This summer, beginning in July, City Hall will be closed for renovations and public meetings will be held at the Sunshine Center, located at 330 5th St N. More information to come.

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 Council Meeting, 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. The following item will be heard at 1:00 P.M. or soon thereafter:

1. Public Hearing regarding removal of Delphinia Davis, Harry Harvey, and Ann Sherman-White from the Office of Commissioner of the Housing Authority of the City of St. Petersburg, Florida. (Quasi-Judicial procedures will be followed as applicable.)

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

F. Reports

1. A Resolution by the St. Petersburg City Council approving an amendment to the FY2018/19 Project Plan for the South St. Petersburg Community Redevelopment Area to reallocate $125,000 in funding from the Commercial Revitalization Program to the Commercial Matching Grant Program in the Business and Commercial Development Budget.

2. A Resolution by the City Council of the City of St. Petersburg approving the priority list for applications to the FY2018/2019 South St. Petersburg Community Redevelopment Area Commercial Matching Grant Program.

3. A Resolution by the City Council of the City of St. Petersburg approving grants in the amount of $450,000 for six applications to the FY2018/2019 South St. Petersburg Community Redevelopment Area Commercial Revitalization Program.

4. Acquisition of 635 – 64th Street South, St. Petersburg (Grace Connection Church).
5. **Pier Report**

(a) Accepting Addendum No. 5 in an amount not to exceed $552,775 submitted by Skanska USA Building, Inc. (“Skanska”) to the Guaranteed Maximum Price (“GMP”) proposal dated November 17, 2017, for Pier Pavilion, Bait House and Sundry Shop Tenant Improvements; providing that the total GMP for the Pier Project shall not exceed $41,211,812; authorizing the Mayor or his designee to execute the Seventh Amendment to the Construction Manager at Risk Agreement with a GMP between the City of St. Petersburg, Florida, and Skanska dated July 13, 2015, as amended, to incorporate Addendum No. 5 to the GMP proposal into such agreement, as amended; authorizing the City Attorney’s office to make non-substantive changes to the Seventh Amendment; approving a transfer in the amount of $552,775 from the unappropriated balance of the Downtown Redevelopment District Fund (1105) to the General Capital Improvement Fund (3001); authorizing a supplemental appropriation in the amount of $552,775 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from the above transfer, for the construction of the Pier Pavilion, Bait House and Sundry Shop Tenant Improvements to the Pier Visioning Project (11988); and providing an effective date.

6. **Sewer Report**

(a) Approving an increase in allocation for process control equipment, parts and software with Rexel USA Inc., a sole source supplier for the Water Resources Department, at a total contract amount of $380,402.

(b) Authorizing the Mayor or his designee to execute Amendment No. 2 to Task Order No. 16-06-KHA/T (“Task Order”), as revised and amended, to the architect/engineering agreement dated June 1, 2016, between the City of St. Petersburg, Florida and Kimley-Horn and Associates, Inc. (“A/E”) for A/E to provide additional professional engineering services for the final design and construction plans related to the Southwest Water Reclamation Facility (SWWRF) Access Improvements Project in an amount not to exceed $104,694.14, providing that the total Task Order, as revised and amended, shall not exceed $245,229.58 (ECID Project No. 17064-111; Oracle No. 15967); and providing an effective date.

(c) Authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 16-02-GFY/W (“Task Order”) to the architect/engineering agreement dated December 13, 2016 between the City of St. Petersburg, Florida and George F. Young, Inc. (“A/E”) for A/E to provide professional engineering services including final design, bidding services, and construction phase services related to the Lift Station No. 42 (Jim Walter) Improvements Project in an amount not to exceed $96,277.14; providing that the total Task Order, as amended, shall not exceed $185,148.09 (Engineering Project No.18097-111; Oracle No. 16355); and providing an effective date.

(d) General Update

7. **Approving the amended and restated recyclables processing agreement between the City of St. Petersburg, Florida, and Waste Connections of FL, Inc. (formerly, Progressive Waste Solutions of FL, Inc.) for the processing of recyclable materials; authorizing the City Attorney’s Office to make non-substantive changes to the amended and restated recyclables processing agreement; authorizing the Mayor or his designee to execute the amended and restated recyclables processing agreement.**
G. New Business

1. Requesting that the St. Petersburg City Council pass a resolution in favor of Universal Healthcare as outlined in bill H.R. 1384 as submitted to the United States House of Representatives. The program proposed in this bill is also known as Medicare for All. (Councilmember Kornell) [DELETED]

2. Requesting the creation of a Complete Count Committee to ensure accurate data collection and representation of all St. Petersburg residents in the 2020 census. (Councilmember Foster)

3. Requesting an amendment to City Code Section 21-86 to rename the walking path at Booker Creek Park to the memory of Phil Whysong, a former North Kenwood Neighborhood Association President who played an important role in the creation of the park. (Councilmember Foster)

4. Request a discussion to consider adopting time limitations on presentations at all City Council meetings. (Councilmember Wheeler-Bowman)

5. Requesting a special meeting of City Council and the CPPC to discuss potential changes to our preservation ordinance with a particular focus on third party designation and the potentially eligible list. (Councilmember Foster)

6. Referring to HLUT, or other relevant committee, for a discussion regarding the current process and potential changes to third party applications for Local Historic Landmark Designation. (Councilmember Gabbard)

H. Council Committee Reports

1. Committee of the Whole: FY20 Operating Budget (5/7/19)

2. Budget, Finance & Taxation Committee (5/9/19)

   (a) Approving a transfer in the amount of $186,422 from the unappropriated balance of the Weeki Wachee Capital Improvements Fund (3041) to the Weeki Wachee Operating Fund (1041).

   (b) Resolution of the City Council of the City of St. Petersburg, Florida establishing its intent to reimburse certain capital expenditures incurred in connection with acquisition, construction and equipping of the City’s various public utilities capital improvement projects with proceeds of a future tax-exempt financing; providing certain other matters in connection therewith.

3. Public Services & Infrastructure Committee (5/9/19)

4. Health, Energy, Resiliency & Sustainability Committee (5/9/19)

I. Legal

J. 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 Preliminary Assessment for Lot Clearing Number(s) LCA 1601.
2. Confirming Preliminary Assessment for Building Securing Number SEC 1245.
3. Confirming Preliminary Assessment for Building Demolition Number DMO 472.
4. Affordable Housing Lot Disposition Program
   (a) Approving and adopting changes to the policies and procedures that provide for disposition of foreclosed real property and to execute all documents necessary to effectuate same.
   (b) Authorizing the Mayor, or his designee, to dispose of foreclosure properties listed below through the process set forth in the foreclosure properties disposition policy and to execute all documents necessary to effectuate same.
5. Resolution approving the re-naming a portion of 37th Street South, from 38th Avenue South to 54th Avenue South, to Skyway Marina Boulevard. (City File SNC-2019-01)

Second Reading and Second Public Hearings

6. Ordinance 369-H amending Chapters 3, 11, 12 and 16, City Code of Ordinances, providing amendments to the code to clarify its application to noise related issues, modify progressive penalties for noncompliance, add certain suspensions for violations, add appeal of certain suspensions for violations, add a fee for appeal of certain suspensions of violations, strengthen noise related standards for non-residential outdoor uses and sidewalk cafes, and providing for the implementation of noise mitigation and monitoring plans. City File: LDR-2019-02

Quasi-Judicial Proceedings

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

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

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

7. Rehearing on Ordinance 114-HL approving the designation of the Driftwood Local Historic District, generally encompassing the area between 24th avenue south, Driftwood Road South (that portion formerly known as Ward Avenue South), and Tampa Bay as a Local Historic District and adding the property to the St. Petersburg register of Historic Places pursuant to section 16.30.070, city code, and providing for an effective date. (City File 17-90300006)
K. **Open Forum**

L. **Adjournment**
1. City Council convenes as Community Redevelopment Agency.

2. **A Resolution by the St. Petersburg Community Redevelopment Agency recommending that the St. Petersburg City Council approve an amendment to the FY2018/19 Project Plan for the South St. Petersburg Community Redevelopment Area to reallocate $125,000 in funding from the Commercial Revitalization Program to the Commercial Matching Grant Program in the Business and Commercial Development Budget.**

3. **A Resolution of the St. Petersburg Community Redevelopment Agency recommending that the St. Petersburg City Council approve the priority list for applications to the FY2018/2019 South St. Petersburg Community Redevelopment Area Commercial Matching Grant Program.**

4. **A Resolution of the St. Petersburg Community Redevelopment Agency recommending that the St. Petersburg City Council approve grants in the amount of $450,000 for six applications to the South St. Petersburg Community Redevelopment Area Commercial Revitalization Program.**

5. **Affordable Housing Lot Disposition Program**

   (a) Approving and adopting changes to the policies and procedures that provide for disposition of foreclosed real property and to execute all documents necessary to effectuate same.

   (b) Resolution of the Community Redevelopment Agency of the City of St. Petersburg, Florida finding 1) that the disposition of the foreclosure properties listed below through the Disposition Policy is consistent with the South St. Petersburg Community Redevelopment Plan and Florida Statutes; 2) that the disposition of foreclosure properties at the amounts and terms set forth in the Foreclosure Properties Disposition Policy is at a value that is in the public interest; and 3) recommending approval of the disposition of the foreclosure properties listed below to the City Council of the City of St. Petersburg, Florida; authorizing the Mayor or his designee to execute all documents necessary to effectuate the dispositions.

6. Adjournment of Community Redevelopment Agency and Convening of City Council.
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 a three-year blanket purchase agreement with Palmdale Oil Company, Inc., for marine grade gasoline, diesel fuel and motor oil for the St. Petersburg Marina, for total contract amount of $1,950,000.

2. Approving a three-year blanket purchase agreements with Bayside Building Services, Inc., and Grosz Construction Company, Inc., for building maintenance and repairs in an amount not to exceed $1,485,000.

3. Approving an increase in allocation for plumbing repair services with Apollo Construction & Engineering Services, Inc., and Ross Plumbing & Heating, Inc., in the amount of $70,000, for a total agreed amount of $515,000.

4. Accepting a proposal of a blanket purchase agreement with Pinellas County School Board, Food & Nutrition Department, for the summer food service program, for a total contract amount of $503,614.

(City Development)

(Leisure Services)

(Public Works)

(Appointments)

(Miscellaneous)
CONSENT AGENDA
COUNCIL MEETING
CITY OF ST. PETERSBURG

Consent Agenda B
May 16, 2019

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

(Procurement)

1. Approving the renewal of a blanket purchase agreement with Municipal Emergency Services, Inc., for bunker gear for the Fire and Rescue Department, for a total contract amount of $365,000. This blanket purchase agreement was created from a cooperative agreement with Lake County, Florida, Contract No. 17-0606G.

2. Approving a three-year blanket purchase agreement with ORBIS Corporation, for the purchase of at-home composting bins, for a total contract amount of $244,650 and approving a supplemental appropriation in the amount of $48,714 from the increase in the unappropriated balance of the Sanitation Operating Fund (4021), resulting from a rebate from the Natural Gas Rebate Program, to the Sanitation Department, Residential Curbside Recycling Division (450-2275).

3. Approving a three-year blanket purchase agreement with GSA Security Inc for security camera installation, maintenance and repair for the Department of Technology Services, at a total contract amount of $167,000.

4. Approving a job order to Gibraltar Construction Company, Inc., in the amount of $83,379.46, for construction services to furnish and install a prefabricated concrete modular restroom building at Boyd Hill Nature Park. (Engineering/CID Project No. 17221-017; Oracle Project Nos. 15657 and 16733).

5. Approving a three-year blanket purchase agreement with Recycling Services of Florida, Inc., for the recycling and sale of cardboard, mixed paper and sorted glass for the Sanitation Department, at an estimated annual sales revenue of $51,368.


(City Development)

7. Authorizing the Mayor, or his designee, to execute a License Agreement with Burg Baseball Inc., a Florida non-profit corporation, for the use of a concession stand/restroom building located within a portion of City-owned Lake Vista Park for a period of thirty-six (36) months at an aggregate fee of $36.00; and waiving the reserve for replacement
requirement for City Council Resolution No. 79-740A. (Requires affirmative vote of at least six (6) members of City Council.)

8. Authorizing the Mayor, or his designee, to execute a License Agreement with Palmetto Park Crime Watch and Neighborhood Association, Inc., a Florida not-for-profit corporation, for the use of a surplus, unimproved City-owned parcel located at 2519 – 3rd Avenue South, St. Petersburg, as a community garden for a period of thirty-six (36) months for an aggregate fee of $36.00.

(Leisure Services)

(Public Works)

9. Authorizing the Mayor or his designee to accept a Flood Mitigation Assistance Grant from the Federal Emergency Management Agency (“FEMA”), through the pass-through entity, the Florida Division of Emergency Management, at a maximum reimbursement amount of $75,000, and to execute all documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $75,000 from the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013) resulting from these additional revenues to the Infrastructure/Neighborhood RP Project (16187); and providing an effective date.

(Appointments)

(Miscellaneous)

10. Approving a supplemental appropriation in the amount of $60,000 from the unappropriated balance of the Stormwater Utility Operating Fund (4011) to the Stormwater, Pavement and Traffic Operations Department, Streetscape Maintenance Division (400-2343); and providing an effective date.

11. Authorizing the Mayor or his designee to accept a grant from the State of Florida Department of Agriculture and Consumer Services ("Department") in the amount not to exceed $496,486 for the City's summer food program and to execute a grant agreement and all other documents necessary to effectuate this transaction with the Department; approving a supplemental appropriation in the amount of $496,486 from the increase in the unappropriated balance of the General Fund (0001), resulting from these additional revenues, to the Parks & Recreation Department.
Note: An abbreviated listing of upcoming MEETING AGENDA Council meetings.

**Committee of the Whole: FY20 Operating Budget**  
*Tuesday, May 7, 2019, 9:00 a.m., Room 100*

**Budget, Finance & Taxation Committee**  
*Thursday, May 9, 2019, 8:00 a.m., Room 100*

**Public Services & Infrastructure Committee**  
*Thursday, May 9, 2019, 9:25 a.m., Room 100*

**Health, Energy, Resiliency & Sustainability Committee**  
*Thursday, May 9, 2019, 10:50 a.m., Room 100*

**CRA/Agenda Review**  
*Thursday, May 9, 2019, 1:30 p.m., Room 100*

**City Council Meeting**  
*Thursday, May 9, 2019, 3:00 p.m., Council Chamber*

**Youth & Family Services Committee**  
*Thursday, May 16, 2019, 10:00 a.m., Room 100*

**Co-Sponsored Events Committee**  
*Thursday, May 16, 2019, 11:00 a.m., Room 100*

**Consolidated Plan Review Committee**  
*Thursday, May 16, 2019, 8:30 a.m., Room 100*
Civil Service Board
2 Alternate Members
((Terms expires 8/31/19 and 11/30/19))

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 Opponent, and no one has previously registered with the Clerk, said individual shall notify the City Clerk prior to the conclusion of the Public Hearing. If no one gives such notice, there shall be no cross examination or rebuttal by Opponent(s). If more than one person wishes to utilize the time provided for Opponent(s), the City Council shall by motion determine who shall represent Opponent(s).
   a. Cross examination by Opponents.
   b. Cross examination by City Administration.
   c. Cross examination by Appellant followed by Applicant, followed by Property Owner, if different.

6. Rebuttal/Closing. Each party shall have five (5) minutes to provide a closing argument or rebuttal.
   a. Rebuttal by Opponents.
   b. Rebuttal by City Administration.
   c. Rebuttal by Appellant followed by the Applicant, followed by Property Owner, if different.
The following page(s) contain the backup material for Agenda Item: Public Hearing regarding removal of Delphinia Davis, Harry Harvey, and Ann Sherman-White from the Office of Commissioner of the Housing Authority of the City of St. Petersburg, Florida. (Quasi-Judicial procedures will be followed as applicable.)
Please scroll down to view the backup material.
April 29, 2019

Delphinia Davis
via email and c/o St. Petersburg Housing Authority
2001 Gandy Blvd North
St. Petersburg, Florida 33702

RE: Removal from the Office of Commissioner of the Housing Authority of St. Petersburg, Florida

Dear Dr. Davis:

Pursuant to the authority granted to me as Mayor of the City of St. Petersburg, Florida, by Florida Statutes section 421.07, please accept this letter as your formal notice that I am removing you from the office of Commissioner of the Housing Authority of St. Petersburg, Florida, for the reasons set forth in the enclosed charges, subject to the concurrence of the St. Petersburg City Council.

These charges will be presented to City Council during a hearing that is scheduled to occur in the St. Petersburg City Hall Council Chambers located at 175 Fifth Street North on May 16, 2019. The meeting is scheduled to begin at 1:00 pm, and the hearing concerning the charges against you is scheduled to begin shortly thereafter.

The Florida Statutes do not specify any procedural requirements for this hearing other than (i) that you be given an opportunity to be heard in person or by counsel and (ii) that a record of the proceedings be kept and filed with the City Clerk. But in the interest of affording you the highest level of due process, the City has elected to treat this hearing in the same manner as a quasi-judicial proceeding and will follow its usual procedures for quasi-judicial hearings to the extent applicable.

Additionally, you may file a written response to these charges with the St. Petersburg City Clerk before noon on May 10, 2019. Any materials received by this deadline will be distributed to City Council in advance of the May 16, 2019 meeting.
After you review the detailed charges against you (which are well-supported by documentation that is also enclosed for your reference), I hope you will reconsider the option of submitting in writing your resignation to the City Clerk before the hearing on May 16, 2019 as opposed to contesting the charges that have been asserted.

Thank you for your attention to this matter.

Sincerely,

Rick Kriseman
Mayor

Enclosures:
1. Charges
2. Binder of Related Documents

CC: Dr. Kanika Tomalin, Deputy Mayor
    Robert Gerdes, Neighborhood Affairs Administrator
    Jacqueline Kovilaritch, City Attorney
April 29, 2019

Harry Harvey
via email and c/o St. Petersburg Housing Authority
2001 Gandy Blvd North
St. Petersburg, Florida 33702

RE:  Removal from the Office of Commissioner of the Housing Authority of St. Petersburg, Florida

Dear Mr. Harvey:

Pursuant to the authority granted to me as Mayor of the City of St. Petersburg, Florida, by Florida Statutes section 421.07, please accept this letter as your formal notice that I am removing you from the office of Commissioner of the Housing Authority of St. Petersburg, Florida, for the reasons set forth in the enclosed charges, subject to the concurrence of the St. Petersburg City Council.

These charges will be presented to City Council during a hearing that is scheduled to occur in the St. Petersburg City Hall Council Chambers located at 175 Fifth Street North on May 16, 2019. The meeting is scheduled to begin at 1:00 pm, and the hearing concerning the charges against you is scheduled to begin shortly thereafter.

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Sincerely,

Rick Kriseman
Mayor

Enclosures:
1. Charges
2. Binder of Related Documents

CC: Dr. Kanika Tomalin, Deputy Mayor
    Robert Gerdes, Neighborhood Affairs Administrator
    Jacqueline Kovilaritch, City Attorney
April 29, 2019

Ann Sherman-White
via email and c/o St. Petersburg Housing Authority
2001 Gandy Blvd North
St. Petersburg, Florida 33702

RE: Removal from the Office of Commissioner of the Housing Authority of St. Petersburg, Florida

Dear Ms. Sherman-White:

Pursuant to the authority granted to me as Mayor of the City of St. Petersburg, Florida, by Florida Statutes section 421.07, please accept this letter as your formal notice that I am removing you from the office of Commissioner of the Housing Authority of St. Petersburg, Florida, for the reasons set forth in the enclosed charges, subject to the concurrence of the St. Petersburg City Council.

These charges will be presented to City Council during a hearing that is scheduled to occur in the St. Petersburg City Hall Council Chambers located at 175 Fifth Street North on May 16, 2019. The meeting is scheduled to begin at 1:00 pm, and the hearing concerning the charges against you is scheduled to begin shortly thereafter.

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Thank you for your attention to this matter.

Sincerely,

Rick Kriseman
Mayor

Enclosures:
1. Charges
2. Binder of Related Documents

CC: Dr. Kanika Tomalin, Deputy Mayor
    Robert Gerdes, Neighborhood Affairs Administrator
    Jacqueline Kovilaritch, City Attorney
CITY OF ST. PETERSBURG FLORIDA

Concerning the removal of
(1) Delphinia N. Davis, 
(2) Harry L. Harvey, and
(3) Ann Sherman-White

as commissioners of the Housing Authority of the City of St. Petersburg, Florida, for various instances of inefficiency, neglect of duty, or misconduct (Fla. Stat. § 421.07)

Violations:

Count One: Failure to File Annual Report

Count Two: Lack of Regular and Timely Attendance at Board Meetings

Count Three: Misuse of Authority Property

Count Four: Failure to Provide Material Facts and Information

Count Five: Failure to Exercise Due Care

Count Six: Failure to Abide by Sunshine Law and Quorum Requirements

CHARGES

Housing Authority and its Commissioners, Generally

1. Florida Statutes chapter 421, part I (the “Housing Authorities Law”) establishes for each city in Florida a separate public body corporate and politic for the purpose of addressing the shortage of affordable housing in that city.

2. Each such entity is known as the “Housing Authority” of the city for which it is established and is authorized to transact business and exercise its powers after the governing body of that city adopts a resolution declaring the need for the housing authority to function.

3. In addition to granting each city’s governing body with authority to determine when the housing authority for that city may begin operations, the Housing Authorities Law also authorizes the mayor of each city, with approval or concurrence from that city’s governing body, to appoint, reappoint, and, in certain circumstances, remove the commissioners in whom the housing authority’s powers are vested.

4. On November 9, 1937, the City Council of the City of St. Petersburg, Florida (the “City Council”), adopted resolution 155/33 for the purpose of authorizing the Housing Authority of the City of St. Petersburg, Florida (the “Authority”) to transact business and exercise its powers within the City of St. Petersburg, Florida (the “City”).
5. The Authority is currently governed by seven commissioners (each a “Commissioner”) appointed by the City’s mayor (the “Mayor”) and approved by the City Council in accordance with Florida Statutes section 421.05(1). Collectively, these seven commissioners comprise the Authority’s board (the “Board”).

6. The duties of the Commissioners flow from a variety of sources, including:

(a) the Florida Statutes, including the Housing Authorities Law, section 286.011 (the “Sunshine Law”), and various provisions regarding public records;

(b) regulatory requirements imposed by the United States Department of Housing and Urban Development (“HUD”) as a condition of federal funding, including the Annual Contributions Contract between HUD and the Authority;

(c) the Authority’s bylaws (the “Bylaws”); and

(d) other Authority-promulgated policies and procedures, including the Personnel Policy dated October 2018 (the “Personnel Policy”).

7. Although the Housing Authorities Law and the Bylaws are silent on the matter of fiduciary duty, it is generally accepted that each Commissioner owes a fiduciary duty to the Authority in carrying out Authority business. Fiduciary duty is explicitly addressed in the Personnel Policy, which states on page 10 that “Commissioners . . . of the Authority shall, at all times in the performance of their duties, owe a fiduciary duty to the Authority.” It is also addressed in the Governance Presentation provided to Commissioners, which states on slide 7 that “Commissioners owe a fiduciary responsibility in the performance of his/her duties.” See supra ¶ 10.

8. Generally speaking, fiduciary duty is an equitable concept that arises when a relationship of trust and confidence exists such that one party in the relationship (generally referred to as a “fiduciary”) has heightened obligations toward the other. Fiduciary duty is comprised of two constituent duties—both of which must be exercised in good faith:

(a) the duty of loyalty, which includes an obligation on the part of the fiduciary to disclose material facts or information, and

(b) the duty of due care, which includes an obligation on the part of the fiduciary to inform himself or herself when making decisions.

9. Although not authoritative, the Handbook for Commissioners published by the National Association of Housing and Redevelopment Officials is a primary source of guidance given to Commissioners with respect to the practical aspects of their office. According to the Authority’s general counsel, the handbook is “an excellent overview of the role and duties of a Commissioner,”
and each Commissioner receives a copy as part of an orientation package upon joining the Board. See March 22 Letter § 2, at 2 (as defined in supra ¶ 15(c)). Commissioners currently receive the second edition of the handbook (the “Commissioner Handbook”).

10. Commissioners also receive occasional in-person training related to their respective responsibilities. For example, on July 31, 2018, at a meeting of the Board attended by Davis, Harvey, and Sherman-White, the Authority’s general counsel made a presentation on Board governance. The PowerPoint presentation that was apparently used in conjunction with this presentation addresses a variety of legal obligations, including the Sunshine Law (the “Governance Presentation”).

Removal of Commissioners

11. As noted in paragraph 3, the Housing Authorities Law explicitly authorizes removal of a housing authority commissioner in certain circumstances. And pursuant to that authorization, the Mayor has brought the charges set forth in this document for the purpose of removing the following individuals from the office of Commissioner pursuant to Florida Statutes section 421.07:

(a) Delphinia N. Davis (“Davis”), whose initial appointment as a Commissioner was approved on December 17, 2009, pursuant to City Council resolution 2009-656.

(b) Harry L. Harvey (“Harvey”) whose initial appointment as a Commissioner was approved on December 1, 1996, pursuant to City Council resolution 96-937.

(c) Ann Sherman-White (“Sherman-White”), whose initial appointment as a Commissioner was approved on June 1, 2017, pursuant to City Council resolution 2017-350.

12. Florida Statutes section 421.07 provides for removal of a Commissioner from office as follows:

For inefficiency or neglect of duty or misconduct in office, a commissioner of an authority may be removed by the mayor with the concurrence of the governing body, but a commissioner shall be removed only after he or she shall have been given a copy of the charges at least 10 days prior to the hearing thereon and had an opportunity to be heard in person or by counsel. In the event of the removal of any commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the clerk.
13. Because the Florida Legislature elected not to define “inefficiency,” “neglect of duty,” or “misconduct in office” in the Housing Authorities Law, it is appropriate to apply the common-law meaning for each term or, in the absence of a common-law meaning, the ordinary meaning.

(a) Black’s Law Dictionary does not define the terms “inefficiency” or “inefficient,” but the Merriam-Webster.com dictionary defines “inefficient” as follows: “not efficient: such as “[a] not producing the effect intended or desired; [b] wasteful of time or energy; or [c] incapable, incompetent.”

(b) Black’s Law Dictionary defines “neglect” as “1. [t]he omission of proper attention to a person or thing, whether inadvertent, negligent, or willful; the act or condition of disregarding. 2. [t]he failure to give proper attention, supervision, or necessities . . . to such an extent that harm results or is likely to result.”

(c) Black’s Law Dictionary defines “misconduct in office” as “[a] public officer’s corrupt violation of assigned duties by malfeasance, misfeasance, or nonfeasance.” Black’s Law Dictionary also defines the terms upon which that definition is based:

(i) “corrupt” means “[h]aving an unlawful or depraved motive; esp., influenced by bribery.”

(ii) “malfeasance” means “[a] wrongful or unlawful act; esp. wrongdoing or misconduct by a public official.”

(iii) “misfeasance” means “lawful act performed in a wrongfull manner.”

(iv) “nonfeasance” means “[t]he failure to act when a duty to act existed.”

14. Pursuant to Florida’s Sunshine Law, Commissioners may take action on behalf of the Authority only at a meeting that is open to the public, reasonably noticed, and documented through written minutes. But due to the following factors, it is difficult to determine exactly what happens at any given meeting of Commissioners without physically attending that meeting:

(a) The Authority does not broadcast meetings in real time via audio or video.

(b) The Authority makes an audio recording of most meetings, but that recording is not published and the speech on the recording is not always audible.

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1 See paragraphs 52–53 for a discussion of the Authority Personnel Committee’s unwritten policy of pausing recording during a CEO evaluation.
The Authority does not publish any reports or other materials provided to Commissioners in conjunction with meetings.

The Authority does publish minutes of each meeting, but they are limited to a cursory statement of the subject and the vote taken by the Commissioners, without providing any description of the deliberation upon which the vote was based.

In order to better understand the factual circumstances underlying the charges set forth in this document, numerous public records requests were made to the Authority by members of City staff. Additionally, a series of requests made by the City Attorney to the Authority’s general counsel yielded the following responses, which are referenced throughout this document as a primary source of information about Authority affairs:

(a) Memorandum to the Mayor, care of the City Attorney, dated February 25, 2019 (the “February 25 Memo”), along with certain responsive public records.

(b) Letter to the City Attorney dated March 6, 2019 (the “March 6 Letter”), along with certain responsive public records.

(c) Letter to the City Attorney dated March 22, 2019 (the “March 22 Letter”), along with certain responsive public records.

### Failure to File Annual Report

The first violation asserted by the Mayor concerns the failure of certain Commissioners to ensure that the Authority complies with Florida Statutes section 421.22, which reads as follows:

> At least once a year, an authority shall file with the clerk a report of its activities for the preceding year, and shall make recommendations with reference to such additional legislation or other action as it deems necessary in order to carry out the purposes of this chapter.

In the period leading up to the drafting of these charges, public records requests became the exclusive avenue available to the City to obtain records of Authority meetings because, on April 4, 2019, the Authority took down the website on which it had customarily published public notices, agendas, and meeting minutes. The stated purpose for this action was to give the Authority website a “facelift.” But it is not clear why the existing website needed to be taken down in order to make a new one. In any event, this action has deprived the City and members of the public from ready access to agendas and minutes for the period of time related to the charges set forth in this document.
17. Pursuant to Florida Statutes section 421.03(5), the term “clerk” refers specifically to the City Clerk of the City of St. Petersburg (the “City Clerk”) and is not a general reference to any municipal officer, employee, or representative.

18. The importance of coordinating the Authority’s activities with local government is emphasized on pages 80–81 of the Commissioner Handbook, which contains the following statements:

(a) “Politically savvy boards of commissioners have learned that it pays to inform federal, state, and local officials of authority actions. . . .”

(b) “Federal law—as well as common sense—encourages cooperation at the local level.”

(c) “Building strong relationships with other government officials is essential to the ongoing vitality of agency programs. Although the local housing agency board operates independently, it does not carry out its work in isolation—free of local zoning, code enforcement, planning and environmental regulations, or the need to tap municipal services. Strong relationships with other government offices can also be vital in obtaining funding for new or improved public housing . . . .”

19. But despite the unambiguous, 82-year-old statutory requirement for the Authority to file an annual report with the City Clerk and multiple statements in the Commissioner Handbook concerning the importance of communication with local government, a search of the City Clerk’s records confirmed that the Authority failed to submit the required annual report for years 1995 through 2018.

20. It follows that the Commissioners identified for removal failed for multiple years to take actions necessary to cause the Authority to comply with the statutory reporting requirement set forth in Florida Statutes section 421.22:

(a) The Authority failed to submit 2 annual reports (2017–2018) during the tenure of Sherman-White, who was first appointed in 2017.

(b) The Authority failed to submit 10 annual reports (2009–2018) during the tenure of Davis, who was first appointed in 2009.

(c) The Authority failed to submit 23 annual reports (1996–2018) during the tenure of Harvey, who was first appointed in 1996.

21. The Authority does prepare a “PHA Plan” that is sent to HUD pursuant to a process established by section 5A of the United States Housing Act of 1937 (42 U.S.C. § 1437 et seq.), and the Authority has submitted a copy of that PHA Plan to the City’s Housing Department for years 2015,
2016, 2017, and 2019 (but not 2018). But this PHA Plan fails to fulfill the reporting requirement in Florida Statutes section 421.22 for the following reasons:

(a) The scope of the PHA Plan is the *upcoming* year—not “the preceding year.”

(b) The PHA Plan is addressed to HUD and lacks “recommendations [to the City] with reference to such additional legislation or other action as [the Authority] deems necessary in order to carry out the purposes of [the Housing Authorities Law].”

(c) The PHA Plan has been submitted to the City’s Housing Department, rather than the City Clerk.

**Sherman-White’s Attendance Issues**

22. Because Florida’s Sunshine Law requires that all discussion, deliberation, and action of the Board take place at a publicly noticed meeting, a Commissioner who misses a Board meeting—in whole or in part—is unable to fully participate in the work of the Authority. Attendance at Board meetings is, therefore, a crucial component to fulfilling the duties of a Commissioner.

23. Sherman-White was appointed to serve as a Commissioner by the Mayor with the expectation that she would fully participate in activities of the Board through consistent and timely attendance at meetings. Unfortunately, she has failed to meet that expectation.

24. The importance of meeting attendance is reflected in Bylaws article III, section 5 which states that “Board members are generally expected to attend all meetings of the Board” (emphasis added). This section also identifies two patterns of “excessive absences” that would ordinarily warrant a Commissioner’s removal from office. In full, this section of the Bylaws reads as follows:

Board members are generally expected to attend all meetings of the Board and excessive absences will be cause for recommendation for removal of the Board member from the Board, as provided in Chapter 421, Laws of the State of Florida. “Excessive absences” which ordinarily will subject a Board member to recommendation for removal are herein defined as:

A. Absence from any three (3) consecutive regular meetings of the Board, or

B. Absences from more than forty percent (40%) of the regular meetings of the Board during the course of a year.
However, for good cause shown, such as major illness or other exigent circumstances this requirement may be waived or modified by majority vote of the Board.

25. A compilation of attendance records from meeting minutes published by the Authority for calendar year 2018 shows that Sherman-White did not come close to fulfilling the expectation of attending all Board meetings:

<table>
<thead>
<tr>
<th>Date</th>
<th>Meeting Type</th>
<th>Attendance</th>
</tr>
</thead>
<tbody>
<tr>
<td>01/25/18</td>
<td>Regular</td>
<td>Absent</td>
</tr>
<tr>
<td>02/22/18</td>
<td>Annual + Regular</td>
<td>Late</td>
</tr>
<tr>
<td>03/22/18</td>
<td>Regular</td>
<td>Absent (“Excused”)</td>
</tr>
<tr>
<td>04/26/18</td>
<td>Regular</td>
<td>Present</td>
</tr>
<tr>
<td>05/03/18</td>
<td>Special Call</td>
<td>Absent</td>
</tr>
<tr>
<td>05/24/18</td>
<td>Regular</td>
<td>Present</td>
</tr>
<tr>
<td>06/28/18</td>
<td>Regular</td>
<td>Present</td>
</tr>
<tr>
<td>07/31/18</td>
<td>Special Call</td>
<td>Present</td>
</tr>
<tr>
<td>08/23/18</td>
<td>Regular</td>
<td>Present</td>
</tr>
<tr>
<td>09/20/18</td>
<td>Regular</td>
<td>Absent</td>
</tr>
<tr>
<td>10/03/18</td>
<td>Special Call</td>
<td>Absent</td>
</tr>
<tr>
<td>10/24/18</td>
<td>Regular</td>
<td>Absent</td>
</tr>
<tr>
<td>11/15/18</td>
<td>Regular</td>
<td>Late</td>
</tr>
</tbody>
</table>

26. The March 22, 2018 meeting minutes indicate that Sherman-White was “excused” from that meeting, as indicated in the chart above. But the Bylaws’ “excessive absence” provision quoted above makes no allowance for “excused” absences and states that missing 40% of meetings in a single year justifies removal absent a majority vote to waive that provision.

27. Meeting minutes show that Sherman-White was absent from 40% of the regular Board meetings held in 2018 (i.e., 4 of 10 meetings). These minutes do not show that any majority vote of the Board was taken to waive the attendance requirement in Bylaws article III, section 5 with respect to Sherman-White.
28. Although Bylaws article III, section 5 explicitly describes two patterns of absence that would “ordinarily” justify removal of a Commissioner, a review of Sherman-White’s attendance at Board meetings in 2018 reveals a variety of additional patterns that are problematic:

(a) Looking at the regular meetings held during the year, Sherman-White was late or absent 60% of the time (i.e., 6 of 10 meetings).

(b) Adding in the three special call meetings held during the year, Sherman-White was late or absent 61% of the time (i.e., 8 of 13 meetings).

(c) Sherman-White was late or absent from the first three meetings of the year and the last four meetings of the year.

29. This pattern of absences and tardiness, when taken as a whole, regularly put the Board at risk of not satisfying the quorum requirements of Florida Statutes section 421.05(2) and fell so far short of what is generally expected of a Commissioner that it constitutes inefficient exercise of that office.

Position of Authority Secretary / Executive Director, Generally

30. The next set of violations charged by the Mayor flow from certain Commissioners’ failure to properly exercise their fiduciary duties related to oversight and management of the Authority’s chief executive officer.

31. Florida Statutes section 421.05(2) authorizes the Authority to “employ a secretary, who shall be the executive director” and requires the Board to “determine their qualifications, duties, and compensation.”

32. This statutory authorization for a dual position of secretary / executive director (the “CEO”) is reflected in Bylaws article II, section 4, which provides as follows:

    The selection, compensation, and discharge of the Secretary shall be determined by the Board, subject to any and all local laws and/or regulations, any and all laws and/or regulations of the State of Florida, and any and all laws and/or regulations of the United States of America, which are applicable thereto.

33. Florida Statutes section 421.05(2) provides the Commissioners with exclusive authority to make employment-related decisions regarding the qualifications, duties, and compensation of the CEO. Even so, a Commissioner’s failure to properly exercise that authority may justify removal from office for inefficiency, neglect of duty, or misconduct pursuant to Florida Statutes section 421.07.
34. Removal of a Commissioner for inefficiency, neglect of duty, or misconduct does not infringe upon the Commissioners’ statutory authority to make employment-related decisions or over-ride any particular business judgment made with respect to an employment-related decision by the Commissioners. Instead, such removal represents a legitimate exercise of the mechanism provided by the Housing Authorities Law for addressing failures in how that authority was exercised and how those business judgments were made.

**Violation of HUD Income Restrictions at the Saratoga Apartments**

**Related to Hiring of Tony Love as CEO**

35. The Authority’s current CEO is Tony Love (“Love”), who was hired in late 2015, pursuant to a December 28, 2015 Employment Agreement By and Between the Housing Authority of the City of St. Petersburg and Tony Love, Chief Executive Officer (the “2015 CEO Agreement”).

36. To assist Love with his relocation from Michigan to take the CEO position, section 5(g) of the 2015 CEO Agreement provided that “[r]easonable residential rental costs will be paid by the Authority for a period of up to 6 months from the beginning of the Agreement so long as said expenses are submitted to the Authority for preapproval and fall within the Authority’s procurement guidelines.”

