 1920s. More than 1,000 buildings in the neighborhood date to this period. Dominant architectural styles include the Bungalow, Prairie, Frame Vernacular [which includes several of the houses within the proposed district that have been categorized as American Foursquare for the purposes of this report], Colonial Revival, and Mediterranean Revival.

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10 Kate Hoffman and Carl Shiver, North Shore Historic District, Pinellas County, Florida, National Register of Historic Places Registration Form, 2003. Section 7-page 3 and section 7-pages 63-64.
During the early 1920s, St. Petersburg, and cities throughout Florida, grew rapidly and created a period which came to be known as the Florida Land Boom. As infrastructure continued to be laid, destination hotels such as the Vinoy and the Soreno were constructed along the Tampa Bay waterfront in the Mediterranean Revival style. Throughout St. Petersburg, tracks were laid and roads were paved, connecting planned residential neighborhoods to the central business district. Developers, investors, and the City itself began promoting the “Sunshine City” heavily to tourists, transplants, and winter residents. In fact, St. Petersburg became the first American city government to hire a public relations director when John Lodwick was appointed in 1918. Promotional campaigns were successful, and as the city’s population grew, so too did the number of boarding houses, apartments, and hotels.

The Florida Land Boom swept the state, and the Tampa Bay area, beginning in 1920. Properties throughout St. Petersburg were sold, subdivided, and developed at a frenzied pace as the city’s population increased over fivefold between 1915 and 1930. The city’s growth was fueled not only by successful self-promotion, but by ever-increasing connections to Tampa and beyond. Most notably, the opening of the Gandy Bridge in 1924 reduced the length of the drive between Tampa and St. Petersburg from forty-three miles to nineteen and stimulated even more development north of the latter city’s downtown core. The pace of real estate speculation and development was only heightened by low interest rates, growing income, and the increased willingness of banks in Florida and throughout the United States to lend to investors.

The North Shore area was, therefore, more desirable than ever to developers during the mid-1920s. The property surrounding the proposed district, which lies at the heart of North Shore, saw an incredible amount of construction during these years. The area appears only sparsely developed on the 1923 Sanborn “fire insurance” maps, but in an aerial photograph taken only three years later, small clusters appear on adjacent blocks, and then ten parcels of the proposed

11 Stronge, 93-94.
district have been developed (Figure 4). The land within the proposed district itself, shown as seven vacant lots in 1923, appears to have been purchased by developer A.R. Ray and his wife during the early 1920s. In late 1924 they transferred the entirety of the land along the southern edge of 19th Avenue Northeast, lying between First Street North and Bay Street Northeast, into the name of the Ray-Johnston Company, with the exception of the property that is now 126 19th Avenue Northeast. It is possible that Mr. and Mrs. Ray intended to develop that property as a personal home or individual investment, but no record has been found of their residence there.

Permits for the construction of the ten houses within the proposed district were each granted between September of 1924 and February of 1925 to A.R. Ray, the Ray-Johnston Company (sometimes spelled “Ray-Johnson”), or builder M.B. Welch. The homes were all constructed by Welch’s contracting firm for the Ray-Johnston Company and were united by their relatively small scale and “Spanish” designs, today generally referred to as Mediterranean Revival style architecture.

In many ways this collection of homes embody the optimism that defined the mid-1920s construction boom that swept St. Petersburg. “Where on October 6, only the empty stretch of Palmettos and pine land reached from First Street to Bay Street on Nineteenth Avenue,” a March 22, 1925 St. Petersburg Times article recounted, “today there are ten splendid frame and stucco houses of six rooms and bath, each unit with a double garage which stands as a monument to M.D. [sic] Welch, well-known local contractor.” The article notes that Welch, who was under 30 years old at the time of its writing, had “heard much of the land of sunshine and flowers and of the growth of St. Petersburg,” and been inspired to relocate to the city from Rockville, Indiana only two years earlier.

Welch's building business followed a trajectory not uncommon among those who filled St. Petersburg’s close-in neighborhoods with tidy rows of homes during the growth period of the early 1920s. He moved to St. Petersburg with some experience in contracting under his belt, having worked with his father for a number of years in their home state of Indiana. The junior

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13 St. Petersburg Times, November 25, 1924.
Welch’s first months in the “Sunshine City” were spent working with builder C.C. Clarkson, who taught him the nuances of building for St. Petersburg’s southern climate. As the local economy grew in 1924, Welch began working on his own accord as a contractor, first working with the Ray-Johnston Company in the construction of the proposed district, and later establishing M.B. Welch, Incorporated, which was said to have been one of the largest construction firms on Florida’s west coast in its time, employing as many as 400 workers at its peak. Welch constructed dozens of homes in St. Petersburg during the land boom, most of which are thought to have been in the North Shore area.

The designer of the ten homes within the proposed district was local architect C. Sedgwick Moss, who established his practice in St. Petersburg after moving from Natchez, Mississippi in 1923 at the age of 32. Moss designed a number of buildings in the city; it appears that he primarily designed residences. In the early 1930s, he held a position on St. Petersburg’s Building Advisory Board and served as the secretary of the Florida Central Chapter of the American Institute of Architects.

The Florida land boom peaked in 1925 before crashing in 1926-1927. Construction in St. Petersburg came to a virtual halt, though the local tourism industry remained fairly steady until 1930. Research suggests that building projects by M.B. Welch and the Ray-Johnston Company were few and far between after 1926. Although Welch (still a building contractor), wife Mary, and sons Maynard and Jerry Ray were noted as residents of St. Petersburg in the Florida Census of 1935, the fact that they were renters of a modest home, coupled with the indication that Jerry was born in 1933 in Welch’s home state of Indiana, suggests that the development firm did not emerge from the “bust” with the same degree of business success it knew in 1925. C. Sedgewick Moss was appointed to a position as an architect with the Federal government in 1932 and continued to practice in Washington, D.C. for some time.

The city’s status as an “escape,” being a winter resort town, helped the local economy survive the Great Depression despite the drastic slowdown of construction. Nonetheless, some residential building continued, primarily in the form of the filling-in of empty parcels in neighborhoods developed during the Land Boom.

Existing Conditions

The proposed district, as originally subdivided by C. Perry Snell, contained seven blocks; the Ray-Johnston Company redistributed the property into ten parcels, each of which is forty feet wide by 110 feet deep, with the exception of the sixty-foot wide parcel at 100 19th Avenue Northeast. The increased density of this row of homes, combined with a consistent setback of approximately

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17 Florida Census 1935.
forty feet from the street, and small side setbacks of roughly six to seven feet, creates the experience of an “urban wall” of buildings. Each home is between twenty-six and twenty-eight feet wide at its façade and connected to 19th Avenue Northeast by a pedestrian walkway.

No driveways pierce the front landscape of the proposed district, creating a human-scaled and pedestrian-oriented experience for the visitor. The proposed district retains many of the features that define its historic urban landscape, including hexagonal concrete block sidewalks along Bay Street and 19th Avenue Northeast and granite street curbing. This portion of the street has been paved in asphalt; historic vitrified brick pavement may exist beneath this surface.

The proposed district now consists of ten properties, each of which contains a one-story single family residence and detached garage.19 Property cards indicate that each home originally had six rooms, a bathroom, and a two-car garage.

As noted above, the houses and their rear-yard, detached garages were each designed by St. Petersburg architect C. Sedgwick Moss in the Mediterranean Revival style. Architectural descriptions of each resource have been provided by the applicant in the attached nomination form. All of the ten homes within the proposed district feature frame construction with stucco exterior treatment. With the exception of the house at 166 19th Avenue Northeast (which has a gabled roof clad in clay tile), each has a flat roof with low parapet. Rooflines tend to be broken by elements such as small towers, visors, and shed-roofed porches clad in clay tile. To take advantage of the small lot sizes, the buildings’ footprints are generally rectangular overall, though elevations typically feature some degree of articulation to add visual interest, sometimes creating the opportunity for small window projections.

Each house was constructed with an offset front porch, generally occupying just over half the width of the façade. Many of these front porches have since been enclosed to create additional living space, but these alterations have tended to follow the original porches’ openings, therefore retaining the resources’ historic design as much as possible. Canvas awnings, both flat and clamshell, provide shade to the windows of many homes within the proposed district in the absence of roof overhangs.

Windows appear to have historically consisted primarily of three-, four-, and six-over-one double hung wood sash windows, though these have been replaced in several homes with non-historic aluminum awning, jalousie, or single-hung sash windows. However, as in the case of noted porch enclosures, these replacement windows appear to have retained historic openings and, therefore, do not detract from the proposed district’s overall integrity of design.

The proposed district’s historic flow of pedestrian and vehicular traffic is a significant element of its cultural landscape. In addition to the importance of the unbroken sidewalk and pedestrian walkways from porch to street noted above, the alley-facing garages are a vital, if utilitarian, aspect of the historic urban design. Each garage was historically constructed to house two cars and featured a flat roof with little, if any, ornamentation. The vehicular entrances to the garages

19 In one case, 166 19th Avenue Northeast, a breezeway has been constructed connecting the primary residence and garage.
at the east and west edges of the proposed district face Bay Street Northeast and First Street North, respectively; all others face the alley lining the southern edge of the properties. The alley continues to act as a service area, providing a location for sanitation services as well as vehicular access, further enhancing the experience of the pedestrian from the public realm confined to the buildings' front yards. The garage at 120 19th Avenue Northeast was altered in 1946 through the construction of a second-floor, creating additional dwelling space. Although this alteration occurred outside of the Period of Significance, it has gained significance in its own rite, making the garage a contributing resource despite having been altered. Likewise, the primary residence and garage at 166 19th Avenue Northeast were connected in 1945 through the construction of a breezeway.

As a whole, the proposed district presents a visibly cohesive collection of modestly-scaled Mediterranean Revival single family homes. The integrity that has been retained with regards to both the individual resources, and to the landscape that ties them together, results in an enclave within the North Shore neighborhood that is at once a departure from the broader neighborhood's stylistic diversity, and in keeping with its representation of the various approaches to residential development that defined the height of St. Petersburg's early twentieth century development. Current photographs of the proposed district, landscape elements, and its contributing resources are found in Appendix D.

Boundary Justification

The proposed district's boundaries include the ten parcels at the southern edge of the 100 block of 19th Avenue Northeast, as bounded by Bay Street Northeast, First Street North, 19th Avenue Northeast, and the alleyway between 18th and 19th Avenues Northeast (Figure 5). These boundaries encompass the area of land that was originally subdivided by C. Perry Snell at the dawn of the growth of the North Shore neighborhood, then re-divided by the Ray-Johnston Company for development by builder M.B. Welch at the height of the Florida land boom. All designed by C. Sedgwick Moss and constructed by Welch's firm within a six month period in 1924-1925, these ten properties are united by the historic events surrounding their conception and construction, and continue to convey this unity through a highly visible degree of commonality of design.

Figure 5: Proposed boundaries of North Shore Section – Mediterranean Row Local Historic District
Summary
Staff finds the proposed North Shore Section—Mediterranean Row Local Historic District, with a period of significance of 1924 to 1925, the construction dates of resources therein, to be eligible for the St. Petersburg Register of Historic Places. The proposed district meets four of the nine criteria for significance as a local historic landmark, and all seven of seven aspects of historic integrity.

Criteria for Significance
Eligibility for the St. Petersburg Register of Historic Places is determined through evaluations of age, context, and integrity under a two-part test as found in Section 16.30.070.2.5(D) of the City Code. Under the first test, historic documentation demonstrates that contributing resources within the proposed district were constructed between 1924 and 1925, making them each

### Contributing Structures

<table>
<thead>
<tr>
<th>Address</th>
<th>FMSF No.</th>
<th>Style</th>
<th>Builder</th>
<th>Architect</th>
<th>Date of Construction</th>
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<tbody>
<tr>
<td>100 19th Ave NE and garage</td>
<td>8PI03571</td>
<td>Mediterranean Revival</td>
<td>Welch, M.B.</td>
<td>Moss, C.S.</td>
<td>1925</td>
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<td>1924</td>
</tr>
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<td>8PI03574</td>
<td>Mediterranean Revival</td>
<td>Welch, M.B.</td>
<td>Moss, C.S.</td>
<td>1924</td>
</tr>
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<td>8PI03576</td>
<td>Mediterranean Revival</td>
<td>Welch, M.B.</td>
<td>Moss, C.S.</td>
<td>c. 1924</td>
</tr>
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<td>8PI03577</td>
<td>Mediterranean Revival</td>
<td>Welch, M.B.</td>
<td>Moss, C.S.</td>
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</tr>
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</tr>
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<td>Mediterranean Revival</td>
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<td>Moss, C.S.</td>
<td>1924</td>
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<td>8PI03585</td>
<td>Mediterranean Revival</td>
<td>Welch, M.B.</td>
<td>Moss, C.S.</td>
<td>c. 1924</td>
</tr>
</tbody>
</table>
approximately ninety-three years old at the time of this report. This surpasses the 50-year mark, which serves as the general milestone at which resources begin to be considered potentially historic.

Evaluation of potential local historic landmarks then considers a resource’s historic significance with relation to nine criteria. One or more of these criteria must be met in order for a property to qualify for designation as an individual landmark or district to be placed in the St. Petersburg Register. The nine criteria are based on the National Park Service’s criteria for placement in the National Register of Historic Places, and are designed to assess resources’ importance in a given historic context with objectivity and comprehensiveness. In the case of the proposed North Shore Section - Mediterranean Row Local Historic District, staff concurs with the applicant’s finding that the resource satisfies the St. Petersburg Register criteria as follows. A full list of criteria for significance can be found in the application, which is attached as Appendix B.

| Is at least one of the following criteria for eligibility met? |
|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| A | B | C | D | E | F | G | H | I |
| Y | N | N | N | Y | Y | Y | N | N |

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

In the area of Community Planning and Development, the proposed district represents the traditional urban landscape that defines early twentieth century residential suburbs, as recognized by the listing of the North Shore National Register Historic District by the National Park Service in 2003. Further, this collection of resources depicts the mark that speculative development had on Florida’s “American Riviera” during the boom years of the 1920s.

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

The proposed district features ten single family houses, each with a detached garage (though the primary residence and garage have been joined in one case). Designed by C. Sedgwick Moss, the scale of these Mediterranean Revival style homes is relatively modest when compared to some of the winter homes constructed in the North Shore area for wealthy northerners during the 1920s. Nonetheless, the primary residences feature the elements of design that portrayed the “Sunshine City” as a winter playground to potential transplants as a booming St. Petersburg marketed itself. From their materials such as stucco and barrel tile, to their varied and articulated footprints, flat roofs, and even the use of small towers, these homes incorporated, and retain, a high degree of style inspired by Florida’s association with “Mediterranean kitsch.”

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

The proposed district’s concentration of houses dating to the speculative building frenzy of the Florida Land Boom represents an incredibly important chapter in the development of St. Petersburg as the “Sunshine City,” a destination for retirees, winter residents, and families seeking a fresh start in a friendly climate.
G) Its character is a geographically definable area possessing a significant concentration, or continuity of sites, buildings, objects or structures united in past events or aesthetically by plan or physical development;

The proposed district possesses a high concentration of not only historically significant buildings, but structures such as granite curbs, and hex block sidewalks, as well as retaining the historic flow of a traditional residential suburb. The resources within the proposed North Shore Section – Mediterranean Row Local Historic District are united by their similarity of design by C. Sedgwick Moss, and their development by M.B. Welch in association with the Ray-Johnston Company.

Historic Integrity

The second portion of the two-part evaluation for eligibility for listing in the St. Petersburg Register of Historic Places questions whether at least one of seven factors of historic integrity have been met. In the case of the proposed North Shore Section – Mediterranean Row Local Historic District, staff finds all seven factors to remain intact.

<table>
<thead>
<tr>
<th>Location</th>
<th>Design</th>
<th>Setting</th>
<th>Materials</th>
<th>Workmanship</th>
<th>Feeling*</th>
<th>Association*</th>
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<tbody>
<tr>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
</tbody>
</table>

*Must be present in addition to at least one other factor.

Location

All properties within the proposed district remain in their original locations.

Design

The intended design of both the district overall and its individual properties has been well-preserved.

Setting

The proposed district is entirely surrounded by the North Shore National Register Historic District, which remains a vibrant and intact historic residential neighborhood.

Materials

Although some individual properties have seen alterations such as the enclosure of porches and the replacement of windows, which has somewhat diminished this aspect of integrity, the district as a whole maintains sufficient historic materials to allow the viewer to read the district in its entirety as being composed of historic materials.
Workmanship

Workmanship is defined by the National Park Services as “the physical evidence of the crafts of a particular culture or people during any given period of history.”20 The proposed North Shore Section – Mediterranean Row Local Historic District serves as physical documentation of the historic construction techniques that were prevalent during its period of significance. The aesthetic principals that guided the area’s development remain visible in the way that the landscapes and individual resources were constructed, from the retention of hexagonal concrete block sidewalks to the careful details at parapet walls concealing flat roofs on individual homes.

Feeling

Feeling, a resource’s aesthetic or historic sense of a particular period of time, permeates the proposed district through its visible and undeniable representation of an early-twentieth century suburb.

Association

Association is generally defined as the link between a resource and an important historic event. In the case of the proposed North Shore Section – Mediterranean Row Local Historic District, its retention of the other six aspects of integrity and continued use as a residential neighborhood with traditional traffic flow and its highly visible unity of architectural style provide this link and allow the district to represent its historic nature.

CHARACTER-DEFINING FEATURES

In addition to the architectural significance of each property, the proposed North Shore Section – Mediterranean Row Local Historic District’s overall significance is enhanced by elements that unite its resources, including:

- Its properties’ consistency of scale, each being one story in height, and between twenty-six and twenty-eight feet wide at its façade;
- Consistent front setbacks of approximately forty feet and side setbacks of roughly seven feet;
- Overall rectangular plans which are given visual interest by articulation along the majority of elevations;
- Flat roofs with parapets, given interest with clay tile insets, towers, and visors;
- Stucco exteriors; double-hung windows that were primarily three-, four-, or six-over-one in configuration, historically;
- Asymmetrical facades, especially broad, off-set front porches;
- Vehicular access generally limited to the rear of properties via alleyways and a total lack of front driveways facing 19th Avenue Northeast; and
- Remaining historic streetscape materials throughout the district, including hexagonal concrete block sidewalks and granite curbs.

PROPERTY OWNER CONSENT AND IMPACT OF DESIGNATION

This application was initiated by an owner of property within the proposed district. Ballots to determine support of this application were mailed to seventeen owners of the ten parcels within the boundaries of this proposed district on October 23, 2017. As established by City Code, ballots expressing the support of owners of 50% plus one parcels within a proposed local historic district must be returned to City staff within 60 days. As detailed in Appendix C, sufficient support to proceed with this application was received by staff on November 13, 2017. Supportive votes representing three additional parcels was also received as of the writing of this report, to total a support rate of ninety percent. One ballot (ten percent) has not been returned.

Since this proposed district is within an area already designated as a National Register historic district, certain benefits such as the Ad Valorem Tax Exemption for Rehabilitation and relief from some requirements of the Florida Building Code are already available to property owners. Additional listing at the local level will provide a heightened degree of protection against unnecessary demolition and unsympathetic alterations and infill construction through design reviews to be conducted by staff of the Urban Planning and Historic Preservation Division under the guidance of the Community Planning and Preservation Commission. The creation and preservation of historic districts enhances the city's historic character, fulfills the City's goals as a Certified Local Government in Historic Preservation, and reinforces a strong sense of place.

CONSISTENCY WITH ST. PETERSBURG’S COMPREHENSIVE PLAN, EXISTING LAND USE PLAN, AND FUTURE LAND USE PLAN

The proposed local historic landmark district designation is consistent with the City’s Comprehensive Plan, relating to the protection, use and adaptive reuse of historic buildings. The local landmark designation will not affect the Future Land Use Map (FLUM) or zoning designations, nor will it significantly constrain any existing or future plans for the development of the City. The proposed landmark designation is consistent with the following objectives:

Objective LU10: The historic resources locally designated by the St. Petersburg City Council and Community Planning and Preservation Commission (CPPC) shall be incorporated onto the Land Use Map or map series at the time of original adoption, or through the amendment process, and protected from development and redevelopment activities consistent with the provisions of the Historic Preservation Element and the Historic Preservation Ordinance.

Policy LU10.1: Decisions regarding the designation of historic resources shall be based on the criteria and policies outlined in the Historic Preservation Ordinance and the Historic Preservation Element of the Comprehensive Plan.

Policy HP2.3: The City shall provide technical assistance to applications for designation of historic structures and districts.

Policy HP2.6: Decisions regarding the designation of historic resources shall be based on National Register eligibility criteria and policies outlined in the Historic Preservation Ordinance and the Comprehensive Plan. The City will use the
following selection criteria [for city initiated landmark designations] as a guideline for staff recommendations to the CPC and City Council:

- National Register or DOE status
- Prominence/importance related to the City
- Prominence/importance related to the neighborhood
- Degree of threat to the landmark
- Condition of the landmark
- Degree of owner support

Policy HP2.7: An applicant may bring before the Commission designated in the Land Development Regulations and City Council for nomination as a City-initiated landmark district an area designated as a National Register of Historic Places district and not designated as a local landmark district, provided that the applicant secures approval from the owners of the properties in the proposed district as required by the Historic and Archaeological Preservation Overlay section of the Land Development Regulations.

DISTRICT NAME
The name recommended by staff for this designation, "North Shore Section – Mediterranean Row Local Historic District" follows a pattern that staff concludes will be useful as the City of St. Petersburg's historic preservation program continues to grow in the future. Local criteria, evaluations, and standards for designation are ultimately guided by the National Park Service and its approach to resources listed in the National Register of Historic Places. In that case, the National Park Service suggests choosing a name "that best reflects the property's historic importance or was commonly used for the property during the period of significance" when preparing nominations for the National Register of Historic Places. In naming districts, it is further suggested that designation applicants

Use traditional terms such as "village," "ranch," "courthouse square," or "townsite," or the generic terms "historic district" or "archaeological district," to indicate the kind of district when naming districts based on their location or historic ownership. Modifiers such as "prehistoric," "commercial," "civic," "rural," "industrial," or "residential" may also be used to define the predominant historic quality of a district. Names of historic and archaeological districts should reflect the area as a whole rather than specific resources within it.\(^1\)

As discussed above, the significance of the potential local historic district being discussed herein was initially established by the listing of the North Shore National Register Historic District in the National Register of Historic Places. Additionally, the Historic Preservation Element of the St. Petersburg Comprehensive Plan, effective April 15, 2016, establishes the goal of local designation of St. Petersburg's National Register-listed districts, given that owner support is shown through the ballot process established by the Historic Preservation Ordinance.

\(^1\) U.S. Department of the Interior, National Park Service, National Register Bulletin 16B – How to Complete the National Register Registration Form, [https://www.nps.gov/nr/publications/bulletins/nrb16b/nrb16b_ill.htm#name](https://www.nps.gov/nr/publications/bulletins/nrb16b/nrb16b_ill.htm#name).
The *North Shore National Register Historic District* encompasses numerous individual subdivisions platted and developed over several decades. In the case of this application, staff has determined that it is reasonable for this small cluster of homes known locally as "Mediterranean Row," which share a common history of development and are united by aesthetic style, to apply for designation as a local historic district. In the *North Shore Section – Mediterranean Row Local Historic District*, the name of the larger *North Shore National Register Historic District* is referenced through the prefix, *North Shore Section*. This is done to reference the significance of the larger National Register District, as well as the smaller collection of resources being discussed herein.

**RECOMMENDATION**

Given the *North Shore Section – Mediterranean Row Local Historic District*’s satisfaction of the criteria for designation as a local historic district to be added to the St. Petersburg Register of Historic Places, staff recommends **approval** of Case No. HPC 17-90300005, thus referring the issue to City Council for public hearing and a final determination.
REFERENCES


City of St. Petersburg. Plat for *Snell & Hamlett’s North Shore Addition*. Plat Book H3, Page 77. On file, City of St. Petersburg, FL.


United States Department of the Interior, National Park Service. *National Register Bulletin 16B – How to Complete the National Register Registration Form.*

[https://www.nps.gov/nr/publications/bulletins/nrb16a/nrb16a III.htm#name](https://www.nps.gov/nr/publications/bulletins/nrb16a/nrb16a III.htm#name)
Appendix A
Maps of Subject Property
Appendix B
Local Landmark Designation Application
# Local Landmark Designation Application

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### 7. DESCRIPTION

**Architectural Classification**
(See Appendix A for list)

- Mediterranean Revival

**Materials**

- Wood
- Brick
- Stucco

**Narrative Description**

On one or more continuation sheets describe the historic and existing condition of the property use conveying the following information: original location and setting; natural features; pre-historic man-made features; subdivision design; description of surrounding buildings; major alterations and present appearance; interior appearance;

### 8. NUMBER OF RESOURCES WITHIN PROPERTY

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Number of multiple property listings
100 Block of 19th Avenue NE
Name of Property

9. STATEMENT OF SIGNIFICANCE

Criteria for Significance
(mark one or more boxes for the appropriate criteria)

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

☐ Its location is the site of a significant local, state, or national event.

☐ It is identified with a person or persons who significantly contributed to the development of the City, state, or nation.

☐ It is identified as the work of a master builder, designer, or architect whose work has influenced the development of the City, state, or nation.

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

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

☒ Its character is a geographically definable area possessing a significant concentration, or continuity or sites, buildings, objects or structures united in past events or aesthetically by plan or physical development.

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

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

Areas of Significance
(see Attachment B for detailed list of categories)

Architecture

Community Planning and Development

Period of Significance
1924-1925

Significant Dates (date constructed & altered)
1924-1925

Significant Person(s)

Cultural Affiliation/Historic Period
Florida Land Boom

Builder
M.D. Welch

Architect
C.S. Moss

Narrative Statement of Significance
(Explain the significance of the property as it relates to the above criteria and information on one or more continuation sheets. Include biographical data on significant person(s), builder and architect, if known. Please use parenthetical notations, footnotes or endnotes for citations of work used.)

10. MAJOR BIBLIOGRAPHICAL REFERENCES

Please list bibliographical references.
St. Petersburg Local Landmark Designation Application

Name of property

Continuation Section

Page ____
BOUNDARY DESCRIPTION AND JUSTIFICATION

The boundary of the 100 Block of 19th Avenue NE Historic District encompasses the south side of 19th Avenue NE between First Street NE and Bay Street. The properties are within the Subdivision Plat of Snell & Hamlett's North Shore Addition, recorded in Pinellas County Plat Book H3 77. All properties on the block are listed in the National Register of Historic Places as contributing properties to the North Shore Historic District. The block is remarkably intact; all of the houses are Mediterranean Revival style architecture.

PHYSICAL DESCRIPTION

The district consists of relatively flat terrain composed of well-drained sandy soil. All of the houses are single family. The lots are 40' wide and 110' deep with the exception of 100 19th Avenue NE which is 60' wide. All of the properties on the block except #166 have detached garages (one with living space above), bringing the total number of structures within the district to 20. Sidewalks along Bay Street and 19th Avenue in this block are hexagonal block pavers that are natural concrete and dark gray concrete in color, and laid in a random pattern. Curbing is granite. Palm trees and tropical landscaping complete the block.

HOUSE DESCRIPTIONS

All 10 houses on the south side of 19th Avenue NE between 1st Avenue NE and Bay Street were built by the same contractor, M.D. Welch, for the Ray-Johnson Company. The architect for the project was C.S. Moss; all the houses represent the Mediterranean Revival style of architecture. Each of the 1 story houses was constructed with 6 rooms, a bathroom, and a 2-car garage.

100 19th Ave NE

This frame, stucco-clad Mediterranean Revival house was constructed in 1925 at a cost of $5,000. It has an irregular plan. The roof is flat with a hip roofed tower extension. Distinctive features include a west end brick chimney and decorative tile appliqués. The house has been altered by metal sash windows. In 1938, a bedroom was added to the rear of the house. Three windows and a door were added to existing openings in 1971.

114 19th Avenue NE

In 1925, this Mediterranean Revival, stucco-clad frame house was constructed for $6,500. It has a rectangular plan and a flat roof. The fenestration is double hung sash with 4/1 lights. A flat-roofed entrance porch with arched openings and knee wall extends from the façade. It has a west end brick chimney and decorative ceramic tile appliqués.
120 19th Ave NE

This 1 story house, also constructed 1925, cost $6,500 to build. The stucco over frame structure has a rectangular plan and a flat roof. The fenestration consists of double hung windows with 3/1 lights. It features a west end brick chimney. Anna Fahey added an apartment over the existing garage in 1946.

126 19th Ave. NE

The plan of this house is rectangular and is covered by a flat roof. A flat-roofed entrance porch with arched openings extends from the façade. Additional features include a west end brick chimney, a decorative terracotta crest and masonry window surrounds. The fenestration has been altered by the replacement of original windows with metal sash. The entrance porch has also been enclosed.

136 19th Ave NE

This 1 story, stucco-covered frame home was constructed by M.B. Welch in 1925, at a cost of $5,000. The plan is irregular with a flat-roofed gable extension. Fenestration consists of double-hung windows with 6/1 lights. The house has an exterior east end chimney and decorative ceramic tile appliqués and canals.

140 19th Ave NE

This 1 story rectangular plan house has a flat roof and a flat-roofed entrance porch with arched openings. It was constructed in 1925 by M.B. Welch. It features an exterior west end chimney. The fenestration has been altered by metal awning windows. In 1958, the entrance porch was enclosed.

146 19th Ave NE

This stucco over frame house has a rectangular plan and flat roof. The 6 rooms, 1 bathroom and 2-car garage was built at a cost of $6,500. The fenestration consists of pivot windows with 4 lights. The house features an exterior west end chimney and decorative ceramic tile appliqués.

156 19th Ave NE

This 6-room plus 1 bathroom house with 2-car garage was built in 1925, at a cost of $6,500. It has an irregular plan and a flat roof, as well as a gable tower extension. Fenestration consists of double-hung windows with 4/1 lights. It features an east end exterior brick chimney.
162 19th Ave NE

This house cost $6,500 to construct in 1925. The plan differs from most others on the block in that it is L-shaped. It has a flat roof with a flat-roofed extension. Fenestration consists of double-hung windows with 4/1 lights. It has an east end exterior brick chimney. Decorative features include ceramic tile appliqués and canals.

166 19th Ave NE

This house also features an L-shaped plan although it differs from #162 in that it has a gable roof, a cross-gable extension, and hip-roofed tower. It is constructed of stucco over frame. The fenestration consists of double hung windows with 8/8 lights and 9-lite casements. It also has an east end exterior chimney. A breezeway was constructed between the house and the garage in 1945. In 1973, jalousie windows were replaced in the Florida room by single hung windows.

SETTING

Located within the Historic old Northeast neighborhood between First Street and Bay Street, the 100 Block of 19th Avenue NE is two blocks east of the busy 4th Street corridor and fourteen blocks north of 5th Avenue, the southern boundary of the neighborhood. It is three blocks south of 22nd Avenue NE, a connector road which bisects the neighborhood east to west.

The majority of the zoning is single family. Until 1977, the entire neighborhood was zoned multi-family. Minor changes were made during this time until a major zoning effort for the entire city was undertaken in 2009. Remaining multi-family units were grandfathered, and many of those remain today, especially in the southern parts of the neighborhood.

The 100 Block of 19th Avenue NE has retained integrity of setting, design, materials, and workmanship. Modern alterations to the homes are minimal.

Retention of hex block sidewalks and granite curbs contribute to the integrity of the setting, as well as the palm trees in the parkway and landscaping.
SIGNIFICANCE

Community Planning and Development

(A) Its value is a significant reminder of the cultural or archaeological heritage of the City, state or nation.
(E) Its value as a building is recognized by the quality of its architecture, and it retains sufficient elements showing its architectural significance.
(F) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.
(G) Its character is a geographically definable area possessing a significant concentration or continuity of sites, buildings, objects or structures united in past events or aesthetically by plan or physical development.

The 100 Block of 19th Avenue NE meets four of the criteria set forth for historic designation. The houses maintain a high degree of integrity, with few significant changes made over their almost 100 years of existence.

The block displays a unique continuity within the confines of the National Register North Shore Historic District. All ten houses are in the Mediterranean Revival style of architecture, all were designed by the same architect, and all were constructed by the same builder for one company. They are all built of stucco over wood framing, a typical construction method of that era. Although all are in the same style and all were originally built with six rooms and one bathroom, the design of the houses is not identical; these are not the typical cookie-cutter houses often seen today. This unusual concentration of architectural style from a single developer/builder is unusual, and is noticed and appreciated by residents throughout the neighborhood.

The proposed 100 Block of 19th Avenue Northeast Historic District is an intact example of suburban development expanding from the core of St. Petersburg in the booming 1920s. The homes form a definable sub-neighborhood with unifying characteristics within the larger neighborhood. Those unifying characteristics include the hex block sidewalks (along Bay Street and 19th Avenue on this block), granite curbs and palm trees located in the parkway.

All of the houses in the proposed district are in the Mediterranean Revival style of architecture. Features of this style include flat roofs, stuccoed facades, flat-roofed entrance porches often with arched openings, and ceramic tile decoration. The style is noted for its adaptation to the the southern climate. Special attention is paid to ventilation and orientation to the sun. This was a very popular style in the warmer climates of Florida and California even though examples can be found across the country.
HISTORICAL CONTEXT

Development of Historic Old Northeast

On December 15, 1909, C. Perry Snell and James C. Hamlett formed the real estate company of Snell and Hamlett, and together began to purchase vast tracts of farmland and wilderness north of the downtown area stretching to the tip of Coffee Pot Bayou. These purchases became some of the earliest planned neighborhoods of St. Petersburg. One of the largest purchases was of the “Tinson-Tunno-Flannery Property” stretching from 9th Avenue North to Coffee Pot Bayou. At the request of the property owners, the City annexed this land in 1914. This land was divided into numerous small subdivisions, including the Bay View Subdivision which ran from 9th Avenue to 13th Avenue and from Locust Street west to 4th Street. The plat was filed on April 18, 1910 (Wells 2006, 50, 53, 54, 76).

Snell and Hamlett made many land improvements prior to selling the individual lots for development, including the Coffee Pot seawall, roads, sewers and gas lines. Snell also invested in a trolley line which ran along Locust Street to create easy access to the new subdivisions. Snell and Hamlett promoted the North Shore neighborhood as the premier residential section of St. Petersburg. Deed restrictions were placed on the properties sold requiring all homes face north or south, with the exceptions of corner lots. All homes were to cost a minimum of $5,000. Livestock was not permitted to be kept in the premises. African Americans were not permitted to live in the primary homes, though those employed by home owners could live in the accessory buildings. Individuals who purchased lots built homes of varying architectural styles, including Mediterranean, Craftsman, Prairie, Mission, Tudor, Colonial and vernacular versions of these styles.

Although a number of the houses were constructed in the teens, the majority of the land was developed in the 1920s, 30s, and 40s. Following World War II, predominantly one-story homes were built on the remaining lots. More recently, exceptionally large homes have replaced a number of homes located throughout the neighborhood, causing concern on the part of many residents.

The neighborhood grew until the boundaries included the land from Fifth Avenue North to Thirtieth Avenue North. The eastern boundary stretched from Tampa Bay north to Coffee Pot Bayou. The Fourth Street North Business District defines the western boundary. The waterfront became the site of grand homes facing the bay and a string of parkland stretching south to downtown. Throughout the rest of the neighborhood, more modest homes randomly alternate with larger ones, creating a unique blend of styles and sizes, appealing to a diverse group of homeowners.

The neighborhood’s early 20th century development pattern resulted in narrow, gridded streets with spacious sidewalks, alleys, and deep narrow lots. The homes were built in a traditional pattern with porches and entryways to the front and garages to the rear. Although most homes
are single-family, there are a number of small, high-quality early 20th century and mid-century modern apartment buildings located primarily in the southern part of the neighborhood.

Today, the neighborhood is still characterized by a diversity of architectural styles, waterfront green space, brick streets, granite curbs, hex block sidewalks and front porches. An enveloping street tree canopy reinforces the pedestrian quality of the neighborhood. Preserved waterfront parks form the eastern boundary of the neighborhood. To the west, on Fourth Street, Sunken Gardens has undergone major restoration and the business district is the site of redevelopment into a dining, retail and business corridor leading to downtown. The North Shore National Register District was created in 2003.

**Architect**

The architect for these 10 homes was C. Sedgwick Moss. Born in Iowa in 1891, Mr. Moss was living in Natchez, Mississippi in 1920 when he married Miss Abbie Lee. In 1923, they moved to St. Petersburg where he practiced his profession for 9 years.

During his residency in St. Petersburg, Mr. Moss designed commercial properties as well as personal residences. According to the St. Petersburg Times, he was the architect for the 3rd open-air theater built in the city. Like the houses on 19th Avenue NE, the Capitol Theater was designed in the Spanish revival style, with an inner patio serving as the “theater”.

The Mosses moved to Washington, DC after the birth of their son in 1932. During his professional career, Mr. Moss was a member of the American Institute of Architects (1929-1943).

**Builder**

M.D. Welch, the builder of these 10 homes, was from Rockville, Indiana where he was in the construction business with his father. According to the St. Petersburg Times, Mr. Welch was a prolific builder, constructing approximately 63 homes in a single year.

For a brief time, he was associated with another St. Petersburg builder, C.C. Clarkson, who educated him about building for a southern climate. He built homes in various architectural styles ranging from Colonial Revival, to Bungalow, to Mediterranean Revival.
BIBLIOGRAPHY


City of St. Petersburg. *Property Cards*. On file, City of St. Petersburg


*St. Petersburg Times*. 1925 - 1930


Straub, William, *History of Pinellas County, Florida*, 1929

Wells, Judy Lowe. *C. Perry Snell, His Place in St. Petersburg, Florida History*, 2006
Appendix C
Public Information Session Invitation, Sample Ballot,
and Summary of Returns
NOTICE OF INFORMATION SESSION
REGARDING THE POTENTIAL DESIGNATION OF A LOCAL HISTORIC DISTRICT

REQUEST: This is a letter of notice regarding an upcoming public information session.

The purpose of the meeting is to discuss the potential impacts of an owner-initiated application for the designation of a local historic district to the St. Petersburg Register of Historic Places.

The proposed district includes all parcels at the southern edge of 19th Avenue Northeast between First Street North and Bay Street Northeast.

FILE NO: 17-9030005
North Shore Section – Mediterranean Row Local Historic District (name to be determined)

DATE: Wednesday, October 11, 2017
TIME: 6:00 p.m.
PLACE: Westminster Presbyterian Church – 126 11th Avenue Northeast, St. Petersburg, FL 33701
MORE INFO: Laura Duvekot, Historic Preservationist, (727) 892-5451 or laura.duvekot@stpete.org

Ownership records indicate that you are an owner of property located within an area that may be nominated to the St. Petersburg Register of Historic Places as a local historic district. Earlier this month, you were notified of a meeting that was scheduled for September 13, 2017; that meeting was later cancelled because of the effects of Hurricane Irma. It has been re-scheduled for Wednesday, October 11.

The meeting will be an opportunity to learn about the process and impacts of local historic district designation and have questions or concerns addressed. No votes regarding the pursuit of designation will take place at this meeting; it is being held to assist you in making an informed decision for an upcoming vote.

The historic significance of this area has already been recognized through the 2003 listing of the North Shore Historic District in the National Register of Historic Places. Additional listing as a local historic district in the St. Petersburg Register of Historic Places would provide a heightened degree of protection intended to preserve the area’s character by encouraging sensitive changes over time.

Following the meeting on October 11th, City staff will mail an official ballot to each registered owner of all property within the proposed district. Votes in support of the application must be received from the registered owners of 50% plus one tax parcels in order for the application for district designation to proceed. Documentation of the district’s resources and a narrative discussion of its historic significance will also be submitted to City staff by the applicant along with an application fee.

If a sufficient number of votes of support are received, two public hearings will then be held as part of the designation process. During the first, the Community Planning and Preservation Commission will make a recommendation for or against approval of the application based on their determination of the proposed
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Instructions for Ballot to Determine Support/Opposition of an Application for the Designation of the Proposed North Shore Section – Mediterranean Row Local Historic District

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<td>Boundaries of</td>
<td>19th Avenue Northeast, the parallel alley to the south of 19th Avenue Northeast, First Street North, and Bay Street Northeast, as shown below.</td>
</tr>
<tr>
<td>Affected Area:</td>
<td></td>
</tr>
<tr>
<td>Legal Description:</td>
<td>Snell &amp; Hamlett’s North Shore Addition, Block 21, Lots 1 through 7.</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Guy Keirn</td>
</tr>
<tr>
<td>Request:</td>
<td>Listing of the North Shore Section – Mediterranean Row Local Historic District in the St. Petersburg Register of Historic Places</td>
</tr>
</tbody>
</table>

Dear Property Owner,

Per the St. Petersburg City Code, Historic and Archaeological Preservation Overlay, Section 16.30.070.2.5.2.a, you are receiving this notification and attached ballot because you are the owner of property that is located within a proposed local historic district. A public information session regarding this application, of which your household was directly noticed, was held on October 11, 2017 at Westminster Church. If you were unable to attend the meeting or have additional questions about the impacts of this proposal, please contact City staff using the information listed below.

The support of property owners representing more than 50% of the subject tax parcels is required for the application process to proceed. This vote will not finalize the designation of the above-referenced local historic district, rather it is required in order for the application to be considered by the Community Planning and Preservation Commission (CPPC) and the City Council.

Process for Tallying Votes
Each tax parcel is counted as one vote, regardless of the number of owners registered to that property. However, in the case of properties with multiple owners, each registered owner will receive a ballot and have the opportunity to vote. If ballots representing conflicting votes among multiple owners of a single tax parcel are received, the vote for that parcel will be counted as a vote of non-support. If there are multiple owners of a property and only one ballot has been received by Friday, December 22, 2017, then the vote indicated on the returned ballot will be counted for the entire parcel. Properties from which no ballot has been returned by December 22, 2017 will be considered to express nonsupport/opposition.

There are ten (10) properties within the proposed district. If support from the owners of six (6) properties and all other materials required for the submission of a designation application, including an application fee, have been provided to the City, then the district application will be certified complete and proceed to quasi-judicial hearing and review by the CPPC. Once a district application has been certified complete, no permits shall be issued for any exterior alterations, demolitions, or new construction, except in cases of ordinary repair and maintenance, until the City Council has rendered a final decision on the designation request.

Next Steps in the Designation Process
Both you, as a property owner, and the owners of properties within 200 feet of the proposed boundary, will be notified a minimum of ten days prior to the CPPC quasi-judicial hearing. This hearing will include a presentation by City staff of an analysis of the potential district’s historic significance and integrity. This will be followed by a presentation from the applicant and an opportunity for public input. After hearing from staff, the applicant, and any interested parties, the CPPC will vote for or against recommendation of designation of the proposed district.
Within 60 days following the CPPC meeting, the City Council will evaluate the proposed district designation at a quasi-judicial hearing. Property owners and owners of properties within 200 feet of the proposed boundary will again be notified a minimum of ten days prior to the quasi-judicial hearing of its time and location. The hearing will be conducted in the same manner as the CPPC hearing and followed by a discussion and final decision of the City Council.

**Impacts Should the Proposed District Application Be Approved**

If the application is approved by the City Council, your property will be recorded as either a contributing or non-contributing property within the local district. As such, a Certificate of Appropriateness (COA) will be required for future exterior alteration, new construction, demolition, or relocation. The COA process is essentially a design review that is generally conducted concurrently with the issuance of other necessary building or demolition permits. The process, which has recently been streamlined, is not designed to hinder owners’ ability to update and maintain their properties, but aims to ensure the sensitivity of alterations and additions to the historic nature of a designated district or individual local landmark.

**Ballot Remittance and Status Updates**

Contact Laura Duvekot, Historic Preservationist, at 727.892.5451/laura.duvekot@stpete.org or visit [www.stpete.org/history](http://www.stpete.org/history) for further information on the City’s historic preservation program and this application.

**Please consider your choice of support or opposition/nonsupport and return the attached ballot to:**

Official Ballot, Mediterranean Row LHD  
c/o Laura Duvekot  
Urban Planning & Historic Preservation Division  
PO Box 2842  
St. Petersburg, Fl 33731-2842

Signed ballots must be postmarked on or before Friday, December 22, 2017 or delivered in person by 4pm on that date to the Urban Planning & Historic Preservation Division, 8th Floor, Municipal Services Center, One Fourth Street North, St. Petersburg. Please note that the results of this vote are not exempt from relevant public records laws.

Respectfully,

Derek Kilborn, Manager  
Urban Planning & Historic Preservation Division  
Planning and Economic Development Department

cc: Dave Goodwin, Director, Planning & Economic Development Department  
Michael Dema, Assistant City Attorney, City Attorney’s Office

October 23, 2017  
Page 2 of 2
I, ________________________________, owner of the property located at ________________________________, St. Petersburg, Florida 33704,

☐ SUPPORT
☐ DO NOT SUPPORT

the initiation of an application for designation of the North Shore Section – Mediterranean Row Local Historic District in the St. Petersburg Register of Historic Places. The proposed district boundary includes the ten properties between 19th Avenue Northeast, the alley that parallels 19th Avenue Northeast to the south, First Street North, and Bay Street Northeast.

A forged signature is an illegal signature that may be prosecuted accordingly; the City of St. Petersburg reserves the right to verify signature authenticity with the ballot recipient.

(Signature) (Date)

Ballot Instructions:

Please sign and return this ballot on or before Friday, December 22, 2017. The ballot may be:

- Delivered in person to the Urban Planning and Historic Preservation Division, 8th Floor of the Municipal Services Center, One Fourth Street North, St. Petersburg, FL 33701;
- Mailed to Official Ballot, Mediterranean Row LHD c/o Laura Duvekot, Urban Planning & Historic Preservation Division, PO Box 2842, St. Petersburg, FL 33731-2842.

A demonstration of support from 50% + one (1) of the tax parcels located within the proposed boundary is required for this application to proceed to the Community Planning & Preservation Commission (CPPC) and City Council. The final decision regarding this application will be determined by City Council action, not by the outcome of this vote. The application will be deemed complete immediately upon receipt of: “support” votes representing at least six (6) of the ten (10) tax parcels within the proposed district a complete application for the designation of the proposed area as a local historic district, and a processing fee from the applicant.

The response for each tax parcel will be counted as one (1) vote; in the case of conflicting votes among multiple owners of a single tax parcel, the vote will be counted as nonsupport. If there are multiple owners of a property and only one ballot has been received by December 22, 2017, then the vote indicated on the returned ballot will be counted for the entire parcel. Following return of the ballot, your position may not be changed.

Ballots not received or postmarked on or before December 22, 2017 will be recorded as a nonresponse and counted as a “do not support” vote, except among multiple owners of a single tax parcel where one or more ballots have been remitted. These will be recorded as described above.

This vote is to initiate the application process only; it does not finalize the decision of whether a historic district will be officially created. If sufficient support is demonstrated and the application forwarded to the CPPC and City Council, you will be given a minimum of 10 days’ notice of the public hearings at which you may provide input regarding the potential district designation.
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<tr>
<th>Tally</th>
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Appendix D
Additional Staff Photos
Streetscapes and Landscape Elements

Hexagonal concrete block sidewalk, facing east

Homes within proposed district, facing east
Homes within proposed district, facing west

Detached garages and alleyway to south of primary residences within proposed district, facing west
100 19th Avenue Northeast
114 19th Avenue Northeast
136 19th Avenue Northeast
140 19<sup>th</sup> Avenue Northeast
146 19th Avenue Northeast
MEMORANDUM
City Council
Meeting of March 15, 2018

To:       The Honorable Lisa Wheeler-Bowman, Chair and City Council Members
Date:     March 1, 2017
Subject:  Duke Energy Solar Parking Canopy at the Pier District: Letter of Understanding with Key Business Points

OVERVIEW
Collaborating with community partners is a core value for the city including work with multiple organizations in the development of the Pier District. Duke Energy Florida (DEF) has proposed a solar photo-voltaic (PV) collaboration as part of the Pier District. The concept consists of a solar PV parking canopy over a portion of the Pelican Parking Lot. This design considers the possibility of a future restaurant footprint and daily access needs.

The solar project would be from 400 kW - 600 kW, with an estimated cost of up to $2 million. DEF would own the system and be responsible for the design, permitting, construction, and maintenance for the life of the system. This project would add solar to Duke’s portfolio in a highly developed area which is a challenge in this region. The benefits to the St. Petersburg citizens include:

- Shaded parking
- Education (to be tied to the Education building) and visibility of solar panels
- Unique collaboration to meet goals for transitioning to 100% Clean Energy
- Infrastructure for future city ownership of renewable project
- Lease income to offset operation costs
- Supports theme of a sustainable Pier District

Other considerations include the potential for battery backup and connections for EV charging station which the city would likely be responsible for implementing.

On January 4, 2018, City Council supported Administration continuing discussions with DEF and requested that Administration provide more details at a later date. Mayor Kriseman and the President of DEF, Harry Sideris, have signed a Letter of Understanding (attached) with Key Business Points. The attached resolution is for further support from City Council on moving forward with a lease negotiation consistent with the Key Business Points in the signed Letter of Understanding.
February 20, 2018

Harry Sideris
299 1st Avenue North
St. Petersburg, Florida 33701

Re: Letter of Understanding

Dear Mr. Sideris:

This Letter of Understanding ("Letter") is to confirm that both the City of St. Petersburg, Florida ("City"), and Duke Energy Florida ("DEF") are interested in moving forward with negotiation of an agreement for DEF, at its own costs and expense, to design, construct, and maintain a solar photovoltaic ("PV") car canopy on a portion of the City's Pelican Parking Lot, which area is generally represented on Exhibit A attached hereto.

The City and DEF agree to negotiate an agreement in good faith. The final agreement will be consistent with the following key business points:

- DEF, at its own costs and expense, shall design, permit, construct, and maintain a solar PV car canopy ("Solar Canopy" or the "Facility") on a portion of the Pelican Parking Lot, maximizing energy production with design opportunities and constraints to produce between 400kW and 650 kW of solar energy. The Solar Canopy will be designed and built to DEF technical specifications.
- The energy from the Facility will be grid-tied and DEF shall retain the Solar Renewable Energy Credits (RECs) on behalf of the DEF customers.
- The life expectancy of the Solar Canopy shall be thirty (30) years.
- The term of the agreement will be the maximum allowed by the City Charter (i.e., 10 years) with the right to request a renewal.
- The base rent to be paid by DEF to the City shall be $12,000 per year.
- DEF shall design and construct the Solar Canopy to DEF technical standards and ensure consistency with the aesthetics of the Pier District, and to the extent practicable, will design the Facility to incorporate future technologies and products including vehicle charging stations and energy storage.
- The City shall have the right to provide comments and approve the preliminary design and location of the Solar Canopy during engineering of the project. This review will include the approval of the preliminary layout, 30% design and 90% design. City will provide comments to each design phase within five (5) business days after being presented with the preliminary design.
- DEF shall coordinate its design work and construction with the City's contractor constructing the Pier Approach ("Skanska"), the design teams providing services related to the Pier, Pier Approach and Pelican Parking Lot Restaurant, and any other contractor performing work at the Pier District. If any re-work and/or redesign of the City's plans for the Pelican Parking Lot are needed due to the Facility, the City will provide DEF an estimate of the fees and costs for such re-work and/or
redesign. DEF shall notify the City within forty-eight hours that it either (i) approves such fees and costs or (ii) plans to consider other design options so that no rework and/or redesign of the City's plan is necessary.

- DEF is not responsible for any costs associated with the construction, operation or maintenance of the parking lot.
- DEF shall provide lighting mounted to the Solar Canopy that is consistent with DEF standards, sufficient to provide illumination of the parking spaces below, and consistent with the footcandle levels, aesthetics, and quality of lighting at other Pier parking lots.
- DEF shall provide educational (i.e., informational) signage, at its own costs and expense; provided that such signage shall be subject to City approval to ensure (i) consistency with Pier District aesthetics and messaging and (ii) compliance with applicable laws (e.g., City sign ordinance, as may be amended from time to time).
- Subject to applicable laws including but not limited to the City's sign ordinance as may be amended from time to time, the City shall allow DEF to affix its logos at the Facility at select locations discussed and agreed to in the preliminary design of the Facility.
- The agreement will include the indemnification and insurance provisions agreed upon by the City and DEF. DEF may self-insure to meet the insurance requirements. Until construction of the Pier District is completed, Skanska shall be listed as an additional insured on any insurance obtained by DEF or its contractor(s).
- Upon expiration or earlier termination of the agreement, DEF shall be responsible for returning the site to the original condition (i.e. removal of Solar Canopy), unless otherwise agreed upon by the parties in writing.
- DEF agrees to meet with the City, Colliers (Pier District Manager), and the tenant of the Education Center not less than twice annually to discuss education opportunities at the Pier District.

During the negotiation period, the City will work cooperatively with DEF to provide available information that may be necessary for DEF to evaluate the feasibility of the Solar Canopy. The City shall have no liability or responsibility for any costs and expenses incurred by DEF related to this Letter and/or the Solar Canopy.

This Letter is governed by the laws of Florida. This Letter may be amended at any time by mutual written agreement of the City and DEF. Neither party may assign this Letter without the prior written consent of the other party.

This Letter is sufficient to support evidence of site control to allow for DEF to file for an interconnection request.

This Letter expresses the intent of the signatories hereto, but it is not a legally binding agreement and is not intended to confer remedies on any party in the event of its breach, including but not limited to any remedies for failure to successfully negotiate the agreement. No signatory or third party is entitled to rely on the commitments set forth
herein unless and until a legally binding agreement incorporating the provisions stated in this Letter has been fully approved and executed by all necessary City officials.

IN WITNESS WHEREOF, both have caused this Letter of Understanding to be executed as of this 27th day of February, 2018.

DUKE ENERGY FLORIDA, LLC

By: 
Print: 
Title: President, Duke Energy Florida

CITY OF ST. PETERSBURG, FLORIDA

By: 
Print: 
Title: Mayor.
A RESOLUTION APPROVING THE KEY BUSINESS POINTS FOR DUKE ENERGY FLORIDA TO DESIGN, PERMIT, CONSTRUCT, AND MAINTAIN A SOLAR PHOTOVOLTAIC CAR CANOPY ON A PORTION OF THE PELICAN PARKING LOT; SUPPORTING ADMINISTRATION’S NEGOTIATION OF A LEASE AGREEMENT, WHICH SHALL INCLUDE TERMS AND CONDITIONS CONSISTENT WITH THE KEY BUSINESS POINTS; PROVIDING THAT SUCH LEASE AGREEMENT IS SUBJECT TO CITY COUNCIL APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 4, 2018, City Council passed Resolution No. 2018-18 supporting Administration continuing discussions with Duke Energy regarding a solar photovoltaic parking canopy on a portion of the Pelican Parking Lot; and

WHEREAS, Duke Energy Florida (“DEF”) is proposing to design, permit, construct, and maintain a solar photovoltaic parking canopy on a portion of the Pelican Parking Lot at its own costs and expense; and

WHEREAS, Administration and DEF have executed a Letter of Understanding which sets forth the Key Business Points for DEF to design, permit, construct, and maintain a solar photovoltaic parking canopy on a portion of the Pelican Parking Lot; and

WHEREAS, the mutually agreed upon Key Business Points set forth in the Letter of Understanding is attached to this resolution and made a part hereof; and

WHEREAS, Administration requests that City Council approve the Key Business Points for DEF to design, permit, construct, and maintain a solar photovoltaic parking canopy on a portion of the Pelican Parking Lot and support Administration’s negotiation of a Lease Agreement.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the attached Key Business Points for Duke Energy Florida to design, permit, construct, and maintain a solar photovoltaic parking canopy on a portion of the Pelican Parking Lot are hereby approved.

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

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

This Resolution shall become effective immediately upon its adoption.

Approvals

City Attorney (Designee)

Administration
TO: The Honorable Lisa Wheeler-Bowman, City Council Chair; Members of City Council
FROM: Chris Ballestra, Managing Director of Development Coordination and Interim Enterprise Facilities Director
SUBJECT: Approving a five-year naming rights agreement with Big 3 Entertainment and Crown Automotive Management pursuant to which the Mahaffey Theater parking garage will be named the “Crown Cars Parking Garage”

EXPLANATION:

Big 3 Entertainment, LLC, (“Big 3”) currently serves as the manager of the Mahaffey Theater Facility pursuant to the March 17, 2016 Amended and Restated Management Agreement between the City and the Big 3. In exchange for shifting responsibility for any operating deficit from the City to Big 3, this agreement provided Big 3 with the right to sell naming rights for portions of the Mahaffey Theater facility and to share in the naming rights proceeds as follows:

- The first $250,000 is paid to Big 3.
- The next $75,000 (i.e., exceeding $250,000 and up to $325,000) is retained by the City.
- Anything exceeding $325,000 is split evenly between Big 3 and the City.

On February 2, 2017, Big 3 presented a naming rights plan that identified specific portions of the Mahaffey Theater Facility to be named (including the main hall, parking garage, and box office) and desired prices for those naming rights, and City Council acknowledged receipt of that plan pursuant to resolution 2017-67.

On October 5, 2017, to eliminate the need to pass both an ordinance and a resolution to approve temporary naming for sponsorship purposes at the Mahaffey Theater Facility, City Code section 2-512 (which governs the naming of City lands, facilities, and buildings) was amended pursuant to ordinance 305-H. This amendment allowed City Council to approve the temporary naming of portions of the Mahaffey Theater Facility solely by resolution approving a naming rights agreement approved in accordance with City Code section 2-239.
Big 3 and City staff have now negotiated the initial deal for naming rights at Mahaffey Theater and have prepared a naming rights agreement to document the conditions of that sale. This deal provides naming rights for the Theater facility’s parking garage to Crown Automotive Management, Inc., pursuant to a five-year naming rights agreement between the City, Big 3, and Crown. Key provisions of this agreement, which is attached for your review, include the following:

- During the term of the agreement, the parking garage will be named the “Crown Cars Parking Garage.”

- In return for these naming rights Crown will pay annual fees totaling $365,000 ($75,000 annually during the first three years and $70,000 annually during the final two years). Crown will also pay an initial, one-time signage fee of $40,000 to cover fabrication and installation of exterior sponsorship signage. These fees will be divided between Big 3 and the City pursuant to the terms of the management agreement described above.

- Exterior signage will be affixed to the northwest and southwest faces of the parking garage, as shown in appendix D of the agreement. This signage, which will be illuminated at night, is consistent with the City’s Sign Code. At the conclusion of the term of the agreement, the sign face will be turned over to Crown, but the City will retain ownership of the sign cabinet.

- The costs associated with providing the naming rights pursuant to the agreement are allocated to Big 3, including maintaining the signage during the agreement and removing the signage following the agreement.

- Due to the economic nature of the sale of naming rights, it would be difficult to ascertain the actual amount of damages flowing from a breach of this agreement. Accordingly, the exclusive remedy available to each party in the event of a breach will be liquidated damages based on the amount of the most recent payment of the annual fee, as described in section 6.5 of the agreement.

- At the conclusion of the initial five-year term, this agreement may be renewed for successive five-year terms subject to negotiation of a new annual fee and approval by resolution of City Council.

COST/FUNDING/ASSESSMENT INFORMATION:

N/A.
ATTACHMENTS:

1. Resolution
2. Naming rights agreement

APPROVALS:

[Signature]

Administration:
RESOLUTION NO. 2018-

A RESOLUTION REGARDING NAMING RIGHTS FOR THE PARKING GARAGE AT THE MAHAFFEY THEATER; APPROVING THE SALE OF SUCH NAMING RIGHTS PURSUANT TO A FIVE-YEAR NAMING RIGHTS AGREEMENT WITH BIG 3 ENTERTAINMENT, LLC, AND CROWN AUTOMOTIVE MANAGEMENT, INC., PURSUANT TO WHICH THE PARKING GARAGE WILL BE NAMED THE “CROWN CARS PARKING GARAGE;” AUTHORIZING EXECUTION OF SUCH AGREEMENT AND CERTAIN NON-SUBSTANTIVE CHANGES AND AMENDMENTS TO SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is the owner of a cultural center currently known as the “Duke Energy Center for the Arts” that is located on the City-owned parcel identified as the “Bayfront Center” on the Park and Waterfront Map incorporated into the City Charter; and

WHEREAS, within that cultural center is a performing arts facility comprised of a number of related amenities, including the Mahaffey Theater building, a parking garage, surface parking, and a civic plaza (collectively, the “Theater Facility”); and

WHEREAS, the Theater Facility is currently managed, operated, maintained, and marketed by Big 3 Entertainment, LLC, (the “Manager”) pursuant to the March 17, 2016 Amended and Restated Management Agreement between the City and the Manager (the “Management Agreement”); and

WHEREAS, in accordance with the Management Agreement and as acknowledged by City Council on February 2, 2017, in resolution 2017-67, the Manager is raising additional funds for the operation of the Theater Facility through the sale of naming rights for selected portions of the Theater Facility, including the main hall, parking garage, and box office; and

WHEREAS, pursuant to City Code section 2-512, City Council may approve the naming of any portion of the Theater Facility for a five-year period pursuant to a naming rights agreement approved by resolution in accordance with City Code section 2-239; and
WHEREAS, the Manager and Administration have negotiated the sale of naming rights for the Theater Facility’s parking garage (the “Space”) to Crown Automotive Management, Inc., (the “Sponsor”) pursuant to which the Space will be named the “Crown Cars Parking Garage” for a five-year period subject to certain conditions set forth in a naming rights agreement between the City, the Manager, and the Sponsor (the “Naming Rights Agreement”); and

WHEREAS, in accordance with the May 13, 2006 Agreement Regarding Naming Rights between the City and Progress Energy Service Company, LLC, the City has obtained consent from Duke Energy as to the naming and exterior signage set forth in the Naming Rights Agreement; and

WHEREAS, the City Council now desires to approve the sale of naming rights as set forth in the Naming Rights Agreement, in accordance with applicable provisions of the City Code and the Management Agreement.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of St. Petersburg, Florida, that:

1. Pursuant to City Code sections 2-239 and 2-512(e), the Space will be named the “Crown Cars Parking Garage” throughout the term of the Naming Rights Agreement and subject to the conditions set forth in the Naming Rights Agreement.