37. But rather than following the process called for by the 2015 CEO Agreement of seeking preapproval of a rental unit from the Authority and then applying for reimbursement of rental costs for that unit, Love instead moved into a vacant unit at an Authority-owned apartment complex known as the Saratoga Apartments.

38. Unfortunately, as stated in a March 25, 2019 letter from HUD to the Board, “[u]nder no circumstances should Mr. Love have been permitted to reside at Saratoga Apartments.” This is because, in conjunction with the Authority’s purchase and renovation of the Saratoga Apartments, HUD had mandated that all 34 units at the complex be restricted for use as affordable housing for households earning no more than 80% of the area median income. At the time Love moved into the Saratoga Apartments, however, his annual salary of $140,000 was 422% of the eligible income threshold in effect at that time.

39. In spite of the HUD-mandated income restriction that made Love ineligible to reside at the Saratoga Apartments, the Board knowingly allowed Love to stay there rent-free for approximately nine months, as evidenced by the fact that, on August 25, 2016, with Love still living at the Saratoga Apartments almost two full months after the “reimbursement” benefit was supposed to have ended, the Board unanimously voted to retroactively amend the 2015 CEO Agreement to extend
his “reasonable residential costs” benefit from six months to nine months.\(^3\) The minutes for this meeting indicate that Davis and Harvey both voted to approve this extension.

40. Although the Saratoga Apartment in which Love resided was vacant at the time he moved in, there is no reason to believe it would have stayed that way. According to a March 1, 2019 story in the *Tampa Bay Times*, the Authority’s asset manager, Robin Adams, stated that vacant units at Saratoga Apartments are typically advertised on Craigslist and filled within a month. Thus, Love’s occupancy deprived a qualifying low-income household from the benefit of residing in an apartment set aside by the Authority for that purpose.

41. The March 25, 2019 letter from HUD to the Board made clear that Commissioners are ultimately responsible for preventing violations like this from occurring:

> Being selected to serve on the Authority’s Board of Commissioners is a high honor and privilege, but one that carries with it a serious responsibility to serve the interests of the Authority and its residents, as well as oversee the Authority’s operations. As fiduciaries of the Authority’s resources, each Board member has the basic responsibility of understanding the Authority’s mission and programs. . . . Henceforth, in light of this and various other recent issues, [this HUD office] will closely monitor the affairs of the Authority.

42. By allowing Love to stay in the Saratoga Apartments for a period of approximately nine months in violation of the HUD-mandated income requirement, Davis and Harvey failed to properly exercise their duty of oversight as follows:

(a) Davis and Harvey made inefficient use of Authority resources by preventing occupancy of the Saratoga Apartments unit by a qualifying low-income household.

(b) Davis and Harvey neglected their duty to keep the Authority in compliance with the HUD-mandated affordability requirement at the Saratoga Apartments.

(c) Davis and Harvey committed misconduct by violating the Authority’s Ethics Policy, which states in article II, section 5 that “[n]o Commissioner . . . shall . . . permit the unauthorized use of Authority-owned property.” Violation of this rule “shall be considered sufficient

\(^3\) It is worth noting that public records requests to the Authority for Love’s employment agreement produced only the original 2015 Employment Agreement and a 2017 amendment. But it now appears that there was at least one amendment to the 2015 CEO Agreement that was made orally, rather than documented in writing.
grounds for dismissal” according to Article II, section 2 of the policy. See Personnel Policy 10–11.

**CEO Evaluation Process**

43. As previously described in paragraphs 31–32, the Housing Authority Law and the Bylaws empower Commissioners to make employment-related decisions regarding the qualifications, duties, and compensation of the CEO. But as described in the following paragraphs, certain Commissioners failed to properly exercise their duties with respect to the evaluation of Love’s performance as CEO during a series of meetings occurring during a period of time running from June 2017 through November 2017.

44. Throughout the Commissioner Handbook, Commissioners are reminded of how important it is to provide adequate oversight and evaluation of a housing authority’s chief executive:

(a) “Commissioners should conduct regular performance evaluations of the executive director. . . . Performance evaluations should be based on a written description of accountability.” pp 31-32.

(b) All parties benefit . . . when procedures are in place for setting goals and assessing performance. Regular appraisals allow commissioners to judge how well their policies are being carried out and how effectively the authority is being administered.” p. 56.

(c) “The board should decide on procedures for measuring the executive director’s performance against goals, as well as on the frequency of performance reviews.” p. 57.

(d) “Commissioners owe it to those they serve to be fully informed of the authority’s performance and to act to correct management deficiencies that may be contributing to poor performance [of the agency].” p. 65.

45. Bylaws article IV, section 2(B)(ii), establishes the “Personnel Committee” as a standing committee responsible for conducting evaluations of the CEO and for making recommendations to the Board concerning salary and benefits of Authority employees, including the CEO.

46. Key provisions of the 2015 CEO Agreement concerning the duties, evaluation, and compensation of the CEO include the following:

(a) The powers and duties of the CEO “are outlined in the Bylaws of the Authority and as to be determined by any laws, applicable HUD regulations, other federal and state laws or regulations, the Job Description of the CEO . . . , and by the direction and decision of the Board . . . .” § 1.
For each year after the initial year of the 2015 CEO Agreement, the Authority must adjust the CEO’s compensation “on the basis of an annual Performance Appraisal of the CEO. The CEO and the Personnel Committee . . . shall meet on at least an annual basis to determine the desired goals and objectives to be included in and evaluated by the Performance Appraisal System, as determined by the Board.” § 3(a); see also § 3(c).

“The Performance Appraisal shall be based upon a goal-setting process, which shall include a set of goals and/or objectives to be satisfactorily accomplished by the CEO.” § 3(b).

Although the Commissioner Handbook emphasizes the importance of having “procedures . . . for setting goals and assessing performance” and the 2015 CEO Agreement calls for a “Performance Appraisal System” (emphasis added), the Authority lacks a formalized set of procedures for evaluating the CEO’s performance.

The only explicit CEO performance evaluations for 2016–2017 received in response to public records requests are a pair of documents entitled “2016 Performance Evaluation Information” and “2017 Performance Evaluation Information” (each a “CEO Task List”). Each CEO Task List consists of a list of tasks completed by the Authority during the period, with each task followed by a sentence confirming completion and a date of completion.

In response to a question from the City Attorney as to how the two CEO Task Lists were prepared, the Authority’s general counsel stated that “[t]he CEO of the SPHA creates and keeps up the tasks list and tracks progress based upon directions from the Board.” See March 6 Letter § 2, at 2–3.

Senior Staff Survey and Corrective Action

On June 21, 2017, the Personnel Committee held a meeting to discuss the CEO’s performance for calendar year 2016. According to the minutes from this meeting, Davis and Harvey were the only Commissioners present and were joined by several Authority staff members, including Love.

The Authority’s usual practice for preparing meeting minutes is to include only the bare minimum necessary to comply with the Sunshine Law. In accordance with that practice, the meeting minutes for June 21, 2017, provide only that “[t]he committee discussed the CEO’s evaluation.”

See paragraphs 60–61 for a discussion of evaluations from senior members of Authority staff that are now missing from the Authority’s records.
52. Although the Sunshine Law does not require meetings to be recorded, the Authority usually records meetings of its Commissioners and presumably makes those recordings available in accordance with Florida law regarding public records. Although this practice requires the public to make an explicit request to obtain the recording, a review of the audio recording makes it possible for the public to determine what happened at meetings in spite of the brevity of the minutes.

53. But pursuant to an unwritten policy of the Personnel Committee, recording of Personnel Committee meetings is *paused* during evaluations of the CEO “so as to promote a candid back and forth conversation between the committee and the employee.” See March 6 Letter § 9, at 5. Pursuant to this unwritten policy, Authority staff brings a recording device to the meeting, begins recording the meeting, and then *turns off the recording* to accomplish a purpose antithetical to the intent of the Sunshine Law.

54. Without detailed minutes or an audio recording to rely on, the following understanding of key events related to the June 21, 2017 Personnel Committee meeting was pieced together based on various public records and correspondence from the Authority’s general counsel:

(a) At some point prior to the meeting, eight members of the Authority’s senior staff responded to six survey questions concerning Love’s performance as CEO, as observed or perceived by the staff members (each a “Survey Response”). See Dauwer Report, as defined in paragraph 58.

(b) Prior to the meeting Davis and Harvey received the 2016 CEO Task List and the Survey Responses. See March 6 Letter § 3, at 3; March 22 Letter §§ 3–4, at 3–4.

(c) At the meeting, “[t]he committee interviews the CEO, takes into account the overall health of the organization, reviews tasks completed to date, the 2016 tasks list and took into consideration other items such as the anonymous CEO evaluations from senior staff members. As a result of this meeting, the Personnel Committee decided to require corrective action by Mr. Love.” March 6 Letter § 3, at 3.

(d) “[A]s a direct consequence of the employee evaluations of the CEO, the Committee determined that the CEO needed to receive additional coaching regarding communication and interaction with staff.” February 25 Memo at 2.

(e) The Personnel Committee elected to delay recommending an increase in CEO compensation to the Board pending the outcome of that coaching. See February 25 Memo at 2.
The Dauwer Report

55. In response to the Personnel Committee’s requirement that the CEO obtain professional coaching as a corrective action, Love retained the services of Leo P. Dauwer (“Dauwer”), who is described by the Authority’s general counsel as “a management consultant and expert in Housing Authorities Operation and Management.” See March 6 Letter § 3, at 3.

56. According to an April 10, 2019 story by the Tampa Bay Times, Dauwer had previously conducted the Authority’s search to find a replacement for Love’s predecessor, Darrell Irions.

57. Following an initial phone call between Love and Dauwer, the two met in person on August 17, 2017. According to the Authority’s general counsel, the purpose of the meeting was “to address issues regarding Mr. Love’s management style and demeanor.” See March 6 Letter § 3, at 3.

58. Following that in-person meeting, Dauwer prepared a “summary report” dated August 17, 2017 (the “Dauwer Report”) that (i) summarizes concerns expressed by senior staff in their Survey Responses; (ii) describes Dauwer’s coaching with respect to those staff concerns; and (iii) includes what appear to be several strikethroughs and responsive comments from Love.

59. The Dauwer Report states that the in-person meeting between Dauwer and Love took approximately five and a half hours and that the report was paid for by the Authority. Based on an invoice from Dauwer that accompanied the March 6 Letter, the total cost to the Authority appears to have been $3,650.

60. The introduction of the Dauwer Report states that “[s]everal issues were raised repeatedly by two or more of the respondents.” Unfortunately, the full extent of these issues cannot be determined because the Survey Responses are now missing from the Authority’s records. See March 22 Letter § 3, at 2.

61. With the actual Survey Responses missing from the Authority’s records, evidence of the concerns expressed in the Survey Responses is limited to (i) descriptions of and quotations from the Survey Responses included in the Dauwer Report and (ii) stories published on February 22, 2019, and April 10, 2019, by the Tampa Bay Times, which has apparently obtained copies of two Survey Responses from staff members who submitted them.

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5 The Authority’s failure to retain the Survey Responses is a clear violation of Florida law regarding public records but is not within the scope of these charges.
62. With respect to Love’s communication style, the Dauwer Report states that:

Mr. Love’s tendency to go beyond raising his voice to shouting at the executive staff, and to screaming at them was described in the Survey several times. . . . Mr. Love began to agree he “raised his voice” and later to perhaps he shouted and ultimately agreed that on occasion he may have screamed. . . . He indicated he would refrain from shouting or screaming and that I would be allowed to check on his progress in thirty days.

63. With respect to Love’s use of Authority employees for his personal benefit:

(a) The *Tampa Bay Times* reported that one of the Survey Responses revealed that Love “ordered three employees to spend more than three hours making ‘goody bags’ for his upcoming fraternity golf event.”

(b) This reporting is corroborated by the Dauwer Report, which states that “[i]t is suggested that the CEO separate his fraternity activities from SPHA and not extend invitations or ask for fraternity work to be done at SPHA.”

(c) That text in the Dauwer Report was struck through, followed by a comment attributed to Love that states: “[t]his only happened once.”

**Davis and Harvey Fail to Adequately Investigate Whether Corrective Action Had Corrective Effect**

64. In response to requests from the City Attorney to provide all documents demonstrating actions taken by the Personnel Committee in response to the Dauwer Report, the following statements were made by the Authority’s general counsel:

(a) “Mr. Love . . . met with all of his senior staff to discuss better ways to communicate.” February 25 Memo at 2; March 6 Letter § 3 at 3.

(b) “The Chair of the Personnel Committee [Harvey] spoke with Mr. Dauwer and the CEO regarding the corrective action and confirmed that the CEO had meet [sic] with senior staff to discuss concerns and better ways to communicate . . . .” March 22 Letter § 11, at 4.

65. Based on the lack of responsive documents and the statements of the Authority’s general counsel quoted in the preceding paragraph, it appears that the only inquiry made by the Personnel Committee as to whether the “corrective action” had any corrective effect was to confirm that Love held some meetings on the topic.
66. At its November 15, 2017 meeting, the Personnel Committee revisited the issue of CEO compensation. The minutes indicate that three Commissioners were present at this meeting—Davis, Harvey, and (now-former-Commissioner) Stewart Olson—along with several members of Authority staff, including Love.

67. As before, the minutes for this Personnel Committee meeting state only that “[t]he committee discussed the CEO’s evaluation” and the recording was turned off during the CEO evaluation pursuant to the unwritten Personnel Committee policy described in paragraphs 52–53.

68. So, as with the June 21, 2017 meeting of the Personnel Committee, the following understanding of what transpired at the November 15, 2017 Personnel Committee meeting has been pieced together based on various public records and correspondence from the Authority’s general counsel:

(a) “The results of the August 17, 2017, report [from Dauwer] were distributed and discussed along with many other issues with the CEO during the November 15, 2017, personnel committee meeting.” March 22 Letter § 9, at 4.

(b) “The Personnel Committee considered the training received by Mr. Love from Mr. Dauwer along with the progress he had made regarding goals and objectives as completed by Mr. Love for both the 2016 year and year to date of 2017. . . . Based upon the reports and progress against prior issues raised at the meeting on June 21, 2017, the Committee voted to approve a raise.” February 25 Memo at 2; March 6 Letter § 3 at 3.

(c) “The Personnel Committee recommended to the full Board to authorize the CEO to receive a 7.142% increase retroactive to January 1, 2017, with fringe benefits being provided at the renewal of the contract on January 1, 2018. In addition, a secondary CEO review will be conducted in the first quarter of 2018.”6 Minutes.

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6 Although it does not fall within the scope of the violations described in this document, it is worth noting that the Personnel Committee failed to perform a “secondary CEO review . . . in the first quarter of 2018” as stated here and subsequently approved by the Board. Instead, the Personnel Committee waited until October 2018 before revisiting Love’s performance as CEO. March 22 Letter § 12, at 4–5.
The following day, on November 16, 2017, the Personnel Committee’s recommendation came before the full Board for approval.

According to the Authority’s general counsel, the main job responsibilities tool used when evaluating the CEO is the job description attached to the 2015 CEO Agreement. See March 6 Letter § 1, at 2. Under the heading “Primary Responsibilities & Essential Functions,” this job description includes the following group of duties:

Leadership, Management & Staff Development

- Ensure adherence to applicable federal and state employment laws and regulations.
- Attract and retain high-performing staff, ensure top caliber senior leadership team.
- Demonstrate leadership and supervision to motivate staff in carrying out SPHA mission.
- Train, coach and develop staff to ensure full utilization of skills and promotional opportunities.

The Commissioner Handbook states that “[w]ithout an effective executive director, an authority cannot be successful,” and it goes on to list six important qualities to look for when hiring an executive director. Of the six qualities listed, the first is “sensitivity to the needs of people” and the last is “an understanding of human psychology.” See 55; 63–64.

Bylaws article IV, section 1 requires that recommendations to the Board by standing committee members be made “through written reports distributed prior to the meetings of the Authority or, if necessary, through oral reports at meetings.”

Underlying this requirement to report recommendations to the Board is each Commissioner’s fiduciary duty to disclose material facts and information, as described in paragraphs 7–8.

Considering that leadership, management, and staff development skills are explicit requirements in the CEO’s job description and that skills of that type are used by the Commissioner Handbook to bookend the list of important qualities for an executive director, a written report of Love’s performance as CEO should have addressed those skills in some way.
But, despite the fact that Survey Results from senior staff accused the CEO of being verbally abusive and using staff for his personal benefit; despite the fact that the Personnel Committee delayed a vote on CEO compensation by five months so that the CEO could receive coaching; despite the fact that $3,650 in Authority funds were used to pay for this coaching; despite the fact that the CEO admitted, as part of this coaching, that he had, in fact, screamed at senior staff and ordered multiple staff members to use Authority time for his personal benefit; despite the fact that the Bylaws require that reports to the Board be made in writing unless otherwise necessary—despite all of these factors, neither the Survey Responses, nor the Dauwer Report, nor any mention of those documents was included in any written report submitted to the Board for review or consideration. See March 6 Letter § 5, at 4; March 6 Letter attachment I; March 22 Letter §§ 7 & 10, at 3 & 4.

Moreover, the Personnel Committee failed to provide the Board with any written evaluation of Love’s leadership, management, and staff development skills in advance of the November 16, 2017 Board meeting—not even the CEO Task List that was apparently prepared by Love himself. See March 22 Letter § 5, at 3; supra ¶ 49.

In response to a question from the City Attorney concerning the process used at the November 16, 2017 meeting, the Authority’s general counsel stated that “the Chairperson [of the Personnel Committee] reports the recommendations to the full board at which point the floor is open for discussion and/or questions. The board then votes.” March 22 Letter § 5, at 3.

But the recording of that portion of the November 16, 2017 Board meeting shows that, to the extent any “oral report” was given concerning the Personnel Committee’s November 15, 2017 recommendation concerning CEO compensation, neither Harvey nor Davis used that opportunity to fulfill their fiduciary duty to disclose material information concerning the Survey Results, the Dauwer Report, or any other aspect of Love’s performance as CEO.

This failure to disclose material information to other members of the Board is significant, because the fiduciary duty of due care obligates each Commissioner to consider all available material information before making a decision on behalf of the Authority. But based on the lack of any substantive written or oral report to the full Board by Davis or Harvey, it appears that the majority of Commissioners never received material information that would be appropriate to consider before making a decision on that recommendation.

Fortunately, the Authority has no policy (written or unwritten) that calls for the full Board’s discussion of CEO compensation to be omitted from the public record.
80. It appears that at least one Commissioner was concerned by the lack of information provided and brought that concern to the attention of other Commissioners, including Sherman-White. But rather than insisting on a substantive oral report from Harvey, as chair of the Personnel Committee, or requesting that the vote be delayed so that a written report could be provided to the Board, Commissioners acknowledged that material information was available and then voted to approve a new CEO compensation package without obtaining or considering that information. This is captured in the following exchange, which was transcribed from the audio recording of the meeting:

Nesbitt: “We are voting on something we haven’t even seen.

[cross talk]

Nesbitt: I mean, that is your request, but I haven’t seen the actual document that we can vote on. We haven’t actually seen his review; so, how are we going to vote? I know it’s a recommendation coming from you guys, but just in my prior experience, I like to see it first before [I vote].”

Love (?): “We can write that up”

[Cross talk]

Nesbitt (?): “That doesn’t stop the vote.”

81. Following this exchange, the Board voted unanimously to approve the Personnel Committee’s recommendation concerning CEO compensation, with Davis, Harvey, and Sherman-White voting in the affirmative.

82. In an interview summary attached to the March 6 Letter as exhibit C, the Authority’s general counsel described Sherman-White’s participation in the vote as follows:

Commissioner Sherman-White was in an odd position as she believes the November 16, 2017, board meeting was her second or third meeting as a Commissioner. She had, of course, read the packets and all materials provided to her regarding a Commissioners role and what the SPHA does for the community, but had yet to even

8 Based on a review of meeting minutes, it appears that this was actually the fifth Board meeting held during Sherman-White’s tenure as a Commissioner. But because she had been absent from the preceding meeting, it was only the fourth she had attended.
attend more formal training put on by an organization such as NAHRO. She is candid that she would probably act a little differently now that she understands her role better, but that does not necessarily mean she would change her vote. She was comfortable with the recommendation of the Personnel Committee and the opinions of more senior board members. She, also, pointed out that to her, the Board needed to keep moving forward and trying to get Jordan Park done and that Mr. Love was the main person working on the project. They needed to focus on the big picture. She believed that they could circle back as a board regarding Mr. Love as necessary and thus she decided to vote yes as to the pay raise.

83. Pursuant to the Housing Authorities Law, each Commissioner is entitled to exercise independent business judgment when making an employment-related decision related to the CEO. And while business judgment might justify an informed decision to prioritize “big picture” concerns regarding Jordan Park over more immediate concerns regarding the CEO’s performance, the fiduciary duty of due care requires that a Commissioner take the time to consider those immediate concerns before reaching such a decision. Contrary to the statement attributed above to Sherman-White, the law provides no “circle back” exception to the fiduciary duty of due care that would allow her to ignore the existence and availability of material information when making a decision because it was possible to consider that material information at a later date.

84. Thus, as a result of Sherman-White’s failure to properly exercise the fiduciary duty of due care, her decision to vote in favor of a new CEO compensation package on November 16, 2017, failed to consider: (i) the Survey Responses that caused the Personnel Committee to delay a vote on CEO compensation for five months so that corrective action could be taken; (ii) the Dauwer report, which confirmed that the CEO had screamed at senior staff and required them to do work for his personal benefit on Authority time; or (iii) that the Personnel Committee took no significant action to confirm that problems had been resolved beyond confirming that the CEO met with senior staff to discuss the issues.

Violations of Sunshine Law and Quorum Requirements at April 10, 2019 “Emergency” Meeting

85. The final violation addressed by these charges concerns failure to follow certain procedural safeguards established for the Board by the Florida Statutes.

86. Pursuant to the Sunshine Law, any meeting of two or more Commissioners must be open to the public and reasonable notice of the meeting must be given.
87. The Sunshine Law does not explicitly define the term “reasonable notice,” but according to guidance from the Attorney General’s Office, notice must be sufficient to allow the media and the general public to attend the meeting. See AGOs 04-44, 80-78, 73-170. The Attorney General’s Office has also provided the following specific guidelines for giving notice that complies with the Sunshine Law:

1. The notice should contain the time and place of the meeting and, if available, an agenda, or if no agenda is available, a statement of the general subject matter to be considered.

2. The notice should be prominently displayed in the area in the agency’s offices set aside for that purpose, e.g., for cities, in city hall, and on the agency’s website, if there is one.

3. Except in the case of emergency or special meetings, notice should be provided at least 7 days prior to the meeting. Emergency sessions should be afforded the most appropriate and effective notice under the circumstances.

4. Special meetings should have no less than 24 and preferably at least 72 hours reasonable notice to the public.

5. The use of press releases, faxes, e-mails, and/or phone calls to the local news media is highly effective in providing notice of upcoming meetings.


88. Sunshine Law compliance was addressed throughout the Governance Presentation described in paragraph 10, which was delivered at a meeting attended by Love, Harvey, and Sherman-White and that included the following statements:

(a) “The Board conducts business in meetings that are noticed and open to the Public as required by Florida’s Government in the Sunshine Laws.” Slide 4.

(b) “A Commissioner is one of seven individuals of the Board and although unpaid and un-elected is subject to Government in the Sunshine Laws outlined in Chapter 286 of the Florida Statues [sic]. . .” Slide 6.

(c) “All SPHA board meetings are subject to Florida’s Sunshine Laws. There can be no board meeting without making all meetings: (1) open to the public; (2) with reasonable notice of
such meeting being given; and (3) taking minutes of the meeting that are promptly recorded. See section 286.011 of the Florida Statutes.” Slide 10.

(d) “[T]he Board is not in a position to hold an impromptu meeting of any kind to discuss issues that could reasonably be expected to come before the Board for consideration.” Slide 10.

(e) “Ignorance [of the Sunshine Law] by a Commissioner is no excuse . . . and can lead to a civil fine as well as the costs of hiring an attorney for representation.” Slide 12.

(f) “Unplanned Board meetings of any nature must be coordinated and properly noticed in compliance with Florida’s Sunshine Laws.” Slide 14.

(g) “Florida’s Sunshine Laws trump even the By-Laws.” Slide 19.

89. On April 9, 2019 at 7:14 pm, Love sent an email that read in its entirety:

To: Housing Commissioners,

Chairperson Harvey, upon advice of counsel has scheduled an Emergency Meeting of the Housing Commissioners on Wednesday, April 10, 2019 at 11:00 AM. The Emergency Meeting will be held at 2001 Gandy Blvd. North St. Petersburg, FL 33702.

Thxs.

90. This email was sent to the official Authority email address of five of the seven Commissioners, including Davis, Harvey, and Sherman-White.

91. The two Commissioners who were not included as recipients on the email had been appointed by City Council on April 4, 2019, only a few days earlier.

92. At a subsequent meeting of the Board held on April 15, 2019, Love was asked to explain why he failed to include new Commissioners on that email. In response, Love stated that he did not send notice to the new Commissioners because he did not have any contact information for them.9

9 Although it is unclear why Love did not even attempt to provide notice of the meeting to the two new Commissioners (e.g., by asking a member of City staff to forward the email), that is outside of the scope of these charges.
93. At the April 15, 2019 meeting, Love was also asked to explain how notice of the meeting was provided to the public. In response, Love asserted that, pursuant to the Bylaws, public notice was not required because it was an emergency meeting.

94. This assertion reflects a failure to understand the relationship between the Florida Statutes and the Bylaws and ignores guidance from the Authority’s general counsel that “Florida’s Sunshine Laws trump even the By-Laws.” See supra ¶ 88(g).

95. In recognition of the varying circumstances that may surround any given meeting of a public board, the Sunshine Law (and the associated guidelines from the Attorney General’s Office) provide a great deal of flexibility as to how a meeting of a public board may be noticed. But at its most basic level, the Sunshine Law was enacted to prevent a situation in which the only people who know that members of a public board are meeting are members themselves. So, even if one ignored the fact that Love’s email was sent only 17 hours before the meeting and contained no explanation of the “emergency” that gave rise to the meeting, no reasonable interpretation of the Sunshine Law would lead to the conclusion that adequate notice of the meeting was provided to the public by an email sent only to Commissioners.

96. Given that notice of the April 10, 2019 meeting was sent to only five Commissioners, after business hours, and only 17 hours in advance of the meeting, it is not surprising that only Harvey, Sherman-White, and one other Commissioner appear to have attended that meeting.

97. Although the City has, for the past several months, sent a representative to observe each meeting of the Board, the lack of any public notice of the April 10, 2019 meeting prevented a City representative from attending that meeting. Additionally, although the City has made public records requests for both the agenda and the minutes of the April 10, 2019 meeting, neither of those documents have been provided by the Authority. As a result, the only insight into the purpose of the April 10, 2019 meeting comes from discussion at the April 15, 2019 meeting (which was properly noticed). This April 15, 2019 discussion made clear that the “emergency” giving rise to the April 10, 2019 meeting was the possible removal of Davis, Harvey, and Sherman-White and potential litigation against the City.

98. With respect to the minimum number of Commissioners required to conduct business of the Authority, Florida Statutes section 421.05(2) provides that “[a] majority of the commissioners shall constitute a quorum of the authority for the purpose of conducting its business and exercising its powers and for all other purposes.”
99. With seven Commissioners on the Board as of April 10, 2019, this statutory provision requires the presence of four Commissioners to conduct any business of the Authority. But despite this unambiguous statutory requirement, the April 10, 2019 meeting took place with only three Commissioners present.

100. Bylaws article III, section 4 states that “[u]pon advice of counsel and with consideration given to the emergency at hand, notice and quorum may be waived for the Board to conduct business.” But the Bylaws cannot trump the requirements of the Florida Statutes, which unambiguously require the presence of four Commissioners to conduct business.

101. The procedural safeguards set forth in the Sunshine Law and the Housing Authorities Law are intended to ensure that the Authority’s power is exercised in the public view and with more than a mere handful of Commissioners present to make decisions on behalf of the Authority. Unfortunately, both of these procedural safeguards were ignored by Harvey and Sherman-White when they chose to participate in the April 10, 2019 meeting.

10 It is worth noting that the appointment of new Commissioners only days earlier does not affect the result of this calculation. Florida Statutes section 421.05(1) states that “[a] commissioner shall hold office until a successor has been appointed and has qualified.” So, regardless of when the new appointments took effect, there was no gap between outgoing and incoming Commissioners, and seven Commissioners held office at all times relevant to the April 10, 2019 meeting.
COUNT ONE
FAILURE TO FILE ANNUAL REPORT

The Mayor charges:

102. The Mayor re-alleges and incorporates by reference paragraphs 1–101 of this document.

103. During each year of their respective terms as Commissioners

(1) Delphinia N. Davis,

(2) Harry L. Harvey, and

(3) Ann Sherman-White

failed to take actions necessary to cause the Authority to comply with the statutory reporting requirement set forth in Florida Statutes section 421.22.

104. This failure constitutes neglect of duty sufficient to justify removal from the office of Commissioner pursuant to Florida Statutes section 421.07.
COUNT TWO
LACK OF REGULAR AND TIMELY ATTENDANCE AT BOARD MEETINGS

The Mayor further charges:

105. The Mayor re-alleges and incorporates by reference paragraphs 1–101 of this document.

106. With respect to calendar year 2018, Commissioner

(3) Ann Sherman-White

was repeatedly absent from or late to meetings of the Board.

107. By failing to attend at least 40% of the regular Board meetings held in 2018, Sherman-White failed to meet the standard for attendance explicitly stated in Bylaws article III, section 5. And without any waiver of this requirement by a majority vote of the Board, these absences constitute neglect of duty sufficient to justify removal from the office of Commissioner pursuant to Florida Statutes section 421.07.

108. In the alternative, Sherman-White’s pattern of absences and tardiness in 2018 regularly put the Board at risk of not satisfying the quorum requirements of Florida Statutes section 421.05(2) and fell so far short of what is generally expected of a Commissioner that it constitutes inefficiency sufficient to justify removal from office pursuant to Florida Statutes section 421.07.
COUNT THREE
MISUSE OF AUTHORITY PROPERTY

The Mayor further charges:

109. The Mayor re-alleges and incorporates by reference paragraphs 1–101 of this document.

110. In 2016, Commissioners

   (1) Delphinia N. Davis and

   (2) Harry L. Harvey

allowed Love to reside in a unit at the Saratoga Apartments for a period of approximately nine months in violation of an income restriction imposed by HUD.

111. By so doing, Davis and Harvey (i) made inefficient use of Authority resources; (ii) neglected the duty to keep the Authority in compliance with the HUD-mandated affordability requirement; and (iii) neglected their duty by violating the Authority’s Ethics Policy. These reasons, individually and collectively, justify removal from the office of Commissioner pursuant to Florida Statutes section 421.07.
COUNT FOUR
FAILURE TO PROVIDE MATERIAL FACTS AND INFORMATION RELATED TO CEO EVALUATION

The Mayor further charges:

112. The Mayor re-alleges and incorporates by reference paragraphs 1–101 of this document.

113. As members of the Personnel Committee, Commissioners

(1) Delphinia N. Davis and

(2) Harry L. Harvey

had a fiduciary duty to disclose material facts and information related to the Personnel Committee’s recommendation that came before the Board on November 16, 2017. But in spite of that fiduciary duty, Davis and Harvey failed to provide the Board with material facts and information concerning issues with the CEO’s leadership, management, and staff development skills through any substantive written report or oral report—even after another Commissioner expressed concern at the meeting regarding the lack of information provided.

114. This failure also violated an explicit requirement in the Bylaws to provide written documentation in support of the Personnel Committee’s recommendation unless otherwise necessary.

115. It is unclear what motivated Davis and Harvey to stay silent on these matters despite numerous opportunities to provide fellow Commissioners with material facts and information to which they were entitled. But in any event, that silence was a breach of fiduciary duty and a violation of the Bylaws that constitutes inefficiency, neglect of duty, or misconduct sufficient to justify removal from the office of Commissioner pursuant to Florida Statutes section 421.07.
COUNT FIVE
FAILURE TO EXERCISE DUE CARE
RELATED TO CEO EVALUATION

The Mayor further charges:

116. The Mayor re-alleges and incorporates by reference paragraphs 1–101 of this document.

117. As a Commissioner present at the Board meeting held on November 16, 2017,

(3) Anne Sherman-White

was obligated by the fiduciary duty of due care to consider all available material information before making a decision on the recommendation of the Personnel Committee concerning CEO compensation. But in spite of that obligation, Sherman-White voted to approve an increase in CEO compensation even after discussion made clear that material information existed but had not been provided to the Board.

118. Sherman-White’s failure to exercise due care concerning a decision by the Board is a breach of fiduciary duty that constitutes inefficiency or neglect of duty sufficient to justify removal from the office of Commissioner pursuant to Florida Statutes section 421.07.
COUNT SIX
FAILURE TO ABIDE BY SUNSHINE LAW
AND QUORUM REQUIREMENTS

The Mayor further charges:

119. The Mayor re-alleges and incorporates by reference paragraphs 1–101 of this document.

120. On April 11, 2019, Commissioners

(2) Harry L. Harvey and

(3) Ann Sherman-White

participated in an “emergency” meeting of the Authority that failed to comply with both the public notice requirements of Florida Statutes section 286.011 (the Sunshine Law) and the quorum requirements of Florida Statutes section 421.05(2) (the Housing Authorities Law).

121. It is unclear what motivated Harvey and Sherman-White to ignore those statutory safeguards. But regardless of the motivation, this action constitutes neglect of duty or misconduct sufficient to justify removal from the office of Commissioner pursuant to Florida Statutes section 421.07.

Pursuant to Florida Statutes section 421.07 and for the reasons set forth above, I hereby remove Delphinia N. Davis, Harry L. Harvey, and Ann Sherman-White from the office of Commissioner of the Housing Authority of the City of St. Petersburg, Florida, subject to the concurrence of City Council.

Date: 4/29/19  
By: [Signature]
Name: Rick Kriseman  
Title: Mayor, City of St. Petersburg, Florida
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* A partial recording of the 06/21/17 meeting (omitting discussion of the CEO evaluation) and a full recording of the 11/16/17 meeting were originally provided to the City on a thumb drive. Those recordings are available for download as follows:
CHAPTER 421
PUBLIC HOUSING

PART I
HOUSING AUTHORITIES

421.001 State role in housing and urban development.
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421.02 Finding and declaration of necessity.
421.03 Definitions.
421.04 Creation of housing authorities.
421.05 Appointment, qualifications, and tenure of commissioners; hiring of employees.
421.06 Commissioners or employees prohibited from acquiring interests in housing projects and required to disclose interests in specified properties; exception.
421.07 Removal of commissioners.
421.08 Powers of authority.
421.09 Operation not for profit.
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421.10 Rentals and tenant selection.
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421.11 Cooperation of authorities.
421.12 Eminent domain.
421.13 Planning, zoning and building laws.
421.14 Debentures.
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421.16 Provisions of debentures and trust indentures.
421.17 Validation of debentures and proceedings.
421.18 Remedies of an obligee of authority.
421.19 Additional remedies conferrable by authority.
421.21 Aid from Federal Government; tax exemptions.
421.22 Reports.
421.23 Liabilities of authority.
421.24 Organization and establishment.
421.25 Contracts and undertakings.
421.26 Notes and bonds.
421.261 Continuance of municipal housing authorities when municipality abolished; counties in excess of 400,000.
421.001 State role in housing and urban development.—The role of state government required by part I of chapter 421 (Housing Authorities Law), chapter 422 (Housing Cooperation Law), and chapter 423 (Tax Exemption of Housing Authorities) is the responsibility of the Department of Economic Opportunity; and the department is the agency of state government responsible for the state’s role in housing and urban development.

History.—s. 18, ch. 69-106; s. 50, ch. 81-167; s. 53, ch. 83-55; s. 7, ch. 2000-342; s. 339, ch. 2011-142.

421.01 Short title.—Part I of this chapter may be referred to as the “Housing Authorities Law.”

History.—s. 1, ch. 17981, 1937; CGL 1940 Supp. 7100(3-a).

421.02 Finding and declaration of necessity.—It is hereby declared that:

(1) There exist in the state insanitary or unsafe dwelling accommodations and that persons of low income are forced to reside in such insanitary or unsafe accommodations; that within the state there is a shortage of safe or sanitary dwelling accommodations available at rents which persons of low income can afford and that such persons are forced to occupy overcrowded and congested dwelling accommodations; that the aforesaid conditions cause an increase in and spread of disease and crime and constitute a menace to the health, safety, morals and welfare of the residents of the state and impair economic values; that these conditions necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public health, welfare and safety, fire and accident protection, and other public services and facilities.
(2) Blighted areas in the state cannot be revitalized, nor can the shortage of safe and sanitary dwellings for persons of low income be relieved, solely through the operation of private enterprise.

(3) The clearance, replanning and reconstruction of the areas in which insanitary or unsafe housing conditions exist and the providing of safe and sanitary dwelling accommodations for persons of low income, including the acquisition by a housing authority of property to be used for or in connection with housing projects or appurtenant thereto, are exclusively public uses and purposes for which public money may be spent and private property acquired and are governmental functions of public concern.

(4) The necessity in the public interest for the provisions hereinafter enacted, is hereby declared as a matter of legislative determination.

History.—s. 2, ch. 17981, 1937; CGL 1940 Supp. 7100(3-b); s. 2, ch. 2005-54.

421.03 Definitions.—The following terms, wherever used or referred to in this part, shall have the following respective meanings for the purposes of this part, unless a different meaning clearly appears from the context:

(1) “Authority” or “housing authority” shall mean any of the public corporations created by s. 421.04.

(2) “City” shall mean any city or town of the state having a population of more than 2,500, according to the last preceding federal or state census. “The city” shall mean the particular city for which a particular housing authority is created.

(3) “Governing body” shall mean the city council, the commission, or other legislative body charged with governing the city, as the case may be.

(4) “Mayor” shall mean the mayor of the city or the officer thereof charged with the duties customarily imposed on the mayor or executive head of the city.