2. The Mayor or his designee is authorized to execute the Naming Rights Agreement and any other document necessary to effectuate the naming of the Space as set forth in this resolution.

3. The City Attorney’s Office is authorized to make non-substantive changes to the Naming Rights Agreement to correct typographical errors and to clarify provisions of the Naming Rights Agreement to conform to City Council’s direction.

4. The Mayor or his designee is authorized to execute any amendment to the Naming Rights Agreement or other document necessary to reflect (i) changes to the Sponsor’s logo; (ii) changes to Sponsor-related signage necessitated by an amendment of City Code; or (iii) assignment of the Naming Rights Agreement from the Manager to a successor management company.

This resolution will become effective immediately upon adoption.

Approved as to form and content:

[Signatures]

City Attorney (Designee)  Administration
This naming rights agreement (the "Agreement") is made between the City of St. Petersburg, Florida, (the "City"); Big 3 Entertainment, LLC, a Florida limited liability company, (the "Manager"); and Crown Automotive Management, Inc., a Florida corporation d/b/a Crown Automotive Group, (the "Sponsor") (collectively, the "Parties" and each, a "Party").

The City is the owner of a cultural center located in downtown St. Petersburg that serves as a highly visible attraction for both local residents and tourists (collectively, the "Center").

Duke Energy Florida, LLC, ("Duke") currently holds the overall naming rights to the Center pursuant to the May 13, 2006 Agreement Regarding Naming Rights between the City and Progress Energy Service Company, LLC (the "Center Agreement"), and pursuant to the Center Agreement, the official name of the Center is currently the "Duke Energy Center for the Arts" (the "Center Name").

Within the Center is a performing arts facility that is comprised of a number of related amenities including the Mahaffey Theater building (the "Theater"), a parking garage, surface parking, and a civic plaza (collectively, the "Theater Facility").

The Manager currently serves as the manager of the Theater Facility pursuant to the March 17, 2016 Amended and Restated Management Agreement between the City and the Manager (the "Management Agreement"), and pursuant to the Management Agreement, the official name of the Theater is currently "The Duke Energy Center for the Arts, Mahaffey Theater" (the "Theater Name").

The Manager now desires to sell naming rights to certain portions of the Theater Facility pursuant to section 29 of the Management Agreement, and the Sponsor desires to purchase such naming rights for the Theater Facility’s parking garage, which is more particularly described in appendix A to this Agreement (the "Space").

In consideration of the foregoing recitals, each which constitutes an integral part of this Agreement, the Parties agree as follows:

ARTICLE 1
NAMING

1.1 Space Name: Each Party shall refer to the Space as the "Crown Cars Parking Garage" (the "Space Name").
1.2 **Sponsor Name:** When referring to the Sponsor in connection with the Space, each Party shall identify the Sponsor as “Crown Automotive Group” (the “Sponsor Name”).

1.3 **Sponsor Logo:**

(a) The current version of the Sponsor’s logo (the “Sponsor Logo”) is depicted in appendix B. The City and the Manager shall use the Sponsor Logo in accordance with the Sponsor IP Guidelines, as defined in section 5.2.

(b) The Sponsor shall provide the Manager and the City with versions of the Sponsor Logo in such formats and sizes as may be needed for either the Manager or the City to perform in accordance with this Agreement. The Manager and the City shall use only those versions of the Sponsor Logo that conform to the Sponsor IP Guidelines or that have been provided by the Sponsor, and any version of the Sponsor Logo provided by the Sponsor is deemed to comply with the Sponsor IP Guidelines.

(c) If the Sponsor provides the Manager and the City with a materially different version of the Sponsor Logo, the parties shall negotiate in good faith to execute an amendment to this Agreement as needed to reflect the new Sponsor Logo, including applicable changes to the Sponsor IP Guidelines. Following execution of that amendment, the Manager and the City shall use the new version of the Sponsor Logo, subject to the Sponsor’s obligation to pay certain Change Costs in accordance with section 4.4.

(d) The Sponsor acknowledges that naming the Space pursuant to this Agreement does not authorize the creation or use of any logo specific to the Space, and the Sponsor shall not create or use any such Space-specific logo.

1.4 **Promotions and Advertisements:** Unless the City and the Manager provide, in advance, written approval and a grant of applicable intellectual property rights, the Sponsor shall not use the Center Name, Center Logo, Theater Name, Theater Logo, or Space Name in any promotion or advertisement on television, radio, print, posters, flyers, newspapers, or any other form of communications media.

1.5 **Acknowledgment of Duke Rights:**

(a) The Sponsor acknowledges that, pursuant to section 15.2 of the Center Agreement, Duke has the right to assume sponsorship of any advertising or promotional event held in the Space.

(b) The Sponsor acknowledges that Duke has certain rights of exclusivity pursuant to section 8 of the Center Agreement. Accordingly, the Sponsor warrants that it is not an entity involved
directly or indirectly or through a parent, subsidiary, or affiliated industry in the energy industry or in any energy-related business that competes with Duke.

1.6 Exclusivity:

(a) The naming rights for the Space granted to the Sponsor pursuant to this article 1 are exclusive. Accordingly, the City and the Manager shall not provide the right to name any portion of the Space to any third party.

(b) Except as otherwise provided by this section 1.6, the Manager and the City shall not provide the right to name any other portion of the Theater Facility to any third party that primarily engages in automobile sales.

(c) The limitations imposed by section 1.6(b) do not apply to (i) any advertiser at the Theater Facility; (ii) any promoter or sponsor of an event held at the Theater Facility; or (iii) any promoter or sponsor of a Race Event or an activity related to a Race Event, as discussed in section 2.5.

(d) The Manager or the City may request in writing that the Sponsor acknowledge that a particular third party is not precluded from receiving naming rights at the Theater Facility pursuant to section 1.6(b). Following such a request, that third party is deemed to be outside the scope of section 1.6(b) if the Sponsor either (i) provides the requested acknowledgment or (ii) fails to respond to the request in the 30 days following the receipt of that request.

ARTICLE 2
SIGNAGE

2.1 Signage: No later than 30 days after the Sponsor’s payment of the Signage Fee in accordance with section 4.2, the Manager shall provide the Sponsor with recognition at the Theater Facility through interior signage substantially similar to the signage described in appendix C and through exterior signage substantially similar to the signage described in appendix D (collectively, “Signage”). Except as explicitly provided in appendix C or appendix D, all Signage is property of the City.

2.2 Subordination to City Code: The Sponsor acknowledges that this Agreement is subordinate to provisions of the St. Petersburg City Code, as it may be amended from time to time, (“City Code”) that regulate the size, placement, and appearance of exterior Signage.

2.3 Conformity with City Code: The City has determined that the Signage conforms to City Code as of the drafting of this Agreement. The Sponsor acknowledges, however, that the City Code may be revised such that the Signage no longer conforms to City Code. If that occurs and some action is taken that requires, pursuant to City Code section 16.40.120.3.5 or other applicable law,
the nonconforming Signage to be brought into conformity (e.g., relocation of the nonconforming Signage), the Parties shall resolve such nonconformity as follows:

(a) The City shall provide the Manager and the Sponsor with a description of the nonconforming Signage.

(b) If the Manager can modify the nonconforming Signage in such a manner that it conforms to the revised City Code and with this Agreement, the Manager shall do so.

(c) If the Manager cannot modify the nonconforming Signage as described in subsection (b), then (i) the Manager shall remove the nonconforming Signage, with such removal not constituting a breach of this Agreement, and (ii) the Parties shall negotiate in good faith regarding an amendment to this Agreement providing alternative Signage that conforms to the revised City Code. If after engaging in such good-faith negotiations, a Party determines that an amendment to provide alternative, conforming Signage is not possible, that Party may declare the negotiations to be at an impasse and terminate this Agreement.

(d) If Sponsor terminates this Agreement in accordance with section 2.3(c), the City and the Manager shall provide the Sponsor with a pro rata refund of the Sponsor’s most recent payment of the Annual Fee. For example, if, six months prior to termination, the Sponsor paid an Annual Fee of $10,000, the Sponsor would receive a refund of $5,000 (i.e., half the amount of the previous payment). The City and the Manager shall be equally responsible for this refund.

2.4 Acknowledgment of Duke Rights: The Sponsor acknowledges the following conditions concerning signage at the Center that are imposed by section 4.2 of the Center Agreement: (i) any Signage may be subject to approval by Duke; (ii) the Center Name and Center Logo may appear in prominent locations within this Space; and (iii) any exterior Signage may include the Center Name and Center Logo.

2.5 Race Events: The Sponsor acknowledges that racing events are held in the vicinity of the Center on an annual basis (each a “Race Event”) and that, as a result of a Race Event or activities related to a Race Event, exposure for the Signage and the Space may be reduced due to any of the following conditions (i) the closure of the Theater Facility to the general public or (ii) the placement of temporary signage, streamers, pennants, banners, vehicles, structures, or other obstructions in and around the Center that obstruct or conceal Signage or the Space. None of the conditions set forth in this section 2.5 constitutes a breach of this Agreement or entitles the Sponsor to any reduction in the Annual Fee or any other fee or cost imposed on the Sponsor by this Agreement.
ARTICLE 3
TERM

3.1 **Conditions Precedent:** This Agreement is effective only when all of the following conditions precedent to formation have been satisfied:

(a) The City Council has approved the naming of the Space and this Agreement in accordance with applicable law.

(b) Duke has provided written consent to the terms of this Agreement to the extent that such consent is required.

(c) Each Party has signed this Agreement.

3.2 **Effective Date and Term:** The date on which the City or Manager provides Sponsor with written confirmation that the last of the conditions specified in section 3.1 is satisfied will be deemed the "**Effective Date**" of this Agreement, and this Agreement will continue for a term of five years from that Effective Date unless earlier terminated pursuant to the terms of this Agreement.

3.3 **Renewal:** This Agreement may be renewed for successive terms upon agreement of the Parties in accordance with this section 3.3.

(a) Each renewal of this Agreement must include an amendment to appendix E to provide for the Annual Fee or Signage Fee (if any) to be paid by the Sponsor during the renewal term. Otherwise, at the start of any renewal term, the Agreement will continue on the same terms that were in effect at the conclusion of the immediately preceding term unless otherwise specified in the renewal.

(b) The Sponsor acknowledges that the City's agreement to a renewal term requires adoption of a resolution of City Council in accordance with City Code section 2-512(e) and that adoption of such a resolution is a time-consuming legislative process. Accordingly, the City and the Manager may secure Sponsor's agreement to a renewal term in accordance with the following process:

(i) During the final 180 days of a term but at least 90 days before the end of that term, the City and the Manager may notify the Sponsor that the City and the Manager desire to renew this Agreement in accordance with subsection (a).

(ii) In the 30 days following receipt of such notice from the City and the Manager, the Sponsor may agree to the proposed renewal, reject the proposed renewal, or propose renewal upon different terms.
(iii) If the Sponsor fails to respond to the City and the Manager in that 30-day period, the Sponsor is deemed to have agreed to the renewal of this Agreement proposed by the City and the Manager and shall execute any documentation needed to document such renewal.

(c) The process set forth in subsection (b) does not preclude Sponsor from agreeing to, rejecting, or negotiating renewal in any other manner or at any other time.

ARTICLE 4
FEES AND COSTS

4.1 Annual Fee: The Sponsor shall pay for the naming rights provided pursuant to this Agreement through an annual fee in accordance with the payment schedule set forth in appendix E to this Agreement (the “Annual Fee”).

4.2 Initial Signage Fee: The Sponsor shall pay for the initial costs of designing, fabricating, and installing the Signage pursuant to a signage fee in accordance with the payment schedule set forth in appendix E to this Agreement (the “Signage Fee”).

4.3 Manager’s Costs: Unless this Agreement or the Management Agreement explicitly imposes such cost upon another Party, the Manager shall be solely responsible for any cost incurred by the Manager in the course of performing this Agreement (including maintenance of Signage) or terminating this Agreement (including removal of Signage following termination).

4.4 Costs Due to Change in Name or Logo:

(a) For purposes of this Agreement, “Change Cost” means any cost that is incurred by a Party that results from a change to any of the following: (i) Center Name, (ii) Theater Name, (iii) Sponsor Name, (iv) Space Name, (v) Center Logo, (vi) Theater Logo, or (vii) Sponsor Logo.

(b) The Sponsor acknowledges that the Center Name, Center Logo, Theater Name, and Theater Logo may be changed at any time and without advance notice to the Sponsor. In the event any such change occurs, the Manager shall reimburse the Sponsor for any Change Cost incurred by the Sponsor as the result of that change.

(c) Except as limited by subsection (d), the Sponsor shall be responsible for any Change Cost incurred by any Party that results from (i) a change in the Sponsor Name or Sponsor Logo; (ii) assignment of this Agreement by the Sponsor to an affiliate or subsidiary pursuant to section 7.1; (iii) termination of this Agreement due to the Sponsor’s Default; or (iv) any other reason attributable to the Sponsor.
(d) The Sponsor shall not be responsible for any Change Cost incurred by the Manager or the City as the result from (i) the Sponsor’s decision not to renew this Agreement for any additional term or (ii) any Party’s decision to terminate this Agreement pursuant to section 2.3(c). But this subsection (d) does not limit Sponsor’s liability in the event this Agreement is terminated due to Sponsor’s Default.

4.5 Invoicing and Payment: The City shall invoice the Sponsor for the Annual Fee, any applicable Signage Fee, and any other fee or cost due from the Sponsor pursuant to this Agreement. The Sponsor shall remit payment to the City no later than 30 days after receiving such an invoice and in accordance with any procedure established by the City for such payment.

4.6 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 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.

ARTICLE 5
INTELLECTUAL PROPERTY RIGHTS

5.1 Definition: “Sponsor IP” means, collectively, the Sponsor Name, the Sponsor Logo, and any other intellectual property right held by the Sponsor that either the City or the Manager is required or authorized to use pursuant to this Agreement, as such Sponsor IP may be modified, supplemented, or replaced from time to time.

5.2 Usage Guidelines: Included in appendix B, along with the Sponsor Logo, are all applicable guidelines for acceptable usage of the Sponsor IP by the City or the Manager (collectively, the “Sponsor IP Guidelines”). The City and the Manager shall follow the Sponsor IP Guidelines when using any Sponsor IP in connection with the Space unless the Sponsor has provided prior written approval to an alternative usage. Any such approval remains in effect until the Sponsor has revoked it in writing.

5.3 License to Manager and City: The Sponsor hereby grants to the Manager and to the City a non-exclusive license to use, without geographic limitation, any Sponsor IP in accordance with the terms of this Agreement, including the Sponsor IP Guidelines. This license is non-transferrable, but the Manager or the City may sublicense the use of the Sponsor IP for any purpose related to the Center, Theater Facility, or Space. This license will continue in effect for a period of up to six months following termination of this Agreement for the sole purpose of allowing the Manager and the City to change the name of the Space, Signage, or any other item containing Sponsor IP.
5.4 **Ownership:** The Sponsor retains exclusive ownership of all methods, ideas, concepts, algorithms, trade secrets, trademarks, trade names, logos, and other intellectual property contained in any Sponsor IP unless otherwise provided for in this Agreement or a document that explicitly transfers ownership of that Sponsor IP in whole or in part to another Party. Except as expressly set forth in this Agreement, no license or other rights, express or implied, are granted by Sponsor to any other party under this Agreement, and Sponsor expressly reserves all such rights.

5.5 **Bankruptcy:** For purposes of section 365(n) of the Bankruptcy Code, the Parties intend the license granted by the Sponsor for the use of Sponsor IP to be a license of rights to "intellectual property" and each instance of Sponsor IP 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 rights of the City or the Manager under section 365(n) of the Bankruptcy Code or constitutes an election by the City or the Manager under section 365(n) of the Bankruptcy Code. But the City and the Manager explicitly reserve their respective rights to request any such intellectual property or embodiment of intellectual property held by a trustee for the Sponsor to the full extent authorized by section 365(n)(3) of the Bankruptcy Code.

5.6 **Warranty:** The Sponsor warrants that it is authorized to provide the rights related to Sponsor IP as set forth in this article 5 and acknowledges that a breach of this warranty constitutes a Default pursuant to section 6.1(f).

5.7 **Goodwill:** Any goodwill arising from any of the following inures solely to the benefit of the Sponsor: (i) use of the Sponsor IP by the Manager, the City, or any of their respective sublicensees, including without limitation, Duke, or (ii) approval of the Sponsor IP granted by Duke.

**ARTICLE 6**

**DEFAULT AND TERMINATION**

6.1 **Default:** Each of the following constitutes a breach of this Agreement (a "Default") by the acting or relevant Party (the "Defaulting Party"): 

(a) **Corporate Change or Cessation:** The Sponsor is deemed to be in Default if the Sponsor (i) materially changes the nature of its business; (ii) ceases to conduct business; or (iii) is subject to any attachment, execution, or other judicial seizure or sale of any substantial portion of its assets that is not discharged or revoked within ten days.

(b) **Bankruptcy or Insolvency:** The Sponsor is deemed to be in Default if it (i) files or has filed against it, a petition or other request for relief under federal or state bankruptcy or insolvency laws that is not discharged, dismissed, or withdrawn within 60 days of filing; or (ii) applies for or consents to the appointment of a receiver for all or a substantial portion of its assets.
(c) **Detrimental Conduct:** The Sponsor is deemed to be in Default if the City, in its sole discretion, determines that the Sponsor has engaged in conduct that (i) harms the reputation, image, or customer goodwill of the City, Manager, Center, or Theater Facility; (ii) brings the Sponsor into public disrepute, contempt, scandal, or ridicule; or (iii) otherwise reflects unfavorably on the reputation of the Sponsor.

(d) **Termination of Center Agreement:** The Sponsor acknowledges that its failure to comply with certain provisions of this Agreement (including but not limited to section 1.4) may result in termination of the Center Agreement for cause by Duke, which would result in significant damage to the City. Accordingly, if Duke terminates the Center Agreement based on any failure of the Sponsor to comply with this Agreement, the Sponsor will be deemed in Default.

(e) **Termination of Management Agreement:** The Manager is deemed to be in Default if the Management Agreement is terminated by the City for cause. But despite the foregoing, none of the following constitutes a condition of Default by the Manager: (i) renewal of the Management Agreement; (ii) replacement of the Management Agreement by a successor agreement between the City and the Manager; (iii) termination of the Management Agreement for the City’s convenience; or (iv) expiration of the Management Agreement at the end of its term.

(f) **Failure to Waive or Cure Breach:** Any Party is deemed to be in Default if that Party fails to comply with any obligation, warranty, or other provision of this Agreement and such failure has not either (i) cured by the Defaulting Party in accordance with section 6.2 or (ii) waived in writing by the other Parties (the “Non-Defaulting Parties”) in accordance with section 6.3.

6.2 **General Process to Cure Default:** Unless a more specific process for resolving Default is specified elsewhere in this Agreement, the following process applies to any Default:

(a) Upon receiving written notice of a Default, the Defaulting Party shall, at its own expense, take whatever steps are necessary to cure the Default. The Defaulting Party shall cure the Default on or before a deadline agreed to by the Parties or, in the absence of such a mutually agreed-upon deadline, no more than 30 days after receiving notice of the Default.

(b) If the Defaulting Party fails to cure the Default in accordance with subsection (a), the Non-Defaulting Parties shall negotiate in good faith to select one or more of the following actions as a response to the uncured Default: (i) terminate the Agreement due to Default by the Defaulting Party; (ii) require the Defaulting Party to execute an amendment adjusting the Annual Fee to reflect the damages caused by the Default; or (iii) avail themselves of any other right or remedy available under this Agreement or applicable law. If the Non-
Defaulting Parties cannot, through such good faith negotiation, agree upon a course of action, this Agreement will be deemed terminated due to Default by the Defaulting Party.

6.3 Waiver. No provision of this Agreement will be deemed waived by any 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 any Party. No waiver by any 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 consent by the Manager or the City respecting any action by the Sponsor shall not constitute a waiver of the requirement for obtaining the Manager or the City’s consent respecting any subsequent action by the Sponsor.

6.4 Force Majeure: In the event that any Party is delayed, hindered, 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 similar reason nature that is not the fault of the Party delayed in performing work or doing acts (a “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 days of the event causing the Permitted Delay.

6.5 Liquidated Damages:

(a) Acknowledgements: The Parties acknowledge (i) that entering into this Agreement was a complex and time-consuming legal, political, and corporate process; (ii) that damages resulting from the early termination of this Agreement due to Default would not be readily ascertainable; and (iii) that the methods of establishing liquidated damages set forth in this section 6.5 are reasonable and proportionate to the damage that would be expected to follow from the applicable Default.

(b) Default by Sponsor: If the Agreement is terminated due to Default by the Sponsor, the exclusive remedy available to the City and the Manager is liquidated damages in an amount equal to 50% of the Sponsor’s most recent payment of the Annual Fee. The Sponsor shall remit payment of such liquidated damages to the City, and the City shall distribute that payment in the manner provided by the Management Agreement for a regular payment of proceeds associated with the sale of naming rights.

(c) Default by City or Manager: If the Agreement is terminated due to Default by the City or the Manager, the Sponsor’s exclusive remedy is liquidated damages in an amount equal to a pro rata refund of the Sponsor’s most recent payment of the Annual Fee. For example, if, six months prior to termination, the Sponsor paid an Annual Fee of $10,000, the Sponsor would receive a refund of $5,000 (i.e., half the amount of the previous payment). If the
Manager is solely in Default, the Manager shall be solely responsible for payment of such liquidated damages. If the City is solely in Default, the City shall be solely responsible for payment of such liquidated damages. If the Manager and the City are both in Default, the Manager and the City shall be equally responsible for payment of such liquidated damages.

ARTICLE 7
ASSIGNMENT

7.1 Assignment by Sponsor: The Sponsor may assign this Agreement to any affiliate or subsidiary following notice to the Manager and the City as long as such assignment does not require alteration of the Space Name, Sponsor Name, or Sponsor Logo. Otherwise, any assignment of this Agreement without the prior written consent of the Manager and the City Council is void. In the event this Agreement is assigned by the Sponsor in accordance with this Agreement, the Sponsor shall be responsible for any Change Cost associated with such assignment of in accordance with section 4.4.

7.2 Assignment by Manager: Upon termination of the Management Agreement for any reason, the Manager shall, at the direction of the City, assign its interest in this Agreement to the City or to a successor management company. If the City accepts such an assignment of the Manager’s interest in this Agreement, the provisions of section 4.6 concerning appropriation of funds are deemed to apply to the City in its capacity as the Manager.

7.3 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.

ARTICLE 8
OTHER PROVISIONS

8.1 Limitation on Liability and Control: The Sponsor is not liable for any personal injury or property damage that occurs at the Theater Facility or the Space. The Sponsor has no rights with respect to the Theater Facility or the Space except for those explicitly granted by this Agreement, and those rights do not include any right to manage, oversee, or otherwise direct the Manager or the City how to operate any aspect of the Theater Facility or the Space.

8.2 Notice: Except as otherwise provided in this Agreement, any notice related to this Agreement (including any notification, demand, request for approval, or other communication related to this Agreement) is subject to the following conditions:
(a) Notice must be made in writing and will be deemed given and delivered (i) on the date delivered in person to the address below; (ii) five (5) days after the date mailed by registered or certified mail, postage prepaid, return receipt requested, to the address below; or (iii) upon the date delivered by overnight courier (signature required) to the address below.

(b) Notice must be directed to the address designated below unless the Party sending the notice has previously received notice of a new address for the recipient:

**CITY:**
City of St. Petersburg
Attn: Chris Ballestra
P. O. Box 2842
St. Petersburg, FL 33731-2842
Phone: 727-892-5960
Email: chris.ballestra@stpete.org

**MANAGER:**
Big 3 Entertainment, LLC
Attn: William Edwards
150 Second Avenue North
Suite 1600
St. Petersburg, FL 33701
Phone: (727) 851-9500
Email: bedwards@big3entertainment.com

**SPONSOR:**
Crown Automotive Management, Inc.
Attn: Joe Lamphier
6001 34th Street North
St. Petersburg, FL 33714
Phone: 727-329-3034
Email: Lamphier@crowncars.com

(c) Unless otherwise agreed to by the Parties in writing, electronic transmission of a notice does not relieve any Party of the requirement to provide notice in writing as required by subsection (a).

8.3 **Duke Consent:** To the extent that the City is obligated to obtain consent from Duke in order for any provision of the Agreement to be fulfilled, the City shall attempt to obtain such consent in writing. Upon obtaining such consent from Duke, the City shall provide a copy of that
consent to the other Parties, and a copy of that consent will be deemed a supplement to this Agreement. In the event the City is unable, through reasonable efforts, to obtain such consent from Duke, (i) the City will not be in Default and (ii) the Parties shall negotiate in good faith to amend this Agreement so that such consent from Duke is not required or can be obtained.

8.4 **City Consent:** 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 required to be exercised by City Council pursuant to the City Charter or applicable laws.

8.5 **Subordination:** The Sponsor acknowledges that this Agreement is subordinate to other agreements, instruments, and commitments that are identified in this section 8.5, and in the event of conflict, the terms of each the following, as each may be amended from time to time, will control over the terms of this Agreement: (i) the Center Agreement; (ii) the Management Agreement; (iii) the Theater Facility "Sign Guidelines" promulgated pursuant to section 33 of the Management Agreement (the "**Theater Facility Sign Guidelines**"); (iv) any current or future bond, note, or loan agreement the proceeds of which are utilized to finance construction or improvements to the Theater Facility; (v) the ground lease agreement between the City and the Salvador Dali Museum dated November 29, 2007; (vi) the grant agreement between the City and the Salvador Dali Museum dated December 8, 2010; (vii) any current or future agreements related to a Race Event; (viii) any current or future license for the performance or broadcast of events at the Center or the Theater Facility.

8.6 **Public Records:** Any Party creating or receiving a record or document (including an email) related to this Agreement shall retain that record or document and make it available, upon request, to the other Parties. This obligation is in effect throughout the term of this Agreement and then, following the term of this Agreement, for the applicable retention period set forth in the then-current General Records Schedule GS1-SL for State and Local Government Agencies.

8.7 **References to Time:** Any reference to a "day" refers to a calendar day unless otherwise indicated.

8.8 **Governing Law and Venue:** This Agreement is governed by the laws of the state of Florida. Venue for any action brought in state court shall be in Pinellas County, St. Petersburg Division. Venue for any action brought in federal court shall be in the Middle District of Florida, Tampa Division, unless a division shall be created in St. Petersburg or Pinellas County, in which case the action shall be brought in that division. Each Party waives any defense, 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.
8.9 **Relationship of Parties.** The Parties are independent contractors, and this Agreement does not create any partnership, joint venture, or principal–agent relationship between any of the Parties.

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

8.11 **Severability:** Should any provision of this Agreement be rendered void, invalid, or unenforceable by any court of competent jurisdiction for any reason, such determination shall not render void, invalid, or unenforceable any other provision of this Agreement.

8.12 **Counterparts:** The Parties may sign this Agreement in several counterparts, each of which will be deemed an original but all of which, together, will constitute one instrument.

8.13 **Entire Agreement; Modification:** This Agreement constitutes the entire agreement between the Parties with respect to its subject matter, and it supersedes any previous representation, proposal, or agreement as to its subject matter, whether oral or written. Except as explicitly set forth in this Agreement, no amendment or termination of this Agreement is effective without mutual written consent of the Parties.

[SIGNATURE PAGES FOLLOW]
Each Party is executing this Agreement on the date stated adjacent to that Party's signature.

ATTEST

____________________________
Chandrahasa Srinivasa, City Clrk

(SEAL)

CITY OF ST. PETERSBURG, FLORIDA

By: ____________________________

Name: __________________________

Title: __________________________

Date: __________________________

Approved as to Content and Form

____________________________
City Attorney (Designee)

[ADDITIONAL SIGNATURE PAGES FOLLOW]
WITNESS

Sign: ______________________
Name: Wes Bailey

Sign: ______________________
Name: Jose C. Jimenez

BIG 3 ENTERTAINMENT, LLC

By: ______________________
Name: William Edwards
Title: Manager
Date: 3/1/18

[ADDITIONAL SIGNATURE PAGE FOLLOWS]
WITNESS

Sign: Mary Thomas
Name: Nancy Thomas

CROWN AUTOMOTIVE MANAGEMENT, INC.

By: 
Name: Joseph K. Hengstler
Title: Executive Vice President, Chief Financial Officer
Date: 3/1/18

Sign: 
Name: Kirstie Wilson
APPENDIX A
DESCRIPTION OF NAMED SPACE

The Space is the multi-level parking garage serving the Theater Facility, with frontage along 1st Street Southeast and Dali Boulevard.

Pursuant to the Center Agreement, the Space may not be named as described in this Agreement without the prior written consent of Duke. The City warrants that it has received such prior written consent, a copy of which is included as a supplement to this Agreement in accordance with section 8.3.
APPENDIX B
SPONSOR LOGO AND SPONSOR IP GUIDELINES

CROWN AUTOMOTIVE GROUP
The Better Way To Buy

CROWN AUTOMOTIVE GROUP
The Better Way To Buy
This page shows each of the different versions of the basic logo. Though any of the logos are acceptable versions, each is used for different purposes.

The PMS Color logo, to the right, is the normal color logo. This should be used wherever there is need for the use of color. It is the preferred version. This is the one that would be used for color purposes in all but special color situations (as listed below).

The second color version is the CMYK Color logo. This is used for special color situations called process color printing, where every color is generated by using the basic colors of Cyan, Magenta, Yellow and Black. This is the process used by almost every printer.

The Grayscale logo should be used in situations where color is not available for technical or budgetary reasons, usually for black & white printing purposes.

The Line Art or Black Single-Color version of the logo is used where other more complex versions cannot be used. An example would be embroidered shirts or hats. It is always acceptable to use the one in black. The more complex versions are not reproducible. It may also be used in color, the preferred color being Crown Red as shown in the smaller example. The second line art version is known as a Reverse and may be needed on occasion when the logo needs to be white line art on a dark background.

If you are working with a vendor who needs a copy of the logo to produce an item for you, you must ensure that the most appropriate logo version for the production process is used. Ask the vendor whether they'd like the PMS Color, CMYK Color, Grayscale or Line Art version.

There is only one version of the blue Crown Automotive Group logo for use internally. It should always appear on white.
Approved Usage and Placement | 8

Clear Zone
The logo should not compete for attention with any graphic elements that surround it.

It should appear on solid-color background with an established clear zone around it.

Minimum Size
The logo should never be reproduced in a width less than 1.5 inches.

Backgrounds
The area around the logo should be uniform in design. That is, it should be in a solid white, solid black or some other solid color. If it is on a non-white background like a photo, solid color or a gradient color, the logo should not have “ears”.

Each of these guidelines applies to any usage of the corporate blue Crown logo.
What you may not do with the Logo

For both legal and aesthetic reasons, you may not "play" with the logo by creating interesting variations of it. There are NO artistic variations allowed of the basic logo. The following are examples of things you MAY NOT do to, or with the logo.

Each of these guidelines applies to any usage of the corporate blue Crown logo.

- Unproportional Scaling
- Don't create new logos by changing the words.
- Don't butt or overlap graphics over the logo.
- Crown Automotive Group/New and Used Car Division
  Don't create taglines that are longer than the logo.
- Don't alter the color of the logo in any way.

For the best service, go to the largest dealer group. When ordering, always choose Crown Automotive for the best available...

Don't incorporate the logo into other elements.
APPENDIX C
INTERIOR SIGNAGE

The Sponsor is not entitled to any Interior Signage pursuant to this Agreement.
1. **Digital Marquee Signage**: During each publicly ticketed event held at the Theater Facility, the Manager shall provide the Sponsor with recognition on the digital marquee located at the intersection of 1st Street South and 4th Avenue South (the "Digital Marquee"). Such recognition must comply with applicable provisions of the City Code and the Theater Facility Sign Guidelines (as defined in section 8.5 of the body of this Agreement).

2. **Grand Arrival Signage**: The Manager shall post the Sponsor Name on at least one face of the grand arrival signs located behind the Digital Marquee and illustrated below (the "Arrival Signage"). The Manager may, in its sole discretion, (i) determine the specific Arrival Signage on which to place the Sponsor Name and (ii) change that location from time to time.
3. **Garage Signage:** The Manager shall install Signage on the Space as follows:

(a) *Northwest-Facing Sign:* The Manager shall install the Signage identified below as "Sign A" on the northwest side of the Space, facing 1st Street SE.

(b) *Southwest-Facing Sign:* The Manager shall install the Signage identified below as "Sign B" on the southwest side of the Space, facing Dali Boulevard.

4. **Ownership, Generally:** Except as provided by section 5 of this appendix, the City retains ownership of all Signage following the term of this Agreement, including (i) all components of the Arrival Signage, including any face containing the Sponsor Name, and (ii) the sign cabinets attached to the Space.

5. **Transfer of Garage Sign Faces:** Following termination of this Agreement, the sign faces of the exterior Signage described in section 3 of this appendix and identified below as "Sign A" and "Sign B" (collectively, the "Sponsor Sign Faces") will be made available to the as follows:

(a) No later than 30 days after termination of this Agreement, the Manager shall remove the Sponsor Sign Faces from the sign cabinets attached to the Space.

(b) Following removal of the Sponsor Sign Faces, the Manager shall notify the Sponsor that the Sponsor Sign Faces have been removed provide the Sponsor with a procedure for taking possession of those Sponsor Sign Faces in the 30 days following that notice.

(c) If the Sponsor follows such procedure and takes possession of the Sponsor Sign Faces, ownership of the Sponsor Sign Faces will be transferred to the Sponsor, along with any manufacturer warranties that are transferrable. Otherwise, the Sponsor Sign Faces are provided to the Sponsor as-is, with no warranty from the City or the Manager.

(d) If the Sponsor does not follow the procedure for acquiring the Sponsor Sign Faces in accordance with this section 4, the Sponsor is deemed to have forfeit all rights to the Sponsor Sign Faces.

(e) If the Sponsor Sign Faces have been destroyed or damaged or destroyed such that they cannot be made available to the Sponsor in a safe or cost-effective manner, the Manager shall destroy the Sponsor Sign Faces rather than making them available to the Sponsor in accordance with this section 4.
North Elevation depicts the sponsorship display, located on the Northern portion of the garage structure, on the western end. The sponsorship display is situated to capture traffic traveling on 1st Street South and faces Al Lang Stadium.
APPENDIX E
PAYMENT SCHEDULE FOR ANNUAL FEE AND SIGNAGE FEE

In accordance with section 4.1, the Sponsor shall pay the Annual Fee and any applicable Signage Fee in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Payment</th>
<th>Due to City on or Before</th>
<th>Annual Fee ($)</th>
<th>Signage Fee ($)</th>
<th>Total Payment ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>30 days after Effective Date</td>
<td>75,000</td>
<td>40,000</td>
<td>115,000</td>
</tr>
<tr>
<td>2</td>
<td>First anniversary of Effective Date</td>
<td>75,000</td>
<td>-</td>
<td>75,000</td>
</tr>
<tr>
<td>3</td>
<td>Second anniversary of Effective Date</td>
<td>75,000</td>
<td>-</td>
<td>75,000</td>
</tr>
<tr>
<td>4</td>
<td>Third anniversary of Effective Date</td>
<td>70,000</td>
<td>-</td>
<td>70,000</td>
</tr>
<tr>
<td>5</td>
<td>Fourth anniversary of Effective Date</td>
<td>70,000</td>
<td>-</td>
<td>70,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>365,000</strong></td>
<td><strong>40,000</strong></td>
<td><strong>405,000</strong></td>
</tr>
</tbody>
</table>
E-5
To: The Honorable Lisa Wheeler-Bowman, Chair, and Members of City Council

Subject: Acknowledging the selection of Cardno, Inc. (A/E) as the most qualified firm to provide professional services for the 40th Avenue Bridge Project; Supporting Administration entering into an architect/engineering agreement with A/E for A/E to perform Project Website Development, Temporary Traffic Flow Recommendations and Pedestrian Accessibility services for the 40th Avenue Bridge project for an amount not to exceed $33,700; authorizing Administration to negotiate the bridge design and bidding services; Providing that the amendment to incorporate the design and bidding services into the agreement is subject to City Council approval; and providing an effective date. (Engineering Project No. 18032-110; Oracle No. 15071 and 15627)

Explanation: On November 9, 2017, the City issued a Request for Qualifications, RFQ No. 6729 40th Avenue Northeast Bridge Replacement. On December 14, 2017 the City received nine statements of qualifications from the following firms:

1. AECOM, Inc.
2. Agenor & Campbell Structural Engineers, LLC
4. Cardno, Inc.
5. GHD Services Inc.
6. HDR Engineering, Inc.
7. Hardesty & Hanover, LLC

Evaluation of the statements of qualifications was conducted by:

Brejesh Prayman, P.E., ENV SP, Engineering Director
Cheryl Stacks, P.E., PTOE, Transportation Manager
Ziba Mohammadi, P.E., PTOE, Senior Professional Engineer
Areena “Teena” Smith Capital Improvements Construction Coordinator
Mamunur Siddiqui, P.E., FDOT Structures Design Engineer, District 7

Technical Advisor:
Steven Nolan, P.E., FDOT Design Technology-Standards Group Leader, FDOT Central Office

The statements of qualifications were evaluated based on the following criteria:

- Team background and experience
- Project approach
- Relevant project examples
- MBE status of firm or sub-consultants

The evaluation committee met on December 21, 2017 and shortlisted the following four firms for interviews:

1. Ayres Associates, Inc.
2. Agenor & Campbell Structural Engineers, LLC
3. Cardno, Inc.

On January 22, 2018, the evaluation committee heard presentations from each of the shortlisted firms and ranked Cardno, Inc. as the top-ranked firm, followed by Michael Baker International, Inc. as the second ranked firm, Ayres Associates, Inc. as the third ranked and Agenor & Campbell Structural Engineers, LLC as fourth ranked. The evaluation committee elected to move forward with negotiations with Cardno, Inc. the top-ranked firm.
ranked. The evaluation committee elected to move forward with negotiations with Cardno, Inc. the top-ranked firm.

Cardno, Inc. was determined to be most qualified for the City, taking into consideration their qualifications and experience, understanding of the project, local knowledge and prior work with the City and on FDOT projects, proposed short term improvements for vehicular and pedestrian access, ideas presented on how to raise the elevation of the bridge deck with reduced impact to drivers, detailed process for handling utilities, corrosion inhibiting design elements, complete streets elements, engagement with stakeholders and the evaluation criteria set forth in RFQ No. 6729.

Cardno, Inc. has provided similar services for the City of Tampa and Pasco County and has performed satisfactorily. The company registered with the Florida Division of Corporations in 2011 and has been providing these services for over 60 years. Cardno’s principals are Lance Lairscey, president/director; Keith Romstad, Craig Snyder, and Steven Howarth, vice presidents; Andrew Hill, Daryl Thie, Deborah Hill, Douglas Stoker and Stephanie Fidler, assistant vice presidents.

Once City Council acknowledges the selection of Cardno, Inc., the City and Cardno, Inc. will enter into an agreement for the 40th Avenue Northeast Bridge Replacement and they will provide the following services and deliverables for an amount not to exceed $33,700:

- **Task 1 - Project Website Development** – Cardno, Inc. shall create an engaging, informative and functional website. This website will serve as a portal to project information for the community, elected officials and others interested in understanding the project schedule and other key points of information.

- **Task 2 - Temporary Traffic Flow Recommendations** – Cardno Inc. shall evaluate and provide improvement recommendations for temporary traffic control at the bridge including “smoothing” out the barrier transition, increasing the speed limit, and reducing the length of 15 mph speed zone.

- **Task 3 - Pedestrian Accessibility** – Cardno, Inc. shall evaluate and provide preliminary details and cost estimates for temporary repair options to allow pedestrian accessibility on the bridge in the interim time until bridge re-construction commences.

The Engineering & Capital Improvements Department will negotiate with Cardno, Inc. services for the Basis of Design Report ("BOOR") and Bridge Development Report ("BDR") Phase Services which will be presented to Council for approval. Following the BODR and BDR, Detailed Design and Bidding Phase services will be negotiated and presented to Council for approval.

**Cost/Funding/Assessment Information:** Funds have been previously appropriated in the Citywide Infrastructure CIP Fund (3027) Bridge Recon/Load Testing FY16 Project (15071) and Bridge Recon/Load Testing FY17 Project (15627).

**Attachments:** Technical Evaluation (4 pages)  
Meeting Minutes (3 pages)  
Appendices A-C (4 pages)  
Resolution

**Approvals:**

[Administrative]

[Budget]
Technical Evaluation
918-42 Consulting Services, 40th Avenue Northeast Bridge Replacement

Summary Work Statement

The City received nine statements of qualifications for RFQ No. 6729: Consulting Services for 40th Avenue Northeast Bridge Replacement. The successful engineering team will provide preliminary and detailed design, bidding and construction phase services for the replacement of the 40th Avenue NE Bridge No. 157154. The statements of qualifications were received from the following:

1. AECOM, Inc.
2. Agenor & Campbell Structural Engineers, LLC
4. Cardno, Inc.
5. GHD Services Inc.
6. HDR Engineering, Inc.
7. Hardesty & Hanover, LLC

Evaluation Committee

Evaluation of the statements of qualifications was conducted by:

Brejesh Prayman, P.E., ENV SP, Engineering Director
Cheryl Stacks, P.E., PTOE, Transportation Manager
Ziba Mohammadi, P.E., PTOE, Senior Professional Engineer
Arenee "Teena" Smith, Capital Improvements Construction Coordinator
Mamunur Siddiqui, P.E., FDOT Structures Design Engineer, District 7

Technical Advisor:
Steven Nolan, P.E., FDOT Design Technology-Standards Group Leader, FDOT Central Office

Evaluation Criteria

The statements of qualifications were evaluated based on the following criteria:

- Team background and experience
- Project approach
- Relevant project examples
- MBE status of firm or sub-consultants

Offerors' Profiles

Below are profiles of the offerors and summaries of the strengths and weaknesses of the offerors as reported after the initial independent review.

AECOM, Inc. is headquartered in Los Angeles, California. The firm employs 364 people locally and 77,630 nationally.
Strengths include: Their experience and qualifications; proposed strong professional team and resources, standard approach that allows for geometric modifications; provided similar projects and prior work with the City; proposed use of drilled shaft for noise reduction, public engagement and use of SBE and MBE firms.

Weaknesses include: Lack of acknowledgement of Local Agency Program ("LAP") in project approach, schedule, concepts, corrosion and reinforcement and incomplete SF330.

The statement of qualifications does not meet the City's requirements.

Agenor & Campbell Structural Engineers, LLC is headquartered in Clearwater and was incorporated in 2012. The firm has been providing these services for five years and employs four people locally.

Strengths include: They exhibited awareness and understanding of the design; reference to use of fiberglass-reinforced polymer (FRP) material for corrosion resistance; proposed increasing vertical clearance; and use of SBE and MBE firms.

Weaknesses include: Lack of experience as a small company and use of FRP; knowledge on lead time for composite materials; did not identify pedestrian access prior to, or during, construction; unaware of existing bridge conditions; weak proposed public engagement and approach during construction.

The statement of qualifications meets the City's requirements.

Ayres Associates, Inc. was incorporated in Wisconsin. The firm has been providing these services for 33 years and employs 38 people locally and 289 nationally.

Strengths include: Their highly qualified team and awareness of possible issues; detailed project approach; proposed public engagement; acknowledgement of LAP and possibility of other agency funding, required safety and permitting; prior detailed design on similar out-of-state projects; co-authors on FDOT advisory circulars and proposed use of SBE and MBE firms.

Weaknesses include: Proposed directional boring for utilities which will result in additional construction limits and more impact on residents; and change in span length did not provide an effective channel access during construction.

The statement of qualifications meets the City's requirements.

Cardno, Inc. was incorporated in Delaware. The firm has been in this service for six years and employs 112 people locally and 1,431 nationally.

Strengths include: Their proposed highly qualified project manager and SF 330 team worked together; detailed project approach; stated site visit under bridge; understanding of need for two lanes to remain open; bike lane; buffer; sidewalk; raised bridge; and corrosion resistance; proposed solutions that include increase in vertical clearance; provided detailed construction sequence; identified pedestrian access prior to, and during, construction; identified methods for maintaining utilities, similar project; no impact on mangroves; public engagement plan that is detailed and innovative; acknowledgement of LAP and proposed use of SBE and WMBE firms.

Weaknesses include: Lack of design experience on fiberglass-reinforced polymer material and heavy reliance on project manager.
The statement of qualifications meets the City’s requirements.

**GHD Services, Inc.** was incorporated in Delaware. The firm has been providing these services for two years and employs 160 people locally and 1,203 nationally.

Strength include: Their proposed use of SBE and MBE firms.

Weaknesses include: Their SOQ submitted was generic; proposed one-man and sub-consultant to perform all work; lacked detail and acknowledgement of LAP; and need for public engagement.

The statement of qualifications does not meet the City’s requirements.

**HDR Engineering, Inc.** was incorporated in Nebraska. They employ 178 people locally and 9,987 nationally.

Strengths include: Their qualified team; understanding of height requirement for bridge; sustainability practices and proposed use of SBE and MBE firms.

Weaknesses include: Their SOQ which was boiler-plate; project approach lacked effort and they took exceptions to the draft agreement.

The statement of qualifications does not meet the city’s requirements.

**Hardesty & Hanover, LLC** was incorporated in Delaware. They employ 30 people locally and 365 nationally.

Strengths include: Their qualified team; understanding of need to raise bridge and proposed options for bike lanes and super structures; and proposed use of DBE, MWBE and SBE certified firms.

Weaknesses include: Lack of detail in project approach and capacity dependent on sub-consultants.

The statement of qualifications does not meet the City’s requirements.

**Kisinger Campo & Associates, Corp.** is headquartered in Tampa and was incorporated in 1976. The firm has been providing these services for 41 years and employs 89 people locally and 199 nationally.

Strengths include: Their qualified and experienced team; prior team projects; understanding of the existing community and its complexity; familiarity with City projects; and proposed use of DBE, MWBE and SBE certified firms.

Weaknesses include: The SOQ was hard to understand; did not reference specific structure nor address corrosion and use of LAP process.

The statement of qualifications marginally meets the City’s requirements.

**Michael Baker International, Inc.** was incorporated in Pennsylvania. The firm has been providing these services for over two years and employ 25 people locally and 6,000 nationally.

Strengths include: Their team experience and qualifications; provided detailed and numbered SOQ, project approach and design; proposed reduction in number of spans and increase in vertical clearance by 4 feet and use of fiberglass-reinforced polymer materials; understanding and awareness
of project, its complexity and need for public engagement; proposed maintaining open two lanes; prefabricated techniques; and use of DBE, MWBE and SBE certified firms.

Weaknesses include: Lack of recent projects; proposed one lane two-way traffic; and proposed higher longitudinal grade on the bridge.

The statement of qualifications meets the City's requirements

Short-listing and Oral Presentations

The SOQs were initially evaluated solely on the evaluation criteria established in the RFP. The four finalists were invited to make oral presentations on January 22, 2018, before the evaluation committee for the purpose of clarifications, and to ensure a full understanding of the City's requirements. The presentations also enabled the committee to have a full understanding of the offerors' SOQs and responses. Following the presentations, the evaluation committee ranked the SOQs as follows:

<table>
<thead>
<tr>
<th>Rank</th>
<th>Firm</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Cardno, Inc.</td>
</tr>
<tr>
<td>4.</td>
<td>Agenor &amp; Campbell Structural Engineers, LLC</td>
</tr>
</tbody>
</table>

Recommendation for Award

Cardno, Inc. has met the requirements for RFQ No. 6729 and was determined to be the most qualified firm, taking into consideration their experience and the evaluation criteria set forth in the RFQ.

Cardno Inc. was selected for the following reasons:

- Their proposed and motivated team
- Their project manager's experience and understanding of the project
- Their local knowledge and prior work with the City and on FDOT projects
- Their proposed bridge design will be the prime consultant's responsibility and done in-house
- They have completed bridge projects and are working on new bridge projects
- They identified short term improvements for vehicular and pedestrian access
- They identified detailed process for handling utilities
- They proposed a structure with a higher elevation
- Their research and proposed engagement with stakeholders
- Their proposed use of MBE/WBE/DBE as sub-consultants

Brijesh Prayman, Chair
Ziba Mohammadi, Committee Member
Mamunur Siddiqui, Committee Member

Cheryl Stacks, Committee Member
Areene "Teena" Smith, Committee Member
**City of St. Petersburg**  
*Meeting Minutes*  
Procurement and Supply Management

**Title:** RFQ No. 6729: Consulting Services, 40th Avenue Northeast Bridge Replacement  
**Meeting Date:** Thursday, December 21, 2017  
**Time:** 10:00 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>
</tr>
</thead>
<tbody>
<tr>
<td>1. Introductions</td>
<td>Committee Members: Brejesh Prayman, Cheryl Stacks, Ziba Mohammadi, Teena Smith, Mamunur Siddiqui. Advisory Staff: Karen Dewar, Steven Nolan.</td>
</tr>
<tr>
<td>a. Public Comments</td>
<td></td>
</tr>
<tr>
<td>c. Prohibited Communication - AP #050100 [KD]</td>
<td></td>
</tr>
<tr>
<td>d. Identify Chairperson (Brejesh Prayman)</td>
<td></td>
</tr>
<tr>
<td>2. Evaluations of Statements of Qualifications (Strengths and Weaknesses)</td>
<td>Motion by: Ziba Mohammadi to add Agenor &amp; Campbell to the shortlist and invite to present. Seconded by: Mamunur Siddiqui. Votes: Affirmatives (5).</td>
</tr>
<tr>
<td>a. AECOM, Inc.</td>
<td></td>
</tr>
<tr>
<td>b. Agenor &amp; Campbell Structural Engineers, LLC</td>
<td></td>
</tr>
<tr>
<td>c. Ayres Associates, Inc.</td>
<td></td>
</tr>
<tr>
<td>d. Cardno, Inc.</td>
<td></td>
</tr>
<tr>
<td>e. GHD Services Inc.</td>
<td></td>
</tr>
<tr>
<td>f. HDR Engineering, Inc.</td>
<td></td>
</tr>
<tr>
<td>g. Hardesty &amp; Hanover, LLC</td>
<td></td>
</tr>
<tr>
<td>h. Kisinger Campo &amp; Associated, Corp.</td>
<td></td>
</tr>
<tr>
<td>i. Michael Baker International, Inc.</td>
<td></td>
</tr>
</tbody>
</table>
3. Short-list for Oral Presentation

Action: Karen to invite shortlisted companies and schedule presentations for 10 mins and questions for 25 mins on January 22, 2018.

Action: Karen to schedule evaluation meeting following presentations.

Action: Karen to include request for clarifications in invitations to shortlisted companies.

Meeting adjourned at 11:50 a.m.
**City of St. Petersburg**  
**Meeting Minutes**  
Procurement and Supply Management

<table>
<thead>
<tr>
<th>Agenda Item</th>
<th>Discussion/Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Introductions</td>
<td>Committee Members: Brejesh Prayman, Cheryl Stacks, Ziba Mohammadi, Teena Smith, Mamunur Siddiqui Advisory Staff: Karen Dewar, Steven Nolan</td>
</tr>
<tr>
<td>a. Public Comments</td>
<td>Members of the public were present and comments were provided by: S. McIntyre, D. Berstein, K. Cox, K. Carlon, H. Steimer, C. Vansant &amp; C. Shelton</td>
</tr>
<tr>
<td>b. Florida's Open Meeting Law – FS 286.011 [KD]</td>
<td>Motion by: Ziba Mohammadi to rank, Cardno #1, Michael Baker #2; Ayres #3 and Agenor &amp; Campbell #4. Seconded by: Chery Stacks Votes: Affirmatives (5)</td>
</tr>
<tr>
<td>c. Prohibited Communication - AP #050100 [KD]</td>
<td></td>
</tr>
<tr>
<td>2. Evaluations of Statements of Qualifications &amp; Presentations (Strengths and Weaknesses) - [BP]</td>
<td></td>
</tr>
<tr>
<td>a. Agenor &amp; Campbell Structural Engineers, LLC</td>
<td></td>
</tr>
<tr>
<td>b. Ayres Associates, Inc.</td>
<td></td>
</tr>
<tr>
<td>c. Cardno, Inc.</td>
<td></td>
</tr>
<tr>
<td>d. Michael Baker International, Inc.</td>
<td></td>
</tr>
<tr>
<td>3. Clarifications/Questions</td>
<td></td>
</tr>
<tr>
<td>4. Agenor, Ayres, Cardno, Michael Baker, AECOM, GHD, HDR, Hardesty, Kisinger</td>
<td>Action: Karen to notify all nine firms of ranking of the shortlisted firms and prepare technical evaluation.</td>
</tr>
<tr>
<td>5. Recommendation</td>
<td></td>
</tr>
<tr>
<td>6. Dissolution</td>
<td>Evaluation committee was dissolved at 2:30 p.m.</td>
</tr>
</tbody>
</table>

Rev (8/16)
The City of St. Petersburg is in need of replacing the 40th Avenue NE Bridge over Placido Bayou, Bridge No. 157154, as it has become a structurally deficient bridge.

The Scope of Services sets forth the services, activities and responsibilities that will be performed by the A/E and the Deliverables that will be provided by the A/E pursuant to the Agreement. The terms contained in this Scope of Services shall have the meanings set forth in the Agreement unless otherwise defined in the Scope of Services.

Unless otherwise provided in this Scope of Services (e.g., by use of the defined term participate or jointly) of in the Agreement, A/E will have sole responsibility for the services, Deliverables, Work and other obligations set forth in this Scope of Services and the Agreement.

The Three (3) tasks of the scope of services and the services, activities, responsibilities and work product that will be performed or provided by A/E in accordance with the Agreement are as follows:

Task 1 - Project Website Development

The A/E will develop a Project Website for the City. The A/E will work closely with the City and its partners to create an engaging, informative and functional website. This website will serve as a portal to project information for the community, elected officials and others interested in understanding the project schedule and other key points of information.

This scope of work for the Project Website development includes:

- **Website Design** – The A/E will use a basic layout and design of the home page and interior page, menu, images including project map, and other key elements of public information.

- **Website Development** – The A/E will work with the City to develop the website structure and functionality. The A/E will procure the site domain and manage site hosting. The A/E will create a website with the following pages:
  - Home page – containing project description and historical information
  - Project Documents, Project Schedule and Meetings page
  - Comments Form page
  - Contact Information page

- **Website Content Development** – The A/E will work with the City to develop web content, incorporate graphics, maps and polls for inclusion on the site. Content will be relevant to the community, and serve as a portal to access the project schedule, meeting notices, updates and key points of contact. The A/E will update the site on a regular schedule to ensure accuracy.
Task 2 - Temporary Traffic Flow Recommendations

The A/E will evaluate and provide improvement recommendations to temporary traffic control at the bridge including "smoothing" out the barrier transition, increasing the speed limit, and reducing the length of 15 mph speed zone.

Task 3 - Pedestrian Accessibility

The A/E will evaluate and provide preliminary details and cost estimates for temporary repair options to allow pedestrian accessibility on the bridge in the interim time until bridge reconstruction commences. Up to two options will be considered. One option will include replacing the deteriorated slab units in Span 4 and re-configuring the vehicular and pedestrian traffic similarly to the configuration before the bridge was modified in 2017. Another option will include a bracketed sidewalk on the south side of the bridge that could remain open during the bridge reconstruction.

DELIVERABLES

Task 1 - Project Website Development
Task 2 - Temporary Traffic Flow Recommendations
Task 3 - Pedestrian Accessibility

PROJECT TEAM

A/E - Cardno, Inc.
Subconsultant - Quest Corporation of America
The City shall compensate the Consultant a lump sum amount of $33,700 in accordance with the following Work Task Breakdown:

### I. Staffhour Estimate: All Tasks

<table>
<thead>
<tr>
<th>Direct Labor Rates Classifications</th>
<th>Project Manager</th>
<th>Engineer</th>
<th>Designer</th>
<th>Total Hours</th>
<th>Labor Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Billing Rate</td>
<td>$210.00</td>
<td>$150.00</td>
<td>$120.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TASK</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Project Website Development</td>
<td>8</td>
<td></td>
<td></td>
<td>8</td>
<td>$1,680.00</td>
</tr>
<tr>
<td>2 Temporary Traffic Flow</td>
<td>4</td>
<td>16</td>
<td>62</td>
<td>82</td>
<td>$10,680.00</td>
</tr>
<tr>
<td>Recommendations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Pedestrian Accessibility</td>
<td>4</td>
<td>18</td>
<td>65</td>
<td>87</td>
<td>$11,340.00</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td>16</td>
<td>34</td>
<td>127</td>
<td>177</td>
<td>$23,700.00</td>
</tr>
</tbody>
</table>

### II. Fee Calculation

<table>
<thead>
<tr>
<th>Task</th>
<th>Labor Cost</th>
<th>Expenses</th>
<th>Subconsultant Services - QCA</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$1,680.00</td>
<td>$</td>
<td>$10,000.00</td>
<td>$11,680.00</td>
</tr>
<tr>
<td>2</td>
<td>$10,680.00</td>
<td>$</td>
<td>$</td>
<td>$10,680.00</td>
</tr>
<tr>
<td>3</td>
<td>$11,340.00</td>
<td>$</td>
<td>$</td>
<td>$11,340.00</td>
</tr>
</tbody>
</table>

### III. Fee Limit

| Total Lump Sum Cost | $33,700.00 |
Task 1 - Project Website Development

A Draft of the Project website will be made available to the City for review electronically no later than 15 business days from Notice to Proceed.

The Project Website will be launched within five (5) business days of receiving final comments from the City.

Note: styles and graphics to be used for the website will be provided to the City's Public Works Communications Manager for review within five (5) business days of Notice to Proceed.

Task 2 - Temporary Traffic Flow Recommendations

A Draft of the Temporary Traffic and Signing Plan will be submitted to the City for review no later than 20 business days from Notice to Proceed.

The final Temporary Traffic and Signing Plans will be submitted to the City within five (5) business days of receiving final comments from the City.

Task 3 - Pedestrian Accessibility

A Draft of the Pedestrian Access Memo will be submitted to the City for review no later than 20 business days from Notice to Proceed.

The final Pedestrian Access Memo will be submitted to the City within five (5) business days of receiving final comments from the City.
RESOLUTION NO. 2018-_____

A RESOLUTION ACKNOWLEDGING THE SELECTION OF CARDNO, INC. ("A/E") AS THE MOST QUALIFIED FIRM TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE 40TH AVENUE NORTHEAST BRIDGE REPLACEMENT PROJECT; SUPPORTING ADMINISTRATION ENTERING INTO AN ARCHITECT/ENGINEERING AGREEMENT WITH A/E FOR A/E TO PERFORM PROJECT WEBSITE DEVELOPMENT, TEMPORARY TRAFFIC FLOW RECOMMENDATIONS, AND PEDESTRIAN ACCESSIBILITY SERVICES FOR THE 40TH AVENUE NORTHEAST BRIDGE REPLACEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED $33,700; AUTHORIZING ADMINISTRATION TO NEGOTIATE THE BRIDGE DESIGN AND BIDDING SERVICES; PROVIDING THAT THE AMENDMENT TO INCORPORATE THE BRIDGE DESIGN AND BIDDING SERVICES INTO THE AGREEMENT IS SUBJECT TO CITY COUNCIL APPROVAL; AND PROVIDING AN EFFECTIVE DATE. (PROJECT NO. 18032-110)

WHEREAS, the City of St. Petersburg, Florida ("City") through its Procurement and Supply Management Department issued Request for Qualifications ("RFQ") No. 6729 dated November 9, 2017 for the 40th Avenue Northeast Bridge Replacement Project; and

WHEREAS, the City received nine (9) statements of qualifications ("SOQs") in response to the RFQ; and

WHEREAS, the evaluation committee (Brejesh Prayman, Cheryl Stacks, Ziba Mohammadi, Arenee "Teena" Smith, Mamunur Siddiqui, and Steven Nolan) met on December 21, 2017 to discuss the SOQs and motioned to shortlist, hear presentations and conduct interviews with Ayres Associates, Inc. ("Ayres"), Agenor & Campbell Structural Engineers, LLC ("Agenor"), Cardno, Inc. ("Cardno"), and Michael Banker International, Inc. ("Michael Banker"); and

WHEREAS, the four (4) shortlisted firms made presentations to the selection committee and participated in follow-up interviews on January 22, 2018; and

WHEREAS, based on the presentations, interviews, deliberations, and SOQs of qualifications submitted by the four (4) shortlisted firms, the selection committee on January 22, 2018 ranked Cardno, Inc. ("Cardno") as the most qualified firm to provide professional engineering services for the 40th Avenue Northeast Bridge Replacement Project followed by Michael Banker, Ayres and Agenor; and
WHEREAS, Administration recommends City Council acknowledge the selection of Cardno as the most qualified firm to provide professional engineering services for the 40th Avenue Northeast Bridge Replacement Project and support Administration entering into an architect/engineering agreement with A/E for A/E to perform project website development, temporary traffic flow recommendations, and pedestrian accessibility services for the 40th Avenue Northeast Bridge Replacement Project for an amount not to exceed $33,700.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the selection of Cardno, Inc. ("Cardno") as the most qualified firm to perform project website development, temporary traffic flow recommendations, and pedestrian accessibility service for the 40th Avenue Northeast Bridge Replacement Project is hereby acknowledged.

BE IT FURTHER RESOLVED that this Council hereby supports Administration entering into an architect/engineering agreement with A/E for A/E to perform project website development, temporary traffic flow recommendations, and pedestrian accessibility services for the 40th Avenue Northeast Bridge Replacement Project for an amount not to exceed $33,700.

BE IT FURTHER RESOLVED that Administration is hereby authorized to negotiate the bridge design and bidding services for the 40th Avenue Northeast Bridge Replacement Project, provided that the amendment to incorporate the bridge design and bidding services into the agreement is subject to City Council approval.

This resolution shall become effective immediately upon its adoption.

Approved by:

[Signature]
Legal Department
By: (City Attorney or Designee)
00338925
ST. PETERSBURG CITY COUNCIL
Meeting of March 15, 2018

TO: The Honorable Lisa Wheeler-Bowman, Chair, and Members of City Council

SUBJECT:

(1) Approving a transfer of $667,372 from the unappropriated balance of the Downtown Redevelopment District Fund (1105) to the BB&T Non Ad Valorem Note Series 2010 Fund (2014); authorizing a supplemental appropriation in the amount of $674,170 from the increase in the unappropriated balance of the BB&T Non Ad Valorem Note Series 2010 Fund (2014), resulting from the above transfer, for the full repayment of the remaining principal and interest outstanding of the BB&T Non Ad Valorem Note Series 2010; authorizing the Mayor or his designee to execute the agreement and all documents necessary to effectuate this transaction with BB&T; and providing an effective date; AND

(2) Approving a transfer of $5,347,930 from the unappropriated balance of the Downtown Redevelopment District Fund (1105) to the JP Morgan Chase 2011 Non Ad Valorem Refunding Note Fund (2010); approving a transfer of $166,982 from the unappropriated balance of the Community Development Block Grant Fund (1111) to the JP Morgan Chase 2011 Non Ad Valorem Refunding Note Fund (2010); authorizing a supplemental appropriation in the amount of $5,566,062 from the increase in the unappropriated balance of the JP Morgan Chase 2011 Non Ad Valorem Refunding Note Fund (2010), resulting from the above transfers, for the full repayment of the remaining principal and interest outstanding of the JP Morgan Chase 2011 Non Ad Valorem Refunding Note; authorizing the Mayor or his designee to execute the agreement and all documents necessary to effectuate this transaction with JP Morgan Chase; and providing an effective date; AND

(3) Approving a transfer of $56,922 from the unappropriated balance of the Professional Sports Facility Sales Tax Revenue Fund (1051) to the Professional Sports Facility Sales Tax Refunding Revenue Bonds Fund (2027); authorizing a supplemental appropriation in the amount of $18,974 from the increase in the unappropriated balance of the Professional Sports Facility Sales Tax Refunding Revenue Bonds Fund (2027) resulting from the above transfers for the additional interest payments; and providing an effective date.

EXPLANATION:

Effective January 1, 2018, the Tax Cuts and Jobs Act significantly changes the U.S. Tax Code, including a reduction of the corporate tax rate from a maximum of 35% to a maximum of 21%. Certain loans outstanding of the City, including the BB&T Non Ad Valorem Note Series 2010, the JP Morgan Chase 2011 Non Ad Valorem Refunding Note’s Loan, and the SunTrust Professional Sports Facility Sales Tax Refunding Revenue Bonds, Series 2014 had contractual language with discretionary or non-discretionary rate increases with such change in corporate tax rates.

In February 2018 the City was notified that the BB&T Non Ad Valorem Note Series 2010 would increase from 2.06% to 2.50%; JP Morgan Chase 2011 Non Ad Valorem Refunding Note’s rate
would be adjusted from 1.91% to 2.32%; and the SunTrust Professional Sports Facility Sales Tax Refunding Revenue Bonds, Series 2014 rate would increase from 2.63% to 3.2%. The total additional debt service from the change in corporate tax liability if the debt is not repaid early or refunded, is $365,219.

The total additional debt service from the change in corporate tax liability if the BB&T Non Ad Valorem Note Series 2010 and JP Morgan Chase 2011 Non Ad Valorem Refunding Notes are not repaid early is $5,126 and $26,753, respectively. The City has the opportunity to repay these loans in full at the next payment date of April 1, 2018.

The funding source for the BB&T Non Ad Valorem Note Series 2010 is the Downtown Redevelopment District Fund (1105) and the funding source for the JP Morgan Chase 2011 Non Ad Valorem Refunding Note is 97% the Downtown Redevelopment District Fund (1105) and 3% the Community Development Block Grant Fund (1111); based on the projects utilizing the original note proceeds. The unappropriated fund balances of the respective funds are sufficient to pay off the loans as of April 1, 2018.

The remaining debt subject to the increase is the SunTrust Professional Sports Facility Sales Tax Refunding Revenue Bonds, Series 2014, which is supported by the annual $2 million state facilities revenue, and the rate will increase from 2.63% to 3.2%. Refunding opportunities have been evaluated but have not met the City debt policy's recommended minimum savings percentage at this time. In order to meet the additional interest obligations for the 4/1/2018 payment and for the accumulated amount in the debt service fund balance necessary for the 10/1/2018 payment, a supplemental appropriation is required and are sufficient from unappropriated fund balances.

RECOMMENDATION:

Administration recommends adoption of the attached resolution to approve transfers and supplemental appropriations necessary to extinguish the remaining principal and interest as of April 1, 2018 of the BB&T Non Ad Valorem Note Series 2010 and the JP Morgan Chase 2011 Non Ad Valorem Refunding Note Fund; and to provide for transfers to and additional appropriations for the Professional Sports Facility Sales Tax Refunding Revenue Bonds Fund (2027) for the additional interest and debt service reserve requirements necessary due to the rate adjustment from 2.63% to 3.2% annual interest rate.

COST/FUNDING/ASSESSMENT INFORMATION:

Funding for this debt repayment and additional interest will be available after the transfer of $667,372 from the unappropriated balance of the Downtown Redevelopment District Fund (1105) to the BB&T Non Ad Valorem Note Series 2010 Fund (2014); a transfer of $5,347,930 from the unappropriated balance of the Downtown Redevelopment Fund (1105) to the JP Morgan Chase 2011 Non Ad Valorem Refunding Note Fund (2010); a transfer of $166,982 from the unappropriated balance of the Community Development Block Grant Fund (1111) to the JP Morgan Chase 2011 Non Ad Valorem Refunding Note Fund (2010); the transfer of $56,922 from the unappropriated balance of the Professional Sports Facility Sales Tax Revenue Fund (1051) to
the Professional Sports Facility Sales Tax Refunding Revenue Bonds Fund (2027); and the supplemental appropriation available from the increase in the unappropriated balances, resulting from the above transfers, in the amount of $667,372 for the BB&T Non Ad Valorem Note Series 2010 Fund (2014), $5,566,062 for the to the JP Morgan Chase 2011 Non Ad Valorem Refunding Note Fund (2010), and $56,922 for the (SunTrust) Professional Sports Facility Sales Tax Refunding Revenue Bonds Fund.

ATTACHMENTS:  Resolution
                Bond Payoff Letter from BB&T
                Bond Payoff Letter from JP Morgan Chase
                Debt Funding Analysis

APPROVALS:

Chief Financial Officer

Budget & Management
RESOLUTION NO. _______

A RESOLUTION APPROVING THE REPAYMENT IN FULL OF THE BB&T NON AD VALOREM NOTE SERIES 2010 AND THE JP MORGAN CHASE 2011 NON AD VALOREM REFUNDING NOTE; APPROVING A TRANSFER OF $667,372 FROM THE UNAPPROPRIATED BALANCE OF THE DOWNTOWN REDEVELOPMENT FUND (1105) TO THE BB&T NON AD VALOREM NOTE SERIES 2010 FUND (2014); APPROVING A TRANSFER OF $5,347,930 FROM THE UNAPPROPRIATED BALANCE OF THE DOWNTOWN REDEVELOPMENT FUND (1105) TO THE JP MORGAN CHASE 2011 NON AD VALOREM REFUNDING NOTE FUND (2010); APPROVING A TRANSFER OF $166,982 FROM THE UNAPPROPRIATED BALANCE OF THE CDBG FUND (1111) TO THE JP MORGAN CHASE 2011 NON AD VALOREM REFUNDING NOTE FUND (2010); APPROVING SUPPLEMENTAL APPROPRIATIONS FROM UNAPPROPRIATED FUND BALANCE FROM THE ABOVE TRANSFERS IN THE AMOUNT OF $674,170 FOR THE BB&T NON AD VALOREM NOTE SERIES 2010 FUND (2014), AND IN THE AMOUNT OF $5,566,062 FOR THE JP MORGAN CHASE 2011 NON AD VALOREM REFUNDING NOTE FUND (2010); PROVIDING FOR ADDITIONAL INTEREST AND DEBT SERVICE RESERVE REQUIREMENTS FOR THE PROFESSIONAL SPORTS FACILITIES SALES TAX REFUNDING REVENUE BONDS (2027) BY AUTHORIZING A TRANSFER OF $56,922 FROM THE UNAPPROPRIATED BALANCE OF THE PROFESSIONAL SPORTS FACILITIES SALES TAX REVENUE FUND (1051); authorizing a supplemental appropriation in the amount of $18,974 for the professional sports facilities refunding bonds fund (2027); authorizing the mayor or his designee to execute the agreement and any documents necessary to effectuate these transactions; and providing an effective date.

WHEREAS, effective January 1, 2018, the Tax Cuts and Jobs Act significantly changes the U.S. Tax Code, including a reduction of the corporate tax rate from a maximum of 35% to a maximum of 21%. Certain loans outstanding of the City, including the BB&T Non Ad Valorem Note Series 2010, the JP Morgan Chase 2011 Non Ad Valorem Refunding Note’s Loan, and the SunTrust Professional Sports Facility Sales Tax Refunding Revenue Bonds Series 2014, had contractual language with discretionary or non-discretionary rate increases with such change in corporate tax rates; and
WHEREAS, in February 2018, the City was notified that the BB&T Non Ad Valorem Note Series 2010 would increase from 2.06% to 2.50%; the JP Morgan Chase 2011 Non Ad Valorem Refunding Note’s rate would be adjusted from 1.91% to 2.32%; and the SunTrust Professional Sports Facility Sales Tax Refunding Revenue Bonds, Series 2014 rate would increase from 2.63% to 3.2%; and

WHEREAS, the City has the opportunity to repay these loans at the next payment date of April 1, 2018; and

WHEREAS, it is in the best interest of the City to repay the BB&T Non Ad Valorem Note Series 2010 and the JP Morgan Chase 2011 Non Ad Valorem Refunding Note in full as of April 2, 2018 as there are sufficient funds currently available within the Downtown Redevelopment Fund and the CDBG Fund to provide funds for the early extinguishment of the aforementioned notes; and

WHEREAS, the City will not repay the balance of the SunTrust Professional Sports Facility Sales Tax Refunding Revenue Bonds, Series 2014, as there are insufficient funds currently available and additional refunding opportunities may not be in the best interest of the City at this time; and

WHEREAS, there is a need for additional transfers and supplemental appropriations to provide for the extinguishment of the BB&T Non Ad Valorem Note Series 2010 and the JP Morgan Chase 2011 Non Ad Valorem Refunding Note; and

WHEREAS, there is a need for additional transfers and supplemental appropriations to provide for the additional interest and debt service reserve for the Professional Sports Facility Sales Tax Refunding Revenue Bonds Fund.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the repayment in full of the BB&T Non Ad Valorem Series 2010 and the JP Morgan Chase 2011 Non Ad Valorem Refunding Note is hereby approved.

BE IT FURTHER RESOLVED that the following transfers for FY18 are approved:

**Downtown Redevelopment Fund (1105)**
- BB&T Non Ad Valorem Note Series 2010 Fund (2014)  
  $667,372
  $5,347,930

**CDBG Fund (1111)**
  $166,982

**Professional Sports Facilities Sales Tax Revenue Fund (1051)**
- Professional Sports Facilities Refunding Bonds Fund (2027)  
  $56,922

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the following funds, resulting from the above transfers, the following supplemental appropriation for FY18:

**BB&T Non Ad Valorem Series 2010 Fund (2014):**
- Note Principal  
  $660,000
- Note Interest & Premium  
  $14,170

**JP Morgan Chase 2011 Non Ad Valorem Refunding Note Fund (2010)**
Note Principal  $5,541,000
Note Interest & Premium  $25,062

**Professional Sports Facilities Refunding Bonds (2027)**
Note Interest  $18,974

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute an agreement with BB&T and JP Morgan Chase and all other documents necessary to effectuate this transaction with BB&T and JP Morgan Chase.

This resolution shall become effective immediately upon its adoption.

[Signatures]

**Chief Financial Officer**

**Budget & Management**
February 6, 2018

City of St. Petersburg, FL  
14th St. N  
St. Petersburg, FL 33701

c/o Andy Smith

Re: Payoff Quote for: City of St. Petersburg, FL  
Contract #: 9909001029-00001  
Note Date: December 10, 2010

Dear Valued Client:

Thank you for your recent inquiry concerning your BB&T Governmental Finance loan. The payoff amount of the outstanding debt detailed above is in the amount equal to the following:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remaining Principal</td>
<td>$660,000.00</td>
</tr>
<tr>
<td>Accrued Interest</td>
<td>$7,524.00</td>
</tr>
<tr>
<td>Prepayment Premium</td>
<td>$6,600.00</td>
</tr>
<tr>
<td>Total</td>
<td>$674,124.00</td>
</tr>
<tr>
<td>Less Project Fund</td>
<td></td>
</tr>
<tr>
<td>Total Payoff</td>
<td>$674,124.00</td>
</tr>
<tr>
<td>Per Diem Amount</td>
<td>$45.83</td>
</tr>
</tbody>
</table>

The payoff total is valid through the respective payoff date as noted above. If funds are not received by this date, the per diem amount for the number of additional days should be added to the total.

Upon receipt of the payoff amount, all indebtedness in connection with this loan shall be satisfied and paid in full. Additionally, any documentation acknowledging and securing the collateral shall be released and returned to the borrower.

Funds must be received by the payoff date as stated above and may be paid by check or wire. To wire or mail the funds to BB&T, please follow these instructions:

**You may wire the funds to:**

Bank Name: BB&T  
Acct. Name: BB&T Governmental Finance  
5130 Parkway Plaza Blvd  
Charlotte, NC 28217  
ABA # 053101121  
Account # 5203954953

**You may mail the check to:**

BB&T Governmental Finance  
Attn: Payoff Department  
5130 Parkway Plaza Boulevard  
Charlotte, NC 28217
Please include a description on the wire ticket or check to include:
  • Customer Name
  • Customer Contract #

Should you have any questions, please contact us at 704-954-1700. Our office hours are Monday-Friday, 8:30 a.m. - 5:00 p.m. (ET).

We hope that you will consider BB&T as you evaluate your future financial needs. In addition to Governmental Finance loans, we offer a wide variety of other financial services to our clients.

Thank you for banking with BB&T.

Sincerely,

[Signature]

Trina Britt
Documentation Specialist
BB&T Governmental Finance
704-954-1873

Payoff calculation confirmed by:

[Signature]

Date:

2/6/2018
CITY OF ST PETERSBURG  
One 4th Street North  
5th Floor Attn: Finance Dept. 
St. Petersburg, FL 33701-3708 

Pursuant to the request of CITY OF ST PETERSBURG (the "Borrower"), please be advised that according to our records, the amount necessary to satisfy the following described obligations owing by the Borrower to JPMorgan Chase Bank, N.A. (the "Bank"), as of the date of this letter, is as follows:

<table>
<thead>
<tr>
<th>Loan Number:</th>
<th>901905822</th>
</tr>
</thead>
<tbody>
<tr>
<td>Promissory Note Date:</td>
<td>12/6/2011</td>
</tr>
<tr>
<td>Note Face Amount:</td>
<td>$21,522,000.00</td>
</tr>
<tr>
<td>Principal Balance:</td>
<td>$5,541,000.00</td>
</tr>
<tr>
<td>Accrued Interest:</td>
<td>$24,704.13</td>
</tr>
<tr>
<td>Principal and Accrued Interest</td>
<td>$5,565,704.13</td>
</tr>
<tr>
<td>PAYOFF AMOUNT OF LOAN:</td>
<td>$5,565,704.13</td>
</tr>
<tr>
<td>TOTAL LOAN PAYOFF AMOUNT:</td>
<td>$5,565,704.13</td>
</tr>
<tr>
<td>Per Diem Charges:</td>
<td></td>
</tr>
<tr>
<td>Per Diem Interest:</td>
<td>$357.30</td>
</tr>
<tr>
<td>Per Diem Totals:</td>
<td>$357.30</td>
</tr>
<tr>
<td>TOTAL PER DIEM AMOUNT:</td>
<td>$357.30</td>
</tr>
</tbody>
</table>

According to our records, the Total Loan Payoff Amount in respect of the above-referenced Promissory Note(s) (the "Note(s)") is valid on the date of this letter, and, subject to the other terms and conditions of this letter, the Bank's receipt on the date of this letter of the Total Loan Payoff Amount in immediately available funds by a bank wire transfer will satisfy the above-described obligations of the Borrower to the Bank. The Total Per Diem Amount should be added to the Total Loan Payoff Amount for each day if the Total Loan Payoff Amount has not been delivered by 4:00 P.M. Central/5:00 P.M. Eastern on the date of this letter. To receive proper and timely credit, funds sent by bank wire transfer to the Bank should comply with the following instructions:

Bank Name: JPMorgan Chase Bank, N.A. 
Bank Address: 100 North Tampa St., Floor 33
Tampa, FL 33602

Attention: John McAuley
ABA Number: 021000021
GL Number: 323522211
Borrower Name: CITY OF ST PETERSBURG
Loan Numbers: 901905822

Please be advised that upon the Bank's receipt of the amount necessary to satisfy all of the above-described obligations, (i) the Bank's obligations to make advances to the Borrower under the Note(s) shall be terminated, (ii) the Borrower's obligations under the Note(s) shall be deemed paid in full, released and discharged, all without any further action being required to effectuate the foregoing (excluding those obligations that are specified in any of the Loan Documents (as defined below) as surviving that respective agreement's termination, which shall, as so specified, survive without prejudice and remain in full force and effect), (iii) the Borrower or its designee will be authorized to file UCC Termination Statements in order to evidence the termination of the liens and security interests granted pursuant to all agreements, documents and instruments executed in connection with the Note(s) (collectively the "Loan Documents"), and (iv) the Bank will execute and deliver such mortgage releases and other documents as the Borrower may reasonably request in order to evidence the termination of the liens and security interests granted pursuant to the Loan Documents.

If payment of the above-described obligations in respect of the Note(s) will be received by the Bank on a date other than the date of this letter, please be advised that the Total Loan Payoff Amount and the Total Per Diem Amount set forth above may change, and any payment may not result in payment in full of such obligations. Thus, if you wish to rely on this letter, you should request a written confirmation of such amount from the Bank on the date on which payment is intended to be made.

If you have any questions concerning this letter, please feel free to contact me.

Sincerely,

JPMORGAN CHASE BANK, N.A.

[Signature]

By: John McAuley
Its: Executive Director
### Fund 2010
**JP Morgan Chase Revenue Notes**
Revenues, Exp and Changes in Fund Bal
3/2/2018

<table>
<thead>
<tr>
<th></th>
<th>Actual</th>
<th>Adjusted 3/2/2018</th>
<th>Additional Payoff</th>
<th>Additional Total Estimated Payoff</th>
<th>Final 2018 Supplemental Appropriation Needed FY 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FY 2017-18</td>
<td>3/2/2018</td>
<td>Payoff Needed</td>
<td>FY 2018</td>
<td>FY 2018</td>
</tr>
<tr>
<td><strong>Transfer when Pmt is Due</strong></td>
<td><strong>DNR</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer from Redev Rev Fund (1105) (Malassy portion)</td>
<td>2,975,173</td>
<td>2,975,173</td>
<td>5,390,080</td>
<td>8,323,133</td>
<td>5,247,030</td>
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<tr>
<td>Transfer from Comm Dev Fund (1113) (CDBG portion)</td>
<td>102,776</td>
<td>101,099</td>
<td>166,981</td>
<td>267,090</td>
<td>166,981</td>
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<td>Earnings on Investments</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td>3,077,949</td>
<td>3,076,172</td>
<td>5,556,061</td>
<td>8,591,093</td>
<td>5,247,030</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notes Principal (Pmt Oct)</td>
<td>2,944,000</td>
<td>2,944,000</td>
<td>5,541,000</td>
<td>8,485,000</td>
<td>5,541,000</td>
</tr>
<tr>
<td>Notes Interest (Pmt April, Oct)</td>
<td>133,949</td>
<td>81,032</td>
<td>24,704</td>
<td>105,736</td>
<td>24,704</td>
</tr>
<tr>
<td>Payoff Premium</td>
<td>-</td>
<td></td>
<td>357</td>
<td>357</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td>3,077,949</td>
<td>3,025,032</td>
<td>5,556,061</td>
<td>8,591,093</td>
<td>5,541,000</td>
</tr>
<tr>
<td><strong>EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES</strong></td>
<td>-</td>
<td>51,150</td>
<td>-</td>
<td>(0)</td>
<td>(51,150)</td>
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<tr>
<td><strong>FUND BALANCE - OCTOBER 1</strong></td>
<td>-</td>
<td></td>
<td></td>
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<tr>
<td><strong>FUND BALANCE - SEPTEMBER 30</strong></td>
<td>-</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

### Fund 2014
**BB&T Notes**
Revenues, Exp and Changes in Fund Bal
3/2/2018

<table>
<thead>
<tr>
<th></th>
<th>Actual</th>
<th>Adjusted 3/2/2018</th>
<th>Additional Payoff</th>
<th>Additional Total Estimated Payoff</th>
<th>Final 2018 Supplemental Appropriation Needed FY 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FY 2017-18</td>
<td>3/2/2018</td>
<td>Payoff Needed</td>
<td>FY 2018</td>
<td>FY 2018</td>
</tr>
<tr>
<td><strong>Transfer when Pmt is Due</strong></td>
<td><strong>DNR</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer from Redev Rev Fund (1105)</td>
<td>225,759</td>
<td>225,759</td>
<td>674,124</td>
<td>893,085</td>
<td>667,326</td>
</tr>
<tr>
<td>Earnings on Investments</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td>225,759</td>
<td>225,759</td>
<td>674,124</td>
<td>893,085</td>
<td>667,326</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notes Principal (Pmt Oct)</td>
<td>210,000</td>
<td>210,000</td>
<td>660,000</td>
<td>870,000</td>
<td>660,000</td>
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<td>Notes Interest (Pmt April, Oct)</td>
<td>15,759</td>
<td>8,961</td>
<td>7,524</td>
<td>16,485</td>
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<td>Payoff Premium</td>
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<td>6,600</td>
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<td><strong>TOTAL EXPENDITURES</strong></td>
<td>225,759</td>
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<td>893,085</td>
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<td><strong>EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES</strong></td>
<td>-</td>
<td>6,798</td>
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<td><strong>FUND BALANCE - OCTOBER 1</strong></td>
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TO: Members of City Council

DATE: February 26, 2018

COUNCIL DATE: March 15, 2018

RE: Discussion on restricting the distribution of plastic drinking straws

ACTION DESIRED:

Respectfully request to refer to the Health, Energy, Resiliency, and Sustainability (HERS) committee a discussion to consider a citywide restriction on the distribution of plastic drinking straws from point-of-sale.

BACKGROUND:

Plastic straws represent a significant environmental hazard to coastal habitats and communities alike: posing a threat to sea turtles, wading birds, and other wildlife frequently mistaking them for food while polluting our waterways and neighborhoods.

Plastic straws can take hundreds if not thousands of years to break down and are being found in the digestive systems of marine animals. They are also becoming one of the biggest sources of litter for coastal communities.

How does this work with our current efforts?

Coastal communities like St. Petersburg are among the most vulnerable to the impacts of plastic straw pollution. As a vibrant coastal city that depends heavily on its waterfront as a centerpiece for economic development and quality of life, it is our responsibility to be good stewards of the environment and constantly look for ways to improve our sustainability efforts.

Drinking straws composed of alternative materials are readily available, biodegrade more rapidly than plastic, and can be considered as a quality replacement for those wishing to use straws.

Gina Driscoll, Council Member
District 6
Respectfully requesting that as part of the Sewer Report on the April 19 City Council meeting agenda, we receive the following additional information:

- Overview of all the projects in Mayor Kriseman’s sewer plan; which are in progress and which are completed; the cost of each to date and how that compares to the original budget.

- An updated list of all the projects associated with:
  1. Biosolids project and any changes that have happened
  2. Interim Capacity Improvements - fast track and any changes that have happened
  3. Interim Capacity Improvements - late track and any changes that have happened

- In particular, please include an exact history of how much the Biosolids project was originally projected to cost and how much it is actually going to cost.

- Explanation of why City Council was initially told that the Biosolids project would produce a class of solids that could be sold over the counter, and would not require special disposal and land application and now we are told that the AA class solids will require special disposal and will require land application. (Brown & Caldwell-Technical Memorandum #3, Jan. 20, 2011.)

- An economic analysis of the 30 million dollars of projected savings on the Biosolids project and if that number is still accurate.

Steve Kornell, Council Member
District 5
CITY OF ST. PETERSBURG, FLORIDA.
RE-INCORPORATED A.D.1903.

F-3
ACTION DESIRED:

Respectfully request to refer to the Budget, Finance, & Taxation Committee a discussion for City Staff to develop an Action Plan to address the inequity in contracts awarded through the city’s Small Business Enterprise Program.

In order to clearly examine inequities and address outreach, the Action Plan should include a comparative analysis of the Enoch Davis Center and Greenhouse facilities to include programming, staffing levels, budget, hours of operation, and participation from partners such as the Chamber of Commerce. The plan should also provide details illustrating current steps and plans to ensure equity and inclusion at both facilities.

BACKGROUND:

On January 11th, 2018, the City’s Planning & Economic Development and Procurement Departments presented their annual Small Business Enterprise (SBE) report for FY 2017. In that report, City Staff stated that 8.6% of all city contracts for 2017 were awarded to Small Business Enterprises (SBEs).

Staff also confirmed that of the $10.3 million in city contracts awarded to SBEs, only three contracts totaling $20,000 were awarded to African-American Businesses (MBEs). In comparison, 19 contracts totaling $4.2 million were awarded to Women Business Enterprises (WBEs) while four contracts totaling $474,000 were awarded to Hispanic Business Enterprises (HBEs). The majority of the remaining 55 SBE contracts totaling $5.6 million were awarded to businesses owned by white males.

RATIONALE:

2017 awards to African-American Businesses represent .2% of all SBE contracts that year. In a city where African-Americans comprise roughly 24% of the population, this strikingly low participation must be addressed immediately with actionable steps towards inclusion and equity.
ACTION DESIRED:
Respectfully request to refer to the Housing, Land Use, and Transportation Committee discussion of a Resolution requiring that a meaningful amount (to be determined) of the $15 million in Penny for Pinellas funds reserved for Affordable Housing be used to house individuals and families at or below 80% of the Area Median Income.

BACKGROUND:
From 2000 to 2015, only 32% of all rental units developed in the Tampa Bay region were accessible for those with incomes at or below 60% of the Area Median Income (AMI) [Source: 2017 Shimberg Report], and an appreciable share of recent housing development has been devoted to market rate and workforce in lieu of affordable housing. This shortage of affordable housing is demonstrated by the fact that – in 2016 - for every 100 low-income renter households in Florida there existed only 22 affordable units available for Extremely Low-Income households (at or below 30% AMI), 35 affordable units for Very Low-Income households (at or below 50% AMI), and 82 affordable units for Low-Income households (at or below 80% AMI). [Source: 2017 Home Matters Report].

RATIONALE:
1. The one cent sales tax, Penny for Pinellas, which will run from 2020-2030, was approved on November 7, 2017, by 139,000 Pinellas County residents or 83% of registered voters.
2. The City of St. Petersburg dedicated $15 million of these funds for Affordable Housing.
3. The Department of Housing and Urban Development (HUD) defines “low-income” as those individuals at or below 120% the Area Median Income (AMI).
4. The City has the authority to use lower-income thresholds – such as 80% AMI – for its housing programs.
5. The purpose of the discussion will be to declare a Resolution to direct the City to use a meaningful amount of the $15 million reserved for Affordable Housing to house those individuals and families making less than $33,500 and $47,850 respectively (80% AMI).
Resolution No. 2018-_____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT THE PROPOSALS SUBMITTED BY BROWN & BROWN OF FLORIDA, INC. TO PROVIDE PROPERTY INSURANCE COVERAGE EFFECTIVE APRIL 1, 2018, AT A TOTAL ESTIMATED COST OF $3,752,345.60 AND TO PROVIDE ADDITIONAL COVERAGE TO THE WATER RESOURCES PROGRAM ON OR ABOUT DECEMBER 2018 AT AN ADDITIONAL COST NOT TO EXCEED $40,574 AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City’s current property insurance coverage expires as of March 31, 2018; and

WHEREAS, due to the limited number of markets for coverage of this nature and the specialized nature of property insurance programs of this scope, it was determined that it would be most advantageous for the City to utilize the firm of Brown & Brown of Florida, Inc. as its designated broker for the purpose of securing proposals for coverage for the policy period April 1, 2018 to March 31, 2019 at a fixed fee of $82,800 (in lieu of 10% commission); and

WHEREAS, Brown & Brown of Florida, Inc. has secured a proposal to provide property insurance for properties assigned to the Water Resources Department for an insured value and limit of $416,880,396 (fire and named and non named wind) and Flood annual aggregate ($50,000,000 for all zones and $20,000,000 for zones V & A) with a five percent Named Windstorm and Flood deductible for an approximate annual cost, including National Flood Insurance Policies, Terrorism Coverage, and Loss Engineering fee, of $1,130,126 including taxes and assessments; and

WHEREAS, Brown & Brown of Florida, Inc. has estimated a cost of $40,574 to add $37,150,915 of coverage to the Water Resources Program related to the completion or the Biosolids and Capacity Improvement Project at Southwest Water Reclamation Facility on or about December 2018; and

WHEREAS, Brown & Brown of Florida, Inc. has secured a proposal to provide property insurance for the General Property Program including Tropicana Field for a total insured value of $757,055,226 and a coverage limit of $533,800,000 (fire & non named wind) with a combined coverage limit of $100,000,000 for Named Wind Storm per occurrence and Flood annual aggregate with a five percent Named Windstorm and Flood deductible with the City self insuring ten percent of the first layer of $50,000,000 coverage, for an annual cost of $2,174,650, and then including the cost of Boiler & Machinery coverage, Fine Arts coverage, Crime coverage, Cyber Liability coverage, National Flood Insurance Policies, and Terrorism Coverage on Tropicana Field, Police Headquarters, City Hall, Albert Whitted Airport, and Al Lang Field, bringing the total cost with these and the general property program to $2,303,142.08; and

WHEREAS, Brown and Brown of Florida, Inc. has secured a proposal for the Highly Protected Risk program which includes the MSC building and the Sundial Parking Garage for an insured value and limit of $63,248,500, with a Flood Annual Aggregate of $10,000,000, a 5% Named Windstorm deductible, a $500,000 per location flood deductible, and a $100,000 all other perils deductible for an
annual cost including National Flood Policies, Boiler and Machinery coverage, and Terrorism for an annual cost of $236,277.52.

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 (i) accept the proposals submitted by Brown & Brown of Florida, Inc. to provide property insurance coverage effective April 1, 2018, at a total estimated cost of $3,752,345.60, and (ii) to add additional coverage to the Water Resources Program (on or about December 2018) upon completion of the Biosolids and Capacity Improvement Project at Southwest Water Reclamation Facility.

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

This resolution shall become effective immediately upon its adoption.

Approvals:

Legal:

Budget:

Legal: 00364941.doc V. 3
1. Call to order – 9:15 am

2. Approval of Agenda – CM Gerdes moved to approve, all in favor.

3. Approval of Jan. 25, 2018 and Feb. 8, 2018 Minutes – CM Foster moved to approve, all in favor.

4. New Business
   a) Noise Ordinance Update, Dave Goodwin, Luis Teba

   Mr. Goodwin stated that they are making progress towards understanding some options for updating the noise ordinance; specifically moving from a plainly audible system to a decibel based system. They have engaged the community, sound experts, internal departments, and researched other communities and case law. Mr. Goodwin showed a Noise Ordinance Update power point presentation touching on several points including: why ordinance update; complaint data; main elements; decibel levels for various noise making activities; proposed decibel limits; penalties; and implementation. It was noted that the noise complaints have come down in 2017 to 2,534 as opposed to 3,785 in 2013. The current ordinance, adopted in 2008, is the plainly audible system. It was also pointed out by CM Gerdes that major changes were made in 2014. The proposed decibel based framework involves meter readings and establishes standards based on decibels.

   The proposed standard decibel levels (db’s measured at property line, 30 second reading) are:

   - Non-residential
     70dBA/75dBC 8am-11pm (12am Fri., Sat., before Holiday)
     65dBA/70dBC 11pm-8am (12am Fri., Sat., before Holiday)
   - Residential
     60dBA/65dBC 11am-11pm
     55dBA/60dBC 11pm-11am
   - Downtown Center Core
     Jannus Block 85dBA/87dBC 8am-11pm (1am Fri., Sat., before Holiday)
     Jannus Block 65dBA/75dBC 11pm-8am (1am Fri., Sat., before Holiday)
   - Mechanical Equipment (measured at the property line)
     60dBA/60dBC

   In regards to mechanical noise items that will be permitted, contractors will be provided the standards. CM Driscoll asked if the possibility of requiring or incentivizing noise mitigation measures for existing equipment was investigated? Mr. Goodwin responded that they have had those conversations with folks with existing problems and have had a lot of cooperation. CM Foster asked if we explored changing building regulations to mitigate the noise and put that on the developer instead of doing this for businesses that are already in place? She also asked if you are going to build in the highest intensity in our city should you not have different requirements to give residents peaceful occupation of their property? Mr. Goodwin responded we could explore that option and will look into noise standard for construction. CM Foster noted that since this discussion started and some enforcement is taking place, it seems that the noise complaints are coming
down. She stated that she is struggling with the proposed lower level limit. She also expressed concern that this would impact numerous businesses in Grand Central and the Edge District that are not getting significant amounts of complaints. Mr. Goodwin responded that the Grand Central corridor is non-residential/mixed use area but adjacent areas that are zoned residential will have more stringent standards for noise. CM Foster asked if the 30 second reading is too short. Mr. Goodwin explained that our expert took a 2-to-3 minute recording, then looked at the data and found the 30 seconds that is the most normal. CM Foster would like to consider what other mitigations might be utilized.

CM Gabbard questioned, under the current ordinance, who at the establishment actually gets cited? Assistant Chief Dente responded that the highest ranking employee at the time of the citing, receives the citation. They would like to see the business cited.

Mr. Goodwin continued the presentation discussing Other Considerations. Special Noise Site Permits is a solution to those parks and other facilities where there is a special application for special permit to allow for a particular noise level on a certain number of days per year. That would accommodate blues fest, rib fest, and similar events. This would establish formal cut-off times as well. In regards to Performing Arts Venues Outdoor, Jannus Live is a one-of-a-kind land use in the city; it a venue for outdoor performance and is not currently addressed in the ordinance. A solution is to create that use in the zoning code and make it a special exception use. In regards to Street Performers, Derrill Mcateer stated that we have more latitude to regulate street performers who plug in and utilize amplification, whereas our ability to regulate unamplified sound was much more limited on sidewalks and streets. CM Kornell requested the number of street performer complaints.

The proposed penalties are intended to change behavior. Residential penalties include a warning and fines. Non-residential/DC-Core also includes warning, fines written to the owner, and suspension of permit. Penalties for Outdoor Venue Principal Use include a warning, fines and suspension. Mechanical Equipment penalties are warning and fines. Jackie Kovilaritch interjected that these penalties are proposed and still need to be reviewed from a legal standpoint.

LDR Text amendments would need to be made to Performing Arts Venue Use; Section 16.50.310 Restaurants and Bars, indoor and outdoor; and the Sidewalk Café Section. Resources are required for implementation that would include 3-4 full time noise enforcement officers and a five member ANSI certified noise board. Minimum estimated costs are $178,680 annual personnel (4 officers) and $156,170 for project start-up expenses. The annual on-going estimated cost is $200,000.

CM Gerdes commented that the reduction in calls seems to be associated with the improvements made in the ordinance in 2014. He asked that if the violations are going down, why are we talking about a whole new regulatory framework? Mr. Goodwin responded that there is still a lot of dissatisfaction particularly in the downtown area. Research was done in other cities and found that they use the decibel based system. Mr. Mcateer noted that the plainly audible standard was still constitutional for noise regulation, as long as the regulations and enforcement were objective and content neutral.

CM Driscoll mentioned noise studies. Mr. Goodwin responded that the studies are available on the website and he will send PDFs to Council Members. At the next meeting, CM Montanari would like to see a breakdown of where the complaints are coming from and would like to get information on noise of pool pumps, a/c units. CM Kornell stated this discussion will be continued at the next PSI meeting on March 8.

Meeting adjourned at 10:35 am.
ST. PETERSBURG CITY COUNCIL

MEETING OF: March 15, 2018

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Lot Clearing Number(s) LCA 1587

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: 1587

NUMBER OF STRUCTURES: 40

ASSESSABLE AMOUNT: $9,419.79

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 $9,419.79 will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: ________________________________

COUNCIL ACTION: ______________________

FOLLOW-UP: ____________________________    AGENDA NO. ____________
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<th>ASSESSMENT NUMBER</th>
<th>OWNER NAME</th>
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<td>391 34TH STREET 965 S BAYSHORE BLVD SAFETY HARBOR FL 346954217</td>
<td>23 31 16 00000 220 0700 FROM NW SEC COR TH S 837.11FT TH E 50FT FOR POB TH N 231.11FT TH E 330FT</td>
<td>391 34TH ST N</td>
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<td>HAACK, STEVEN A 112 12TH AVE INDIAN ROCKS BEACH FL 337853726</td>
<td>01 32 16 08512 002 0060 BICKLEY'S LAKEWOOD SUB BLK 2, LOTS 6 &amp; 7</td>
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<td>13 31 16 11196 002 0122 BRICKETT'S, C. E. BLK B, W 35FT OF LOT 12</td>
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### City of St. Petersburg

**Special Assessments Division**

**FINAL ASSESSMENT ROLL**

3-15-2018

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**City of St. Petersburg**

Special Assessments Division

**FINAL ASSESSMENT ROLL**

3-15-2018

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<th>ASSESSMENT NUMBER</th>
<th>OWNER NAME/MAILING ADDRESS</th>
<th>PARCEL ID/LEGAL DESCRIPTION</th>
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TOTAL NUMBER OF ASSESSMENTS: 40

TOTAL ASSESSMENT AMOUNT: 9,419.79
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A RESOLUTION CONFIRMING AND APPROVING PRELIMINARY ASSESSMENT ROLLS FOR LOT CLEARING NO. 1587 ("LCA 1587") 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. 1587 ("LCA 1587") 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

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. 1587 ("LCA 1587") 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)
00364602
ST. PETERSBURG CITY COUNCIL

MEETING OF: March 15, 2018

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Building Securing Number SEC 1233

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: 1233
NUMBER OF STRUCTURES 7
ASSESSABLE AMOUNT: $2,035.77

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 $2,035.77 will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: _________________________________

COUNCIL ACTION: _____________________

FOLLOW-UP: ____________________________ AGENDA NO. ____________
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<td>BLK 6, LOTS 9,10 &amp; 11 AND</td>
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TOTAL NUMBER OF ASSESSMENTS: 7

TOTAL ASSESSMENT AMOUNT: 2,035.77
BUILDING SECURING NUMBER SEC 1233

COST/FUNDING/ASSESSMENT INFORMATION

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A RESOLUTION ASSESSING THE COSTS OF SECURING LISTED ON SECURING BUILDING NO. 1233 ("SEC 1233") 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. 1233 ("SEC 1233"); 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 March 15, 2018, 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. 1233 ("SEC 1233") 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)
00364601
ST. PETERSBURG CITY COUNCIL

MEETING OF: March 15, 2018

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Building Demolition Number DMO 459

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: 459
NUMBER OF STRUCTURES: 8
ASSESSABLE AMOUNT: $71,638.82

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 $71,638.82 will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: ________________________________

COUNCIL ACTION: ______________________

FOLLOW-UP: ____________________________  AGENDA NO. _________
<table>
<thead>
<tr>
<th>ASSESSMENT NUMBER</th>
<th>OWNER NAME</th>
<th>PARCEL ID</th>
<th>LEGAL DESCRIPTION</th>
<th>PROPERTY ADDRESS</th>
<th>ORIGINAL ASSESSMENT</th>
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</thead>
<tbody>
<tr>
<td>DMO 0459 03285</td>
<td>THOMAS, DERRICK</td>
<td>25 31 16 19656 000 0120</td>
<td>CROSSCITY BUSINESS BLOCK LOTS 12 &amp; 13 AND ADJ VAC 20FT ON E</td>
<td>1749 16TH ST S</td>
<td>12,447.33</td>
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<td></td>
<td>1030 27TH AVE S</td>
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<tr>
<td>DMO 0459 03286</td>
<td>THOMSEN, KRITH W</td>
<td>18 31 17 25848 000 0020</td>
<td>ENEGEBRIT'S RESUB TRACT B</td>
<td>1035 7TH ST N</td>
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<tr>
<td>DMO 0459 03287</td>
<td>HARRICHARIN, RAVINDRA S</td>
<td>25 31 16 26028 000 0021</td>
<td>ETERN'S SUB E 76FT OF N 100FT OF E 131 FT OF LOT 2 LESS ST</td>
<td>1101 12TH ST S</td>
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<tr>
<td></td>
<td>1625 MASSACHUSETTS AVE NE</td>
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<tr>
<td>DMO 0459 03288</td>
<td>BENJAMIN, RICHARD EST</td>
<td>25 31 16 40734 004 0020</td>
<td>HOLLYWOOD ADD. REV MAP OF BLK 4, LOT 2</td>
<td>1110 NEWTON AVE S</td>
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<td>HOOPER, JASON</td>
<td>26 31 16 41868 000 0110</td>
<td>IDLEWILD LOT 11</td>
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<td>DMO 0459 03290</td>
<td>M R C SOLUTIONS ONLINE INC</td>
<td>30 31 17 46404 002 0110</td>
<td>KERR ADD BLK 2, LOT 11</td>
<td>511 16TH AVE S</td>
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<tr>
<td>DMO 0459 03292</td>
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<td>OSBORNE PLACE</td>
<td>LOT 8</td>
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<td>MOUNT LAUREL</td>
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TOTAL NUMBER OF ASSESSMENTS: 8

TOTAL ASSESSMENT AMOUNT: 71,638.82
## Building Demolition Number DMO 459
### Cost/Funding/Assessment Information

<table>
<thead>
<tr>
<th>Category</th>
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<td>Demolition Cost</td>
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<td>Asbestos Cost</td>
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<td>Legal Ad</td>
<td>$2,178.88</td>
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<td>Engineer's Charge</td>
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<tr>
<td>Administrative Fee</td>
<td>$2,845.07</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>$71,638.82</strong></td>
</tr>
</tbody>
</table>
A RESOLUTION ASSESSING THE COSTS OF DEMOLITION LISTED ON BUILDING DEMOLITION NO. 459 ("DMO NO. 459") 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. 459 ("DMO No. 459"); 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 March 15, 2018, 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. 459 ("DMO No. 459") as liens against the respective real property on which the costs were incurred and that pursuant to Section 8-270 of the St. Petersburg City Code said liens shall be superior in dignity to all other liens except taxes; and

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

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

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

[Signature]

City Attorney (Designee)
MEMORANDUM
CITY OF ST. PETERSBURG

City Council Meeting of March 15, 2018

TO: The Honorable Lisa Wheeler-Bowman, Chair, and Members of City Council
FROM: Chris Ballestra, Director, Enterprise Facilities Department

SUBJECT: An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") for the Southwest Hangar Redevelopment Project (Project #14168), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds ("Grant") including but not limited to the Aviation Program Assurances ("Grant Assurances"), which, inter alia, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed $1,600,000; approving a loan of $400,000 from the Economic Stability Fund (0008) to the Airport Capital Fund (4033) to provide the City match; approving a supplemental appropriation in the amount of $2,000,000 from the increase in the unappropriated balance of the Airport Capital Fund (4033) resulting from these additional revenues to the Southwest Hangar Redevelopment Project (14168); authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

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

Encumbrances or restrictions of up to twenty years for that property or portions of that property generally known as Albert Whitted Airport which would restrict the use of that property, or portions of that property, to airport uses each time such a restriction is executed. The Albert Whitted property is generally described as:
The Airport has secured multiple grant funding opportunities through the Florida Department of Transportation ("FDOT") within the last few years to complete major improvements to the airport including bulk hangars, t-hangars, shade hangars and aircraft ramp improvements. The majority of the improvements will include the replacement of existing, older facilities, such as Hangar #2 and T-Hangars #5, 6, 7, & 8, which have well outlived their life-cycles. However, when all phases are completed, there should be a net increase of bulk hangar storage capacity on the airport by ±25,000 sq/ft as well as the availability of additional shade hangars. Some of the existing aircraft ramp areas will also be improved as part of this project to correct design deficiencies, handle aircraft displacement and increase overall surface parking capacity.

This grant will be the sixth (6th) acceptance of grant funds for the Southwest Hangar Redevelopment Project and provides an additional $1,600,000. FDOT funding provides an eighty percent (80%) match toward the total cost of both design and construction costs. The City's twenty percent (20%) match of $400,000 is being provided through a loan from the Economic Stability Fund (0008).

In 2015 the City established a formal loan agreement with the Airport which included past operating and/or capital funds. The Airport's Loan balance is paid back in annual installments from the Airport Operating Fund (4031). Based on historical and projected annual payback, it is estimated that this loan will extend the payback period by approximately two (2) years.

The design of the project is significantly completed with the plans currently in final review/quality control with City Engineering. It is expected the project will go out to bid late spring 2018 with the first phases of construction starting later in the year. Exhibit "A", which is attached to this memorandum, provides a conceptual depiction of the primary project area and the various phases.

An additional grant opportunity will become available in FY19 to provide the final funding to complete all the construction phases. A separate ordinance for this grant would be brought for Council approval when awarded by FDOT. Administration continues to explore opportunities to identify match funding for the final grant.

A First Reading of the ordinance was held on March 1, 2018

**RECOMMENDATION:** Administration recommends that City Council adopt An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") for the Southwest Hangar Redevelopment Project (Project #14168), to be executed by the City, as a requirement for
receipt of Florida Department of Transportation ("FDOT") funds ("Grant") including but not limited to the Aviation Program Assurances ("Grant Assurances"), which, *inter alia*, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed $1,600,000; approving a loan of $400,000 from the Economic Stability Fund (0008) to the Airport Capital Fund (4033) to provide the City match; ; approving a supplemental appropriation in the amount of $2,000,000 from the increase in the unappropriated balance of the Airport Capital Fund (4033) resulting from these additional revenues to the Southwest Hangar Redevelopment Project (14168); authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

**Cost/Funding/Assessment Information:** Funding will be available after a supplemental appropriation in the amount of $2,000,000 from the increase in the unappropriated balance of the Airport Capital Fund (4033) resulting from these additional revenues to the Southwest Hangar Redevelopment Project (14168). Pursuant to the JPA the City will receive funding from the FDOT in the total amount of $1,600,000 which will be used to cover up to eighty percent (80%) of the total design and construction costs of the Southwest Hangar Redevelopment Project (#14168). The City's twenty percent (20%) match of $400,000 is provided through a loan from the Economic Stability Fund (0008). This amount will be added to the Airport's current loan balance which is paid back annually from the Airport Operating Fund (4031). It is estimated that this amount will extend the loan period by two (2) years. The Airport Interfund Loan was established through City Council Resolution #2015-202.

Approvals:

Legal: [Signature]

Administration: [Signature]

Budget: [Signature]

00361866.v1
EXHIBIT “A”: SOUTHWEST HANGAR REDEVELOPMENT
PROJECT AREA
Ordinance No. 

An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") for the Southwest Hangar Redevelopment Project (Project #14168), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds ("Grant") including but not limited to the Aviation Program Assurances ("Grant Assurances"), which, inter alia, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed $1,600,000; approving a loan of $400,000 from the Economic Stability Fund (0008) to the Airport Capital Fund (4033) to provide the City match; approving a supplemental appropriation in the amount of $2,000,000 from the increase in the unappropriated balance of the Airport Capital Fund (4033) resulting from these additional revenues to the Southwest Hangar Redevelopment Project (14168); authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

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

Section Two. The Florida Department of Transportation ("FDOT") has offered the City a grant in the amount of $1,600,000 ("Grant") which will be available for the following project on the Airport: Southwest Hangar Redevelopment Project (Project #14168). The Grant provides an eighty percent (80%) match toward the total cost of the project.

Section Three. The restrictions which are set forth in the Joint Participation Agreement ("JPA"), including but not limited to the Aviation Program Assurances ("Grant Assurances") and any additional Supplemental Joint Participation Agreements ("JPAs") to be executed by the City, are a requirement for receipt of the Grants in an amount not to exceed $600,000 for the project described in Section Two of this ordinance, which inter alia require, that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment not to exceed 20 years from the effective date of the JPA are authorized.
Section Four. A loan of $400,000 from the Economic Stability Fund (0008) is transferred to the Airport Capital Fund (4033) and appropriated to the Southwest Hangar Redevelopment Project (Project #14168) for the City's twenty percent (20%) match toward the total cost of the project.

Section Five. The Mayor or his designee is authorized to accept the Grant from the FDOT in the amount of $1,600,000.

Section Six. The balance of the Airport Interfund Loan, established through City Council Resolution 2015-202, is increased by $400,000.

Section Seven. That there is hereby approved from the increase in the unappropriated balance of the Airport Capital Fund (4033) resulting from these additional revenues the following supplemental appropriation for FY18:

- Airport Capital Fund (4033)
- Southwest Hangar Redevelopment Project (14168) $2,000,000

Section Eight. That there is hereby approved the following transfer from the unappropriated balance of the Economic Stability Fund (0008) to the Airport Capital Improvement Fund (4033) for FY18:

- Economic Stability Fund (0008)
- Transfer to: Airport Capital Improvement Fund (4033) $400,000

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

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

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

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

Legal: [Signature]

Administration: [Signature]

Budget: [Signature]

Legal: 00362157.doc v2
MEMORANDUM
Council meeting of March 1, 2018

TO: Lisa Wheeler-Bowman, Chair and Members of City Council
FROM: Kenneth W. MacCollom, Assistant City Attorney
SUBJECT: First Reading
Re-enactment of City Ordinance Sec. 20-30 (Public Trespass)

City Ordinance Section 20-30 relates to the issuance of trespass warnings on public property in the City of St. Petersburg. In 2011, due to related litigation in Federal Court, section 20-30 was amended. An attorney-client session was held with City Council during which there was discussion related to the amendment of the ordinance. Subsequent to these events, the case of Anderson v. City of St. Pete Beach, 161 So. 3d 548 (Fla. 2d DCA 2014), became the effective law.

The Anderson ruling changed what is permissible in attorney-client sessions. Accordingly, due to the changes in the law, the underlying ordinance 20-30 has been found to be invalid. Therefore, it is recommended that section 20-30 be readopted following public notice and comment.

It should also be noted that section 20-30 was found to be constitutional by the United States 11th Circuit Court of Appeals in a related matter involving the same litigant; therefore the City will still be able to trespass violators upon reenactment.
AN ORDINANCE CREATING A NEW SECTION 20-30(i); PROVIDING FOR APPEALS TO THE ISSUANCE OF TRESPASS WARNINGS IN CERTAIN SITUATIONS; PROVIDING FOR HEARING MASTERS AND PROCEDURES FOR APPEALS; CLARIFYING AND FORMALIZING THE PROCESS FOR AN APPEAL OF A TRESPASS WARNING; AMENDING SECTION 20-30(e) TO PROVIDE THAT TRESPASS WARNINGS SHALL IDENTIFY THE RIGHT TO AN APPEAL OF A TRESPASS WARNING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 20-30 of the City Code provides for procedures for the issuance of trespass warnings and limitations on the ability of City employees to issue trespass warnings to individuals for being on certain City property; and

WHEREAS, Section 20-30 of the City Code provides for a procedure for individuals receiving a trespass warning to request that the warning be rescinded or that they be allowed certain relief therefrom; and

WHEREAS, the City seeks to clarify and formalize the appeal procedures which previously existed on the trespass form; and

WHEREAS, Section 20-30(i) was previously adopted by Ordinance No. 2-H and subsequently amended by Ordinance No. 26-H, Section 20-30(i) is now being readopted and confirmed by the City Council in open session.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. The St. Petersburg City Code is hereby amended by adding a new Section 20-30(i) to read as follows:

(i) Appeal of trespass warning. A person to whom a trespass warning is issued under this section shall have the right to appeal as follows:

1) An appeal of the trespass warning must be filed, in writing, within ten (10) days of the issuance of the warning, and shall include the appellant’s name, address and phone number, if any. No fee shall be charged for filing the appeal.

2) The appeal shall be filed at the information desk of the St. Petersburg Police Department located at 1300 First Avenue North.

3) Appeals shall be heard by a Hearing Master which the City contracts with to provide this service.
4) Within five (5) days following the filing of the appeal, the Hearing Master shall schedule a hearing. Notice of the hearing shall be provided to the appellant in one of two ways:

   a) By leaving or posting the notice at the Information Desk of the St. Petersburg Police Department, or

   b) By telephone if a telephone number has been provided. If appellant cannot be reached by telephone, then notice at the Information Desk shall be sufficient.

5) The Hearing Master shall hold the hearing as soon as possible. In no event shall the hearing be held sooner than seven (7) days following the filing of the appeal and no later than thirty (30) days from the filing of the appeal.

6) Copies of documents in the City's control which are intended to be used at the hearing, and which directly relate to the issuance of the trespass warning to the appellant, shall be made available upon request to the appellant at no cost.

7) The appellant and the City shall have the right to attend with an attorney, the right to testify, to call witnesses, to cross-examine witnesses and to present evidence. The appellant shall have the right to bring a court reporter, at their own expense.

8) The Hearing Master shall consider the testimony, reports or other documentary evidence, and any other evidence presented at the hearing. Formal rules of evidence shall not apply, but fundamental due process shall govern the proceedings.

9) The City shall bear the burden of proof by clear and convincing evidence that the trespass warning was properly issued pursuant to the criteria of this section.

10) If the appellant fails to attend a scheduled hearing, the Hearing Master shall review the evidence presented and determine if the trespass warning was properly issued pursuant to the criteria of this section.

11) Within five (5) days of the hearing, the Hearing Master shall issue a written decision on the appeal which shall be mailed to the appellant at the address provided. If no address is provided, a copy of the decision shall be posted at the Information Desk of the St. Petersburg Police Department.

12) The decision of the Hearing Master shall be final and the appellant shall be deemed to have exhausted all administrative remedies. Such decision may be subject to judicial review in the manner provided by law by the appellant. The City may not appeal any decision of the Hearing Master.
13) The trespass warning shall remain in effect during the appeal and review process, including any judicial review.

Section Two. Section 20-30(e) of the St. Petersburg City Code is hereby amended to read as follows:

(e) A copy of the trespass warning shall be provided by mail or hand delivery to the individual and to the City employee or official having control over the City park, facility, building or outdoor area. The written trespass warning shall advise of the right to appeal and the location and telephone number for filing the appeal.

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

Approved as to Form and Substance:

City Attorney (Designee)
SAINT PETERSBURG CITY COUNCIL

Meeting of March 15, 2018

TO: The Honorable Lisa Wheeler-Bowman, City Council Chair, and Members of City Council

SUBJECT: Appeal of the Development Review Commission (DRC) denial of a Special Exception and related Site Plan for a Community Assembly Facility with a Community Garden and a Variance to the 35-foot required setback (City File 17-32000031 Appeal)

RECOMMENDATION: The Planning & Economic Development Department Staff recommends that the City Council APPROVE Resolution “A” to GRANT the appeal, thereby OVERTURNING the decision of the DRC to deny the application, with amended special conditions.

INTRODUCTION: The subject property is located on the west side of 15th Street North in the Methodist Town neighborhood. Addresses include 334, 342 and 366 15th Street North. The subject property is an existing accessory Community Garden, associated with the adjacent Social Service Agency, Long Term Residential Facility, see Project Location Map, Exhibit A. The applicant is seeking approval of a Special Exception and related site plan to establish a Community Assembly Facility with a Community Garden, with a variance to the 35-foot setback requirement. The site plan, elevations and floor plan are also included in Exhibit A. The detailed Special Exception request is discussed in the attached DRC Staff Report dated January 3, 2017, included in Exhibit B.

A Community Assembly Facility is defined in Chapter 16 as follows: “Establishments that provide shelter for public gatherings and communal activities, or other assembly structures, including community halls, reception halls, wedding halls and similar structures that provide a gathering for community functions.” Staff finds that the activities as proposed are generally consistent with the definition of a Community Assembly Facility.

The applicant submitted a concurrent application for a modification to a previously approved Special Exception and related site plan for a Social Service Agency, Long Term Residential Facility with 30 beds on lots to the south of this subject application, Case #17-31000025. These lots were formerly contiguous to the existing Community Garden, however, the two intervening platted lots (Lots 2 and 3; 326 15th St N.) are now under separate ownership. The request was approved by the DRC at the January 10, 2018 hearing by a vote of 6 to 0.

DRC REVIEW AND DECISION: The DRC considered the subject application during the public hearing on January 10, 2018. The DRC heard testimony from City staff, the applicants, the registered opponent and nine members of the general public; one opposed the application and the others were in support. One blue card was filled out in opposition, but the citizen did not
speak. Three blue cards were filled out in support, but the citizens did not speak. The details of the testimony are provided in the attached meeting notes, provided in Exhibit B.

DRC’s first motion was to amend condition Number 8 to read “Events shall be limited to no more than 60-attendees and hours shall be limited to 8am to 10pm Monday through Thursday and Sunday, 8am to 11pm Friday, Saturday and holidays. Adequate off-site parking shall be secured for all events based on the projected attendance.” The motion passed by a vote of 6-0.

After considering all of the information provided and the testimony given, the DRC made a second motion to approve the request. The motion to approve failed by a vote of 2 to 4, thereby denying the request. A copy of the staff’s Presentation, the Results Letter dated January 16, 2018, Voting Record and Meeting Notes are attached as Exhibit B.

THE APPEAL: The City Clerk’s office received one appeal on January 22, 2018 from the applicant, see attached Exhibit C. The applicant provided elevations and plans of the proposed facility as part of the appeal package, as well as a letter addressing issues raised at the DRC hearing, with proposed operational conditions. 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. The burden of proof for all appeals is on the Appellant.