(5) “Clerk” shall mean the clerk of the city or the officer of the city charged with the duties customarily imposed on the clerk thereof.

(6) “Area of operation”:

(a) In the case of a housing authority of a city having a population of less than 25,000, shall include such city and the area within 5 miles of the territorial boundaries thereof; and

(b) In the case of a housing authority of a city having a population of 25,000 or more shall include such city and the area within 10 miles from the territorial boundaries thereof; provided however, that the area of operation of a housing authority of any city shall not include any area which lies within the territorial boundaries of some other city as herein defined; and further provided that the area of operation shall not extend outside of the boundaries of the county in which the city is located and no housing authority shall have any power or jurisdiction outside of the county in which the city is located.

(7) “Federal Government” shall include the United States, the Federal Emergency Administration of Public Works or any other agency or instrumentality, corporate or otherwise, of the United States.
(8) “Slum” shall mean any area where dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitary facilities, or any combination of these factors, are detrimental to safety, health and morals.

(9) “Housing project” shall mean any work or undertaking:

(a) To demolish, clear, or remove buildings from any slum area; such work or undertaking may embrace the adaption of such area to public purposes, including parks or other recreational or community purposes; or

(b) To provide decent, safe and sanitary urban or rural dwellings, apartments or other living accommodations for persons of low income; such work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, health, recreational, educational, welfare or other purposes; or

(c) To accomplish a combination of the foregoing. The term “housing project” also may be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work in connection therewith.

(10) “Persons of low income” shall mean persons or families who lack the amount of income which is necessary, as determined by the authority undertaking the housing project, to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding.

(11) “Debentures” shall mean any notes, interim certificates, debentures, revenue certificates, or other obligations issued by an authority pursuant to this chapter.

(12) “Real property” shall include all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise and the indebtedness secured by such liens.

(13) “Obligee of the authority” or “obligee” shall include any holder of debentures, trustee or trustees for any such holders, or lessor demising to the authority property used in connection with a housing project, or any assignee or assignees of such lessor’s interest or any part thereof, and the Federal Government when it is a party to any contract with the authority.

History.—s. 3, ch. 17981, 1937; CGL 1940 Supp. 7100(3-c); s. 1, ch. 20219, 1941; s. 1, ch. 28061, 1953; s. 24, ch. 57-1; s. 1, ch. 67-566.

421.04 Creation of housing authorities.—

(1) In each city, as herein defined, there is hereby created a public body corporate and politic to be known as the “Housing Authority” of the city; provided, however, that such authority shall not transact any business or exercise its powers hereunder until or unless the governing body of the city by proper
resolution shall declare that there is need for an authority to function in such city. The determination as to whether there is such need for an authority to function:

(a) May be made by the governing body on its own motion; or

(b) Shall be made by the governing body upon the filing of a petition signed by 25 residents of the city asserting that there is need for an authority to function in such city and requesting that the governing body so declare.

(2) The governing body may adopt a resolution declaring that there is need for a housing authority in the city if it shall find that:

(a) Insanitary or unsafe inhabited dwelling accommodations exist in such city; or

(b) There is a shortage of safe or sanitary dwelling accommodations in such city available to persons of low income at rentals they can afford. In determining whether dwelling accommodations are unsafe or insanitary said governing body may take into consideration the degree of overcrowding, the percentage of land coverage, the light, air, space and access available to the inhabitants of such dwelling accommodations, the size and arrangement of the rooms, the sanitary facilities, and the extent to which conditions exist in such buildings which endanger life or property by fire or other causes.

(3) In any suit, action or proceeding involving the validity or enforcement of or relating to any contract of the authority, the authority shall be conclusively deemed to have become established and authorized to transact business and exercise its powers hereunder upon proof of the adoption of a resolution by the governing body declaring the need for the authority. Such resolution or resolutions shall be sufficient if it declares that there is such need for an authority and finds in substantially the foregoing terms, no further detail being necessary, that either or both of the above enumerated conditions exist in the city. A copy of such resolution duly certified by the clerk shall be admissible in evidence in any suit, action or proceeding.

(4) Regardless of the date of its creation, a housing authority may not apply to the Federal Government to seize any projects, units, or vouchers of another established housing authority, irrespective of each housing authority’s areas of operation.

History.—s. 4, ch. 17981, 1937; CGL 1940 Supp. 7100(3-d); s. 13, ch. 2016-210.

421.05 Appointment, qualifications, and tenure of commissioners; hiring of employees.—

(1) When the governing body of a city adopts a resolution as aforesaid, the mayor, with the approval of the governing body, shall promptly appoint no fewer than five persons, and no more than seven persons, as commissioners of the authority created for such city. Three of the commissioners who are first appointed shall be designated to serve for terms of 1, 2, and 3 years respectively; the remaining commissioners shall be designated to serve for terms of 4 years each, from the date of their appointment. Thereafter, each commissioner shall be appointed as aforesaid for a term of office of 4 years, except that a vacancy shall be filled for the unexpired term by an appointment by the mayor.
with the approval of the governing body within 60 days after such vacancy occurs. Each housing
authority created pursuant to this chapter shall have at least one commissioner who shall be a resident
who is current in rent in a housing project or a person of low or very low income who resides within the
housing authority’s jurisdiction and is receiving rent subsidy through a program administered by the
authority or public housing agency that has jurisdiction for the same locality served by the housing
authority, which commissioner shall be appointed at the time a vacancy exists. In the case of an
authority which has no completed project, no tenant-commissioner shall be appointed until 10 percent
of the units in the first project of the authority have been occupied. The cessation of a tenant-
commissioner’s tenancy in a housing project or the cessation of rent subsidy shall remove such tenant-
commissioner from office, and another person meeting the qualifications required for the office shall
be appointed for the unexpired portion of the term. After all reasonable efforts have been made and
documented, if the commissioners find that no housing project resident or rent subsidy recipient is
available to serve as a tenant-commissioner, the existing vacancy shall then be filled through the
normal appointment procedures set forth in this subsection. However, such normal appointment shall
not preclude the requirement to exercise diligence in all succeeding vacancies to attempt to first
appoint a tenant-commissioner until at least one tenant-commissioner has been appointed. No
commissioner of an authority may be an officer or employee of the city for which the authority is
created. A commissioner shall hold office until a successor has been appointed and has qualified. A
certificate of the appointment or reappointment of any commissioner shall be filed with the clerk, and
such certificate shall be conclusive evidence of the due and proper appointment of such commissioner.
A commissioner shall receive no compensation for his or her services but shall be entitled to the
necessary expenses, including travel expenses, incurred in the discharge of his or her duties. The
requirements of this subsection with respect to the number of commissioners of a housing authority
apply without regard to the date on which the housing authority was created.

(2) The powers of each authority shall be vested in the commissioners thereof in office from time to
time. A majority of the commissioners shall constitute a quorum of the authority for the purpose of
conducting its business and exercising its powers and for all other purposes. Action may be taken by
the authority upon a vote of a majority of the commissioners present, unless in any case the bylaws of
the authority require a larger number. The mayor with the concurrence of the governing body shall
designate the first chair from among the appointed commissioners, but when the office of the chair of
the authority thereafter becomes vacant, the authority shall select a chair from among the
commissioners. An authority shall also select from among the commissioners a vice chair, and it may
employ a secretary, who shall be the executive director, technical experts, and such other officers,
agents, and employees, permanent and temporary, as it may require and shall determine their
qualifications, duties, and compensation. Accordingly, authorities are exempt from s. 215.425. An
authority may call upon the chief law officer of the city or may employ its own counsel and legal staff
for legal services. An authority may delegate to one or more of its agents or employees such powers or duties as it may deem proper.

(3) Notwithstanding the limitation contained in subsection (1) on the number of commissioners of a housing authority, any housing authority that has more than seven commissioners on March 28, 1991, may maintain the same number of commissioners it had on March 28, 1991.

History.—s. 5, ch. 17981, 1937; CGL 1940 Supp. 7100(3-e); s. 1, ch. 78-165; ss. 1, 2, ch. 80-357; s. 273, ch. 81-259; s. 1, ch. 84-250; s. 1, ch. 89-33; ss. 1, 2, ch. 91-6; s. 82, ch. 97-103; s. 14, ch. 2016-210.

421.06 Commissioners or employees prohibited from acquiring interests in housing projects and required to disclose interests in specified properties; exception.—Except for the leasehold interest held by a tenant-commissioner in the housing project in which he or she is a tenant, no commissioner or employee of an authority shall acquire any interest, direct or indirect, in any housing project or in any property included or planned to be included in any project, nor shall he or she have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any housing project. If a commissioner or employee of an authority owns or controls an interest, direct or indirect, in any property included or planned to be included in any housing project, he or she shall immediately disclose the same in writing to the authority. Such disclosure shall be entered upon the minutes of the authority. Failure so to disclose such interest constitutes misconduct in office.

History.—s. 6, ch. 17981, 1937; CGL 1940 Supp. 7100(3-f); s. 2, ch. 84-250; s. 83, ch. 97-103.

421.07 Removal of commissioners.—For inefficiency or neglect of duty or misconduct in office, a commissioner of an authority may be removed by the mayor with the concurrence of the governing body, but a commissioner shall be removed only after he or she shall have been given a copy of the charges at least 10 days prior to the hearing thereon and had an opportunity to be heard in person or by counsel. In the event of the removal of any commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the clerk.

History.—s. 7, ch. 17981; 1937; CGL 1940 Supp. 7100(3-g); s. 2, ch. 59-413; s. 84, ch. 97-103.

421.08 Powers of authority.—An authority shall constitute a public body corporate and politic, exercising the public and essential governmental functions set forth in this chapter, and having all the powers necessary or convenient to carry out and effectuate the purpose and provisions of this chapter, including the following powers in addition to others herein granted:

(1) To sue and be sued; to have a seal and to alter the same at pleasure; to have perpetual succession; to make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the authority; to appear in court through any of its officers, agents, or employees, for the exclusive purpose of filing eviction papers; and to make and from time to time amend and repeal bylaws, rules and regulations, not inconsistent with this chapter, to carry into effect the powers and purposes of the authority.

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(2) Within its area of operation, to prepare, carry out, acquire, lease, and operate housing projects; to provide for the construction, reconstruction, improvement, alteration, or repair of any housing project or any part thereof.

(3) To arrange or contract for the furnishing by any person or agency, public or private, of services, privileges, works, or facilities for, or in connection with, a housing project or the occupants thereof; provided, however, that notwithstanding any other power or provision in this chapter, the authority shall not construct, lease, control, purchase, or otherwise establish in connection with or as a part of any housing project or any other real or any other property under its control, any system, work, facilities, plants, or other equipment for the purpose of furnishing utility service of any kind to such projects or to any tenant or occupant thereof in the event that a system, work, facility, plant, or other equipment for the furnishing of the same utility service is being actually operated by a municipality or private concern in the area of operation or the city or the territory immediately adjacent thereto; provided, further, that nothing herein shall be construed to prohibit the construction or acquisition by the authority of any system, work, facilities, or other equipment for the sole and only purpose of receiving utility services from any such municipality or such private concern and then distributing such utility services to the project and to the tenants and occupants thereof; and, notwithstanding anything to the contrary contained in this chapter or in any other provision of law, to include in any contract let in connection with a project, stipulations requiring that the contractor and any subcontractors comply with requirements as to minimum wages and maximum hours of labor, and comply with any conditions which the Federal Government may have attached to its financial aid of the project.

(4) To lease or rent any dwellings, houses, accommodations, lands, buildings, structures, or facilities embraced in any housing project and, subject to the limitations contained in this chapter, to establish and revise the rents or charges therefor; to own, hold, and improve real or personal property; to purchase, lease, obtain options upon, acquire by gift, grant, bequest, devise, or otherwise any real or personal property or any interest therein; to acquire by the exercise of the power of eminent domain any real property; to sell, lease, exchange, transfer, assign, pledge, or dispose of any real or personal property or any interest therein; to insure or provide for the insurance of any real or personal property or operations of the authority against any risks or hazards; to procure or agree to the procurement of insurance or guarantees from the Federal Government of the payment of any such debts or parts thereof, whether or not incurred by said authority, including the power to pay premiums on any such insurance.

(5) To invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement, in property or securities in which savings banks may legally invest funds subject to their control; to purchase its debentures at a price not more than the principal amount thereof and accrued interest, all debentures so purchased to be canceled.
(6) Within its area of operation: to investigate into living, dwelling, and housing conditions and into the means and methods of improving such conditions; to determine where slum areas exist or where there is a shortage of decent, safe, and sanitary dwelling accommodations for persons of low income; to make studies and recommendations relating to the problem of clearing, replanning, and reconstruction of slum areas and the problem of providing dwelling accommodations for persons of low income; to administer fair housing ordinances and other ordinances as adopted by cities, counties, or other authorities who wish to contract for administrative services and to cooperate with the city, the county, the state or any political subdivision thereof in action taken in connection with such problems; and to engage in research, studies, and experimentation on the subject of housing.

(7) Acting through one or more commissioners or other person or persons designated by the authority; to conduct examinations and investigations and to hear testimony and take proof under oath at public or private hearings on any matter material for its information; to administer oaths, issue subpoenas requiring the attendance of witnesses or the production of books and papers and to issue commissions for the examination of witnesses who are outside of the state or unable to attend before the authority, or excused from attendance; to make available to appropriate agencies, including those charged with the duty of abating or requiring the correction of nuisances or like conditions, or of demolishing unsafe or insanitary structures within its area of operation, its findings and recommendations with regard to any building or property where conditions exist which are dangerous to the public health, morals, safety, or welfare.

(8)(a) To organize for the purpose of creating a for-profit or not-for-profit corporation, limited liability company, or other similar business entity pursuant to all applicable laws of this state in which the housing authority may hold an ownership interest or participate in its governance in order to develop, acquire, lease, construct, rehabilitate, manage, or operate multifamily or single-family residential projects. These projects may include nonresidential uses and may use public and private funds to serve individuals or families who meet the applicable income requirements of the state or federal program involved; whose income does not exceed 150 percent of the applicable median income for the area, as established by the United States Department of Housing and Urban Development; and who, in the determination of the housing authority, lack sufficient income or assets to enable them to purchase or rent a decent, safe, and sanitary dwelling. These corporations, limited liability companies, or other business entities may join partnerships, joint ventures, or limited liability companies pursuant to applicable laws or may otherwise engage with business entities in developing, acquiring, leasing, constructing, rehabilitating, managing, or operating such projects.

(b) The creation by a housing authority of such a corporation, limited liability company, or other business entity that is properly registered pursuant to all applicable laws before the effective date of this act is ratified and validated if the creation of such corporation, limited liability company, or other
business entity would have been valid had this act been in effect at the time such corporation, limited
liability company, or other business entity was created and registered.

(c) Proceedings or acts performed by a housing authority or a corporation, limited liability
company, or other business entity authorized pursuant to paragraph (b) are ratified and validated if
such proceedings or acts were in furtherance of the purposes set forth in this chapter and would have
been valid had this act been in effect at the time such proceedings or acts were performed.

(9) Notwithstanding s. 112.061, the governing board of an authority may approve and implement
policies for per diem, travel, and other expenses of its officials, officers, board members, employees,
and authorized persons in a manner consistent with federal guidelines.

(10) To exercise all or any part or combination of powers herein granted. No provisions of law with
respect to acquisition, operation, or disposition of property by other public bodies shall be applicable
to an authority unless the Legislature shall specifically so state.

History. — s. 8, ch. 17981, 1937; CGL 1940 Supp. 7100(3-h); s. 37, ch. 86-192; s. 1, ch. 87-109; s. 3, ch. 2005-54.

421.09 Operation not for profit.—

(1) It is the policy of this state that each housing authority shall manage and operate its housing
projects in an efficient manner so as to enable it to fix the rentals for dwelling accommodations at the
lowest possible rates consistent with its providing decent, safe, and sanitary dwelling accommodations,
and that a housing authority may not construct or operate any such project for profit, or as a source of
revenue to the city. To this end an authority may not fix the rentals for dwellings in its project at a
higher rate than it finds necessary in order to produce revenues that, together with all other available
moneys, revenue, income, and receipts of the authority from whatever sources derived, will be
sufficient:

(a) To pay, as they become due, the principal and interest on the debentures of the authority;

(b) To meet the cost of, and to provide for, maintaining and operating the projects, including the
cost of any insurance and the administrative expenses of the authority; and

(c) To create, during not less than the 6 years immediately succeeding its issuance of any
debentures, a reserve sufficient to meet the largest principal and interest payments that will be due on
such debentures in any one year thereafter, and to maintain such reserve.

(2) This section does not prohibit or restrict the activities or operations of a business entity created
under s. 421.08(8).

History. — s. 9, ch. 17981, 1937; CGL 1940 Supp. 7100(3-i); s. 4, ch. 2005-54.

421.091 Financial accounting and investments; fiscal year.—

(1) A complete and full financial accounting and audit in accordance with federal audit standards of
public housing agencies shall be made biennially by a certified public accountant and submitted to the
Federal Government in accordance with its policies. Housing authorities are otherwise exempt from the
reporting requirements of s. 218.32.
(2) The fiscal year of a housing authority shall be the fiscal year established by the Federal Government.

History.—s. 3, ch. 59-413; s. 2, ch. 78-165; s. 3, ch. 83-106; s. 15, ch. 2016-210.

421.10 Rentals and tenant selection.—

(1) In the operation or management of housing projects an authority shall at all times observe the following duties with respect to rentals and tenant selection:

(a) It may rent or lease the dwelling accommodations therein only to persons of low income and at rentals within the financial reach of such persons of low income.

(b) It may rent or lease to a tenant dwelling accommodations consisting of the number of rooms, but no greater number, which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding.

(c) It shall accept any person as a tenant in any housing project according to the appropriate guidelines as established by the United States Department of Housing and Urban Development or other federal agencies.

(d) The Department of Children and Families, pursuant to 45 C.F.R. s. 233.20(a)(3)(vii)(c), may not consider as income for recipients of temporary cash assistance any assistance received by recipients from other agencies or organizations such as public housing authorities.

(2) Nothing contained in this section or s. 421.09 shall be construed as limiting the power of an authority to vest in an obligee the right, in the event of a default by the authority, to take possession of a housing project or cause the appointment of a receiver thereof, free from all the restrictions imposed by this section or s. 421.09.

(3) This section shall not apply to housing facilities financed by loans made for the purpose of providing such facilities for domestic farm labor pursuant to s. 514 of the Federal Housing Act of 1949.

History.—s. 10, ch. 17981, 1937; s. 1, ch. 19510, 1939; CGL 1940 Supp. 7100(3-j); s. 7, ch. 22858, 1945; s. 1, ch. 65-223; s. 3, ch. 78-165; s. 104, ch. 96-175; s. 203, ch. 99-8; s. 84, ch. 2000-153; s. 101, ch. 2000-165; s. 241, ch. 2014-19.

421.101 False representations to obtain lower rent in housing accommodations; penalty.—Whoever makes a false statement or representation, knowing it to be false, or knowingly fails to disclose a material fact in order to obtain a lower rent for housing accommodations in a low-rent housing development operated pursuant to this chapter, than the rental such person is required to pay pursuant to federal or state statutes, schedule of rents or rules and regulations as determined and fixed by housing authorities created pursuant to this chapter, aforesaid, shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083; and each such false statement or representation or failure to disclose a material fact as aforesaid shall constitute a separate offense.

History.—s. 1, ch. 61-468; s. 362, ch. 71-136.

421.11 Cooperation of authorities.—
(1) Any two or more housing authorities may join or cooperate with one another in the exercise, either jointly or otherwise, of any or all of their powers for the purpose of financing, including the issuance of bonds, debentures, notes or other obligations and giving security therefor; planning; undertaking; owning; constructing; operating; or contracting with respect to a housing project or projects located within the area of operation of any one or more of said authorities. For such purpose, an authority may by resolution prescribe and authorize any other housing authority or authorities, so joining or cooperating with it, to act on its behalf with respect to any or all such powers. Any authorities joining or cooperating with one another may by resolutions appoint from among the commissioners of such authorities an executive committee with full power to act on behalf of such authorities with respect to any or all of their powers, as prescribed by resolutions of such authorities.

(2) Any county housing authority may enter into an interlocal agreement with one or more local governing bodies pursuant to the provisions of s. 163.01, the Florida Interlocal Cooperation Act of 1969, with respect to projects or programs located within the county or an adjacent county, and any city housing authority may enter into such agreement with respect to projects or programs located within the county, provided that no power granted an authority under s. 421.08 may be reserved to or exercised by a local governing body under such agreement.

421.12 Eminent domain.—An authority shall have the right to acquire by the exercise of the power of eminent domain any real property which it may deem necessary for its purposes under this chapter after the adoption by it of a resolution declaring that the acquisition of the real property described therein is necessary for such purposes. An authority may exercise the power of eminent domain in the manner provided in chapters 73 and 74. Property already devoted to a public use may be acquired in like manner, provided that no real property belonging to the city, the county, the state or any political subdivision thereof may be acquired without its consent.

421.13 Planning, zoning and building laws.—All housing projects of an authority shall be subject to the planning, zoning, sanitary and building laws, ordinances and regulations applicable to the locality in which the housing project is situated. In the planning and location of any housing project, an authority shall take into consideration the relationship of the project to any larger plan or long-range program for the development of the area in which the housing authority functions.

421.14 Debentures.—

(1) An authority may issue debentures from time to time in its discretion, for any of its corporate purposes. An authority may also issue refunding debentures for the purpose of paying or retiring debentures previously issued by it. An authority may issue such types of debentures as it may determine, including debentures on which the principal and interest are payable:
(a) Exclusively from the income and revenues of the housing project financed with the proceeds of such debentures, or with such proceeds together with a grant from the federal government in aid of such project;

(b) Exclusively from the income and revenues of certain designated housing projects whether or not they were financed in whole or in part with the proceeds of such debentures; or

(c) From its revenues generally.

Any of such debentures may be additionally secured by a pledge of any revenues of any housing project, projects or other property of the authority.

(2) Neither the commissioners of an authority nor any person executing the debentures shall be liable personally on the debentures by reason of the issuance thereof. The debentures and other obligations of an authority, and such debentures and obligations shall so state on their face, shall not be a debt of the city, the county, the state or any political subdivision thereof, and neither the city or the county, nor the state or any political subdivision thereof shall be liable thereon, nor in any event shall such debentures or obligations be payable out of any funds or properties other than those of said authority. The debentures shall not constitute an indebtedness within the meaning of any constitutional or statutory debt or bond limitation or restriction.

History.—s. 14, ch. 17981, 1937; CGL 1940 Supp. 7100(3-y).

421.15 Form and sale of debentures.—

(1) Debentures of an authority shall be authorized by its resolution and may be issued in one or more series and shall bear such dates, mature at such times, bear an average interest cost rate net of federal subsidies not exceeding the rate established according to s. 215.84, be in such denominations, be in such form, either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such places and be subject to such terms of redemption, with or without premium, as such resolution or its trust indenture may provide.

(2) The debentures may be sold at public sale held after notice published on one or more newspapers of general circulation in the city and in a financial newspaper published in the City of Chicago, Illinois, or in the City of New York, New York; however, such debentures may be sold to the Federal Government at private sale without any public advertisement.

(3) In the event an offer of an issue of debentures at public sale produces no bid, or in the event all bids received are rejected, the authority is authorized to negotiate for the sale of such debentures under such rates and terms as are acceptable; however, upon their sale, the State Board of Administration shall be notified, and no such bonds shall be so sold or delivered on terms less favorable than the terms contained in any bids rejected at the public sale thereof, or the terms contained in the notice of public sale if no bids were received at such public sale.
(4) In case any of the commissioners or officers of the authority whose signatures appear on any debentures or coupons shall cease to be such commissioners or officers before the delivery of such debentures, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such commissioners or officers had remained in office until such delivery. Any provision of any law to the contrary notwithstanding, any debentures issued pursuant to this chapter shall be fully negotiable.

(5) In any suit, action, or proceedings involving the validity or enforceability of any debenture of an authority or the security thereof, any such debenture reciting in substance that it has been issued by the authority to aid in financing a housing project to provide dwelling accommodations for persons of low income shall be conclusively deemed to have been issued for a housing project of such character; and said project shall be conclusively deemed to have been planned, located, and constructed in accordance with the purposes and provisions of this chapter.

History.—s. 15, ch. 17981, 1937; CGL 1940 Supp. 7100(3-z); s. 5, ch. 78-165; s. 30, ch. 83-215.

421.16 Provisions of debentures and trust indentures.—In connection with the issuance of debentures or the incurring of obligations under leases and in order to secure the payment of such indentures or obligations, an authority, in addition to its other powers, shall have power:

(1) To pledge all or any part of its gross or net rents, gross or net fees or gross or net revenues to which its right then exists or may thereafter come into existence.

(2) To covenant against pledging all or any part of its rents, fees and revenues, or against mortgaging all or any part of its real or personal property, to which its right or title then exists or may thereafter come into existence or against permitting or suffering any lien on such revenues or property; to covenant with respect to limitations on its rights to sell, lease or to otherwise dispose of any housing project or any part thereof; and to covenant as to what other, or additional debts or obligations may be incurred by it.

(3) To covenant as to the debentures to be issued and as to the issuance of such debentures in escrow or otherwise, and as to the use and disposition of the proceeds thereof; to provide for the replacement of lost, destroyed or mutilated debentures; to covenant against extending the time for the payment of its debentures or interest thereon; and to redeem the debentures, and to covenant for their redemption and to provide the terms and conditions thereof.

(4) To covenant, subject to the limitations contained in this chapter, as to the rents and fees to be charged in the operation of a housing project or projects, the amount to be raised each year or other period of time by rents, fees and other revenues, and as to the use and disposition to be made thereof; to create or to authorize the creation of special funds for moneys held for construction or operating costs, debt service, reserves, or other purposes, and to covenant as to the use and disposition of the moneys held in such funds.
(5) To prescribe the procedure, if any, by which the terms of any contract with the holders of debentures may be amended or abrogated, the amount of debentures the holders of which must consent thereto, and the manner in which such consent may be given.

(6) To covenant as to the use of any or all of its real or personal property; and to covenant as to the maintenance of its real and personal property, the replacement thereof, the insurance to be carried thereon and the use and disposition of insurance moneys.

(7) To covenant as to the rights, liabilities, powers and duties arising upon the breach by it of any covenant, condition, or obligation, and to covenant and prescribe as to events of default and terms and conditions upon which any or all of its debentures or obligations shall become or may be declared due before maturity, and as to the terms and conditions upon which such declaration and its consequences may be waived.

(8) To vest in a trustee or trustees or the holders of debentures or any proportion of them the right to enforce the payment of the debentures or any covenants securing or relating to the debentures; to vest in a trustee or trustees the right, in the event of a default by said authority, to take possession and use, operate and manage any housing project or part thereof, and to collect the rents and revenues arising therefrom and to dispose of such moneys in accordance with the agreement of the authority with said trustee; to provide for the powers and duties of a trustee or trustees and to limit the liabilities thereof; and to provide the terms and conditions upon which the trustee or trustees or the holders of debentures or any proportion of them may enforce any covenant or rights securing or relating to the debentures.

(9) To exercise all or any part or combination of the powers herein granted.

History.—s. 16, ch. 17981, 1937; CGL 1940 Supp. 7100(3-aa).

421.17 Validation of debentures and proceedings.—

(1) A housing authority shall have the right, if it deems it expedient, to determine its authority to issue any debentures, and the legality of all proceedings had or taken in connection therewith, in the same manner and to the same extent, except as otherwise provided in this section, as provided in chapter 75 for the determination by a county, municipality, taxing district, or other political district or subdivision of its authority to incur bonded debt or to issue certificates of indebtedness and of the legality of all proceedings had or taken in connection therewith.

(2) The petition to validate such debentures, and the proceedings had or taken in connection therewith, shall be filed by the housing authority in the circuit court for the county in which is located the city for which said housing authority was created, except that whenever it appears that a housing authority is empowered to function in more than one county the circuit court of any county in the whole or any part of which the housing authority is empowered to function shall have jurisdiction of the cause in the same manner as provided in said chapter whenever a municipality, taxing district or other political district or subdivision shall extend into more than one county.
The notice required by s. 75.06 shall be addressed to the taxpayers and citizens of the city for which such housing authority has been created and of the county, or counties, in the event such housing authority is empowered to function in more than one county, in the whole or any part of which the housing authority is empowered to function; and by the publication of such notice as required by said chapter 75 all taxpayers and citizens of such city and such county or counties, as the case may be, shall be considered as parties defendant to such proceedings, and the circuit court in which the proceeding is brought shall have jurisdiction of all of the same as if they were named defendants in the petition filed pursuant to said chapter and personally served with process.

In the event no appeal is taken within the time prescribed by said chapter, or if taken, and the decree validating said debentures is affirmed by the Supreme Court, the decree of the circuit court validating and confirming the issuance of the debentures of the housing authority shall be forever conclusive as to the validity of said debentures against the housing authority and against all taxpayers and citizens of the city for which said housing authority was created and of the county or counties in the whole or part of which the housing authority is empowered to function; and the validity of said debentures shall never be called in question in any court in this state. Debentures of a housing authority, when issued under the provisions of said chapter, shall have stamped or written thereon by the proper officers of the housing authority issuing the same, the words: “Validated and Confirmed by Decree of the Circuit Court,” specifying the date when such decree was rendered and the court in which it was rendered, which shall be signed by the clerk of the circuit court in which the decree was rendered, which entry shall be original evidence of said decree in any court in this state.

History.—s. 17, ch. 17981, 1937; CGL 1940 Supp. 7100(3-bb).

421.18 Remedies of an obligee of authority.—An obligee of an authority shall have the right in addition to all other rights which may be conferred on such obligee, subject only to any contractual restrictions binding upon such obligee:

1. By mandamus, suit, action or proceeding at law or in equity to compel said authority and the commissioners, officers, agents or employees thereof to perform each and every term, provision and covenant contained in any contract of said authority with or for the benefit of such obligee, and to require the carrying out of any or all such covenants and agreements of said authority and the fulfillment of all duties imposed upon said authority by this chapter.

2. By suit, action or proceeding in equity, to enjoin any acts or things which may be unlawful, or the violation of any of the rights of such obligee of said authority.

History.—s. 18, ch. 17981, 1937; CGL 1940 Supp. 7100(3-cc).

421.19 Additional remedies conferrable by authority.—An authority shall have power by its resolution, trust indenture, lease or other contract to confer upon any obligee holding or representing a specified amount in debentures, or holding a lease, the right, in addition to all rights that may
otherwise be conferred, upon the happening of an event of default as defined in such resolution or
instrument, by suit, action or proceeding in any court of competent jurisdiction:

(1) To cause possession of any housing project or any part thereof to be surrendered to any such
obligee.

(2) To obtain the appointment of a receiver of any housing project of said authority or any part
thereof and of the rents and profits therefrom. If such receiver be appointed, he or she may enter and
take possession of such housing project or any part thereof and operate and maintain same, and collect
and receive all fees, rents, revenues, or other charges thereafter arising therefrom, and shall keep
such moneys in a separate account or accounts and apply the same in accordance with the obligation of
said authority as the court shall direct.

(3) To require said authority and the commissioners thereof to account as if it and they were the
trustees of an express trust.

History.—s. 19, ch. 17981, 1937; CGL 1940 Supp. 7100(3-dd); s. 85, ch. 97-103.

421.21 Aid from Federal Government; tax exemptions.—

(1) In addition to the powers conferred upon an authority by other provisions of this chapter, an
authority is empowered to borrow money or accept grants or other financial assistance from the
Federal Government for or in aid of any housing project within its area of operation, to take over or
lease or manage any housing project or undertaking constructed or owned by the Federal Government,
and to these ends, to comply with such conditions and enter into such trust indentures, leases or
agreements as may be necessary, convenient or desirable. It is the purpose and intent of this chapter
to authorize every authority to do any and all things necessary or desirable to secure the financial aid
or cooperation of the Federal Government in the undertaking, construction, maintenance or operation
of any housing project by such authority.

(2) In addition to the powers conferred upon an authority by subsection (1) and other provisions of
this chapter, an authority is empowered to borrow money or accept grants or other financial assistance
from the Federal Government under s. 202 of the Housing Act of 1959 (Pub. L. No. 86-372) or any law
or program of the United States Department of Housing and Urban Development, which provides for
direct federal loans in the maximum amount, as defined therein, for the purpose of assisting certain
nonprofit corporations to provide housing and related facilities for elderly families and elderly persons.

(a) Housing authorities created under this section are authorized to execute mortgages, notes, bills,
or other forms of indebtedness together with any agreements, contracts, or other instruments required
by the United States Department of Housing and Urban Development in connection with loans made for
the purposes set forth in this subsection.

(b) This provision relating to housing facilities for the elderly is cumulative and in addition to the
powers given to housing authorities under this chapter. All powers granted generally by law to housing
authorities in Florida relating to issuance of trust indentures, debentures, and other methods of raising

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capital shall apply also to housing authorities in connection with their participation in programs of the United States Department of Housing and Urban Development.

(3) It is the legislative intent that the tax exemption of housing authorities provided by chapter 423, shall specifically apply to any housing authority created under this section.

History.—s. 21, ch. 17981, 1937; CGL 1940 Supp. 7100(3-ff); ss. 1, 2, ch. 61-197; s. 7, ch. 78-165.

421.22 Reports.—At least once a year, an authority shall file with the clerk a report of its activities for the preceding year, and shall make recommendations with reference to such additional legislation or other action as it deems necessary in order to carry out the purposes of this chapter.

History.—s. 22, ch. 17981, 1937; CGL 1940 Supp. 7100(3-gg).

421.23 Liabilities of authority.—The liabilities, whether ex contractu or ex delicto, of an authority arising from the operation of its housing projects, may not be paid from any funds other than the rents, fees, or revenues of such projects and any grants or subsidies paid to such authority by the Federal Government, unless other funds are lawfully pledged by the authority’s governing board.

History.—s. 23, ch. 17981, 1937; CGL 1940 Supp. 7100(3-hh); s. 7, ch. 22858, 1945; s. 5, ch. 2005-54.

421.24 Organization and establishment.—The establishment and organization of housing authorities in the state under the provisions of the Housing Authorities Law of this state, together with all proceedings, acts and things heretofore undertaken, performed or done with reference thereto, are hereby validated, ratified, confirmed, approved and declared legal in all respects, notwithstanding any defect or irregularity therein or any want of statutory authority.

History.—s. 1, ch. 19511, 1939; CGL 1940 Supp. 7100(3-kk).

421.25 Contracts and undertakings.—All contracts, agreements, obligations, and undertakings of such housing authorities heretofore entered into relating to financing or aiding in the development, construction, maintenance, or operation of any housing project or projects or to obtaining aid therefor from the United States Department of Housing and Urban Development, including, without limiting the generality of the foregoing, loan and annual contributions, contracts and leases with the United States Department of Housing and Urban Development, agreements with municipalities or other public bodies, including those which are pledged or authorized to be pledged for the protection of the holders of any notes or bonds issued by such housing authorities or which are otherwise made a part of the contract with such holders of notes or bonds, relating to cooperation and contributions in aid of housing projects, payments, if any, in lieu of taxes, furnishing of municipal services and facilities, and the elimination of unsafe and insanitary dwellings, and contracts for the construction of housing projects, together with all proceedings, acts, and things heretofore undertaken, performed, or done with reference thereto, are hereby validated, ratified, confirmed, approved, and declared legal in all respects, notwithstanding any defect or irregularity therein or any want of statutory authority.

History.—s. 2, ch. 19511, 1939; CGL 1940 Supp. 7100(3-li); s. 8, ch. 78-165.
421.26 Notes and bonds.—All proceedings, acts and things heretofore undertaken, performed or
done in or for the authorization, issuance, execution and delivery of notes and bonds by housing
authorities for the purpose of financing or aiding in the development or construction of a housing
project or projects, and all notes and bonds heretofore issued by housing authorities are hereby
validated, ratified, confirmed, approved and declared legal in all respects, notwithstanding any defect
or irregularity therein or any want of statutory authority.

History.—s. 3, ch. 19511, 1939; CGL 1940 Supp. 7100(3-mm).

421.261 Continuance of municipal housing authorities when municipality abolished; counties in
excess of 400,000.—Whenever a municipality in any county having a population in excess of 400,000
according to the most recent official census has been or hereafter shall be abolished, wherein at the
time of such abolishment a housing authority of such municipality was or is in existence, such housing
authority shall continue to function in all respects; provided, however, that the name of such housing
authority shall thenceforth be such as may be determined by the county commissioners of the county
wherein it functions. Each such housing authority and the commissioners thereof, within the area of
operation of such housing authority as hereinafter defined, shall have the same functions, rights,
powers, duties, immunities and privileges provided for housing authorities created for cities. Each such
housing authority shall continue to operate and prosecute all projects operated or initiated by it prior
to the abolishment of the municipality, and shall be entitled to all benefits and privileges thereafter
conferred upon housing authorities for cities. The commissioners of each such housing authority shall
continue in office after the abolishment of the particular municipality for the remainder of their
respective terms. Their successors shall be appointed by resolution of the commissioners of the county.
As used in the Housing Authorities Law, the terms “mayor” and “governing body” shall be construed as
meaning “county commissioners,” the term “city” as used therein shall be construed as meaning
“county,” and the term “clerk” as used therein shall be construed as meaning “clerk of the circuit
court of the county,” unless different meanings clearly appear from the contents. The area of
operation of any such housing authority shall continue to be the same as that before the abolishment of
the municipality, unless extended by resolution of the county commissioners, provided that no such
extension shall include any territory lying within a city as defined in the Housing Authorities Law.

History.—s. 1, ch. 28305, 1953.

421.27 Housing authorities in counties.—

(1) In each county of the state there is hereby created a public body corporate and politic to be
known as the “housing authority” of the county; provided, however, that such housing authority shall
not transact any business or exercise its powers hereunder until or unless the governing body of such
county, by proper resolution shall declare at any time hereafter that there is need for a housing
authority to function in and for such county, which declaration shall be made by such governing body
for such county in the same manner and subject to the same conditions as the declaration of the
governing body of a city required by s. 421.04 for the purpose of authorizing a housing authority
created for a city to transact business and exercise its powers, except that the petition referred to in
said s. 421.04 shall be signed by 25 residents of such county.

(2) Upon notification of the adoption of such resolution the commissioners of a housing authority
created for a county, who shall be qualified electors of such county, shall be appointed by the
Governor in the same manner as the commissioners of a housing authority created for a city may be
appointed by the mayor; and except as otherwise provided herein, each housing authority created for a
county and the commissioners thereof, within the area of operation of such housing authority as
hereinafter defined, shall have the same functions, rights, powers, duties, immunities and privileges
provided for housing authorities created for cities and the commissioners of such housing authorities, in
the same manner as though all the provisions of law applicable to housing authorities created for cities
were applicable to housing authorities created for counties; provided, that for such purposes the term
“mayor” as used in the Housing Authorities Law shall be construed as meaning “Governor,” the term
“governing body” as used therein shall be construed as meaning “county commissioners,” the term
“city” as used therein shall be construed as meaning “county,” and the term “clerk” as used therein
shall be construed as meaning “county clerk,” as herein defined, unless a different meaning clearly
appears from the context; and provided further that the Governor may appoint any persons as
commissioners of a housing authority created for a county who are qualified electors in such county;
and provided further that such commissioners may be removed or suspended in the same manner and
for the same reasons as other officers appointed by the Governor.

(3) The area of operation of a housing authority created for a county shall include all of the county
for which it is created except that portion of the county which lies within the territorial boundaries of
any city as defined in the Housing Authorities Law, as amended.

History.—s. 1, ch. 20220, 1941.

421.28 Creation of regional housing authority.—

(1) If the governing body of each of two or more contiguous counties by resolution declares that
there is a need for one housing authority to be created for all of such counties to exercise powers and
other functions herein prescribed in such counties, a public body corporate and politic to be known as
a regional housing authority shall thereupon exist for all of such counties and exercise its powers and
other functions in such counties; and thereupon each housing authority created by s. 421.27 for each of
such counties shall cease to exist except for the purpose of winding up its affairs and executing a deed
to the regional housing authority as hereafter provided; provided that the governing body of a county
shall not adopt a resolution as aforesaid if there is a housing authority created for such county which
has any obligations outstanding unless first:

(a) All obligees of such county housing authority and parties to the contracts, bonds, notes and
other obligations of such county housing authority agree with such county housing authority to the
(b) The commissioners of such county housing authority adopt a resolution consenting to the transfer of all the rights, contracts, obligations and property, real and personal, of such county housing authority to such regional housing authority as hereinafter provided;

and provided further that when the above two conditions are complied with and such regional housing authority is created and authorized to exercise its powers and other functions, all rights, contracts, agreements, obligations and property of such county housing authority shall be in the name of and vest in such regional housing authority, and all obligations of such county housing authority shall be the obligations of such regional housing authority and all rights and remedies of any person against such county housing authority may be asserted, enforced and prosecuted against such regional housing authority to the same extent as they may have been asserted, enforced and prosecuted against such county housing authority.

(2) When any real property of a county housing authority vests in a regional housing authority as provided above, the county housing authority shall execute a deed of such property to the regional housing authority which thereupon shall file such deed with the recorder of deeds of the county where such real property is, provided that nothing contained in this sentence shall affect the vesting of property in the regional housing authority as provided above.

(3) The governing body of each of two or more contiguous counties shall by resolution declare that there is a need for one regional housing authority to be created for all of such counties to exercise powers and other functions herein prescribed in such counties, if such governing body finds, and only if it finds:

(a) That insanitary or unsafe inhabited dwelling accommodations exist in such county or there is a shortage of safe and sanitary dwelling accommodations in such county available to persons of low income at rentals they can afford; and

(b) That a regional housing authority would be a more efficient or economical administrative unit than the housing authority of such county to carry out the purposes of this Housing Authorities Law in such county.

(4) In any suit, action or proceeding involving the validity or enforcement of or relating to any contract of the regional housing authority, the regional housing authority shall be conclusively deemed to have become created as a public body corporate and politic and to have become established and authorized to transact business and exercise its powers hereunder upon proof of the adoption of a resolution by the governing body of each of the counties creating the regional housing authority declaring the need for the regional housing authority. Each such resolution shall be deemed sufficient if it declares that there is need for a regional housing authority and finds in substantially the foregoing
terms, no further detail being necessary, that the conditions enumerated in subsection (3) exist. A copy of such resolution of the governing body of a county, duly certified by the county clerk of such county, shall be admissible in evidence in any suit, action or proceeding.

History.—s. 1, ch. 20220, 1941.

421.29 Area of operation of regional housing authority. —

(1) The area of operation of a regional housing authority shall include all of the counties for which such regional housing authority is created and established except such portions of the counties which lie within the territorial boundaries of cities, as defined in the Housing Authorities Law, as amended.

(2) The area of operation of a regional housing authority shall be increased from time to time to include one or more additional counties not already within a regional housing authority, except such portion or portions of such additional county or counties which lie within the territorial boundaries of any city, as defined, if the governing body of each of the counties then included in the area of operation of such regional housing authority, the commissioners of the regional housing authority and the governing body of each such additional county or counties each adopt a resolution declaring that there is a need for the inclusion of such additional county or counties in the area of operation of such regional housing authority. Upon the adoption of such resolutions, the county housing authority created by s. 421.27 for each such additional county shall cease to exist except for the purpose of winding up its affairs and executing a deed to the regional housing authority as hereinafter provided; provided, however, that such resolutions shall not be adopted if there is a county housing authority created for any such additional county which has any obligations outstanding unless first:

(a) All obligees of any such county housing authority and parties to the contracts, bonds, notes and other obligations of any such county housing authority agree with such county housing authority and the regional housing authority to the substitution of such regional housing authority in lieu of such county housing authority on all such contracts, bonds, notes or other obligations, and second:

(b) The commissioners of such county housing authority and the commissioners of such regional housing authority adopt resolutions consenting to the transfer of all the rights, contracts, obligations and property, real and personal, of such county housing authority to such regional housing authority as hereinafter provided, and provided further, that when the above two conditions are complied with and the area of operation of such regional housing authority is increased to include such additional county, as hereinabove provided, all rights, contracts, agreements, obligations and property of such county housing authority shall be in the name of and vest in such regional housing authority, all obligations of such county housing authority shall be the obligations of such regional housing authority and all rights and remedies of any person against such county housing authority may be asserted, enforced and prosecuted against such regional housing authority to the same extent as they may have been asserted, enforced and prosecuted against such county housing authority.
(3) When any real property of a county housing authority vests in a regional housing authority as provided above, the county housing authority shall execute a deed of such property to the regional housing authority which thereupon shall file such deed with the recorder of deeds of the county where such real property is, provided that nothing contained in this sentence shall affect the vesting of property in the regional housing authority as provided above.

(4) The governing body of each of the counties in the regional housing authority, the commissioners of the regional housing authority and the governing body of each such additional county or counties shall by resolution declare that there is a need for the addition of such county or counties to the regional housing authority, if:

(a) The governing body of each of such additional county or counties finds that insanitary or unsafe inhabited dwelling accommodations exist in such county or there is a shortage of safe or sanitary dwelling accommodations in such county available to persons of low income at rentals they can afford; and

(b) The governing body of each of the counties then included in the area of operation of the regional housing authority, the commissioners of the regional housing authority and the governing body of each such additional county or counties find that the regional housing authority would be a more efficient or economical administrative unit to carry out the purposes of this Housing Authorities Law if the area of operation of the regional housing authority shall be increased to include such additional county or counties.

(5) In determining whether dwelling accommodations are unsafe or insanitary under this or s. 421.28, the governing body of a county shall take into consideration the safety and sanitation of the dwellings, the light and airspace available to the inhabitants of such dwellings, the degree of overcrowding, the size and arrangement of the rooms and the extent to which conditions exist in such buildings which endanger life or property by fire or other causes.

(6) In connection with the issuance of bonds or the incurring of other obligations a regional housing authority may covenant as to limitations on its right to adopt resolutions relating to the increase of its area of operation.

(7) No governing body of a county shall adopt any resolution authorized by this or s. 421.28 unless a public hearing has first been held. The clerk of such county shall give notice of the time, place and purpose of the public hearing at least 10 days prior to the day on which the hearing is to be held, in a newspaper published in such county, or if there is no newspaper published in such county, then in a newspaper published in the state and having a general circulation in such county. Upon the date fixed for such public hearing an opportunity to be heard shall be granted to all residents of such county and to all other interested persons.

History.—s. 1, ch. 20220, 1941; s. 150, ch. 77-104.

421.30 Commissioners of regional authorities.—
(1) When a regional housing authority has been created as provided above, the Governor shall thereupon appoint one qualified elector from each county included in such regional housing authority as a commissioner of the regional housing authority. When the area of operation of a regional housing authority is increased to include an additional county or counties as herein provided, the Governor shall thereupon appoint one qualified elector from each such additional county as a commissioner of the regional housing authority. If any county is excluded from the area of operation of a regional housing authority, the office of the commissioner of such regional housing authority appointed as provided above for such county, shall be thereupon abolished.

(2) If the area of operation of a regional housing authority consists at any time of an even number of counties, the Governor shall appoint one additional commissioner, who shall be a qualified elector from one of the counties in such area of operation, whose term of office shall be as herein provided for a commissioner of a regional housing authority, except that such term shall end at any earlier time that the area of operation of the regional housing authority shall be changed to consist of an odd number of counties.

(3) A certificate of the appointment of any commissioner of a regional housing authority shall be filed with the county clerk of the county from which the commissioner is appointed, and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner. The commissioners of a regional housing authority shall be appointed for terms of 4 years, except that all vacancies shall be filled for the unexpired terms. Each commissioner shall hold office until a successor has been appointed and has qualified, except as otherwise provided herein. The Governor shall thereafter appoint the successor of each commissioner of a regional housing authority.

(4) The commissioners appointed as aforesaid shall constitute the regional housing authority, and the powers of such authority shall be vested in such commissioners in office from time to time.

(5) The commissioners of a regional housing authority shall elect a chair from among the commissioners and shall have power to select or employ such other officers and employees as the regional housing authority may require. A majority of the commissioners of a regional housing authority shall constitute a quorum of such authority for the purpose of conducting its business and exercising its powers and for all other purposes.

History.—s. 1, ch. 20220, 1941; s. 2, ch. 21699, 1943; s. 86, ch. 97-103.

421.31 Powers of regional housing authority; definitions.—Except as otherwise provided herein, a regional housing authority and the commissioners thereof shall, within the area of operation of such regional housing authority, have the same functions, rights, powers, duties, privileges and immunities provided for housing authorities created for cities or counties and the commissioners of such housing authorities in the same manner as though all the provisions of law applicable to housing authorities created for cities or counties were applicable to regional housing authorities; provided that for such purposes the term “mayor” as used in the Housing Authorities Law shall be construed as meaning
“Governor,” the term “governing body” as used therein shall be construed as meaning “county commissioners,” the term “city” as used therein shall be construed as meaning “county” and the term “clerk” as used therein shall be construed as meaning “county clerk,” as herein defined, unless a different meaning clearly appears from the context; and provided further that the Governor may appoint any person as commissioner of a regional housing authority who is a qualified elector in the county from which he or she is appointed; and provided further that any commissioner of a regional housing authority may be removed or suspended in the same manner and for the same reason as other officers appointed by the Governor. A regional housing authority shall have power to select any appropriate corporate name.

History.—s. 1, ch. 20220, 1941; s. 87, ch. 97-103.

421.32 Rural housing projects.—County housing authorities and regional housing authorities are specifically empowered and authorized to borrow money, accept grants and exercise their other powers to provide housing for farmers of low income and domestic farm labor as defined in s. 514 of the Federal Housing Act of 1949. In connection with such projects, any such housing authority may enter into such leases or purchase agreements, accept such conveyances and rent or sell dwellings forming part of such projects to or for farmers of low income, as such housing authority deems necessary in order to assure the achievement of the objectives of this law. Such leases, agreements or conveyances may include such covenants as the housing authority deems appropriate regarding such dwellings and the tracts of land described in any such instrument, which covenants shall be deemed to run with the land where the housing authority deems it necessary and the parties to such instrument so stipulate. In providing housing for farmers of low income, county housing authorities and regional housing authorities shall not be subject to the limitations provided in ss. 421.08(3) and 421.10(3). Nothing contained in this section shall be construed as limiting any other powers of any housing authority.

History.—s. 1, ch. 20220, 1941; s. 3, ch. 65-223.

421.321 Execution of mortgages.—County and regional housing authorities organized under this chapter are authorized to execute mortgages encumbering real property as security for loans made for providing facilities for domestic farm labor pursuant to s. 514 of the Federal Housing Act of 1949.

History.—s. 4, ch. 65-223.

421.33 Housing applications by farmers.—The owner of any farm operated, or worked upon, by farmers of low income in need of safe and sanitary housing may file an application with a housing authority created for a county or a regional housing authority requesting that it provide for a safe and sanitary dwelling or dwellings for occupancy by such farmers of low income. Such applications shall be received and examined by housing authorities in connection with the formulation of projects or programs to provide housing for farmers of low income. Provided, however, that if it becomes necessary for an applicant under this section to convey any portion of the applicant’s then homestead...
in order to take advantages as provided herein, then in that event, the parting with title to a portion of said homestead shall not affect the remaining portion of same, but all rights that said owner may have in and to same under and by virtue of the Constitution of the state or any law passed pursuant thereto, shall be deemed and held to apply to such remaining portion of said land, the title of which remains in said applicant; it being the intention of the Legislature to permit the owner of any farm operated or worked upon by farmers of low income in need of safe and sanitary housing to take advantage of the provisions of this law without jeopardizing their rights in their then homestead by reason of any requirement that may be necessary in order for them to receive the benefits herein provided; and no court shall ever construe that an applicant who has taken advantage of this law has in any manner, shape, or form abandoned his or her rights in any property that is the applicant’s then homestead by virtue of such action upon his or her part, but it shall be held, construed, and deemed that such action upon the part of any applicant hereunder was not any abandonment of the applicant’s then homestead, and that all rights that the applicant then had therein shall be and remain as provided by the Constitution and any law enacted pursuant thereto.

History.—s. 1, ch. 20220, 1941; s. 7, ch. 22858, 1945; s. 88, ch. 97-103; s. 85, ch. 2000-153.

421.34 Additional definitions.—
(1) “Farmers of low income,” as used in this law, shall mean persons or families who at the time of their admission to occupancy in a dwelling of a housing authority:
   (a) Live under unsafe or insanitary housing conditions;
   (b) Derive their principal income from operating or working upon a farm; and
   (c) Had an aggregate average annual net income for the 3 years preceding their admission that was less than the amount determined by the housing authority to be necessary, within its area of operation, to enable them, without financial assistance, to obtain decent, safe, and sanitary housing without overcrowding;

provided, however, that this definition shall not apply to persons using facilities the construction of which was financed with proceeds of loans made pursuant to s. 514 of the Federal Housing Act of 1949.

(2) “Governing body,” as used in this law with regard to a county, shall mean the county commissioners or other legislative body of the county.

(3) “Clerk,” as used in this law with regard to a county or county authority, shall mean the clerk and accountant of the board of county commissioners or the officer having duties customarily imposed on such clerk.

History.—s. 1, ch. 20220, 1941; s. 5, ch. 65-223.

421.35 Supplemental nature of sections.—The powers conferred by ss. 421.27-421.34 shall be in addition and supplemental to the powers conferred by any other law.

History.—s. 2, ch. 20220, 1941.
421.36  **Short title.**—Sections 421.27-421.35 may be cited and referred to as the “Rural Housing Authorities Law of Florida.”

History.—s. 1, ch. 20220, 1941.

421.46  **Organization and establishment of housing authorities validated.**—The establishment and organization of housing authorities under the provisions of the Housing Authorities Law of this state together with all proceedings, acts and things heretofore undertaken, performed or done with reference thereto, are hereby validated, ratified, confirmed, approved and declared legal in all respects, notwithstanding any defect or irregularity therein or any want of statutory authority.

History.—s. 1, ch. 20222, 1941.

421.47  **Contracts and undertakings of housing authorities validated.**—All contracts, agreements, obligations, and undertakings of such housing authorities heretofore entered into relating to financing or aiding in the development, construction, maintenance, or operation of any housing project or projects or to obtaining aid therefor from the United States Department of Housing and Urban Development, including, without limiting the generality of the foregoing, loan and annual contributions contracts and leases with the United States Department of Housing and Urban Development, agreements with municipalities or other public bodies, including those which are pledged or authorized to be pledged for the protection of the holders of any notes or bonds issued by such housing authorities or which are otherwise made a part of the contract with such holders of notes or bonds, relating to cooperation and contributions in aid of housing projects, payments, if any, in lieu of taxes, furnishing of municipal services and facilities, and the elimination of unsafe and insanitary dwellings, and contracts for the construction of housing projects, together with all proceedings, acts, and things heretofore undertaken, performed, or done with reference thereto, are hereby validated, ratified, confirmed, approved, and declared legal in all respects, notwithstanding any defect or irregularity therein or any want of statutory authority.

History.—s. 2, ch. 20222, 1941; s. 9, ch. 78-165.

421.48  **Notes and bonds of housing authorities validated.**—All proceedings, laws and things heretofore undertaken, performed or done in or for the authorization, issuance, execution and delivery of notes and bonds by housing authorities for the purpose of financing or aiding in the development or construction of a housing project or projects, and all notes and bonds heretofore issued by housing authorities are hereby validated, ratified, confirmed, approved and declared legal in all respects, notwithstanding any defect or irregularity therein or any want of statutory authority.

History.—s. 3, ch. 20222, 1941.

421.49  **Area of operation of housing authorities for defense housing.**—In the development or the administration of projects, under ss. 421.46-421.48, to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities or in otherwise carrying out the purposes of such law, or in the administration of such projects in accordance with the provisions of the housing
authorities law, a housing authority of a city may exercise its powers within the territorial boundaries of said city and an area within 10 miles from said boundaries, excluding the area within the territorial boundaries of any other city which has heretofore established a housing authority.

History.—s. 1, ch. 20249, 1941; s. 100, ch. 2007-5.

421.50 Decreasing area of operation of regional authority.—

(1) The area of operation of a regional housing authority shall be decreased from time to time to exclude one or more counties from such area if the governing body of each of the counties in such area and the commissioners of the regional housing authority each adopt a resolution declaring that there is a need for excluding such county or counties from such area; provided, that no action may be taken pursuant to this section if the regional housing authority has outstanding any bonds, debentures or notes unless first, all holders of such bonds, debentures or notes consent in writing to such action; and provided, that if such action decreases the area of operation of the regional housing authority to only one county, such authority shall thereupon constitute and become a housing authority for such county, in the same manner as though such authority were created by and authorized to transact business and exercise its powers pursuant to s. 421.04 or s. 421.27, and the commissioners of such authority shall be thereupon appointed as provided for the appointment of commissioners of a housing authority created for a county. The governing body of each of the counties in the area of operation of the regional housing authority and the commissioners of the regional housing authority shall adopt a resolution declaring that there is a need for excluding a county or counties from such area only if each such governing body and the commissioners of the regional housing authority find that, because of facts arising or determined subsequent to the time when such area first included the county or counties to be excluded, the regional housing authority would be a more efficient or economical administrative unit if such county or counties were excluded from such area.

(2) The governing body of a county shall not adopt any resolution authorized by this section unless a public hearing has first been held in accordance with the provisions of the Housing Authorities Law.

(3) A certificate of the appointment of any commissioner of a regional housing authority shall be filed with the county clerk of the county from which the commissioner is appointed, and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner. The commissioners of a regional housing authority shall be appointed for terms of 4 years, except that all vacancies shall be filled for the unexpired terms. Each commissioner shall hold office until a successor has been appointed and has qualified, except as otherwise provided herein. The Governor shall thereafter appoint the successor of each commissioner of a regional housing authority.

(4) The commissioners appointed as aforesaid shall constitute the regional housing authority, and the powers of such authority shall be vested in such commissioners in office from time to time.

(5) The commissioners of a regional housing authority shall elect a chair from among the commissioners and shall have power to select or employ such other officers and employees as the
regional housing authority may require. A majority of the commissioners of a regional housing authority shall constitute a quorum of such authority for the purpose of conducting its business and exercising its powers and for all other purposes.

History.—s. 3, ch. 21699, 1943; s. 90, ch. 97-103.

421.51 Authority for county excluded from regional authority.—At any time after a county or counties is excluded from the area of operation of a regional housing authority as provided above, the governing body of any such county may adopt a resolution declaring that there is a need for a housing authority in the county, if the governing body shall declare and find such need according to the provisions of the Housing Authorities Law. Thereupon a public body corporate and politic, to be known as the “housing authority of the county,” shall exist for such county and may transact business and exercise its powers in the same manner as though created by the Housing Authorities Law. Nothing contained herein shall be construed as preventing such county from thereafter being included within the area of operation of a regional housing authority as provided in s. 421.28 or s. 421.29.

History.—s. 4, ch. 21699, 1943.

421.52 Authorities; creation, obligations, etc., validated.—

(1) The creation, establishment and organization of housing authorities under the provisions of chapter 17981, Laws of Florida, 1937, as amended, or chapter 20220, Laws of Florida, 1941 (ss. 421.01-421.36), together with all proceedings, acts and things heretofore undertaken or done with reference thereto, are hereby validated and declared legal in all respects.

(2) All agreements and undertakings of such housing authorities heretofore entered into, relating to financing, or aiding in the development or operation of any housing projects, including, without limiting the generality of the foregoing, loan and annual contributions contracts, agency contracts, and leases, agreements with municipalities or other public bodies, including those which are pledged or authorized to be pledged for the protection of the holders of any notes or debentures issued by such housing authorities or which are otherwise made a part of the contract with such holders of notes or debentures, relating to cooperation in aid of housing projects, payments to public bodies in the state, furnishing of municipal services and facilities and the elimination of unsafe and insanitary dwellings, and contracts for the construction of housing projects, together with all proceedings, acts and things heretofore undertaken or done with reference thereto, are hereby validated and declared legal in all respects.

(3) All proceedings, acts and things heretofore undertaken or done in or for the authorization, issuance, execution and delivery of notes and debentures by housing authorities for the purpose of financing or aiding in the development or construction of a housing project or projects, and all notes and debentures heretofore issued by housing authorities are hereby validated and declared legal in all respects.

History.—ss. 1-3, ch. 21698, 1943.
286.011 Public meetings and records; public inspection; criminal and civil penalties.—

(1) All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, including meetings with or attended by any person elected to such board or commission, but who has not yet taken office, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of all such meetings.

(2) The minutes of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded, and such records shall be open to public inspection. The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state.

(3)(a) Any public officer who violates any provision of this section is guilty of a noncriminal infraction, punishable by fine not exceeding $500.

(b) Any person who is a member of a board or commission or of any state agency or authority of any county, municipal corporation, or political subdivision who knowingly violates the provisions of this section by attending a meeting not held in accordance with the provisions hereof is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(c) Conduct which occurs outside the state which would constitute a knowing violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(4) Whenever an action has been filed against any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision to enforce the provisions of this section or to invalidate the actions of any such board, commission, agency, or authority, which action was taken in violation of this section, and the court determines that the defendant or defendants to such action acted in violation of this section, the court shall assess a reasonable attorney’s fee against such agency, and may assess a reasonable attorney’s fee against the individual filing such an action if the court finds it was filed in bad faith or was frivolous. Any fees so assessed may be assessed against the individual member or members of such board or commission; provided, that in any case where the board or commission seeks the advice of its attorney and such advice is followed, no such fees shall be assessed against the individual member or members of the board or commission. However, this subsection shall not apply to a state attorney or his or her duly authorized assistants or any officer charged with enforcing the provisions of this section.

(5) Whenever any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision appeals any court order which has found said board, commission, agency, or authority to have violated this section, and such order is affirmed, the court shall assess a reasonable attorney’s fee for the appeal against such board, commission, agency, or authority. Any fees so assessed may be assessed against the individual member or members of such board or commission; provided, that in any case where the board or commission seeks the advice of its attorney and such advice is followed, no such fees shall be assessed against the individual member or members of the board or commission.
(6) All persons subject to subsection (1) are prohibited from holding meetings at any facility or location which discriminates on the basis of sex, age, race, creed, color, origin, or economic status or which operates in such a manner as to unreasonably restrict public access to such a facility.

(7) Whenever any member of any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision is charged with a violation of this section and is subsequently acquitted, the board or commission is authorized to reimburse said member for any portion of his or her reasonable attorney's fees.

(8) Notwithstanding the provisions of subsection (1), any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision, and the chief administrative or executive officer of the governmental entity, may meet in private with the entity's attorney to discuss pending litigation to which the entity is presently a party before a court or administrative agency, provided that the following conditions are met:

(a) The entity’s attorney shall advise the entity at a public meeting that he or she desires advice concerning the litigation.

(b) The subject matter of the meeting shall be confined to settlement negotiations or strategy sessions related to litigation expenditures.

(c) The entire session shall be recorded by a certified court reporter. The reporter shall record the times of commencement and termination of the session, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter’s notes shall be fully transcribed and filed with the entity’s clerk within a reasonable time after the meeting.

(d) The entity shall give reasonable public notice of the time and date of the attorney-client session and the names of persons who will be attending the session. The session shall commence at an open meeting at which the persons chairing the meeting shall announce the commencement and estimated length of the attorney-client session and the names of the persons attending. At the conclusion of the attorney-client session, the meeting shall be reopened, and the person chairing the meeting shall announce the termination of the session.

(e) The transcript shall be made part of the public record upon conclusion of the litigation.

History.—s. 1, ch. 67-356; s. 159, ch. 71-136; s. 1, ch. 78-365; s. 6, ch. 85-301; s. 33, ch. 91-224; s. 1, ch. 93-232; s. 210, ch. 95-148; s. 1, ch. 95-353; s. 2, ch. 2012-25.
MEMORANDUM

To: Honorable Rick Kriseman c/o Jackie Kovilaritch, City Attorney
From: Jay M. Walker
Date: February 25, 2019
RE: St. Petersburg Housing Authority ("SPHA"), CEO Evaluation Process

Issues:

This memorandum will provide an overview of the CEO evaluation process and then address the specific concerns regarding the November 16, 2017, regular board meeting where recent articles suggest neglect by board members for voting on a pay raise for the CEO.

CEO Evaluation Process:

The CEO Evaluation process at the SPHA is governed by the By-Laws as voted on by the Board of Commissioners. The most recent version of the By-laws as amended on October 22, 2015, are attached hereto as exhibit A for your consideration. Pursuant to Article II, Sections 4 and 5 of the Bylaws, the Secretary and the CEO are the same individual and carry out the duties assigned as a non-voting officer reporting to the Board. Pursuant to Article II, Section 4 of the Bylaws:

The selection, compensation, and discharge of the Secretary (also the CEO) shall be determined by the Board.

The SPHA By-Laws establish standing committees that perform tasks as assigned by the Board. Regular board meetings are held 10 times a year. This schedule has been the norm for at least the last 10 years. Of course, the committee meetings are noticed, open and provide the opportunity for members of the public to participate via public comment in compliance with Florida’s Sunshine Laws. Pursuant to the By-Laws, the respective committee makes recommendations to the Board through written reports distributed prior to the meetings of the Authority or through oral reports at meetings. See id. at Article IV, Section 1.
One of the three standing committees of the SPHA is the Personnel Committee. The Personnel Committee is charged with conducting evaluations of the Chief Executive Officer (whom also serves as Secretary). See Id. at Article IV, Section 2, (B), (ii).

The November 16, 2017, Regular Board Meeting

The Personnel Committee met on June 21, 2017, to evaluate the CEO’s performance. As a direct consequence of the employee evaluations of the CEO, the Committee determined that the CEO needed to receive additional coaching regarding communication and interaction with staff. A vote for an increase in compensation was not brought to the board pending the outcome of this training.

On August 17, 2017, Mr. Love as a corrective action retained Mr. Leo Dauwer, a management consultant and expert in Housing Authorities operation and management. The two met in person to address issues regarding Mr. Love’s management style and demeanor. Mr. Love also met with all of his senior staff to discuss better ways to communicate.

On November 15, 2017, the Personnel Committee considered the training received by Mr. Love from Mr. Dauwer along with the progress he had made regarding goals and objectives as completed by Mr. Love for both the 2016 year and year to date of 2017. A copy of the 2016 and 2017 tasks performed are attached hereto as exhibit B and C, respectively. Based upon the reports and progress against prior issues raised at the meeting on June 21, 2017, the Committee voted to approve a raise. The full board had access and receives the packets that go to all committee members for use during committee meetings.

The full board meet on November 16, 2017, and voted to approve (6-0) the compensation as recommended by the Personnel Committee.

As confirmed via an interview with Commissioner Nesbitt, her comments from the November 16, 2017, meeting regarding trying to locate an evaluation were based upon her looking for a more formal or matrix type evaluation that she had seen used with prior CEO evaluations (prior to her time as serving as an SPHA commissioner). She was comfortable that Mr. Love had completed the tasks assigned him and voted accordingly. This was Commissioner Nesbitt’s first vote at the SPHA as it pertained to the CEO evaluation and she has since been guiding the efforts to create a more formal document that would do a better job of
summarizing the CEO’s performance. As she put it, something to tie in and help digest all the information considered by the Personnel Committee.

The audio of the committee meeting is taken out of context and does not reflect Commissioner Nesbitt’s intentions, nor do they reflect the understanding of other Commissioners. It is also of note that the salary of the CEO of the SPHA is in line with his counterparts at the Clearwater Housing Authority and Pinellas County Housing Authorities.

The Commissioners of the Housing Authority work extremely hard on a volunteer basis to make informed decisions. The vote of November 16, 2017, is no exception, the Commissioners adhered to the By-Laws and believe that they appropriately voted for a raise to Mr. Love.
ST. PETERSBURG
HOUSING AUTHORITY

By-Laws
of the Housing Authority

EXHIBIT A
ARTICLE I
THE AUTHORITY

Section 1. Name of the Authority: The name of the Authority shall be The Housing Authority of the City of St. Petersburg, Florida.

Section 2. Seal of the Authority: The seal of the Authority shall be in the form of a circle and shall bear the name of the Authority and the year of its organization.

Section 3. Office of the Authority: The executive office of the Authority shall be located in the City of St. Petersburg, Florida, but the Authority may have its executive or other offices at such other place or places as the Authority may from time to time designate.

ARTICLE II
OFFICERS

Section 1. Officers: The officers of the Authority shall be a Chairperson, a Vice-Chairperson, and Secretary, who shall act as the primary advisor to the Board and who shall be the current Chief Executive Officer except as otherwise provided herein.

Section 2. Chairperson: The Chairperson of the Board shall preside at all meetings of the Board. The Chairperson shall be responsible for advising and training all members on board decorum, by-laws, and rules. The Chairperson shall also be responsible for resolving disputes as it pertains to the conduct of the meetings and shall be the enforcer of the conduct of the meetings. The Chairperson of Board shall nominate all members of all Standing and Ad Hoc Committees of the Board and appoint committee chairpersons, shall have the authority to create any other committee he/she sees fit, and shall be a member of all committees.

Section 3. Vice-Chairperson: The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson, and shall perform other such duties as the Board shall prescribe, and, in case of the resignation or death of the Chairperson, the Vice-Chairperson shall perform such duties as are imposed on the Chairperson until such time as the Board shall appoint a new Chairperson.

Section 4. Secretary: The Secretary shall be the primary advisor to the Board, shall attend all meetings of the Board and Committees, except as provided otherwise by these By-Laws, shall keep the records of the Authority, shall act as Secretary of the meetings of the Authority and record all votes, shall keep a record of the proceedings of the Authority in a journal of proceedings to be kept for such purposes, and shall perform all the duties incident to his/her office.

The Secretary shall keep in a safe custody the seal of the Authority and shall affix such seal to all required documents and instruments authorized to be executed on behalf of the Authority.
The Secretary shall have the care and custody of all funds of the Authority and shall deposit the same in the name of the Authority in such bank or banks as the Board may select. He/she shall sign all orders and checks for the payment of money and shall pay out and disburse such monies under the direction of the Board. Except as otherwise authorized by Resolution of the Board, all such orders and checks shall be countersigned by the Chairperson of the Board. The Secretary shall keep regular books of accounts showing all receipts and expenditures and shall render to the Board, at each regular meeting (or more often when requested), an account of his/her transactions and also of the financial condition of the Authority. He/she shall give such bond for the financial performance of his/her duties as the Board may determine. The compensation of the Secretary shall be determined by the Board and subject to appropriate approval from the United States Department of Housing and Urban Development (HUD); however, if a temporary appointee is selected from the Board, he/she shall serve without compensation.

The selection, compensation, and discharge of the Secretary shall be determined by the Board, subject to any and all local laws and/or regulations, any and all laws and/or regulations of the State of Florida, and any and all laws and/or regulations of the United States of America, which are applicable thereto.

Any person appointed to fill the office of Secretary, or any vacancy therein, shall have such term as the Board fixes, but no Board member shall be eligible to this office except as a temporary appointee.

Section 5. Chief Executive Officer: The Chief Executive Officer shall, upon assuming the office of Chief Executive Officer, become the Secretary of the Authority, as provided by Florida Statute 421.05. All duties imposed upon and invested in the Secretary shall be performed by the Chief Executive Officer. The Chief Executive Officer shall be responsible to see that all resolutions of the Board are carried into effect, through coordination with the Chairperson. He/she shall have general supervision over the administration of the business and affairs of the Authority, subject to the direction of the Board. He/she shall manage and operate all of the Housing Authority projects subject to the direction and such rules and regulations as may be promulgated by the Board and the United States Department of Housing and Urban Development (HUD).

Section 6. Additional Duties: The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Board so long as said functions are in compliance with the By-Laws, the rules and/or regulations of the Authority, and the rules and regulations of the United States Department of Housing and Urban Development (HUD), and all other applicable laws.

Section 7. Election or Appointment: The Chairperson and Vice-Chairperson shall be elected at the annual meeting of the Board from among the Board members and shall hold office for one (1) year or until their successors are elected and qualified. The Chairperson cannot succeed himself/herself after two (2) consecutive terms as Chairperson without a two-thirds (2/3) vote of the Board members present at the annual meeting.
Section 8. **Vacancies**: Should the offices of Chairperson or Vice-Chairperson become vacant, the Board shall elect a successor from its membership at the next regular meeting, and such elections shall be for the unexpired term of said office. When the office of Secretary becomes vacant, the Board shall choose a successor.

Section 9. **Additional Personnel**: The Authority may, through its Chief Executive Officer, from time to time employ such personnel (staff of the Authority) as it deems necessary to exercise its powers, duties, and functions as prescribed by any and all local laws and/or regulations of the State of Florida and any and all laws and/or regulations of the United States of America, which are applicable thereto. The selection, compensation, and discharge of such personnel shall at all times be determined by the Chief Executive Officer, subject to any and all local laws and/or regulations, any and all laws and/or regulations of the State of Florida, and any and all laws and/or regulations of the United States of America, which are applicable thereto.

Section 10. **Board Member Responsibilities**: In addition to any other responsibilities and duties provided for within these By-Laws or otherwise required by law, Board members are charged with providing direction in the establishment and monitoring of a strategic plan for the Housing Authority, which may include, but not be limited to, recommending short and long term goals and action plans to provide the basis to obtain said goals.

Section 11. **Conflicts of Interest**: In addition to any and all other applicable conflict of interests requirements created by federal, state, or local law, other than the lease hold interest held by the tenant commissioner in the housing location in which he/she is a tenant, no Board member or employee of the Housing Authority shall acquire any interest, direct or indirect, in any housing project or in any property included or planned to be included in any project, nor shall he/she have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any housing project. To the extent a commissioner or employee of the Housing Authority owns or controls such an interest, direct or indirect, he/she must immediately disclose the same in writing to the authority.

**ARTICLE III**

**MEETINGS**

Section 1. **Annual Meeting**: The annual meeting of the Board shall be held on the same date and place as the regular meeting in the second month of the fiscal year. The time of such meeting shall be immediately prior to the scheduled starting time of the regular meeting. The purpose of the annual meeting shall be to elect officers, receive reports of officers and committees, and to conduct any other business which the Board may deem necessary. The annual meeting shall be noticed to each member of the Board electronically and to the Public in compliance with the State of Florida’s Sunshine Laws.

Section 2. **Regular Meeting**: Regular meetings of the Board may be held at the principal office or other such location as may be designated by the Board, at such time and date as may be determined by resolution of the Board. Regular meetings shall be
noticed to each member of the Board electronically and to the Public in compliance with the State of Florida's Sunshine Laws.

**Section 3. Special Meetings:** The Chairperson of the Board may, if he/she deems it expedient, and/or shall upon the written request of two (2) members of the Board, call a special call meeting of the Board for the purpose of transacting the business designated in the call. The call for a special meeting shall be noticed to each member of the Board electronically and to the public in compliance with the State of Florida’s Sunshine Laws. At the special call meeting, no more than two (2) items of business can be transacted, as designated in the call.

**Section 4. Emergency Meeting:** The Chairperson of the Board, or Vice-Chairperson in the event the Chairperson is unavailable, upon emergency may call an emergency meeting. An Emergency meeting shall be noticed to each member of the Board electronically. Upon advice of counsel and with consideration given to the emergency at hand, notice and quorum may be waived for the Board to conduct business. No more than one (1) item of business can be transacted at an emergency meeting.

**Section 5. Attendance at Meetings:** Board members are generally expected to attend all meetings of the Board and excessive absences will be cause for recommendation for removal of the Board member from the Board, as provided in Chapter 421, Laws of the State of Florida. “Excessive absences” which ordinarily will subject a Board member to recommendation for removal are herein defined as:

A. Absence from any three (3) consecutive regular meetings of the Board, or

B. Absences from more than forty percent (40%) of the regular meetings of the Board during the course of a year.

However, for good cause shown, such as major illness or other exigent circumstances, this requirement may be waived or modified by majority vote of the Board.

**Section 6. Quorum:** At all Annual, Regular, Special, and/or Committee meetings of the Board, a majority of the members of the Board and/or members of the Committee shall constitute a quorum for the purpose of transacting business. A majority of those present may transact any business, or adopt any resolutions or any matter for discussion before any meeting, provided that a smaller number may meet and adjourn to some other time or until a quorum is obtained.