The relevant legal criteria for this appeal of a Special Exception Use are found in Chapter 16, Section 16.70.040.1.5.D. are noted below. It is the responsibility of the reviewing body to evaluate and weight these criteria in making their determination.

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 site plan review 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 ANALYSIS: The following analysis provides an overview of the significant issues raised at the DRC hearing with proposed conditions to address these concerns.

Issue #1: Parking
Applicable Criteria: 16.70.040.5.D.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; and 16.70.040.1.5. D.13. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

Testimony at the DRC hearing included concerns regarding parking for events with up to 60 attendees.

Appellant's response: "We will be entering into a memorandum of understanding with St Vincent De Paul for use of their 25,000 square foot vacant parking lot."

Staff response: Staff has received a copy of the referenced memorandum, which is attached as Exhibit C. Staff recommends adding the following special condition 11:

11. Prior to establishment of the Community Assembly Facility Use and issuance of any required building permits, and prior to hosting of any events on the property, the applicant shall submit a copy of a recorded agreement for off-site parking to accommodate event parking. Any off-site temporary parking areas must comply with the applicable parking lot standards, and the applicant shall submit a permit application for any proposed temporary parking lot(s), demonstrating compliance with section 16.40.090.3.10, and shall complete required improvements and inspections.

Issue #2: Compatibility
Applicable Criteria: 16.70.040.5.D.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;
16.70.040.1.5.D.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;
16.70.040.1.5.D.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; and

16.70.040.1.5.D.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;

The DRC staff report and correspondence from neighboring property owners provides an overview of the history of complaints and concerns regarding overall property maintenance, the number of chickens, and bee keeping activities. Staff inspected the property on February 15, 2018, and found that there were still outstanding codes violations unrelated to the subject request, including the number of chickens, size and number of coops, and outside storage. The applicant has stated that the number of chickens has been significantly reduced and all such violations are to be corrected prior to the appeal hearing.

Testimony at the DRC hearing included concerns regarding compatibility of the Community Assembly Use. The DRC evaluated these criteria after hearing the testimony and expressed concerns regarding external harmony and compatibility with uses outside of the development. The commissioners expressed concerns regarding sale and consumption of alcohol and concerns that once the commercial kitchen is constructed that the use will expand to be more of a commercial type of operation, similar to a restaurant. They expressed concerns regarding the evening hours of operation, the frequency of events, and the number of people. Concerns were expressed regarding the applicant's history of compliance with City regulations. Concerns were expressed about their irrigation well, and compliance with Department of Health testing protocol, see attached meeting notes provided in Exhibit B.

Appellant's response: "we will be limiting our hours of operation Sunday through Thursday, to be between sunrise and sunset. On Friday and Saturday the hours of events would be sunrise to 10pm. Because we consider community events an essential element to our programming, we are still asking for a maximum assembly size of 60 people. We would, however, limit the number of events of more than 50 people to no more than 12 in any one calendar year. Alcohol would not be allowed to be served at events."

Staff response: The proposed outdoor assembly area is located on the northern side of the property, adjacent to commercial uses to the north and industrial uses to the west. Vehicular access to the facility will be from the western alley, across from the industrial uses. The Community Assembly Facility and Community Garden uses serve as a buffer between the light industrial, auto repair businesses to the west and the social service agency to the north and the residential uses to the east and south, see Zoning Context and Land Use Context exhibits, attached as Exhibit D.

There are no significant natural, historic or archaeological resources on the subject site. The location of the assembly area on the property would minimize impacts, however, the Community Assembly Facility itself may not be compatible with the residential uses on the east side of 15th Street N if the applicant fails to adhere to the conditions of approval which limit the hours, noise, size and operation. Location of an assembly facility on a local roadway could cause excessive traffic and limit on-street parking for the adjacent residential uses if the applicant fails to provide off-site parking or direct event attendees to park off-site or utilize other methods of transportation to the facility. To minimize the potential for detrimental effects, Special conditions of approval provide for limits on the hours of operation, prohibit amplified noise and limit the number attendees.

Staff recommends amending proposed condition 8 as follows to provide additional limits on hours and number of attendees, and require Temporary Use Permitting and frequency limits for larger events:
8. Events shall be limited to no more than 60-attendees. Events exceeding 30-attendees shall be limited to no more than 12 in any one calendar year and shall require a review and approval of a Temporary Use Permit by the POD prior to each event. Failure to comply with conditions of a Temporary Use Permit shall give the POD the authority to deny subsequent permit requests. Event hours shall be limited to 9am to 6pm Monday through Thursday and Sunday, and 8am to 10pm Friday, Saturday and holidays. There shall be no alcohol served at the events.

In response to the January 10, 2018 letter from Society of St. Vincent De Paul (see Exhibit E, Additional Correspondence), staff recommends amending proposed condition 3. as follows:

3. Apiary shall meet Florida Statute 586 which requires that the beekeeper sign a “Beekeeper Compliance Agreement” and follow the “Best Management Requirements for Maintaining European Honey Bee Colonies on Non-Agricultural Lands.” Apiary shall be relocated to provide a minimum 35-foot setback from all property lines.

Lastly, Staff recommends adding the following special condition 12:

12. The Community Garden irrigation well shall meet Department of Health requirements for testing.

SUMMARY: Staff found that the application complied with the applicable provisions of the Land Development Regulations (LDR’s) and the Comprehensive Plan with recommended special conditions and recommended approval to the Development Review Commission (DRC). The DRC considered all of the information provided in the staff report and presented during the public hearing and weighed the criteria in making their decision.

After considering the concerns expressed by the DRC and the testimony given at the hearing, Staff finds that with the recommended amended special conditions provided herein, the granting of the Special Exception Use and related setback variance would be in harmony with the general purpose and intent of the Land Development Regulations and the Comprehensive Plan.

The amended special conditions are as follows:

SPECIAL CONDITIONS OF APPROVAL:
1. This Special Exception/Site Plan approval shall be valid through January 10, 2021. Substantial construction shall commence prior to this expiration date, unless an extension has been approved by the POD. A request for extension must be filed in writing prior to the expiration date.
2. There shall be no more than ten (10) chickens on the subject property in accordance with Section 4.31.c.f. The coop shall not be located in the front yard and shall provide for a 35-foot interior side yard setback from the southern property line and 10 foot rear yard setback. A Unity of Title shall be submitted for review, approval and recordation to establish the premises of the owner prior to issuance of a building permit for construction of any structures on the property. All chickens in excess of the 10 allowed shall be removed within 30-days.
3. Apiary shall meet Florida Statute 586 which requires that the beekeeper sign a “Beekeeper Compliance Agreement” and follow the “Best Management Requirements for Maintaining European Honey Bee Colonies on Non-Agricultural Lands.” Apiary shall be relocated to provide a minimum 35-foot setback from all property lines.
4. There shall be no other animals kept overnight on the property.
5. All structures including the proposed covered dining/seating area, kitchen and cooler shall meet the design requirements of the NSM district, 16.20.030.11.
6. All requirements of 16.50.085.4.1. shall apply to the Community Garden Use.
7. A building permit shall be required to establish the Community Assembly Facility, including all proposed structures including sheds, containers and permanent covered dining/seating
8. Events shall be limited to no more than 60-attendees. Events exceeding 30-attendees shall be limited to no more than 12 in any one calendar year and shall require a review and approval of a Temporary Use Permit by the POD prior to each event. Failure to comply with conditions of a Temporary Use Permit shall give the POD the authority to deny subsequent permit requests. Event hours shall be limited to 9am to 6pm Monday through Thursday and Sunday, and 8am to 10pm Friday, Saturday and holidays. There shall be no alcohol served at the events.

9. In order to mitigate the impact of the proposed use to the abutting single family residential use to the east of the subject property and other nearby residences, no outdoor amplified sound shall be permitted on the subject property and all activities shall be subject to the City noise ordinance, as that ordinance is currently codified and may be amended from time to time.

10. Plans shall be revised as necessary to provide for a minimum of nine paved parking spaces and to comply with comments provided by the City’s Engineering Department memorandum dated December 14, 2017 and Transportation and Parking Management Department dated December 22, 2017.

11. Prior to establishment of the Community Assembly Facility Use and issuance of any required building permits, and prior to hosting of any events on the property, the applicant shall submit a copy of a recorded agreement for off-site parking to accommodate event parking. Any off-site temporary parking areas must comply with the applicable parking lot standards, and the applicant shall submit a permit application for any proposed temporary parking lot(s), demonstrating compliance with section 16.40.090.3.10, and shall complete required improvements and inspections.

12. The Community Garden irrigation well shall meet Department of Health requirements for testing.

PUBLIC COMMENTS: Prior to the DRC public hearing, correspondence in opposition, from the 15th Street Townhome Property Owners Association Board of Directors, from the Methodist Town Neighborhood Association, and from an adjacent property owner was included in the DRC staff report. Concerns were expressed regarding the assembly facility use, the commercial kitchen and dining area, and the design of the additional structures. Additional documents were submitted prior to and at the DRC hearing, including nine in support, and a letter from St. Vincent De Paul with conditional support. At the DRC hearing, in addition to the Registered Opponent, one citizen spoke in opposition and eight spoke in support. Four people filled out cards but did not speak, three in favor and one against. Correspondence received is included in the staff report and in attached Exhibit E, Additional Correspondence.

RECOMMENDATION: The Planning and Economic Development Department staff recommend that the City Council APPROVE Resolution “A” to grant the appeal thereby overturning the decision of the DRC to deny the application, and thereby approving the request with amended special conditions (see attached Exhibit F).

List of Exhibits:
Exhibit A: Project Location Map, Site Plan and Elevations
Exhibit B: DRC staff report, Presentation, Results letter and Meeting Minutes
Exhibit C: Request for Appeal dated January 22, 2018; Off-site parking memorandum
Exhibit D: Zoning Context and Land Use Context exhibits
Exhibit E: Additional Correspondence
Exhibit F: Resolutions A and B
CASE #17-32000031 APPEAL

EXHIBIT A

Project Location Map,
Site Plan, Elevations, Floor Plan
City of St. Petersburg, Florida
Planning and Economic Development
Department
Case No.: 17-32000031
Address: 334, 342, and 366 15th Street North
Teaching Kitchen
Walk-in Cooler
Seating for 42-60 people
ADA Restroom
Seating for 48-60 people
Classroom/Yoga Space

26.6 degree angle for PV Power
CASE #17-32000031 APPEAL

EXHIBIT B

DRC staff report, Presentation,
Results letter

and DRC Hearing Meeting Notes
SPECIAL EXCEPTION
PUBLIC HEARING

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

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on January 10, 2018 at 2:00 P.M. in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.: 17-32000031 PLAT SHEET: G-4
REQUEST: Approval of a Special Exception and related Site Plan for a Community Assembly Facility with a Community Garden and a Variance to the 35-foot required setback.

APPLICANT: SOCIAL SERVICES CHARITABLE TRUST
1648 E 54TH ST, APT 1C
CHICAGO, IL 60615-5792

ADDRESS:
334 15TH ST N
342 15TH ST N
366 15TH ST N

PARCEL ID NO:
24/31/16/37512/012/0010
24/31/16/37530/005/0040
24/31/16/37530/005/0030

ZONING: NEIGHBORHOOD SURBURNAN MULTI-FAMILY (NSM-2)
SITE AREA TOTAL: 22,500 square feet or 1.94 acres

GROSS FLOOR AREA:
Existing: 0 square feet
Proposed: 850 square feet
Permitted: 13,500 square feet

BUILDING COVERAGE:
Existing: 0 square feet 0 % of Site MOL
Proposed: 850 square feet 4 % of Site MOL

IMPERVIOUS SURFACE:
Existing: 1,200 square feet 5 % of Site MOL
Proposed: 3,700 square feet 16 % of Site MOL
Permitted: 14,625 square feet 75 % of Site MOL
**OPEN GREEN SPACE:**

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**BUILDING HEIGHT:**

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**APPLICATION REVIEW:**

I. **PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 16.70.040.1.5 of the Municipal Code for which a Community Assembly Facility is a Special Exception use within the NSM Zoning District.

**DISCUSSION AND RECOMMENDATIONS:**

**The Request:** The applicant seeks approval of a Special Exception and related site plan to establish a Community Assembly Facility with a Community Garden, with a variance to the 35-foot setback requirement.

The applicant has submitted a concurrent application for a modification to a previously approved Special Exception and related site plan for a Social Service Agency, Long Term Residential Facility on lots to the south of this subject application, Case #17-310000025. These lots were formerly contiguous to the existing Community Garden, however, the two intervening platted lots (Lots 2 and 3; 326 15th St N.) are now under separate ownership.

**History:** The subject property is an existing accessory Community Garden, associated with the adjacent Social Service Agency, Long Term Residential Facility. The subject application is located in the Methodist Town Neighborhood, see Exhibit 1, aerial location map. The applicant acquired the business in early 2017. Subsequently, the underlying property owner of Lots 2 and 3 (326 15th Street N.) which contains two residential structures, terminated the lease with the applicant.

Complaints were initiated in late January 2017 and the property owner was cited by the codes compliance team for property maintenance and zoning violations including provision of transient accommodations, the community garden and the number of chickens. Zoning staff inspected the property on March 3rd, met with the applicant on May 16, 2017 to review the zoning requirements and provided a summary letter on May 22, 2017, see attached zoning correspondence provided in Exhibit 4. The codes compliance cases have been deferred pending the processing of the Special Exception application.
Current Proposal and Staff Analysis: The applicant’s narrative and site plan provide for an overview of the proposed Community Assembly Facility layout and programs, as well as the proposed modifications to the existing Community Garden, see Exhibit 2. Photos of the existing Community Garden are also attached in Exhibit 2. According to the applicant’s narrative, the Community Assembly Facility will support the Community Garden with meal events, culinary classes, wellness workshops and provide for small event space. The proposed program description also includes educational tours.

A Community Assembly Facility is defined in Chapter 16 as follows: “Establishments that provide shelter for public gatherings and communal activities, or other assembly structures, including community halls, reception halls, wedding halls and similar structures that provide a gathering for community functions.” Staff finds that the activities as proposed are generally consistent with the definition of a Community Assembly Facility.

The applicant’s request included a variance to allow on-site sales of produce. Staff has determined that the request cannot be considered through this application, as allowing on-site sales is considered to be a “use” variance, which is not authorized under Chapter 16. The applicant would need to pursue a rezoning to a commercial classification or a modification to the use specific standards for Community Gardens. These standards are provided under code section 16.50.085, see attached Exhibit 3. A special condition of approval has been included to require compliance with these standards which include property maintenance requirements, limits on the hours of operation, and prohibition for on-site retail sales.

The site plan depicts a chicken run, 50 feet by 10 feet and the narrative indicates that there are 40 hens on the property and six rabbits. As previously noted, there has been an active codes compliance case regarding the number of chickens on the property. Pursuant to city code Chapter 4, “Animals”, Section 4.31.c.f., Keeping fowl in the City, “no more than ten fowl are allowed on each property, regardless of the size of the property” and coops shall meet side and rear yard setback requirements. There is no variance process associated with this code provision, and the Development Review Commission has no review authority over Chapter 4, Animals. A special condition of approval has been included to require compliance, with an additional setback to be provided from the southern property line, abutting the multi-family residence under separate ownership. Section 4.31 c.f. provides for the allowance to keep fowl at an owners premise. Because the property will no longer be contiguous to the residential buildings which house the Social Service agency, a special condition of approval also requires that a Unity of Title document be provided for review, approval and recording prior to issuance of any building permits to establish the premise of the owner. This document will tie together the residential buildings that are located on Lots 4-7 associated with the concurrent Special Exception application to modify the long term residential facility, Case #17-31000025.

There has been indication from the applicant that there is bee-keeping on the Community Garden site. Bee keeping activity is generally pre-empted by state law from any local regulations. A special condition has been included related to any bee-keeping activity, requiring compliance with the applicable Florida state statutes, which require that the beekeeper sign a “Beekeeper Compliance Agreement” and follow the “Best Management Requirements for Maintaining European Honey Bee Colonies on Non-Agricultural Lands.”

The site plan depicts thirteen parking spaces. Based on the size of the proposed assembly area, eleven parking spaces are required, including one ADA space. Section 16.40.090.3.4.B.7.b. allows approval of up to 25% of the required spaces as grass, which is two spaces, and therefore a special condition of approval has been included to require that a minimum of nine spaces be paved in accordance with Section 16.40.090.3.4.B.7.a. (asphalt, concrete, brick or decorative pavers). Additional parking will be available during the day for special events on the applicant’s property to the south, and a special condition has been
included to require that the applicant obtain off-site parking for any special events which will require additional parking.

In order to meet the special use criteria for a Community Assembly Facility and respond to concerns expressed by neighbors, special conditions of approval are included as follows: outdoor events shall be limited to the hours of 8am to 10pm Monday through Thursday and Sunday, 8am to 11pm Friday, Saturday and holidays. There shall be no amplified outdoor sound, and all activities shall be subject to the City noise ordinance. Adequate off-site parking shall be provided for all events based on the projected attendance.

**Variance:** Special exception uses are required to maintain a 35-foot setback. As per the applicant's site plan, the existing Community Garden is setback 4-feet from the south (interior side), 0-feet from the east (front), 0-feet from the west (rear) and 0-feet from the north (interior side). The proposed parking backs-out into the alley, and is 3-feet from the south (interior). The proposed outdoor assembly area is located on the northern portion of the property, approximately 40-feet from the east (front), 11-feet from the north (interior side), and 45-feet from the west (rear). There are proposed structures for a kitchen and walk-in cooler, located to the west of the assembly structure. The site plan does not depict the location of restroom facilities, which will be required for the assembly area based on the building code. Abutting uses to the west across the alley include vehicle repair facilities. The property to the north is owned and operated as an office by St. Vincent DePaul, as part of their Social Service agency, located on the north side of 4th Avenue North. The south side of the property is multi-family residences, formerly part of the social service. The east side of 15th Street North is residential homes and multi-family residences.

**RESPONSES TO RELEVANT CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW** (Pursuant to Chapter 16, Section 16.70.040.1.4(D)):

City Code Section 16.70.040.1.4.D sets forth the general criteria for evaluating Special Exceptions. Staff responses to each of the criteria are provided below.

A. The use is consistent with the Comprehensive Plan.

   **Staff finds that the proposed request to be generally consistent with the Comprehensive Plan policies and objectives.**

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;

   **The Future Land Use classification is Residential High. The NSM zoning allows a Community Assembly Facility as a Special Exception use. The existing community garden is permitted as an accessory use, and as a principal use with an annual permit.**

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;

   **Parking and refuse collection will be provided via the rear alley. The Transportation and Parking Management Department reviewed the application and had no concerns regarding ingress/egress.**

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;
Vehicular parking will be provided along the alley abutting on the west and bicycle parking will be added.

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;

The Transportation and Parking Management Department reviewed the application and did not determine that there would be any significant impact to the adjacent streets or intersections.

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;

The proposed development will be required to comply with the applicable stormwater requirements at time of permitting. An Engineering Department memo is attached as Exhibit 4 detailing such requirements.

G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

There are no proposed changes to exterior lighting. Any outdoor lighting would need to comply with the standards which require shielding from surrounding residential uses to the east and south. Signage shall require a permit and meet the sign code.

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; Commercial type of operation is not appropriate in a neighborhood

The proposed outdoor assembly area is located on the northern side of the property, adjacent to commercial uses to the north and industrial uses to the west. The Community Assembly Facility and Community Garden uses serve as a buffer between the light industrial, auto repair businesses to the west and the social service agency to the north and the residential uses to the east and south. A special condition of approval has been included to require compliance with the design standards of the NSM zoning district. Adjacent neighbors, property owners and the neighborhood association have expressed concerns regarding compatibility of the assembly use, see Exhibit 5.

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;

There are no significant natural, historic or archaeological resources on the subject site. The location of the assembly area on the property would minimize impacts, however, the Community Assembly Facility may not be compatible with the residential uses on the east side of 15th Street N if the applicant fails to adhere to the conditions of approval which limit the hours, noise, size and operation. Location of an assembly facility on a local roadway could cause excessive traffic and limit on-street parking for the adjacent residential uses if the applicant fails to provide off-site parking.

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;
There are no other similar community assembly facilities in the area, and therefore there is no concentration of similar use. As previously noted, the community assembly facility could have a detrimental effect on the residences to the east and south if conditions of approval are not adhered to.

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;

To minimize the potential for detrimental effects, Special conditions of approval provide for limits on the hours of operation, prohibit amplified noise and limit attendees.

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;

The community assembly facility structures are located approximately 37-feet from the front property line on 15th Street, providing for separation from the residential uses on the east side of 15th Street. A special condition of approval has been included to prohibit amplified sound, limit event hours, and limit event attendance. A field review determined that the chicken coops and run do have an associated odor, and therefore a setback from the southern property line abutting the multi-family residences needs to be maintained.

M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

As shown on the site plan, there is sufficient area to locate the proposed improvements.

N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

There are no natural features to preserve.

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). Equipment and enclosures will be designed as required by the Florida Building Code.

P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;

The proposed improvements do not impact demand for hurricane facilities, as there are no residential uses proposed.

Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service.

The use will not add demand for additional public services.

The future land use classification of the subject property is: Redevelopment High-(RH)

The land uses of the surrounding properties are:
North: Commercial/Social Service
South: Residential
East: Residential
West: Light Industrial (Auto repair)

Variance Analysis
Staff finds that the setback variance request meets the applicable variance criteria as follows:

Per City Code Section 16.70.040.1.6 Variances, Generally, the DRC's decision shall be guided by the following factors:

1. Special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to lands, buildings, or other structures in the same district. Special conditions to be considered shall include, but not be limited to, the following circumstances: a. Redevelopment. If the site involves the redevelopment or utilization of an existing developed or partially developed site.

Approval of the special exception setback variance would allow an expansion of Community Garden programs and Community Assembly uses as detailed in the applicant's narrative.

2. The special conditions existing are not the result of the actions of the applicant;

   The size of the property is not the result of any action of the applicant.

3. Owing to the special conditions, a literal enforcement of this Chapter would result in unnecessary hardship; and 4. Strict application of the provisions of this chapter would provide the applicant with no means for reasonable use of the land, buildings, or other structures;

   The property can continue to be used for a Community Garden, and therefore, a literal enforcement would not result in an unnecessary hardship.

5. The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or other structure;

   The location of the assembly area on the northwest side of the property will minimize impacts to the residential neighbors to the east and south. The proposed chicken run should be located a minimum of 35-feet from the residential property to the south.

6. The granting of the variance will be in harmony with the general purpose and intent of this chapter;

   Staff finds that granting the variance would be in harmony with the general purpose and intent of the Land Development Regulations. The Community Assembly Facility and garden serve as a transitional land use between the light industrial, auto repair businesses to the west and the residential uses to the east and south.

7. The granting of the variance will not be injurious to neighboring properties or otherwise detrimental to the public welfare; and,

   With the exception of the chicken run, Staff finds that the based on surrounding land uses to the west, south and north the proposed Community Assembly Facility and
garden will not be injurious. Special conditions of approval have been included to address compatibility with the residential uses to the east.

8. The reasons set forth in the application justify the granting of a variance;

With the exception of the chicken run, Staff does find that the reasons set forth in the application are sufficient to grant the requested variance. See attached applicant narrative.

In conclusion, staff finds that the Special Exception and related site plan are generally consistent with the standards for review as listed above, with the recommended special conditions. Recommended special conditions of approval related to the Community Assembly Facility include limits on hours of operation, prohibition to amplified noise, limit on the maximum number of attendees and provision of off-site parking for all events.

Public Comments:
As of the date of this report, staff has correspondence in opposition, from the 15th Street Townhome Property Owners Association Board of Directors, from the Methodist Town Neighborhood Association, and from an adjacent property owner. Concerns were expressed regarding the assembly facility use, the commercial kitchen and dining area, and the design of the additional structures. Correspondence is included as Exhibit 5.

I. RECOMMENDATION:
A. SPECIAL CONDITIONS OF APPROVAL:
1. This Special Exception/Site Plan approval shall be valid through January 10, 2021. Substantial construction shall commence prior to this expiration date, unless an extension has been approved by the POD. A request for extension must be filed in writing prior to the expiration date.
2. There shall be no more than ten (10) chickens on the subject property in accordance with Section 4.31.c.f.. The coop shall not be located in the front yard and shall provide for a 35-foot interior side yard setback from the southern property line and 10 foot rear yard setback. A Unity of Title shall be submitted for review, approval and recordation to establish the premises of the owner prior to issuance of a building permit for construction of any structures on the property. All chickens in excess of the 10 allowed shall be removed within 30-days.
3. Apiary shall meet Florida Statute 586 which requires that the beekeeper sign a "Beekeeper Compliance Agreement" and follow the "Best Management Requirements for Maintaining European Honey Bee Colonies on Non-Agricultural Lands."
4. There shall be no other animals kept overnight on the property.
5. All structures including the proposed covered dining/seating area, kitchen and cooler shall meet the design requirements of the NSM district, 16.20.030.11.
6. All requirements of 16.50.085.4.1. shall apply to the Community Garden Use.
7. A building permit shall be required to establish the Community Assembly Facility, including all proposed structures including sheds, containers and permanent covered dining/seating area. Permanent restroom facilities shall be provided in accordance with the Florida Building Codes.
8. Events shall be limited to more than 60-attendees and hours shall be limited to 8am to 10pm Monday through Thursday and Sunday, 8am to 11pm Friday,
Saturday and holidays. Adequate off-site parking shall be secured for all events based on the projected attendance.

9. In order to mitigate the impact of the proposed use to the abutting single family residential use to the east of the subject property and other nearby residences, no outdoor amplified sound shall be permitted on the subject property and all activities shall be subject to the City noise ordinance, as that ordinance is currently codified and may be amended from time to time.

10. Plans shall be revised as necessary to provide for a minimum of nine paved parking spaces and to comply with comments provided by the City's Engineering Department memorandum dated December 14, 2017 and Transportation and Parking Management Department dated December 22, 2017.

B. 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.

3. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).

4. 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.

5. 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.
REPORT PREPARED BY:

Elizabeth Abernethy, AICP, Zoning Official (POD)
Planning and Economic Development
Development Review Services Division

List of Exhibits:
Exhibit 1: Aerial Location Map
Exhibit 2: Applicant's Site Plan, Narrative and Photos
Exhibit 3: Community Garden standards (16.50.085)
Exhibit 4: Engineering Memo dated December 14, 2017; Transportation and Parking Management Department correspondence dated December 22, 2017
Exhibit 5: Public Correspondence
Exhibit 1
Case #17-32000031
Aerial Location Map
Project Location Map
City of St. Petersburg, Florida
Planning and Economic Development Department
Case No.: 17-32000031
Address: 334, 342, and 366 15th Street North

Existing Community Garden/Proposed Community Assembly Facility
Social Service
Exhibit 2

Case #17-32000031

Applicant's Site Plan, Narrative and Photos
A BOUNDARY SURVEY OF: Lots 3, 4, 5 and 6, Block E, HARVEY'S ADDITION TO ST. PETERSBURG FLORIDA, as recorded in Plat Book 3, Page 38 of the Public Records of Hillsborough County, Florida (of which Pinellas County was formerly a part).

According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in Flood zone: X

Comm. Panel No. : 125148 0219 G
Map Date : 9/03/03
Base Flood Elev : NA

FOR THE EXCLUSIVE USE OF THE HEREOBY PARTIES, HEREBY CERTIFY, THAT AS LAYING EXCEPT SUCH SUBMERGED, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LAND, OR ON THE SURFACE OF THE LAND AND NOT WATERS, AND THAT THE SURVEY LAYING THEREOF, IS COMPLETE TO THE BEST OF THE KNOWLEDGE AND BELIEF, LANDMARKS AND/OR SURVEY WORK HEREIN SHOWN ARE BASED ON PLAT UNLESS OTHERWISE NOTED.

Edward O. Murphy, R.P.L. # 19314

CERTIFIED TO ST PETERSBURG FLORIDA

Certified to St. Pete Eco Village

Survey not valid for more than one (1) year from date of field work.

SCALE: 1" = 30'

EDWARD O. MURPHY, R.P.L. # 19314

A.W.W.E. C.J.C.
November 6th, 2017

Elizabeth Abernethy, AICP
Zoning Official, Development Review Services Manager
Planning & Economic Development Department
City of St. Petersburg

Application for Community Assembly Facility & Urban Farm: Narrative

ABOUT THE ST. PETE ECOVILLAGE:

The St. Pete EcoVillage provides immersive educational experiences for nature and humans to thrive.

The St. Pete Eco Village is an Integrative learning and living residential educational center with programs that engage in daily sustainable living practices. Our educational and resident based programs are designed to cultivate green businesses, to provide hands on opportunities to those who wish to build upon their skill sets in the Environmental or Sustainability fields and for those who are looking to fully immerse themselves into hands-on community and environmental, value based enrichment projects.

The Village is helping to improve our neighborhood while providing environmentally friendly solutions for: affordable housing, job skills training and employment placement, urban food deserts, sustainable living and more.

Our mission is to be a living, breathing educational center that provides courses and methodologies in sustainable living practices through workshops, formal education, and hands on opportunities for our community. We are part of a global movement of people seeking to create positive solutions to our community’s social, environmental and economic challenges.

Programs vary in duration from (3) months to full immersion multi-year live/work residencies. We mitigate social isolation while providing a network of support to those that need it the most. Sometimes it takes a village.

Our vibrant and diverse community attracts individuals from all walks of life to live and work together. The highly educated, the high school drop-out, the millionaire entrepreneur, the unemployed veteran, the single mother, the child with behavioral issues - all are proud to learn, teach, and serve in this innovative community. At the EcoVillage, everybody has something to offer. Everyone is welcome to apply to our programs regardless of age, sex, race, gender identity, income level, background.

VISION STATEMENT

No person is denied the opportunity to live an economically and ecologically conscious life.
ABOUT THE FARM AT THE ST. PETE ECOVILLAGE

The Farm at the EcoVillage provides food for EcoVillage residents as well as a living classroom for the resident programs, the Urban Food Park, the Sustainable Urban Agriculture Coalition and the community.

SUAC (Sustainable Urban Agriculture Coalition) and Urban Food Park have transformed this garden property over the past eight years, providing healthy, organic food and education to the community from what were once vacant lots¹. Emmanuel Roux and Bill Bilodeau have dreamt of expanding the scope of their educational and demonstration farming for years. Now partnered with the St. Pete EcoVillage, we hope to make those dreams a reality.

We will continue to host weekly volunteer work days and small tours to students and educational organizations, but now plan to welcome field-to-fork meal events, a food share co-op, culinary classes, small events and more. These activities will serve to teach neighbors and visitors where healthy food comes from; how to grow, harvest and prepare it themselves and how this process is vital to growing healthy communities.

¹ See Attachment A – Educational and Outreach Programs
PROGRAMMING

EcoVillage Resident and Community Programs supported by the Farm.

1. Farm and Garden (See Attachment A for more details)
   a. Outdoor Education opportunities - On Wednesdays and Sundays we offer youth outdoor and garden education programs tailored to each age group.
   b. The Farm provides seedlings and assistance to community, home gardens and school gardens through IFAS (UF Extension Services).
   c. Field to Fork Dinners – Our “long-table” meals are meant to build community and enrich our understanding of how sharing food is vital to our health and success. All meals are prepared in a Commercially Licensed Kitchen by trained chefs.
   d. Event space - We offer wellness cooking programs, outdoor education opportunities, community movies, community picnics and more!
   e. Guided Garden Therapy - For those with PTSD and behavioral issues.

2. Sustainable Living
   a. Institute for Sustainable Living - a fully immersive tuition based educational program specially formatted to meet with student and or apprentice skill sets and program area of focus. We offer programs and certifications in Non-profit management, Urban Farming and Permaculture design, Outdoor and Garden Education, Green Business Development and Alternative Energy and Development.
   b. Demonstration Tours: Individual and small groups are welcomed for guided tours of our Living Demonstration Center. Guided tours of our ½ acre Urban Farm.
   c. Sustainability Events – 2-3 times per year (i.e. Tiny Home Festival).

3. Green Business Development and Incubation program
   a. As part of the Institute for Sustainable Living, the mentorship program offers a resident based entrepreneurial opportunity for residents looking for an affordable, six-month option for housing and guided business creation and incubation.

4. Personal Wellness
   a. Monthly Wellness workshops will provide opportunities for the community on how to prepare a healthy vegetarian or vegan meal, homesteading techniques, yoga and wellness, and more.

5. Civic Engagement
   a. Public participation in grassroots projects influence the efforts and municipal support for sustainability programs regionally located to the Eco Village (i.e. Solar co-op initiatives, Community clean-ups, Plastic bag bans, recycling initiatives, 100% campaign, City of St. Petersburg ordinances pertaining to the core focus areas, etc.)
FACILITY USE AND MODIFICATIONS

The Farm at the EcoVillage includes 334, 342 and 366 15th St. N. The north end of the farm is adjacent to St. Vincent dePaul, another nonprofit social services provider.

The 6,900-square foot urban farm that annually produces 12,000 pounds of organic produce, providing food for EcoVillage residents as well as a living classroom for the all the resident programs, the Urban Food Park, the Sustainable Urban Agriculture Coalition and the community.

The farm is currently fed by a single, generator-pumped well on the property with a series of spigots and drip irrigation systems. A small open-air nursery is used to sprouts seedlings. One small wooden shed houses all the tools necessary for maintaining the farm. One small portable shed stores supplies for meals hosted at the farm. A composting and soil preparation area utilizes 1100sqft with (4) 4'x8' bins.

Small bee hives are securely housed and maintained by experienced and trained bee keepers for educational purposes and to benefit pollination of the farm.

There is a 1350sqft uncovered paved area for dining and seating for educational programs.

The garden has (40) hen chickens housed in one (1) large coop and occupy a fenced run that is 600 square feet and spans (3) lots. The coop and run are located at the rear of the property and are maintained daily along with (6) rabbits. The eggs from the hens are used to feed the residents, dispose of food scraps and contribute to the ecosystem of the garden. They also serve as educational tools for many programs and as entertaining pets.

PARKING

There are currently (0) dedicated parking spaces on-site. All visitors use on-street parking or arrive via alternative transportation. There is ample access to public transportation and the property is within reasonable walking distance to downtown and residential neighborhoods.

MODIFICATIONS

We will upgrade these properties to be a stand-alone Community Assembly Facility and Urban Farm with the addition of a small-scale commercial kitchen w/walk-in cooler, outdoor grill, wood-fired bread oven, covered meeting/dining space, office and bathroom facilities for up to (60) guests. We have secured a 40' shipping container to be placed on site and converted into the necessary conditioned spaces and a 20' shipping container that includes a walk-in cooler.

We will install a permanent shade/rain structure over the 1350sqft paved dining/seating area, all utilities necessary for the conditioned spaces and outdoor facilities and an additional well for the garden.

We will install (12) parking spaces plus (1) ADA parking space adjacent to the alley. The ADA space and (7) of the parking spaces will be paved with acceptable substrates and the remaining (5) will be grass surface. We will also install bike parking for (20) bicycles.

The Farm intends to sell produce harvested on-site only to fulfill the financial obligations and mission statement of the non-profit organization. The on-site sales will be limited to regular business hours and will be limited to products harvested or produced on the property.
ATTACHMENT A:

**Educational and Outreach Programs at the Farm at the St. Pete EcoVillage**

1. **Alpha House**
   Garden visits and gardening training activities, harvesting for take home produce.
   Set up a rotating garden made of plants in pots to be harvested on the Alpha house campus to teach care and nurturing.
   Provide 20 lbs + of produce / week to their residents.

2. **Pinellas County Extension Institute of Food and Agricultural Sciences**
   Seedlings production for school gardens.

3. **YMCA**
   Garden visits and general "Nature deficit" offset classes. Specific programs to be developed in October. We have delivered fresh produce to the 4th St. S location to low income families.

4. **Behavior Help Now LLC**
   Series of 8 nutrition classes for children and parents on the impact of fresh healthy produce on autistic individuals.

5. **Home schools / parents**
   We are developing and tapping into a network of home schooled families who are spreading the word through Facebook. Current attendance 15 to 20 every week.

6. **USF College of communications**
   Collaboration with a PHD candidate to use the Farm as a site to attract families to be engaged in a study to assess the impact of parents reading to their children in low income neighborhood (Jamestown).

7. **Vincent House**
   Provide fresh vegetables that their students will come harvest and prepare as part of their culinary program. Garden tours and events where their clients would serve and help cook as part of their professional training. They also have an active graphic design program and are looking for projects.

8. **Johns Hopkins**
   Planned farm visit with the head and staff of the outreach / nutrition department.
ATTACHMENT A:
Educational and Outreach Programs at the Farm at the St. Pete EcoVillage

9. C.A.S.A.
   
   We are in discussions to provide seedlings and assistance for their garden and we are going to explore a similar program to Alpha house.

10. Juvenile Welfare Board
   
   Contact made and visit being planned to determine which of their partnering organizations would be interested in using the facilities for their programs.

11. Girl Scouts
   
   We have had 2 visits by troops who will come back and we are making more contacts with parents.

12. USF St. Pete MBA program
   
   Possible nonprofit business development based on the farm resources to promote and install home gardens in low income areas.

13. USF St. Pete College of Anthropology and Environmental sciences
   
   Farm tours and classes, volunteer's source and possible student project.

14. USDA
   
   Soil scientists international conference Tampa October 20 to 23 Farm visit Oct 22.

15. Gulfport preschool and Sunflower elementary school
   
   Farm tours and seedlings

16. Integrative Health, wellness, nutrition coaches and MD
   
   Classes on healthy nutrition and organic vegetables

17. Fisher House V.A Hospital
   
   Possible garden creation and produce sales

18. St Anthony’s Hospital
   
   Developing contacts with their outreach nutrition programs through one of their major donor
ATTACHMENT A:
Educational and Outreach Programs at the Farm at the St. Pete EcoVillage

19. Feeding Tampa Bay AARP

Discussions regarding providing fresh produce essentially to limited income seniors and farm tours in collaboration with AARP. We are following up with AARP foundation in DC and the regional director.

20. Volunteers

More and more new volunteers are coming and require attention thus reducing available time to get things done at the farm since the great majority are inexperienced.

We are developing 2 volunteer leaders as well as 2 tour guides to manage the new volunteers, visitors load and tours.
Exhibit 3

Case #17-32000031

Community Garden standards
(16.50.085)
SECTION 16.50.085. - COMMUNITY GARDENS

Sections:

16.50.085.1. - Applicability.

A. This section shall apply to community garden uses as a principal use.

B. This section shall not apply to a garden which is accessory to a principal use. Garden uses are often accessory uses to many principal uses, including residential uses, educational uses, restaurant uses, café uses, and house of worship uses.

C. It shall be unlawful for any person to operate a community garden without a permit as required by this chapter.

(Ord. No. 933-G, § 1(16.50.085.1), 6-4-2009; Ord. No. 141-H, § 1, 11-24-2014)

16.50.085.2. - Purpose and intent.

Community gardens may create impacts which can be detrimental to the quality of life on adjacent properties. The purpose and intent of this section is to establish appropriate standards that allow for a community garden use, while mitigating any associated undesirable impacts. A community garden is a principal use that allows the growing, harvesting and in districts allowing retail sales, the incidental retail sale, of edible fruits or vegetables or other plant products intended for ingestion by neighboring residents, friends, owners, and the permittees of the owner for their consumption and enjoyment and for the consumption and enjoyment of others on a not-for-profit basis, except as expressly allowed herein.

(Ord. No. 933-G, § 1(16.50.085.2), 6-4-2009; Ord. No. 141-H, § 1, 11-24-2014)

16.50.085.3. - Establishment.

Community garden uses are allowed in any zoning district and shall comply with the development standards of the zoning district, the general development standards, and this section.

(Ord. No. 933-G, § 1(16.50.085.3), 6-4-2009; Ord. No. 141-H, § 1, 11-24-2014)

16.50.085.4. - Use specific development standards.

16.50.085.4.1. - Property maintenance.

A. The property shall be maintained in an orderly and neat condition consistent with the City property maintenance standards.

B. No trash or debris shall be stored or allowed to remain on the property outside of approved garbage containers.

C. Tools and supplies shall be stored indoors or removed from the property daily.

D. Vegetative material (e.g., compost), additional dirt for distribution and other bulk supplies shall be stored to the rear or center of the property, shall be kept in a neat and orderly fashion and shall not create a visual blight or offensive odors.

E. Large power tools (e.g., mowers, tillers) shall be stored at the rear of the property.
F. The community garden shall be designed and maintained to prevent any chemical pesticide, fertilizer or other garden waste from draining off of the property. Pesticides and fertilizers may only be stored on the property in a locked building or shed and must comply with any other applicable requirements for hazardous materials.

(Ord. No. 933-G, § 1(16.50.085.4.1), 6-4-2009; Ord. No. 141-H, § 1, 11-24-2014)

16.50.085.4.2. - Hours of operation and noise limitations.

No retail sale activities shall take place before 7:00 a.m. or after 9:00 p.m. All activities shall comply with the noise ordinances (currently section 11-47 et seq.).

(Ord. No. 933-G, § 1(16.50.085.4.2), 6-4-2009; Ord. No. 141-H, § 1, 11-24-2014)

16.50.085.4.3. - Sale of produce.

A. A community garden is not allowed to be a commercial enterprise; however, there may be occasions when surplus is available. On-site retail sales of products grown on-site, including value added-products such as pickles and jams, are permitted only in the Corridor Commercial Traditional (CCT), Corridor Commercial Suburban (CCS), Downtown Center Core and 1, 2, and 3 (DC Core, 1, 2, 3), Retail Center (RC), Employment Center (EC), Institutional Center (IC), and Industrial (IT, IS) zoning districts and shall comply with all the requirements of this section.

B. On-site retail sales of products grown on-site are not permitted in any other zoning district.

C. Surplus produce may be sold off the premises to assist in defraying the costs of the community garden.

(Ord. No. 933-G, § 1(16.50.085.4.3), 6-4-2009; Ord. No. 141-H, § 1, 11-24-2014)

16.50.085.4.4. - Accessory structures.

Structures, including sheds, buildings or signs, shall comply with the requirements of the zoning district.

(Ord. No. 933-G, § 1(16.50.085.4.4), 6-4-2009; Ord. No. 141-H, § 1, 11-24-2014)

16.50.085.4.5. - Garbage containers.

Garbage container types, use and maintenance shall comply with the Solid Waste Collection, Disposal Section of the Code (currently Chapter 27, Article V). The property owner shall coordinate the location of the trash container used on the site with the POD. Trash containers shall be located abutting the alley. If there is no alley, then they shall be located to the rear of the property unless the POD determines that another location creates less impact on the adjacent properties and is accessible by the City's solid waste collection vehicles.

(Ord. No. 933-G, § 1(16.50.085.4.5), 6-4-2009; Ord. No. 141-H, § 1, 11-24-2014)

16.50.085.4.6. - Fencing.

All fencing shall comply with the requirements in the fence, wall and hedge regulations section (currently section 16.40.040).
16.50.085.4.7. - Required yards.

Plantings shall not be planted closer than five feet to the side or rear property line and not closer than ten feet to the front or street side property line. Climbing plants, such as beans and snow peas, may encroach out of these boundaries when grown on structures allowed by this chapter. All plantings shall comply with the visibility at intersections requirements.

16.50.085.4.8. - Environmental compliance.

A. Soil. The community garden shall comply with all federal, state and local regulations pertaining to agricultural production and soil suitability.

B. Water. Water conservation and stormwater runoff prevention practices shall be employed in accordance with applicable regulations adopted by the Southwest Florida Water Management District (SWFWMD) and the City. In addition, it is recommended that community gardens use water conservation techniques, including sheet mulching, basins and swales, and drip irrigation systems.

C. Pesticides and herbicides. Community gardens shall comply with all federal, state and local regulations pertaining to pesticides and herbicides.

D. Fertilizer. Community gardens shall comply with all federal, state and local regulations pertaining to fertilizer.

(Ord. No. 933-G, § 1(16.50.085.4.7), 6-4-2009; Ord. No. 141-H, § 1, 11-24-2014)
Exhibit 4

Case #17-32000031

Engineering Memo dated December 14, 2017;

Transportation and Parking Management Department correspondence dated December 22, 2017
TO: Iris Winn, Administrative Clerk, Development Review Services
FROM: Nancy Davis, Engineering Plan Review Supervisor
DATE: December 14, 2017
SUBJECT: Special Exception
FILE: 17-32000031

LOCATION: 334 15th Street North
AND PIN: 24/31/16/37530/005/0030
ATLAS: G-4
PROJECT: Special Exception

REQUEST: The applicant is seeking Approval of a Special Exception and related Site Plan for a Community Assembly Facility with a Community Garden and a Variance to 35-foot required setback.

The Engineering Department has no objection to the proposed special exception and related site plan with the following special conditions and standard comments which must be addressed as plans are developed for the issuance of construction permits:

SPECIAL CONDITIONS:
1. The applicant should note that a site modification of 3000 sf will trigger compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. This site modification threshold is a cumulative total and once reached, all future site modifications must provide water quality treatment and water quantity attenuation for stormwater. Based on the site plan and narrative provided, the 3000-sf site modification threshold which triggers compliance with the City’s Drainage and Surface Water Management regulations will be reached with the paving of the 7 parking spaces (1436.4 sf non ADA), the installation of the new 20’ and 40’ containers (total ± 520 sf), and the shade structure (1350 sf); total site modification equal to 3306.4 sf.

The scope of this project will trigger compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. With permitting submittals, the applicant’s State of Florida licensed professional engineer will be required submit signed and sealed 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. 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.

3. Review of Goggle Maps indicates that a wood timbered edged landscape bed has been created along a portion of the property frontage along 15th Street North directly adjacent to the road curb. The first 4-feet behind the road curb is maintained as a clear zone for vehicular safety and generally at the elevation of the road curb. Roadside features such as the landscape timbers which exceed a height of 4-6 inches above the road curb pose a hazard to opening doors of parked vehicles and therefore must be removed from the 4-foot clear zone area or reduced to an appropriate height. Landscaping and landscaping features placed within the 4-foot roadway clear zone may be pedestrian friendly groundcover which does not block positive surface drainage to the roadway.
4. 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.

5. Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed and existing driveways per current City and ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All existing public sidewalks must be restored or reconstructed as necessary to be brought up to good and safe ADA compliant condition prior to Certificate of Occupancy.

6. A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications and shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City.

**STANDARD CONDITIONS OF APPROVAL:** Water service is available to the site. The applicant's Engineer shall coordinate potable water and/or fire service requirements through the City's Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City’s Water Resources department or a variance is granted by the City Water Resources department). Note that the City’s Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City's Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from 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.

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.

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.

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.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department.

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 this project. Plans specifications are subject to approval by the Florida state board of Health.
The Transportation and Parking Management Department has reviewed this case. The location of the proposed bicycle parking is not identified on the site plan. The applicant must follow the standards for Bicycle Parking identified in City Code Section 16.40.090.4. - Bicycle parking. Details on where the bicycle parking would be located, including rack type and spacing, are needed to ensure compliance with the code.

Tom Whalen, AICP CTP  
Planner III, Transportation and Parking Management  
City of St. Petersburg  
One Fourth Street North, St. Petersburg, FL 33701  
727-893-7883 / Fax: 727-551-3326  
Tom.Whalen@stpete.org

Good afternoon,

Please see the attached Application, Site Plan, Narrative and Map for Case #17-32000031.

The applicant is seeking Approval of a Special Exception and related Site Plan for a Community Assembly Facility with a Community Garden and a Variance to 35-foot required setback.

We request your comments by December 8, 2017. Please send all comments directly to me.

Thank you,

Iris Winn  
Administrative Clerk, Development Review Services  
Planning & Economic Development Department  
City of St. Petersburg  
P.O. Box 2842, St. Petersburg, FL 33731  
727-892-5498 / Fax: 727-892-5557  
IWLinn@stpete.org

Please note all emails are subject to public records law.
Liz,

Thank you for the additional information on bike parking, which Kyle Simpson and I have reviewed. We have attached information on short-term bike parking and long-term bike parking that summarizes and illustrates the bike parking code requirements, but as you know the complete list of bike parking requirements can be found in Section 16.40.090.4. If the applicant has questions they can call Kyle at 893-7151 or write to Kyle at Kyle.Simpson@stpete.org. Here are our comments on each case:

17-32000025:
- The applicant states that there will be a maximum of 46 residents in the existing structures on the site, in addition to three tiny homes. The closest use currently in our bicycle parking code to this use is residential, dormitory. Residential dormitory requires a minimum of one space per two bedrooms for long-term bicycle parking and one space per 20 bedrooms for short-term bicycle parking. Considering each bed a bedroom (including one bed per tiny home), a minimum of 25 long-term bicycle parking spaces is needed, as well as two short-term bicycle parking spaces.
- The site plan includes 25 bike parking spaces, so it is close to what we consider the code requirement. We encourage the applicant to provide more than the code requirement since they indicated in their narrative that most of the residents will not own cars.
- Bike racks must support the bicycle frame in at least two places. Inverted "U" racks are the most common rack used, since they meet this requirement. Each inverted "U" rack provides parking for two bicycles, which would result in an even number of bicycle parking spaces provided (instead of 15 at one location). The area that will have 16 spaces does not meet the bike spacing requirement for length (minimum of 36" away from any vertical object and at least 30" between racks). The other bike parking areas should be checked to ensure they also meet this requirement.
- The site plan does not distinguish between short-term and long-term bike parking.
- Since it looks like the bike parking will be outside, up to 50% of the bike parking may be uncovered and in an area that is enclosed by a fence or with a locked gate.

17-32000031:
- Meeting hall and other community assembly facility requires a minimum of two short-term and two long-term bicycle parking spaces for uses up to 10,000 square feet.
- As we stated for 17-32000025, the applicant should ensure that the bike parking area meets spacing requirements and the racks support the bicycle frame in at least two places.

Tom Whalen, AICP CTP
Planner III, Transportation and Parking Management
City of St. Petersburg
One Fourth Street North, St. Petersburg, FL 33701
From: Elizabeth Abernethy  
Sent: Tuesday, December 12, 2017 4:12 PM  
To: Thomas M Whalen  
Subject: FW: 17-32000031 Special Exception and Related Site Plan - Comments Requested by December 8, 2017  

See attached  

Thanks!  
--Liz

From: Scott Bitterli [mailto:sbitterli@ivygroupconsultants.com]  
Sent: Tuesday, December 12, 2017 4:11 PM  
To: Elizabeth Abernethy; Chris Kenrick  
Subject: RE: 17-32000031 Special Exception and Related Site Plan - Comments Requested by December 8, 2017  

I apologize for the oversight. Here are the revised plans with bike parking in pink.

SCOTT BITTERLI, CDT, LEED GREEN ASSOCIATE  
Project Manager, Building Investigator  
E: sbitterli@ivygroupconsultants.com  
T: 727.895.3363  
C: 727.643.2530

www.ivygroupconsultants.com  

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From: Elizabeth Abernethy [mailto:Elizabeth.Abernethy@stpete.org]  
Sent: Tuesday, December 12, 2017 3:36 PM  
To: Scott Bitterli <sbitterli@ivygroupconsultants.com>; Chris Kenrick <ChrisKenrick195@gmail.com>  
Subject: FW: 17-32000031 Special Exception and Related Site Plan - Comments Requested by December 8, 2017  

Fyi  
Comments from transportation below and attached  

Thanks!  
--Liz

From: Thomas M Whalen  
Sent: Tuesday, December 12, 2017 3:30 PM
The Transportation and Parking Management Department has reviewed this case. The location of the proposed bicycle parking is not identified on the site plan. The applicant must follow the standards for Bicycle Parking identified in City Code Section 16.40.090.4. - Bicycle parking. Details on where the bicycle parking would be located, including rack type and spacing, are needed to ensure compliance with the code.

Tom Whalen, AICP CTP
Planner III, Transportation and Parking Management
City of St. Petersburg
One Fourth Street North, St. Petersburg, FL 33701
727-893-7883 / Fax: 727-551-3326
Tom.Whalen@stpete.org

From: Iris L. Winn
Sent: Wednesday, November 22, 2017 3:35 PM
To: Michael J. Frederick; Thomas M Whalen; Kyle Simpson; Kelly A. Donnelly; Kirsten J. Corcoran; Richard F Kowalczyk; Nancy Davis; Jim F. Chism; Jill S. Wells
Cc: Elizabeth Abernethy
Subject: 17-32000031 Special Exception and Related Site Plan - Comments Requested by December 8, 2017

Good afternoon,

Please see the attached Application, Site Plan, Narrative and Map for Case #17-32000031.

The applicant is seeking Approval of a Special Exception and related Site Plan for a Community Assembly Facility with a Community Garden and a Variance to 35-foot required setback.

We request your comments by December 8, 2017. Please send all comments directly to me.

Thank you,

Iris Winn
Administrative Clerk, Development Review Services
Planning & Economic Development Department
City of St. Petersburg
P.O. Box 2842, St. Petersburg, FL 33731
727-892-5498 / Fax: 727-892-5557
ILWinn@stpete.org

Please note all emails are subject to public records law.

Your Sunshine City
Exhibit 5

Case #17-32000031

Public Correspondence
December 28, 2017

Ms. Abernathy,

In March 2000, the Methodist Town Neighborhood Association sent a letter to the city’s Development Services Department in support of the St Vincent DePaul’s Society’s special exception request to establish a food center and transitional housing facility in the northwest corner of our neighborhood. City staff recommended approval subject to several conditions that included there would be “no detrimental effects of the proposed use on the surrounding neighborhood or surrounding property values.” This decision became a nearly two-decade nightmare for both Methodist Town and Historic Uptown and continues to present daily challenges. We do not have the time, energy or patience to deal with another social experiment in our neighborhood and if we learned any lesson from the St Vincent debacle it’s that once something becomes approved, there is no mechanism for monitoring compliance of special conditions. St Vincent grew exponentially and continually increased services and had a significant negative impact on the surrounding neighborhoods.

We are not here to judge the merits of St Pete Eco Village’s stated mission and have met many wonderful people from their organization that have come to our meetings, participated in our neighborhood cleanups and seem truly interested in making St Petersburg and the world a better place. Unfortunately, we were never afforded the opportunity to engage in a discussion of whether another social service agency should establish itself in a neighborhood already overburdened with one. We question whether the Eco-Village even fits the definition of a social service agency especially when it began its operation as an “eco-hostel” but, for the sake of argument, we will accept the definition and speak on the merits of the application and how it would impact the neighborhood.

The first request is to allow an expansion of the special use of this property to include 282 15th St N to house 2 – 4 residents/staff and add (11) parking spaces and (1) ADA space at the rear of the properties adjacent to the alley. The properties at 302 15th St N and 310 15th St N are designated for a maximum of 30 residents and 12 residents respectively. According to their application there are only 15 residents currently occupying these addresses. The applicant has indicated that there will be minimal use of resident-owned vehicles but we already saw from experience when they first began operation in January 2016 that 15th Street N was occupied by many additional vehicles including large buses that were housing people living and working there. In addition to the parking issue, they have already expanded into 282 15th St N by created a smoking area at the rear of the property that is a mixture of haphazard furniture that also becomes a magnet for junk around the dumpster located there. They are also using the rear of the property at 282 for storage. This in addition to their purchase of 268 15th St N and renting it out to individuals associated with their operation and initially violating the rules of the homeowners association that governs the property at that address. We do not support any expansion into adjacent properties and feel that there is inadequate parking to serve up to 42 residents plus an additional four in 282 15th St N and
uncertainty with the number of occupants associated with 268 15th St N. 12 parking spaces would not be adequate to meet the needs of all these additional people. This doesn’t even take into consideration the additional traffic and parking needs that would be created by their educational workshops and other activities they market to the community. The applicant is trying to retrofit their social service agency definition into a property that previously had a completely different clientele and use with little to no resident vehicle ownership. A better plan for parking needs to be brought forward that deals with this issue.

Tiny Homes on Wheels are already an unwelcome sight on this property and belong in a mobile home park. This neighborhood is not zoned for mobile homes nor do we wish to have that designation.

Which leads us to the other special exception request to modify the use of the current garden area (334 – 366 15th St N) for use as a community assembly facility and urban farm. We love the community garden concept in its current state. Their proposal to create a community assembly facility with the addition of a small-scale commercial kitchen with walk in cooler, outdoor grill, placement of 40 and 20 foot shipping containers, etc... for up to 60 guests will only exacerbate the parking issues created by the number of live/work residents. They are proposing only 12 parking spaces to accommodate up to 60 guests with 7 paved and 5 grass spaces. There is also no guarantee of the frequency of the use of this space and the impact that would have on the surrounding neighborhood by having up to 60 additional non-residents which is already overburdened by a large number of transients associated with St Vincent DePaul. This proposal potentially creates a commercial operation in a residential neighborhood, which would have an adverse impact on parking and traffic that is already affected by St Vincent DePaul employees during weekdays and attendees of Tampa Bay Rays games during baseball season. We do not support the special request to modify the community garden and would prefer it remain as is. There is no mention of event frequency or hours of operation nor is there a guarantee in the application that this will be minimal. We also do not support the use of storage containers as structures in the neighborhood.

We respectfully request you strongly take into consideration that there currently is little to no neighborhood support for these special exception requests. We believe the operators of St Pete “Eco Village” should try and run their organization for a longer period of time to gain the trust of the neighborhood before asking for additional exceptions. We also want to state for the record that it was unfair to allow another social service agency to begin operating here without neighborhood input or taking into consideration the completely different mission from the previous occupant – Faith House. Methodist Town does not want to repeat history with the addition of another social experiment that will have limited compliance monitoring and that has the potential to further burden our community with unintended negative outcomes. We appreciate the opportunity to state our position.

Respectfully,

Methodist Town Neighborhood Association Board of Directors
Joey Mingione, President
Jackie Mills, VP/Secretary
Erica Walker, Treasurer
Dear Ms. Abernethy,

As the property owner of the Townhome located at 238 15th Street North in Saint Petersburg, I would like to share with you some of my concerns relative to the city’s case numbers 32000025 and 32000031 associated with requests of special exceptions by the Social Services Charitable Trust and its St. Pete Eco Village.

**Case #32000025:** Although I see the value in the Trust improving the properties included in the variance requests, I have grave concerns in the creation of pads with full utilities for 3 tiny homes. Whether these are as stated “Tiny Homes on Wheels and/or ‘Travel Trailers’ as accessory dwelling units and/or demonstration pieces on our property”, it appears to me the intent is to add additional living structures on lots intended for one residential structure. Since the city already provides for the existence of mobile home communities, I see no reason to allow our neighborhood to be converted into another quasi-mobile home community. With the addition of 11 parking spaces as part of their revision leads me to believe there will be more individuals residing within the Eco Village learning attending classes and/or living within the village. Since the City has performed an exceptional job in virtually eliminating the milling around of non-residents associated with the St. Vincent DePaul Shelter, I would certainly not want to see a return of those issues.

In summary, I cannot support the Trust’s variance request to create any number of pads with full utilities to locate Tiny Homes and/or Travel Trailers on any property associated with The St. Pete Eco Village.

**Case #32000031:** The Trust is requesting modification of these properties to be a stand-alone Community Assembly Facility and Urban Farm with the addition of a small-scale commercial kitchen w/walk-in cooler, outdoor grill, wood-fired bread oven, covered meeting/dining space, office and bathroom facilities for up to (60) guests. The intention is to install and convert 40’ and 20’ shipping containers to be integrated into an enclosed 1350’ structure to house their guests for dining. Clearly the plans exist to operate a kitchen and dining room facility to feed individuals within our neighborhood in lieu of all Health Department issues. Although I cannot support the creation of a small-scale commercial kitchen with all peripheral equipment and dining area, I certainly do not support the installation of steel shipping containers to accomplish their desires. In their virgin state, they are an eyesore when resting alone and even more so when resting on real estate with other structures. In addition, they are proposing to add 13 parking spaces of which only 7 will have any substrate paving hence, leaving 6 spaces to turn to mud with prolonged use. Again, the potential for an additional eyesore within our neighborhood.

In summary, I cannot support the Trust’s Site Special Exception to create the small-scale commercial kitchen w/walk-in cooler, outdoor grill, wood-fired bread oven, covered meeting/dining space, office and bathroom for facilities for up to (60) guests. Clearly this is amplified with the use of shipping containers. In addition, I think all parking spaces should have an approved substrate utilized to properly support the anticipated vehicles using such spaces.

I want to thank you for your time and consideration and trust all neighbors’ thoughts will be fairly considered in making a final determination on Social Services Charitable Trust requests.

Sincerely,

John T Goode
238 15th Street N.
We have a change in the registered opponent.  
Mr. Mingione had a conflict and has assigned Renee Kongsiri as the registered opponent for this case.
The subject property is an existing accessory Community Garden, associated with the adjacent Social Service Agency, Long Term Residential Facility, as described in the previous case presentation.

The subject application is located in the Methodist Town Neighborhood. The applicant acquired the business in early 2017.