**Section 7. Meeting Agenda:** The agenda is created by the Chairperson of the Board and the Chief Executive Officer. If a Board member wishes to add a policy item to the Agenda, the Board member must first take the policy item to the appropriate committee for discussion. If the committee votes to move the policy item for consideration by the full board, if possible, it will be added to the agenda of the next general meeting of the Board, but no later than the second general meeting after the decision has been made to add the item to the Agenda. If a Board member wishes to add an administrative item to the Agenda, the Board member must first take the item to the Chief Executive Officer for consideration. If the Chief Executive Officer determines the administrative item is appropriate, if possible, it will be added to the agenda of the next general meeting of the Board.
Board, but no later than the second general meeting after the decision has been made to add the item to the Agenda.

If an item the Board member sought to be added onto the Agenda is denied at either the Committee level or by the Chief Executive Officer, the Board member may bring the matter up before the Board during the New Business portion of the next scheduled Board meeting. The Board member will be allowed a brief statement as to why the item should be on the agenda, and a Committee member that voted against putting the item on the Agenda, or the Chief Executive Officer if the item was administrative, will be allowed a brief statement as to why the matter was not added to the Agenda. Following this, the full Board will vote on whether to add the item to the next agenda of the full Board.

**Section 8. Order of Business:** At the regular meetings of the Board the following shall be the order of business:

A. Call to Order  
B. Roll Call  
C. Approval of the Agenda  
D. Legal Report  
E. Approval of the minutes of the previous meeting(s)  
F. Public Forum  
G. Report of the Chairperson  
H. Report of Committees (if any)  
I. Chief Executive Officer's Comments  
J. Old Business  
K. New Business  
L. Adjournment

All resolutions shall be in writing and shall be copied in a journal of the proceedings of the Board.

**Section 9. Manner of Voting:** The voting on all questions coming before the Board shall be by roll call, and the yeas and nays shall be entered upon the minutes of such meeting.

**Section 10. Minutes:** Minutes shall be recorded in accordance with State law.

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**ARTICLE IV**

**COMMITTEES**

**Section 1. Committees:** The Board shall establish Standing Committees, which shall exist and function continuously until abolished or altered by Resolution of the Board, and Ad Hoc Committees, which shall exist and function until such time that the assignment of the Ad Hoc Committee is completed as established by Resolution of the Board.

No committee member shall be authorized to give instruction to Authority employees, nor act on behalf of the Board without specific authorization from the Board at a regular, special, or emergency meeting of the Board.
Committee members shall perform tasks assigned by the Board and shall make a recommendation on policy to the Board through written reports distributed prior to the meetings of the Authority or, if necessary, through oral reports at meetings. Committee members may interpret policy, advise employees of the Authority, and otherwise serve as a resource to employees of the Authority in the fulfillment of their duties. If, at any time, employees of the Authority believe a Board member or a committee is acting contrary to the policies adopted by the Board, the Chief Executive Officer may request the Board member or committee to ask the full board to ratify the action in question.

The Chief Executive Officer or designee shall be notified of all Committee meetings and shall be present in a primary advisor capacity. The Finance Committee and the Personnel Committee may meet without the Chief Executive Officer present, provided the Chief Executive Officer has been directed not to attend by the Chairperson of the Committee, but any such meeting must be reported to the Board at the next meeting of the Board.

Section 2. Standing Committees: There shall be three (3) Standing Committees of the Authority, which shall be the Finance Committee, the Personnel Committee, and the Residents' Interests Committee.

A. FINANCE COMMITTEE

Purpose: The Finance Committee shall oversee the financial affairs of the Authority, including but not limited to:

i. recommending the format of monthly financial reports;

ii. recommending the outside independent auditor and acting as liason;

iii. recommending financial controls and review of investments to ensure compliance with HUD regulations;

iv. recommending procedures to control grants, special funds, auxiliary and ancillary enterprises;

v. recommending "workout" plans or other controls necessary to regain and maintain financial stability and compliance with all HUD requirements related to reserves;

vi. recommending changes in the data processing system and ensuring adequate security measures for the system.

Membership: Ordinarily, the Committee shall have three (3) members, as nominated by the Chairperson of the Board and confirmed by majority vote of the Board. Ordinarily, the Chairperson of the Committee will be the Board member most experienced in financial matters, preferably a Certified Public Accountant. Ordinarily, either the Chairperson or Vice-Chairperson of the Board shall be one of the members of the Committee. Committee members shall serve two (2) year terms and may be nominated for additional terms. Other than ex-officio members, membership on this committee shall be limited to members of the Board.

Meetings: The Committee shall meet at least quarterly, and at other times as designated by the Chairperson. Both the Chief Financial Officer and the Chief
Executive Officer shall be present unless specifically directed otherwise by the Chairperson of the Board.

B. PERSONNEL COMMITTEE

**Purpose:** The Personnel Committee shall oversee the Personnel Policies of the Authority, to include but not limited to:

i. reviewing and recommending of changes in the Personnel Policy Manual;
ii. conducting evaluations of the Chief Executive Officer;
iii. reviewing and recommending annual salary ranges, general benefits, and other related personnel costs;
iv. recommending comparison studies to ensure that salaries and benefits are reasonable and appropriate for the job and for the region; and
v. reviewing and approving of calculation for payments to employees terminating work with the Authority, if payments to such employees exceed $2,500, excluding payments accrued for vacation and/or sick time

**Membership:** Ordinarily the Committee shall have three (3) members, as nominated by the Chairperson of the Board and confirmed by majority vote of the Board. The Chairperson of the Committee shall be named by the Chairperson of the Board. Committee members shall serve two (2) year terms and may be nominated for additional terms. Other than ex-officio members, membership on this Committee is limited to members of the Board.

**Meetings:** The Committee shall meet at least quarterly, and at other times as designated by the Chairperson. The Chief Executive Officer shall be present unless specifically directed otherwise by the Chairperson of the Board.

C. RESIDENTS’ INTERESTS COMMITTEE

**Purpose:** The Residents’ Interests Committee shall consult with residents and the Chief Executive Officer of the Authority on matters of concern to residents of housing developments owned or operated by the Authority, including but not limited to:

i. recommendations concerning safety, maintenance, cleanliness, and comfort of housing developments;
ii. recommendations to the Board on policies related to housing conditions, fees charged residents, etc.;
iii. reviewing and recommending grants and other activities designed to enhance the life of residents, such as cafeterias, after-school programs, day-care operations, resident councils, recreational facilities, etc.;
iv. recommending to the mayor of the City of St. Petersburg, Florida, after encouraging and obtaining written opinions as to preferred candidates willing to serve from the residents, qualified candidates for the Resident Commissioner position on the Board.
Membership: Ordinarily the committee shall have three (3) members as nominated by the Chairperson of the Board and confirmed by the majority vote of the Board. A Resident Commissioner shall be one of these three members and shall serve as chair of the committee; if refused, the Chairperson of the Board will appoint a chair for the committee. Committee members will serve two (2) year terms and may be nominated for additional terms. Other than ex-officio members, membership on this committee shall be limited to members of the Board. Representatives of Resident Associations and Resident Management Corporations shall be invited to attend committee meetings and participate in discussions, but shall not be voting members of the committee.

Meetings: The Committee shall meet at least annually, and at other times as designated by the Chairperson. The Chief Executive Officer shall be present unless specifically directed otherwise by the Chairperson of the Board.

Section 3. Ad Hoc Committees: The Board may from time to time establish Ad Hoc Committees to review and make recommendations to the Board on issues of specific interest to the Board.

Membership: Ordinarily, membership on any Ad Hoc Committee shall not be limited in number and may include non-members of the Board. Members shall be nominated by the Chairperson of the Board and confirmed by the majority of the Board. The Chairperson of the Committee shall be named by the Chairperson of the Board. Committee members will serve two (2) year terms and may be nominated for additional terms.

Duration of Committee: The duration of any Ad Hoc committee shall be established by the Board.

Section 4. Additions, Deletions and Structure: Any changes to the structure of the committees and/or additions or deletions of members of the Committees shall occur only by Resolution of the Board.

ARTICLE V
EXECUTIVE SESSIONS

Section 1. Public Meetings: All meetings of the Board and Committee meetings, where two (2) or more Commissioners are present, shall be in public session and shall be accessible to all members of the public and all members of the media, and shall comply with applicable Government in the Sunshine law and/or regulations, upon advice of the General Counsel to the Authority.

Section 2. Parliamentary Procedure: The Board, in consultation with General Counsel, shall use the current edition of the Robert’s Rules of Order, as may be amended in the future, as the general guide for conducting Board and Committee Meetings. Deviation from the guidelines outlined in the Robert’s Rules of Order shall require majority vote of the Board present at said Board or Committee meeting so long

Approved 10/22/2015
as a quorum is present. To the extent the Robert’s Rules of Order conflicts with these By-Laws, then these By-Laws shall be controlling.

ARTICLE VI
APPLICABLE LAWS AND/OR REGULATIONS

Compliance: The By-Laws of the Authority are intended to reflect the commitment of the Authority and the Board to comply with any and all local laws and/or regulations, any and all laws and/or regulations of the State of Florida, and any and all laws and/or regulations of the United States of America which are applicable thereto.

ARTICLE VII
AMENDMENTS

Amendments to By-Laws: The By-Laws of the Authority shall be amended, altered, or new By-Laws adopted only upon the affirmative vote of two-thirds of the entire Board at a regular or special meeting, but no such amendment, alteration, repeal, or proposed new By-Laws shall be adopted unless at least seven (7) days electronic notice thereof has been previously given to all of the members of the Board.
2016 Performance Evaluation Information  
January 1, 2016 – June 1, 2016

AGENCY-WIDE EXECUTIVE LEVEL

TASK #1: Revision to Admissions and Continued Occupancy Policies Public Housing Properties.

How Measured: Implemented effective rule changes to better serve the public housing residents with rent payment options, criminal background/activities reviews, community services and self sufficiency requirements.

Completion Date: January 2016

TASK #2: Implemented 2016 Payment Standards for the Housing Choice Voucher Program to maintain fiscal stability & reduce the monthly housing assistance payments portion paid by SPHA for 2016.

How Measured: Implemented monthly income reviews of HCVP families alleging zero household incomes. In addition, implemented no increase to the 2016 Payment Standards that were established at (110%) of fair market rents in July 2015.

Completion Date: January 2016

TASK #3: Revision to SPHA Procurement Policy and Disposition Policy

How Measured: Implemented changed to procurement and contracting requirements through streamlining Federal government’s guidance of administrative requirements and cost principles.

Completion Date: January 2016

TASK #4: Jordan Park, Right of First Refusal

How Measured: Notified the Richman Group of SPHA’s intent to exercise the Right of First Refusal subject to the determination of the buyout price.

Completion Date: January 2016

TASK #5: Established the RISE Development Corporation as 501©(3) corporation for the betterment of developing housing for the City of St. Petersburg, FL.

How Measured: The Articles of Incorporation approved by Florida Department of State – Division of Corporation and assigned a document number.

Completion Date: May 2016
TASK #6: Implemented the request to submit the Section 8 Management Assessment Program (SEMAP) Certification FYE 12/31/15.

How Measured: Completed electronic submission to HUD prior to due date error free.

Completion Date: February 2016

TASK #7: Implemented revision to the Personnel Policy that provided short-term disability insurance coverage to SPHA employees.

How Measured: Recommendation approved by the Board of Commissioners with minimal increase to the fiscal year 2016 budget.

Completion Date: January 2016

TASK #8: Procured a Housing Consultant to work with SPHA’s management team. The Housing Consultant will assist staff with Jordan Park acquisition, RAD property dispositions, moving-to-work application and wounded warrior development.

How Measured: Two workshops were conducted with the Board of Commissioners and HUD. Both workshops were facilitated by the Housing Consultant regarding Jordan Park.

Completion Date: January and March 2016

TASK #9: Completed the negotiations of the sale of the excess central office land.

How Measured: Assisted staff with the final negotiations of the sale in conjunction with SPHA’s real estate counsel.

Completion Date: February 2016

TASK #10: Completed the negotiations of the purchase of affordable housing (Wallysburg Apartments), a twenty-four (24) unit multifamily apartment community.

How Measured: Executed a Purchase and Sale Agreement to purchase Wallysburg Apartments and worked with SPHA’s real estate counsel to consummate the transaction for the purchase of the property.

Completion Date: March 2016

TASK #11: Implemented amendments to the Housing Choice Voucher Administrative Plan.

How Measured: Established the usage of Nan McKay Housing Services updates to ensure plan updates are maintained.

Completion Date: March 2016
TASK #12: Became member of Florida Association of Local Housing Finance Authorities and Coalition of Affordable Housing Providers and Housing and Development Law Institute for further SPHA’s involvement in the affordable housing industry.

How Measured: Implemented weekly conference calls with the Housing Consultant and scheduled to attend coalition and association meetings this summer.

Completion Date: March 2016

TASK #13: Executed Purchase and Sale Agreement for Jordan Park Apartments.

How Measured: Currently reviewing the Purchase and Sale Agreement for Jordan Park Apartments with the Richman Group of Florida, Inc. in concert with SPHA’s real estate counsel.

Completion Date: May 2016

TASK #14: Implemented Request for Proposal (RFP) for capital improvement at Palm Bayou Apartments (roof and HVAC repairs).

How Measured: Staff solicited repair services from contractors and work quotes are being currently review by staff.

Completion Date: June 2016
2017 Performance Evaluation Information
January 1, 2017 – December 31, 2017

AGENCY-WIDE EXECUTIVE LEVEL

Task #1: Revision to amend the Housing Choice Voucher Program Administrative Plan.

*How Measured:* Implemented effective rule changes to better serve the Housing Choice Voucher Program residents. Resolution #2441 – A Resolution to Amend the Housing Choice Voucher Program Administrative Plan was implemented.

**Completion Date:** January 2017

Task #2: Implemented a resolution to approve the property management agreement for Jordan Park Apartments with RISE Jordan Park Apartments, LLC.

*How Measured:* Implemented Resolution #2447 – A Resolution to Approve the Property Management Agreement for Jordan Park Apartments with RISE Jordan Park Apartments, LLC

**Completion Date:** February 2017

Task #3: Sold the property located at 2240 9th Avenue South to the City of St. Petersburg for the creation of the Dr. Carter G. Woodson African American Museum.

*How Measured:* Implemented Resolution 2454 – A Resolution Approving the Sale of the Property Located at 2240 9th Avenue South to the City of St. Petersburg for the creation of the Dr. Carter G. Woodson African American Museum.

**Completion Date:** April 2017

Task #4: Implemented a resolution to approve banking services.

*How Measured:* Implemented Resolution #2451 – A Resolution to Approve Banking Services in March 2017.

**Completion Date:** March 2017

Task #5: Based on our meeting with HUD in February, Rental Assistance Demonstration (RAD) conversion is the only option under which HUD will approve the recapitalization of Jordan Park. HUD confirmed receipt of the RAD applications on May 31st and advised that they were under review and would be placed on the wait list. HUD had indicated that the applications on the wait list would be processed this summer based on the increase in the HUD CAP under the 2017 appropriations bill. However, as of July 2017, we have not received any further information from HUD.

*How Measured:* The Redevelopment Plan was provided to HUD.

**Completion Date:** May 2017
Task #6: A Resolution Approving the Submission of Rental Assistance Demonstration (RAD) Applications was approved.

How Measured: Implemented Resolution #2455 – A Resolution Approving the Submission of Rental Assistance Demonstration (RAD) Applications.

Completion Date: May 2017

Task #7: A resolution to amend the Housing Choice Voucher (HCV) Program Administrative Plan and the Public Housing Admissions and Continued Occupancy Policy (ACOP).

How Measured: Implemented Resolution #2456 – A Resolution to Amend the Housing Choice Voucher (HCV) Program Administrative Plan and the Public Housing Admissions and Continued Occupancy Policy (ACOP).

Completion Date: May 2017

Task #8: A disposition application was submitted to HUD to for thirty-one (31) historic village units at Jordan Park Apartments through the HUD Special Applications Center (SAC). The tenants will receive tenant protection vouchers. We received a preliminary call requesting additional information including justification for obsolescence. We scheduled a follow up call with the Director of the SAC to clarify that we were not submitting an application based on obsolescence but rather on the regulatory provision that allows units to be disposed if the PHA can demonstrate that the units could be operated more effectively and efficiently as other affordable housing. The disposition application for the thirty-one senior units was processed and the SAC provided a draft approval letter for comment. We reviewed the draft and provided suggestions for minor changes.

How Measured: Implemented Resolution #2457 in May 2017 – A Resolution to Submit a Disposition Application for the Thirty-One (31) Historic Village Units at Jordan Park Apartments. Our revised draft of the SAC approval letter was returned to the SAC on August 18th and we are awaiting the final executed copy.

Completion Date: August 2017

Task #9: A resolution approving and authorizing the CEO to enter into negotiations for a Fee Developer was approved.

How Measured: Implemented Resolution #2465 – A Resolution Approving and Authorizing the CEO to Enter into Negotiations for a Fee Developer.

Completion Date: August 2017

Task #10: Submitted a project scope and financial pro forma for Veterans Housing to Florida Community Loan Fund for review in May 2017. FCLF provides mortgages to non-profits and governmental agencies for affordable housing developments throughout the State of Florida. Their financing terms are favorable and they are very interested in financing the project for SPHA.

How Measured: Submitted a project scope to Florida Community Loan Fund (FCLF). A formal acquisition proposal was submitted to HUD and as of September 2017 we are awaiting HUD approval. We have updated financial pro formas and will move forward with financial commitments upon approval of the acquisition plan.

Completion Date: September 2017
Task #11: Sought new Fee Developer by issuing a Request for Qualifications.

How Measured: Proposals in response to the Fee Developer Request for Qualifications were due on July 20th. We received a total of 5 proposals from the following Development Teams:

- Nortstar Development USA, LP
- Blue Sky Communities, LLC
- McCormack, Baron, Salazar, Inc.
- Pantheon Development Group
- Urban America, LLC

Business terms were developed and presented to Norstar Development; after discussion and negotiations, final business terms were agreed. A draft Development Agreement was completed and circulated among the Housing Authority team and a conference to finalize the SPHA agreement was scheduled for September 29th. The draft agreement was then forward to Norstar for their review with a goal to finalize with all parties by October 12th. We conducted a meeting with Norstar on October 23rd to discuss the Development Agreement and reached consensus on all terms and conditions of the agreement. The Development Agreement has been finalized and sets forth all business terms agreeable to the Housing Authority.

Completion Date: October 2017

Task #12: A resolution to amend the Section 8 Housing Choice Voucher (HCV) Program Administrative Plan was submitted.

How Measured: Implemented Resolution #2467 – A Resolution to Amend the Section 8 Housing Choice Voucher (HCV) Program Administrative Plan for Lead Safe Housing Rule Pertaining to Elevated Blood Levels; and Resolution #2468 – A Resolution to Amend the Housing Choice Voucher Program Administrative Plan and Public Housing Admissions and Continued Occupancy Policy for Disaster-Affected Displaced Families.

Completion Date: October 2017

Task #13: Revised plans were submitted to the Residents’ Interests Board regarding Public Housing 2018 flat rents and Public Housing utility allowances.

How Measured: Implemented the following resolutions:

- Resolution #2472 – Public Housing 2018 Flat Rents
- Resolution #2473 – Approval of 2018 Public Housing Utility Allowances
- Resolution #2474 – A Resolution Approving Continuance of the 2017 Payment Standards to 2018 for the Housing Choice Voucher Program

Completion Date: November 2017
**Task #14:** Relocation - Residents of the Senior Village were provided with general information notice about the forthcoming relocation. Formal meetings were scheduled for October 2nd to issue the Notice of Relocation and the 90 Day Notice to Vacate. The Relocation Specialist conducted individual assessments with each resident to understand their relocation needs. Residents who were ready to move prior to receipt of a tenant protection voucher were issued an SPHA regular voucher that would then be replaced with the tenant protection vouchers once received.

How Measured: Formal meetings took place on October 2nd to issue the Notice of Relocation and the 90 Day Notice to Vacate. The application was submitted on September 21st for the Tenant Protection Vouchers (TPV) for families living in the historic Jordan Park village. We received notification of award of the 31 tenant protection vouchers on January 19th and the funding was retroactive to January 1st. We will transfer residents that have already moved to a TPV effective January 1st and return the voucher used to our overall voucher pool.

**Completion Date:** December 2017

**Task #15:** Submitted RAD applications to HUD immediately following the May Board meeting. On May 31st, we received confirmation of receipt from HUD and were advised that the review process had begun.

How Measured: We received notification in October 2017, that the RAD applications have been approved for the Commitment to Enter into a Housing Assistance Payments Contract (CHAP). Receipt of the CHAP allows us to move forward with the financing plan and eventually the RAD closing. The Commitment to Enter into a Housing Assistance Payment Contract (CHAP) was received on December 11th. The CHAP serves as the official approval of the RAD applications and authorizes the Authority to move forward with the RAD conversion transaction. RAD sets forth some specific deadlines to complete the conversion process. The first critical timeline is to have the financing plan submitted within six months from the date of the CHAP.

**Completion Date:** December 2017
March 6, 2019

Jacqueline M. Kovilaritch, Esquire
City Attorney
City of St. Petersburg
P.O. Box 2842
St. Petersburg, FL 33731

RE: St. Petersburg Housing Authority

Dear Ms. Kovilaritch:

I provide this letter in response to your February 28, 2019 correspondence.

Before addressing your specific questions, I hope that you and the Mayor will consider certain context that I believe is relevant. The primary tool that the Department of Housing and Urban Development ("HUD") uses to evaluate a public housing authority ("PHA") like the St. Petersburg Housing Authority is the Public Housing Assessment System ("PHAS" score). This report provides an in depth review of: (1) the physical condition of the housing units; (2) the financial condition and oversight of the PHA's funds; (3) management of the organization (i.e. how the agency is run) and (4) the condition of the Capital Fund. The most recent PHAS score for the SPHA was completed for the fiscal year of 2016 at which time the SPHA achieved a score of 98 out of 100 to maintain its designation of High Performer. A copy of the PHA score report is enclosed as Exhibit A for consideration. For further understanding of the PHAS system, I am enclosing as Exhibit B, Understanding Public Housing Assessment System (PHAS) as issued by HUD. Bottom line, the SPHA is one of the top performing PHAs in the country.

I also believe it is appropriate to briefly address the CEO’s compensation. The SPHA’s CEO is highly compensated. However, based upon his nearly forty years of experience in public housing including past responsibilities as a CEO of a PHA in Michigan, his salary is well within the parameters established in the industry. His salary for the year of 2016 totaled $140,000.00, 2017 totaled $150,000.00 and 2018 totaled $157,500. By comparison, salaries of the other CEO’s or Executive Directors in the area include $214,794.00 for the Tampa Housing Authority; $162,318.00 for the Sarasota Housing Authority; $158,765.00 for the Manatee County Housing Authority; $133,910 for the Pinellas County Housing Authority and $163,946.00 for the Clearwater Housing Authority1. Also, for your consideration, the annual salary for the prior CEO of the SPHA for the fiscal year 2015 was $186,151.00.

1 The salaries listed are self-reported compensation data from the PHA 2013 Executive Compensation Survey conducted by HUD.
Finally, as the Mayor has yet to speak with any of the Commissioners in question, I have enclosed a summary of interviews (Exhibit C) conducted with each of them regarding the Mayor’s concerns. I hope that he will take into consideration the context and as appropriate set some time aside to speak with each of them. They are very passionate about the mission of the SPHA and are very alarmed at how inaccurately they have been portrayed in the media.

As for your specific requests, responses are below:

1. Mr. Love's Employment Agreement with the Housing Authority dated December 28, 2015 references a Performance Appraisal System. Please provide me with all documents related to the establishment of the Performance Appraisal System and implementation thereof by the Personnel Committee and Board (other than the Performance Evaluation Information exhibits you attached to the Memorandum).

   RESPONSE: In addition to the tasked based documentation already provided, the main job responsibilities tool used when evaluating the CEO is attached hereto as Exhibit D. Main tasks and goals will change depending on what is going on within the organization. When Mr. Love took over at the beginning of 2016, in addition to overseeing the day to day operations of the over 3700 public housing and housing choice voucher units administered by the SPHA that do not include Jordan Park, the significant tasks were overseeing and finalizing the purchase of Jordan Park Apartments; creating an entity to own and operate Jordan Park; and ultimately converting Jordan Park to a Rental Assistance Demonstration (“RAD”) based system so Jordan Park could be improved to provide quality, safe, decent and sanitary housing well into the future. These discussions are outlined at the very outset in a January 6, 2016, Board workshop and the January 28, 2016, regular Board meeting. However, as nothing is static, tasks and “to do” items can come up from week to week and are discussed regularly between the Board and the CEO during all general Board meetings.

2. Who developed and documented the Tasks set forth in the 2016 Performance Evaluation Information (January 1, 2016 – June 1, 2016)? Who developed and documented the "How Measured" and Completion Date information? When were the Tasks set forth in the 2016 Performance Evaluation Information (January 1, 2016 – June 1, 2016) approved by the Personnel Committee and/or Board? When was the "How Measured" and Completion Date information approved by the Personnel Committee and/or Board? Please provide all Personnel Committee and Board minutes related to action taken by the Personnel Committee and Board related to the 2016 Performance Evaluation Information (January 1, 2016 – June 1, 2016).

   RESPONSE: The documented tasks are set forth by the CEO and the Board. The CEO of the SPHA creates and keeps up the tasks list and tracks progress based upon directions from the
Board. Of course, tasks can and will change from time to time depending on the needs of the organization. The CEO tracks and reports to the Board when the tasks are completed. The reason for the half year task sheet provided from January 1, 2016 to June 1 of 2016, in the February 25, 2019 memorandum to Mayor Kriseman was that Mr. Love did not yet have a full year of activity before his first CEO review. That took place via the Personnel Committee on June 22, 2016. As there was not a full year of employment, there was no consideration of a raise or any other action at that time and the committee only reviewed the first few months of his performance as CEO. Minutes from the June 22, 2016, Personnel Committee meeting and June 23, 2016, regular Board meeting are enclosed as composite Exhibit E for your review. I, have also, enclosed the full 2016 task report for your consideration which is attached hereto as Exhibit F².

3. Who developed and documented the Tasks set forth in the 2017 Performance Evaluation Information (January 1, 2017 – December 31, 2017)? Who developed and documented the "How Measured" and Completion Date information? When were the Tasks set forth in the 2017 Performance Evaluation Information (January 1, 2017 – December 31, 2017) approved by the Personnel Committee and/or Board? When was the "How Measured" and Completion Date information approved by the Personnel Committee and/or Board? Please provide all Personnel Committee and Board minutes related to action taken by the Personnel Committee and Board related to the 2017 Performance Evaluation Information (January 1, 2017 – December 31, 2017).

RESPONSE: The process prior to the June 21, 2017, Personnel Committee meeting tracks the same as listed above in the 2016 meeting. The committee interviews the CEO, takes into account the overall health of the organization, reviews tasks completed to date, the 2016 tasks list and took into consideration other items such as the anonymous CEO evaluations from senior staff members. As a result of this meeting, the Personnel Committee decided to require corrective action by Mr. Love. Thereafter, the CEO spoke via phone and then met with Mr. Leo Dauwer, a management consultant and expert in Housing Authorities Operation and Management. On August 17, 2017, the two met in person to address issues regarding Mr. Love’s management style and demeanor. Mr. Love also met with all of his senior staff to discuss better ways to communicate. On November 15, 2017, the Personnel Committee considered the training received by Mr. Love from Mr. Dauwer, along with the progress he had made regarding goals and objectives as completed by Mr. Love for both the 2016 year and year to date 2017. Based upon the reports and progress against prior issues raised at the meeting on June 21, 2017, the Committee voted to approve a raise. The full Board meet on November 16, 2017, and voted to approve (6-0) the compensation as recommended by the Personnel Committee. Per your request, I have enclosed the minutes from the June 21, 2017 and November 15, 2017, Personnel Committee meetings as

² Exhibit F is the full 2016 Task form, the document provided in the February 25, 2019, Memorandum only went through June 1, 2016, as it was used in the June 22, 2016, Personnel Committee meeting. At that time, there were only a few months of employment to evaluate.
composite Exhibit G. The minutes from the full Board meeting on November 16, 2017, are enclosed as Exhibit H.


RESPONSE: I believe response to request number 2 is responsive to this request along with Exhibit F referenced therein.

5. Please provide me with all documents included in the agenda package and related to Mr. Love’s performance and compensation for the June 21, 2017 Personnel Committee meeting, November 15, 2017 Personnel Committee meeting and November 16, 2017 Board meeting. Please provide me with copies of any recordings of the June 21, 2017 Personnel Committee meeting, November 15, 2017 Personnel Committee meeting and November 16, 2017 Board meeting.

RESPONSE: The documents responsive to this are contained within composite Exhibit I. Thumb drives with audio of the available recordings are enclosed.

6. Please provide me with a copy of the agreement entered into between the Housing Authority and Mr. Leo Dauwer and all documents and deliverables prepared by Mr. Dauwer in connection with such agreement.

RESPONSE: Enclosed as Exhibit J.

7. What due diligence was conducted by the Personnel Committee and/or Board related to the approval of performance based incentive pay for Mr. Love (i.e., compensation in the form of a percentage of developer fees)?

RESPONSE: Neither the Personnel Committee nor the full Board ever approved incentive pay for the CEO or senior staff. Reporting on this has been erroneous. The idea was proposed and both the Personnel Committee and the full Board voted to recommend that the RISE Board of Directors meet to discuss incentive pay for consideration. Ultimately, this matter was never given further consideration because there was a concern that such a payment would be in violation of Section 421.06 of the Florida Statutes.

8. Does the Personnel Committee and/or Board conduct "Executive Sessions"? If so, what type of business is conducted during such sessions and are these sessions public meetings (i.e., Sunshine meetings)? If any meetings of the Personnel Committee and/or Board related to Mr.
Love’s performance and compensation have not been public meetings, please provide the applicable exemption from Section 286.011, Florida Statutes.

**RESPONSE:** When you refer to the term “Executive Session,” I am going under the impression that you are referring to a closed session as outlined in Section 286.011(8) of the Florida Statutes. For at least the last 5 years, there have been no such meetings. All meetings of every committee and/or the full Board are in public session and are accessible to all members of the public and the media. The public or media has never been asked to leave any meeting.

9. Has the Personnel Committee and/or Board adopted a policy regarding recording (tape or digital) of meetings? If the Personnel Committee and/or Board has adopted such a policy, please provide me with a copy of same. If the Personnel Committee and/or Board has not adopted such a policy, how and by whom is the decision made to record or cease recording a meeting?

**RESPONSE:** The Board’s policy regarding the audio recording of Personnel Committee and/or Board meetings is encompassed in Article V, Section 1 of the Bylaws. A copy was provided to you in the February 25, 2019, memorandum. Please let me know if you require another copy. The Personnel Committee has for at least the last several years made the decision to not record the evaluation portion of the proceeding so as to promote a candid back and forth conversation between the committee and the employee. This is not a violation of the Sunshine Law and this is not an executive or closed session. The meetings remain open, neither the public nor media has ever been directed to leave. Of course, all such meetings are conducted pursuant to Section 286.011 of the Florida Statutes. Also, as confirmed by the head of Human Resources, Ms. Roberson, this practice predates the current CEO by several years.

As referenced above and in earlier correspondences, if Mayor Kriseman has any additional questions or would like further information, please let us know. SPHA and its CEO would welcome the opportunity for further dialogue with Mayor Kriseman and separately for the Mayor to address the Board at a future meeting.

Best Regards,

Jay M. Walker

JMW/
Enclosures
## PHA Score Report for Fiscal Year 2016

### PHA Information

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### PHAS Score: 98  
Designation: High  
Status: Performer  
PHAS Status: Released

Select a PHAS indicator to view details relating to the composite score.

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Last Updated: 09/26/2017

The scores in RED and ITALICS have been invalidated.

**EXHIBIT A**

PHYSICAL INSPECTION SUMMARY REPORT
The Inspection Summary Report is designed to achieve two objectives:
1. Provide the Public Housing Agency or owner and/or owner agent (POA) with the background information i.e. addresses, phone numbers, building names, etc., collected during inspection of a given property so that any relevant discrepancies can be identified and resolved.
2. Inform the POA of the physical condition of their property captured during a REAC inspection.
   The items described below introduce the information provided in the Inspection Summary Report and are intended to meet the objectives illustrated above.

   Inspection Number: The inspection number is unique for each inspection conducted by REAC.
   Each time a property is inspected by REAC, a new inspection number is utilized. These unique numbers may be used to communicate with REAC on any matter concerning a particular inspection.

   Property Information: Information related to a property is provided:
      _property identification number (in parentheses) - a unique number in HUD databases
      _property name
      _status as a scattered site (Yes/No)
      _relevant addresses, phone numbers, fax numbers, and e-mail addresses for property

      Each of these should be checked carefully for accuracy. Any discrepancies should be reported to your contact in the HUD office having jurisdiction over your property.

   Building Unit Count: The total number of buildings and units on the property are given, along with the number of buildings and units actually inspected by REAC

   Scores: An overall numerical score is given as a value from zero to 100. Separate numerical scores are also given for each of five areas:
      _site
      _building exterior
      _building systems
      _common areas
      _units

   The five area scores range from zero to the maximum number of points possible for each area. The possible points for a given area are determined for a specific property based on the inspectable items actually present in each area. The sum of the area points identifies what the overall score would be if there were no health & safety (H&S) deficiencies. The overall numerical score is then calculated by subtracting the sum of deductions for H&S deficiencies from the sum of the individual “area points.”

   Examples of overall scores are: 95c; 67b*; 84a*; 100b; 78s; and 43c*. The asterisk indicates that H&S deficiencies were found with respect to smoke detectors. The lower-case letter indicates whether or not other kinds of H&S deficiencies were observed, as follows:
      _The letter "a" is given if no health and safety deficiencies were observed other than for smoke detectors.
      _The lower-case letter "b" is given if one or more non-life threatening H&S deficiencies, but no exigent/fire safety H&S deficiencies were observed other than for smoke detectors.
      _The lower-case letter "c" is given if there were one or more exigent/fire safety (calling for immediate attention or remedy) H&S deficiencies observed.

   Although all H&S deficiencies other than smoke detector problems affect the scores with appropriate deductions, the letters grades are added to highlight the serious nature of H&S deficiencies, all of which need to be addressed by the POA.

   Health and Safety Counts: In addition to the counts of actual H&S deficiencies observed in the inspected buildings and units, the estimated number of H&S deficiencies that would have been found had all buildings and units been inspected is also given. This projected count gives a sense of the total H&S problem for the inspected property. The projection is calculated by dividing the counts actually observed in buildings or units by the proportion of buildings or units inspected. These projected counts for buildings and units are added to the actual counts for site to determine the total projection. The percent of buildings and units inspected is additionally given to show the basis for the calculations.

   Participants/Buildings/Units: Information provided includes:
relevant addresses, phone numbers, fax numbers, and e-mail addresses for participants
name, year built, number of units and address for each building on the property. Note:
All buildings on the property should be listed.
As before, each of these should be checked carefully for accuracy and any discrepancies should be reported to your contact in the HUD office having jurisdiction over your property.
Inspectable Items: This portion of the report details all deficiencies found in the inspection. The main headings in the first column refer to the inspectable area--site, building exterior, building systems, common areas, unit, or health & safety, where the deficiency was observed. The entries are "inspectable items" within which the deficiencies were found. Some items may not be present for a given property. In such cases, appropriate adjustments are made in the area weigh to use to obtain the overall score. Items present, but with no deficiencies found, are not listed.
The potential inspectable items are:
Site: fencing & retaining walls, grounds, lighting, mail boxes/project signs, market appeal, parking lots/driveways, play areas & equipment, refuse disposal, roads, storm drainage, and walkways
Building Exterior: doors, fire escapes, foundations, lighting, roofs, walls, and windows
Building Systems: domestic water, electrical system, elevators, emergency power, fire protection, heating/ventilation/air conditioning, and sanitary system
Common Areas: basement/garage/carport, closet/utility/mechanical, community room, day care, halls/corridors/stairs, kitchen, laundry room, lobby, office, other community spaces, patio/porch/balcony, pools & related structures, restrooms, storage, and trash collection areas
Unit: bathroom, call-for-aid, ceiling, doors, electrical system, floors, heating/ventilation/air conditioning, hot water heater, kitchen, lighting, outlets/switches, patio/porch/balcony, stairs, walls, and windows
Health & Safety: emergency/fire exits, electrical hazards, flammable materials, garbage and debris, infestation, handrails, air quality, hazards, and elevator
NO/OD: The inspection protocol requires the inspector to check for the existence of certificates for certain items such as lead-based paint, elevators, etc. If all of the required certificates are verified by the inspector, the report will not include any certificate information. If any appropriate certificates are not present, the first inspectable item listed will be "certificates" and the designation "NO" will be listed for each unavailable certificate.
OD in this column refers to "observed deficiency" for the given item.
Observation: The column lists the specific deficiencies observed within a given inspectable item. Each deficiency has a definition, which specifies what must be observed for that deficiency to be recorded. Also noted in this column are observations about Health & Safety items. These are:
- (LT) – Exigent/Fire Safety (calling for immediate attention or remedy)
- (NLT) – Not Life Threatening
- (SD) – Smoke Detector
Definitions for all deficiencies are given in the physical inspection section at REAC's web site on the Internet (www.hud.gov/reac/reaphyin.html).
Severity: Deficiencies differ by "severity." The definitions specify what must be recorded for a given deficiency under one of three possible severity levels—minor, major and severe. The severity level is given on the report to indicate which part of the definition actually applies for the specific deficiency observed. Severity levels are defined within a given deficiency and do not necessarily indicate which deficiencies are the worst. For more serious deficiencies, a major severity level may be more of a problem and may reduce the overall score more than less serious deficiencies with a severity level of "severe."
Location/Comments: Comments are required for all "severe" deficiencies.