Subsequently, the underlying property owner of Lots 2 and 3 (326 15th Street N.) which contains two residential structures, terminated the lease with the applicant.
Complaints were initiated in late January 2017 and the property owner was cited by the codes compliance team for property maintenance and zoning violations including the number of chickens. The codes compliance cases have been deferred pending the processing of this Special Exception application.
A Community Assembly Facility is defined in Chapter 16 as follows: “Establishments that provide shelter for public gatherings and communal activities, or other assembly structures, including community halls, reception halls, wedding halls and similar structures that provide a gathering for community functions.” Staff finds that the activities as proposed are generally consistent with the definition of a Community Assembly Facility.

Special exception uses are required to maintain a 35-foot setback. The existing Community Garden is setback 4-feet from the south (interior side), 0-feet from the east (front), 0-feet from the west (rear) and 0-feet from the north (interior side). The proposed parking backs-out into the alley, and is 3-feet from the south (interior). The proposed outdoor assembly area is located on the northern portion of the property, approximately 40-feet from the east (front), 11-feet from the north (interior side), and 45-feet from the west (rear). There are proposed structures for a kitchen and walk-in cooler, located to the west of the assembly structure. The site plan does not depict the location of restroom facilities, which will be required for the assembly area based on the building code. Abutting uses to the west across the alley include vehicle repair facilities.
The applicant's request included a variance to allow on-site sales of produce. Staff has determined that the request cannot be considered through this application, as allowing on-site sales is considered to be a "use" variance, which is not authorized under Chapter 16. The applicant would need to pursue a rezoning to a commercial classification or a modification to the use specific standards for Community Gardens.
The site plan depicts a chicken run, 50 feet by 10 feet and the narrative indicates that there are 40 hens on the property and six rabbits. As previously noted, there has been an active codes compliance case regarding the number of chickens on the property. Pursuant to city code Chapter 4, “Animals”, Section 4.31.c.f., Keeping fowl in the City, “no more than ten fowl are allowed on each property, regardless of the size of the property” and coops shall meet side and rear yard setback requirements. There is no variance process associated with this code provision, and the Development Review Commission has no review authority over Chapter 4, Animals. A special condition of approval has been included to require compliance, with an additional setback to be provided from the southern property line, abutting the multi-family residence under separate ownership.
A special condition of approval has been included to require compliance with the Community Garden standards which include property maintenance requirements, limits on the hours of operation, and prohibition for on-site retail sales.
There has been indication from the applicant that there is bee-keeping on the Community Garden site. Bee keeping activity is generally pre-empted by state law from any local regulations. A special condition has been included related to any bee-keeping activity, requiring compliance with the applicable Florida state statutes, which require that the beekeeper sign a “Beekeeper Compliance Agreement” and follow the “Best Management Requirements for Maintaining European Honey Bee Colonies on Non-Agricultural Lands.”
The site plan depicts thirteen parking spaces. Based on the size of the proposed assembly area, eleven parking spaces are required, including one ADA space. Section 16.40.090.3.4.B.7.b. allows approval of up to 25% of the required spaces as grass, which is two spaces, and therefore a special condition of approval has been included to require that a minimum of nine spaces be paved in accordance with Section 16.40.090.3.4.B.7.a. (asphalt, concrete, brick or decorative pavers). Additional parking will be available during the day for special events on the applicant's property to the south, and a special condition has been included to require that the applicant obtain off-site parking for any special events which will require additional parking.
In order to meet the special use criteria for a Community Assembly Facility and respond to concerns expressed by neighbors, special conditions of approval are included as follows: outdoor events shall be limited to the hours of 8am to 10pm Monday through Thursday and Sunday, 8am to 11pm Friday, Saturday and holidays. There shall be no amplified outdoor sound, and all activities shall be subject to the City noise ordinance. Adequate off-site parking shall be provided for all events based on the projected attendance.
Standards for review of a special exception include having a valid land use and zoning for the proposed use.

The NSM zoning allows a Community Assembly Facility as a Special Exception use. The existing community garden is permitted as an accessory use. On-site retail sales is not allowed.
Standards for review of a special exception include traffic impacts.

Parking and refuse collection will be provided via the rear alley. The Transportation and Parking Management Department reviewed the application and had no concerns and bicycle parking will be added. Additional parking during the day will be available on the long term residential facility to the south.

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<th>Traffic Impacts:</th>
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<td>• Parking adjacent to the alley</td>
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<td>• Bicycle parking to be added</td>
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<td>• Additional daytime parking available to the south</td>
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Standards for Review

- 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; Commercial type of operation is not appropriate in a neighborhood.

The proposed outdoor assembly area is located on the northern side of the property, adjacent to commercial uses to the north and industrial uses to the west. The Community Assembly Facility and Community Garden uses serve as a buffer between the light industrial, auto repair businesses to the west and the social service agency to the north and the residential uses to the east and south. A special condition of approval has been included to require compliance with the design standards of the NSM zoning district. Adjacent neighbors, property owners and the neighborhood association have expressed concerns regarding compatibility of the assembly use, and this use could be considered a type of commercial operation.
There are no significant natural, historic or archaeological resources on the subject site. The location of the assembly area on the property would minimize impacts, however, the Community Assembly Facility may not be compatible with the residential uses on the east side of 15th Street N if the applicant fails to adhere to the conditions of approval which limit the hours, noise, size and operation. Location of an assembly facility on a local roadway could cause excessive traffic and limit on-street parking for the adjacent residential uses if the applicant fails to provide off-site parking.
### Standards for Review

- 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
- 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

There are no other similar community assembly facilities in the area, and therefore there is no concentration of similar use. As previously noted, the community assembly facility could have a detrimental effect on the residences to the east and south if conditions of approval are not adhered to.

To minimize the potential for detrimental effects, Special conditions of approval provide for limits on the hours of operation, prohibit amplified noise and limit attendees.
Standards for Review

Sufficiency of setbacks, screening and buffers to control noise, lights, dust fumes and other nuisances:

- Noise - Prohibition on amplified sound
- Odors- Limit on number of chickens and location
- Limit on event attendance and hours

The community assembly facility structures are located approximately 37-feet from the front property line on 15th Street, providing for separation from the residential uses on the east side of 15th Street. A special condition of approval has been included to prohibit amplified sound, limit event hours, and limit event attendance. A field review determined that the chicken coops and run do have an associated odor, and therefore a setback from the southern property line abutting the multi-family residences needs to be maintained.
Variance Analysis

- Setbacks
  - Adjacent land uses
  - Additional setback for chicken coop and run
  - Transitional land use

Abutting uses to the west across the alley include vehicle repair facilities. The property to the north is owned and operated as an office by St. Vincent DePaul, as part of their Social Service agency, located on the north side of 4th Avenue North. The south side of the property is multi-family residences, formerly part of the social service. The east side of 15th Street North is residential homes and multi-family residences.

The location of the assembly area on the northwest side of the property will minimize impacts to the residential neighbors to the east and south. The proposed chicken run should be located a minimum of 35-feet from the residential property to the south.

Staff finds that granting the setback variance would generally be in harmony with the general purpose and intent of the Land Development Regulations, as the Community Assembly Facility and garden serve as a transitional land use between the light industrial, auto repair businesses to the west and the residential uses to the east and south.
As of today, staff has received correspondence in opposition from the 15th Street Townhome Property Owners Association Board of Directors, from the Methodist Town Neighborhood Association, and two adjacent property owners. 9 Letters and emails in support were received, and a petition with 101 signatures. Correspondence was included in the staff report and has been distributed to you today.
Recommended special conditions include

There shall be no more than ten (10) chickens on the subject property. The coop shall not be located in the front yard and shall provide for a 35-foot interior side yard setback from the southern property line and 10 foot rear yard setback. All chickens in excess of the 10 allowed shall be removed within 30-days.

Apiary shall meet Florida Statute 586 which requires that the beekeeper sign a “Beekeeper Compliance Agreement” and follow the “Best Management Requirements for Maintaining European Honey Bee Colonies on Non-Agricultural Lands.”

There shall be no other animals kept overnight on the property. All structures to meet the design requirements of NSM Provision for permanent restroom facilities, no port-a-potties.
Special Conditions

- Amend #8 - **No** more than 60 attendees
- Outdoor events shall be limited to the hours of 8am to 10pm Monday through Thursday and Sunday, 8am to 11pm Friday, Saturday and holidays.
- There shall be no amplified outdoor sound, and all activities shall be subject to the City noise ordinance.
- Adequate off-site parking shall be provided for all events based on the projected attendance.

Condition number 8 – had a typo and needs to be amended to read “**no** more than 60 attendees”

outdoor events shall be limited to the hours of 8am to 10pm Monday through Thursday and Sunday, 8am to 11pm Friday, Saturday and holidays.

There shall be no amplified outdoor sound, and all activities shall be subject to the City noise ordinance.

Adequate off-site parking shall be provided for all events based on the projected attendance.
In summary, Staff finds that the proposed special exception and related site plan are generally consistent with the standards for review, with the recommended special conditions, with an amendment to condition #8 to read “no more than 60 attendees”
January 16, 2018

Chris Kendrick
Saint Petersburg Social Services Charitable Trust
302 15th Street North
Saint Petersburg, Florida 33705

Scott Bitterli
Ivy Group Consultants
302 15th Street North
Saint Petersburg, Florida 33705

Re: Case No.: 17-32000031
Address: 334, 342, and 366 15th Street North
Parcel ID Nos.: 24-31-16-37512-012-0010
24-31-16-37530-005-0040
24-31-16-37530-005-0030
Request: Approval of a Special Exception and related Site Plan for a Community
Assembly Facility with a Community Garden and a Variance to 35-foot
required setback.

Dear Mr. Kendrick and Mr. Bitterli:

The Development Review Commission at its hearing of January 10, 2018 made a motion to
approve the above-referenced item. The motion to approve failed by a vote of 2-4, thereby
denying the request. A copy of the vote record is enclosed.

In accordance with Section 16.70.015, the DRC decision may be appealed to City Council.
Pursuant to Section 16.70.010.6.D., you have until 5:00 p.m. on January 22, 2018 to file a
notice of appeal with the City Clerk’s office, see the attached Appeal form.

If there are any questions, please contact Elizabeth Abernethy at 727-892-5344.

Sincerely,

[Signature]

Elizabeth Abernethy, AICP, Zoning official
Development Review Services Division

Enclosures: Vote Sheet

ERA:iw

ec: Chris Kendrick; chriskenrick195@gmail.com, Scott Bitterli; bitterli@ivygroupconsultants.com
## Development Review Commission (DRC)

**HEARING DATE:** January 10, 2018  
**CASE NO.:** 17-32000031

### MOTION TO APPROVE:

| 2# | To approve a special exception and related site plan for a Community Assembly Facility with a Community Garden and a variance to a 35-foot required setback subject to the special conditions, as amended. |

### AMENDMENTS:

| 1# | Amend Condition No. 8 in the Staff Report to read: Events shall be limited to no more than 60 attendees and hours shall be limited to 8am to 10pm Monday through Thursday and Sunday, 8am to 11pm Friday, Saturday and holidays. Adequate off-site parking shall be secured for all events based on the projected attendance. |

### MOVED BY:

- WALKER
- RUTLAND

### SECOND BY:

- DOYLE
- FLYNT

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* Alternate

### Presentations

- [X] Elizabeth Abernethy, based on the Staff Report
- [X] Chris Kendrick spoke on behalf of the application
- [X] Jamie McWade spoke on behalf of the application
- [X] Scott Bitterli spoke on behalf of the application
- [X] Renee Kongsiri spoke as the Registered Opponent

"Motion to approve failed by a vote of 2-4, thereby denying the request."

(Need 4 concurring votes to approve the motion & 5 members to make a quorum)
Case No.: 17-32000031
DRC Meeting Notes
January 10, 2018

STAFF REPORT
Elizabeth Abernethy, Zoning Official, gave a presentation based on the staff report.

APPLICANT PRESENTATION
Chris Kendrick, the co-director of the St. Pete Eco Village gave a presentation and spoke on behalf of the application. He stated that the purpose of the application is about the outreach and education programs provided by St. Pete Eco Village, to be provided under the Community Assembly request. There are a lot of community gardens within the City of St. Petersburg, in which most are volunteer-based. As mentioned by Elizabeth Abernethy, it is not legal and [the Development Review Commission] cannot vote for giving them the right to be able to sell the produce. It is something that happens at the state level. They have produce that they cannot sell because it is illegal, as they are not in the right zoning. Chris Kendrick noted that they can have an outdoor kitchen where they can teach people how to prepare, grow and cook the food, which is what they are proposing with this community assembly.

Jamie McWade, the co-director of the St. Pete Eco Village spoke on behalf of the application. She discussed some of the programs that they would like to hold at the St. Pete Eco Village. The first being an outdoor and garden education program. She noted that the belief of the Eco Village is that change starts by addressing behaviors other certain patterns that humans have and being able to make a real sustainable change for the future. It is also their belief that this change starts with their children.

They want to offer programs for kids, for underserved community residents and neighborhood and partnerships like Girl Scouts and Boy Scouts and offer place-based learning programs for kids so that they can learn to protect and preserve the natural world around them. She stated that especially being in Florida, where we have very fragile resources and by starting with the kids, bringing them outside and closing the nature deficit disorder gap is the first step in the right direction. She state that some of their community partners are the Alpha House, Girl Scouts of Suncoast, Mother Kombucha, Keep Saint Pete Local, Suncoast Year Club, USF Partnership for Sustainability and St. Vincent De Paul. They currently have community days on Wednesdays and Sundays, from 9 to 2, to teach people how to grow their own food. They have thousands of volunteers and they produced over 12,000 pounds of produce last year, which they shared with the community.

They also want to offer public educational tours. Soil conservation scientists visited the site, to analyze soil. They want to host “Field to Fork” events, where they would utilize the outdoor kitchen. Community gathering event at a large table, and want to host them more often. They also want to continue sustainability events, such a solar energy event they hosted. They have partnered with organizations to offer programs: USF St. Pete, Eckerd College, St. Pete College, USF Tampa, Sierra Club, Keep St. Pete Local, League of Women Voters.

Scott Bitterli, representing the applicant, noted that what they need to continue and enhance these programs is to upgrade the property to be a stand-alone community assembly facility, an urban farm and build a small-scale commercial kitchen with a walk-in cooler, outdoor grill, wood-fired bread oven, a covered meeting and dining space for those Field-to-Fork dinners, office and bathroom facilities for up to sixty guests. They are also requesting a permanent shade and rain structure over the current 1,350-square paved area. All of the utilities necessary for the conditioned space and outdoor facilities as well for the garden.
They would install 12 parking spaces with one additional for ADA, all adjacent to the alley and additional bike parking spaces. The normal operations that are included are the tours and educational workshops (up to 25 people at a time), which were some of the concern of the neighbors, so regular operation would limit that. During the regular operating hours proposed by the city staff, special events would be up to sixty people - no more than that and no more than once a week. This would use parking in the back and through getting an agreement with adjacent businesses to facilitate that.

Site plan does not currently show the restrooms, but they would provide them. Parking and access from the alley. They understand that the amount of chickens is limited to ten, and they have begun to reduce the number. The container would meet any architectural requirements.

Chair Stowe asked questions regarding the structures, and other improvements. Mr. Bitterly described the on-site well, the 13 parking spaces, the dumpster area, the compost and reclamation area, the chicken run and coop, the storage sheds. He also asked about the events with 60 people, and asked about the off-site parking. Mr. Bitterly noted that in the invitation, and they would recommend that people use ride sharing, bicycles, and that there is on-street parking available. He noted that they have used other businesses for off-site parking.

Commissioner Rutland asked about previous events and how parking was handled. He described how they handled the Tiny House festival. He noted that St. Vincent De Paul has some parking to the north and parking on the vacant area to the east. Commissioner Flynt asked about alcohol sales. He expressed concerns about events such as weddings and serving alcohol. He asked about creating a condition to prohibit alcohol sales. He expressed concerns about the operation becoming a “full-fledged” commercial operation. Ms. Abernethy answered questions regarding the City and state alcohol regulations and explained the Temporary Alcohol permits. Commissioner Walker expressed concerns that the community garden and events would grow and become too commercial for its location and there would be no control once the DRC approves it.

REGISTERED OPPONENT
Renee Kongsiri spoke as the Registered Opponent, stated that someone mentioned the issue of qualifying for a variance, in which one would need to have a hardship. She asked if this was correct and inquired as to where the hardship was and why they should consider granting what is essentially a restaurant. Chair Slowe clarified that the variance relates to the setback only, not the use. Ms. Kongsiri mentioned that this goes back to some of the Florida building codes that specifically differentiates between what is considered a restaurant and eating establishment. Banquet halls are considered an eating establishment. Ms. Kongsiri stated that this place is looking to serve food and not sure that it is consistent or compatible with the land use and zoning requirements to operate it as a commercial restaurant. The use doesn’t comply with the definition of Community Assembly Facility because the seating is outdoors. She believes that the only shelter being built is for operating a commercial kitchen.

In terms of the chickens and operating chickens, and the agricultural use of land, one must question the suitability of some of the projects. Renee Kongsiri admitted that Pinellas County and St. Pete have a very bad rodent problem. Rodents are attracted to chickens and chicken-feed and this has been a known problem on farms, given the already large number of rats residing in St. Pete, having a large chicken coop will be a magnet for more rats to congregate in this neighborhood. She also added that this brings into question the public health safety of the vegetables being in close proximity, where there may be a large number of rats contaminating the produce. She recently had a bee problem on her property, which could be related to their bee keeping. The agricultural use could cause a nuisance to the residential uses. Operating
the “food to table” dining is non-conforming. How does adding the commercial kitchen and assembly enhance their educational mission? She expressed concerns about the issue of noise for open air gathering, the lack of parking. Her view is that it is a non-conforming use, selling of produce and food-to-table dining.

PUBLIC HEARING
Sara Carrillo, 248 15th Street North, filled out card “Against” the request, but did not speak.

Tim Rhode, 4154 10th Avenue North, filled out card “For” the request, but did not speak.

Jalessa Blackshear, 302 15th Street North, spoke in support of the request. She stated that the idea of inviting the parents will encourage them to cook more naturally grown foods.

Michael Moeuch, 387 16th Street North, owner of J&B Auto which is across the alley, spoke in opposition of the request. Stated concerns about parking, which spills over onto the street on 4th Avenue North and particularly 15th Street.

Joni Spencer, 1901 3rd Street South, spoke in support of the request. She stated the importance of these educational programs and that there are also a lot of people working on getting fresh produce into the local public schools.

Michael Chretien, 302 15th Street North, spoke in support of the request. He stated that this facility will help to encourage people to transition their old way of thinking to a new way of thinking and doing.

Rosalde Riegle, 1585 Ridge Avenue, Evanston IL spoke in support of the request. Stated that Eco Village’s education and training will be an empowering kind of education by teaching people how to eat, live sensibly and with a smaller footprint.

Laura Oldamie, 2542 15th Avenue North, spoke in support of the request. Stated that this is an edible garden and no other garden like this in St. Pete. It is the premier showcase garden in the city to teach people about the possibilities for growing their own food.

Heinz Hinrichs, 2840 11th Avenue South, filled out card “For” the application, but did not speak.

Nicolas Weathersbee, 620 45th Avenue North, filled out card “For” the application, but did not speak.

Lisa Pineda Kemblineskas, 7143 10th Street South, spoke in support of the request. Stated that her dream for this base is to be a local hub to learn about sustainable food systems and nutrition in young and old – literally a farm-to-table education.

Albert Risemberg, 5414 19th Avenue South, spoke in support of the request. He stated this garden is the jewel of edible gardens in St. Petersburg.

Bryan Blackford, 302 15th Street North, spoke in support of the request. He stated that all of these plans will enhance the property value of the neighbor’s homes.

CROSS EXAMINATION
City Staff waived cross examination.
Renee Kongsiri, the registered opponent, asked if anyone on staff had experience running a kitchen, either for demonstration purposes or for running a cooking facility for sixty people.

Mr. Bitterli responded that Lokesh Vale (who spoke during the public hearing for case #17-32000025) operates food truck and commercial kitchen that is currently at the Eco Village, along with volunteers and staff.

Ms. Kongsiri asked how many people the Eco Village could accommodate for the demonstration kitchen.

Mr. Bitterli said it depends on the design of the space and having access to it, but could be less for cooking demonstrations.

Ms. Kongsiri asked if the kitchen is used for demonstration, could they then use it as a commercial kitchen because of cross-contamination, inquiring as to whether there would be two kitchens.

Mr. Bitterli answered that this would be up to their professionals to determine.

Ms. Kongsiri asked whether Mr. Bitterli knew if he would need two kitchens or if he could use the same kitchen for demonstration and then use it to cook meals.

Mr. Bitterli restated that he could not personally answer this question and that it would be up to people that they rely on and the restrictions in the codes that are placed on the property and the activity. He stated that there are ways of allowing for demonstration of cooking without having a lot of extra people in the actual space. In addition, Mr. Bitterli added that everyone may not be in the kitchen at the same time. He stated that in the past, the food has been cooked on a grill, out in the open.

Ms. Kongsiri asked if they have been doing cooking demonstrations now.

Mr. Bitterli responded that they would be able to expand the cooking demonstrations with a permanent kitchen.

Ms. Kongsiri noted that she has a Master's in environmental science engineering and she ran a food factory in Singapore, and regulations would not allow the same kitchen to be used for demonstration as for food productions.

Scott Bitterli asked if restrictions could be placed on the operation of this facility that would allow for the use that they are describing, but also limit it from causing issues (i.e., alcohol and/or serving as a commercial kitchen). He stated that he had no further questions.

REBUTTAL

City Staff waived cross examination.

Renee Kongsiri, the registered opponent, stated that once this variance is granted, they will lose control of how often and the types of functions that are held there. She showed an invitation to a Field to Food which stated that alcohol could be brought by the guests. Ms. Kongsiri feels that whether they sell it (alcohol) or people bring it, there will still be a large gathering of sixty people twice a week. Her concern is that this is a residential community and this outdoor gathering will be a nuisance with the number of people proposed.
She does not feel that this is a necessary component with the farm and education and disagrees that this will not have an impact on the residents. Ms. Kongsiri stated that they are all worried about their property values and how this will affect them. She feels that people should be allowed to enjoy their property peacefully and how it was intended. Ms. Kongsiri concluded that the condition mentioned in the Staff Report, specifying 'provisions for public parking were to be isolated from the area/street' should be revisited.

Scott Bitterli, representing the applicant, stated that they are open to modifications and understand that this process. They felt that food preparation and demonstration is vital to the operation and programming and to community as a whole. He said there is a connection between the food that is grown in the garden and people’s lives. Mr. Bitterli stated that they need the ability to really fulfill their programming and mission. They consider the commercial kitchen to be the healthiest and safest way to provide this education and demonstration.

He mentioned that the layout will be kept in line with health codes and would be worked out with the Building department. He said they do not want this to turn into a bar or party facility – but when catering a nice dinner, having someone bring bottles of wine is what the intended use is, not to sell or serve alcohol. They would be able to function with the restrictions set forth. Mr. Bitterli noted the restriction of ‘no sales of the produce onsite’ and although the DRC may not be able to grant this application, they are currently looking at resolutions to facilitate the sales offsite. He stated that they are open to reducing the number of people.

Mr. Bitterli concluded by expressing that the adjacent property owner between the garden property and Eco Village signed a letter in support and they are open to further discussions and arrangements. They will provide necessary restroom space.

**EXECUTIVE SESSION**

Chairman Stowe asked if selling onsite (to include produce) is prohibited. He added that if that were the case, there should be provisions for consumption.

Michael Dema, City Attorney, answered that the provision regarding community gardens: It is not allowed to be a commercial enterprise...there may be occasions when surplus is available. Onsite retail sales are not allowed in this zoning district, but surplus produce may be sold off the premises to assist in defraying the cost of the community garden.

Commissioner Rutland stated that she loves this idea and that the Eco Village should be commended for all of their hard work. She understands the concerns, but views this as something the community could benefit from. She would like to see this go forward and the board add stipulations as necessary.

Commissioner Castellano agreed that it’s is a wonderful thing, to offer community days and public education tours. Her hesitation is when does it become commercial and how do you keep it from crossing that line? This application is sitting right on that line, and how can we add stipulations that keep it from crossing the line? Why do the hours need to go to 10pm? What kind of gardens need to operate until 10 or 11PM. These hours are more of an event area, and there is a kitchen, becomes more commercial. Where do we place the limit? To only daytime events? Reduce the number of events per year? Limit events with beer and wine? How can we keep it from running into a more commercial use in the neighborhood? One event a week with 60 people is too much. Once a month? Where is the safe zone? Where it doesn't feel like a commercial site?
Chairman Stowe asked Elizabeth Abernethy to restate what she stated earlier in the hearing about the number of alcohol events that they are allowed to have.

Elizabeth Abernethy, Zoning Official, stated that they are allowed to have one non-profit 18 times a year. But if it was not their own non-profit, it could be another non-profit that came on their property and with their own license.

Chairman Stowe stated that he agrees with their comment about advocacy and would like for them to be able to do a dinner on a monthly basis where they would invite people of means and hopefully they would give money. Events should be during the daytime. Twelve times a year allow events to go later.

Commissioner Rutland asked if the sixty people in attendance were in addition to the thirty residents (at the adjacent Social Service agency run by the same applicant).

Elizabeth Abernethy, confirmed that the thirty people that live in the social service agency are separate. The total for any event would be 60, whether it includes the residents or not.

Commissioner Rutland asked if there would be ninety people allowed.

Commissioner Flynt stated that he believes they are going to start seeing more of this pop up. This is different because it is in the neighborhood. His concern is that if it is educational for gardening, why is it going on at night time? He feels that they are opening the door to potential problems they do not see right now and the best way to protect against it is by not allowing it. Concerned that the Tiny House festival included a condition to remove the homes and they are still there. This is in the wrong location for this type of event, and that once it is open, they can’t close it down.

Chair Stowe stated that he agrees completely.

Commissioner Walker asked Scott Bitterli about the well in the well-house, to which Mr. Bitterli’s response was yes. Commissioner Walker then asked what he was pumping water for.

Scott Bitterli replied that it is for the irrigation of the garden.

Commissioner Walker asked when the kitchen is put in, would he try to use the well for that or the bathrooms as well.

Scott Bitterli replied no and that all utilities would be by code.

Commissioner Rutland asked if it is a deep well.

Scott Bitterli stated that he is not sure and that it was drilled strictly for the irrigation.

Commissioner Walker asked Scott Bitterli if he was eating any of that produce raw.

Scott Bitterli stated that yes, he does.

Commissioner Walker asked Scott Bitterli if he was familiar with the Department of Health Regulations for testing well water.
Scott Bitterli stated that he is not.

Commissioner Walker stated that there is a very stringent regulation in the state of Florida with the Department of Health and testing has to be done for a ton of contaminants in the well water and those reports have to be provided to the Department of Health every three months. He added that even just irrigating the crops, this should be done, but if he (Mr. Bitterli) is going to supply his kitchen with that, he suggests that he not even do it.

Scott Bitterli responded that he cannot state that the well water has not been tested. He is not familiar with it. He understand that it should be tested, he just cannot speak to it himself.

Commissioner Walker stated that it is a big health hazard and there should be a well permit on it. He added that if they are using that to irrigate crops, they should have a Department of Health permit on it. If they have a Department of Health permit on it, one of the stipulations is to send the water off to the testing agency every three months and provide the results of that to the state.

Commissioner Walker added that if they are not testing, they should be doing so regularly.

Scott Bitterli replied that this is totally understandable and he thinks it is something that they would do if they are not currently doing it. He said that he just cannot say that it is. There are garden managers that set that well up and people from sustainable agriculture coalition have been managing this garden and set everything up for the irrigation.

He added that as far as he knows, they have not had any complaints with contamination or record of any contamination. He said that if it is going to be served, he agrees that it should be tested.

Commissioner Walker advised Mr. Bitterli to check for all of the regulations, to which Mr. Bitterli agreed.

Commissioner Rutland stated that she can understand Commissioner Walker’s concern because it is a part of the site plan that they are approving.

Mr. Bitterli noted that they are open to additional restrictions to allow the use.

Chair Stowe asked if they deny this proposal, would the community garden still continue.

Michael Dema answered yes, that is correct.

Elizabeth Abernethy answered that it would require a permit and that there is an annual permit if it’s a principle use and not accessory to a residential use. She added that it was tied to the residence next door, and they can do a unity of title to tie it to the long-term residential facility so they do not need an annual permit.

Michael Dema stated that they would need to do that anyway to keep the chickens, pursuant to Chapter 4.

Elizabeth Abernethy agreed.
Chair Stowe asked if there would be a number of actions that would follow up if this were not approved.

Elizabeth Abernethy agreed.

Chair Stowe asked the pleasure of the board.

Commissioner Rutland asked if they should make a motion.

Commissioner Walker asked if they should make some conditions first.

Commissioner Walker made the following motion. Commissioner Doyle seconded it.

**MOTION #1:** Amend Condition No. 8 in the Staff Report to read: “Events shall be limited to no more than 60-attendees and hours shall be limited to 8am to 10pm Monday through Thursday and Sunday, 8am to 11pm Friday, Saturday and holidays. Adequate off-site parking shall be secured for all events based on the projected attendance.”

**VOTE:** Yes – Doyle, Flynt, Rutland, Walker, Castellano, Stowe.
No – None.

Motion passed by a vote of 6-0

Commissioner Rutland made the following motion. Commissioner Flynt seconded it.

**MOTION #2:** To approve a special exception and related site plan for a Community Assembly Facility with a Community Garden and a variance to a 35-foot required setback subject to the special conditions, as amended.

**VOTE:** Yes – Doyle, Rutland.
No – Flynt, Walker, Castellano, Stowe.

Motion to approve FAILED by a vote of 2-4, thereby denying the request.
CASE #17-32000031 APPEAL
EXHIBIT C
Request for Appeal dated January 22, 2018
Off-site Parking Memorandum
**Contact Information**

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<tr>
<th>Field</th>
<th>Information</th>
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<tbody>
<tr>
<td>Name</td>
<td>CHRIS KENRICK</td>
</tr>
<tr>
<td>Street Address</td>
<td>302 15TH ST N</td>
</tr>
<tr>
<td>City, State, ZIP</td>
<td>ST PETERSBURG, FL 33705</td>
</tr>
<tr>
<td>Telephone</td>
<td>727-212-2883</td>
</tr>
<tr>
<td>E-Mail Address</td>
<td><a href="mailto:chriskenrick195@gmail.com">chriskenrick195@gmail.com</a></td>
</tr>
<tr>
<td>Signature</td>
<td>[Signature Image]</td>
</tr>
<tr>
<td>Date</td>
<td>1/22/18</td>
</tr>
</tbody>
</table>

**Date of Hearing**

| Date of Hearing | 1/10/14 |

**Case No.**

| Case No.          | 17-32000031 |

**Case Address**

| Case Address | 302 15TH ST N |

**Submittal Requirements**

1. Narrative describing grounds for appeal.

WE WILL BE ENTERING INTO A M.O.U. WITH ST VINCENT DE PAUL FOR USE OF THEIR 23,000 SQUARE FOOT VACANT PARKING LOT.

- LIMITED HOURS
- LIMITED PARTICIPANTS
- NO ALCOHOL WOULD BE SERVED
- NEW COMMUNITY ASSEMBLY PAVILION DESIGN
Dear Elizabeth Abernethy,

The Saint Petersburg Social Services Charitable trust would like to appeal the Development Review Commissions denial of case number 17-3200031 that was heard on January 10, 2018.

This application is for the approval of a special exception and related site plan for a community assembly facility with a community garden and a variance to a 35-foot required setback.

We believe the application was denied because of concerns for parking, operational use and assembly size and we have additional information that wasn’t available to address those concerns.

We will be entering into a memorandum of understanding with St Vincent De Paul for use of their 25,000 square foot vacant parking lot. This is the same lot we used for the tiny house festival. Also we will be limiting our hours of operation Sunday through Thursday, to be between sunrise and sunset. On Friday and Saturday the hours of events would be sunrise to 10pm. Because we consider community events an essential element to our programming, we are still asking for a maximum assembly size of 60 people. We would, however, limit the number of events of more than 50 people to no more than 12 in any one calendar year. Alcohol would not be allowed to be served at events. Attached please find a draft proposal of our community assembly pavilion.

Thank you for all of your support and assistance. Thank you for helping us through this process.

Sincerely,

Chris Kenrick
Classroom/ Yoga Space

26.6 degree angle for PV Power
St. Vincent de Paul CARES
Memorandum of Agreement

I. PARTIES

This Memorandum of Agreement (MOA) is entered into by Society of St. Vincent de Paul South Pinellas, Inc. (d.b.a. SVdP CARES), hereafter referred to as “SVdP CARES”, and St. Pete Eco Village (a.k.a. St. Petersburg Social Services Charitable Trust), hereafter referred to as, "Partner Organization".

II. PURPOSE

1. This Memorandum of Agreement is designed to strengthen the collaborative relationship between SVdP CARES and Partner Organization.
2. The purpose of this agreement to provide parking for the events held by the Partner organization.

III. SCOPE OF SERVICES

1. SVdP CARES RESPONSIBILITIES
   a) Provide maximum of 40 parking spaces on the vacant lot adjacent to 1315 4th Avenue North in a pre-designated area.
   b) Post speed limit of 5 mph on property.
2. PARTNER ORGANIZATION RESPONSIBILITIES
   a) Provide in writing 30 days' notice of event with time, date, # attending and curation.
   b) Provide adequately trained parking attendants in Eco Village identifiable clothing throughout the duration of the event.
   c) Provide insurance as described in 30 days before the first event.
   d) Assure parking lot safety and limit speed to 5 mph on the property.
   e) Assure vacant lot is cleared of vehicles within 12 hours after the event.
   f) Provide support to the efforts of SVdP CARES to feed the homeless.

IV. INSURANCE REQUIREMENTS

Partner Organization shall provide insurance as described below with companies duly authorized to do business in the State of Florida. Liability policies shall provide SVdP CARES as an additional insured. The insurance coverage and limits required must be evidenced by a properly executed Accord 25 Certificate of Insurance form, or its equivalent, of which a copy shall be provided within thirty (30) days of the first event.

1. Commercial General Liability Insurance shall be written on ISO occurrence form CG 00 01, or substitute form providing equivalent coverage, within a minimum limit of $1,000,000 each occurrence and a $2,000,000 aggregate. Such policy shall include SVdP CARES as an additional insured and include the parking lot shall cover liability arising from premises and operations, independent contractors, products and completed operations, personal and advertising injury, and liability assumed under this Agreement.
V. CONTACT INFORMATION

Primary contacts for Partner Organization and SVdP CARES are as follows:

Partner Organization Information
Mr. Chris Kenrick, Co-Director
St. Pete Eco Village
302 15th Street North
St. Petersburg, FL 33705
727-212-2883
chriskenrick195@gmail.com

Ms. Sheila Lopez, COO
St. Vincent de Paul CARES
384 15th Street North
St. Petersburg, FL 33705
727-954-7214
sheila@svdpsp.org

VI. TERMINATION AT WILL

This agreement can be terminated by either party upon no less than 30 calendar days’ notice, with or without cause, unless a lesser time is mutually agreed upon by both parties. Said notice shall be delivered by certified mail, return receipt requested, or in person with proof of delivery.

IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN PARTIES THAT

1. No fees will be charged for parking

2. SVdP CARES and Partner Organization shall comply with all applicable laws, orders, and codes of the federal, state and local government as they pertain to the use of the vacant lot.

3. All notices which may be given pursuant to this Agreement shall be in writing and shall be delivered by personal service or by certified mail return receipt requested addressed to the parties at their respective addresses indicated in Paragraph V or as the same may be changed in writing from time to time. Such notices shall be deemed given on the day which personally served, or if by mail, on the fifth day after being posted or the date of actual receipt, whichever is earlier.

4. SVdP CARES shall not responsible for damage or loss to possessions or item left in the parked vehicles.

5. SVdP CARES shall not be responsible for damage to parked vehicles, whether or not such damage is caused by other vehicle(s) or person(s) in the parking lot and surrounding area.

6. Partner Organization will be responsible for all damages to property belonging to SVdP CARES.

7. Partner Organization agrees to hold harmless SVdP CARES, its agents, officers and employees from and against all claims for injury or damage to persons or property arising out of or caused by the use of property owned by the Society of St. Vincent de Paul South Pinellas, Inc.

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

--Signature Pages to Follow--
IN WITNESS WHEREOF, the Parties hereto, through their authorized representatives have executed this Memorandum of Agreement effective as written above.

St. Pete Eco Village

By: CHRIS KENRICK

Signature

2/5/18

Date

St. Vincent de Paul CARES

By: Michael J. Raposa, Chief Executive Officer

Signature

2/5/18

Date
CASE #17-32000031 APPEAL

EXHIBIT D

Zoning Context and

Land Use Context Exhibits
CASE #17-32000031 APPEAL
EXHIBIT E
Additional Correspondence
CASE #17-32000031

ADDITIONAL CORRESPONDENCE
January 10, 2018

St. Petersburg Zoning Department and
the Development Review Commission

RE: St. Pete Eco Village (aka St. Petersburg Social Services Charitable Trust)

To Whom It May Concern:

Following a meeting with Mr. Chris Kenrick, Co-Director of St. Pete Eco Village, St. Vincent de Paul South Pinellas, Inc. cautiously provides this letter of support to St. Pete Eco Village (a.k.a. St. Petersburg Social Services Charitable Trust).

While we have expressed concerns about the overall current condition of the property located on the 300 block of 15th Street North and its inhabitants – we feel that the current proposal will bring future activity down to a scale that is more compatible with the neighborhood.

Mr. Kenrick has agreed to strengthen the partnership between our two organizations – specifically providing support to the homeless feeding efforts throughout the year. He has also agreed to relocate the current bee population away from our property line, reduce the chicken population, clean up current debris (open storage), maintain the appearance of the property, and meet quarterly to review and access progress of the initiative.

Therefore, we support the St. Pete Eco Village and their application for this Special Exception allowing for Community Assembly area on the property.

The mission of the Society of St. Vincent de Paul South Pinellas, Inc. is to alleviate pain and suffering, in a spirit of charity, justice, and mercy through person to person involvement. Both of our organizations assist people impacted by homelessness. I applaud St. Pete Eco Village’s desire to seek this application, and our community will benefit from their efforts.

If you have any questions do not hesitate to call me at (727) 954-7990.

Sincerely,

Michael J. Raposa
Chief Executive Officer
Case #17-32000031
Special Exception Community Assembly Facility
and Community Garden

Amended Special Condition (amendment underlined):

8. Events shall be limited to **no** more than 60-attendees and hours shall be limited to 8am to 10pm Monday through Thursday and Sunday, 8am to 11pm Friday, Saturday and holidays. Adequate off-site parking shall be secured for all events based on the projected attendance.
Thank you for so quickly responding.

In light of the information that I have now read, as I was totally unaware the scope of the project, I would like to officially state that as property owner of 269 15th St N, I strongly OBJECT, to the proposals.

I am so distressed to read that the proposed development will at times host 110 people combined (42 + 60 + employees).

Can you please walk me through how the 18 spaces is calculated, because even the number the city is stating is required seems woefully insufficient?

Thank you,
Renee Kongsiri

---

Thank you for your correspondence.
I will distribute it to the DRC members.

Please see attached for next week’s hearing.

I will be amending condition #8, as there is a typo, It should read “there shall be no more than 60-attendees”

Please let me know if you have any questions.

Regards,
Elizabeth Abernethy, AICP
Zoning Official, Development Review Services Manager
Planning & Economic Development Department
City of St. Petersburg
P.O. Box 2842, St. Petersburg, FL 33731
727-892-5344 / Fax: 727-892-5557
Elizabeth.Abernethy@stpete.org

Please note all emails are subject to public records law.
Subject properties located at 282,302,310, 334 and 342 15th St N

Dear Ms Abernethy,

I had not received any prior notices regarding some of the prior approvals of this development and would like some more information on the intended use.

In general, when the current owner occupied and developed the premises into a new congregant living facility, or whatever it may be called, there were some issues with late night movies past midnight and people sleeping in their vehicles. This caused a disturbance to my tenants. They complained to me and threatened to move. I suggested that the tenant first try speaking with the establishment to let them know that the noise after 10 pm is against city ordinance and that it is located in a residential neighborhood where people do need to get their sleep and wake up in the morning. I have not received any further complaints and in general I am pleased that the homeless population at St Paul's is being better managed.

I would like to have more information so I can know how the land will be used to make sure that my voice is heard in the event that the development would be considered a nuisance to the local residents who live there full time and try to sleep and have peaceful enjoyment of their property.

Currently, the only red flag I see is the parking. I believe that if St Petersburg zoning requirements mandate 18 parking spaces based on the land use, then this should not be granted a variance, especially not what is essentially half the required parking. Such a variance could have a material adverse impact on every other property owner on the street. The property is big enough where suitable parking can be accommodated. Few or none of the homes on the street have garages which means that the only available parking is on street. The alley parking is not safe. Yes, I know even though it is a stone throw from the police headquarters, my tenants have had their cars stolen, their apartments broken into and a fire by a bunch of crackheads burned down a portion of my fence. If my tenant's lose parking, I will certainly lose my tenants.

Please provide what information you can.

Regards
Renee

Your Sunshine City
Hi Adrian,

Thanks for talking with me today at Eco Village. I was amazed at the amount of work that has been put into the gardens and exhibits by your staff. Everything was beautiful and bountiful for a cool January day.

It's great to have so much green space devoted to sustainability in the city. In addition, I learned quite a bit about sustainability from the motivated and very friendly staff.

I believe this is an excellent resource for the neighborhood and city of St Petersburg.

Roger Jarrell

4245 20th Ave N [1]

St Petersburg, Florida [1]

Links:
------
[1]
https://maps.google.com/?q=4245+20th+Ave+N+St+Petersburg,+Florida&amp;entry=gmail&amp;source=g
Please see below for the letter of support from one of our Open House guests

-------- Original Message --------

From. Reeni Jarrell, resident of St. PETERSBURG

Date 1/5/18

I visited Eco Village this weekend’s for the open house on 15th Street in St. Petersburg, Fl. I am a member of the community and wanted to see the sustainable structures on display. The garden and adjoining green space is much improved since my last visit in July. I brought Lila, our 3 year old grandchild there in the summer and she loved digging in the dirt and learning about the many vegetables growing in the garden.

I am amazed the gardens are so beautiful and bountiful in January. What an excellent addition to the neighborhood. Even if one is not interested in gardening, the open, green space is a welcome relief from the city.

Eco Village brings the beauty of life, in all its diversity, to St. Petersburg, and I really appreciate it. Adrian and all the people who work there are friendly, knowledgeable and helpful. Thank you for being here in St. Petersburg.

Maureen Jarrell
4245 20th Avenue N [1]
St. Petersburg, Fl 33713 [1]
The Eco-Village garden is an important small-scale gathering place that regularly hosts community activities. Seven years in existence it has functioned very effectively as an urban agriculture and permaculture demonstration site for city residents. The garden staff frequently provides educational tours to visitors and has facilitated tours for thousands over the years. Our local colleges and university often send their environmental education classes to the garden for a tour and/or to volunteer. Families with children come to explore this natural setting, i.e., the vegetables, fruit trees, chickens, and rabbits; the children really enjoy the experience.

Organic gardening courses have been taught six times with the purpose of developing competency so that the students feel confident to go on to have their own personal gardens or join with others in a cooperative setting. Farm-to-table events have been held during the past year allowing people to experience directly the freshest possible garden produce professionally prepared. These events are well attended and highly appreciated.

The garden has been supported through the volunteer efforts of local people of all ages and without them the garden would not flourish. Access to the garden gives these folks an outdoor creative experience and association with others. By bringing people together in this way we see a strong community-building dynamic in place at the garden.

There are other existing community activities that utilize the garden site as a host venue. Informal outdoor meetings happen there regularly. Crafts activities with children have taken place and will continue. Informal horticultural therapy has occurred periodically with Creative Clay participating weekly for over a year. The Boley Center and Vincent House have also utilized the gardens for their clients.

Because of the extensive community engagement that already takes place on the Eco-Village garden property and the positive results for participants the SUAC board is very pleased to provide this Letter of Support for the Eco-Village. The city could use more sites of this type to further strengthen neighbors’ engagement with one another. Such a development would have very positive impacts on the quality of life in our city while also extending the movement towards greater community sustainability and personal self-reliance.

Bill Bilodeau, President of SUAC & Co-Founder of the Eco-Village Garden
RE: Importance of the Eco Village to St. Petersburg

TO: City of St. Petersburg

FROM: Jay Sokolovsky, Professor of Anthropology and Chair, Department of Society, Culture and Language

It is a special pleasure to write this letter about the Eco Village which makes a unique contribution to many aspects of life and green learning in our wonderful city. At my campus over the past year I have chaired a large network of citizens and organizations (including city urban planning) concerned with the promotion of urban agriculture and community gardens in our city. As a university professor at USFSP and a scholar who has studied and written about the role of urban green spaces and community gardens across North America I have seen the value of the Eco Village, especially as a unique learning environment for disadvantaged families and individuals in our city.

Over the past several years myself and my students, while conducting research at Eco Village and in other community gardens have directly observed the impact of this place especially in two specific areas. First as a teaching community garden which demonstrates how to begin and sustain such green spaces. permaculture experts at Eco Villa have contributed to the success of community gardens in disadvantaged communities, such as the Bartlett Park Community Garden. They have also directly helped students at my campus begin our forest and university garden which is now beginning to provide some organic greens to our food service. I have also seen the efforts of Eco Village directly working with groups such as Alpha House to help very young single mothers better understand how to provide a healthy nutrition for their children.
As our city reaches a critical phase of integrating urban agriculture and community gardens into the fabric of our growing city, I see the Eco Village as vital bridge to that future.
Rosalie G. Riegle

To the St. Petersburg Zoning Commission:

I was thrilled to learn of the Tiny Homes on Wheels Project of the St. Pete Eco Village and wholeheartedly support their application for a “Special Exception allowing for Community Assembly and Tiny Homes on Wheels.” As someone versed in community resources, I believe their Tiny Homes can contribute to the housing needs of St. Petersburg. This affordable housing can spur redevelopment without necessitating the exorbitant costs of traditional housing.

As we move into a time of ecological peril, we simply must conserve resources and Tiny Homes on Wheels will help us to do so. The Eco Village is an important neighborhood resource and the education and urban agriculture it provides can be a model for all of St. Petersburg, especially if you approve the Tiny Homes Project. I respectfully request that you grant this exception to the zoning laws.

Thank you!

Rosalie G. Riegle, DA
I had the wonderful opportunity to tour and explore the St. Pete Eco-Village this weekend. It was an amazing experience to see an organization living its mission:

Our mission is to be a living, breathing educational center that imparts courses and methodologies in sustainable living practices by providing workshops, formal education, and hands on opportunities for our community.

It was great to see our community at work! Thanks for the shout out!
Elizabeth Abernethy

From: Trey Conner <trey.conner@gmail.com>
Sent: Tuesday, January 09, 2018 6:47 PM
To: Elizabeth Abernethy
Subject: in support of St. Pete Eco-Village’s community assembly permissions/exemption request

Ms. Abernethy,

I am writing today to express my support for the St. Petersburg Eco-Village (St. Petersburg Social Services Charitable Trust): specifically, I would like to endorse their application for a Special Exception allowing for Community Assembly and Tiny Homes on Wheels to be used as Temporary Accessory Dwelling Units. As a neighbor, and as a professor at a local university that strongly values community engagement (USF St. Petersburg), I value the partnerships and opportunities that are presented by the St Petersburg Eco-Village. If you visit the Farm at Eco-Village, you are guaranteed to come away inspired to work for your community. At the SEEDs conference (at the Morean Arts Center, November 16th 2017) focusing on local sustainable food systems and urban agriculture, I saw Eco-Village leadership deliver informative and practical panels, provide interactive workshops, and engage all attendees in direct, meaningful dialogue. In my own students’ written reflections on the experience, I could see the impact of what they learned through this engagement, just in the wide range of topics they addressed—food security, social capital, economic development, public health, race relations, and educational policy, to name a few.

At Eco-Village, I believe Tiny Homes on Wheels will directly meet housing needs here in St. Petersburg by adding affordable, efficient and seasonal housing; a) to areas that need infill and redevelopment, and b) to areas where the costs of traditional housing have reached unattainable levels for young families, students, and our elderly.

Sincerely,

Trey Conner

---

"Proper evaluation of words and letters
In their phonetic and associated sense
Can bring the peoples of earth
Into the clear light of pure Cosmic Wisdom" -Sun Ra

---

Trey Conner, PhD
Associate Professor
Department of Verbal and Visual Arts
College of Arts and Sciences, Harbor Hall 127
University of South Florida St. Petersburg
1000 3rd St S, St. Petersburg, FL 33701
St. Petersburg, FL 33701
727 873-4783
http://courselinker.pbwiki.com/TreyBio
Jan. 9, 2018

To: Jamie McWade, co-director St. Pete Eco Village

I support the St. Pete Eco Village (also known as the St. Petersburg Social Services Charitable Trust) and its application for a special exception allowing for community assembly and for Tiny Homes on Wheels to be used as temporary accessory dwelling units.

I believe Tiny Homes on Wheels can contribute to the housing needs of St. Petersburg by adding affordable, efficient and seasonal housing to areas that need infill and redevelopment, and to areas where the costs of traditional housing have reached unattainable levels for young families, students, the elderly and others.

Sincerely,

Anne L. Hall

450 32nd Ave N, Apt 206 W
St. Petersburg, FL 33704
January 5, 2018

City of St. Petersburg

Re: St. Pete Eco Village Special Exception

Good afternoon,

I support the St. Pete Eco Village (aka St. Petersburg Social Services Charitable Trust) and their application for this Special Exception allowing for Community Assembly and Tiny Homes on Wheels to be used as Temporary Accessory Dwelling Units.

Thank you.

Regards,

Tina N Pickel
Sunshine Automotive Inc.
CASE #17-32000031 APPEAL

EXHIBIT F

Resolutions A and B
RESOLUTION NO.________

A RESOLUTION GRANTING THE APPEAL RECEIVED ON JANUARY 22, 2018, AND OVERTURNING THE DEVELOPMENT REVIEW COMMISSION'S DENIAL OF A SPECIAL EXCEPTION AND RELATED SITE PLAN FOR A COMMUNITY ASSEMBLY FACILITY WITH A COMMUNITY GARDEN AND A VARIANCE TO THE 35-FOOT REQUIRED SETBACK LOCATED AT 334, 342, AND 366 15TH St. N.; CITY FILE 17-32000031 APPEAL) AND APPROVING THE SPECIAL EXCEPTION AND RELATED SITE PLAN WITH A VARIANCE, WITH AMENDED CONDITIONS OF APPROVAL; MAKING FINDINGS BASED ON THE EVIDENCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 10, 2018 the Development Review Commission (DRC) held a public hearing for a proposed Special Exception and related Site Plan for a Community Assembly Facility with a Community Garden and a Variance to the 35-foot required setback located at 334, 342 and 366 15th Street N.; and

WHEREAS, the DRC made a motion to approve the request and the motion to approve the request failed by a vote of 2 to 4, thereby denying the request; and

WHEREAS, the appellant timely filed the Notice of Appeal of the DRC’s decision on January 22, 2018, to come before the City Council to seek a reversal of this decision; and

WHEREAS, the City Council finds that it is appropriate to amend the recommended Special Conditions of approval as shown in the staff report dated 01-03-18; and

WHEREAS, the City Council finds that it is appropriate to grant the appeal thereby overturning the DRC’s denial of the Special Exception and related Site Plan with a variance and approving the request with amended Special Conditions.

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 for a Community Assembly Facility with a Community Garden and a Variance to the 35-foot required setback complies with the City’s applicable Land Development Regulations and Comprehensive Plan; and

2. The City Council finds that it is appropriate to grant the appeal and overturn the DRC’s denial of the Special Exception and related Site Plan for a Community Assembly Facility
with a Community Garden and a Variance to the 35-foot required setback, and approve the request subject to the conditions of the Staff Report, as hereby amended.

BE IT FURTHER RESOLVED that under its de novo appellate authority, based upon the foregoing findings of fact based on evidence, this Council approves the Special Exception and related Site Plan for a Community Assembly Facility with a Community Garden and a Variance to the 35-foot required setback, subject to the conditions in the Staff Report, as amended and grants 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

APPROVED AS TO FORM AND SUBSTANCE:

Planning and Economic Development Department

City Attorney

2-21-18

2/26/18
RESOLUTION NO.________

A RESOLUTION DENYING THE APPEAL RECEIVED ON JANUARY 22, 2018, AND UPHOLDING THE DEVELOPMENT REVIEW COMMISSION’S DENIAL OF A SPECIAL EXCEPTION AND RELATED SITE PLAN FOR A COMMUNITY ASSEMBLY FACILITY WITH A COMMUNITY GARDEN AND A VARIANCE TO THE 35-FOOT REQUIRED SETBACK LOCATED AT 334, 342, AND 366 15TH ST. N.; CITY FILE 17-32000031 APPEAL) AND DENYING THE REQUEST; MAKING FINDINGS BASED ON THE EVIDENCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 10, 2018 the Development Review Commission (DRC) held a public hearing for a proposed Special Exception and related Site Plan for a Community Assembly Facility with a Community Garden and a Variance to the 35-foot required setback located at 334, 342 and 366 15th Street N.; and

WHEREAS, the DRC made a motion to approve the request and the motion to approve the request failed by a vote of 2 to 4, thereby denying the request; and

WHEREAS, the appellant timely filed the Notice of Appeal of the DRC’s decision on January 22, 2018, 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 thereby upholding the DRC’s denial of the Special Exception and related Site Plan with a variance and denying the request.

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 for a Community Assembly Facility with a Community Garden and a Variance to the 35-foot required setback located at 334, 342 and 366 15th Street N does not 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 denial of the Special Exception and related Site Plan for a Community Assembly Facility with a Community Garden and a Variance to the 35-foot required setback located at 334, 342 and 366 15th Street N.
BE IT FURTHER RESOLVED that under its de novo appellate authority, based upon the foregoing findings of fact based on evidence, this Council denies the Special Exception and related Site Plan for a Community Assembly Facility with a Community Garden and a Variance to the 35-foot required setback located at 334, 342 and 366 15th Street N, 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:

[Signature]
Planning and Economic Development Department Date 2-21-18

[Signature]
City Attorney Date 2-26-18
REQUEST
Review of the proposed multi-family project consisting of a 12-story building with 65 dwelling units, located at 745 Delmar Terrace South for consistency with the Intown Redevelopment Plan.

APPLICANT INFORMATION
Applicant: Delmar Terrace South, LLC
720 Olive Street, Suite 2500
Saint Louis, MO 63103

Property Owner: Delmar Terrace South, LLC
720 Olive Street, Suite 2500
Saint Louis, MO 63103

Architect/Engineer: Corwill Architects, Inc.
4210 Laguna Street
Coral Gables, FL 33146

OVERVIEW OF PROJECT
The subject property is located on the north side of Delmar Terrace South in-between 7th Street South and 8th Street South. The project, valued at approximately $8-million, consists of a 68,473 square feet, 12-story building with 65 dwelling units.

The subject property is currently vacant. The proposed building will consist of a narrow 9-story tower sitting on top of a three-story base. The base of the building consist of 65 parking spaces and will occupy the majority of the subject property. The 9-story tower is approximately 130 feet in length and 65 feet in width, and will be located towards Delmar Terrace South.

The ground floor of the residential tower will consist of a lobby, back of house facilities, bicycle and vehicular parking. Floors two through three will be for vehicular parking. The fourth floor will have amenity space and residential units. Floors five through 12 will have residential units. Vehicular access to the parking garage will be from Delmar Terrace South. Loading and dumpster area will be accessible from the alley. Access to the upper levels of the parking garage will be from a traditional ramp. Pedestrian access to the building will be from the public sidewalk along Delmar Terrace South.

The proposed architectural style of the building will be contemporary. The lobby at the base of the tower will have ample amount of glazing and will be oriented towards Delmar
Terrace South. The parking garage will be screened from Delmar Terrace South with architectural panels. The tower portion of the building will have an ample amount of glazing on all four sides. The applicant will integrate projecting balconies and recess and projections on the façade. These architectural features help break down the overall mass of the building.

CONSISTENCY WITH INTOWN REDEVELOPMENT PLAN
The Intown Redevelopment Plan (IRP) requires the Community Redevelopment Agency to evaluate a development proposal to ensure its proposed use and design are consistent with the Plan.

Plan Emphasis
The Project is located within the “Residential” area of Intown, which is one of the four focus areas of the IRP, the others being the Core, Webb's City, and the Stadium Complex.

The zoning for the site is DC-2, which does allow the proposed development with a floor area ratio of 4.0. The Project, with a proposed FAR of 4.0, is therefore consistent with the Intown Redevelopment Plan.

Design Criteria
Design criteria in the IRP that pertain to this project include:
• architectural, aesthetic and functional integration of buildings within a project;
• screening of parking garages with decorative facades;
• provision of architectural variety to the area and uses that generate street level activities;
• sensitivity of building mass and scale to adjacent existing development and residential areas; and
• inclusion of streetscaping features to enhance the pedestrian environment.

The Project is well-designed and is articulated on all sides of the building. The Project is urban in scale with pedestrian oriented street level features.

SUMMARY AND RECOMMENDATION
Administration recommends approval of the attached resolution finding the proposed multi-family project consisting of a 68,473 square feet, 12-story building with 65 dwelling units consistent with the Intown Redevelopment Plan as reflected in report IRP 18-1a based on preliminary plans submitted for review subject to the following conditions:

1. Final building plans must be reviewed and approved by CFA staff;

2. Applicant complies with any conditions of approval required by Development Review Services staff.
## EXHIBIT A
### Site Data

| Location               | 745 Delmar Terrace South  
<table>
<thead>
<tr>
<th></th>
<th>19/31/17/74547/001/0140, 19/31/17/74547/001/0150, 19/31/17/74547/001/0160, 19/31/17/74547/001/0180</th>
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</thead>
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<tr>
<td>Redevelopment Area</td>
<td>Intown Redevelopment Area</td>
</tr>
<tr>
<td>Zoning District</td>
<td>DC-2</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Vacant</td>
</tr>
<tr>
<td>Proposed Uses</td>
<td>12-story, 65 dwelling units</td>
</tr>
<tr>
<td>Site Area</td>
<td>17,119 sq. ft. or 0.39 acres</td>
</tr>
<tr>
<td>Proposed FAR</td>
<td>4.0 FAR</td>
</tr>
<tr>
<td>Existing FAR</td>
<td>0 FAR</td>
</tr>
<tr>
<td>Permitted FAR</td>
<td>5.0 FAR bonus</td>
</tr>
<tr>
<td>Number of Residential Units</td>
<td>65</td>
</tr>
<tr>
<td>Existing Parking</td>
<td>0 spaces</td>
</tr>
<tr>
<td>Proposed Parking</td>
<td>65 spaces</td>
</tr>
</tbody>
</table>
CRA RESOLUTION NO.

RESOLUTION OF THE ST. PETERSBURG COMMUNITY REDEVELOPMENT AGENCY (CRA) FINDING THE 68,473 SQUARE FOOT, 12-STORY BUILDING WITH 65 DWELLING UNITS, LOCATED AT 745 DELMAR TERRACE SOUTH CONSISTENT WITH THE INTOWN REDEVELOPMENT PLAN; AND PROVIDING AN EFFECTIVE DATE (CITY FILE IRP 18-1A).

WHEREAS, the Community Redevelopment Agency of the City Council of the City of St. Petersburg has adopted the Intown Redevelopment Plan and established development review procedures for projects constructed within designated redevelopment areas;

WHEREAS, the Community Redevelopment Agency has reviewed the plans to construct a 68,473 square foot, 12-story building with 65 dwelling units described and reviewed in CRA Review Report No. IRP 18-1a; and

BE IT RESOLVED that the Community Redevelopment Agency of the City of St. Petersburg, Florida, finds the 68,473 square foot, 12-story building with 65 dwelling units consistent with the Intown Redevelopment Plan, with the following conditions:

1. Final building plans must be reviewed and approved by CRA staff;
2. Applicant complies with any conditions of approval required by Development Review Services staff.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT

[Signature]
City Attorney (designee)

[Signature]
Dave Goodwin, Director
Planning & Economic Development Department
Project Location Map
City of St. Petersburg, Florida
Planning and Economic Development Department
Address: 745 Delmar Terrace South
www.stpetersburg.org
To: The Honorable Lisa Wheeler-Bowman, Chair, and Members of City Council


Explanation: This purchase is being made from Pinellas County Bid No. 167-0421-CP (DF).

The job order contractors will provide minor construction, facility maintenance, repairs and renovations to City facilities. The primary user will be the Engineering & Capital Improvements on behalf of the Water Resources, Enterprise Facilities, Parks and Recreation, Library, Police and Fire departments.

Job Order Contracting, or JOC, is a construction delivery method that enables the City to construct minor construction and repair projects quickly and easily through indefinite delivery, indefinite quantity, multi-year umbrella contracts designed to reduce construction administration and the procurement cycle.

The resulting job order is a firm-fixed-priced, lump-sum order for a definite scope of work as compiled from the catalog of construction tasks to be performed. The scope will be built on the catalog of construction tasks developed by the Gordian Group, Inc. The catalog contains specific construction tasks and the unit prices for those tasks.

The catalog prices, include the cost of materials, labor, and equipment for performing the items of work. The prices however, do not include overhead and profit. This price element, called the "adjustment factor," is based on the contractor's competitively bid adjustment to the City's prices as published in the catalog of construction tasks. The adjustment factors consider the time of day the work is performed, whether work is performed in a secure or non-secure area and for construction tasks not included in the catalog of construction tasks.

In addition, these contractors have been pre-qualified and possess the mandatory licenses, bonds and insurance, and have agreed to a fixed-period, fixed-unit-price, and indefinite-quantity contracts.

The Procurement Department, in cooperation the Engineering & Capital Improvements Department, recommends for award:

<table>
<thead>
<tr>
<th>Job Order Contractors</th>
<th>Regular Hours</th>
<th>Premium Hours</th>
<th>Secure Areas 7am to 7pm</th>
<th>Secure Areas 7pm to 7am</th>
<th>Non-Priced Work</th>
<th>Adjustment Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caladesi Construction Co. (Largo, FL)</td>
<td>1.0750%</td>
<td>1.0800%</td>
<td>1.0760%</td>
<td>1.0810%</td>
<td>1.0750%</td>
<td>1.0750%</td>
</tr>
<tr>
<td>G.E.C. Associates, Inc. (Doral, FL)</td>
<td>1.0810%</td>
<td>1.0810%</td>
<td>1.1000%</td>
<td>1.1000%</td>
<td>1.0850%</td>
<td>1.0850%</td>
</tr>
<tr>
<td>Gibraltar Construction Company, Inc.</td>
<td>1.1000%</td>
<td>1.1000%</td>
<td>1.2300%</td>
<td>1.2300%</td>
<td>1.1000%</td>
<td>1.1000%</td>
</tr>
<tr>
<td>(Annapolis, MD)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>J.O. DeLotto &amp; Sons, Inc. (Tampa, FL)</td>
<td>1.1295%</td>
<td>1.1195%</td>
<td>1.1195%</td>
<td>1.1195%</td>
<td>1.0500%</td>
<td>1.0500%</td>
</tr>
<tr>
<td>New Vista Builders Group, LLC (Tampa, FL)</td>
<td>1.1680%</td>
<td>1.1680%</td>
<td>1.1750%</td>
<td>1.1750%</td>
<td>1.0350%</td>
<td>1.0350%</td>
</tr>
</tbody>
</table>

These contractors have met the terms and conditions of the Pinellas County Bid No. 167-0421-CP (DF). This purchase is made in accordance with Section 2-256(2) of the Procurement Code, which authorizes the Mayor, or his designee, to piggyback competitively bid contracts of other governmental entities.

This purchase is permitted by Section 2-251(f) Job Order Contracts of the Procurement Code. The contracts will be effective from the date of award through January 9, 2023. All job orders over $50,000 will require City Council's approval. The combined total of all contracts shall not exceed $20,000,000 with a limit of $4,000,000 to each contractor.
Cost/Funding/Assessment Information: Funds have been previously appropriated in projects and programs, and user agencies, or will be appropriated at the time a contract is approved by City Council.

Attachments: Resolution

Approvals: 

[Signatures]
RESOLUTION NO. 

A RESOLUTION APPROVING THE AWARD OF JOB ORDER CONTRACTS UTILIZING PINELLAS COUNTY BID NO. 167-0421-CP (DF) TO CALADESI CONSTRUCTION CO., G.E.C. ASSOCIATES, INC., GIBRALTAR CONSTRUCTION COMPANY, INC., J.O. DELOTTO & SONS, INC., AND NEW VISTA BUILDERS GROUP, LLC (COLLECTIVELY, "FIRMS") FOR A TERM COMMENCING ON THE EXECUTION DATE OF EACH CONTRACT AND ENDING JANUARY 9, 2023, FOR THE FIRMS TO PROVIDE AS-NEEDED MINOR CONSTRUCTION, FACILITY MAINTENANCE, REPAIRS AND RENOVATIONS FOR THE ENGINEERING & CAPITAL IMPROVEMENTS DEPARTMENT ON A WORK ORDER BASIS; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to award job order contracts to Caladesi Construction Co., G.E.C. Associates, Inc., Gibraltar Construction Company, Inc., J.O. DeLotto & Sons, Inc., and New Vista Builders Group, LLC (collectively, "Firms") to provide as-needed minor construction, facility maintenance, repairs and renovations for the Engineering & Capital Improvements Departments on a work order basis; and

WHEREAS, job order contracting allows the City to issue a fixed-period, firm-fixed price, and lump-sum work order to the Firms for a definite scope of work as compiled in the catalog of construction tasks; and

WHEREAS, pursuant to Section 2-256(2) of the Procurement Code, the Mayor or his designee is authorized to utilize competitively bid contracts of other government entities; and

WHEREAS, the Firms have met the terms and conditions of Pinellas County Bid No. 167-0421-CP (DF); and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Engineering & Capital Improvements Department recommends approval of these awards.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the award of job order contracts utilizing Pinellas County Bid No. 167-0421-CP (DF) to Caladesi Construction Co., G.E.C. Associates, Inc., Gibraltar Construction Company, Inc., J.O. DeLotto & Sons, Inc., and New Vista Builders Group, LLC (collectively, "Firms") for a term commencing on the execution date of each contract and ending January 9, 2023 for the Firms to provide as-needed minor construction, facility maintenance, repairs and
renovations for the Engineering & Capital Improvements Department on a work order basis are hereby approved.

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

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)

00364855
To: The Honorable Lisa Wheeler-Bowman, Chair, and Members of City Council

Subject: Accepting a proposal from Sun Life Assurance Company of Canada for aggregating specific stop loss insurance coverage (group health plan) for the Human Resources Department, at an estimated annual premium of $838,355; and authorizing the Mayor, or his designee, to execute all documents necessary to effectuate this transaction.

Explanation: The City received one proposal for specific stop loss insurance coverage. The proposal was received from:

<table>
<thead>
<tr>
<th>Offeror</th>
<th>Premium</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sun Life Assurance Company of Canada</td>
<td>$838,355</td>
</tr>
</tbody>
</table>

The proposal was evaluated by the Human Resources Department, with assistance from the City’s insurance consultant. The evaluators included:

Chris Guella, Human Resources Director
Vicki Grant, Employee Benefits Manager
Jason Hall, Employee Benefits Supervisor
Chuck Tobin, Arthur J. Gallagher & Co. Area Vice President

The proposal was evaluated based on the following criteria:

- Financial stability and the industry rating of the firm
- Willingness to adhere to the terms and definitions of the group insurance program
- Timeliness of reimbursements
- Total premium cost

The insurance carrier will provide aggregating specific stop loss insurance, which limits the amount the group health plan will pay for any individual claim. The carrier will reimburse the program for claims in excess of the contracted amount. The City requested proposals for aggregating specific stop loss insurance with a second tier deductible of $150,000. Adding this deductible will lower the stop loss insurance premiums without increasing the City’s total liability for large claims exceeding the individual claim deductible of $400,000. Using this strategy, the City will benefit during years of favorable claim experience, while capping the liability in years of less than favorable claim experience.

The total estimated cost from Sun Life for the 2017-18 is $121,513, higher than the premium cost of individual stop loss for the prior plan year, a 17% increase.
The Procurement Department, in cooperation with the Human Resources Department recommends approval:

Sun Life Assurance Company of Canada........................................ $838,355*
Specific Stop Loss ($19.87 per participant per month) **

*Dependent upon monthly enrollment
**Individual claims in excess of $400,000 accumulate towards second tier $150,000 deductible.

Sun Life Assurance Company of Canada has met the requirements of RFP No. 6758, dated January 18, 2018. They were determined to be advantageous to the City, taking into consideration price and the evaluation criteria set forth in the RFP. They have satisfactorily performed these services for the City in the past. They have an A+ AM Best rating and they are a subsidiary of Sun Life Financial, Inc., which has been in business since 1865. The City's account will be serviced from the Wellesley Hills, MA office. The agreement will be effective from April 1, 2018, to March 31, 2019, with no renewal options. The service will be re-solicited prior to the beginning of each group insurance plan year to ensure that the city optimizes coverage in accordance with market pricing and claim trends.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Health Insurance Fund (5121), Human Resources Group Benefits (0901177).

Attachments: Technical Evaluation (2 pages)
Resolution

Approvals:

[Signatures]
Administrative

[Signature]
Budget
Summary Work Statement

The City received one proposal for RFP No. 6758, Insurance, Medical Plan Stop-Loss. The successful offeror(s) will provide aggregating, specific stop-loss insurance coverage for the City. One proposal was received from:

Sun Life Assurance Company of Canada

Evaluation Committee

The evaluations of the proposal were conducted by:

Chris Guella, Director, Human Resources
Vicki Grant, Manager, Employee Benefits
Jason Hall, Benefits Supervisor

Evaluation Criteria

The proposals were evaluated based on the following criteria:

• Financial stability and industry rating of the firm
• Willingness to adhere to the terms and conditions of the group insurance programs
• Timeliness of reimbursements
• Total premium cost

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.

Sun Life Assurance Company of Canada is headquartered in Ontario, Canada, and was incorporated in 1865. The firm has been providing this service for 152 years and employs 2,200 people. Its strengths include: they provide several programs designed to provide cost containment tools at no additional cost; they have an average 10 day claim processing time; their proposal included a mirroring endorsement (alignment with the provisions of the plan) at no additional cost; and they have an "A+" AM best industry rating.

Weaknesses include: their premium costs were a 17 percent increase from the current premium rate.

The proposal meets the City's requirements.

Recommendation for Award

The proposal was initially evaluated solely by the City's consultant, Gallagher Benefit Services ("Gallagher"), based on the evaluation criteria established in the RFP. On February 12, 2018, Gallagher presented the evaluation summaries to the evaluation committee. The evaluation
committee recommended Sun Life Assurance Company of Canada for the Medical Plan Stop-Loss Insurance. The company has met the requirements of RFP No. 6758 and the offer was determined to be advantageous to the City, taking into consideration the premium cost and the evaluation criteria set forth in the RFP.

Sun Life Assurance Company of Canada was selected for the following reasons:

- They provide a 10-day claim processing time.
- They provide multiple services at no additional cost to the City.

Chris Guella  
Committee Member

Vicki Grant  
Committee Member

Jason Hall  
Chair
A RESOLUTION ACCEPTING THE PROPOSAL AND APPROVING THE AWARD OF AN AGREEMENT WITH SUN LIFE ASSURANCE COMPANY OF CANADA FOR AGGREGATING SPECIFIC STOP LOSS INSURANCE COVERAGE (GROUP HEALTH PLAN) FOR THE HUMAN RESOURCES DEPARTMENT AT A TOTAL COST NOT TO EXCEED $838,355; 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. 6758 on January 18, 2018 for aggregating stop loss insurance coverage (group health plan) for the Human Resources Department; and

WHEREAS, the Procurement and Supply Management Department received one (1) proposal in response to this RFP; and

WHEREAS, on February 12, 2018, the evaluation committee selected Sun Life Assurance Company of Canada to provide aggregating stop loss insurance coverage (group health plan) for the Human Resources Department; and

WHEREAS, Sun Life Assurance Company of Canada has met the specifications, terms and conditions of RFP No. 6758; and

WHEREAS, the agreement will be in effect for one year with no renewal options; and

WHEREAS, the Procurement & Supply Management Department in cooperation with the Human 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 proposal is hereby accepted and the award of an agreement with Sun Life Assurance Company of Canada for aggregating stop loss insurance coverage (group health plan) for the Human Resources Department at a total cost not to exceed $838,355 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)
To: The Lisa Wheeler-Bowman, Chair, and Members of City Council

Subject: Approving the renewal of a blanket purchase agreement with Ajax Paving Industries of Florida, LLC for the purchase of recycled asphalt for the Stormwater, Pavement & Traffic Operations Department, at an estimated annual cost of $140,000, for a total contract amount of $520,000.

Explanation: On November 12, 2015, City Council approved a one-year agreement for recycled asphalt. On April 7, 2016, City Council approved the first one-year renewal. This is the final renewal. The final renewal amount has been reduced from $190,000 to $140,000 based on usage, and spending history.

The vendor provides the City with recycled SP 9.5 and SP 12.5, also known as S1 and S3, asphalt. The asphalt is picked up by the truckload, purchased by the ton, and is primarily used for filling utility cuts and pot holes around the City.

The Procurement Department, in cooperation with the Stormwater, Pavement & Traffic Operations Department, recommends renewal:

- Ajax Paving Industries of Florida, LLC (North Venice) ......................... $140,000
  - Original agreement amount $190,000
  - 1st renewal 190,000
  - Final renewal 140,000
  - New agreement amount $520,000

Ajax Paving Industries of Florida LLC has agreed to hold prices firm under the terms and conditions of Pinellas County Bid No. 134-0215-B, dated April 10, 2014. This is a piggy-back agreement, made in accordance with Section 2-256(2) of the Procurement Code, which authorizes the Mayor, or his designee, to utilize competitively bid contracts of other governmental entities. Administration recommends renewal of the agreement based upon the vendor’s past satisfactory performance and demonstrated ability to comply with the terms and conditions of the contract. The renewal will be effective from the date of approval through April 16, 2019.

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

Attachments: Resolution

Approvals:

Administrative

Budget
A RESOLUTION APPROVING THE FINAL RENEWAL OPTION TO THE BLANKET PURCHASE AGREEMENT WITH AJAX PAVING INDUSTRIES OF FLORIDA LLC FOR THE PURCHASE OF RECYCLED ASPHALT FOR THE STORMWATER, PAVEMENT & TRAFFIC OPERATIONS DEPARTMENT, IN THE AMOUNT OF $140,000, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $520,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 12, 2015, City Council approved a one-year agreement with Ajax paving Industries of Florida LLC to provide recycled asphalt in the amount of $190,000; and

WHEREAS, on April 7, 2016, City Council approved the first one-year renewal in the amount of $190,000; and

WHEREAS, this is the final renewal, in the amount of $140,000, for a total contract amount of $520,000; and

WHEREAS, the Procurement & Supply Management Department in cooperation with the Stormwater, Pavement, & Traffic Operations Department recommends this approval in the renewal of this agreement.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the final renewal option to the blanket purchase agreement with Ajax Paving Industries of Florida LLC, for the purchase of recycled asphalt for the Stormwater, Pavement & Traffic Operations Department in the amount of $140,000, for a total contract amount not to exceed $520,000 is hereby approved.

BE IT FURTHER RESOLVED that the Mayor or Mayor's designee is hereby 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)
00363994
To: The Honorable Lisa Wheeler-Bowman, Chair, and Members of City Council

Subject: Approving the renewal of blanket purchase agreements with Pace Analytical Services, Inc. and Advanced Environmental Laboratories, Inc. for environmental laboratory testing services for the Water Resources Department, for a total contract amount of $465,000.

Explanation: On February 19, 2015, City Council approved two, three-year agreements for environmental laboratory testing services through February 28, 2018. The agreements have two, one-year renewal options. This is the first renewal.

Additional allocation is not requested for the first renewal. The costs for services required through the balance of this renewal will not exceed the previously approved allocation amount.

The vendors provide environmental analysis testing on potable water, domestic wastewater, industrial wastewater, salt water, ground water, reclaimed water, as well as soil sediments and sludge for the Water Resources Department. These tests will be performed as required by the Safe Drinking Water Act and the Clean Water Act. The vendors will also perform testing for the City’s certified laboratory if instruments are temporarily offline, capacity is limited or if the lab is not certified to perform the test in-house.

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

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Original agreement amount</td>
<td>$465,000</td>
</tr>
<tr>
<td>1st renewal</td>
<td>0</td>
</tr>
<tr>
<td>New agreement amount</td>
<td>$465,000</td>
</tr>
</tbody>
</table>

Pace Analytical Services, Inc. and Advanced Environmental Laboratories have agreed to hold rates firm under the terms and conditions of IFB No. 5639, dated December 8, 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 contract. The renewal will be effective from the date of approval through February 28, 2019.

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

Attachments: Bid Tabulation (2 pages)  
Resolution

Approvals:
<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Est. Qty</th>
<th>Pace Analytical Services</th>
<th>Florida Testing Services</th>
<th>Advanced Environmental Lab</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Unit Price</td>
<td>Extended Price</td>
<td>Unit Price</td>
</tr>
<tr>
<td>1</td>
<td>Oil and Grease HEM</td>
<td>74</td>
<td>$30.00</td>
<td>$2,220.00</td>
<td>$28.00</td>
</tr>
<tr>
<td>2</td>
<td>Oil and Grease SGT, TRPH</td>
<td>20</td>
<td>$30.00</td>
<td>$600.00</td>
<td>$32.00</td>
</tr>
<tr>
<td>3</td>
<td>Organochlorine Pests/PCB's</td>
<td>48</td>
<td>$70.00</td>
<td>$3,360.00</td>
<td>$60.00</td>
</tr>
<tr>
<td>4</td>
<td>Volatile Organic Compounds</td>
<td>30</td>
<td>$50.00</td>
<td>$1,500.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>5</td>
<td>Base Neutrals and Acid Extractables</td>
<td>48</td>
<td>$110.00</td>
<td>$5,280.00</td>
<td>$130.00</td>
</tr>
<tr>
<td>6</td>
<td>Mercury</td>
<td>300</td>
<td>$14.00</td>
<td>$4,200.00</td>
<td>$10.00</td>
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<tr>
<td>7</td>
<td>Total Cyanide</td>
<td>115</td>
<td>$18.00</td>
<td>$2,070.00</td>
<td>$15.00</td>
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<tr>
<td>8</td>
<td>Sulfide</td>
<td>675</td>
<td>$12.00</td>
<td>$8,100.00</td>
<td>$15.00</td>
</tr>
<tr>
<td>9</td>
<td>Fluoride (MDL = 0.1 mg/L)</td>
<td>5</td>
<td>$12.00</td>
<td>$60.00</td>
<td>$10.00</td>
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<tr>
<td>10</td>
<td>Bromate (MDL = 0.010 mg/L)</td>
<td>20</td>
<td>$12.00</td>
<td>$240.00</td>
<td>$10.00</td>
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<tr>
<td>11</td>
<td>Phenols, Total recoverable</td>
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<td>$15.00</td>
<td>$900.00</td>
<td>$25.00</td>
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<tr>
<td>12</td>
<td>Priority Pollutant Scan³</td>
<td>4</td>
<td>$416.00</td>
<td>$1,664.00</td>
<td>$400.00</td>
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<tr>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Synthetic organic contaminants (SOCs)⁴</td>
<td>5</td>
<td>$410.00</td>
<td>$2,050.00</td>
<td>$550.00</td>
</tr>
<tr>
<td>14</td>
<td>Synthetic organic contaminants (SOCs)⁴</td>
<td>2</td>
<td>$410.00</td>
<td>$820.00</td>
<td>$550.00</td>
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<tr>
<td>15</td>
<td>Metals group (As, Pb, Sb, Se, Ti)</td>
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<td>$35.00</td>
<td>$175.00</td>
<td>$30.00</td>
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<tr>
<td>16</td>
<td>Metals group (As, Pb, Sb, Se, Ti)</td>
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<td>$35.00</td>
<td>$70.00</td>
<td>$30.00</td>
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<td>17</td>
<td>Arsenic</td>
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<td>$8.00</td>
<td>$1,120.00</td>
<td>$6.00</td>
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<tr>
<td>18</td>
<td>Cyanide, Ammenable</td>
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<td>$35.00</td>
<td>$70.00</td>
<td>$35.00</td>
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<td>19</td>
<td>MBAS (surfactants)</td>
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<td>$30.00</td>
<td>$120.00</td>
<td>$35.00</td>
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<tr>
<td>20</td>
<td>MBAS (surfactants)</td>
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<td>$30.00</td>
<td>$30.00</td>
<td>$35.00</td>
</tr>
<tr>
<td>21</td>
<td>2,3,7,8-TCDD (Dioxin)</td>
<td>4</td>
<td>$200.00</td>
<td>$800.00</td>
<td>$225.00</td>
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<tr>
<td>22</td>
<td>Radium 226</td>
<td>5</td>
<td>$55.00</td>
<td>$275.00</td>
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<tr>
<td>23</td>
<td>Radium 228</td>
<td>5</td>
<td>$55.00</td>
<td>$275.00</td>
<td>$65.00</td>
</tr>
<tr>
<td>24</td>
<td>Gross Alpha</td>
<td>12</td>
<td>$30.00</td>
<td>$360.00</td>
<td>$35.00</td>
</tr>
<tr>
<td>25</td>
<td>EPA 8260 - special lists</td>
<td>35</td>
<td>$55.00</td>
<td>$1,925.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>26</td>
<td>Chlorophyll - a,b,c and pheophytin</td>
<td>185</td>
<td>$25.00</td>
<td>$4,625.00</td>
<td>$40.00</td>
</tr>
<tr>
<td>Item No.</td>
<td>Description</td>
<td>Est. Qty.</td>
<td>Pace Analytical Services</td>
<td>Florida Testing Services</td>
<td>Advanced Environmental Lab</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
<td>-----------</td>
<td>--------------------------</td>
<td>------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Unit Price</td>
<td>Extended Price</td>
<td>Unit Price</td>
</tr>
<tr>
<td>27</td>
<td>Kjeldahl Nitrogen, total (low level MDL = 0.075 mg/L)</td>
<td>185</td>
<td>$16.00</td>
<td>$2,960.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>28</td>
<td>Phosphorous, Total (low level MDL = 0.002 mg/L) Biosolids (EPA 40 CFR Part 503.8)</td>
<td>185</td>
<td>$15.00</td>
<td>$2,775.00</td>
<td>$12.00</td>
</tr>
<tr>
<td>29</td>
<td>Mercury</td>
<td>32</td>
<td>$15.00</td>
<td>$480.00</td>
<td>$11.00</td>
</tr>
<tr>
<td>30</td>
<td>Boron</td>
<td>20</td>
<td>$8.00</td>
<td>$160.00</td>
<td>$7.00</td>
</tr>
<tr>
<td>31</td>
<td>Aluminum</td>
<td>12</td>
<td>$6.00</td>
<td>$72.00</td>
<td>$7.00</td>
</tr>
<tr>
<td>32</td>
<td>Barium</td>
<td>12</td>
<td>$6.00</td>
<td>$72.00</td>
<td>$7.00</td>
</tr>
<tr>
<td>33</td>
<td>Calcium</td>
<td>12</td>
<td>$6.00</td>
<td>$72.00</td>
<td>$7.00</td>
</tr>
<tr>
<td>34</td>
<td>Magnesium</td>
<td>12</td>
<td>$6.00</td>
<td>$72.00</td>
<td>$7.00</td>
</tr>
<tr>
<td>35</td>
<td>Iron</td>
<td>12</td>
<td>$6.00</td>
<td>$72.00</td>
<td>$7.00</td>
</tr>
<tr>
<td>36</td>
<td>Ammonia</td>
<td>12</td>
<td>$10.00</td>
<td>$120.00</td>
<td>$12.00</td>
</tr>
<tr>
<td>37</td>
<td>Fecal Coliform (MDL &lt; 100 Col/dry/g MPN)</td>
<td>12</td>
<td>$54.00</td>
<td>$648.00</td>
<td>$30.00</td>
</tr>
</tbody>
</table>

Sub Total: $50,412.00 | $53,258.00 | $67,604.00
2% Discount: $0.00 | $1,065.16 | $0.00
Total: $50,412.00 | $52,192.84 | $67,604.00

2 of 2
RESOLUTION NO. _______

A RESOLUTION APPROVING THE FIRST RENEWAL TO THE AGREEMENTS WITH PACE ANALYTICAL SERVICES, INC. AND ADVANCED ENVIRONMENTAL LABORATORIES, INC. FOR ENVIRONMENTAL LABORATORY TESTING SERVICES FOR THE WATER RESOURCES DEPARTMENT; PROVIDING THAT THE ALLOCATION FOR SUCH AGREEMENTS SHALL NOT EXCEED $465,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 19, 2015, City Council approved the award of two three-year agreements ("Agreements") with two one-year renewal options to Pace Analytical Services, Inc. ("Pace") and Advanced Environmental Laboratories, Inc. ("Advanced") for environmental laboratory testing services for the Water Resources Department pursuant to IFB No. 5639; and

WHEREAS, Administration desires to exercise the first renewal option to extend the term until February 28, 2019; and

WHEREAS, Pace and Advanced have agreed to hold prices firm under the terms and conditions of IFB No. 5639; 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 first renewal to the agreements with Pace Analytical Services, Inc. and Advanced Environmental Laboratories for environmental laboratory testing services for the Water Resources Department are hereby approved.

BE IT FURTHER RESOLVED that the allocation for such agreements shall not exceed $465,000.

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:

[Signature]
City Attorney (Designee)
00363976
To: The Honorable Lisa Wheeler-Bowman, Chair, and Members of City Council

Subject: Accepting the bid from Shearer Companies, Inc., in the amount of $443,300, for the Mirror Lake Complex Upgrades FY11 Project; approving a supplemental appropriation in the amount of $60,000 from the unappropriated balance of the Recreation and Culture Capital Improvement Fund (3029) to the Mirror Lake Complex Upgrade 11 Project (Engineering/CID Project No. 11201-017; Oracle No. 12868); and providing an effective date

Explanation: The Procurement Department received four (4) bids for mechanical and fire protection upgrades for the Mirror Lake Complex Upgrades Project. The Bids were received on January 25, 2018, and tabulated as follows:

<table>
<thead>
<tr>
<th>Bidders</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shearer Companies, Inc. (Pinellas Park, FL)</td>
<td>$443,300</td>
</tr>
<tr>
<td>Hodge Management, LLC (Seminole, FL)</td>
<td>$478,121</td>
</tr>
<tr>
<td>Bandes Construction Company, Inc. (Dunedin, FL)</td>
<td>$522,604</td>
</tr>
<tr>
<td>Trias Construction, LLC (Lutz, FL)</td>
<td>$553,224</td>
</tr>
</tbody>
</table>

The vendor will provide all labor, materials and equipment to install air conditioning, fire alarm and fire sprinkler systems to the historic Mirror Lake complex. The work will take place in the Solarium/Fireplace Clubhouse building, the SPIFFS office, the two floors of the Ballroom building and the Shuffleboard Club Management office. The work includes the installation of nine (9) new packaged roof-top air conditioning units: one (1) new direct expansion packaged terminal unit; new ductwork distribution; new HVAC controls; roof replacement of portions of the buildings to receive the new roof-top package units; new wood framing and supports for the roof-top package units; installation of a new 6 inch PVC fire line connected to a new City fire flow assembly, installation of a fully automatic fire sprinkler system; and installation of a full fire alarm system with voice evacuation control panel.

On October 6, 2016, City Council approved a contract for the new electrical service at the Mirror Lake Complex which includes the service for these HVAC upgrades. The electrical service upgrades are complete.

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

Shearer Companies, Inc .................................$443,300

Shearer Companies, Inc., the lowest responsible and responsive bidder, has met the specifications, terms and conditions of Bid No. 6750 dated, January 25, 2018. They have done work for the City of St. Petersburg, St. Petersburg College and the Police Athletic League in the past and have performed satisfactorily. The principal of Shearer Companies, Inc. is Edwin L. Shearer Jr., president.

Continued on Page 2
The contractor will begin work on the project within approximately ten calendar days from written notice to proceed. Construction period will be one hundred twenty (120) calendar days starting when a notice to proceed is issued.

Cost/Funding/Assessment Information: A portion of the funding has been previously appropriated. Additional funds will be available after approving a supplemental appropriation in the amount of $60,000 from the unappropriated balance of the Recreation and Culture Capital improvement Fund (3029) to the Mirror Lake Complex Upgrades 11 Project (Engineering/CID Project No.11201-017; Oracle No. 12868).

Attachments: Resolution

Approvals:

[Signatures]

Administrative

Budget
A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO SHEARER COMPANIES, INC. FOR THE MIRROR LAKE COMPLEX UPGRADE PROJECT FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $443,300; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $60,000 FROM THE UNAPPROPRIATED BALANCE OF THE RECREATION AND CULTURE CAPITAL IMPROVEMENTS FUND (3029) TO THE MIRROR LAKE COMPLEX UPGRADE FY11 PROJECT (ENGINEERING/CID PROJECT NO. 11201-017; ORACLE NO. 12868); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received four (4) bids for the mechanical and fire protection upgrade for the Mirror Lake Complex Upgrade Project pursuant to Bid No. 6750 dated January 25, 2018; and

WHEREAS, Shearer Companies, Inc. has met the specifications, terms and conditions of Bid No. 6750; and

WHEREAS, a portion of the funding has been previously appropriated in the Mirror Lake Complex Upgrade FY11 Project (12868) and additional funding for this project will be available after a supplemental appropriation from the unappropriated balance of the Recreation and Culture Capital Improvement Fund (3029) to the Mirror Lake Complex Upgrade FY11 Project (12868); and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Engineering & 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 bid is hereby accepted and the award of an agreement to Shearer Companies, Inc. for the Mirror Lake Complex Upgrade Project (12868) for a total contract amount not to exceed $443,300 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 from the unappropriated balance of the Recreation and Culture Capital Improvement Fund (3029) the following supplemental appropriation for fiscal year 2018:
Recreation and Culture Capital Improvement Fund (3029)
Mirror Lake Complex Upgrade FY11 Project (12868) $60,000

This Resolution shall become effective immediately upon its adoption.

APPROVALS:

City Attorney (designee)
00363878

Budget

2
To: The Honorable Lisa Wheeler-Bowman, Chair, and Members of City Council

Subject: Approving the purchase of heavy equipment from Ring Power Corporation for the Fleet Management Department, at a total cost of $343,863.

Explanation: This purchase is being made from the Florida Sheriffs Association Contract No. FSA16-VEH14.0.

This purchase includes 16 trailers, one (1) backhoe loader and one (1) wheeled loader that have reached their end of life and will be sold at public auction. (See attached Purchase Summary by department)

The Procurement Department, in cooperation with the Fleet Management Department, recommends an award utilizing Florida Sheriffs Association Contract No. FSA16-VEH14:

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ring Power Corporation (St. Augustine)</td>
<td></td>
<td>$343,863</td>
</tr>
<tr>
<td>Caterpillar 906M wheel loader</td>
<td>1</td>
<td>$84,979</td>
</tr>
<tr>
<td>Caterpillar 416F 4x4 backhoe loader</td>
<td>1</td>
<td>$97,832</td>
</tr>
<tr>
<td>Tow Master T-12DT trailer with electric winch</td>
<td>2</td>
<td>$11,653</td>
</tr>
<tr>
<td>Tow Master T-12DT trailer with hand winch</td>
<td>14</td>
<td>$9,839</td>
</tr>
</tbody>
</table>

The vendor has met the specifications, terms and conditions of the Florida Sheriffs Association Contract No. FSA16-VEH14.0, effective through September 30, 2018. This purchase is made in accordance with Section 2-256 (3) of the Procurement Code, which authorizes the Mayor, or his designee, to purchase automotive equipment from the Florida Sheriffs Association and Florida Association of Counties' negotiated purchase program for vehicles.

Cost/Funding/Assessment Information Funds have been previously appropriated in the Equipment Replacement Fund (5002), Fleet Maintenance Department, Fleet Mechanical Costs Division (8002527).

Attachments: Purchase Summary
Price History
Resolution

Approvals:

Administrative

Budget
## Purchase Summary

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Qty</th>
<th>Department</th>
<th>Purpose</th>
<th>Replacement</th>
<th>Age</th>
<th>Life Cycle</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Caterpillar 906M wheel loader</td>
<td>1</td>
<td>Sanitation</td>
<td>Loading brush</td>
<td>Replacement</td>
<td>14</td>
<td>14</td>
</tr>
<tr>
<td>2</td>
<td>Caterpillar 416F 4x4 backhoe / loader</td>
<td>1</td>
<td>Sanitation</td>
<td>Residential support</td>
<td>Replacement</td>
<td>18</td>
<td>15</td>
</tr>
<tr>
<td>3</td>
<td>Tow Master T-12DT trailer with electric winch</td>
<td>2</td>
<td>Parks &amp; Recreation</td>
<td>Transporting equipment for maintenance in City parks</td>
<td>Replacements</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>4</td>
<td>Tow Master T-12DT trailer with hand winch</td>
<td>14</td>
<td>Parks &amp; Recreation</td>
<td>Transporting equipment for maintenance in City parks</td>
<td>Replacements</td>
<td>10</td>
<td>10</td>
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</table>

**Total** 18
<table>
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<tr>
<th>Item</th>
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<th>2008</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>+/-</th>
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<tbody>
<tr>
<td>1</td>
<td>Caterpillar 906M wheel loader</td>
<td>$82,609</td>
<td>$84,979</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3%</td>
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<tr>
<td>2</td>
<td>Caterpillar 416F 4x4 backhoe/loader</td>
<td>$54,583</td>
<td>$97,832</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>3</td>
<td>Tow Master T-12DT trailer with electric winch</td>
<td>$7,440</td>
<td>$11,653</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>4</td>
<td>Tow Master T-12DT trailer with hand winch</td>
<td>$6,780</td>
<td>$9,839</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-</td>
</tr>
</tbody>
</table>
A RESOLUTION APPROVING THE PURCHASE OF SIXTEEN (16) REPLACEMENT TRAILERS, ONE (1) REPLACEMENT BACKHOE LOADER AND ONE (1) WHEELED LOADER FROM RING POWER CORPORATION FOR THE SANITATION DEPARTMENT AT A TOTAL COST NOT TO EXCEED $343,863; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to purchase sixteen (16) replacement trailers, one (1) replacement backhoe loader and one (1) wheeled loader that have reached the end of their economic service life for the Sanitation Department; and

WHEREAS, pursuant to Section 2-256(3) of the Procurement Code, the City is permitted to purchase automotive equipment approved through the Sheriff's Association and Florida Association of Counties negotiated purchase programs for vehicles; and

WHEREAS, Ring Power Corporation have met the specifications, terms and conditions of the Florida Sheriffs Association Contract No. FSA16-VEH14.0; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Sanitation Department, recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the purchase of sixteen (16) replacement trailers, one (1) replacement backhoe loader and one (1) wheeled loader from Ring Power Corporation for the Sanitation Department at a total cost not to exceed $343,863, is hereby approved.

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

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

[Signature]
City Attorney (Designee)
00364048
To: The Honorable Lisa Wheeler-Bowman, Chair, and Members of City Council

Subject: Approving a three-year blanket purchase agreement with Resource Efficiency Solutions Inc., for LED and induction lighting replacement parts, at an estimated annual cost of $100,000, for a total contract amount of $300,000.

Explanation: The Procurement Department received nine bids for LED and induction lighting replacement parts.

The vendor will furnish and deliver items such as LED and induction lighting replacement parts required to maintain existing acorn, cobra head, and hat box-style street lighting fixtures. In addition, the vendor will provide LED and induction parts for various directional flood, high bay, parking garage and façade-style lighting fixtures installed by the City. The primary users of these items are the Engineering and Capital Improvements and Parks & Recreation departments.

The Procurement Department recommends for award:

Resource Efficiency Solutions Inc. (SBE) (Thonotosassa, FL) ................. $300,000
(Three-years @ $100,000 per year)

The apparent low bidders were not awarded as their responses contained several no bid items.

Resource Efficiency Solutions Inc., was determined to be the most advantageous to the city as the lowest responsible and responsive bidder, and has covered the majority of the City's requirements of IFB No. 6788, dated February 6, 2018. The company is headquartered in Thonotosassa and has been in business since 2002. Resource Efficiency Solutions Inc. has satisfactorily provided these supplies to the City in the past. This agreement will be effective through March 31, 2021, with one, two-year renewal option. A blanket purchase agreement will be issued and will be binding only for actual quantities ordered.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Citywide Infrastructure Fund (3027) and the General Fund (0001).

Attachments: Bid Tabulation (9 Pages)
Resolution

Approvals:

[Signature]
Administrative

[Signature]
Budget
# City of St. Petersburg

## Bid Tabulation

Procurement and Supply Management

<table>
<thead>
<tr>
<th>Line</th>
<th>Supplier - Description</th>
<th>EAU</th>
<th>Part #</th>
<th>Unit Price</th>
<th>Price</th>
<th>Unit Price</th>
<th>Price</th>
<th>Unit Price</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>LVD - 23 Watt - Self Ballasted Induction Lamp E26 base, 277V</td>
<td>20</td>
<td>N/A</td>
<td></td>
<td>NB</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>LVD - 40 Watt - induction generator (40 watt compatible with LVD system, UNV)</td>
<td>20</td>
<td>N/A</td>
<td></td>
<td>NB</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Kumho - 40 Watt - Induction retrofit components (40 watt lamp, coupler and generator, UNV)</td>
<td>20</td>
<td>N/A</td>
<td></td>
<td>NB</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>NEDAP/QL - 55 Watt - Induction retrofit components (55 watt lamp, coupler and generator, 120V and 200-277V)</td>
<td>50</td>
<td>N/A</td>
<td></td>
<td>NB</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Neptun - 80 Watt - Induction retrofit components (80 watt lamp and generator, UNV)</td>
<td>20</td>
<td>N/A</td>
<td></td>
<td>NB</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>LVD - 80 Watt - induction generator (80 watt compatible with LVD system, UNV)</td>
<td>20</td>
<td>N/A</td>
<td></td>
<td>NB</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>NEDAP/QL - 85 Watt - Induction retrofit components (85 watt lamp, coupler and generator, 120V and 200-277V)</td>
<td>50</td>
<td>N/A</td>
<td></td>
<td>NB</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Kumho - 100 Watt - Induction retrofit components (100 watt lamp, coupler and generator, UNV)</td>
<td>50</td>
<td>N/A</td>
<td></td>
<td>NB</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Neptun - 100 Watt - Induction retrofit components (100 watt Neptun generator, UNV)</td>
<td>20</td>
<td>N/A</td>
<td></td>
<td>NB</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>NEDAP/QL - 165 Watt - Induction retrofit components (165 watt lamp, coupler and generator, 120V and 200-277V)</td>
<td>25</td>
<td>N/A</td>
<td></td>
<td>NB</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>11</td>
<td>Neptun - 200 Watt - Induction retrofit components (200 watt Neptun generator, UNV)</td>
<td>25</td>
<td>N/A</td>
<td></td>
<td>NB</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>JK Lighting - 200 Watt - Induction generator (200 watt compatible with JK system, UNV)</td>
<td>25</td>
<td>N/A</td>
<td></td>
<td>NB</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Neptun - 250 Watt - Induction retrofit components (250 watt Neptun generator, UNV)</td>
<td>20</td>
<td>N/A</td>
<td></td>
<td>NB</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>14</td>
<td>JK Lighting - 250 Watt - Induction generator (250 watt compatible with JK system, UNV)</td>
<td>25</td>
<td>N/A</td>
<td></td>
<td>NB</td>
<td></td>
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</table>

Component Retrofits - Induction Total: 0
<table>
<thead>
<tr>
<th>Line</th>
<th>Supplier - Description</th>
<th>EAU</th>
<th>Part #</th>
<th>Unit Price</th>
<th>Extended Price</th>
<th>Supplier - Description</th>
<th>EAU</th>
<th>Part #</th>
<th>Unit Price</th>
<th>Extended Price</th>
<th>Supplier - Description</th>
<th>EAU</th>
<th>Part #</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>LG - 12 Watt - LED Bollard Retrofit with 12 watt LG LED puck and UNV LED driver</td>
<td>25</td>
<td>LLDMWW-15K705A</td>
<td>NB</td>
<td>NB</td>
<td>EAG-LED, LLC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Green Applications, LLC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>WattMan - 13 Watt - LED Bollard Lamp</td>
<td>5</td>
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Total: $1,644.95

Award 2019
### Bid Tabulation

**Procurement and Supply Management**

**Line Supplier - Description**

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<tr>
<th>Line</th>
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<th>Unit Price</th>
<th>Extended Price</th>
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<tbody>
<tr>
<td>25</td>
<td>Neptun - 100 Watt - LED Cobra Head Fixtures COB model</td>
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<td>LED-83100-L2-UNV</td>
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<td>$2,390.00</td>
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<td>KH250F1x12U5KCZBR</td>
<td>239.00</td>
<td>2,390.00</td>
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<td>28</td>
<td>QSSI - 187 Watt - LED Flood slip fitter mount</td>
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**Fixture Replacements - LED Total:**

- EAG-LED, LLC: $12,872.00
- Energy Harness Corporation: $330.00
- Green Applications, LLC: $405.00

**Other Parts**

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<td>Best Lighting - 2 Watt - Universal Mount LED Exit Sign</td>
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<td>EZXTEU-2-R-W-EM Part# change (spec attached)</td>
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<td>Kumho - 32 Watt - Sequoia Long Life T8 Lamps 5000K</td>
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**Other Parts Total:** $297.00

**SubTotal:** $12,872.00

**2%/10, Net 30 Discount:** $257.44

**SBE Discount:** $0

**GRAND TOTAL:** $12,614.56

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City of St. Petersburg

Award
## Bid Tabulation

**Procurement and Supply Management**

**LEDRA DIANT, LLC**

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<thead>
<tr>
<th>Line</th>
<th>Supplier - Description</th>
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<th>Unit Price</th>
<th>Extended Price</th>
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**Resource Efficiency Solutions, Inc.**

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**Component Retrofits - Induction Total:**

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**Total:**

- **LEDRA DIANT, LLC**
  - Hollywood, FL
  - Terms: 2%/i, Net 30
  - Delivery: 80 Days
  - Total: $1,913.00

- **Resource Efficiency Solutions, Inc.**
  - Thonotosassa, FL
  - Terms: Net 30
  - Delivery: 6 Days
  - Total: $8,075.00

- **Rebry Riccitelli**
  - Graybar
  - Hollywood, FL
  - Terms: 2%/i, Net 30
  - Delivery: 30 Days
  - Total: $14,261.10

Award
## IFB No. 6788 LED and Induction Lighting Replacement Parts,
Dawn Fisher City of St. Petersburg
Bid Tabulation
Procurement and Supply Management

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<th>Line</th>
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<th>Extended Price</th>
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<tbody>
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<td>Neptun - 100 Watt - LED Cobra Head Fixtures COB model</td>
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<td>$2,650.00</td>
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<td>27</td>
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<td>$239.50</td>
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<td>28</td>
<td>QSSI - 187 Watt - LED Flood slip fitter mount</td>
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**Fixture Replacements - LED**

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**Robyn Riccielli dba Graybar**

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Award 6 of 9
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Component Retrofits -
Induction Total: $46,704 30 $47,466.00 $54,200.00

Award 7019

City of St. Petersburg
Bid Tabulation
Procurement and Supply Management
### City of St. Petersburg

#### Bid Tabulation

Procurement and Supply Management

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**Total:** 13,799.30 14,280.00 18,340.00
# Bid Tabulation

## Procurement and Supply Management

### Frontier Lighting, Inc.

- **Location**: Clearwater, FL
- **Terms**: Net 30
- **Delivery**: Not Specified

### Mayer Electric Supply Company, Inc.

- **Location**: Tampa, FL
- **Terms**: Net 30
- **Delivery**: 30 Days

### Fastenal Company

- **Location**: St. Petersburg, FL
- **Terms**: Net 30
- **Delivery**: 3 Days

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<td><strong>Fixture Replacements - LED Total:</strong></td>
<td></td>
<td></td>
<td><strong>$18,047.38</strong></td>
<td><strong>$18,440.00</strong></td>
<td><strong>$23,250.00</strong></td>
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</table>

### Other Parts

<table>
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<tr>
<th>Line</th>
<th>Supplier - Description</th>
<th>EAU</th>
<th>Part #</th>
<th>Unit Price</th>
<th>Extended Price</th>
<th>Extended Price</th>
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<tbody>
<tr>
<td>35</td>
<td>Thomas Research Product - Induction and LED ballast surge protectors voltage specific</td>
<td>100</td>
<td>BSP3</td>
<td>$13.13</td>
<td>$1,313.00</td>
<td>NB</td>
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<td>36</td>
<td>Thomas Research Product - Induction and LED ballast surge protectors, UNV</td>
<td>100</td>
<td>FSP3</td>
<td>28.57</td>
<td>2,857.00</td>
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<tr>
<td>37</td>
<td>Best Lighting - 2 Watt - Universal Mount LED Exit Sign</td>
<td>20</td>
<td>EZXTEU-2-R-W-EM Part# change (spec attached)</td>
<td>16.23</td>
<td>324.60</td>
<td>332.00</td>
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<tr>
<td>38</td>
<td>Kumho - 32 Watt - Sequoia Long Life T8 Lamps 5000K</td>
<td>100</td>
<td>453850SQ</td>
<td>17.14</td>
<td>1,714.00</td>
<td>1,750.00</td>
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<tr>
<td>39</td>
<td>Ripley - Long Life Twist Lock Photocell</td>
<td>100</td>
<td>63900-5K</td>
<td>13.72</td>
<td>1,372.00</td>
<td>1,400.00</td>
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<td><strong>Other Parts Total:</strong></td>
<td></td>
<td></td>
<td><strong>$7,580.60</strong></td>
<td><strong>$7,732.00</strong></td>
<td><strong>$7,000.00</strong></td>
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</tbody>
</table>

### SubTotal:

- **$86,131.58**
- **$87,318.00**
- **$102,790.00**

- **2% Discount**:
  - **Net 30 Discount**:
    - **Current**:
      - **SBE Discount**:
        - **GRAND TOTAL**:
          - **$86,131.58**
          - **$87,318.00**
          - **$100,734.20**
A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF A THREE-YEAR BLANKET PURCHASE AGREEMENT TO RESOURCE EFFICIENCY SOLUTIONS INC., FOR LED AND INDUCTION LIGHTING REPLACEMENT PARTS FOR CITY FIXTURES, AT AN ESTIMATED ANNUAL COST OF $100,000, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $300,000, FOR THE INITIAL 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 received nine (9) bids for the LED and induction lighting replacement parts in response to IFB No. 6788, dated February 6, 2018; and

WHEREAS, Resource Efficiency Solutions Inc. has met the specifications, terms, and conditions set forth therein; and

WHEREAS, this agreement will be effective for three years, with one two-year renewal option, subject to City Council approval; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with 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 bid is hereby accepted and the award of a three-year blanket purchase agreement to Resource Efficiency Solutions Inc. for LED and induction lighting replacement parts for City fixtures, at an estimated annual cost of $100,000, for a total contract amount not to exceed $300,000 for the initial term 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.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)
00364010
To: The Honorable Lisa Wheeler-Bowman, Chair, and Members of City Council

Subject: Approving a three-year blanket purchase agreement with Bay Area Heating and Cooling Inc., for HVAC installation, maintenance and repair services for the Jamestown Apartments, at an estimated annual cost of $80,000, for a total contract amount of $240,000.

Explanation: The Procurement Department received one bid for HVAC installation, maintenance and repair services for the Jamestown Apartments.

The vendor provides residential heating, ventilating and air conditioning (HVAC) maintenance, repairs and services at the Jamestown Apartments and Townhomes. These services include installation and maintenance of existing units, as well as replacement and installation of new units, as needed. The vendor will also repair and provide maintenance to the new HVAC system in the Dwight H. Jones Neighborhood Center, as needed.

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

Bay Area Heating and Cooling Inc. (Largo) .......................... $240,000
(Three-years @ $80,000 per year)

Bay Area Heating and Cooling Inc., the lowest responsible and responsive bidder, has met the requirements of IFB No. 6752, dated February 8, 2018. The company is headquartered in Largo, FL, and has been in business since 1999. This agreement will be effective through March 31, 2021, with one, two-year renewal option. A blanket purchase agreement will be issued and will be binding only for actual quantities ordered.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Jamestown Complex Fund (4081).

Attachments: Bid Tabulation
Resolution

Approvals:

[Signatures]
<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>EAU UOM</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Labor Rates</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Technician, Class A Air-Conditions</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Monday through Friday, 8:30 a.m. to 5:00 p.m.</td>
<td>150 HR</td>
<td>90.00</td>
<td>13,500.00</td>
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<td>Monday through Friday, 5:00 p.m. to 8:30 a.m.</td>
<td>100 HR</td>
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<td>9,000.00</td>
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<td></td>
<td>Weekends and City Recognized Holidays</td>
<td>60 HR</td>
<td>90.00</td>
<td>5,400.00</td>
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<tr>
<td>2</td>
<td>Assistant, non Class A Air-Conditions</td>
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<td></td>
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<tr>
<td></td>
<td>Monday through Friday, 8:30 a.m. to 5:00 p.m.</td>
<td>30 HR</td>
<td>70.00</td>
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<td></td>
<td>Monday through Friday, 5:00 p.m. to 8:30 a.m.</td>
<td>20 HR</td>
<td>70.00</td>
<td>1,400.00</td>
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<td></td>
<td>Weekends and City Recognized Holidays</td>
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<td>70.00</td>
<td>700.00</td>
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<td></td>
<td>Total:</td>
<td></td>
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<td>$32,100.00</td>
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<tr>
<td>3</td>
<td>Approved Product Unit Types - furnish and install</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Carrier Comfort 15 heat pump (where 49&quot; air handler will fit) - 2 ton</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>25HBC524 15.5 SEER</td>
<td>1 JOB</td>
<td>2,699.00</td>
<td>2,699.00</td>
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<tr>
<td></td>
<td>FB4CNP025 9.0 HSPF</td>
<td>1 JOB</td>
<td>2,929.00</td>
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<td></td>
<td>4 Carrier Comfort 15 heat pump (where 49&quot; air handler will fit) - 2.5 ton</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>25HBC530 15.0 SEER</td>
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<td>5</td>
<td>Carrier Comfort 15 heat pump (where 49&quot; air handler will fit) - 3 ton</td>
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<td></td>
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<td></td>
<td>25HBC536 15.5 SEER</td>
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<td>Trane XR15 heat pump (standard air handler) - 2 ton</td>
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<td></td>
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<tr>
<td></td>
<td>4TWR5024 15.0 SEER</td>
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<td>7</td>
<td>Trane XR15 heat pump (standard air handler) - 2.5 ton</td>
<td></td>
<td></td>
<td></td>
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<tr>
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<td>4TWR5030 15.25 SEER</td>
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<td></td>
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<td>2,953.00</td>
<td>2,953.00</td>
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<tr>
<td>8</td>
<td>Trane XR15 heat pump (standard air handler) - 3 ton</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>4TWR5036 15.05 SEER</td>
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<td>$66,986.00</td>
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<td></td>
<td>2%/10, Net 30 Discount:</td>
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<td>1,339.72</td>
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<td></td>
<td>SBE Discount:</td>
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<td></td>
<td>Grand Total:</td>
<td></td>
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<td>$60,957.26</td>
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Award Pending
A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF A THREE-YEAR BLANKET PURCHASE AGREEMENT TO BAY AREA HEATING AND COOLING INC., FOR HVAC MAINTENANCE AND REPAIR SERVICES FOR THE JAMESTOWN APARTMENTS, AT AN ESTIMATED ANNUAL COST OF $80,000, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $240,000.00 FOR THE INITIAL 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 received one (1) bid for the HVAC Maintenance and Repair Services in response to IFB No. 6752, dated February 8, 2018; and

WHEREAS, Bay Area Heating and Cooling Inc. has met the specifications, terms and conditions set forth therein; and

WHEREAS, the agreement will be for three years, with a single two-year renewal option, subject to City Council approval; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with 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 bid is hereby accepted and the award of a three-year blanket purchase agreement to Bay Area Heating and Cooling Inc., for HVAC Maintenance and Repair Services for the Jamestown Apartments, at an estimated annual cost of $80,000, for a total contract amount not to exceed $240,000.00 for the initial term 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.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)
To: The Honorable Lisa Wheeler-Bowman, Chair, and Members of City Council

Subject: Accepting a proposal from ForeverLawn of Florida, Inc., a sole source supplier, for artificial, anti-static synthetic turf for the Parks and Recreation Department, at a total cost of $186,000.

Explanation: The City received a proposal for artificial, anti-static synthetic turf. The vendor will furnish and install 21,750 square feet of artificial, anti-static synthetic turf at the Dell Holmes Park Splash Pad and Playground area. The turf meets the ASTM 1292 fall height requirements for up to 12 feet, as well as ASTM 1951 ADA certification requirements. In addition, the turf features 100% recycled backing, and is made of a proprietary material that is antimicrobial and reduces static buildup. Since the turf is only available through ForeverLawn of Florida, Inc., a sole source procurement is requested.

The new turf is replacing existing turf and poured in place (PIP) surfacing. Replacement is required due to the department's planned phase-out PIP, as well as uneven surfaces and shifting on the existing turf due to wear. This product also offers an additional safety feature over the other synthetic surfaces. The build-up of static on playground surfacing during periods of low humidity can create a safety concern for children with electronic hearing devices. The anti-static feature that is manufactured into the blades allows children to use play areas without removing their hearing devices.

The Procurement Department, in cooperation with the Parks and Recreation Department, recommends for award:

ForeverLawn of Florida, Inc. .................. Playground Grass Ultra .......................... Removal of current turf .......................... $186,000

21,750 sq. ft. @ $175,000 .......................... $11,000

This purchase is made in accordance with Section 2-249 of the Procurement Code, which authorizes City Council to approve the purchase of a supply or service 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).

Attachments: Sole Source Quote Resolution

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

Department: Parks & Recreation
Requisition No. 

Check One: X Sole Source ___ Proprietary Specifications

Proposed Vendor: Foreverlawn Inc.

Estimated Total Cost: $186,000.00

Description of Items (or Services) to be purchased:

Installation of Ultra Art-Static artificial turf grass for the Dell Holmes Splash pad/Playground area.

Purpose of Function of Items:

To provide ADA accessible surfacing in the Splash pad/Playground area.

Justification for Sole Source of Proprietary specification:

Forever Lawn artificial grass surfacing is the only grass that offers an Anti-Static material. The Parks and Recreation Department has stopped the use of the grass from all other manufacturers due to the static build up during certain times of the year.

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.

Date 2/12/18

Department Director

Date 2/12/18

Administrator/Chief

Date 2/13/18

Louis Moore, Director
Procurement & Supply Management

Rev (1/11), (8/15)
Proposal:

The following proposal was calculated by using measurements taken on site.

<table>
<thead>
<tr>
<th>Area</th>
<th>Product</th>
<th>Size</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Playground &amp; Water area</td>
<td>Playground Grass Ultra</td>
<td>21,750</td>
<td>$175,000</td>
</tr>
<tr>
<td>Cut current turf and roll to the edges of the playground</td>
<td></td>
<td></td>
<td>$11,000</td>
</tr>
</tbody>
</table>

This proposal includes:

- **Product**: ForeverLawn Playground Grass Ultra and all associated things needed for the installation such as seam tape, glue, etc.

- **Installation**: ForeverLawn will cut the existing turf and roll it to the edge of the playground so that the city can remove it to dumpsters. ForeverLawn will then level the stone in some areas and add/level the rubber in all the fall zones making sure there is 4” of rubber to achieve a 12’ cfs. A drop test will be performed on the pip to confirm its cfs

- **Clean Up**: The work site will be cleaned up and all debris will be removed.

- This Foreverlawn product carries a 10 year manufacturer’s warranty.

Note:

All work will be done in a professional manner. Changes to the scope of the project may require changes to the proposal and pricing as well. **Due to product pricing considerations, the price of this quote can only be guaranteed for 60 days from the date specified on page one of this proposal.**

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. Payment will be made as outlined above.
A RESOLUTION DECLARING FOREVERLAWN OF FLORIDA, INC., AS THE SOLE SOURCE SUPPLIER OF ANTI-STATIC, SYNTHETIC TURF FOR THE PARKS AND RECREATION DEPARTMENT; ACCEPTING A PROPOSAL AND APPROVING THE PURCHASE OF NEW ANTI-STATIC, SYNTHETIC TURF FROM FOREVERLAWN OF FLORIDA, INC. FOR THE PARKS AND RECREATION DEPARTMENT AT A TOTAL COST NOT TO EXCEED $186,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City wishes to purchase synthetic turf for Dell Holmes Park Splash Pad and Playground Area to replace the existing turf due to the City's phase out of the existing surface material, as well as wear and tear to said surface;

WHEREAS, ForeverLawn of Florida, Inc. is the sole provider of the synthetic turf that meets the Department's specific requirements, which includes ASTM fall height requirements, ADA certification requirements, 100% recycled material, contains antimicrobial material and reduces static build-up; and

WHEREAS, Section 2-249 of the City Code provides requirements for sole source procurement of a supply or service without competitive bidding if it has been determined that the supply or service is available from only one source; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with 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 ForeverLawn of Florida, Inc., is declared a sole source supplier for the purchase of anti-static, synthetic turf for the Parks and Recreation Department.

NOW, THEREFORE, BE IT RESOLVED, that the proposal is accepted and the purchase of anti-static, synthetic turf from ForeverLawn of Florida, Inc., for the Parks and Recreation department at a total cost not to exceed $186,000 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.

This Resolution shall become effective immediately upon its adoption.

LEGAL: 

City Attorney (Designee)
00364035
Subject: Accepting the bid from Gibson Air Conditioning & Refrigeration LLC, in the amount of $171,875.00 for the South Community Library Chiller Replacement Project; rescinding unencumbered appropriations totaling $121,875.00 from the following projects in the Recreation and Culture Capital Improvement Fund (3029): Branch Library Improvements FY12 (OP# 13261) $40,468.73; Branch Library Improvements FY14 (OP# 14141) $19,872.83; General Library Improvements FY17 (OP# 15665) $61,533.44; approving a transfer of $121,875.00 from the unappropriated balance of the Recreation and Culture Capital Improvement Fund (3029) to the City Facilities Capital Improvement Fund (3031); approving a supplemental appropriation in the amount of $121,875.00 from the increase in the unappropriated balance of the City Facilities Capital Improvement Fund (3031); resulting from the above transfer to the South Community Library HVAC Chiller Project (Engineering/CID Project No. 17214-019; Oracle No. 15673); and providing an effective date.

Explanation: The Procurement Department received two (2) bids but only one (1) responsive bid for South Community Library Chiller Replacement Project. The Bids were received on January 30, 2018, and tabulated as follows:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gibson Air Conditioning &amp; Refrigeration LLC (Winter Haven, FL)</td>
<td>$171,875.00</td>
</tr>
<tr>
<td>I/C Mechanical, Inc.(Tampa, FL)</td>
<td>$106,394.74</td>
</tr>
</tbody>
</table>

The vendor will provide all labor, materials and equipment for the replacement of the air-cooled chiller system, including two additive alternates covering components such as outside piping, controls and instrumentation supporting the chiller, as well as the main outside-air grills, which supply the main air-handling unit. The proposed Trane Air Cooled chiller has an estimated life cycle cost of $258,847, over 15 years.

The chiller at the South Community Library is nearing failure and towards the end of its useful life. It was first put in operation in 2002, 16 years ago. The coils on the unit are badly corroded due to the high salinity in the air. The system often experiences shut downs due to power fluctuations within regular operational allowances and leaves staff unable to restart without significant cycling of startup processes.

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

Gibson Air Conditioning & Refrigeration LLC (Winter Haven, FL). .......... $171,875.00

Gibson Air Conditioning & Refrigeration LLC, the lowest responsible and responsive bidder, has met the specifications, terms and conditions of IFB No. 6748, dated January 30, 2018. They have done work for the School District of Osceola County and the Polk County School Board and have performed satisfactorily. The principal of Gibson Air Conditioning & Refrigeration LLC is Michael G. Windham, Jr., president.

An award was not recommended to I/C Mechanical, Inc., the apparent low bidder because their bid was not responsive. I/C Mechanical, Inc., failed to submit the original bid bond and public entity crimes forms as required.

The contractor will begin work on the project within approximately ten calendar days from written notice to proceed. Construction period will be ninety (90) calendar days, starting when a notice to proceed is issued.
Cost/Funding/Assessment Information: A portion of the funding has been previously appropriated. Additional funds will be available after the rescission of $121,875.00 from the following projects in the Recreation and Culture Capital Improvement Fund (3029): Branch Library Improvements FY12 (OP# 13261) $40,468.73; Branch Library Improvements FY14 (OP# 14141) $19,872.83; General Library Improvements FY17 (OP# 15665) $61,533.44; approving a transfer of $121,875.00 from the unappropriated balance of the Recreation and Culture Capital Improvement Fund (3029) to the City Facilities Capital Improvement Fund (3031); approving a supplemental appropriation in the amount of $121,875.00 from the increase in the unappropriated balance of the City Facilities Capital Improvement Fund (3031) resulting from the above transfer to the South Community Library HVAC Chiller Project (Engineering/CID Project No. 17214-019; Oracle No. 15673).