<table>
<thead>
<tr>
<th>Deficiency</th>
<th>Location/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</tbody>
</table>
The following indicators are currently used to assess the financial condition of Public Housing Authorities subject to evaluation by the Real Estate Assessment Center. The financial condition of each PHA is evaluated to determine whether the PHA has sufficient financial resources and is managing those resources effectively to support the provision of decent, safe and sanitary housing. The calculations below provide a general description of the accounts used to construct each indicator. A detailed schedule of computations for each indicator is available from the summary page.

IV. Subindicators
A. Subindicators of the Financial Condition Indicator
There are three subindicators that examine the financial condition of each project. The values of the three subindicators, derived from the FDS submitted by the PHA, comprise the overall financial assessment of a project. The three subindicators of the financial condition indicator are:
- Quick Ratio (QR);
- Months Expendable Net Assets Ratio (MENAR); and
- Debt Service Coverage Ratio (DSCR).

B. Description of the Financial Condition Subindicators The subindicators are described as follows:
Subindicator #1, QR. This subindicator is a liquidity measure of the project’s ability to cover current liabilities. It is measured by dividing adjusted unrestricted current assets by current liabilities. The purpose of this ratio is to indicate whether a project could meet all current liabilities if they became immediately due and payable. A project should have available current resources equal to or greater than its current liabilities in order to be considered financially liquid. The QR is a commonly used liquidity measure across the industry. Maintaining sufficient liquidity is essential for the financial health of an individual project.

Subindicator #2, MENAR. This subindicator measures a project’s ability to operate using its net available, unrestricted resources without relying on additional funding. It is computed as the ratio of adjusted net available unrestricted resources to average monthly operating expenses. The result of this calculation shows how many months of operating expenses can be covered with currently available, unrestricted resources.

Subindicator #3, DSCR. This subindicator is a measure of a project’s ability to meet regular debt obligations. This subindicator is calculated by dividing adjusted operating income by a project’s annual debt service payments. It indicates whether the project has generated enough income from operations to meet annual interest and principal payment on long-term debt service obligations.
MANAGEMENT OPERATIONS INDICATOR SCORING METHODOLOGY

The Management Operations Indicator score provides an assessment of each PHA’s management effectiveness. The computation of this PHAS indicator requires a maximum of three main calculations, which are:

Occupancy; Tenant accounts receivable; and Accounts payable.

Subindicator #1, Occupancy. This subindicator measures the occupancy for the project’s fiscal year, adjusted for allowable vacancies pursuant to 24 CFR 990.145. A PHA will achieve 16 points if it has an adjusted occupancy rate equal to or greater than 98 percent. It will receive 12 points if it has an adjusted occupancy rate of less than 98 percent but equal to or greater than 96 percent. It will receive 8 points if it has an adjusted occupancy rate of less than 96 percent but equal to or greater than 94 percent. It will receive 4 points if it has an adjusted occupancy rate of less than 94 percent but equal to or greater than 92 percent. It will receive 1 point if it has an adjusted occupancy rate of less than 92 percent but equal to or greater than 90 percent. It will receive 0 points if it has an adjusted occupancy rate of less than 90 percent.

<table>
<thead>
<tr>
<th>Occupancy value</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>≥98%</td>
<td>16</td>
</tr>
<tr>
<td>&lt;98% but ≥96%</td>
<td>12</td>
</tr>
<tr>
<td>&lt;96% but ≥94%</td>
<td>8</td>
</tr>
<tr>
<td>&lt;94% but ≥92%</td>
<td>4</td>
</tr>
<tr>
<td>&lt;92% but ≥90%</td>
<td>1</td>
</tr>
<tr>
<td>&lt;90%</td>
<td>0</td>
</tr>
</tbody>
</table>

Subindicator #2, Tenant accounts receivable. This subindicator measures the tenant accounts receivable of a project against the tenant charges for the project’s fiscal year. Charges include rents and other charges to tenants, such as court costs, maintenance costs, etc. A PHA will receive 5 points if it has a tenant accounts receivable ratio of less than 1.5. It will receive 2 points if it has a tenant accounts receivable ratio of equal to or greater than 1.5 and less than 2.5. It will receive zero points if it has a tenant accounts receivable ratio of equal to or greater than 2.5.

<table>
<thead>
<tr>
<th>Tenant accounts receivable value</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;1.5</td>
<td>5</td>
</tr>
<tr>
<td>≥1.5 but &lt;2.5</td>
<td>2</td>
</tr>
<tr>
<td>≥2.5</td>
<td>0</td>
</tr>
</tbody>
</table>

Subindicator #3, Accounts payable. This subindicator measures the money that a project owes to vendors at the end of the project’s fiscal year for products and services purchased on credit against total operating expenses. A PHA will receive 4 points if it has an accounts payable ratio of less than 0.75. It will receive 2 points if it has an accounts payable ratio of equal to or greater than 0.75 but less than 1.5. It will receive zero points if it has an accounts payable ratio of equal to or greater than 1.5.

<table>
<thead>
<tr>
<th>Accounts payable value</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;0.75</td>
<td>4</td>
</tr>
<tr>
<td>≥0.75 but &lt;1.5</td>
<td>2</td>
</tr>
<tr>
<td>≥1.5</td>
<td>0</td>
</tr>
</tbody>
</table>
The Capital Fund Program Summary

The purpose of the Capital Fund program assessment is to examine the period of time it takes a PHA to obligate the funds provided to a PHA from the Capital Fund program under section 9(j) of the 1937 Act (42 U.S.C. 1437g(9)(j)), and to occupy units. Funds from the Capital Fund program under section 9(d) of the 1937 Act (42 U.S.C. 1437g(d)(2)) do not include HOPE VI program funds. This indicator is not applicable for PHAs that choose not to participate in the Capital Fund program under section 9(d) of the 1937 Act. This indicator is applicable on a PHA-wide basis, and not to individual projects. The Capital Fund program indicator is based on a maximum of 10 points. The assessment required under the PHAS Capital Fund program indicator will be performed through analysis of:

1. Obligated amounts in HUD’s electronic Line of Credit Control System (eLOCCS) (or its successor) for all Capital Fund program grants that were open during a PHA’s assessed fiscal year.

2. The PHA’s occupancy rate as measured at the end of the PHA’s fiscal year, which is calculated by dividing the total occupied assisted, special use, and non-assisted units by the total ACC units less the total uninhabitable units as reflected in the Inventory Management System/Public Housing Information Center (PIC) (or its successor).

Of the total 100 points available for a PHAS score, a PHA may receive up to 10 points based on the Capital Fund program indicator. Scoring for this indicator will be dependent on the amount of time it takes a PHA to obligate its Capital Fund grant(s), as well as the PHA’s occupancy rate. If a PHA has no obligation end dates in the assessed fiscal year, and does not have any § 9(j) of the 1937 Act sanctions against it, the points for that sub indicator will be redistributed to the remaining sub indicator.

A. Subindicators of Capital Fund Program Indicator.

B. The two subindicators of the Capital Fund program indicator are:
   • Timeliness of fund obligation; and
   • The PHA’s occupancy rate.

Subindicator #1, Timeliness of Fund Obligation. This subindicator examines the period of time it takes for a PHA to obligate funds from the Capital Fund program under section 9(j)(1) of the 1937 Act (42 U.S.C. 1437g(9)(j)). HUD may extend the period of time for the obligation of funds in accordance with 24 CFR 905.120 and section 9(j)(2) of the 1937 Act. Points are awarded on the following bases: The PHA will earn the full 5 points if it has obligated 90 percent or more of the grant amount for all of its grants on its obligation end date, or on the extended obligation end date, for all open Capital Fund program grants that have obligation end dates during the assessed fiscal year and does not have any grants that have been sanctioned pursuant to § 9(j) of the 1937 Act during the
assessed fiscal year. The PHA will earn 0 points if it has obligated less than 90 percent of the grant amount for any of its open grants on the obligation end date during the assessed fiscal year or is undergoing sanctions as per Section III of this notice.

Obligation value Points

<table>
<thead>
<tr>
<th>Value</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>&gt;90% and no sanctions</td>
<td>5</td>
</tr>
<tr>
<td>&lt;90% or sanctions</td>
<td>0</td>
</tr>
</tbody>
</table>

If the PHA receives 0 points for this subindicator, it is not eligible for points for subindicator #2.

Subindicator #2, Occupancy rate. This subindicator measures the PHA’s occupancy rate as measured at the end of the PHA’s fiscal year, which is calculated by dividing the total occupied assisted, HUD approve special use, and non-assisted units by the total ACC units less the total uninhabitable units as reflected in the Inventory Management System/PIC, or its successor. This information will be calculated as of the end of the PHA’s fiscal year. A PHA will receive 2 points if it has an adjusted occupancy rate of at least 93 percent but not more than 96 percent. A PHA will receive 5 points if it has an adjusted occupancy rate of 96 percent or more.

IV. Sanctions
Sanctions for the obligation of funds are in accordance with 24 CFR 905.120 If a PHA has been sanctioned during the assessment period, the PHA will receive 0 points for the timeliness of fund obligation.

V. Elements of Scoring
A. Points and Threshold. The Capital Fund program indicator is based on a maximum of 10 points. In order to receive a passing score under this indicator, a PHA must achieve at least 5 points or 50 percent of the available points under this indicator.

B. Scoring Elements. The Capital Fund program indicator score provides an assessment of a PHA’s ability to obligate Capital Fund program funds in a timely manner, as well as a PHA’s occupancy rate. The computation of the score under this PHAS indicator utilizes data obtained through analysis of obligated amounts in HUD’s eLOCCS (or its successor) for all Capital Fund program grants that were open during the assessed fiscal year and PIC (or its successor) data as of the PHA’s assessed Fiscal Year End. Scores are first calculated for each subindicator. From the two subindicator scores, an indicator score is then calculated. C. Example of Score Computations. The indicator score equals the sum of the subindicator scores, described in Section II, paragraph B. D. PHA Responsibility. PHAs are responsible for ensuring that their Capital Fund program information is submitted to eLOCCS and occupancy information to PIC by the submission due date. A PHA may not appeal its PHAS and/or Capital Fund program score based on the fact that it did not submit its Capital Fund program information to eLOCCS and occupancy information to PIC by the submission due date. PHAs shall retain supporting documentation for the Capital Fund.
PHAS Scoring Explanation

(a) Indicators and sub indicators. Each PHA will receive an overall PHAS score, rounded to the nearest whole number, and based on the four indicators: Physical condition, financial condition, management operations, and the Capital Fund program. Each of these indicators contains sub indicators, and the scores for the sub indicators are used to determine a single score for each of these PHAS indicators. Individual project scores are used to determine a single score for the physical condition, financial condition, and management operations indicators. The Capital Fund program indicator score is entity-wide.

(b) Overall PHAS score and indicators. The overall PHAS score is derived from a weighted average of score values for the four indicators, as follows:

1. The physical condition indicator is weighted 40 percent (40 points) of the overall PHAS score.
2. The financial condition indicator is weighted 25 percent (25 points) of the overall PHAS score.
3. The management operations indicator is weighted 25 percent (25 points) of the overall PHAS score.
4. The Capital Fund program indicator is weighted 10 percent (10 points) of the overall PHAS score for all Capital Fund program grants for which fund balances remain during the assessed fiscal year.

All PHAs that receive a PHAS assessment shall receive a performance designation. The performance designation is based on the overall PHAS score and the four indicator scores, as set forth below.

(a) High performer. (1) A PHA that achieves a score of at least 60 percent of the points available under the financial condition, physical condition, and management operations indicators and at least 50 percent of the points available under the Capital Fund indicator, and achieves an overall PHAS score of 90 percent or greater of the total available points under PHAS shall be designated a high performer. A PHA shall not be designated a high performer if it scores below the threshold established for any indicator. (2) High performers will be afforded incentives that include relief from reporting and other requirements, as described in § 902.71.

(b) Standard performer. (1) A PHA that is not a high performer shall be designated a standard performer if the PHA achieves an overall PHAS score of at least 60 percent, and at least 60 percent of the available points for the physical condition, financial condition, and management operations indicators, and at least 50 percent of the available points for the Capital Fund indicator. (2) At HUD’s discretion, a standard performer may be required by the field office to submit and operate under a Corrective Action Plan.

(c) Substandard performer. A PHA shall be designated a substandard performer if the PHA achieves a total PHAS score of at least 60 percent and achieves a score of less than 60 percent under one or more of the physical condition, financial condition, or management operations indicators. The PHA shall be designated as substandard physical, substandard financial or substandard management, respectively. The HUD office with jurisdiction over the PHA shall require a Corrective Action Plan if the deficiencies have not already been addressed in a current Corrective Action Plan.

(d) Troubled performer. (1) A PHA that achieves an overall PHAS score of less than 60 percent shall be designated as a troubled performer. (2) In accordance with section 6(j)(2)(A)(i) of the Act (42 U.S.C. 1437d(j)(2)(A)(i)), a PHA that receives less than 50 percent under the Capital Fund program indicator under subpart E of this
part will be designated as a troubled performer and subject to the sanctions provided in section 6(j)(4) of the Act (42 U.S.C. 1437(d)).

(b) Frequency of scoring for PHAs with 250 units or more.

(1) All PHAs, with 250 units or more may be assessed on an annual basis. (2) The physical condition score for each project will determine the frequency of inspections of each project. For projects with a physical condition score of 90 points or higher, physical inspections will be conducted every 3 years at the project. For projects with a physical condition score of less than 90 points but at least 80 points, physical inspection will be conducted every 2 years at the project. The physical condition score of 80 points or higher will be carried over to the next assessment period and averaged with the other project physical condition score(s) for the next assessment year for an overall PHAS physical condition indicator score. For projects whose physical condition score for a project is less than 80 points, physical inspections will be conducted annually at the project. (3) If a PHA is designated as a troubled performer, all projects will receive a physical condition inspection regardless of the individual project physical condition score.

Small deregulated PHAs with fewer than 250 units will receive a PHAS assessment as follows: High performers will receive PHAS assessments every 3 years; Standard and substandard performers will receive PHAS assessments every other year; and Overall troubled and Capital Fund troubled PHAs will receive PHAS assessments every year. All projects that score 90 points or higher on their physical condition inspections will be inspected every 3 years, consistent with HUD's multifamily housing programs. Projects that score at least 80 points but fewer than 90 points will receive a physical condition inspection every other year. Projects that score less than 80 points will receive a physical condition inspection every year. All projects in overall troubled and Capital Fund troubled PHAs will receive a physical condition inspection every year.

Mixed-finance projects will not receive financial or management scores. Mixed-Finance (MXF) - Whereas the PHAS rule requires all PHAs to timely submit annual unaudited, and as applicable audited, financial information, the rule further provides that mixed-finance projects are excluded from the financial and management indicator scores. If all projects are mixed-finance, the overall PHAS score and designation are based only on the Physical Assessment Subsystem (PASS) and Capital Fund Program (CFP) indicator scores. To determine an equitable score based on a 100 point scale, the weights for the PASS and CFP indicators are adjusted to add to 100.
About PHAS

The Public Housing Assessment System, or PHAS, is the system that HUD uses to assess a PHA's performance in managing its low-rent public housing programs. HUD uses a centralized system to collect individual subsystem scores using various sub indicators and produces a composite PHAS score representing PHA's performance management. PHAS uses a 100-point scoring system based on four categories of indicators:

- PASS (Physical Assessment Subsystem) – 40 points
- FASS (Financial Assessment Subsystem) – 25 points
- MASS (Management Assessment Subsystem) – 25 points
- CFP (Capital Fund Program) – 10 points

Scores are generated for each development, or Asset Management Project (AMP). AMP scores are weighted by how many units are in the AMP and then combined into the agency-wide score. The total score is used to determine the PHA's designation under PHAS. Scores below 60 result in a troubled designation. Scores of 90 points or above result in a high performer designation. Scores below 90 but above 60 are designated as a standard performer. If your PHA scores below 60 in any one indicator, you will be designated as a substandard performer.

HUD/REAC (Real Estate Assessment Center) publishes the PHAS scores after any appeals by the PHA are addressed. A letter is sent to the PHA with the score for the Fiscal Year evaluated.

Deregulation for Small Public Housing Agencies (fewer than 250 units)

- High performers receive PHAS assessments every three years
- Standard and substandard performers receive PHAS assessments every other year
- Troubled and Capital Fund-troubled PHAs will receive PHAS assessments every year
- All small PHAs must submit financial information (Financial Data Schedule, FDS) every year

PASS (Physical Assessment Subsystem) – 40 points

What is its Purpose?
The purpose of the PASS is to determine whether public housing units are decent, safe, sanitary and in good repair, and to determine the level to which the PHA is maintaining its public housing in accordance with housing condition standards.

How is it Scored?
The PASS score is determined by an inspection conducted in accordance with HUD's Uniform
Physical Condition Standards (UPCS). An independent physical inspection performed and scored for each project/AMP. A statistically valid sample of the units within the AMP is selected, and project scores roll up to a composite PHA score.

What is a Technical Review (TR)?
A technical review may be requested if, during the physical inspection, an objectively verifiable and material error occurred that, if corrected, would result in an improvement in the property’s overall score. The three types of material errors are:

- **Building Data Errors** - The inspection includes the wrong building or a building that is not owned by the property.
- **Unit Count Errors** - The total number of units considered in scoring is incorrect as reported at the time of the inspection.
- **Non-Existent Deficiency Errors** - The inspection cites a deficiency that did not exist at the time of the inspection.

Technical review requests must be received at REAC within 30 days from the physical inspection report release date.

What is a Database Adjustment (DBA)?
A request for database adjustment initiates a review of the results of a physical inspection. A database adjustment may be requested for circumstances affecting the inspected property that are out of the ordinary, reflect an inconsistency with ownership, or are allowed by city/county/state codes. Circumstances that may be addressed by a database adjustment include:

- Local conditions and exceptions
- Ownership issues
- Adverse conditions beyond the owner’s control
- Modernization work in progress

The PHA will have 45 days to submit from the physical inspection report release date.

How can a PHA improve PASS?
Focus on the basics
- Understand and comply with Uniform Physical Condition Standards (UPCS)
- Inspect 100% of units annually using UPCS protocols
- Examine Capital Fund use and prioritization
- Compare maintenance to new development resources. Is maintenance underfunded?
UNDERSTANDING PHAS

- Maintain accurate building and unit inventory
- Perform routine maintenance on all properties, units, and systems throughout the year
- Repair health and safety deficiencies immediately

MASS (Management Assessment Subsystem) – 25 points

What is its Purpose?
The purpose of the management operations indicator is to assess the AMP’s and PHA’s management operations capabilities.

How is it Scored?
MASS is determined by data reported to HUD by the PHA in the Financial Data Schedule (FDS). A score is calculated for each AMP. Scores roll up to a composite PHA score. The FDS is a required report that is sent by the PHA to HUD/REAC both 60 days after the end of the fiscal year for unaudited financial data and nine months after the end of the fiscal year with the audited data. The MASS scores can be generated from either submission, but if there is a discrepancy in data, the Audited submission data will be used. Scores are assigned by the following sub-indicators:

- **Occupancy**: Emphasizes and measures the AMP’s performance in keeping available units occupied. The higher the occupancy rate, the higher the score. The maximum points assigned for this sub-indicator is 16 points.

- **Resident Accounts Receivable**: Measures the amount of resident accounts receivable against resident revenue (i.e. rent paid). The maximum points assigned for this sub-indicator is 5 points.

- **Accounts Payable**: Measures total vendor accounts payable, both current and past due against total monthly operating expenses. The lower the ratio, the higher the score. The maximum points assigned for this sub-indicator is 4 points.

AMPs may be eligible for a Physical Condition & Neighborhood Environment (PCNE) score adjustment. AMPs at least 28 years old are eligible for a 1-point adjustment. Additionally, AMPs located in neighborhoods with 40% or more families living below the poverty line are eligible for a 1-point adjustment.

How can a PHA Improve MASS?
Focus on the Basics

- Increase number of occupied units/reduce vacancies
  - Maintain an updated waiting list
  - Turn vacant units around quickly
- Collect the rents on time
  - Enforce rent collection policies as much as possible
  - Increase revenue and lower Tenant Accounts Receivable (TAR) ratio
- Reduce accounts payable by paying bills on time
UNDERSTANDING PHAS

- Be knowledgeable about your physical conditions
- Review and understand your maintenance reports
- Know the amounts and status of your Capital Fund Program (CFP) grants
- Thoughtfully approve construction contracts

Monitor Vacant Unit Turnaround
- Monitor resident move-out/turn-over rate, which indicates resident satisfaction, vacancy loss issues, waiting list sufficiency, marketing and outreach, and changes in local market.
- Monitor property turn-over/turn around time, which indicates the time it takes to reoccupy vacant units
- Track move-out date to re-occupancy date, which of three periods:
  - **Down time:** Down time starts on the move out date.
  - **Make ready time:** Make ready time starts when the housing manager tells the maintenance supervisor the tenant is gone and it’s time to prepare the unit. Date is sometimes documented as the date on a move-out inspection form. The form the housing manager uses for security deposit purposes
  - **Lease-up time:** Lease-up time starts when the maintenance man tells the housing manager the unit is done, the paint is dry, and it’s okay to move somebody in. Date is sometimes documented on a work order form or log.

FASS (Financial Assessment Subsystem) – 25 points

What is its Purpose?
The purpose of the financial condition indicator is to measure the financial condition of each public housing project.

How is it Scored?
FASS is determined by data reported to HUD by the PHA in the Financial Data Schedule (FDS). Project financial performance will is scored for each project (AMP). The AMP scores will be averaged across the PHA, weighted according to unit count, and rolled up to a composite PHA score. The FDS is a required reporting that is sent by the PHA to HUD/REAC 60 days after the end of the Fiscal Year for the Unaudited Financial Data and 9 months after the end of the Fiscal Year with the Audited data. The FASS scores can be generated from either submission, but if there is a discrepancy in data the Audited submission data will be used. Late Penalty points and Late Presumptive Failure (LPF) for these submissions do apply to FASS Indicator score.
Late Penalty Points and Late Presumptive Failure (LPF)

Late penalty points are counted against the overall PHAS score if a PHA is late submitting their data in the Financial Data System (FDS). Each data set has a separate due date. To learn more about these schedules and penalties, visit the HUD/REAC site.

A Late Presumptive Failure (LPF) occurs when a PHA does not submit the required financial information and/or management certifications by the established regulatory submission deadlines. An automatic score of zero is assigned to the PHA for that indicator.

Late Penalty Points and Late Presumptive Failure can only be applied to the FASS indicator.

Scores are assigned by the following sub-indicators:

- **Quick Ratio (QR)** – Measures liquidity and current assets. The maximum points assigned for this sub-indicator is 12 points.
- **Months Expendable Net Ratio (MENAR)** – Measures the adequacy of the financial reserves by determine the number of months of operation using the net available resources. The maximum points assigned for this sub-indicator is 11 points.
- **Debt Service Coverage Ratio (DSCR)** – Measures capacity to cover debt obligations through the ability to meet regular debt obligations. The maximum points assigned for this sub-indicator is 2 points.

How can a PHA Improve MASS?

Focus on the Basics
- Maintain accurate financial records
- Submit financial reports to HUD on time
- Increase Quick Ratio by increasing cash available and reducing accounts payable
- Increase Months Expendable Net Assets ratio by increasing savings in the bank and reducing operating costs

**CFP (Capital Fund Program) – 10 points**

What is its Purpose?
The purpose of the Capital Fund program assessment is to examine the period of time it takes a PHA to obligate the funds provided to it from the Capital Fund program. Ultimately, the purpose is for PHAs to obligate 90% or more of these funds as quickly as possible, and no later than 2 years after funds become available. It is also to modernize and develop units and improve overall occupancy and to meet HUD’s Strategic Plan goal to “Meet the Need for Quality Affordable Rental Homes.”
How is it Scored?
Uses information reported in eLOCCS for scoring.
Scores are assigned by the following sub-indicators:

- **Fund Obligation** – 5 points are assigned if the PHA obligated 90% or more of the CFP by the obligation end date with no sanctions.
- **Occupancy Rate** – Measures occupancy rate at fiscal year end after adjusting for HUD approved vacancies. A total of 5 points are assigned for a rate of 96% or greater. A total of 2 points are assigned for a rate of 93% but less than 96%. Zero points are assigned if the rate is less than 93%. If the PHA scored less than 5 points for Timeliness of Fund Obligation, the Occupancy Rate score is automatically zero.

The other PHAS indicators require 60% or above to pass. The Capital fund indicator pass rate is 50% or at least 5 points.

How can a PHA Improve CFP?

**Focus on the Basics**
- Timely obligation of Capital Program Funds
  - Plan for the PHA’s use of Capital funds
  - Track obligations made and obligation end dates
  - Request monthly board reports
  - Evaluate PHA procurement/contracting timeliness and effectiveness
- Increase number of occupied units
- Have a well-planned program for vacancy reduction that matches available funding resources
- Reduce turnover vacancy time
- Have tenants ready to move in to units when the units are ready.

**Grant Management**
- Observe and achieve obligation and expenditure deadlines
  - Sooner is better for your PHA
- Compare projected vs. actual budgets
- Issue several contracts per grant
- File grant close-out documents
- Be aware of the penalties for failure to meet deadlines, which include:
  - Fund recapture
  - Lower PHAS score, which could lead to substandard or troubled designation
- Adhere to the PHA procurement policy
SUMMARY OF INTERVIEWS OF COMMISSIONERS AS IT PERTAINS TO THE CEO EVALUATION AND BOARD VOTE OF NOVEMBER 16, 2017

Commissioner Jordan, March 1, 2019, Phone Interview:

Commissioner Jordan stated that he was comfortable then and is comfortable now with Mr. Love as CEO and believes in what he is trying to do for the people of St. Petersburg as it relates to affordable housing. He notes that in addition to running the day to day operations as it relates to all the units administered by the SPHA that Jordan Park is a huge and complicated project and a big change. He understand change is not always easy and although he does not always agree with everything Mr. Love does, he still supports him. As for the concerns raised in the paper, he spoke with Mr. Love personally regarding the issues and was well informed when he made his vote. As he sits here today, he still would vote the same. If the Mayor has issue with him, he would welcome the opportunity to speak with him regarding the same.

Commissioner Harvey, March 1, 2019, In Person Interview:

Commissioner Harvey was well informed when reaching his decision on the November 16, 2017, board vote regarding the CEO raise. It had been nearly two years without a raise and Mr. Love had completed the corrective actions required by the Personnel Committee from the June of 2016 meeting to his satisfaction. He, also, noted that the project the SPHA was undertaking relating to Jordan Park was a very large and complex undertaking and he believed he was doing a good job in that regard through the first couple of years of his employment. He noted that he has been on the board since 1996 and that Mr. Love has not been treated any differently than any other CEO and that his salary was well within the parameters of other CEO or Executive Directors of public housing authorities. Commissioner Harvey was also receptive to speaking with the Mayor and wanted me to note that in addition to the numerous positions he has held on the SPHA Board which includes the chair role and the chair of various committees that he has also served in a leadership role as it relates the National Association of Housing and Redevelopment Officials (NAHRO) which is one of the primary trainers and authorities as it relates to PHA and Commissioner oversight. Finally, Commissioner Harvey was receptive to the idea that just because we have done something one way for the last 20 years that does not mean we should keep it the
same and agreed it was time to review some processes and that they will do so at the next personnel committee meeting.

Commissioner Davis, March 5, 2019, Phone interview:

Commissioner Davis was in the personnel committee meeting in June of 2017 and November of 2017. She was aware of potential issues and had concerns. However, she was comfortable that Mr. Love had taken the necessary corrective actions and in light of all the factors and the state of the SPHA that he deserved a raise. She, also, mentioned the complexity and scope of the Jordan Park apartment project headed by Mr. Love. She was comfortable with her vote at the November 16, 2017, Board meeting then and is now. She is also willing to speak with the Mayor regarding any concerns he may have. She, also, hears everyone loud and clear and although Mr. Love was not treated any differently and the Board was in compliance with the process for at least the last several years, she does believe it is time to update the processes and that this will be taken up at the next personnel committee meeting.

Commissioner Sherman-White, March 5, 2019, Phone Interview:

Commissioner Sherman-White was in an odd position as she believes the November 16, 2017, board meeting was her second or third meeting as a Commissioner. She had, of course, read the packets and all materials provided to her regarding a Commissioner's role and what the SPHA does for the community, but had yet to even attend more formal training put on by an organization such as NAHRO. She is candid that she would probably act a little differently now that she understands her role better, but that does not necessarily mean she would change her vote. She was comfortable with the recommendation of the Personnel Committee and the opinions of more senior board members. She, also, pointed out that to her, the Board needed to keep moving forward and trying to get Jordan Park done and that Mr. Love was the main person working on the project. They needed to focus on the big picture. She believed that they could circle back as a board regarding Mr. Love as necessary and thus she decided to vote yes as to the pay raise. Commissioner Sherman-White would also like to speak with the Mayor regarding any issues or concerns he may have regarding her performance as a Commissioner.
Commissioner Nesbitt, February 25, 2019, Phone Interview:

Commissioner Nesbitt felt that Mr. Love had been completing and performing tasks that were routinely discussed during the CEO remarks portion of regular board meetings. She was, also, comfortable where the agency was overall after he had been on the job for nearly two years. She notes that her comments at the November 16, 2017, regular board meeting where taken out of context and has no idea how they could be attributed to the thought processes of the other board members. She knew of issues, but again was comfortable with the vote. Commissioner Nesbitt like other commissioners would look forward to speaking with the Mayor. She, also, is of the opinion that in light of recent concerns, it is time to take a hard look at evaluation process and give strong consideration to revamping the same.
ST PETERSBURG HOUSING AUTHORITY

JOB DESCRIPTION

Position: Chief Executive Officer (CEO)

Reports to: Board of Commissioners

Contract Position

Department: Administration

Classification: Exempt

Position Summary:

This is extremely responsible administrative and technical management work in providing the functions and activities necessary for the effective and efficient operation of the Authority in support of the Authority’s mission. Formulate and provide agency strategy in accordance with Board of Commissioners established policies and guidelines. Develop and implement innovative programs and partnerships to provide housing opportunities while lessening dependency on federal funding. Ensure programs and operations generate adequate cash flow and remain fiscally viable. Adhere to financing requirement and regulatory guidelines of all funding entities to include the U.S. Department of Housing and Urban Development, Fannie Mae and grant providers. Plan, direct, coordinate and manage the effective and efficient operation of the Authority’s activities through the executive team and staff members.

The statements contained below reflect general details as necessary to describe the principal functions of the job, the level of knowledge and skill typically required and the scope of responsibility, but should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned including work in other functional areas to cover absences or relief, to equalize peak work periods, or otherwise balance the workload.

Primary Responsibilities & Essential Functions

Board of Commissioners & Community Involvement

- Serve as Secretary for the Board of Commissioners on all agency operations and concerns.
- Serve as principal advisor and participates in the meetings of the Board of Commissioners to give technical counsel, reports on operations, discuss problems, make recommendations, and seek direction.
- Develop agency strategy and policy in conjunction with Board of Commissioners.
- Participate in resident meetings, community meetings, city meetings, Authority meetings, etc., to effect communications between these groups and the Authority regarding housing problems and issues.
- Perform and supervise administrative tasks and responsibilities related to the preparation and presentation of all reports and recommendations to the St. Petersburg Housing Authority Board of Commissioners.
- Act as agency ambassador to promote the Authority public relations through the various news media and through presentations to interested agencies, groups, and organizations.
- Represent the Housing Authority in the community, with HUD, other interested agencies, organizations, and community and constituent groups.
Agency Operations
- Direct all agency operations and program development.
- Oversee the work in analyzing Authority budgetary needs, preparation of fiscal year budgets, financial statements, sale of notes and bonds, financial feasibility studies, and investment of funds to ensure the fiscal soundness of SPHA.
- Direct Economies of Scale Programs including existing contracts and expansion of opportunities.
- Conduct strategic planning including the formation of short and long term goals and plans for the Authority by directing the establishment and maintenance of the annual and 5-year plan.

Program & Property Development
- Develop public and private (affordable) housing opportunities (properties) for community residents.
- Ensure adequate project funding through various methods including private investors, tax credits, bond issuance, grants, public funds, etc.
- Diversify income sources to lessen independency of government funding.

Leadership, Management & Staff Development
- Ensure adherence to applicable federal and state employment laws and regulations.
- Attract and retain high-performing staff, ensure top caliber senior leadership team.
- Demonstrate leadership and supervision to motivate staff in carrying out SPHA mission.
- Train, coach and develop staff to ensure full utilization of skills and promotional opportunities.

Required Knowledge, Skills and Abilities:

Knowledge of:
- Program relations and requirements of HUD and other applicable organizations.
- Real estate, housing rehabilitation, and landlord/tenant laws.
- Leadership principles and effective supervisory skills.
- Property construction and management principles, as well as project management oversight.
- Business process and accounting methods.

Skills in:
- Strategy development and execution.
- Problem analysis and resolution.
- Negotiation and conflict resolution.
- Time management and delegation.
- Oral and written communication.
- Budgeting and resource allocation.
- Human resource management.

Ability to:
- Work with supportive resources to the Authority.
- Operate motor vehicle in order to visit Agency sites and properties.
• Sit at a desk or conference table for extended periods of time.
• Frequently move about properties and travel between multiple office sites and meetings, as well as to travel to out of town conferences.

Minimum Qualifications & Requirements:

• Bachelor’s degree in Public or Business Administration, Management, or closely related field from an accredited college or university. Coursework in finance is desired.
• A minimum of eight to ten years progressively responsible administrative or management experience, with five years in public management desired.
• Computer proficiency in Windows operating system and MS Office software including Word and Excel. Able to operate Internet applications and email, as well as external vendors’ and proprietary software programs.
• Possession of valid driver’s license.

Accommodations:

Upon request, reasonable accommodations will be made for otherwise qualified individuals with a disability.

Approved:

I confirmed having received a copy of the Chief Executive Officer job description.

______________________________
Name

______________________________
Date
Commissioner Harvey, Chair called the meeting to order at 2:02 p.m. Upon roll call, the following were in attendance:

Present: Commissioner Harry Harvey, Chair
Commissioner Delphinia Davis

Staff Present: Tony L. Love, CEO
Melinda Perry, Chief Operating Officer
Jacquelyn Roberson, Human Resources Officer

SUBJECT: Minutes of February 24, 2016 Personnel Committee Meeting

The minutes were approved.

SUBJECT: Resolution #2412 – A Resolution Approving High Performer Bonus for Staff for Fiscal Year 2015

BOARD ACTION: The Personnel Committee agreed to recommend Resolution #2412 to the full Board for approval.

SUBJECT: Resolution #2413 – A Resolution Approving a Revised Personnel Policy

BOARD ACTION: The Personnel Committee agreed to recommend Resolution #2413 to the full Board for approval.

SUBJECT: Resolution #2414 – A Resolution Approving a Revised Compensation Plan

BOARD ACTION: The Personnel Committee agreed to recommend Resolution #2414 to the full Board for approval.

SUBJECT: CEO Evaluation

The committee conducted the CEO’s evaluation.

SUBJECT: Old Business

There was no old business.
SUBJECT: New Business

Commissioner Davis discussed a Back-to-School event to be held in August.

There being no further business, the meeting was adjourned at 2:52 p.m.
REGULAR MEETING
Board of Commissioners of the St. Petersburg Housing Authority
Thursday, June 23, 2016, at 10:00 a.m.
2001 Gandy Boulevard North, St. Petersburg, Florida

Members of the public who wish to address an agenda item under Public Forum must fill out a “Registration Form to Provide Statements at Public Forum” prior to the beginning of the Public Forum.

AGENDA

1. Call to Order
2. Roll Call
3. Approval of the Agenda
4. Legal Report
5. Approval of Minutes of the May 26, 2016, Regular Board Meeting
6. Public Forum
7. Chairperson's Report
   A. Approval of Travel for Commissioner Harvey to attend the PHADA 2016 Legislative Forum on September 11-13, 2016
8. Report from the Property Acquisition Committee
   A. Resolution #2411 – A Resolution Approving the Purchase of Wounded Warrior Housing
9. Report from the Personnel Committee
   A. Resolution #2412 – A Resolution Approving a High Performer Bonus for Staff for Fiscal Year 2015
   B. Resolution #2413 – A Resolution Approving a Revised Personnel Policy
   C. Resolution #2414 – A Resolution Approving a Revised Compensation Plan
   D. CEO Evaluation
10. Report from the Residents’ Interests Committee
11. Report from the Finance Committee
    A. Financial Reports and Capital Improvement Grant Review
    B. Resolution #2415 – Palm Bayou Apartments HVAC & Roof Replacements
    C. Resolution #2416 – Approval of the Revised Records Retention Policy
    D. Resolution #2417 – A Resolution to Increase the Contract Amount for Bond, Real Estate, and Tax Credit Counsel
12. Chief Executive Officer’s Remarks
    A. Jordan Park Apartments
13. Old Business
14. New Business
15. Adjourn

Residents' Interests Committee: Commissioner Nesbitt, Chair, and Commissioner Davis
Wednesday, June 22, 2016, at 12:30 p.m.

Finance Committee: Commissioner Harvey, Chair, and Commissioner Davis
Wednesday, June 22, 2016, at 1:00 p.m.

Property Acquisition Committee: Commissioner Olson, Chair, Commissioner Davis, and Commissioner Harvey
Wednesday, June 22, 2016, at 1:30 p.m.

Personnel Committee: Commissioner Harvey, Chair, and Commissioner Davis
Wednesday, June 22, 2016, at 2:00 p.m.
Commissioner Davis, Chair, called the meeting to order at 10:06 a.m. Upon roll call, the following were in attendance:

Present at Roll: Commissioner Delphinia Davis, Chair  
Commissioner Harry L. Harvey, Vice Chair  
Commissioner Jacqueline Hubbard  
Commissioner Jo Ann Nesbitt  
Commissioner Stewart Olson  
Commissioner Emeritus Arnett Smith

Absent at Roll: Commissioner Virginia Littrell

Staff Present: Tony L. Love, Chief Executive Officer  
Melinda Perry, Chief Operating Officer

Others Present: Attorney Jay Walker, Trenam Kemker

SUBJECT: Approval of the Agenda

BOARD ACTION: Commissioner Hubbard made a motion to approve the agenda. Commissioner Olson seconded the motion. A vote was called:

Commissioner Davis: Yes  
Commissioner Harvey: Yes  
Commissioner Hubbard: Yes  
Commissioner Littrell: Out  
Commissioner Nesbitt: Yes  
Commissioner Olson: Yes

The Board approved the agenda.