Attachments: Resolution

Approvals:
RESOLUTION NO. _______

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO GIBSON AIR-CONDITIONING & REFRIGERATION LLC FOR THE SOUTH COMMUNITY LIBRARY CHILLER REPLACEMENT PROJECT FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $171,875; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; RESCINDING AN UNENCUMBERED APPROPRIATION IN THE AMOUNT OF $40,468.73 FROM THE RECREATION AND CULTURE CAPITAL IMPROVEMENT FUND (3029), BRANCH LIBRARY IMPROVEMENTS FY12 (OP# 13261); RESCINDING AN UNENCUMBERED APPROPRIATION IN THE AMOUNT OF $19,872.83 FROM THE RECREATION AND CULTURE CAPITAL IMPROVEMENT FUND (3029), BRANCH LIBRARY IMPROVEMENTS FY14 (OP# 14141); RESCINDING AN UNENCUMBERED APPROPRIATION IN THE AMOUNT OF $61,533.44 FROM THE RECREATION AND CULTURE CAPITAL IMPROVEMENT FUND (3029), GENERAL LIBRARY IMPROVEMENTS FY17 (OP# 15665); APPROVING A TRANSFER IN THE AMOUNT OF $121,875 FROM THE UNAPPROPRIATED BALANCE OF THE RECREATION AND CULTURE CAPITAL IMPROVEMENT FUND (3029) TO THE CITY FACILITIES CAPITAL IMPROVEMENT FUND (3031) RESULTING FROM THE ABOVE RESCISSIONS; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $121,875 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE CITY FACILITIES CAPITAL IMPROVEMENT FUND (3031) RESULTING FROM THE ABOVE TRANSFER TO THE SOUTH COMMUNITY LIBRARY HVAC CHILLER PROJECT (ENGINEERING/CID PROJECT NO. 17214-019; ORACLE NO. 15673); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received two (2) bids for the South Community Library Chiller Replacement Project pursuant to IFB No. 6741, dated January 30, 2017; and

WHEREAS, the apparent low bidder, A/C Mechanical, Inc., was non-responsive; and
WHEREAS, Gibson Air Conditioning & Refrigeration LLC ("Gibson") has met the specifications, terms and conditions of IFB No. 6748; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Engineering & Capital Improvements Department recommends approval of this resolution; and

WHEREAS, funding for the project will be available after (i) rescinding unencumbered appropriations in the amount of $121,875 from the Recreation and Culture Capital Improvement Fund (3029), Branch Library Improvements FY12 (OP# 13261), Branch Library Improvements FY14 (OP# 14141), General Library Improvements FY17 (OP# 15665), (ii) approving a transfer in the amount of $121,875 from the unappropriated balance of the Recreation and Culture Capital Improvement Fund (3029) to the City Facilities Capital Improvement Fund (3031) resulting from the above rescissions, and (iii) approving a supplemental appropriation in the amount of $121,875 from the increase in the unappropriated balance of the City Facilities Capital Improvement Fund (3031) resulting from the above transfer to the South Community Library HVAC Chiller Project.

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 Gibson Air Conditioning & Refrigeration LLC ("Gibson") for the South Community Library Chiller Replacement Project for a total contract amount not to exceed $171,875 is hereby approved.

BE IT FURTHER RESOLVED that an unencumbered appropriation in the amount of $40,468.73 from the Recreation and Culture Capital Improvement Fund (3029), Branch Library Improvements FY12 (OP# 13261) is hereby rescinded.

BE IT FURTHER RESOLVED that an unencumbered appropriation in the amount of $19,872.83 from the Recreation and Culture Capital Improvement Fund (3029), Branch Library Improvements FY14 (OP# 14141) is hereby rescinded.

BE IT FURTHER RESOLVED that an unencumbered appropriation in the amount of $61,533.44 from the Recreation and Culture Capital Improvement Fund (3029), General Library Improvements FY17 (OP# 15665) is hereby rescinded.

BE IT FURTHER RESOLVED that there is hereby approved the following transfer from the unappropriated balance of the Recreation and Culture Capital Improvement Fund to the City Facilities Capital Improvements Fund (3031) resulting from the above rescissions:

<table>
<thead>
<tr>
<th>Recreation and Culture Capital Improvement Fund (3029)</th>
<th>City Facilities Capital Improvement Fund (3031)</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>$121,875</td>
</tr>
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</table>

BE IT FURTHER RESOLVED that there is hereby approved from the unappropriated balance of the City Facilities Capital Improvement Fund (3031), resulting from the above transfer, the following supplemental appropriation for Fiscal Year 2018:
City Facilities Capital Improvement Fund (3031)  
South Community Library HVAC Chiller Project (15673)  $121,875

This resolution shall become effective immediately upon its adoption.

Approved by:  

Legal Department  
By: (City Attorney or Designee)

Approved by:  

Brashes Prayman, P.E., ENV SP  
Engineering & Capital Improvements Director  
Budget Director  
00364852
TO: The Honorable Lisa Wheeler-Bowman, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his designee, to execute a five (5) year Lease Agreement with St. Pete Aviation Services, LLC d/b/a St. Pete Air, a Florida limited liability company, for the use of ±5,950 square feet of space in Hangar No. 1 and accompanying tie-down locations at Albert Whitted Airport; 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: On May 7, 2017, at the request of the City’s Airport Manager, the Real Estate & Property Management Department issued a Request for Proposals ("RFP") seeking proposals from qualified parties interested in leasing ±5,950 square feet of office/lobby/restroom/shop/storage space in Hangar No. 1 ("Premises") at Albert Whitted Airport ("Airport").

In response to the RFP, the City received two (2) proposals by the deadline on June 19, 2017, one of which was submitted by the Experimental Aircraft Association ("EAA"), proposing to utilize the storage portion of the Premises for aircraft construction and association meetings. The second proposal was submitted by St. Pete Aviation Services, LLC d/b/a St. Pete Air, a Florida limited liability company ("SPA"), who proposed utilizing the Premises to expand its existing flight school operations and opening of a Certified FAA Airmen Knowledge Testing Center ("Test Center") for those seeking certification in a range of aviation training ("SPA Proposal"). SPA indicates the expansion of its flight school has created two (2) full-time jobs in the past year, and with the ability to expand the flight school further, SPA anticipates hiring 1 to 2 additional full-time certified flight instructors. With the development and implementation of the Test Center, SPA will provide additional jobs, which are expected to include administrative, supervisory, and additional Certified Flight Instructor positions. Upon his review and consideration of both submissions, the Mayor selected the SPA Proposal to move forward with negotiations on a lease agreement.

Under the terms of the proposed five (5) year Lease Agreement ("Lease"), SPA will pay an initial rental rate of $2,878 per month, plus applicable taxes, for the Premises and seven (7) tie-down locations for aircraft storage. SPA has agreed to lease the Premises in "as is" condition and will be responsible for making all repairs to the interior of the Premises; however, SPA indicated its desire to install new HVAC in the Premises at a cost of $8,190 ("HVAC Cost"), for which SPA will receive a rental offset in the amount of $136.50 per month, until the HVAC cost is fully extinguished. At the beginning of each 12-month period ("Lease Year") during the Term, the
monthly rent will be increased by the percentage increase of the Consumer Price Index ("CPI") with the maximum increase in any single Lease Year being 3.5%, unless the CPI remains unchanged or shows a decrease, in which case the rent will not be changed for that Lease Year. The Lease provides for an additional five (5) year renewal term, subject to City Council approval. In addition, SPA will have the option to sublease the storage portion of the Premises, subject to certain conditions. SPA plans to approach EAA as to its interest in a sublease.

SPA 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 SPA’s use of the Premises. The City, in its sole and absolute discretion, may terminate the Lease by providing SPA with one hundred eighty (180) days written notice. The City is under no obligation to provide a replacement facility under any circumstances.

The Lease 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 a five (5) year Lease Agreement with St. Pete Aviation Services, LLC d/b/a St. Pete Air, a Florida limited liability company, for the use of ±5,950 square feet of space in Hangar No. 1 and accompanying tie-down locations at Albert Whitted Airport; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustrations and Resolution

APPROVALS: Administration: N/A

Budget: N/A

Legal: (As to consistency w/attached legal documents)

00363978.docx
ILLUSTRATION

Hangar No. 1

(Aerial - Premises Location)
ILLUSTRATION
Hangar No. 1
(Floor Plan - Premises)

HANGAR #1
(HISTORICAL)

AIRCRAFT STORAGE

KEY
- Leased Premises
- City and/or leased to others
Resolution No. 2018 -

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A FIVE (5) YEAR LEASE AGREEMENT WITH ST. PETE AVIATION SERVICES, LLC D/B/A ST. PETE AIR, A FLORIDA LIMITED LIABILITY COMPANY, FOR THE USE OF ±5,950 SQUARE FEET OF SPACE IN HANGAR NO. 1 AND ACCOMPANYING TIE-DOWN LOCATIONS AT ALBERT WHITTED AIRPORT; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 7, 2017, at the request of the City's Airport Manager, the Real Estate & Property Management Department issued a Request for Proposals ("RFP") seeking proposals from qualified parties interested in leasing ±5,950 square feet of office/lobby/restroom/shop/storage space in Hangar No. 1 and accompanying tie-down area ("Premises") at Albert Whitted Airport ("Airport"); and

WHEREAS, in response to the RFP, the City received two (2) proposals by the deadline on June 19, 2017; and

WHEREAS, St. Pete Aviation Services, LLC d/b/a St. Pete Air, a Florida limited liability company ("SPA"), proposed utilizing the Premises to expand its existing flight school operations and opening of a Certified FAA Airmen Knowledge Testing Center ("Test Center") for those seeking certification in a range of aviation training ("SPA Proposal"); and

WHEREAS, upon his review and consideration of both submissions, the Mayor selected the SPA Proposal to move forward with negotiations on a lease agreement; and

WHEREAS, under the terms of the proposed five (5) year Lease Agreement ("Lease"), SPA will pay an initial rental rate of $2,878 per month, plus applicable taxes, for the Premises and seven (7) tie-down locations for aircraft storage; and

WHEREAS, SPA has agreed to lease the Premises in "as is" condition and will be responsible for making all repairs to the interior of the Premises; however, SPA indicated its desire to install new HVAC in the Premises at a cost of $8,190 ("HVAC Cost"), for which SPA will receive a rental offset in the amount of $136.50 per month, until the HVAC cost is fully extinguished; and

WHEREAS, SPA will have the option to sublease the storage portion of the Premises, subject to certain conditions; and
WHEREAS, the Lease is in compliance with Section 1.02(c)(4)A.1, of the City Charter, which permits the leasing of property at Albert Whitted 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 a five (5) year Lease Agreement with St. Pete Aviation Services, LLC d/b/a St. Pete Air, a Florida limited liability company, for the use of ±5,950 square feet of space in Hangar No. 1 and accompanying tie-down locations at Albert Whitted Airport; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

APPROVED BY:

Chris Ballestra, Director
Enterprise Facilities

APPROVED BY:

Bruce E. Grimes, Director
Real Estate & Property Management
TO: The Honorable Lisa Wheeler-Bowman, Chair, and Members of City Council

SUBJECT: A Resolution authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order CID-14-02-WJA ("Task Order") to the architect/engineering agreement dated December 23, 2015 between the City of St. Petersburg, Florida ("City") and Wannemacher Jensen Architects, Inc. ("A/E") for A/E to provide additional solar photovoltaic and electrical design services at Fossil Park Fire Station No. 7 in an amount not to exceed $4,462, providing that the total Task Order, as amended, shall not exceed $259,972; approving a transfer in the amount of $42,468.33 from the Banc of America Leasing & Capital Fund (2017) from the balance of the proceeds from the Taxable Non Ad Valorem Revenue Note, Series 2017E to the General Capital Improvement Fund (3001); approving a supplemental appropriation in the amount of $42,468.33 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from the above transfer to the Fossil Park Fire Station 7 Project for the purchase of the solar panels for Fossil Park Fire Station No. 7; (Engineering Project No. 15227-018; Oracle No. 14625); and providing an effective date.

EXPLANATION: On December 23, 2015, City Council approved a Master agreement with the professional consulting architectural firm of Wannemacher Jensen Architects, Inc. to perform architectural services related to Miscellaneous City Facility Improvement Projects.

On October 1, 2015 City Council approved Task Order No. CID-14-02-WJA in the amount of $255,510 for architectural and engineering design services to include schematic design, design development, Green Globe design services, preparation of construction documents, assistance with bidding and permit review and construction administration on the new Fossil Park Fire Station No. 7. (Engineering Project No. 15227-018; Oracle No. 14625).

On May 4, 2017 City Council accepted the bid from LEMA Construction & Developers, Inc. (LEMA) in the amount of $3,443,961 for the construction of the Fossil Park Fire Station No. 7. City Council requested that staff bring back an option for installing solar panels on the roof of the new Fire Station at a later date.

Amendment No 1 to Task Order CID-14-02-WJA in the amount of $4,462 shall include additional design services for revisions to the electrical plans for the detailed design and permitting of the solar photovoltaic panels on the roof of the fire station.

City staff researched a flexible thin-film panels that could be adhered directly to the roof membrane specified for the fire station, that could meet the increased wind uplift requirements, and that could provide energy generation loads comparable to rigid micro-crystalline panels. The only product that met this criteria and in production for up to 10 years is the MiaSole photovoltaic panels. A sole source request in the amount of $42,468.33 was approved by the Director of Procurement and Supply Management based on the intent to potentially use the thin film solar panel product on additional City projects that may fit this particular application. Funding for the purchase of the solar panels will be come from a portion of the balance available from the funds borrowed for the Police Headquarters Solar Photovoltaic system.

Upon completion of the additional design services requested herein, LEMA will be requested to provide a Change Order proposal to the City for the installation of the MiaSole flexible thin-film photovoltaic panels, the disconnects, inverter, conductors, equipment, and the electrical connections to the appropriate service panel in coordination with Duke Energy. The additional funding for the Change Order to LEMA will be requested from the balance in the funds from the Taxable Non-Ad Valorem Revenue Note, Series 2017E
RECOMMENDATION: Administration recommends authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order CID-14-02-WJA ("Task Order") to the architect/engineering agreement dated December 23, 2015 between the City of St. Petersburg, Florida ("City") and Wannemacher Jensen Architects, Inc. ("A/E") for A/E to provide additional solar photovoltaic and electrical design services at Fossil Park Fire Station No. 7 in an amount not to exceed $4,462, providing that the total Task Order, as amended, shall not exceed $259,972; approving a transfer in the amount of $42,468.33 from the Banc of America Leasing & Capital Fund (2017) from the balance of the proceeds from the Taxable Non Ad Valorem Revenue Note, Series 2017E to the General Capital Improvement Fund (3001); approving a supplemental appropriation in the amount of $42,468.33 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from this transfer to the Fossil Park Fire Station 7 Project for the purchase of the solar panels for Fossil Park Fire Station No. 7; (Engineering Project No. 15227-018; Oracle No. 14625).

COST/FUNDING/ASSESSMENT INFORMATION: Funds for the additional design and construction administration services have been previously appropriated in the Public Safety Capital Improvement Fund (3025), Fossil Park Fire Station # 7 Project (14625). Additional funding for the purchase of the MiaSole panels will be available upon approval of a transfer in the amount of $42,468.33 from the Banc of America Leasing & Capital Fund (2017) from the balance of the proceeds from the Taxable Non Ad Valorem Revenue Note, Series 2017E for the solar photo voltaic system to the General Capital Improvement Fund (3001); approving a supplemental appropriation in the amount of $42,468.33 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from this transfer to the Fossil Park Fire Station 7 Project (14625).

ATTACHMENTS:
Resolution
Amendment No. 1 to Task Order CID-14-02-WJA

APPROVALS:
Administrative
Budget
RESOLUTION 2017-________

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT NO. 1 TO TASK ORDER NO. CID-14-02-WJA ("TASK ORDER") TO THE ARCHITECT/ENGINEERING AGREEMENT DATED DECEMBER 23, 2015, BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA ("CITY") AND WANNEMACHER JENSEN ARCHITECTS, INC. ("A/E") FOR A/E TO PROVIDE ADDITIONAL SOLAR PHOTOVOLTAIC AND ELECTRICAL DESIGN SERVICES AT FOSSIL PARK FIRE STATION NO. 7 IN AN AMOUNT NOT TO EXCEED $4,462; PROVIDING THAT THE TOTAL TASK ORDER, AS AMENDED, SHALL NOT EXCEED $259,972; APPROVING A TRANSFER IN THE AMOUNT OF $42,468.33 FROM THE BANC OF AMERICA LEASING & CAPITAL FUND (2017) FROM THE BALANCE OF THE PROCEEDS FROM THE TAXABLE NON AD VALOREM REVENUE NOTE, SERIES 2017E TO THE GENERAL CAPITAL IMPROVEMENT FUND (3001); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $42,468.33 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001) RESULTING FROM THE ABOVE TRANSFER TO THE FOSSIL PARK FIRE STATION 7 PROJECT FOR THE PURCHASE OF THE SOLAR PANELS FOR FOSSIL PARK FIRE STATION NO. 7; (ENGINEERING PROJECT NO. 15227-018; ORACLE NO. 14625); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") and Wannemacher Jensen Architects, Inc. ("A/E") entered into an architect/engineering agreement on December 23, 2015, for A/E to provide Miscellaneous professional services for City Facility Improvement Projects; and

WHEREAS, on October 1, 2015, City Council approved Task Order No. CID-14-02-WJA ("Task Order") in the amount of $255,510 for A/E to perform architectural and engineering design services, including schematic design, design development, Green Globe design services, preparation of construction documents, assistance with bidding and permit review and construction administration for the new Fossil Park Fire Station No. 7; and

WHEREAS, Administration desires to execute Amendment No. 1 to the Task Order in the amount of $4,462 for A/E to provide additional design services to include revisions to the electrical plans for the detailed design and permitting of the solar photovoltaic panels on the roof at Fossil Park Fire Station No. 7.
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. CID-14-02-WJA ("Task Order") to the architect/engineering agreement dated December 23, 2015 between the City of St. Petersburg, Florida ("City") and Wannemacher Jensen Architects, Inc. ("A/E") for A/E to provide additional solar photovoltaic and electrical design services at Fossil Park Fire Station No. 7 in an amount not to exceed $4,462 is hereby approved.

BE IT FURTHER RESOLVED that the total Task Order, as amended, shall not exceed $259,972.

BE IT FURTHER RESOLVED that there is hereby approved a transfer in the amount of $42,468.33 from the Banc of America Leasing & Capital Fund (2017) from the balance of the proceeds from the Taxable Non Ad Valorem Revenue Note, Series 2017E, to the General Capital Improvement Fund (3001) for the solar photo voltaic system at Fossil Park Fire Station No. 7.

<table>
<thead>
<tr>
<th>Banc of America Leasing &amp; Capital Fund (2017)</th>
<th>General Capital Improvement Fund (3001)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$42,468.33</td>
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</tbody>
</table>

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 the above transfer, the following supplemental appropriation for FY18:

<table>
<thead>
<tr>
<th>General Capital Improvement Fund (3001)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fossil Park Fire Station 7 Project (14625)</td>
</tr>
<tr>
<td>$42,468.33</td>
</tr>
</tbody>
</table>

This resolution shall become effective immediately upon its adoption.

Approved by:

Legal Department
By: (City Attorney or Designee)
00364652

Approved by:

Budget Director

Approved by:

Brijesh Prayman, P.E., ENV SP
Engineering & Capital Improvements Director

2
MEMORANDUM

CITY OF ST. PETERSBURG

Engineering and Capital Improvements Department

TO: The Honorable Lisa Wheeler-Bowman, Chair, and City Councilmembers

FROM: Brejesh Prayman, P.E., ENV SP, Director
Engineering & Capital Improvements Department

RE: Consultant Selection Information
 Firm: Wannemacher Jensen Architects, Inc.
 Task Order No. CIP-14-02-WJA in the amount of $4,462

This memorandum is to provide information pursuant to City Council Policy and Procedures Manual, Chapter 3, Section I(F.) for agenda package information.

1. Summary of Reasons for Selection

The project involves design revisions to existing construction documents to include energy efficiency upgrades. Wannemacher Jensen Architects, Inc. originally prepared the Plans and Specifications for construction of Fire Station No 7 and are knowledgeable of the facility requirements. This is a continuation of previous work.

Wannemacher Jensen Architects, Inc. has satisfactorily completed similar work under previous A/E Annual Master Agreements in 2012, and is familiar with the City Standards.

Wannemacher Jensen Architects, Inc has significant experience in the design, permitting and construction phase activities of facilities.

This is the first amendment to the second Task Order issued under the 2014 Master Agreement.

2. Transaction Report listing current work – See Attachment A
## ATTACHMENT A

Transaction Report for Wannemacher Jensen Architects, Inc.

Miscellaneous Professional Services for City Facility Improvement Projects

- **A/E Agreement Effective**: August 26, 2014
- **A/E Agreement Expiration**: November 3, 2015

<table>
<thead>
<tr>
<th>Task Order No.</th>
<th>Project No.</th>
<th>Project Title</th>
<th>NTP Issued</th>
<th>Authorized Amount</th>
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<td>Total: 275,110.00</td>
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</tbody>
</table>

Edited: 3/2/2018
I. DESCRIPTION OF PROJECT

On October 1, 2015, City Council approved Task Order No. CID-14-02-WJA for Fossil Park Fire Station #7 in the amount of $255,510.00 for engineering design, permitting and construction administration services.

On March 17, 2016, Task Order No. CID-15-03-WJA covering the Fossil Park Fire Station #7 Tennis Courts was issued in the amount of $4,260.00 for design and construction administration for the reconstruction of two tennis courts and court lighting systems, resulting from the construction of the new Fossil Park Fire Station #7.

For this Amendment No. 1 to CID-14-02-WJA, the City has requested the A/E provide solar photovoltaic and electrical design.

II. SCOPE OF SERVICES

Task 2 - Solar Photovoltaic and Electrical Design
- Illustrate photovoltaic panels on roof plan as shown by vendor.
- Design and illustrate additional equipment consisting of Combiner Boxes, DC Disconnects, and Inverter(s), as needed for a complete system.
- Show power Main Disconnect on plan view sheets.
- Illustrate conductor requirements connecting system components. Double check code compliance and coordinate with the vendor, as required.
- Coordinate placement of equipment (boxes, disconnects, and inverter(s)) in electrical equipment area within the existing Fossil Park Fire Station #7 building plan.
- Coordination with Duke Energy regarding transformer sizing and impact on power grid.
- Submittal review.
- Review with owner for approvals.
III. SCHEDULE

Work under this Task Order shall begin no later than 10 days from Notice to Proceed.

We estimate the scope of services above can be completed in 4 weeks from the notice to proceed. The ability to meet this schedule is dependent on the responsiveness of the City's Photovoltaic company and electrical utility.

IV. A/E'S RESPONSIBILITIES

The A/E will complete the services outlined in Section II, Scope of Services.

V. CITY'S RESPONSIBILITIES

- Provide A/E and its engineering consultants access to the project as needed to complete the scope of services.

VI. DELIVERABLES

- AutoCAD Drawings for Permit
- Submittal Review

VII. A/E'S COMPENSATION

For Task Order CID-14-02-WJA, the A/E was authorized the lump sum amount of $255,510.00 for Tasks 1 through 12, Reimbursables and Allowance.

For task Order CID-15-03-WJA, the A/E was authorized the not-to-exceed amount of $4,260.00 for additional design and construction administration services.

For this Amendment No. 1, the City shall compensate the A/E the not-to-exceed amount of $4,484.00 for Task 2, per Appendix A.

The total Task Order amounts including Amendment No. 1 shall not exceed $264,254.00

VIII. PROJECT TEAM

Wannemacher Jensen Architects, Inc.
Subconsultant - Cowill Engineering, Inc.

IX. MISCELLANOUS

In the event of a conflict between this Amendment No. 1 to Task Order CID-14-02-WJA and the Agreement, the Agreement shall prevail.
IN WITNESS WHEREOF the Parties have caused this Amendment No. 1 to Task Order CID-14-02-WJA to be executed by their duly authorized representatives on the day and date first above written.

ATTEST

By: __________________________
   Chandrahasa Srinivasa
   City Clerk

(SEAL)

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)

CITY OF ST. PETERSBURG, FLORIDA

By: __________________________
   Brejesh Prayman, P.E., ENV SP, Director
   Engineering & Capital Improvements

DATE: _________________________

WITNESSES:

By: __________________________
   (Signature)
   Jason Jensen
   Principal
   (Printed Name and Title)

Date: 2/21/18

Wannemacher, Jensen Architects, Inc.

(Company Name)
### I. Notes:

1. Rate x overhead + profit (per contract).
2. Includes professional fees of Subconsultant (per contract).
3. Includes OPACP.
4. Allowance to be used only upon City's written authorization.

### III. Fee Limit

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<thead>
<tr>
<th>Task</th>
<th>Direct Labor Base</th>
<th>Direct Labor Hours</th>
<th>Direct Labor Total</th>
<th>Indirect Hours</th>
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<th>Basic Athletics</th>
<th>Admin Assistant</th>
<th>Director</th>
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### III. Fee Calculation

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### Appendix A

Project No. 15277-018
Fossil Park Phase 2b
City of St. Petersburg
Work Task Breakdown
TO: The Honorable Lisa Wheeler-Bowman, Chair, and Members of City Council

SUBJECT: A Resolution authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 16-04-LWES/STB (“Task Order”) to the architect/engineering agreement dated July 14, 2016 between the City of St. Petersburg, Florida (“City”) and Land & Water Engineering Science, Inc. (“A/E”) for A/E to provide additional professional services for the Southwest Water Reclamation Facility Stormwater and Site Improvements Project in an amount not to exceed $63,804.86; providing that the total Task Order as amended shall not exceed $157,750.34 (Engineering Project No. 17071-111; Oracle No. 15999); and providing an effective date.

EXPLANATION: The Southwest Water Reclamation Facility (“SWWRF”) is currently undergoing a major site renovation to increase wastewater capacity. Separate to the on-going project at SWWRF, improvements to the on-site stormwater runoff are needed to store, treat, and convey stormwater runoff. During high rain events, the watershed basin sheet flows to the southwest region of the property despite on-site retention and piping. This project will design a conveyance schema that routes runoff away from the southwestern basins and directly to the southeast, significantly reducing or eliminating any runoff towards the southwest. To the southeast of the site there is a borrow-pit lake that receives minimal flows and has two control structures that discharge to Frenchman’s Creek; the same body of water stormwater currently discharges to.

On July 14, 2016, the City Council approved an architect/engineering Agreement with the professional consulting firm of Land & Water Engineering Science, Inc. (“A/E”) for engineering services related to Stormwater Management, Transportation and Bridge Improvement Projects.

On March 16, 2017 City Council approved Task Order No. 16-04-LWES/STB in the amount of $94,445.48, which included developing a hydrologic model of the basins, final plans, and specifications for developing a stormwater design along the southern portion of the SWWRF that will allow stormwater to discharge to the east, instead of through the west, and finally discharge into Frenchman’s Creek. The work also included survey work and subsurface utility exploration to accurately model stormwater run-off at the site, design of an earthen berm, and ornamental landscaping to further shield stormwater and views of the SWWRF from the south and west. This approval included $10,000 in Owner allowance. However, it also included $9,500 in unallocated funding which this amendment will properly allocate towards revised tasks.

The SWFWMD permit to the borrow-pit lake is granted to Eckerd College, which has to be modified to allow discharge from the facility.

This work is being conducted as part of the Development Review Commission approval requirements for the SWWRF Biosolids and Capacity Upgrade projects.

Amendment No. 1 to Task Order No. 16-04-LWES/STB in the amount of $63,804.86 will provide funding for the expansion of scope required due to site alterations, updating of the drainage report and Environmental Review Permit, and the design of modified control structures at Eckerd’s pond outfall. This approval includes an allowance for $25,000.
Task Order No. 16-04-LWES/STB includes the following phases and associated costs respectively:

- Hydraulic Modeling, Plans and Specifications (Approved) $84,445.48
- Scope revisions due to site alterations, updating drainage report and final permitting (New) $39,253.66
- Project site logistics and coordination (New) $9,051.20
- Allowance (New) $25,000.00

Revised Total A/E fees $157,750.34

A/E services during the construction phase will be provided to Council for approval as an Amendment to this Task Order.

Contractor costs were approved on March 1st, 2017 under Amendment No 5 to the Construction Manager Contract with The Haskell Company.

RECOMMENDATION: Administration recommends authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 16-04-LWES/STB ("Task Order") to the architect/engineering agreement dated July 14, 2016 between the City of St. Petersburg, Florida and Land & Water Engineering Science, Inc. ("A/E") for A/E to provide additional engineering services for the Southwest Water Reclamation Facility (SWWRF) Stormwater and Site Improvements project in an amount not to exceed $63,804.86; providing that the total Task Order as amended shall not exceed $157,750.34 (Engineering Project No. 17071-111; Oracle No. 15999).

COST/FUNDING INFORMATION: Funds have been previously appropriated in the Water Resources Capital Projects Fund (4003) WRF SW Storm & Site Imp FY17 Project (15999).

ATTACHMENTS: Resolution
Amendment No. 1 to Task Order No. 16-04-LWES/STB

APPROVALS: Administrative

Budget
RESOLUTION 2018-_____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT NO. 1 TO TASK ORDER NO. 16-04-LWES/STB ("TASK ORDER") TO THE ARCHITECT/ENGINEERING AGREEMENT DATED JULY 14, 2016 BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA ("CITY") AND LAND & WATER ENGINEERING SCIENCE, INC. ("A/E") FOR A/E TO PROVIDE ADDITIONAL PROFESSIONAL SERVICES FOR THE SOUTHWEST WATER RECLAMATION FACILITY STORMWATER AND SITE IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED $63,804.86, PROVIDING THAT THE TOTAL TASK ORDER, AS AMENDED, SHALL NOT EXCEED $157,750.34 (ENGINEERING PROJECT NO. 17071-111; ORACLE NO. 15999); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St Petersburg, Florida ("City") and Land & Water Engineering Science, Inc. ("A/E") entered into an architect/engineering agreement on July 14, 2016 for A/E to provide miscellaneous professional services for Stormwater Management, Transportation and Bridge Improvement Projects; and

WHEREAS, on March 16, 2017, City Council approved Task Order No. 16-04-LWES/STB ("Task Order") in the amount of $94,945.48 for A/E to provide (i) development of a hydrologic model of the basins, final plans, and specifications for developing a stormwater design along the southern portion of the SWWRF, and (ii) survey work and subsurface utility exploration, design of an earthen berm, ornamental landscaping, and a concrete wall; and

WHEREAS, Administration desires to execute Amendment No. 1 to the Task Order for A/E to provide (i) additional services due to site alterations, (ii) updates to the drainage report, (iii) an Environmental Review Permit, and (iv) modifications to the design of the control structures at Eckerd's pond outfall in an amount not to exceed $63,804.86.

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. 16-04-LWES/STB ("Task Order") to the architect/engineering agreement dated July 14, 2016, between the City of St. Petersburg, Florida and Land & Water Engineering Science, Inc. ("A/E") for A/E to provide additional professional services for the Southwest Water Reclamation Facility Stormwater and Site Improvements Project in an amount not to exceed $63,804.86.

BE IT FURTHER RESOLVED that the total Task Order, as amended, shall not exceed $157,750.34.

This resolution shall become effective immediately upon its adoption.

Approved by:  
Legal Department  
By: (City Attorney or Designee)  
00364729

Approved by:  
Bregesh Prayman, P.E., SP, ENV  
Engineering & Capital Improvements Director
TO: The Honorable Lisa Wheeler-Bowman, Chair, and City Councilmembers

FROM: Brejesh Prayman, P.E., ENV SP, Director Engineering & Capital Improvements Department

RE: Consultant Selection Information
Firm: Land & Water Engineering Science, Inc.
Task Order No. 16-04-LWES/STB in the amount of $142,750

This memorandum is to provide information pursuant to City Council Policy and Procedures Manual, Chapter 3, Section 1(F.) for agenda package information.

1. Summary of Reasons for Selection

The project involves a progression from the preliminary modeling DRC review phase to include detailed design and permitting of the stormwater improvements to the Southwest Water Reclamation Facility ("SWWRF").

Land & Water Engineering Science, Inc. ("A/E") has satisfactorily completed the preliminary services for the Development Review Commission (DRC) review and approval for improvements to the SWWRF, including initial modeling of the required stormwater improvements to the SWWRF.

A/E has completed the preliminary work and is familiar with the DRC improvement requirements to the SWWRF.

A/E has extensive experience in hydraulic modeling, stormwater design and permitting and has satisfactorily performed previous work similar in nature.

A/E was included in previous A/E Annual Master Agreements and is also included in the current list of A/E Annual Master Agreements.

A/E has successfully completed this type of work under previous A/E Annual Master Agreements in 2012.

This is the fourth of five Task Orders issued under the 2016 Master Agreement.

2. Transaction Report listing current work – See Attachment A
# ATTACHMENT A

Transaction Report
for
Land & Water Engineering Science, Inc.
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

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<th>Authorized Amount</th>
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This Amendment No. 1 to Task Order No. 16-04-LWES/STB is made and entered into this _____ day of ____________, 201_, pursuant to the ARCHITECT/ENGINEERING AGREEMENT FOR MISCELLANEOUS PROFESSIONAL SERVICES FOR STORMWATER MANAGEMENT, TRANSPORTATION AND BRIDGE IMPROVEMENT PROJECTS dated July 19, 2016 ("Agreement") between Land & Water Engineering Science, Inc. ("A/E"), and the City of St. Petersburg, Florida ("City"), and upon execution shall become a part of the Agreement.

I. DESCRIPTION OF PROJECT

As part of the Southwest Water Reclamation Facility (SWWRF) improvements plan to expand capacity and to modify existing drainage outfall, A/E is in the process of designing site improvements, drainage conditions, and the stormwater treatment and attenuation capacity required for the improvements. A/E has prepared preliminary design documents for drainage and stormwater facilities.

The SWWRF site is currently under construction. This Task Order Amendment will revise the stormwater design and permits to comply with the future site. The scope shall include requirements such as, updating field survey, subsurface utility investigation, revision to the site plan and drainage report, and to support the application process to revise the Conceptual Environmental Resource Permit for Eckerd College.

II. SCOPE OF SERVICES

Task 4: Subsurface Utility Investigation
Collect subsurface utility data to provide horizontal and vertical Control in the immediate project vicinity where the proposed storm sewer pipe will cross Eckerd College property.

Task 5: Topographic Survey
Update field survey of the eastern property and extending to the pond at Eckerd College.
- A 50' wide corridor centered on the east property line of the Southwest Water Reclamation Facility will be obtained
- Topographic features to include, but not limited to, drainage features (includes location pipe and structure sizes, tops, grates throats, weirs and invert elevations) concrete walls, sidewalks, trees, top and bottom of ditches and lake, asphalt/concrete surfaces and above ground utility features.
- Ground surface elevations to be sufficient in number and spacing to ensure accurate one (1) foot ground contours for future design/engineering purposes.
- Project Horizontal Datum shall be relative to North American Datum NAD 1983/2011.
- Project Vertical Datum shall be relative to the City of St. Petersburg Vertical Datum.
Task 6: Updating Site Plan and Drainage Report
Update the 90% design site plan and drainage report to reflect the changes made to the site. A/E will coordinate the changes with wastewater design team for final acceptance and issuance of a revised drainage report.

Final outfall location will be determined once the City obtains the required drainage easement from Eckerd College.

Task 7: Prepare and Submit Conceptual ERP Modification
A/E will prepare and submit to Southwest Florida Water Management District for a modification of the existing Conceptual Permit for Eckerd College.

Permit modification will require an updated plan incorporating the eastern discharge to the pond. Plan shall be submitted for City and Eckerd College for approval prior to submittal to Southwest Florida Water Management District (SWFWMD).

A/E will attend meeting with regulatory agencies as may be required to address permit conditions.

A/E will address two requests for additional information by the regulatory agency.

Task 8: Design of Modified Control Structure at Eckerd Pond Outfall
A/E will attend meeting with Engineer's representing Eckerd College to coordinate design and modifications to the Eckerd College Pond Outfall structure to ensure that proposed improvements meet school objectives. The additional design shall be incorporated as part of the overall documents for the construction of the storm sewer improvements.

Task 9: Project Site Logistics and Coordination
A/E will coordinate with the SWWRF and City staff to identify possible future conflicts and propose solutions that will incorporate necessary site plan revisions.

III. SCHEDULE
Draft copies of all permit applications and drainage reports shall be submitted within (8) weeks from issuance of NTP and from completion of master plan drainage model.

IV. A/E’S RESPONSIBILITIES
A/E shall perform services outlined in Section II. Scope of Services.

V. CITY’S RESPONSIBILITIES
For Task 7, the City shall provide:
- Data for the development of model update, such as the existing Master Plan Hydrologic and Hydraulic Model for Eckerd College Campus
- Permit review fees as may be required
For Task 8, the City shall provide:

- Topographic survey data required for the design and construction of the outfall structure.

For Task 9, the City shall provide:

- Provide existing site conflicts, potential future expansions or alterations, and their possible conflicts.

Additionally:

- Upon determination of drainage easement with Eckerd College the City shall provide easement description and additional survey data if required to complete the design.
- Existing Hydrologic and Hydraulic Model for the Eckerd College Master Plan.

VI. **DELIVERABLES**

Draft and final copy of the construction documents, drainage reports, and SWFWMD permit application.

VII. **A/E'S COMPENSATION**

The A/E was authorized the lump sum amount of 84,445.48 under the original Task Order for Tasks 1 through 3 (a $10,000.00 Allowance was included but not authorized), and was approved by City Council on March 16, 2017.

For Amendment No. 1, Tasks 4 through 8, the City shall compensate the A/E the lump sum amount of $39,253.66. For Task 9, the City shall compensate the A/E the not-to-exceed amount of $9,051.20.

Amendment No. 1 to the Task Order establishes an additional Allowance of $25,000.00 for services not identified in the Scope of Services. Additional services may be performed only upon receipt of prior written authorization from the City and such authorization shall set forth the additional services to be provided by the A/E. The cost for any additional services shall not exceed the amount of the allowance set forth in this Task Order.

The total amount for Amendment No. 1 is $73,304.88, per Appendix A.

A $10,000.00 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 this Task Order.

The total Allowance amount including Amendment No. 1 is $35,000.00.

The total Task Order amount including Amendment No. 1 shall not exceed $157,750.34.
VIII. **PROJECT TEAM**

Land & Water Engineering Science, Inc.
Subconsultant - George F. Young, Inc. for field survey and SUE services.

IX. **MISCELLANOUS**

In the event of a conflict between this Amendment No. 1 to the Task Order and the Agreement, the Agreement shall prevail.
IN WITNESS WHEREOF the Parties have caused this Amendment No. 1 to the 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)

WITNESSES:

Land & Water Engineering Science, Inc.
(Company Name)

By: __________________________________________
(Signature)
Dikran Kalavdzian, P.E., President
(Printed Name and Title)
Date: 02/21/2018

By: __________________________________________
(Signature)
Gordon Lintemuth
(Printed Name)

By: __________________________________________
(Signature)
Kimberly Kalavdzian
(Printed Name)
## Appendix A

### Work Task Breakdown

City of St. Petersburg

**SWWRF Stormwater Site Improvements Project**

**Project No. 17071-111**

### I. Manpower Estimate: All Tasks

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<th>TASK</th>
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<th>Technical Director</th>
<th>Project Manager</th>
<th>Project Engineer</th>
<th>Designer</th>
<th>CADD Technician</th>
<th>GIS Analyst</th>
<th>Engineering Intern</th>
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**TASK**

- Subsurface Utility Investigation (Subconsultant)
- Topographic Survey (Subconsultant)
- Updating the Site Plan & Drainage Report
- Prepare and Submit Conceptual ERP Modification
- Design of Modified Control Structure at Eckerd College
- Project Site Logistics and Coordination

**Totals**

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<th>Direct Labor Rates Classifications</th>
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### III. Fee Limit

- **Cost** $48,304.86
- **Additional Allowance** $25,000.00
- **Total** $73,304.86

### IV. Notes:

1. Rate x overhead + profit (per contract).
2. Includes expenses for: Travel, transportation and large format printing.
3. Includes 5 percent markup of SUBCONSULTANT (per contract).
4. Allowance to be used only upon City's written authorization.
ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of March 15, 2018

TO: The Honorable Lisa Wheeler-Bowman, Chair, and Members of City Council

SUBJECT: A Resolution authorizing the Mayor or his designee to execute Task Order No. 16-04-MC/W to the architect/engineering agreement between the City of St. Petersburg and McKim & Creed, Inc. ("A/E") dated December 5, 2016 for A/E to provide professional engineering consulting services as related to the Water Resources Utility Rate Study in an amount not to exceed $102,000; and providing an effective date.

EXPLANATION: McKim & Creed and the utility rate firm of Stantec Consulting Services, Inc. (Stantec), as their subconsultant, will once again provide consulting services related to the Water Resources Utility Rate Study.

Since 2006, the City has retained the services of Burton & Associates (now Stantec and recently, Hawksley Consulting) to perform comprehensive annual utility rate studies. As part of the rate study, McKim & Creed and Stantec will perform a Revenue Sufficiency Analysis to assess the adequacy of revenues provided by water, wastewater and reclaimed water rate revenue versus revenue requirements. Additionally, a Cost of Service Analysis is performed to update the rates charged to retail and wholesale customer classes so that the rates for each customer class reflect the appropriate cost of service based allocation. Stantec's proprietary rate model provides dynamic rate analysis that allows the City to engage in interactive sessions to provide numerous financial scenarios in real time. McKim & Creed and Stantec also serve an integral part in preparing necessary coverage calculations in the financing of utility bonds, which fund a large portion of the Water Resources Capital Improvement Fund projects. Additionally, this consulting team provides the annual true-up analysis required by the Interlocal Agreement with the City of St. Pete Beach.

In addition to the regular components included in the annual Water Resources Rate Study, the FY19 Water Resources Utility Rate Study will also include evaluations of the base rate structure on Combination Fire Service Meters and possible increase to the new toilet fee.

Administration recommends approval of Task Order 16-04-MC-W with McKim & Creed for the FY18 Water Resources Utility Rate Study in an amount not to exceed $102,000.

RECOMMENDATION: Administration recommends authorizing the Mayor or his designee to execute Task Order No. 16-04-MC/W to the architect/engineering agreement between the City of St. Petersburg and McKim & Creed, Inc. ("A/E") dated December 5, 2016 for A/E to provide professional engineering consulting services as related to the Water Resources Utility Rate Study in an amount not to exceed $102,000; and providing an effective date.

COST/FUNDING INFORMATION: Funds have been previously appropriated in the Water Resources Operating Fund (4001).

ATTACHMENTS: Resolution
Task Order No. 16-04-MC/W

APPROVALS: Administrative
Budget
RESOLUTION 2018—_______

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE TASK ORDER NO. 16-04 MC/W TO THE ARCHITECT/ENGINEERING AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND MCKIM & CREED, INC. (“A/E”), DATED DECEMBER 5, 2016 FOR A/E TO PROVIDE PROFESSIONAL ENGINEERING CONSULTING SERVICES AS RELATED TO THE WATER RESOURCES UTILITY RATE STUDY IN AN AMOUNT NOT TO EXCEED $102,000; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida (“City”) and McKim & Creed, Inc. (“A/E”) entered into an architect/engineering agreement on December 5, 2016 for A/E to provide miscellaneous professional services for Potable Water, Wastewater and Reclaimed Water Projects; and

WHEREAS, Administration desires to execute Task Order No. 16-04 MC/W for A/E and their subconsultant, Stantec Consulting Services, Inc. (formerly Burton & Associates and recently Hawksley Consulting) to provide professional consulting services related to the Water Resources Utility Rate Study, including a revenue sufficiency analysis, cost of service analysis, debt service coverage analysis and the end of year true-up analysis for the City of St. Pete Beach, in an amount not to exceed $102,000.

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. 16-04-MC/W to the architect/engineering agreement between the City of St. Petersburg, Florida and McKim & Creed, Inc. (“A/E”) dated December 5, 2016 for A/E to provide professional engineering consulting services as related to the Water Resources Utility Rate Study in an amount not-to-exceed $102,000.

This resolution shall become effective immediately upon its adoption.

APPROVALS:

[Signature]
Legal Department
By: City Attorney or Designee
00363441

[Signature]
By: City Attorney or Designee

[Signature]
Engineering & Capital Improvements Director
TO: The Honorable Lisa Wheeler-Bowman, Chair, and City Councilmembers

FROM: Brejesh Prayman, P.E., ENV SP, Director
       Engineering & Capital Improvements Department

RE: Consultant Selection Information
    Firm: McKim & Creed, Inc.
    Task Order No. 16-04-MC/W in the amount of $102,000

This memorandum is to provide information pursuant to City Council Policy and Procedures Manual, Chapter 3, Section 1(F.) for agenda package information.

1. Summary of Reasons for Selection

   The project involves utility rate analysis for the Water Resources Utility.

   McKim & Creed, Inc. completed similar work under previous A/E Annual Master Agreements in 2012, and is familiar with the City Standards financial analysis requirements.

   McKim & Creed, Inc. and their team have significant experience in this type of financial engineering analysis.

   This is the fourth Task Order issued under the 2016 Master Agreement.

2. Transaction Report listing current work – See Attachment A
ATTACHMENT A

Transaction Report
for
McKim & Creed, Inc.
Miscellaneous Professional Services for Potable Water, Wastewater and Reclaimed Water Projects
A/E Agreement Effective - December 5, 2016
A/E Agreement Expiration - November 2, 2020

<table>
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<tr>
<th>Task Order No.</th>
<th>Project No.</th>
<th>Project Title</th>
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<th>Authorized Amount</th>
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<td>WRD</td>
<td>FY19 Stormwater Utility Rate Study</td>
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<td></td>
<td>Total:</td>
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<td>189,190.00</td>
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This Task Order No. 16-04-MC/W is made and entered into this _____ day of ____________ , 201__, pursuant to the ARCHITECT/ENGINEERING AGREEMENT FOR MISCELLANEOUS PROFESSIONAL SERVICES FOR POTABLE WATER, WASTEWATER AND RECLAIMED WATER PROJECTS dated December 5, 2016 ("Agreement") between McKim & Creed, Inc. ("A/E"), and the City of St. Petersburg, Florida ("City"), and upon execution shall become a part of the Agreement.

I. DESCRIPTION OF PROJECT

This Task Order is for financial analyses necessary for a Water Resources FY 19 Rate Study for the City.

II. SCOPE OF SERVICES

TASK 1 - PROJECT INITIATION

1.1 Meet with City staff (1 meeting) to finalize project objectives, establish project monitoring and control procedures and begin data gathering.

1.2 Review current and historical financial data, updates to water and wastewater systems configuration/customer base, customer billing statistics, capital improvement programs and other relevant information.

TASK 2 - REVENUE SUFFICIENCY ANALYSIS

2.1 Verify and input financial and billing data into Stantec’s proprietary FAMS XL © model, run the model, and produce preliminary output, including a five year financial management program and schedule of proposed annual percentage rate adjustments (includes 1 meeting). The results will include the following:

   a. Capital Improvements Program
      • Project listing by year
   b. Borrowing Program
      • Borrowing required (by source) to fund CIP projects not funded by other sources to include but not necessarily be limited to revenue bonds and State or other programs
      • Timing of bond issue(s)/loan(s) to provide required borrowed funds
      • Annual debt service of bond issue(s)/loan(s)
   c. Revenue Sufficiency Analysis
      • Allowance for elasticity of water demand relative to price increases
      • Annual Tampa Bay Water expense projections
- Annual rate plan to provide sufficient revenues and local benchmarking
- Sensitivity analysis of alternative debt service coverage, capital transfers, and/or reserve levels
- Detailed review and reconciliation of debt service coverage calculations (per bonds and for cash flow requirements)
- Customer consumption analysis

d. Sources and Uses of Funds Analysis
e. Funds Analysis
  - Spend down limits (minimum reserve requirements) by fund
  - Beginning and ending funds balances by fund by year

**TASK 3 - COST ALLOCATION AND RATE DESIGN**

Perform a cost of service allocation and compute proposed rates.

3.1 Conduct a cost of service allocation analysis:

a. Update allocation analysis to distribute costs to services (water, wastewater, and reclaimed), and retail/wholesale customer classes.
b. Update facility original cost/fixed asset database (including depreciation) to update cost allocations based upon investment ratios.
c. Review cost allocations with City staff and make adjustments in the cost allocations where appropriate.
d. Update comparison of allocation percentages with detailed explanations of changes as appropriate.
e. Update definition manual describing allocation percentage, basis, and methodology and tracking date of implementation.

3.2 Calculate retail and wholesale rates based upon the FY 2019 revenue requirements from Task 2, and cost allocations in Task 3.1:

a. Review and validate FYE 2017 billing records for each account for water, wastewater, and wastewater service.
b. Perform review of compound fire protection meters, data records, and billing practices to determine appropriate basis of charging.
c. Perform review of water closet fees (capacity charges) for wastewater and update based upon current cost of capacity.
d. Populate reclaimed water cost allocation model to functionalize costs and evaluate potential creation of bulk customer class.
e. Prepare updated rate schedules/adjustments for the followings charges:
   - Fixed monthly charges, to include customer and capacity charges,
   - Commodity Charges,
   - Wholesale rates,
   - Treated Water Rate for sale of water to TBW,
   - Reclaimed water rates,
• Water closet fees,
• Other as identified during the study.

f. Prepare local benchmarking relative to reclaimed water, fire protection, capacity charges, and wholesale rates/practices,
g. Review results with consulting team and perform adjustments,
h. Review the preliminary results with City staff in an interactive work session,
i. Make adjustments based upon input from City staff,
j. Review the adjusted results with City staff in an interactive work session.

3.3 Review results of cost of service study and resulting wholesale rates with wholesale customers:
   a. Prepare summary materials to review results with wholesale customers,
   b. Prepare for and review results of analysis with wholesale customers.

TASK 4 – PERFORM TRUE-UP CALCULATION FOR ST. PETE BEACH WHOLESALE RATES FOR FY 2017

4.1 Perform true-up calculation for St. Pete Beach wholesale rates for FY 2017.
   b. Review with City staff.
   c. Make adjustments and finalize the true-up calculation.
   e. Review the Draft Report with City staff.
   g. Prepare PROVIDE supporting electronic files, tables, schedules, etc. formatted for distribution to St. Pete Beach.

TASK 5 – ADJUST ANALYSIS FOR MAYOR’S INPUT

5.1 Prepare summary materials for review with Mayor.
5.2 Review summary materials with Administration.
5.3 Prepare adjustments to analysis and summary materials per Administration review.
5.4 Present findings and results of analysis to Mayor.
5.5 Make adjustments to the analysis based upon input from the Mayor.

TASK 6 – PARTICIPATE IN PRESENTATIONS TO CITY COUNCIL & ADVISORY BOARDS

6.1 Prepare PowerPoint presentation/slides for use during presentation of study results and recommendations to Council and/or Advisory Boards.
6.2 Prepare adjustments to presentation/slides per City staff review and comment.

6.3 Prepare for and present initial results/options of study to Budget Finance & Taxation Committee (BF&TC).

6.4 Prepare adjustments to analysis per guidance/direction from BF&TC and prepare revised/requested materials.

6.5 Prepare for and present updated results of study to BF&TC.

6.6 Prepare adjustments to analysis per guidance/direction from BF&TC and prepare revised/requested materials.

6.7 Prepare for and present revised results of study to BF&TC.

6.8 Prepare final adjustments to analysis per guidance/direction from BF&TC and prepare revised materials for public hearing process.

6.9 Prepare for and present results of study to City Council in regular meetings (public hearings) - 2 meetings.

**TASK 7 – PREPARE AND PRESENT A FINAL REPORT OF THE RATE STUDY**

7.1 Prepare a Draft Report to document the results of the Rate Study, including detailed cost allocation tables and charts.

7.2 Make adjustments and prepare a Final Draft Report per comments from City staff.

7.3 Make adjustments and prepare the Final Report per comments from City staff.

**III. SCHEDULE**

1. Draft Rate Study Report Submittal: 210 calendar days after Project Kick-off Meeting.
2. Final Rate Study Report Submittal: 240 calendar days after Project Kick-off Meeting (assuming City's review of Draft Rate Study completed in 14 calendar days after receipt).

**IV. A/E'S RESPONSIBILITIES**

A/E will assign a Project Manager, along with other personnel as necessary, to assure faithful execution and timely delivery of services pursuant to the requirements of this study.

**V. CITY'S RESPONSIBILITIES**

The City will provide the A/E with all available prior rate study reports, current and
VI. DELIVERABLES

1. Kick Off Meeting Summary;
2. Screen capture summaries from the FAMS XL © model will be provided for as many scenarios as requested by City staff;
3. “Assumptions Workbook” for City staff to review and validate information;
4. Comparative cost allocation summary;
5. Cost allocation manual;
6. Comparative rate survey;
7. 1st Cost Allocation & Rate Calculation Workshop Summary;
8. 2nd Cost Allocation & Rate Calculation Workshop Summary;
9. Presentation and supporting schedules regarding Rate Study results for review with wholesale customers.
10. St. Pete Beach True-up Draft Letter Report;
12. St. Pete Beach True-up supporting schedules, electronic files, tables appropriate for distribution to St. Pete Beach;
13. Presentation materials for review with Mayor, Council, and Advisory Boards
14. Draft Rate Study Report;
15. Final Draft Rate Study Report;
16. Final Rate Study Report (six (6) copies and one (1) electronic copy to City);

VII. A/E'S COMPENSATION

For tasks 1 through 7, the City shall compensate the A/E the not-to-exceed amount of $102,000.00, per Appendix A.

VIII. PROJECT TEAM

Prime Consultant - McKim & Creed, Inc.

Stantec Consulting Services, Inc. ("Stantec") will be utilized as a subconsultant to perform this work given their past similar experience with the City and efficiency from the use of their customized modeling system previously set up for the City.

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)

WITNESSES:

(strong, large signature)

MCKINLEY REED, INC.
(Company Name)

By: ____________________________
(Printed Name and Title)
Date: 2/22/18

(strong, large signature)

WITNESSES:

(strong, large signature)

(strong, large signature)

WITNESSES:
### I. Manpower Estimate: All Tasks

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**Totals:** 5 | 12 | 17 | $2,884.26

### II. Fee Calculation

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### III. Fee Limit

- **Lump Sum Cost:** $102,000.00
- **Allowance:** $10,000.00
- **Total:** $112,000.00

### IV. Notes:

1. Rate x overhead + profit (per contract).
2. Includes expenses for: printing
3. Includes 5 percent markup of SUBCONSULTANT (per contract).
4. Allowance to be used only upon City's written authorization.
## PROJECT PLAN

### Task 1: Project Initiation
- Meet with City staff (1 meeting) to finalize project objectives, establish project monitoring and control procedures and begin data gathering. Review current and historical financial data, update to water and wastewater systems configuration/customer base, assume billing statistics, capital improvement programs and other relevant information.

### Task 2: Revenue Sufficiency Analysis
- Verify and input financial and billing data into Brauer's proprietary FAME XL model, run the model, and produce preliminary output, including a five-year financial management program and schedule of proposed annual percentage rate adjustments (includes 1 meeting). Results will include the following:
  a. Capital Improvement Program
     - Project listing by year
  b. Borrowing Program
     - Borrowing required by source to fund CIP projects now funded by other sources to include but not necessarily limited to revenue bonds and other programs
     - Timing of bond/advanced refunding in providing required borrowed funds
  c. Revenue Sufficiency Analysis
     - Dependence for majority of water demand relative to price increases
     - Annual TEB/EBRO projections
     - Annual rate plan to provide sufficient revenues, and local benchmarking
     - Sensitivity analysis of alternative rate service coverage, capital improvements, and reserve levels
     - Detailed revenue and recalibration of debt service coverage calculations (per bonds and for cash flow requirements)
  d. Customer consumption analysis
  e. Strategies and class of Funds Analysis
  f. Funds Analysis
     - Prepare summary materials in
     - Rearranged materials
     - Review results with City staff on
     - Annuities or annuities with customers (includes 1 meeting)

### Task 3: Cost Allocation and Rate Design
- Perform a cost of service allocation and compute proposed rates.
  3.1 Conduct a cost of service allocation analysis:
     a. Utilities allocation analysis to distribute costs to services (meter, wastewater, and reclaimed), and ratemaking/customer classes
     b. Update local original cost of service databases (including depreciation) to update cost allocations based upon investment ratios
     c. Review cost allocations with City staff and make adjustments to the cost allocations where appropriate
     d. Update composition of allocation percentages with detailed implications of changes as appropriate
     e. Update consumer manual describing adoption percentage, base, and methodology and tracking date of implementation
  3.2 Calculate the average cost allocations to be used in FY 2019 revenue requirements from Task 3 and the cost allocations of Task 3:
     a. Review and update FY 2019 billing records for each account for water, wastewater, and stormwater service
     b. Review the revised rate schedule by meter rates, rate meter, and billing practices to determine appropriate basis of charging
     c. Prepare rate schedule by meter rates for wastewater and update based upon current cost of capacity
     d. Calculate the average cost of the average rate schedule to determine appropriate rate schedule and evaluate potential creation of bulk customer class
     e. Prepare updated rate schedule/allocation for the following charges:
        a. Fixed monthly charges, to include customer and capacity charges
        b. Customer charges
        c. Wholesale rates (including blended water rates at rate of service in TEBN)
        d. Residual water rates
  3.3 Update customer class:
     a. Prepare local consumption rate to evaluate water, fire protection, capacity charges, and wholesale rates
     b. Review the preliminary results with City staff on
     c. Update the results with City staff on
     d. Prepare summary materials in
     e. Review results of cost of service study and resulting wholesale rates with wholesale customers

### Estimate

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<th>Project Support</th>
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<tr>
<td>TABLE 4 Perform True-up Calculation for St. Pete Beach Wholesaler Rates for FY 2017.</td>
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<tr>
<td><strong>4-1</strong> Perform true-up calculation for St. Pete Beach Wholesaler rates for FY 2017.</td>
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<tr>
<td>b. Review with City staff.</td>
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<tr>
<td>c. Make adjustments and finalize true-up calculation.</td>
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<tr>
<td>e. Review Draft Report with City staff.</td>
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<tr>
<td>g. Prepare and provide supporting electronic files, tables, schedules, etc. formatted for distribution to St. Pete Beach.</td>
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<th>TABLE 5 Adjust Analysis for Mayor's Input</th>
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<td><strong>5-1</strong> Prepare summary materials for review with Mayor.</td>
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<td><strong>5-2</strong> Review summary materials with Administration.</td>
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<tr>
<td><strong>5-3</strong> Prepare adjustments to analysis and summary materials per review with Administration.</td>
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<tr>
<td><strong>5-4</strong> Prepare findings and results of analysis to Mayor.</td>
</tr>
<tr>
<td><strong>5-5</strong> Make adjustments to the analysis based upon input from the Mayor.</td>
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<thead>
<tr>
<th>TABLE 6 Participate in Presentations to City Council &amp; Advisory Boards</th>
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<tbody>
<tr>
<td>6-1 Prepare PowerPoint presentations/slides for use during presentation of study results/recommendations to Council and/or Advisory Boards.</td>
</tr>
<tr>
<td>6-2 Prepare adjustments to presentation/slides per City staff review and comments.</td>
</tr>
<tr>
<td>6-3 Prepare for and present initial results of study to Budget Finance &amp; Taxation Committee (BFATC).</td>
</tr>
<tr>
<td>6-4 Prepare adjustments to analysis per guidance from BFATC and prepare revised materials.</td>
</tr>
<tr>
<td>6-5 Prepare for and present revised results of study to BFATC and prepare revised materials per public hearing process.</td>
</tr>
<tr>
<td>6-6 Prepare for and present results of study to City Council in regular meetings (public hearings) - 2 meetings.</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>TABLE 7 Final Report of Rate Study</th>
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<tr>
<td>7-1 Prepare a Final Report to document the results of the Rate Study, including detailed cost allocation tables and charts.</td>
</tr>
<tr>
<td>7-2 Make adjustments and prepare a Final Draft Report per comments from City staff.</td>
</tr>
<tr>
<td>7-3 Make adjustments and prepare the Final Report per comments from City staff.</td>
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<th>CITY OF ST. PETERSBURG</th>
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<tr>
<td>FY 2019 WATER RESOURCES RATE STUDY</td>
</tr>
<tr>
<td>PROJECTS (CITY)</td>
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<tr>
<td><strong>1</strong> Perform true-up calculation for St. Pete Beach Wholesaler rates for FY 2017.</td>
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<td><strong>2</strong> Review with City staff.</td>
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<td><strong>3</strong> Make adjustments and finalize true-up calculation.</td>
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<tr>
<td><strong>4</strong> Prepare Draft Letter Report of true-up calculation.</td>
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<td><strong>5</strong> Review Draft Report with City staff.</td>
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<tr>
<td><strong>6</strong> Make adjustments and prepare a Final Draft Report.</td>
</tr>
<tr>
<td><strong>7</strong> Prepare and provide supporting electronic files, tables, schedules, etc. formatted for distribution to St. Pete Beach.</td>
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<th>TABLE 8 Summary of Total Project Expenses</th>
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<td><strong>8-1</strong> Prepare PowerPoint presentations/slides for use during presentation of study results/recommendations to Council and/or Advisory Boards.</td>
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<td><strong>8-2</strong> Prepare adjustments to presentation/slides per City staff review and comments.</td>
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MEMORANDUM

Council Meeting of March 15, 2018

TO: Members of City Council

FROM: Mayor Rick Kriseman

RE: Confirming the appointment of Michele Tuegel as a regular member to the Arts Advisory Committee to serve an unexpired three-year term ending September 30, 2018.