SUBJECT: Legal Report

Attorney Jay Walker discussed his report.

SUBJECT: Approval of the Minutes of the May 26, 2016, Regular Board Meeting
BOARD ACTION: Commissioner Harvey made a motion to approve the minutes. Commissioner Olson seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Hubbard: Yes
Commissioner Littrell: Out
Commissioner Nesbitt: Yes
Commissioner Olson: Yes

The Board approved the minutes.

SUBJECT: Public Forum

There were no requests to speak.

SUBJECT: Chairperson’s Report: Approval of Travel for Commissioner Harvey to attend the PHADA 2016 Legislative Forum on September 11-13, 2016

BOARD ACTION: Commissioner Olson made a motion to approve travel. Commissioner Nesbitt seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Hubbard: Yes
Commissioner Littrell: Out
Commissioner Nesbitt: Yes
Commissioner Olson: Yes

The Board approved travel for Commissioner Harvey.

SUBJECT: Report from the Property Acquisition Committee: Resolution #2411 – A Resolution Approving the Purchase of Wounded Warrior Housing

BOARD ACTION: The Property Acquisition Committee recommended Resolution #2411 to the full Board for approval. A vote was called.

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Hubbard: Yes
The Board approved Resolution #2411.

SUBJECT: Report from the Personnel Committee: Resolution #2412 – A Resolution Approving a High Performer Bonus for Staff for Fiscal Year 2015

BOARD ACTION: The Personnel Committee recommended Resolution #2412 to the full Board for approval. A vote was called.

The Board approved Resolution #2412.

SUBJECT: Report from the Personnel Committee: Resolution #2413 – A Resolution Approving a Revised Personnel Policy

BOARD ACTION: The Personnel Committee recommended Resolution #2413 to the full Board for approval. A vote was called.

The Board approved Resolution #2413.

SUBJECT: Report from the Personnel Committee: Resolution #2414 – A Resolution Approving a Revised Compensation Plan

BOARD ACTION: The Personnel Committee recommended Resolution #2414 to the full Board for approval. A vote was called.
The Board approved Resolution #2414.

SUBJECT: Report from the Finance Committee: Resolution #2415 – Palm Bayou Apartments HVAC & Roof Replacements

Resolution #2415 was pulled.

SUBJECT: Report from the Finance Committee: Resolution #2416 – Approval of the Revised Records Retention Policy

BOARD ACTION: The Finance Committee recommended Resolution #2416 to the full Board for approval. A vote was called.

The Board approved Resolution #2416.

SUBJECT: Report from the Finance Committee: Resolution #2417 – A Resolution to Increase the Contract Amount for Bond, Real Estate, and Tax Credit

BOARD ACTION: The Finance Committee recommended Resolution #2417 to the full Board for approval. A vote was called.

The Board approved Resolution #2417.
Commissioner Olson: Yes

The Board approved Resolution #2417.

SUBJECT: Chief Executive Officer's Remarks:

Mr. Love discussed his report.

SUBJECT: Old Business

There was no old business.

SUBJECT: New Business

There was no new business.

There being no further business, the meeting was adjourned at 11:30 a.m.

Delphilia Davis, Chairperson

Tony L. Love, Secretary
2016 Performance Evaluation Information  
January 1, 2016 – December 31, 2016 

AGENCY-WIDE EXECUTIVE LEVEL

TASK #1: Revision to Admissions and Continued Occupancy Policies Public Housing Properties.

How Measured: Implemented effective rule changes to better serve the public housing residents with rent payment options, criminal background/activities reviews, community services and self sufficiency requirements.

Completion Date: January 2016

TASK #2: Implemented 2016 Payment Standards for the Housing Choice Voucher Program to maintain fiscal stability & reduce the monthly housing assistance payments portion paid by SPHA for 2016.

How Measured: Implemented monthly income reviews of HCVP families alleging zero household incomes. In addition, implemented no increase to the 2016 Payment Standards that were established at (110%) of fair market rents in July 2015.

Completion Date: January 2016

TASK #3: Revision to SPHA Procurement Policy and Disposition Policy

How Measured: Implemented changed to procurement and contracting requirements through streamlining Federal government’s guidance of administrative requirements and cost principles.

Completion Date: January 2016

TASK #4: Jordan Park, Right of First Refusal

How Measured: Notified the Richman Group of SPHA’s intent to exercise the Right of First Refusal subject to the determination of the buyout price.

Completion Date: January 2016

TASK #5: Established the RISE Development Corporation as 501©(3) corporation for the betterment of developing housing for the City of St. Petersburg, FL.

How Measured: The Articles of Incorporation approved by Florida Department of State – Division of Corporation and assigned a document number.

Completion Date: May 2016

EXHIBIT F
TASK #6: Implemented the request to submit the Section 8 Management Assessment Program (SEMAP) Certification FYE 12/31/15.

How Measured: Completed electronic submission to HUD prior to due date error free.

Completion Date: February 2016

TASK #7: Implemented revision to the Personnel Policy that provided short-term disability insurance coverage to SPHA employees.

How Measured: Recommendation approved by the Board of Commissioners with minimal increase to the fiscal year 2016 budget.

Completion Date: January 2016

TASK #8: Procured a Housing Consultant to work with SPHA’s management team. The Housing Consultant will assist staff with Jordan Park acquisition, RAD property dispositions, moving-to-work application and wounded warrior development.

How Measured: Two workshops were conducted with the Board of Commissioners and HUD. Both workshops were facilitated by the Housing Consultant regarding Jordan Park.

Completion Date: January and March 2016

TASK #9: Completed the negotiations of the sale of the excess central office land.

How Measured: Assisted staff with the final negotiations of the sale in conjunction with SPHA’s real estate counsel.

Completion Date: February 2016

TASK #10: Completed the negotiations of the purchase of affordable housing (Wallysburg Apartments), a twenty-four (24) unit multifamily apartment community.

How Measured: Executed a Purchase and Sale Agreement to purchase Wallysburg Apartments and worked with SPHA’s real estate counsel to consummate the transaction for the purchase of the property.

Completion Date: March 2016

TASK #11: Implemented amendments to the Housing Choice Voucher Administrative Plan.

How Measured: Established the usage of Nan McKay Housing Services updates to ensure plan updates are maintained.

Completion Date: March 2016
**TASK #12:** Became member of Florida Association of Local Housing Finance Authorities and Coalition of Affordable Housing Providers and Housing and Development Law Institute for further SPHA’s involvement in the affordable housing industry.

*How Measured:* Implemented weekly conference calls with the Housing Consultant and scheduled to attend coalition and association meetings this summer.

*Completion Date:* March 2016

**TASK #13:** Executed Purchase and Sale Agreement for Jordan Park Apartments.

*How Measured:* Currently reviewing the Purchase and Sale Agreement for Jordan Park Apartments with the Richman Group of Florida, Inc. in concert with SPHA’s real estate counsel.

*Completion Date:* May 2016

**TASK #14:** Implemented Request for Proposal (RFP) for capital improvement at Palm Bayou Apartments (roof and HVAC repairs).

*How Measured:* Staff solicited repair services from contractors and work quotes are being currently review by staff.

*Completion Date:* June 2016

**TASK #15:** Performed Disposition Strategy to determine if Jordan Park Apartments qualified for Voluntary Conversion from Public Housing to Housing Choice Vouchers Program.

*How Measured:* Pending HUD issuing (31) “Tenant Protection Vouchers” to be used as the subsidy mechanism for Jordan Park Residents post acquisition.

*Completion Date:* July 2016

**TASK #16:** Negotiated the final terms of the purchase and sale agreements of the property for Wounded Warrior Housing.

*How Measured:* The parcel of land purchased and the development of Wounded Warrior Housing site plan is being prepared by the Architect Firm.

*Completion Date:* August 2016
TASK #17: Executed the acquisition of Jordan Park Apartments and the forgiveness of indebtedness.

How Measured: SPHA Real Estate Attorney prepared Resolution of an Agreement with the City.

Completion Date: August 2016

TASK #18: Prepared the RAD application to convert (135) apartments of Public Housing (AMP 2) to Project Based Vouchers

How Measured: Submission of the RAD application to HUD pending Board approval of the 2017 Agency Plan.

Completion Date: August 2016

TASK #19: Requested approved from HUD for disposition of (31) Public Housing apartments (AMP 3) to convert to Project Based Vouchers.

How Measured: Pending the Office of Public Housing Investments and the Special Application Center approval of the Disposition Application.

Completion Date: August 2016

TASK #20: Prepared 2017 Agency Plan and Five Year Plan for HUD’s approval.

How Measured: Board of Housing Commissioners authorized the CEO to submit the plans to HUD for review and approval.

Completion Date: September 2016

TASK #21: Continued negotiation with Richman Capital under the “right of first refusal” for recapitalization of Jordan park.

How Measured: On-going discussion with Richman Capital to serve as equity investor.

Completion Date: September 2016
**TASK #22:** Jordan Park Apartments Purchase Agreement negotiated with Richman Capital.

*How Measured:* Draft Jordan Park Apartments Purchase Agreement being reviewed by the Real Estate Firm.

*Completion Date:* October 2016

**TASK #23:** Submitted the Operating Budgets for the Fiscal Year Ending December 31, 2017.

*How Measured:* The Board of Housing Commissioners reviewed and approved the Operating Budgets for Fiscal Year Ending December 31, 2017.

*Completion Date:* November 2016

**TASK #24:** Submitted a Resolution to the Board of Housing Commissioners for the acquisition of Jordan Park Apartments to execute the purchase and sale agreement with the assignment of such purchase to the Rise Development Corporation.

*How Measured:* The Board of Housing Commissioners approved the Resolution for the acquisition of Jordan Park Apartments to execute the purchase and sale agreement with the assignment of such purchase to the Rise Development Corporation.

*Completion Date:* November 2016

**TASK #25:** Prepared draft RAD Application to submit to HUD which includes Jordan Park and AMP 2 properties. RAD Application to be submitted during the first quarter of 2017.

*How Measured:* Pending HUD’s approval by the Office of Public Housing Investments and the Special Application Center.

*Completion Date:* December 2016
PERSONNEL COMMITTEE MEETING
Board of Commissioners of the St. Petersburg Housing Authority
Wednesday, June 21, 2017, at 1:30 p.m.
2001 Gandy Boulevard North
St. Petersburg, Florida

AGENDA

1. Call to Order
2. Roll Call
3. Approval of Minutes of May 24, 2017, Personnel Committee Meeting
4. Resolution #2462 – A Resolution Approving a High Performer Bonus for Staff for Fiscal Year 2016
5. CEO Evaluation
6. Old Business
7. New Business
8. Adjourn

Committee Members: Commissioner Harvey, Chair
Commissioner Davis

COMPOSITE EXHIBIT G
Commissioner Harvey, Chair called the meeting to order at 2:06 p.m. Upon roll call, the following were in attendance:

Present:  
Commissioner Harry L. Harvey, Chair  
Commissioner Dr. Delphinia Davis

Staff Present:  
Tony L. Love, CEO  
LaShunda Battle, Acting Chief Operating Officer  
Jacquelyn Roberson, Human Resources Officer

SUBJECT: Minutes of May 24, 2017 Personnel Committee Meeting

The minutes were approved.

SUBJECT: Resolution #2462 - A Resolution Approving a High Performer Bonus for Staff for Fiscal Year 2016

BOARD ACTION: The Personnel Committee recommended Resolution #2462 to the full Board for approval.

SUBJECT: CEO Evaluation

The committee discussed the CEO's evaluation.

SUBJECT: Old Business

There was no old business.

SUBJECT: New Business

There was no new business.

There being no further business, the meeting was adjourned at 3:26 p.m.
PERSONNEL COMMITTEE MEETING
Board of Commissioners of the St. Petersburg Housing Authority
Wednesday, November 15, 2017, at 1:30 p.m.
2001 Gandy Boulevard North
St. Petersburg, Florida

AGENDA

1. Call to Order
2. Roll Call
3. Approval of Minutes of June 21, 2017, Personnel Committee Meeting
4. CEO Evaluation
5. Old Business
6. New Business
7. Adjourn

Committee Members: Commissioner Harvey, Chair
Commissioner Davis
Commissioner Harvey, Chair, called the meeting to order at 2:31 p.m. Upon roll call, the following were in attendance:

Present: Commissioner Harry L. Harvey, Chair
Commissioner Dr. Delphinia Davis
Commissioner Stewart Olson

Staff Present: Tony L. Love, CEO
Jacquelyn Roberson, Human Resources Officer

SUBJECT: Minutes of June 21, 2017 Personnel Committee Meeting

The minutes were approved.

SUBJECT: CEO Evaluation

The committee discussed the CEO’s evaluation.

BOARD ACTION: The Personnel Committee recommended to the full Board to authorize the CEO to receive a 7.142% increase retroactive to January 1, 2017, with fringe benefits being provided at the renewal of the contract on January 1, 2018. In addition, a secondary CEO review will be conducted in the first quarter of 2018.

SUBJECT: Old Business

There was no old business.

SUBJECT: New Business

There was no new business.

There being no further business, the meeting was adjourned at 3:50 p.m.
REGULAR MEETING
Board of Commissioners of the St. Petersburg Housing Authority
Thursday, November 16, 2017, at 10:00 a.m.
2001 Gandy Boulevard North, St. Petersburg, Florida

Members of the public who wish to address an agenda item under Public Forum must fill out a “Registration Form to Provide Statements at Public Forum” prior to the beginning of the Public Forum.

AGENDA

1. Call to Order
2. Roll Call
3. Approval of the Agenda
4. Legal Report
5. Approval of Minutes of the October 31, 2017, Regular Board Meeting
6. Public Forum
7. Chairperson’s Report
   A. Travel Report – NAHRO 2017 National Conference
8. Report from the Residents’ Interests Committee
   A. Resolution #2472 – Public Housing 2018 Flat Rents
   B. Resolution #2473 – Approval of 2018 Public Housing Utility Allowances
   C. Resolution #2474 – A Resolution Approving Continuance of the 2017 Payment Standards to 2018 for the Housing Choice Voucher Program
9. Report from the Finance Committee
   A. Financial Reports and Capital Improvement Grant Review
   B. Resolution #2475 – Approval of Amendment #2 to Renew the Contract for Bond, Real Estate & Tax Credit Counsel with Squire Patton Boggs (US) LLC
   C. Resolution #2476 – Approval of Amendment #1 to Renew the Contract for External Auditing Services with Berman, Hopkins, Wright & LaHam CPA’s and Associates, L.L.P.
   D. Resolution #2477 – A Resolution to Approve the Operating Budgets for the Fiscal Year Ending December 31, 2018
   E. Resolution #2478 – A Resolution to Authorize Implementation of the Jordan Park and Scattered-Site Public Housing Revitalization and Replacement Initiative
10. Report from the Personnel Committee
11. Chief Executive Officer’s Remarks
    A. Jordan Park Development Report
12. Old Business
13. New Business
14. Adjourn
Commissioner Davis, Chair, called the meeting to order at 10:12 a.m. Upon roll call, the following were in attendance:

Present at Roll: Commissioner Dr. Delphinia Davis, Chair
Commissioner Harry L. Harvey, Vice Chair
Commissioner Dr. Basha Jordan
Commissioner Jo Ann Nesbitt
Commissioner Stewart Olson
Commissioner Ann Sherman-White

Absent at Roll: Commissioner Emeritus Dr. Amett Smith (arrived at 10:21 a.m.)

Staff Present: Tony L. Love, Chief Executive Officer
LaShunda Battle, Acting Chief Operating Officer

Others Present: Attorney Jay Walker, Trenam Kemker
Dennis Lohr, Clearwater Housing Authority FMCC

SUBJECT: Approval of the Agenda

BOARD ACTION: Commissioner Olson made a motion to approve the agenda. Commissioner Jordan seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Yes

The Board approved the agenda.

SUBJECT: Legal Report

Attorney Jay Walker discussed his legal report.

SUBJECT: Approval of the Minutes of the October 31, 2017, Regular Board Meeting

BOARD ACTION: Commissioner Harvey made a motion to approve the minutes. Commissioner Olson seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
The Board approved the minutes.

SUBJECT: Public Forum

There were no requests to speak.


Commissioner Harvey and Commissioner Sherman-White discussed their travel report.

SUBJECT: Report from the Residents’ Interests Committee:

Ms. Robin Adams discussed the Management Report.

SUBJECT: Report from the Residents’ Interests Committee: Resolution #2472 - Public Housing 2018 Flat Rents

BOARD ACTION: The Residents’ Interests Committee recommended Resolution #2472 to the full Board for approval. A vote was called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Yes

The Board approved Resolution #2472.

SUBJECT: Report from the Residents’ Interests Committee: Resolution #2473 - Approval of 2018 Public Housing Utility Allowances

BOARD ACTION: The Residents’ Interests Committee recommended Resolution #2473 to the full Board for approval. A vote was called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
The Board approved Resolution #2473.

SUBJECT: Report from the Residents Interests Committee: Resolution #2474 - A Resolution Approving Continuance of the 2017 Payment Standards to 2018 for the Housing Choice Voucher Program

BOARD ACTION: The Residents' Interests Committee recommended Resolution #2474 to the full Board for approval. A vote was called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Yes

The Board approved Resolution #2474.

SUBJECT: Report from the Finance Committee: Financial Reports and Capital Improvement Grant Review

Mr. Dennis Lohr discussed the Financial Report.

SUBJECT: Report from the Finance Committee: Resolution #2475 - Approval of Amendment #2 to Renew the Contract for Bond, Real Estate & Tax Credit Counsel with Squire Patton Boggs (US) LLC

BOARD ACTION: The Finance Committee recommended Resolution #2475 to the full Board for approval. A vote was called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Yes

The Board approved Resolution #2475.
SUBJECT: Report from the Finance Committee: Resolution #2476 - Approval of Amendment #1 to Renew the Contract for External Auditing Services with Berman, Hopkins, Wright & LaHam CPA's and Associates, L.L.P.

BOARD ACTION: The Finance Committee recommended Resolution #2476 to the full Board for approval. A vote was called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Yes

The Board approved Resolution #2476.

SUBJECT: Report from the Finance Committee: Resolution #2477 - A Resolution to Approve the Operating Budgets for the Fiscal Year Ending December 31, 2018

BOARD ACTION: The Finance Committee recommended Resolution #2477 to the full Board for approval. A vote was called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Yes

The Board approved Resolution #2477.

SUBJECT: Report from the Finance Committee: Resolution #2478 - A Resolution to Authorize Implementation of the Jordan park and Scattered-Site Public Housing Revitalization and Replacement Initiative

BOARD ACTION: The Finance Committee recommended Resolution #2478 to the full Board for approval. A vote was called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Yes
Commissioner Sherman-White: Yes

The Board approved Resolution #2478.

SUBJECT: Report from the Personnel Committee:

BOARD ACTION: The Personnel Committee conducted a CEO evaluation and recommends to the full Board for approval a 7.142% salary increase for the CEO retroactive to January 1, 2017, with fringe benefits being provided at the renewal of the contract on January 1, 2018. In addition, a secondary CEO review will be conducted in the first quarter of 2018. A vote was called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Yes

The Board approved the CEO's 7.142% salary increase retroactive to January 1, 2017, with fringe benefits being provided at the renewal of the contract on January 1, 2018. In addition, a secondary CEO review will be conducted in the first quarter of 2018.

SUBJECT: Chief Executive Officer's Remarks – Jordan Park Development Report

Mr. Love discussed his report.

SUBJECT: Old Business

Commissioner Harvey said Commissioner Davis and Commissioner Olson were recommended to the Mayor for reappointment to the Board.

SUBJECT: New Business

There was no new business.

There being no further business, the meeting was adjourned at 11:18 a.m.

Dr. Delphina Davis, Chairperson

Tony L. Love, Secretary
MEMORANDUM

TO: Interested Parties

FROM Tony L. Love, Chief Executive Officer

RE: Personnel Committee Meeting Notice

DATE: June 15, 2017

NOTICE

A meeting of the Personnel Committee of the Board of Commissioners of the St. Petersburg Housing Authority will be held at the offices of the Authority, 2001 Gandy Boulevard North, St. Petersburg, Florida, on Wednesday, June 21, 2017, at 1:30 p.m.
PERSONNEL COMMITTEE MEETING
Board of Commissioners of the St. Petersburg Housing Authority
Wednesday, June 21, 2017, at 1:30 p.m.
2001 Gandy Boulevard North
St. Petersburg, Florida

AGENDA

1. Call to Order

2. Roll Call

3. Approval of Minutes of May 24, 2017, Personnel Committee Meeting

4. Resolution #2462 – A Resolution Approving a High Performer Bonus for Staff for Fiscal Year 2016

5. CEO Evaluation

6. Old Business

7. New Business

8. Adjourn

Committee Members: Commissioner Harvey, Chair
                    Commissioner Davis
Commissioner Harvey, Chair called the meeting to order at 1:38 p.m. Upon roll call, the following were in attendance:

Present: Commissioner Harry L. Harvey, Chair
        Commissioner Dr. Delphinia Davis

Staff Present: Tony L. Love, CEO
              Melinda Perry, Chief Operating Officer
              Jacquelyn Roberson, Human Resources Officer

Mr. Love requested to discuss new business prior to the CEO’s evaluation. The committee agreed to amend the agenda.

SUBJECT: Minutes of March 22, 2017 Personnel Committee Meeting

The minutes were approved.

SUBJECT: New Business

Mr. Love reported that Ms. Melinda Perry has resigned her position as Chief Operating Officer.

Ms. Roberson reported that HUD Office of Inspector General (OIG) submitted a letter to SPHA requesting personnel records for a former employee.

SUBJECT: CEO Evaluation

The committee decided to postpone the performance evaluation. There was discussion regarding the criteria for the CEO performance evaluation for year ending 2016.

SUBJECT: Old Business

The chairperson will appoint another member to the Personnel Committee.

There being no further business, the meeting was adjourned at 2:57 p.m.
RESOLUTION #2462

A RESOLUTION APPROVING A HIGH PERFORMER BONUS FOR STAFF FOR FISCAL YEAR 2016

WHEREAS, the St. Petersburg Housing Authority’s Board of Commissioners approves yearly bonuses for staff in conjunction with High Performance Status in the Section 8 Management Assessment Program and the Public Housing Assessment System, as determined by the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, SPHA’s programs scored higher than the 90% required for the designation of High Performer in fiscal year 2016; and

WHEREAS, staff who were employed for the entire 2016 fiscal year will receive a $500 bonus; and

WHEREAS, staff who were employed for at least six months during the 2016 fiscal year will receive a $250 bonus; staff who were employed for less than six months during the 2016 fiscal year will receive a $125 bonus; and

WHEREAS, the agency will pay the taxes on the bonus in order for the staff to receive the entire bonus amount in their take-home pay; and

WHEREAS, the total cost to SPHA for the High Performer bonus, including taxes, is $15,159.45; and

WHEREAS, the Chief Executive Officer recommends that the High Performance bonus be awarded to staff, in accordance with specifications listed above.

NOW THEREFORE BE IT RESOLVED THAT the Board of Commissioners approves the High Performance bonus for the St. Petersburg Housing Authority staff for fiscal year 2016, in accordance with the specifications listed above.

APPROVED AND ADOPTED this 22nd day of June 2017.

Delphinia Davis
Chairperson

Tony L. Love
Secretary
### ST PETERSBURG HOUSING AUTHORITY
High Performer Bonus FYE 2016

<table>
<thead>
<tr>
<th>Employee Name</th>
<th>Date of Hire</th>
<th>Full Year</th>
<th>Less than One Year of Service</th>
<th>Total Amount (Including Taxes)</th>
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**FYE 2016 Bonus Total**

| Total Amount | $12,500.00 | $1,375.00 | $15,159.45 |

Note: **

- More than 6 months but less than one year of service = $250.00
- Less than 6 months of service = $125.00
2016 Performance Evaluation Information  
January 1, 2016 – December 31, 2016

AGENCY-WIDE EXECUTIVE LEVEL

TASK #1: Revision to Admissions and Continued Occupancy Policies Public Housing Properties.

How Measured: Implemented effective rule changes to better serve the public housing residents with rent payment options, criminal background/activities reviews, community services and self sufficiency requirements.

Completion Date: January 2016

TASK #2: Implemented 2016 Payment Standards for the Housing Choice Voucher Program to maintain fiscal stability & reduce the monthly housing assistance payments portion paid by SPHA for 2016.

How Measured: Implemented monthly income reviews of HCVP families alleging zero household incomes. In addition, implemented no increase to the 2016 Payment Standards that were established at (110%) of fair market rents in July 2015.

Completion Date: January 2016

TASK #3: Revision to SPHA Procurement Policy and Disposition Policy

How Measured: Implemented changed to procurement and contracting requirements through streamlining Federal government’s guidance of administrative requirements and cost principles.

Completion Date: January 2016

TASK #4: Jordan Park, Right of First Refusal

How Measured: Notified the Richman Group of SPHA’s intent to exercise the Right of First Refusal subject to the determination of the buyout price.

Completion Date: January 2016

TASK #5: Established the RISE Development Corporation as 501©(3) corporation for the betterment of developing housing for the City of St. Petersburg, FL.

How Measured: The Articles of Incorporation approved by Florida Department of State – Division of Corporation and assigned a document number.

Completion Date: May 2016
**TASK #6:** Implemented the request to submit the Section 8 Management Assessment Program (SEMAP) Certification FYE 12/31/15.

**How Measured:** Completed electronic submission to HUD prior to due date error free.

**Completion Date:** February 2016

**TASK #7:** Implemented revision to the Personnel Policy that provided short-term disability insurance coverage to SPHA employees.

**How Measured:** Recommendation approved by the Board of Commissioners with minimal increase to the fiscal year 2016 budget.

**Completion Date:** January 2016

**TASK #8:** Procured a Housing Consultant to work with SPHA’s management team. The Housing Consultant will assist staff with Jordan Park acquisition, RAD property dispositions, moving-to-work application and wounded warrior development.

**How Measured:** Two workshops were conducted with the Board of Commissioners and HUD. Both workshops were facilitated by the Housing Consultant regarding Jordan Park.

**Completion Date:** January and March 2016

**TASK #9:** Completed the negotiations of the sale of the excess central office land.

**How Measured:** Assisted staff with the final negotiations of the sale in conjunction with SPHA’s real estate counsel.

**Completion Date:** February 2016

**TASK #10:** Completed the negotiations of the purchase of affordable housing (Wallysburg Apartments), a twenty-four (24) unit multifamily apartment community.

**How Measured:** Executed a Purchase and Sale Agreement to purchase Wallysburg Apartments and worked with SPHA’s real estate counsel to consummate the transaction for the purchase of the property.

**Completion Date:** March 2016

**TASK #11:** Implemented amendments to the Housing Choice Voucher Administrative Plan.

**How Measured:** Established the usage of Nan McKay Housing Services updates to ensure plan updates are maintained.

**Completion Date:** March 2016
Became member of Florida Association of Local Housing Finance Authorities and Coalition of Affordable Housing Providers and Housing and Development Law Institute for further SPHA’s involvement in the affordable housing industry.

How Measured: Implemented weekly conference calls with the Housing Consultant and scheduled to attend coalition and association meetings this summer.

Completion Date: March 2016

TASK #13: Executed Purchase and Sale Agreement for Jordan Park Apartments.

How Measured: Currently reviewing the Purchase and Sale Agreement for Jordan Park Apartments with the Richman Group of Florida, Inc. in concert with SPHA’s real estate counsel.

Completion Date: May 2016

TASK #14: Implemented Request for Proposal (RFP) for capital improvement at Palm Bayou Apartments (roof and HVAC repairs).

How Measured: Staff solicited repair services from contractors and work quotes are being currently review by staff.

Completion Date: June 2016

TASK #15: Performed Disposition Strategy to determine if Jordan Park Apartments qualified for Voluntary Conversion from Public Housing to Housing Choice Vouchers Program.

How Measured: Pending HUD issuing (31) “Tenant Protection Vouchers” to be used as the subsidy mechanism for Jordan Park Residents post acquisition.

Completion Date: July 2016

TASK #16: Negotiated the final terms of the purchase and sale agreements of the property for Wounded Warrior Housing.

How Measured: The parcel of land purchased and the development of Wounded Warrior Housing site plan is being prepared by the Architect Firm.

Completion Date: August 2016
TASK #17: Executed the acquisition of Jordan Park Apartments and the forgiveness of indebtedness.

How Measured: SPHA Real Estate Attorney prepared Resolution of an Agreement with the City.

Completion Date: August 2016

TASK #18: Prepared the RAD application to convert (135) apartments of Public Housing (AMP 2) to Project Based Vouchers

How Measured: Submission of the RAD application to HUD pending Board approval of the 2017 Agency Plan.

Completion Date: August 2016

TASK #19: Requested approved from HUD for disposition of (31) Public Housing apartments (AMP 3) to convert to Project Based Vouchers.

How Measured: Pending the Office of Public Housing Investments and the Special Application Center approval of the Disposition Application.

Completion Date: August 2016

TASK #20: Prepared 2017 Agency Plan and Five Year Plan for HUD’s approval.

How Measured: Board of Housing Commissioners authorized the CEO to submit the plans to HUD for review and approval.

Completion Date: September 2016

TASK #21: Continued negotiation with Richman Capital under the “right of first refusal” for recapitalization of Jordan park.

How Measured: On-going discussion with Richman Capital to serve as equity investor.

Completion Date: September 2016
**TASK #22:** Jordan Park Apartments Purchase Agreement negotiated with Richman Capital.

**How Measured:** Draft Jordan Park Apartments Purchase Agreement being reviewed by the Real Estate Firm.

**Completion Date:** October 2016

**TASK #23:** Submitted the Operating Budgets for the Fiscal Year Ending December 31, 2017.

**How Measured:** The Board of Housing Commissioners reviewed and approved the Operating Budgets for Fiscal Year Ending December 31, 2017.

**Completion Date:** November 2016

**TASK #24:** Submitted a Resolution to the Board of Housing Commissioners for the acquisition of Jordan Park Apartments to execute the purchase and sale agreement with the assignment of such purchase to the Rise Development Corporation.

**How Measured:** The Board of Housing Commissioners approved the Resolution for the acquisition of Jordan Park Apartments to execute the purchase and sale agreement with the assignment of such purchase to the Rise Development Corporation.

**Completion Date:** November 2016

**TASK #25:** Prepared draft RAD Application to submit to HUD which includes Jordan Park and AMP 2 properties. RAD Application to be submitted during the first quarter of 2017.

**How Measured:** Pending HUD’s approval by the Office of Public Housing Investments and the Special Application Center.

**Completion Date:** December 2016
MEMORANDUM

TO: Interested Parties

FROM Tony L. Love, Chief Executive Officer

RE: Personnel Committee Meeting Notice

DATE: November 10, 2017

NOTICE

A meeting of the Personnel Committee of the Board of Commissioners of the St. Petersburg Housing Authority will be held at the offices of the Authority, 2001 Gandy Boulevard North, St. Petersburg, Florida, on Wednesday, November 15, 2017, at 1:30 p.m.
PERSONNEL COMMITTEE MEETING
Board of Commissioners of the St. Petersburg Housing Authority
Wednesday, November 15, 2017, at 1:30 p.m.
2001 Gandy Boulevard North
St. Petersburg, Florida

AGENDA

1. Call to Order
2. Roll Call
3. Approval of Minutes of June 21, 2017, Personnel Committee Meeting
4. CEO Evaluation
5. Old Business
6. New Business
7. Adjourn

Committee Members: Commissioner Harvey, Chair
Commissioner Davis
Commissioner Harvey, Chair called the meeting to order at 2:06 p.m. Upon roll call, the following were in attendance:

Present: Commissioner Harry L. Harvey, Chair
Commissioner Dr. Delphinia Davis

Staff Present: Tony L. Love, CEO
LaShunda Battle, Acting Chief Operating Officer
Jacquelyn Roberson, Human Resources Officer

SUBJECT: Minutes of May 24, 2017 Personnel Committee Meeting

The minutes were approved.

SUBJECT: Resolution #2462 – A Resolution Approving a High Performer Bonus for Staff for Fiscal Year 2016

BOARD ACTION: The Personnel Committee recommended Resolution #2462 to the full Board for approval.

SUBJECT: CEO Evaluation

The committee discussed the CEO’s evaluation.

SUBJECT: Old Business

There was no old business.

SUBJECT: New Business

There was no new business.

There being no further business, the meeting was adjourned at 3:26 p.m.
MEMORANDUM

TO: Interested Parties
FROM Tony L. Love, Chief Executive Officer
RE: Regular Meeting Notice
DATE: November 10, 2017

NOTICE

A Regular Meeting of the Board of Commissioners of the St. Petersburg Housing Authority will be held at the offices of the Authority, 2001 Gandy Boulevard North, St. Petersburg, Florida, on Thursday, November 16, 2017, at 10:00 a.m.
REGULAR MEETING

Board of Commissioners of the St. Petersburg Housing Authority
Thursday, November 16, 2017, at 10:00 a.m.
2001 Gandy Boulevard North, St. Petersburg, Florida

Members of the public who wish to address an agenda item under Public Forum must fill out a “Registration Form to Provide Statements at Public Forum” prior to the beginning of the Public Forum.

AGENDA

1. Call to Order
2. Roll Call
3. Approval of the Agenda
4. Legal Report
5. Approval of Minutes of the October 31, 2017, Regular Board Meeting
6. Public Forum
7. Chairperson’s Report
   A. Travel Report – NAHRO 2017 National Conference
8. Report from the Residents’ Interests Committee
   A. Resolution #2472 – Public Housing 2018 Flat Rents
   B. Resolution #2473 – Approval of 2018 Public Housing Utility Allowances
   C. Resolution #2474 – A Resolution Approving Continuance of the 2017 Payment Standards to 2018 for the Housing Choice Voucher Program
9. Report from the Finance Committee
   A. Financial Reports and Capital Improvement Grant Review
   B. Resolution #2475 – Approval of Amendment #2 to Renew the Contract for Bond, Real Estate & Tax Credit Counsel with Squire Patton Boggs (US) LLC
   C. Resolution #2476 – Approval of Amendment #1 to Renew the Contract for External Auditing Services with Berman, Hopkins, Wright & LaHam CPA’s and Associates, L.L.P.
   D. Resolution #2477 – A Resolution to Approve the Operating Budgets for the Fiscal Year Ending December 31, 2018
   E. Resolution #2478 – A Resolution to Authorize Implementation of the Jordan Park and Scattered-Site Public Housing Revitalization and Replacement Initiative
10. Report from the Personnel Committee
11. Chief Executive Officer’s Remarks
   A. Jordan Park Development Report
12. Old Business
13. New Business
14. Adjourn

Residents’ Interests Committee: Commissioner Nesbitt, Chair and Commissioner Davis
   Wednesday, November 15, 2017, at 12:00 p.m.
Finance Committee: Commissioner Harvey, Chair, Commissioner Davis, and Commissioner Olson
   Wednesday, November 15, 2017, at 1:00 p.m.
Personnel Committee: Commissioner Harvey, Chair, Commissioner Davis, and Commissioner Olson
   Wednesday, November 15, 2017, at 1:30 p.m.
Minutes of the Regular Meeting
of the Board of Commissioners
of the St. Petersburg Housing Authority
October 31, 2017

Commissioner Harvey, Vice Chair, called the meeting to order at 10:20 a.m. Upon roll call, the following were in attendance:

Present at Roll: Commissioner Harry L. Harvey, Vice Chair
Commissioner Dr. Basha Jordan
Commissioner Jo Ann Nesbitt
Commissioner Stewart Olson
Commissioner Emeritus Dr. Arnett Smith

Absent at Roll: Commissioner Dr. Delphinia Davis, Chair
Commissioner Ann Sherman-White

Staff Present: Tony L. Love, Chief Executive Officer
LaShunda Battle, Acting Chief Operating Officer

Others Present: Attorney Jay Walker, Trenam Kemker
Attorney Jeff Butt, Squire Patton Boggs
Dennis Lohr, Clearwater Housing Authority FMCC

SUBJECT: Approval of the Agenda

BOARD ACTION: Commissioner Olson made a motion to approve the agenda. Commissioner Nesbitt seconded the motion. A vote was called:

Commissioner Davis: Out
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Out

The Board approved the agenda.

SUBJECT: Legal Report

Attorney Jay Walker discussed his legal report.

SUBJECT: Approval of the Minutes of the September 28, 2017, Annual Plan Public Hearing and Regular Board Meeting

BOARD ACTION: Commissioner Jordan made a motion to approve the minutes. Commissioner Olson seconded the motion. A vote was called:
The Board approved the minutes.

SUBJECT: Public Forum

Mr. John Costa, Section 8 Housing Choice Voucher landlord, came before the Board to address his concerns regarding his housing assistance payment.

SUBJECT: Chairperson’s Report: Authorization to Ratify Approval of Travel for Commissioner Harvey to attend the National Minority Affordable Housing Summit on October 12-13, 2017

Commissioner Harvey said there were no travel expenses incurred by the housing authority.

BOARD ACTION: Commissioner Nesbitt made a motion to ratify approval of travel. Commissioner Olson seconded the motion. A vote was called:

Commissioner Davis: Out
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Out

The Board approved travel.

SUBJECT: Report from the Residents’ Interests Committee:

Ms. Robin Adams discussed the Management Report.

SUBJECT: Report from the Residents’ Interests Committee: Resolution #2467 - A Resolution to Amend the Section 8 Housing Choice Voucher (HCV) Program Administrative Plan for Lead Safe Housing Rule Pertaining to Elevated Blood Levels

BOARD ACTION: The Residents’ Interests Committee recommended Resolution #2467 to the full Board for approval. A vote was called:
Commissioner Davis: Out
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Out

The Board approved Resolution #2467.

SUBJECT: Report from the Residents Interests Committee: Resolution #2468 - A Resolution to Amend the Housing Choice Voucher Program Administrative Plan and Public Housing Admissions and Continued Occupancy Policy for Disaster-Affected Displaced Families

BOARD ACTION: The Residents' Interests Committee recommended Resolution #2468 to the full Board for approval. A vote was called:

Commissioner Davis: Out
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Out

The Board approved Resolution #2468.