I respectfully request that Council confirm the appointment of Michele Tuegel as a regular member to the Arts Advisory Committee to serve an unexpired three-year term ending September 30, 2018.

A copy of Ms. Tuegel’s resume has been provided to the Council office for your information.

RK/cs
Attachments
cc: W. Atherholt, Director of Cultural Affairs
A RESOLUTION CONFIRMING THE 
APPOINTMENT OF A REGULAR MEMBER TO 
THE ARTS ADVISORY COMMITTEE; AND 
PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council hereby confirms the appointment of Michele Tuegel as a regular member to the Arts Advisory Committee to serve an unexpired three-year term ending September 30, 2018.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content:

__________________________________________
City Attorney or (Designee)
ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of March 15, 2018

TO: City Council Chair & Members of City Council

SUBJECT: City Council Minutes

EXPLANATION: City Council minutes of February 1, February 8, and February 15, 2018 City Council meetings.
A RESOLUTION APPROVING THE MINUTES OF THE CITY COUNCIL MEETINGS HELD ON FEBRUARY 1, FEBRUARY 8, AND FEBRUARY 15, 2018; 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 February 1, February 8, and February 15, 2018 are hereby approved.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND SUBSTANCE:

________________________
City Attorney or Designee
Chair Lisa Wheeler-Bowman called the meeting to order with the following members present: Gina Driscoll, Amy Foster, Brandi Gabbard, Charles Gerdes, Steve Kornell, Ed Montanari, Darden Rice and Lisa Wheeler-Bowman. Mayor Rick Kriseman, Deputy Mayor Dr. Kanika Tomlin, City Attorney Jacqueline Kovilaritch, Chief Assistant City Attorney Jeannine Williams, City Clerk Chan Srinivasa and Deputy City Clerk Patricia Beneby 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 David Crawford – February 21, 2011.

In connection with the approval of the agenda, Councilmember Gerdes moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda with the following changes as amended:

MOVE CA-4 Approving Amendment No. 2 to the Architect/Engineering Agreement dated November 17, 2016 between the City of St. Petersburg, Florida and ASRus, LLC (“A/E”), as amended, for injection well services during construction, late track design services, and services during construction for the late track improvements to the SWWRF Reclaimed Water and Injection Well Improvements project in an additional amount not to exceed $1,678,496, for a total contract amount not to exceed of $3,356,496 (Engineering Project No. 16110-111; Oracle No. 15838); authorizing the Mayor or his designee to execute Amendment No. 2 and all documents necessary to effectuate this transaction. [MOVED TO SEWER REPORT AS E-3(a)]

MOVE CA-5 Authorizing the Mayor or his designee to execute a Cooperative Funding Agreement between the City of St. Petersburg, Florida and the Southwest Florida Water Management District (SWFWMD) FOR SWFWMD to provide funding in an amount not to exceed $900,000 for the Stormwater Management Master Plan Update (Engineering Project No. 17037-110,
Oracle No. 15775) and all other documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $900,000 from the increase in the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013), resulting from these additional revenues, to the Master Plan Update SW FY17 Project (15775). [MOVED TO SEWER REPORT AS E-3(b)]

MOVE CA-6 Approving the First Amendment to the architect/engineering agreement dated September 1, 2017 between the City of St. Petersburg, Florida and CH2M Hill Engineers, Inc. ("A/E"), for A/E to provide professional engineering services related to Phase II of the Stormwater Management Master Plan Update Project in an amount not to exceed $2,726,686.67; providing that the total contract amount shall not exceed $2,992,265.86 (Engineering Project Number 17037-110; Oracle Project Number 15775); authorizing the Mayor or his designee to execute the First Amendment. [MOVED TO SEWER REPORT AS E-3(c)]

MOVE CB-8 Authorizing the Mayor, or his designee, to sell the surplus, unimproved City-owned parcel located at approximately 2136 - 9th Avenue South, St. Petersburg, to Christopher Kenrick for $10,000. [MOVE TO REPORTS AS E-4]

REVISED CB-15 Confirming the reappointment of Jo Ann Malone as a regular member, Realtor Category to the Code Enforcement Board to serve a three-year term ending December 31, 2020. Confirming the appointment of Jarrett P. Sanchez as a regular member to the Code Enforcement Board to serve a three-year term ending December 31, 2020.

MOVE CB-18 Confirming the appointment by the Mayor of Dr. Kanika Tomalin as City Administrator. [MOVE TO REPORTS AS E-5 FOR GOOD NEWS]

REVISED D-1 Ordinance 318-H amending sections five, seven and thirteen of Ordinance No. 702-G; providing for amended regulations prohibiting certain activities including the operation, manipulation, projection or guidance of any object within defined zones which could result in the reckless endangerment of persons or property during race days; providing for enforcement; providing for a hearing process to recover seized property.

DEFER E-2 Youth Employment and Workforce Readiness Program Update. [DEFER TO MARCH 1, 2018]

ADD E-3 Sewer Report

REVISED G-1 Respectfully requesting Staff to provide an update to a Committee of the Whole regarding City Council’s request that the Board of County Commissioners of Pinellas County investigate the viability and desirability of enacting a county-wide inclusionary zoning ordinance. In addition to this update, I request a report from Staff on options to increase affordable housing in St. Petersburg and how to define what constitutes affordable housing. (Chair Wheeler-Bowman)
ADD G-3 Requesting a discussion on expanding the Youth Services Committee to include family services and renaming the committee the Youth and Family Services Committee. (Councilmember Foster)

ADD G-4 Requesting a referral to the PS&I Committee for the Police Department and City Attorney’s Office to present proposed amendments to the City’s chronic nuisance ordinance to address unlawful consumption on the premises where alcoholic beverages are sold. (Chair Wheeler-Bowman)

ADD G-5 Respectfully requesting administration to review Portland’s Clean River Rewards Program that rewards ratepayers who manage stormwater on their property as a possible template discount program as we embark on the FY19 Stormwater Utility Rate Study and the Tiered Stormwater Utility Rate Development. (Councilmember Foster)

ADD G-6 Respectfully requesting a referral to the Housing, Land Use and Transportation Committee to have the Tarpon Springs Housing Authority provide a report on the history, implementation and effectiveness of their Home Share Program. (Councilmember Foster)

ADD G-7 Respectfully requesting administration provide a report to the Housing, Land Use and Transportation Committee (or other relevant committee) regarding amending the LDRs to relax parking minimum requirements to encourage additional development of affordable housing. (Councilmember Foster)

ADD G-8 Resolution supporting continuing separate accreditation for the University of South Florida St. Petersburg and requesting that language bringing USF St. Petersburg back under the accreditation of University of South Florida Tampa be removed from HB 423. (Councilmember Montanari)

ADD H-1(a) Resolution approving the recommendation of the Budget, Finance, and Taxation Committee to request that Administration provide a draft scope of services for a management evaluation of the Sanitation Department to the Budget, Finance and Taxation Committee.

INFO H-3 Housing, Land Use & Transportation (1/25/18)

DELETE H-5 Committee of the Whole: FY19 Utility Rates (1/25/18)

DELETE I-1 Announcement of an Attorney-Client Session, pursuant to Florida Statute 286.011(8), to be held on Thursday, February 15, 2018 at 4:00 p.m. or soon thereafter in conjunction with the lawsuit styled Joanne Lindsay, Employee/Claimant v. City of St. Petersburg, Employer, and Commercial Risk Management, Inc., Servicing Agent, OJCC Case No.: 17-027752SLR, DA 2/21/2011.


In connection with approval of the Consent Agenda, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes
moved with the second of Councilmember Kornell that the following resolutions be adopted approving the attached Consent Agenda as amended.


In connection with reports, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Kornell that the following resolution be adopted:

2018-65 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. PETERSBURG, FLORIDA CONFIRMING THE APPOINTMENT BY THE MAYOR OF DR. KANIKA TOMALIN AS CITY ADMINISTRATOR; AND PROVIDING AN EFFECTIVE DATE.


In connection with the Open Forum portion of the agenda, there were no person(s) present wishing to speak.

In connection with new ordinances, the Clerk read the title of proposed Ordinance 319-H. Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting February 15, 2018 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 319-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA AMENDING CHAPTER 12 OF THE CITY CODE REGULATING FEES; AMENDING SECTION 16.30.010 OF THE CITY CODE REGULATING AIRPORT ZONING; AMENDING ARTICLE 16.70 REGULATING THE PROCESS FOR AN AIRPORT OBSTRUCTION PERMIT; AMENDING SECTION 16.80.020.1 ESTABLISHING THE DEVELOPMENT REVIEW COMMISSION AS THE AIRPORT ZONING COMMISSION; AND PROVIDING AN EFFECTIVE DATE.


In connection with new ordinances, the Clerk read the title of proposed Ordinance 320-H. Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was
no response. Councilmember Montanari 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 February 15, 2018 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 320-H

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(C)(3), ST. PETERSBURG CITY CHARTER, AUTHORIZING THE GRANT OF TWO (2) PUBLIC UTILITY EASEMENTS TO DUKE ENERGY FLORIDA, INC., A FLORIDA CORPORATION, D/B/A DUKE ENERGY, WITHIN FOSSIL PARK LOCATED AT 6635 DR. MARTIN L. KING, JR. STREET NORTH, ST. PETERSBURG; AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.


In connection with reports, Dr. Gary Cornwell, City Administrator answered inquiries from Council regarding the sale of an unimproved City-owned parcel. Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Montanari moved with the second of Councilmember Driscoll that the following resolution be adopted:

2018-66 A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO SELL THE SURPLUS, UNIMPROVED CITY-OWNED PARCEL LOCATED AT APPROXIMATELY 2136 – 9TH AVENUE SOUTH, ST. PETERSBURG, TO CHRISTOPHER KENRICK FOR $10,000; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.


In connection with the public hearings, the Clerk read the title of proposed Ordinance 318-H. Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Montanari 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 318-H entitled:
PROPOSED ORDINANCE NO. 318-H

AN ORDINANCE AMENDING SECTIONS FIVE, SEVEN AND THIRTEEN OF ORDINANCE NO. 702-G; PROVIDING FOR AMENDED REGULATIONS PROHIBITING CERTAIN ACTIVITIES INCLUDING THE OPERATION, MANIPULATION, PROJECTION OR GUIDANCE OF ANY OBJECT WITHIN DEFINED ZONES WHICH COULD RESULT IN THE RECKLESS ENDANGERMENT OF PERSONS OR PROPERTY DURING RACE DAYS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR A HEARING PROCESS TO RECOVER SEIZED PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.


The Chair and Assistant City Attorney Michael Dema reviewed the Quasi-Judicial process to be followed. A presentation was made by Elizabeth Abernethy, Zoning Official, Applicant Todd Pressman, and Timothy Weber, representing the opponent regarding an appeal of the Development Review Commission (DRC) denial of a site plan to construct a 23-story, 29-unit, multi-family development with floor area ratio bonuses and a variance to the Albert Whitted Overlay Height Standards located at 116 4th Avenue North and 356 1st Street North (City File 17-31000008).

Chair Wheeler-Bowman recessed the meeting at 9:55 a.m. for a short break.

Chair Wheeler-Bowman reconvened the meeting at 10:25 a.m., resumed the Quasi-Judicial proceeding and asked if there were any person(s) present wishing to be heard. The following person(s) came forward:

1. Craig Sher, 5858 Central Avenue, spoke in support of the appeal.
2. Bill Voeller, spoke in support of the appeal.
3. Michel Regignano (Developer), spoke in support of the appeal.
4. William Herrmann, 130 4th Avenue North, spoke in opposition to the appeal.
5. Jack Bell, 130 4th Avenue North, spoke in opposition to the appeal.
6. Elizabeth Bell, 130 4th Avenue North, #204, spoke in opposition to the appeal.
7. Charles Gast, 130 4th Avenue North, #305, spoke in opposition to the appeal.
8. Jane Brown, 130 4th Avenue North, spoke in opposition to the appeal.
9. Margaret Somerville, 130 4th Avenue North, spoke in opposition to the appeal.
10. Edward Horowitz, 130 4th Avenue North, spoke in opposition to the appeal.
11. Suzanne Marks, 130 4th Avenue North, spoke in opposition to the appeal.
12. Joe Lacki, 2600 9th Street North, spoke in support of the appeal.
13. Betsy Smith, 130 4th Avenue North, spoke in opposition to the appeal.
14. Matthieu Benoot, 968 27th Street North, spoke in support of the appeal.
15. Helen Woode, 130 4th Avenue North, #503, spoke in opposition to the appeal.
16. Betty Candelora, 130 4th Avenue North, spoke in opposition to the appeal.
17. Christine Edwards, 130 4th Avenue North, spoke in opposition to the appeal.
18. Richard Candelora, 130 4th Avenue North, spoke in opposition to the appeal.
20. Carole VanZuiden, 130 4th Avenue North, expressed her concerns regarding the appeal.
22. Steven Gianfilippo, 718 Snell Isle Boulevard Northeast, spoke in support of the appeal.
23. Bonnie Rubesha, spoke in support of the appeal.
24. Bruce Farrell, spoke in support of the appeal.
25. Huda M. Ben-Ghuzzi, 527 73rd Avenue North, spoke in support of the appeal.
26. Jeannie Reed, 130 4th Avenue North, spoke in support of the appeal.
27. Amy Blake, 219 4th Avenue North, spoke in opposition to the appeal.
28. Robert Furtek, expressed his concerns regarding the appeal.
29. Kelly Lee McFrederick, 340 1st Street North, #F, spoke in opposition to the appeal.
30. Margo Fish, 130 4th Avenue North, #415, spoke in opposition to the appeal.
31. Linn Sennott, 107 Fareham Place North, spoke in opposition to the appeal.
32. Ed Carlson, spoke in opposition to the appeal.
33. Chris Steinocher, 100 2nd Avenue North, spoke in support of the appeal.
34. Ron Bullock, 105 4th Avenue Northeast, spoke in opposition to the appeal.
35. David Vana, 130 4th Avenue North, spoke in opposition to the appeal.
36. Lance Olson, 2526 4th Avenue North, spoke in opposition to the appeal.
37. Robin Warren, 350 2nd Street North, #25, spoke in opposition to the appeal.
38. Trevor Wells, 340 1st Street North, #G, spoke in opposition to the appeal.
39. Theresa Lassiter, 2300 36th Street South, expressed her concerns regarding the appeal.
40. Brian Barron, 800 1st Street North, spoke in opposition to the appeal.
41. Rebecca Falkenberry, 301 2nd Street North, #18, spoke in opposition to the appeal.
42. Peter Belmont, 102 Fareham Drive North, spoke in opposition to the appeal.
43. Wayne Thomas, 130 4th Avenue North, #311, spoke in opposition to the appeal.
44. Matthew Weidner, 250 Mirror Lake Drive, expressed his concerns regarding the appeal.
45. Dan Harvey, 1425 Central Avenue, spoke in support of the appeal.
46. Tracy Korb, 130 4th Avenue North, spoke in opposition to the appeal.

The following person(s) were present but did not wish to speak:

1. Lisa Wells, 340 1st Street North, was in opposition to the appeal.
2. William Reid, 1421 18th Avenue North, was in opposition to the appeal.
3. Gordie Jamieson, 340 1st Street North, was in opposition to the appeal.
4. Charles Smith, 103 Fareham Place North, was in opposition to the appeal.
5. Mary Whitson, 103 Fareham Place North, was in opposition to the appeal.
6. Adele Visaggio, 1234 Beach Drive Northeast, was in support of the appeal.
7. Debbie Resser, 105 4th Avenue Northeast, #417, was in opposition to the appeal.
8. Kimberley Wolfe, 600 1st Street North, was in opposition to the appeal.
9. Matt Roser, 130 4th Avenue North, #510, was in opposition to the appeal.
10. Donna Pate, was in support of the appeal.
11. Brian Weeks, 158 17th Avenue Southeast, #C, was in opposition to the appeal.

Chair Wheeler-Bowman recessed the meeting at 11:58 a.m. for a short break.

Chair Wheeler-Bowman reconvened the meeting at 12:44 p.m. and resumed the Quasi-Judicial proceeding.

Chair Wheeler-Bowman recessed the meeting at 1:11 p.m. for a lunch break.

Chair Wheeler-Bowman reconvened the meeting at 1:47 p.m. and resumed the Quasi-Judicial proceeding.

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 waive the ten minute discussion limit and allow Council fifteen minutes for discussion.


Councilmember Gerdes moved with the second of Councilmember Gabbard that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council grant an appeal of the Development Review Commission’s (DRC) denial of a site plan to construct a 23-story, 29-unit, multi-family development with floor area ratio bonuses and a variance to the Albert Whitted Overlay Height Standards located at 116 4th Avenue North and 356 1st Street North. (City File 17-31000008 Appeal)


Chair Wheeler-Bowman recessed the meeting at 3:27 p.m. for a short break.

Chair Wheeler-Bowman reconvened the meeting at 3:37 p.m.

In connection with reports, Police Chief Anthony Holloway presented the St. Petersburg Police Quarterly Report. No action was taken.
In connection with reports, Claude Tankersley, Public Works Administrator presented the Sewer Report. Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Gerdes that the following resolution be adopted:

**2018-67**

A RESOLUTION APPROVING AMENDMENT NO. 2 TO THE ARCHITECT/ENGINEERING AGREEMENT DATED NOVEMBER 17, 2016 BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND ASRUS, LLC (“A/E”), AS AMENDED, FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE SWWRF RECLAIMED WATER AND INJECTION WELL UPGRADE PROJECT IN AN ADDITIONAL AMOUNT NOT TO EXCEED $1,678,496, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED OF $3,356,496 (ENGINEERING PROJECT NO. 16110-111; ORACLE NO. 15838); AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT NO. 2 AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.


Councilmember Gerdes moved with the second of Councilmember Kornell that the following resolution be adopted:

**2018-68**

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A COOPERATIVE FUNDING AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) FOR SWFWMD TO PROVIDE FUNDING IN AN AMOUNT NOT TO EXCEED $900,000 FOR THE STORMWATER MANAGEMENT MASTER PLAN UPDATE (ENGINEERING PROJECT NO. 17037-110, ORACLE NO. 15775) AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $900,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE STORMWATER DRAINAGE CAPITAL PROJECTS FUND (4013), RESULTING FROM THESE ADDITIONAL REVENUES, TO THE MASTER PLAN UPDATE SW FY17 PROJECT (15775); AND PROVIDING AN EFFECTIVE DATE.


Councilmember Gerdes moved with the second of Councilmember Driscoll that the following resolution be adopted:
A RESOLUTION APPROVING THE FIRST AMENDMENT TO THE ARCHITECT/ENGINEERING AGREEMENT DATED SEPTEMBER 1, 2017 BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND CH2M HILL ENGINEERS, INC. ("A/E"), FOR A/E TO PROVIDE PROFESSIONAL ENGINEERING SERVICES RELATED TO PHASE II OF THE STORM WATER MANAGEMENT MASTER PLAN UPDATE PROJECT IN AN AMOUNT NOT TO EXCEED $2,726,686.67; PROVIDING THAT THE TOTAL CONTRACT AMOUNT SHALL NOT EXCEED $2,992,265.86 (ENGINEERING PROJECT NUMBER 17037-110; ORACLE PROJECT NUMBER 15775); AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE FIRST AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.


Councilmember Gerdes moved with the second of Councilmember Kornell that the following resolution be adopted:

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE TASK ORDER NO. 16-04-AUS/W ("TASK ORDER") TO THE ARCHITECT/ENGINEERING AGREEMENT BETWEEN THE CITY OF ST PETERSBURG, FLORIDA ("CITY") AND ARCADIS U.S. INC. ("A/E"), DATED DECEMBER 13, 2016, FOR A/E TO PROVIDE PROJECT MANAGEMENT, DATA COLLECTION, DESIGN, AND PERMITTING SERVICES FOR WASHINGTON TERRACE PUMPING STATION AND CHEMICAL INJECTION & FEED SYSTEM PROJECT IN AN AMOUNT NOT TO EXCEED $123,971.00 (ENGINEERING PROJECT NO. 18065-111; ORACLE NO. 15785); AND PROVIDING AN EFFECTIVE DATE.


In connection with a new business item presented by Chair Lisa Wheeler-Bowman, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Rice 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 respectfully request staff to provide an update to the Committee of the Whole or Housing, Land Use & Transportation Committee regarding City Council’s request that the Board of County Commissioners of Pinellas County investigate the viability and desirability of enacting a county-wide inclusionary zoning ordinance.

In connection with a new business item presented by Councilmember Brandi Gabbard, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gabbard 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 having representatives from FDEP and Jacobs Engineering, Inc., provide a report regarding the current use, regulatory restrictions, permitting requirements and proposed future use of injection wells in St. Petersburg.


In connection with a new business item presented by Councilmember Amy Foster, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Komell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council approve expanding the Youth Services Committee to include family services and rename the committee the Youth and Family Services Committee.


In connection with a new business item presented by Chair Lisa Wheeler-Bowman, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Rice that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council request a referral to the Public Services and Infrastructure Committee for the Police Department and City Attorney’s Office to present proposed amendments to the City’s chronic nuisance ordinance to address unlawful consumption on the premises where alcoholic beverages are sold.


In connection with a new business item presented by Councilmember Amy Foster, Chair Wheeler-Bowman 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 the Council respectfully request administration to review Portland’s Clean River Rewards Program that rewards ratepayers who manage stormwater on their property as a possible template discount program as we embark on the FY19 Stormwater Utility Rate Study and the Tiered Stormwater Utility Rate Development.


In connection with a new business item presented by Councilmember Amy Foster, Chair Wheeler-Bowman 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 the Council refer to the Housing, Land Use and Transportation Committee for consideration to consider having the Tarpon Springs Housing Authority provide a report on the history, implementation and effectiveness of their Home Share Program.


In connection with a new business item presented by Councilmember Amy Foster, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Foster moved with the second of Councilmember Rice that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council respectfully request administration provide a report to the Housing, Land Use and Transportation Committee (or other relevant committee) regarding amending the LDRs to relax parking minimum requirements to encourage additional development of affordable housing.


In connection with a new business item presented by Councilmember Ed Montanari, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Chris Steinocher, 100 2nd Avenue North, #150, spoke in support of the new business item.

Councilmember Montanari moved with the second of Councilmember Kornell that the following resolution be adopted:
2018-71 A RESOLUTION SUPPORTING CONTINUING SEPARATE ACCREDITATION FOR THE UNIVERSITY OF SOUTH FLORIDA ST. PETERSBURG ("USF ST. PETERSBURG"); REQUESTING THAT LANGUAGE BRINGING USF ST. PETERSBURG BACK UNDER THE ACCREDITATION OF UNIVERSITY OF SOUTH FLORIDA TAMPA ("USF TAMPA") BE REMOVED FROM HB 423; INSTRUCTING THE CITY CLERK TO TRANSMIT THIS RESOLUTION TO CERTAIN PERSONS AND ENTITIES; AND PROVIDING AN EFFECTIVE DATE.


In connection with the Budget, Finance & Taxation Committee report, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Kornell that the following resolution be adopted:

2018-72 A RESOLUTION APPROVING THE RECOMMENDATION OF THE BUDGET, FINANCE, AND TAXATION COMMITTEE TO REQUEST THAT ADMINISTRATION PROVIDE A DRAFT SCOPE OF SERVICES FOR A MANAGEMENT EVALUATION OF THE SANITATION DEPARTMENT TO THE BUDGET, FINANCE AND TAXATION COMMITTEE AND PROVIDING AN EFFECTIVE DATE.


Councilmember Gerdes moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Budget, Finance & Taxation Committee report of January 25, 2018 presented by Councilmember Gerdes.


In connection with the Public Services & Infrastructure Committee report, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council receive and file the Public Services & Infrastructure Committee report of January 25, 2018 presented by Vice-Chair Kornell.

In connection with the Housing, Land Use & Transportation Committee report, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Rice 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 Housing, Land Use & Transportation Committee report of January 25, 2018 presented by Councilmember Rice.


In connection with the Health, Energy, Resiliency & Sustainability Committee report, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Rice moved with the second of Councilmember Driscoll 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 Health, Energy, Resiliency & Sustainability Committee report of January 25, 2018 presented by Councilmember Rice.

CONSENT AGENDA
COUNCIL MEETING CITY OF ST. PETERSBURG

Consent Agenda A
February 1, 2018

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.


2018-46  2. Approving a three-year renewal of Microsoft licenses from SHI International Corp. for the Department of Technology Services and the Police Department, for a total cost of $2,154,509.91.

2018-47  3. Approving the renewal of a blanket purchase agreement with Ferris Pools Inc. for pool maintenance services for the Parks and Recreation Department, at an estimated two-year cost of $200,000, for a total contract amount of $538,200.

4. Approving Amendment No. 2 to the Architect/Engineering Agreement dated November 17, 2016 between the City of St. Petersburg, Florida and ASRus, LLC (“A/E”), as amended, for injection well services during construction, late track design services, and services during construction for the late track improvements to the SWWRF Reclaimed Water and Injection Well Improvements project in an additional amount not to exceed $1,678,496, for a total contract amount not to exceed $3,356,496 (Engineering Project No. 16110-111; Oracle No. 15838); authorizing the Mayor or his designee to execute Amendment No. 2 and all documents necessary to effectuate this transaction. [MOVED TO SEWER REPORT AS E-3(a)]

5. Authorizing the Mayor or his designee to execute a Cooperative Funding Agreement between the City of St. Petersburg, Florida and the Southwest Florida Water Management District (SWFWMD) FOR SWFWMD to provide funding in an amount not to exceed $900,000 for the Stormwater Management Master Plan Update (Engineering Project No. 17037-110, Oracle No. 15775) and all other documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $900,000 from the increase in the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013), resulting from these additional revenues, to the Master Plan Update SW FY17 Project (15775). [MOVED TO SEWER REPORT AS E-3(b)]
6. Approving the First Amendment to the architect/engineering agreement dated September 1, 2017 between the City of St. Petersburg, Florida and CH2M Hill Engineers, Inc. ("A/E"), for A/E to provide professional engineering services related to Phase II of the Stormwater Management Master Plan Update Project in an amount not to exceed $2,726,686.67; providing that the total contract amount shall not exceed $2,992,265.86 (Engineering Project Number 17037-110; Oracle Project Number 15775); authorizing the Mayor or his designee to execute the First Amendment. [MOVED TO SEWER REPORT AS E-3(c)]
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 the renewal of a blanket purchase agreement with Forest Recovery Services, LLC for debt collection services, at an estimated annual cost of $87,000 for a total contract amount of $444,000.

2. Awarding an agreement to Stantec Consulting Services, Inc. for the Tiered Stormwater Utility Rate Development and Implementation, at an estimated contract cost of $422,416; approving a supplemental appropriation in the amount of $362,416 from the unappropriated balance of the Stormwater Utility Operating Fund (4011) to the Stormwater, Pavement and Traffic Operations Department (400), Tiered Utility Rate Study Project (16244); and providing an effective date.

3. Approving a three-year blanket purchase agreement with Safety Products, Inc., for barricades, cones, and related products, at an estimated annual cost of $40,000, for a total contract amount of $120,000.

4. Resolution approving the plat of Booker Creek Subdivision, generally located at 630 and 638 11th Avenue South. (City File 17-20000013)

5. Authorizing the Mayor, or his designee, to execute a License Agreement with CSX Transportation, Inc., to allow the City of St. Petersburg to use a portion of the railroad Right-of-Way at 38th Avenue North for access to the City-owned 38th Avenue North Stormwater Pump Station for maintenance purposes, on a year-to-year basis with an initial annual rental rate of $450.00.

6. Authorizing the Mayor, or his designee, to execute a Subordination Agreement with the Florida Department of Transportation ("FDOT") to subordinate the City of St. Petersburg’s interest in a portion of a public utility easement at 94th Avenue North and the frontage road along Gandy Boulevard North in St. Petersburg, Florida, associated with FDOT’s Parcel No. 102.02.

7. Authorizing the Mayor, or his designee, to execute a Deed to convey the City of St. Petersburg’s interest in a portion of 16th Street North, between 94th Avenue North and
the Gandy Boulevard North frontage road, in St. Petersburg, Florida to the Florida Department of Transportation ("FDOT"), referred to as FDOT’s Parcel No. 103.01.

8. Authorizing the Mayor, or his designee, to sell the surplus, unimproved City-owned parcel located at approximately 2136–9th Avenue South, St. Petersburg, to Christopher Kenrick for $10,000. [MOVED TO REPORTS AS E-4]

9. Authorizing the Mayor or his designee to execute an Interlocal Agreement between the City of St. Petersburg, Florida and the City of Gulfport, Florida for construction of Gulfport’s Osgood Point Bicycle/Pedestrian Trail Connection to St. Petersburg’s Skyway Clam Bayou Trail; Approving a rescission in the amount of $8,935 from the unencumbered balance of the Transportation Impact Fee Fund (3071), CityTrails – Bicycle Paths (Oracle No. 12592) and a rescission in the amount of $83,215 from the unencumbered balance of the Transportation Impact Fee Fund (3071), CityTrails – Bicycle Trails (Oracle No. 12904); Approving a supplemental appropriation in the amount of $92,150 from the increase in the unappropriated balance of the Transportation Impact Fee Fund (3071) resulting from the above rescissions to the Gulfport Osgood Point Bicycle/Pedestrian Trail Project (Oracle No. TBD); and providing an effective date.

10. Authorizing the Mayor or his designee to accept a State of Florida Department of Environmental Protection Subgrant ("Grant") as part of the Florida Coastal Management Program for Little Bayou Park Coastal Improvements at a maximum reimbursement amount not to exceed $20,000 and to execute a Grant Agreement along with all other necessary documents; approving a supplemental appropriation in the amount of $20,000 from the increase in the unappropriated balance of the General Fund (0001) resulting from these revenues to the Parks & Recreation South District (1902369), Little Bayou Park Coastal Improvements Project (TBD).

11. Authorizing the Mayor or his designee to execute Task Order No. 17-01-MN/MMP to the architect/engineering agreement between the City of St. Petersburg, Florida and Moffatt and Nichol, Inc. ("A/E") dated June 15, 2017 for A/E to provide professional engineering services related to conducting an annual year 2018 structural inspection and evaluation of select Municipal Marina Central and South Basin docks and seawalls/quaywalls in an amount not to exceed $55,579 (Engineering Project No. 18061-119; Oracle No. 15618).

12. Authorizing the Mayor or his designee to execute Task Order No. 16 04 AUS/W ("Task Order") to the architect/engineering agreement between the City of St. Petersburg, Florida ("City") and Aredis U.S. Inc. ("A/E") dated December 13, 2016 for A/E to provide project management, data collection, design, and permitting services for Washington Terrace Pumping Station and Chemical Injection & Feed System Project in an amount not to exceed $123,971.00 (Engineering Project No. 18065-111; Oracle No. 15785). [MOVED TO REPORTS AS E-3(d)]
13. Confirming the appointment of Susan C. Nichols as a regular member to the Social Services Allocations Committee to serve an unexpired three-year term ending September 30, 2018.


15. Confirming the reappointment of Jo Ann Malone as a regular member, Realtor Category to the Code Enforcement Board to serve a three-year term ending December 31, 2020. Confirming the reappointment of Jarrett P. Sanchez as an alternate member to the Code Enforcement Board to fill an unexpired three-year term ending December 31, 2020.

16. Confirmation of Reappointment to the Arts Advisory Committee.

17. Confirm the appointment and reappointment of regular members to the Nuisance Abatement Board.

18. Confirming the appointment by the Mayor of Dr. Kanika Tomalin as City Administrator. [MOVED TO REPORTS AS E-5 FOR GOOD NEWS]

19. Approving minutes of the December 7 and December 14, 2017 City Council meetings.

20. Resolution supporting HB 1261, SB 970 and any other proposed legislation providing for immunity from criminal prosecution anyone acting in good faith and seeking medical assistance for drug related overdoses; instructing the City Clerk to transmit this resolution to certain persons and entities.

There being no further business Chair Wheeler-Bowman adjourned the meeting at 5:33 p.m.

Lisa Wheeler-Bowman, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: Chan Srinivasa, City Clerk
Chair Lisa Wheeler-Bowman called the meeting to order with the following members present: Gina Driscoll, Amy Foster, Brandi Gabbard, Charles Gerdes, Steve Kornell, Ed Montanari, Darden Rice and Lisa Wheeler-Bowman. Mayor Rick Kriseman, City Administrator Dr. Gary Cornwell, City Attorney Jacqueline Kovilaritch, City Clerk Chan Srinivasa and Assistant to the City Clerk Cortney Phillips were also in attendance. Absent. None.

In connection with the agenda, Mayor Rick Kriseman and Deputy Mayor Dr. Kanika Tomlin recognized City Administrator Dr. Gary Cornwell regarding his retirement and 38 years of service to the City of St. Petersburg.

In connection with the approval of the agenda, Councilmember Kornell moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida that Council approve the agenda.


In connection with the Awards and Presentations portion of the agenda, Community Engagement Director Leah McRae introduced Pinellas County Schools Area 4 Superintendent Pat Wright. Ms. Wright gave a presentation to Council regarding new school principals in Pinellas County. No action was taken.

In connection with the Awards and Presentations portion of the agenda, Mayor Rick Kriseman presented a Proclamation proclaiming the month of February 2018 as American Heart Month.

In connection with the Awards and Presentations portion of the agenda, Mayor Rick Kriseman presented a Proclamation proclaiming Wednesday, January 31, 2018 as St. Petersburg Collegiate High School National Blue Ribbon Day.
In connection with the Land Use & Transportation Committee report, Scott Pringle, Jacobs Engineering Planning and PD&E Group Director gave a presentation to Council regarding the Transit Feasibility Plan. Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Matt Lettailleir, 430 3rd Avenue South, spoke in support of the transit feasibility plan.

Councilmember Rice moved with the second of Councilmember Gabbard that the following resolution be adopted:

2018-73

A RESOLUTION OF THE ST. PETERSBURG CITY COUNCIL SUPPORTING THE PRELIMINARY FINDINGS AND RECOMMENDATIONS RELATED TO THE IMPLEMENTATION OF THE CATALYST PROJECT IN THE TOP-PERFORMING CORRIDOR IN THE TAMPA BAY REGIONAL TRANSIT FEASIBILITY PLAN; SUPPORTING ADMINISTRATION WORKING WITH THE TAMPA BAY AREA REGIONAL TRANSIT AUTHORITY, FORWARD PINELLAS, AND PARTNER AGENCIES TO INCORPORATE THE REPORT’S FINDINGS IN ALL APPLICABLE TRANSIT PLANS, THE LONG RANGE TRANSPORTATION PLAN, AND THE FLORIDA DEPARTMENT OF TRANSPORTATION’S TAMPA BAY NEXT PROGRAM IN ORDER TO IMPLEMENT THE RECOMMENDATIONS IF THEY HAVE COMMUNITY SUPPORT AND A LOCAL FUNDING PLAN; AND PROVIDING AN EFFECTIVE DATE.


Councilmember Rice 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 Land Use & Transportation Committee report presented by Councilmember Rice.


In connection with the Homeless Leadership Board report, Chair Wheeler-Bowman 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 the Council receive and file the Homeless Leadership Board report presented by Councilmember Foster.

In connection with the Public Arts Commission report, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Driscoll 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 Public Arts Commission report presented by Councilmember Driscoll.


In connection with the Tampa Bay Regional Planning Council report, no action was taken.

In connection with Appointments, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Rice moved with the second of Councilmember Driscoll that the following resolution be adopted:

2018-74 A RESOLUTION CONFIRMING THE APPOINTMENT OF FOUR MEMBERS TO THE CITIZEN ADVISORY COMMITTEE FOR THE SOUTH ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA; AND PROVIDING AN EFFECTIVE DATE.


There being no further business Chair Wheeler-Bowman adjourned the meeting at 5:04 p.m.

Lisa Wheeler-Bowman, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: ______________________________________
Chan Srinivasa, City Clerk
REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL
Thursday, February 15, 2018 AT 3:00 P.M.

Chair Lisa Wheeler-Bowman called the meeting to order with the following members present: Gina Driscoll, Amy Foster, Brandi Gabbard, Charles Gerdes, Steve Kornell, Ed Montanari and Lisa Wheeler-Bowman. Deputy Mayor/City Administrator Dr. Kanika Tomlin, Assistant City Administrator Tom Greene, 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. Darden Rice.

A moment of silence was observed for the victims and families of the Parkland, Florida mass shooting.

In connection with the approval of the agenda, Councilmember Kornell moved with the second of Councilmember Gabbard 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-12  Authorizing the Mayor or his designee to execute an Interlocal Agreement with Pinellas County to conduct a Flow Monitoring Project; approving a supplemental appropriation in the amount of $243,902 from the increase in the unappropriated balance of the Water Resources Capital Projects Fund (4003), resulting from these additional revenues, to the SAN Flow Monitor Devices FY18 Project (16367)

ADD CB-13  A resolution to express support for the Public Arts Commission to form a Public Art Project Committee for commissioning a statute of Elder Jordan.

ADD CB-14  Approving an amendment to the City Council Policy and Procedures Manual related to the Youth Services Committee.

DEFER E-1  Firestone Grand Prix of St. Petersburg Race Days Resolution [DEFERED TO MARCH 1, 2018 CITY COUNCIL MEETING]

ADD E-5  ‘Republic of Estonia Centennial’ Proclamation

ADD F-4  Referring to the Housing, Land Use, and Transportation Committee a discussion to consider a variety of approaches to increase the supply of
affordable, workforce housing stock in the City of St. Petersburg. (Councilmember Rice)

ADD F-5 Requesting City Council approval of a resolution opposing HB553. (Chair Wheeler-Bowman)

ADD F-6 Referring to the Budget, Finance and Taxation Committee to consider a policy change in where we allocate revenue generated from foreclosure auctions and/or disposal of City owned properties to generate funds for a trust fund or revolving loan program for development of affordable housing. (Councilmember Foster)

ADD F-7 Requesting City Council approval of a resolution supporting HB 191 and SB 874 and any other proposed legislation to safeguard the Affordable Housing Trust Fund to be used on affordable housing. (Councilmember Gabbard)

INFO G-1 Budget, Finance & Taxation Committee (2/8/18)

ADD G-2(a) An ordinance amending the City of St. Petersburg City Code, Chapter 9, Code Enforcement, Article IV, Chronic Nuisance Property, Section 9-62, definitions and exemptions, amending the definition of Nuisance Activity to incorporate specified provisions of Chapter 3, Section 3-7, Alcoholic Beverages; providing for severability.

INFO G-3 Health, Energy, Resiliency & Sustainability Committee (2/8/18)


INFO H-2 Settlement re: Estate of Larry Allen Barron


In connection with approval of the Consent Agenda, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Driscoll 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. Scott Leonard, 610 83rd Avenue North, spoke regarding the Living Wage Ordinance.

2. Norman Jones, 701 22nd Avenue South, spoke regarding the African-American Quad-Centennial Community Cultural Jubilee.
In connection with reports, Councilmember Steve Kornell presented a Proclamation proclaiming February 24, 2018 as Republic of Estonia Centennial Day.

In connection with new ordinances, the Clerk read the title of proposed Ordinance 1108-V. Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting March 1, 2018 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 1108-V
AN ORDINANCE APPROVING A VACATION OF THE STREET CORNER RIGHTS-OF-WAY ON EACH CORNER OF THE BLOCK BOUND BY CENTRAL AVENUE, 1ST AVENUE NORTH, 17TH STREET NORTH, AND 18TH STREET NORTH IN THE FULLER SUBDIVISION G.T.E. REPLAT BLOCK 1, LOT 1; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING AN EFFECTIVE DATE.


Chair Wheeler-Bowman recessed the City of St. Petersburg City Council meeting at 3:17 p.m. and convened as the Community Redevelopment Agency.

The City Council was reconvened at 3:40 p.m.

In connection with reports, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Montanari that the following resolution be adopted:

2018-92 A RESOLUTION FINDING THAT 1) THE DISPOSITION OF CITY-OWNED IMPROVED PROPERTIES LOCATED AT A) 2527 - 31ST STREET SOUTH, ST. PETERSBURG, TO DESOLYN N. BROWN AT THE PURCHASE PRICE OF $62,000; TO PAY ESTIMATED CLOSING COSTS NOT TO EXCEED $3,800; AND TO MAKE REPAIRS AT A COST NOT TO EXCEED $27,910; AND B) 1018 MELROSE AVENUE SOUTH, ST. PETERSBURG, TO SMART REENTRY "INCORPORATED" AT THE PURCHASE PRICE OF $29,000, AT LESS THAN FAIR VALUE ("DISPOSITIONS") WILL INCREASE THE SUPPLY OF AFFORDABLE HOUSING WHICH WILL FURTHER THE IMPLEMENTATION OF THE SOUTH ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA OBJECTIVES; AND 2) A PUBLIC HEARING IN ACCORDANCE WITH FLORIDA STATUTE 163.380 HAS BEEN DULY NOTICED AND HELD; APPROVING DISPOSITION OF THE PROPERTIES AS AFOREMENTIONED; AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY TO
EFFECTUATE BOTH TRANSACTIONS FOR REHABILITATION OF THESE DISPOSITIONS AS AFFORDABLE HOUSING; AND PROVIDING AN EFFECTIVE DATE.


In connection with reports, Sophia Sorolis, Economic Development Manager gave a presentation to Council regarding a resolution recommending Project B7111450363 ("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. Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Gerdes moved with the second of Councilmember Montanari that the following resolution be adopted:

2018-93 A RESOLUTION RECOMMENDING THAT PROJECT B7111450363 ("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 150% OF THE AVERAGE STATE OF FLORIDA WAGE; FINDING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR THE PROJECT EXIST; COMMITTING $6,000 AS THE CITY’S SHARE OF THE LOCAL FINANCIAL SUPPORT FOR THE PROJECT BEGINNING IN STATE FY 2020, 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, Alan DeLisle, City Development Administrator gave a PowerPoint presentation to Council regarding the 2017 Business Development Results. Chair Wheeler-Bowman 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 new business development in areas of St. Petersburg.

No action was taken.
In connection with the Public Services & Infrastructure Committee report, the Clerk read the title of proposed Ordinance 321-H. Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Komell moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that setting March 1, 2018 as the public hearing date for the following proposed Ordinance(s):

PROPOSED ORDINANCE NO. 321-H

AN ORDINANCE AMENDING THE CITY OF ST. PETERSBURG CITY CODE, CHAPTER 9, CODE ENFORCEMENT, ARTICLE IV, CHRONIC NUISANCE PROPERTY, SECTION 9-62, DEFINITIONS AND EXEMPTIONS, AMENDING THE DEFINITION OF NUISANCE ACTIVITY TO INCORPORATE SPECIFIED PROVISIONS OF CHAPTER 3, SECTION 3-7, ALCOHOLIC BEVERAGES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.


Councilmember Komell 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 proceed with the P2 Private Lateral Plan and respectfully request staff to bring back details.


Councilmember Komell 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 receive and file the Public Services & Infrastructure Committee report of February 1, 2018 presented by Vice-Chair Kornell.


In connection with a new business item presented by Councilmember Amy Foster, Chair Wheeler-Bowman 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 the Council refer to a Committee of the Whole (or other relevant committee) for consideration to consider receiving a report from administration on opportunities/plans available at City owned Grow Smarter sites.


In connection with a new business item presented by Councilmember Amy Foster, Chair Wheeler-Bowman 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 the Council refer to the Housing, Land Use & Transportation Committee for consideration to consider a discussion on necessary amendments to City Codes to accomplish an increase in financial support to the City’s Housing Capital Improvement Project (HCIP) Trust Fund.


In connection with a new business item presented by Councilmember Amy Foster, Chair Wheeler-Bowman 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 the Council refer to the Housing, Land Use & Transportation Committee for consideration to consider a referral for staff to assist in evaluating possible amendments to the Multi-modal Impact Fees and Water Closet Fees to encourage development of affordable units.


In connection with a new business item presented by Chair Lisa-Wheeler Bowman on behalf of Councilmember Darden Rice, Chair Wheeler-Bowman 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 the Council refer to a Committee of the Whole for consideration to
consider a discussion regarding a variety of approaches to increase the supply of affordable, workforce housing stock in the City of St. Petersburg.


In connection with a new business item presented by Chair Lisa-Wheeler Bowman, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Gabbard that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Council request Legal to bring back a resolution opposing HB 553.


In connection with a new business item presented by Councilmember Amy Foster, Chair Wheeler-Bowman 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 the Council refer to the Budget, Finance & Taxation Committee for consideration to consider a policy change in where we allocate revenue generated from foreclosure auctions and/or disposal of City owned properties to generate funds for a trust fund or revolving loan program for development of affordable housing.


In connection with a new business item presented by Councilmember Brandi Gabbard, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gabbard moved with the second of Councilmember Driscoll that the following resolution be adopted:

2018-94 A RESOLUTION SUPPORTING HB 191, SB 874 AND ANY OTHER PROPOSED LEGISLATION TO SAFEGUARD THE AFFORDABLE HOUSING TRUST FUND TO BE USED ONLY FOR AFFORDABLE HOUSING; INSTRUCTING THE CITY CLERK TO TRANSMIT THIS RESOLUTION TO CERTAIN PERSONS AND ENTITIES; AND PROVIDING AN EFFECTIVE DATE.

In connection with the Budget, Finance & Taxation Committee report, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Gerdes moved with the second of Councilmember Gabbard 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 Budget, Finance & Taxation Committee report of February 8, 2018 presented by Councilmember Gerdes.


In connection with the Health, Energy, Resiliency & Sustainability Committee report, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Driscoll 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 Health, Energy, Resiliency & Sustainability Committee report of February 8, 2018 presented by Councilmember Driscoll.


In connection with a Legal item, Assistant City Attorney Danielle Martin presented an update to Council in regard to the lawsuit styled Joanne Lindsay, Employee/Claimant v. City of St. Petersburg, Employer, and Commercial Risk Management, Inc., Servicing Agent, OJCC Case No.: 17-027752SLR, DA 2/21/2011. Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Gerdes moved with the second of Councilmember Driscoll that the following resolution be adopted:

2018-95 A RESOLUTION APPROVING SETTLEMENT OF THE LAWSUIT OF JOANNE LINDSAY, EMPLOYEE/CLAIMANT v. CITY OF ST. PETERSBURG, EMPLOYER, AND COMMERCIAL RISK MANAGEMENT, INC., SERVICING AGENT, OJCC CASE NO.: 17-027752SLR, DA 2/21/2011; AND PROVIDING AN EFFECTIVE DATE.

In connection with a Legal item, Assistant City Attorney Joseph Patner presented an update to Council in regard to the Settlement re: Estate of Larry Allen Barron. Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response.

Councilmember Foster moved with the second of Councilmember Gerdes that the following resolution be adopted:

2018-96 A RESOLUTION APPROVING SETTLEMENT OFFER OF $275,000.00 TO THE ESTATE OF LARRY BARRON, D/A: JULY 28, 2017; AND PROVIDING AN EFFECTIVE DATE.


Chair Wheeler-Bowman recessed the meeting at 5:22 p.m. for a dinner break.

Chair Wheeler-Bowman reconvened the meeting at 6:00 p.m.

In connection with public hearings, Chair Wheeler-Bowman 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:

2018-97 A RESOLUTION ASSESSING THE COSTS OF SECURING LISTED ON SECURING BUILDING NO. 1232 ("SEC 1232") 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.

2018-98 A RESOLUTION ASSESSING THE COSTS OF DEMOLITION LISTED ON BUILDING DEMOLITION NO. 458 ("DMO NO. 458") 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, Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, the following person(s) came forward:

1. Frank Miller, 2026 37th Street South, spoke in opposition to the preliminary assessment for Lot Clearing Number(s): LCA 1586.

Councilmember Kornell moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council relieve the Special Assessment Lien for 2026 37th Street South in the amount of $184.38.


Councilmember Montanari moved with the second of Councilmember Kornell that the following resolution be adopted:

2018-99 A RESOLUTION CONFIRMING AND APPROVING PRELIMINARY ASSESSMENT ROLLS FOR LOT CLEARING NO. 1586 (“LCA 1586”) 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.


In connection with public hearings, the Clerk read the title of proposed Ordinance 320-H. Chair Wheeler-Bowman asked if there were any person(s) present wishing to be heard, there was no response. Councilmember Kornell moved with the second of Councilmember Montanari that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 320-H entitled:

PROPOSED ORDINANCE NO. 320-H

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(C)(3), ST. PETERSBURG CITY CHARTER, AUTHORIZING THE GRANT OF TWO (2) PUBLIC UTILITY EASEMENTS TO DUKE ENERGY FLORIDA, INC., A FLORIDA CORPORATION, D/B/A DUKE ENERGY, WITHIN FOSSIL PARK
LOCATED AT 6635 DR. MARTIN L. KING, JR. STREET NORTH, ST. PETERSBURG; AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.


In connection with public hearings, the Clerk read the title of proposed Ordinance 319-H. Derek Kilborn, Urban Planning & Historic Preservation Manager gave a PowerPoint presentation to Council regarding the proposed Ordinance. Chair Wheeler-Bowman 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 319-H entitled:

PROPOSED ORDINANCE NO. 319-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA AMENDING CHAPTER 12 OF THE CITY CODE REGULATING FEES; AMENDING SECTION 16.30.010 OF THE CITY CODE REGULATING AIRPORT ZONING; AMENDING ARTICLE 16.70 REGULATING THE PROCESS FOR AN AIRPORT OBSTRUCTION PERMIT; AMENDING SECTION 16.80.020.1 ESTABLISHING THE DEVELOPMENT REVIEW COMMISSION AS THE AIRPORT ZONING COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

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.

2018-75 1. Approving an increase in allocation for temporary staffing services with Personnel Solutions Plus, LLC, in the amount of $1,500,000, for a total contract amount of $3,600,000.

2018-76 2. Approving the purchase of refuse trucks from Kenworth of Central Florida, Inc., and Rush Truck Centers of Florida, LLC for the Sanitation Department, at a total cost of $1,653,554.

2018-77 3. Accepting a proposal from Evans Consoles Incorporated, for emergency communications console furniture for the new Police Department Emergency Operations Center, at a total cost of $963,174.44.
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 the purchase of one (1) wheeled loader from Ring Power Corporation for the Sanitation Department, at a total cost of $288,402.

2. Approving the renewal of a blanket purchase agreement with Lighthouse Advisors, Inc., a sole source supplier, for design and cost evaluation services for the Pier District, at an estimated annual cost of $60,000, for a total contract amount of $252,000.

3. Resolution approving the plat of Allendale Heights, generally located at 814 32nd Avenue North. (City File 17-20000004)

4. Resolution approving the plat of District on 9th, generally located northwest of the intersection of Arlington Avenue North and Dr. Martin Luther King Jr. Street North. (City File 17-20000006)

5. A resolution approving the First Amendment to the Agreement between the City of St. Petersburg, Florida, and the Department of Environmental Protection, an agency of the State of Florida, dated July 28, 2017 for replacement stationary pumpout station and pumpout vessel for the Municipal Marina; authorizing the Mayor or his Designee to execute the First Amendment and all other necessary documents; and providing an effective date.

6. Authorizing the Mayor, or his designee, to consent to the assignment of the Lease Agreement with St. Pete Aviation Services, LLC., a Florida limited liability company, d/b/a St. Pete Air, to Tampa Bay Air Charter, LLC., a Florida limited liability company, for the use of ±3,500 square feet of space in Maintenance Hangar 3-B, at Albert Whitted Airport. Requires affirmative vote of at least six (6) members of City Council.

7. Authorizing the Mayor or his designee to accept an award in the amount of $10,000 from Healthiest Cities & Counties Challenge paid by the American Public Health Association to support the City’s Food is Medicine Program and to execute all documents necessary to effectuate this transaction; Approving a supplemental appropriation in the amount of $10,000 from the increase in the unappropriated balance
of the General Fund (0001), resulting from these additional revenues, to the Parks & Recreation Department (190-1573).

8. Authorizing the Mayor or his designee to execute Task Order No. 16-01-HS/W to the architect/engineering agreement between the City of St. Petersburg, Florida and Hazen and Sawyer ("A/E") dated December 5, 2016 for A/E to provide project management, design, and bidding services for the Cosme WTP Sludge Lagoon Project in an amount not to exceed $57,340 (Engineering Project No.18070-111; Oracle No. 16430).

9. Authorizing the Mayor or his designee to execute a Cooperative Funding Agreement between the City of St. Petersburg, Florida and the Southwest Florida Water Management District for the Water Star Pilot Program, for a total project cost of $49,700.

10. Authorizing the Mayor or his designee to execute a Cooperative Funding Agreement between the City of St. Petersburg, Florida and the Southwest Florida Water Management District for the Sensible Sprinkling Program Phase 8 for a total cost of $100,000.

11. Confirm the appointment of a regular member to the Nuisance Abatement Board.

12. Authorizing the Mayor or his designee to execute an Interlocal Agreement with Pinellas County to conduct a Flow Monitoring Project; approving a supplemental appropriation in the amount of $243,902 from the increase in the unappropriated balance of the Water Resources Capital Projects Fund (4003), resulting from these additional revenues, to the SAN Flow Monitor Devices FY18 Project (16367)

13. A resolution to express support for the Public Arts Commission to form a Public Art Project Committee for commissioning a statute of Elder Jordan.

14. Approving an amendment to the City Council Policy and Procedures Manual related to the Youth Services Committee.

There being no further business Chair Wheeler-Bowman adjourned the meeting at 6:37 p.m.

Lisa Wheeler-Bowman, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: ________________________________________________
Chan Srinivasa, City Clerk
TO: The Honorable Lisa Wheeler-Bowman, Chair, and Members of City Council

SUBJECT: A resolution approving a supplemental appropriation from the unappropriated balance of the Local Law Enforcement State Trust Fund (1601) to the Police Department, Local Law Enforcement State Trust (140-2857) in the amount of $147,000, and from the unappropriated balance of the Federal Justice Forfeiture Fund (1602) to the Police Department, Federal Justice Forfeiture (140-2858) in the amount of $100,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution; and providing an effective date.

EXPLANATION: The Administration requests supplemental appropriations from the unappropriated balance of the Local Law Enforcement State Trust Fund (1601) to the Police Department, Local Law Enforcement State Trust (140-2857) in the amount of $147,000, and from the unappropriated balance of the Federal Justice Forfeiture Fund (1602) to the Police Department, Federal Justice Forfeiture (140-2858) in the amount of $100,000.

The funds appropriated from the Local Law Enforcement State Trust Fund (1601) in the amount of $147,000 will be used for: the purchase of 378 ballistic helmets to provide to patrol officers and special units in the amount of $127,000; the purchase of five (5) rapid identification devices which will enable real-time identification during investigations in the amount of $10,000; the purchase of two (2) ductless fume hoods to be used at work stations when handling various substances in an effort to protect the officer from hazardous vapors in the amount of $5,000; and to provide additional funding in the amount of $5,000 to supplement the purchase of a Special Weapons and Tactics Drone with FLIR and LED Screen previously approved for purchase (May 18, 2017 Consent Agenda B).

The funds appropriated from the Federal Justice Forfeiture Fund (1602) in the amount of $100,000 will be used for the purchase of three (3) license plate readers (two trailer units and one mobile unit) which will be used to identify stolen vehicles and other relative vehicle related information in the amount of $95,000; and Funds appropriated in the amount of $5,000 will be used to fund Department representation during Police Week at the National Law Enforcement Officers Memorial in Washington, D.C. to memorialize fallen officers, including participation in the annual Law Enforcement United – Road to Hope.

RECOMMENDATION: The Administration recommends that City Council adopt the attached resolution approving a supplemental appropriation from the unappropriated balance of the Local Law Enforcement State Trust Fund (1601) to the Police Department, Local Law Enforcement State Trust (140-2857) in the amount of $147,000, and from the unappropriated balance of the Federal Justice Forfeiture Fund (1602) to the Police Department, Federal Justice Forfeiture (140-2858) in the amount of $100,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution; and providing an effective date.
COST/FUNDING INFORMATION: Funds for the purchase of 378 ballistic helmets in the amount of $127,000, five (5) rapid identification devices in the amount of $10,000, two (2) ductless fume hoods in the amount of $5,000, and additional funding in the amount of $5,000 to supplement the purchase of a Special Weapons and Tactics Drone with FLIR and LED will be available after the approval of a supplemental appropriation in the amount of $147,000 from the unappropriated balance of the Local Law Enforcement State Trust Fund (1601) to the Police Department, Local Law Enforcement State Trust (140-2857). Funds for the purchase of three (3) license plate readers in the amount of $95,000 and funds for Department participation in the annual Law Enforcement United – Road to Hope in the amount of $5,000 will be available after the approval of a supplemental appropriation in the amount of $100,000 from the unappropriated balance of the Federal Justice Forfeiture Fund (1602) to the Police Department, Federal Justice Forfeiture (140-2858). The estimated fund balance of the Local Law Enforcement State Trust Fund (1601) after this appropriation is $550,000. The estimated fund balance of the Federal Justice Forfeiture Fund (1602) after this appropriations is $65,000 and the estimated combined fund balance of all Law Enforcement Trust Funds (1601, 1602 and 1603) is $695,000.

Attachment: Resolution
Approvals:
Administration: Budget:
A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION FROM THE UNAPPROPRIATED BALANCE OF THE LOCAL LAW ENFORCEMENT STATE TRUST FUND (1601) TO THE POLICE DEPARTMENT, LOCAL LAW ENFORCEMENT STATE TRUST (140-2857) IN THE AMOUNT OF $147,000 AND FROM THE UNAPPROPRIATED FEDERAL JUSTICE FORFEITURE FUND (1602) TO THE POLICE DEPARTMENT, FEDERAL JUSTICE FORFEITURE (140-2858) IN THE AMOUNT OF $100,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Administration has requested supplemental appropriations from the unappropriated balance of the Local Law Enforcement State Trust Fund (1601) to the Police Department, Local Law Enforcement Trust (140-2857) in the amount of $147,000 and the unappropriated balance of the Federal Justice Forfeiture Fund (1602) to the Police Department, Federal Justice Forfeiture (140-2858) in the amount of $100,000; and

WHEREAS, the funds appropriated from the Local Law Enforcement State Trust Fund (1601) will be used to purchase ballistic helmets for patrol officers and special units ($127,000), rapid identification devices which will enable real-time identification during investigations ($10,000), ductless fume hoods to be used at work stations when handling various substances ($5,000) and to provide additional funding to supplement the purchase of a Special Weapons and Tactics Drone with FLIR and LED Screen ($5,000); and

WHEREAS, the funds appropriated from the Federal Justice Forfeiture Fund (1602) will be used for the purchase of license plate readers (two trailer units and one mobile unit) which will be used to identify stolen vehicles and other relative vehicle related information ($95,000) and to fund Police Department representation during Police Week at the National Law Enforcement Officers Memorial in Washington, D.C to memorialize fallen officers, including participation in the annual Law Enforcement United – Road to Hope ($5000); and

WHEREAS, the requested appropriations are for authorized uses of the Local Law Enforcement State Trust Fund (1601) and the Federal Justice Forfeiture Fund (1602).

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that there is hereby approved from the unappropriated balance of the Local Law Enforcement State Trust Fund (1601) and the Federal Justice Forfeiture Fund (1602), the following supplemental appropriation for FY 2018:
Local Law Enforcement State Trust Fund (1601)
Police Department, Local Law Enforcement State Trust Fund (140-2857) $ 147,000

Federal Justice Forfeiture Fund (1602)
Police Department, Federal Justice Forfeiture (140-2858) $ 100,000

; and

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

This Resolution shall take effect immediately upon its adoption.

Approvals:
Legal:  
Administration:  
Budget:  

Legal:  
Administration:  

Legal: 00364897.doc v2