SUBJECT: Report from the Finance Committee: Financial Reports and Capital Improvement Grant Review

Mr. Dennis Lohr discussed the Financial Report.

SUBJECT: Report from the Finance Committee: Resolution #2469 - Write-off of Vacated Affordable Housing Tenant Accounts

BOARD ACTION: The Finance Committee recommended Resolution #2469 to the full Board for approval. A vote was called:

Commissioner Davis: Out
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Out
The Board approved Resolution #2469.

SUBJECT: Report from the Finance Committee: Resolution #2470 - Write-off of Vacated Public Housing Tenant Accounts

BOARD ACTION: The Finance Committee recommended Resolution #2470 to the full Board for approval. A vote was called:

Commissioner Davis: Out
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Out

The Board approved Resolution #2470.

SUBJECT: Report from the Finance Committee: Resolution #2471 - A Resolution Approving a Development Agreement for Jordan Park Apartments and AMP 2 Properties

BOARD ACTION: The Finance Committee recommended Resolution #2471 to the full Board for approval. A vote was called:

Commissioner Davis: Out
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Out

The Board approved Resolution #2471.

SUBJECT: Chief Executive Officer’s Remarks – Jordan Park Development Report

Mr. Love discussed his report.

SUBJECT: Old Business

Commissioner Harvey discussed the NAHRO National Conference. Commissioner Harvey stated he was inducted NAHRO's Commissioners' Committee.
SUBJECT: New Business

Ms. Battle stated that SPHA received a letter from St. Petersburg College regarding letters of appreciation from the recipients of SPHA’s scholarship program.

There being no further business, the meeting was adjourned at 11:45 a.m.

Dr. Delphinia Davis, Chairperson

Tony L. Love, Secretary
RESOLUTION #2472
PUBLIC HOUSING 2018 FLAT RENTS

WHEREAS, the St. Petersburg Housing Authority (SPHA) must comply with all applicable federal public housing rules, regulations and laws; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) Fiscal Year 2014 Consolidated Appropriations Act (H.R. 3547) contained a provision requiring Housing Authorities to implement flat rents in the Public Housing program set at no lower than 80% of Fair Market Rents (FMR's) which was implemented by SPHA; and

WHEREAS, per the regulations stated herein, the approved flat rents must be reduced by the current Utility Allowances as approved by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED THAT the St. Petersburg Housing Authority Board of Commissioners hereby authorizes revisions to the flat rent schedules to reflect 80% of the 2018 Fair Market Rent tables issued by HUD, and further reduced by the approved 2018 Utility Allowances.

APPROVED AND ADOPTED this 16th day of November 2017.

Dr. Delphinia Davis
Chairperson

Tony L. Love
Secretary
MEMORANDUM

TO: Lashunda Battle, Interim Chief Operating Officer

FROM: Robin Adams, Asset Management Officer

DATE: November 6, 2017

RE: 2018 Flat Rents

PIH Notice 2014-12, issued on May 19, 2014, implemented the Fiscal Year 2014 Consolidated Appropriations Act (H.R. 3547) provision requiring Housing Authorities to implement flat rents in the Public Housing program set at no lower than 80% of the area Fair Market Rents (FMR's). The SPHA Board of Commissioners approved setting flat rents based on 80% of the current FMR established for the Tampa-St. Petersburg-Clearwater FL MSA, effective June 1, 2014 with adjustments as stated in the Notice.

HUD issued the 2018 Fair Market Rents in October, 2017. After calculating 80% of the 2018 FMR's for one, two, three and four bedroom apartments, the flat rents are recommended to be increased per the attached table. HUD further requires the flat rents to be reduced by the current utility allowance. Attached are recommended 2018 Flat Rent Schedules for AMP2 and for AMP3-Jordan Park, incorporating these recommendations reduced by the recommended 2018 Utility Allowances.

For AMP3, Jordan Park, Florida Housing Finance Corporation (FHFC) tax credit maximum rents apply. The lower of the public housing flat rent or the published FHFC maximum rent will be charged for families who income qualify for flat rent.

Your consideration of this request is appreciated.
RESOLUTION #2473

APPROVAL OF 2018 PUBLIC HOUSING UTILITY ALLOWANCES

WHEREAS, the United States Department of Housing and Urban Development (HUD) requires Public Housing Authorities to review utility allowances annually and an update was completed in October 2017 by National Facility Consultants, Inc. (NFC) for all St. Petersburg Housing Authority (SPHA) public housing developments and Jordan Park; and

WHEREAS, 24 Code of Federal Regulations (CFR) § 965.507 states that a Housing Authority must revise its allowances for resident-purchased utilities if there is a rate change of ten percent (10%) or more from the current rates and/or the rates on which an annual study was based; and

WHEREAS, staff has reviewed the results of the NFC study which indicate that the current utility allowances for AMP2 should remain unchanged, and the AMP3-Jordan Park utility allowances should be adjusted; and

WHEREAS, the Chief Executive Officer has reviewed the NFC study and staff’s proposed adjustments and recommends the Board’s approval of the proposed revisions to the SPHA utility allowance schedules.

NOW THEREFORE, BE IT RESOLVED THAT the Board of Commissioners hereby approves the proposed utility allowances as shown on the attached utility allowance schedule to be effective on January 1, 2018 for SPHA’s AMP 2 and AMP3-Jordan Park public housing developments.

APPROVED AND ADOPTED this 16th day of November 2017.

Dr. Delphinia Davis
Chairperson

Tony L. Love
Secretary
TO: Lashunda Battle, Interim Chief Operating Officer
FROM: Robin Adams, Asset Management Officer
DATE: November 6, 2017
RE: Public Housing 2018 Utility Allowance Update

24 Code of Federal Regulations (CFR) § 965.507 states that a Public Housing Agency must review public housing utility allowances annually. SPHA has elected to use the engineering-based methodology. SPHA contracted with National Facility Consultants, Inc. (NFC) to complete a utility allowance update, for the Public Housing program. The study was completed and received by SPHA on October 23, 2017 for the 2018 fiscal year.

Per the NFC study, electricity, and water and sewer rates have increased. Per HUD, Housing Authorities must change allowances if the difference between the current utility allowance and recommended allowances for the next fiscal year is 10% or more. The difference between the 2017 allowances and the recommended 2018 allowances are less than 10% for AMP2. In accordance with the Board’s “no pay-to-stay” goal, it is recommended to keep the current allowances in place for the AMP2 properties.

For Jordan Park, NFC did the calculations for electricity, water and sewer and gas costs for apartments with 1) existing gas water heaters, and for 2) apartments that have been upgraded to electric water heaters; to insure the rates are fair. NFC recommended 2018 allowances for Jordan Park have increased 10% or more over the 2017 rates. Therefore, SPHA must increase the allowances to the recommended amounts.

Tables are attached that show the comparison between the 2017 utility allowances and the 2018 recommendations from the NFC study, and the recommended allowance for 2018.

Your consideration of this recommendation is appreciated.
## AMP2

**RECOMMENDED UTILITY ALLOWANCES**

*Effective January 1, 2018*

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RESOLUTION #2474

A RESOLUTION APPROVING CONTINUANCE OF THE 2017 PAYMENT STANDARDS TO 2018 FOR THE HOUSING CHOICE VOUCHER PROGRAM

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) regulations require Housing Authorities to establish Payment Standards for the Housing Choice Voucher (HCV) program between 90 and 110% of the Fair Market Rents (FMRs); and

WHEREAS, the St. Petersburg Housing Authority (SPHA), annually adopts the Payment Standards in accordance with HUD’s Fair Market Rents for St. Petersburg, FL; and

WHEREAS, the SPHA Board approved a Payment Standard increase to 110% of the 2015 Fair Market Rents at their June 25, 2015 meeting; and

WHEREAS, the 2018 Fair Market Rents have been finalized and published by HUD; and

WHEREAS, staff recommends continuing the current 2017 Payment Standards for the 2018 program year; and

WHEREAS, this will allow staff to continue to issue vouchers to applicants on the wait list, in addition to maintaining affordability for current clients.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Commissioners authorizes the Chief Executive Officer to adopt the current 2017 HCV Payment Standards for the 2018 program year for the Housing Choice Voucher Program.

APPROVED AND ADOPTED this 16th day of November 2017.

Dr. Delphinia Davis
Chairperson

Tony L. Love
Secretary
TO: LaShunda Battle, Acting Chief Operating Officer

FROM: Gil Machin, Housing Choice Voucher Officer

DATE: November 7, 2017

RE: Continuance of 2017 Payment Standards for 2018

The U.S. Department of Housing and Urban Development (HUD) regulations require that Public Housing Authorities set Payment Standards for their Section 8 Housing Choice Voucher Program (HCV) between 90 and 110% of the annually published Fair Market Rents (FMRs). The 2018 Fair Market Rents have now been finalized and published by HUD. The St. Petersburg Housing Authority (SPHA) 2017 Payment Standards are within the required range set forth by HUD and will allow SPHA to remain competitive in the marketplace, while ensuring for the availability of affordable housing units for tenants in our designated jurisdiction. I am proposing that we continue the 2017 Payment Standards for the 2018 program year.

**2017 SPHA PAYMENT STANDARDS**

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**2018 FAIR MARKET RENTS - HUD**

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RESOLUTION #2475

APPROVAL OF AMENDMENT #2 TO RENEW THE CONTRACT FOR BOND, REAL ESTATE & TAX CREDIT COUNSEL WITH SQUIRE PATTON BOGGS (US) LLC

WHEREAS, the Board of Commissioners approved contract #13-007 between the St. Petersburg Housing Authority and Squire Patton Boggs (US) LLC effective December 1, 2013 and expiring on November 30, 2016 with an option to renew for two (2) additional one (1) year renewal periods; and

WHEREAS, the contract provides for an annual not-to-exceed contract amount of $75,000; and

WHEREAS, the St. Petersburg Housing Authority is satisfied with the services rendered to date and desires to renew the contract with Squire Patton Boggs (US) LLC for a period of one (1) year; and

WHEREAS, fees up to $75,000.00 are budgeted and paid as incurred from the appropriate program/funding source; and

WHEREAS, the Chief Executive Officer hereby requests the approval of the Board of Commissioners for the renewal of Contract #13-007 for an additional one-year term for an amount of $75,000.00.

NOW THEREFORE, BE IT RESOLVED THAT the Board of Commissioners hereby approves renewal of the contract for legal services with the firm of Squire Patton Boggs (US) LLC, in accordance with the terms and conditions thereof for an additional one (1) year period from December 1, 2017 through November 30, 2018 for a cost up to $75,000.00.

APPROVED AND ADOPTED this 16th day of November 2017.

Dr. Delphinia Davis
Chairperson

Tony L. Love
Secretary
MEMORANDUM

TO: Lashunda Battle, Acting Chief Operating Officer
FROM: Pamela Hobbs, Procurement Officer
DATE: November 6, 2017
RE: Squire Patton Boggs (US) LLP for Bond, Real Estate & Tax Credit Counsel

On November 21, 2013, Resolution #2299 was approved by the St. Petersburg Housing Authority Board of Commissioners authorizing the Chief Executive Officer to enter into a three-year contract, including two (2) one-year renewal options, with Squire Patton Boggs (US) LLP for Bond, Real Estate & Tax Credit Counsel for an amount not-to-exceed $75,000 annually. It is the desire of the Board to continue receiving legal services from Squire Patton Boggs (US) LLP.

Attached for your review is a proposed Board resolution and Amendment #2 renewing the agreement for a one-year term expiring on November 30, 2018 for an annual not-to-exceed amount of $75,000.
RESOLUTION #2476

APPROVAL OF AMENDMENT #1 TO RENEW THE CONTRACT FOR EXTERNAL AUDITING SERVICES WITH BERMAN, HOPKINS, WRIGHT & LAHAM CPA’S AND ASSOCIATES, L.L.P.

WHEREAS, the Board of Commissioners approved contract #13-006 between the St. Petersburg Housing Authority and Berman, Hopkins, Wright & LaHam CPA’s and Associates, L.L.P. beginning with the FY 2014 audit and expire with the completion of FY 2016 audit, a term of three (3) years, with two (2) additional one (1) year renewal options for FY 2017 and FY 2018 audits; and

WHEREAS, the contract provides for two (2) additional one (1) year renewal options (per subsequent fiscal year audits) at an annual sum not to exceed Forty-Three Thousand Dollars ($43,000) for each renewal term; and

WHEREAS, the St. Petersburg Housing Authority is satisfied with the services rendered to date and desires to renew the contract with Berman, Hopkins, Wright & LaHam CPA’s and Associates, L.L.P. for a period of one (1) year; and

WHEREAS, fees up to $43,000.00 are budgeted and paid as incurred from the appropriate program/funding source; and

WHEREAS, the Chief Executive Officer hereby requests the approval of the Board of Commissioners for the renewal of Contract #13-006 for an additional one-year term for an amount not to exceed $43,000.00.

NOW THEREFORE, BE IT RESOLVED THAT the Board of Commissioners hereby approves renewal of the contract for external auditing services with the firm of Berman, Hopkins, Wright & LaHam CPA’s and Associates, L.L.P., in accordance with the terms and conditions thereof for an additional one (1) year period for FY 2017 audit (November 2017 through November 2018), for a cost not to exceed $43,000.00.

APPROVED AND ADOPTED this 16th day of November 2017.

_____________________________    ______________________________
Dr. Delphinia Davis                Tony L. Love
Chairperson                        Secretary
MEMORANDUM

TO: Lashunda Battle, Acting Chief Operating Officer
FROM: Pamela Hobbs, Procurement Officer
DATE: November 6, 2017
RE: Berman Hopkins Wright & LaHam CPAs and Associates, L.L.P.

On November 21, 2013, Resolution #2301 was approved by the St. Petersburg Housing Authority Board of Commissioners authorizing the Chief Executive Officer to enter into a three-year contract, including two (2) one-year renewal options, with Berman Hopkins Wright & LaHam CPAs and Associates, L.L.P. for External Auditing Services for an amount not-to-exceed $43,000 for FY2017 audit. It is the desire of the Board to continue receiving audit services from Berman Hopkins Wright & LaHam CPAs and Associates, L.L.P.
RESOLUTION #2477

A RESOLUTION TO APPROVE THE OPERATING BUDGETS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2018

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) issued Revisions to the Public Housing Operating Fund Program, Final Rule on September 19, 2005, which requires that Public Housing Authorities units convert to project-based budgeting and accounting; and

WHEREAS, the St. Petersburg Housing Authority (SPHA) is required to comply with asset management requirements including project-based accounting and budgeting for its Public Housing program and has implemented similar measures in its 2018 operating budget for the Housing Choice Voucher program (HCV) and Affordable Housing programs, as well as all other areas of operations; and

WHEREAS, the proposed budget anticipates $34,453,211 in receipts and prior year reserves, and expenditures in the amount of $34,040,084, resulting in a net residual receipts balance of $413,126; and

WHEREAS, the proposed budget assumes that Jordan Park Apartments will be owned by SPHA and operated as public housing; therefore, the budget is subject to change, depending on the acquisition and/or disposition of the property from the public housing program; and

WHEREAS, the Chief Executive Officer has reviewed and concurs with the proposed 2018 project-based Operating Budgets for the above mentioned developments and programs.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Commissioners of the St. Petersburg Housing Authority hereby approves the Operating Budgets as submitted for the fiscal year beginning January 1, 2018 and ending on December 31, 2018.

APPROVED AND ADOPTED this 16th day of November 2017.

Dr. Delphinia Davis
Chairperson

Tony L. Love
Secretary
## ST. PETERSBURG HOUSING AUTHORITY
### FISCAL YEAR 2018 BUDGET
#### TOTAL AUTHORITY

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## ST. PETERSBURG HOUSING AUTHORITY
### FISCAL YEAR 2018 BUDGET

#### TOTAL AUTHORITY

<table>
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<th>AMP 2</th>
<th>JORDAN PARK</th>
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<th>SECTION 8</th>
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<th>PALM BAYOU</th>
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#### RESIDENT SERVICES

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<td>-</td>
<td>-</td>
<td>-</td>
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#### UTILITIES

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<td>3,989</td>
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<td>1,802</td>
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<td>-</td>
<td>-</td>
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<td>112,733</td>
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#### ORDINARY MAINTENANCE

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<th>PALM BAYOU</th>
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<td>20,000</td>
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#### PROTECTIVE SERVICES

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<td>1,800</td>
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#### GENERAL

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<th>PALM BAYOU</th>
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<tr>
<td>4510</td>
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<td>-</td>
<td>68,498</td>
<td>11,021</td>
<td>13,288</td>
<td>24,325</td>
<td>28,694</td>
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<td>PMT IN LIEU OF TAXES (PILOT)</td>
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<td>-</td>
<td>29,186</td>
<td>21,467</td>
<td>16,776</td>
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<td>EMPLOYEE BENEFITS</td>
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<td>74,566</td>
<td>233,652</td>
<td>16,725</td>
<td>11,257</td>
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<td>730,000</td>
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<td>53,981</td>
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### ST. PETERSBURG HOUSING AUTHORITY
### FISCAL YEAR 2018 BUDGET
### TOTAL AUTHORITY

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<th>ACCOUNT</th>
<th>DESCRIPTION</th>
<th>AMP 2</th>
<th>JORDAN PARK</th>
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<th>PALM BAYOU</th>
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<td>843,318</td>
<td>1,832,910</td>
<td>30,666,963</td>
<td>199,139</td>
<td>171,287</td>
<td>1,179,785</td>
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<td></td>
<td>TOTAL EXPENDITURES</td>
<td>989,593</td>
<td>843,318</td>
<td>1,832,910</td>
<td>30,666,963</td>
<td>199,139</td>
<td>171,287</td>
<td>1,179,785</td>
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<td>56,893</td>
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<td>-</td>
<td>280,000</td>
<td>53,481</td>
<td>22,752</td>
<td>56,893</td>
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**Note:** Use of prior years reserves included in receipts
### ST. PETERSBURG HOUSING AUTHORITY

#### BUDGET FY 2018

**AMP 2 - CLEARVIEW, DISSTON, ROMAYNE, GATEWAY, SUNSET OAKS, SCATTERED SITE**

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<th>2017 PROJECTION</th>
<th>2018 VS 2017 PROJECTION</th>
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<td>102,906</td>
<td>411,623</td>
<td>410,594</td>
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<td>21,565</td>
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<td>307,217</td>
<td>102,906</td>
<td>412,123</td>
<td>410,594</td>
<td>(1,529)</td>
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<td>454</td>
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<td>1,800</td>
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<td>15,732</td>
<td>15,800</td>
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<td>70,307</td>
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<td>12,121</td>
<td>-</td>
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<td>26,365</td>
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<td>35,153</td>
<td>70,885</td>
<td>35,732 CFP 2017</td>
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<td>337,415</td>
<td>337,415</td>
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<td>110,616</td>
<td>454,996</td>
<td>408,300</td>
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<td><strong>USE OF PRIOR YEARS RESERVES</strong></td>
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<td>3610</td>
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<td>-</td>
<td>-</td>
<td>154,900</td>
<td>154,900</td>
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<td></td>
<td>TOTAL</td>
<td>889,466</td>
<td>665,293</td>
<td>217,557</td>
<td>882,850</td>
<td>989,593</td>
<td>217,557</td>
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</table>

| **EXPENDITURES** | | | | | | | |
| 4110 | ADMINISTRATIVE SALARIES | 65,826 | 65,826 | 21,951 | 87,803 | 80,235 | 1,433 |
| 4120 | LEGAL | 30,000 | 377 | 126 | 503 | 1,500 | (997) |
| 4140 | STAFF TRAINING | 3,000 | 1,874 | 625 | 2,459 | 2,500 | 1 |
| 4150 | TRAVEL | 1,500 | 102 | 34 | 136 | 1,000 | 864 |
| 4195 | TOTAL | 26,578 | 106,312 | 6,421 | 13,688 | 10,100 | 12 |
| 4190 | ADMINISTRATIVE CONTRACTS | 7,000 | 4,684 | 1,561 | 6,245 | 7,000 | 755 |
| 4190 | COMPUTER SUPPORT | 20,467 | 15,988 | 5,479 | 21,331 | 11,238 | 10,093 |
| 4192 | MANAGEMENT FEE | 87,358 | 66,190 | 22,060 | 22,060 | 95,166 | 7,376 |
| 4192 | ACCOUNTING FEE | 11,885 | 9,000 | 3,000 | 12,080 | 11,970 | (30) |
| 4192 | ASSET MANAGEMENT FEE | 16,080 | 12,060 | 4,020 | 16,080 | 16,080 | - |
| 4195 | MUSEUM EXPENSE | - | - | - | - | - | |
| | TOTAL | 317,814 | 223,858 | 74,619 | 298,477 | 336,204 | 37,817 |
| **RESIDENT SERVICES** | | | | | | | |
| 4200 | RESIDENT MEETINGS | 4,000 | 1,436 | 479 | 1,915 | 2,000 | 85 |
| 4210 | CONTRACT COSTS & NEGATIVE RENT | 4,000 | 1,436 | 479 | 1,915 | 2,000 | 85 |
| **UTILITIES** | | | | | | | |
| 4310 | WATER & SEWER | 64,567 | 61,869 | 20,623 | 62,492 | 66,617 | 4,125 |
| 4320 | ELECTRICITY | 22,989 | 16,576 | 5,526 | 22,104 | 24,314 | 2,210 |
| 4330 | GAS | 1,849 | 1,287 | 429 | 1,716 | 1,602 | 86 |

*Notes:*
- Fully Staffed
- Increased costs for 2017
- 2016 includes legal fees related to museum
- Decreased cost for 2017
- 7% increase
- 10% increase
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<th>4420</th>
<th>4430</th>
<th>Total</th>
<th>Contract Costs</th>
<th>Total</th>
<th>Contract Costs</th>
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<th>Total</th>
<th>Contract Costs</th>
<th>Total</th>
<th>Contract Costs</th>
<th>Total</th>
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<td>45,000</td>
<td>136,000</td>
<td>301,544</td>
<td>306,219</td>
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<td>Ordinary Maintenance Materials</td>
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<td>118,035</td>
<td>229,664</td>
<td>244,816</td>
<td>295,380</td>
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<tr>
<td>Ordinary Maintenance Contract Costs</td>
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<td>9,722</td>
<td>39,345</td>
<td>76,555</td>
<td>81,264</td>
<td>96,888</td>
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<tr>
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<td>306,219</td>
<td>338,199</td>
<td>394,204</td>
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</tr>
<tr>
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<td>816</td>
<td>3,264</td>
<td>3,000</td>
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### REVENUE ACCOUNTS

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<tr>
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### HUD CONTRIBUTIONS

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<th>2018 VS PRIOR</th>
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<td>3401.000</td>
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### TOTAL REVENUE

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### EXPENDITURES ACCOUNTS

#### ADMINISTRATIVE

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<td>30,656,963</td>
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<td>31,384,084</td>
<td>30,656,963</td>
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<td><strong>Gross Residual Receipts</strong></td>
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<td>(153,550)</td>
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<td><strong>Extraordinary Expenditures</strong></td>
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<td><strong>Net Residual Receipts</strong></td>
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<td>(153,550)</td>
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2018 budget based on UML of 3,407 per month or 40,883 per year based on 2017 Income
### ST. PETERSBURG HOUSING AUTHORITY

#### BUDGET FY 2018

#### SARATOGA

**2018 BUDGET**

|---------|-------------|-------------|---------------|---------------------|------|------|------------------------|----------------|----------|

#### RECEIPTS

**RENTAL INCOME**

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<th>182,241</th>
<th>149,565</th>
<th>49,855</th>
<th>199,420</th>
<th>199,420</th>
<th>199,420</th>
<th>199,420</th>
<th>0</th>
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</thead>
</table>

| 3110 | DWELLING RENT - HAP | 51,081 | 27,000 | 9,000 | 36,000 | 36,000 | 36,000 | 36,000 | - |

| 3120 | EXCESS UTILITIES | 8,400 | 6,810 | 2,270 | 9,080 | 9,080 | 9,080 | 9,080 | - |

**TOTAL**

| TOTAL | 241,722 | 193,375 | 61,125 | 244,500 | 244,500 | 0 |

#### OTHER INCOME

| 3610 | INTEREST INCOME | 20 | 80 | 10 | 90 | 120 | 30 |

| 3690 | OTHER INCOME | 10,550 | 5,558 | 1,638 | 7,400 | 8,000 | 580 |

**TOTAL**

| TOTAL | 10,520 | 5,638 | 1,853 | 7,501 | 8,120 | 619 |

#### EXPENDITURES

**ADMINISTRATIVE**

| 4110 | ADMINISTRATIVE SALARIES | 17,504 | 14,140 | 4,713 | 18,853 | 18,820 | (33) |

| 4130 | LEGAL | 3,500 | 1,160 | 787 | 1,547 | 1,800 | - |

| 4140 | STAFF TRAINING | - | - | - | - | - | - |

| 4150 | TRAVEL | - | - | - | - | - | - |

| 4170 | AUDIT | 297 | 223 | - | 223 | 297 | 74 |

| 4190 | SUNDARY | 1,328 | 1,941 | 786 | 1,592 | 1,600 | 8 |

| 4190 300 | TELEPHONE | 3,800 | 2,603 | 863 | 3,471 | 3,500 | 29 |

| 4190 400 | ADMIN CONTRACTS | - | - | - | - | - | - |

| 4190 700 | COMPUTER SUPPORT | 2,416 | 1,646 | 540 | 2,195 | 3,746 | 1,551 |

| 4192 1 | CENTRAL OFFICE MGMT FEE | 21,178 | 16,049 | 5,129 | 21,399 | 23,245 | 1,846 |

| 4192 2 | BOOKKEEPING FEE | 2,880 | 2,183 | 728 | 2,911 | 2,910 | (1) |

| 4192 3 | ASSET MGMT FEE | 4,080 | 1,060 | 1,020 | 4,080 | 4,080 | - |

**TOTAL**

| TOTAL | 56,983 | 42,258 | 14,012 | 56,270 | 59,998 | 3,726 |

#### RESIDENT SERVICES

| 4220 | SUNDARY | - | - | - | - | - | - |

| 4230 | CONTRACT COSTS | - | - | - | - | - | - |

**TOTAL**

| TOTAL | - | - | - | - | - | - |

#### UTILITIES

| 4310 | WATER & SEWER | 11,743 | 10,152 | 3,384 | 13,538 | 14,213 | 677 |

| 4320 | ELECTRICITY | 4,191 | 2,631 | 877 | 3,508 | 4,034 | 526 |

| 4330 | GAS | - | - | - | - | - | - |

**TOTAL**

<p>| TOTAL | 15,934 | 12,783 | 4,261 | 17,044 | 18,247 | 1,203 |</p>
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<td>15,832</td>
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<td>58,894</td>
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</table>

| GENERAL | INSURANCE | 23,624 | 18,178 | 6,059 | 24,237 | 24,325 | 88 Property, Liability, and Flood |
| GENERAL | PILOT | 15,425 | 11,969 | 3,856 | 15,425 | 16,776 | 1,351 |
| GENERAL | EMPLOYEE BENEFITS | 9,148 | 6,669 | 2,223 | 8,892 | 11,257 | 2,365 20% of salary cost |
| GENERAL | COLLECTION LOSSES | 1,400 | 906 | 302 | 1,208 | 1,400 | 192 |
| GENERAL | TOTAL | 49,697 | 37,322 | 12,441 | 49,763 | 53,758 | 3,996 |
| TOTAL OPERATING EXPENDITURES | 162,244 | 115,150 | 38,383 | 153,533 | 171,287 | 17,754 |

<p>| GROSS RESIDUAL RECEIPTS | 281,578 | 384,843 | 128,214 | 512,867 | 22,752 | (490,106) |
| PROPERTY BETTERMENTS/ADDITIONS | 250,000 | 354,377 | 118,126 | 472,503 | - | (472,503) |
| NET RESIDUAL RECEIPTS | 11,578 | 30,266 | 10,089 | 40,355 | 22,752 | (17,603) |</p>
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<th>DESCRIPTION</th>
<th>2017 BUDGET</th>
<th>YTD 9/30/17</th>
<th>PROJECTED OCT - DEC</th>
<th>2017 PROJECTION</th>
<th>2018 BUDGET</th>
<th>VS 2017 PROJECTION</th>
<th>COMMENTS</th>
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<tbody>
<tr>
<td></td>
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<td>2018 BUDGET</td>
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<tr>
<td>RECEIPTS</td>
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<td></td>
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<tr>
<td>3190</td>
<td>NON-DWELLING RENTAL</td>
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<td>51</td>
<td>17</td>
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<td>1,182,930</td>
<td>848,869</td>
<td>282,956</td>
<td>1,131,825</td>
<td>1,236,679</td>
<td>104,853</td>
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<td>USE OF PRIOR YEARS RESERVES</td>
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<tr>
<td></td>
<td>TOTAL RECEIPTS</td>
<td>1,182,930</td>
<td>848,869</td>
<td>282,956</td>
<td>1,131,825</td>
<td>1,236,679</td>
<td>104,853</td>
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<tr>
<td>EXPENDITURES</td>
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<td>ADMINISTRATIVE</td>
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<td>Trenam Kemker &amp; Squire Sanders</td>
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<td>1,736</td>
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<td>4,675</td>
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<td>6,233</td>
<td>9,520</td>
<td>3,287</td>
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<td>10,381</td>
<td>41,524</td>
<td>56,188</td>
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<td>66,319</td>
<td>205,276</td>
<td>268,617</td>
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<td>642,064</td>
<td>214,021</td>
<td>260,085</td>
<td>988,507</td>
<td>142,422</td>
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<td>1,697</td>
<td>566</td>
<td>2,263</td>
<td>2,376</td>
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<td>Based on actual expense plus 5% increase</td>
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<td>4,934</td>
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<td>6,579</td>
<td>7,237</td>
<td>658</td>
<td>Based on actual expense plus 10% increase</td>
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<td>6,631</td>
<td>2,210</td>
<td>8,841</td>
<td>9,612</td>
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<td>4420</td>
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<td>10,760</td>
<td>3,587</td>
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<td>7,697</td>
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<td>4480</td>
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<td>PROTECTIVE SERVICES</td>
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<tr>
<td>4480 CONTRACT COSTS</td>
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<td>54</td>
<td>215</td>
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<td>1,085</td>
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<tr>
<td>TOTAL</td>
<td>1,300</td>
<td>161</td>
<td>54</td>
<td>215</td>
<td>1,300</td>
<td>1,085</td>
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<td>7,017</td>
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<td>28,604</td>
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<td>3% to 6% Increase for 2018</td>
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<td>115,412</td>
<td>83,460</td>
<td>27,620</td>
<td>111,280</td>
<td>119,628</td>
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<td>104,511</td>
<td>34,837</td>
<td>139,348</td>
<td>148,322</td>
<td>8,974</td>
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<td>TOTAL OPERATING EXPENDITURES</td>
<td>1,142,448</td>
<td>764,127</td>
<td>254,709</td>
<td>1,018,836</td>
<td>1,179,785</td>
<td>160,949</td>
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<tr>
<td>GROSS RESIDUAL RECEIPTS</td>
<td>40,482</td>
<td>84,742</td>
<td>28,247</td>
<td>112,989</td>
<td>56,893</td>
<td>(56,096)</td>
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<td>CAPITAL EXPENDITURES</td>
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<tr>
<td>7540 PROPERTY BETTERMENTS/ADD</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL EXPENDITURES</td>
<td>1,142,448</td>
<td>764,127</td>
<td>254,709</td>
<td>1,018,836</td>
<td>1,179,785</td>
<td>160,949</td>
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<tr>
<td>TRANSFERS</td>
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<tr>
<td>PRIOR YEAR RESERVES</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>NET RESIDUAL RECEIPTS</td>
<td>40,482</td>
<td>84,742</td>
<td>28,247</td>
<td>112,989</td>
<td>56,893</td>
<td>(56,096)</td>
<td></td>
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</table>
RESOLUTION #2478

A RESOLUTION TO AUTHORIZE IMPLEMENTATION OF THE JORDAN PARK AND SCATTERED-SITE PUBLIC HOUSING REVITALIZATION AND REPLACEMENT INITIATIVE

WHEREAS, the Jordan Park public housing development has substantial rehabilitation needs that cannot be funded through the public housing program; and

WHEREAS, the public housing program is being under-funded annually by Congress; and

WHEREAS, the St. Petersburg Housing Authority (SPHA) has the opportunity to convert from public housing to the more financially stable Section 8 project-based voucher (PBV) program, through the Rental Assistance Demonstration (RAD) program of the U.S. Department of Housing and Urban Development (HUD) and disposition of public housing and replacement with non-RAD PBV; and

WHEREAS, SPHA and HUD staffs have been discussing for many months the needs particularly of Jordan Park and possible comprehensive approaches to address public housing conditions and long-term viability; and

WHEREAS, SPHA and HUD staffs have determined that a reasonable means of proceeding is under a comprehensive approach that addresses all SPHA public housing units, including:

- RAD conversion with modest rehabilitation for one hundred thirty-three (133) scattered-site public housing units;
- RAD conversion with substantial rehabilitation for two hundred and six (206) Jordan Park public housing units, of which one hundred eighty-nine (189) units will be RAD PBV and seventeen (17) units will be non-RAD PBV awarded for project-basing from SPHA’s current voucher pool; and
- disposition and replacement of thirty-one (31) Jordan Park formerly reconstructed public housing units, with sixty (60) units of new construction supported by non-RAD PBV, drawing upon thirty-one (31) tenant protection vouchers to be awarded by HUD and twenty-nine (29) vouchers from SPHA’s current voucher pool.

WHEREAS, the initiative, which will result in the preservation, rehabilitation or new construction of three hundred and ninety-nine (399) low-income units throughout St. Petersburg, also will be supported by 4% low-income housing tax credits, proceeds from a previous sale of public housing, and a commitment from the Pinellas County Land Trust (please see Attachments A and B); and

WHEREAS, the proposed disposition of thirty-one (31) units that were reconstructed rather than fully replaced with HOPE VI funds years ago will enable both 1-for-1 replacement of these units, drawing upon HUD-awarded tenant protection vouchers, and commitment of twenty-nine (29) vouchers from SPHA’s current voucher pool to build sixty (60) units of affordable housing for the elderly, a much-needed housing resource in South St. Petersburg, and will leverage additional resources to complete the comprehensive 399-unit affordable housing initiative; and
WHEREAS, HUD approved SPHA’s application for disposition of 31 units at Jordan Park on August 25, 2017 and is expected soon to approve SPHA’s applications for RAD conversion with modest rehabilitation for 133 scattered-site units and with substantial rehabilitation for 206 Jordan Park units, and for 31 tenant protection vouchers, all of which were authorized by Board of Commissioners Resolution #2457, dated May 25, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the St. Petersburg Housing Authority hereby authorizes the Chief Executive Officer, upon receipt of HUD’s RAD and tenant protection voucher approvals, to take any and all actions necessary to implement the disposition of 31 units at Jordan Park with replacement new construction of a 60-unit building supported by non-RAD project-based vouchers, and the RAD conversion of 133 scattered-site units and 206 Jordan Park units, and otherwise to provide for the preservation, rehabilitation or new construction of 399 low-income units throughout St. Petersburg.

APPROVED AND ADOPTED this 16th day of November 2017.

Dr. Delphinia Davis  
Chairperson

Tony L. Love  
Secretary
To: Tony Love, Chief Executive Officer

Subject: Financial Report

From: Dennis Lohr - FMCC

RECOMMENDATION: Review

BACKGROUND INFORMATION:
The preliminary financial reports as of October 31, 2017 are attached. The following summary is provided to assist in the Board review.

<table>
<thead>
<tr>
<th>Conventional Public Housing</th>
<th>Amount</th>
<th>Actual %</th>
<th>Target %</th>
</tr>
</thead>
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<td>$1,590,107</td>
<td>97.60%</td>
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<tr>
<td>Expenses</td>
<td>$1,573,470</td>
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<tr>
<td>Net Cash Flow*</td>
<td>$16,637</td>
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<table>
<thead>
<tr>
<th>Housing Choice Voucher</th>
<th>Amount</th>
<th>Actual %</th>
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<td>$25,313,926</td>
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<tr>
<td>Expenses *</td>
<td>$25,291,754</td>
<td>80.57%</td>
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</tr>
<tr>
<td>Admin Fee Net Income</td>
<td>$(6,312)</td>
<td>0.00%</td>
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<tr>
<td>HAP Net Income</td>
<td>$28,484</td>
<td>0.00%</td>
<td>83.33%</td>
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</tbody>
</table>

* Negative Rent: YTD Utility Allowance Payments (UAP) to tenants total $393,357

HAP Equity (NRA) $191,391
Admin Equity (UNA) $1,284,010
### Saratoga

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Actual %</th>
<th>Target %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Income</td>
<td>$211,201</td>
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<td>83.33%</td>
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<tr>
<td>Expenses</td>
<td>$143,930</td>
<td>72.10%</td>
<td>83.33%</td>
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<tr>
<td>Net Cash Flow</td>
<td>$67,271</td>
<td>127.83%</td>
<td>83.33%</td>
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</table>

### Palm Bayou

<table>
<thead>
<tr>
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<th>Amount</th>
<th>Actual %</th>
<th>Target %</th>
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</thead>
<tbody>
<tr>
<td>Income</td>
<td>$599,006</td>
<td>141.33%</td>
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<tr>
<td>Expenses</td>
<td>$561,641</td>
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<tr>
<td>Net Cash Flow</td>
<td>$37,365</td>
<td>322.72%</td>
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### COCC

<table>
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<th>Amount</th>
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<th>Target %</th>
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<tbody>
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<tr>
<td>Net Cash Flow</td>
<td>$106,184</td>
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### TOTALS

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<th>Amount</th>
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<th>Target %</th>
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<tr>
<td>Income</td>
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<td>Expenses</td>
<td>$28,412,484</td>
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<td>Net Cash Flow*</td>
<td>$249,629</td>
<td>181.38%</td>
<td>83.33%</td>
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Net Cashflow Restricted to Program: $10,325
Net Cashflow Available for Agency Use: $210,820
## ST. PETERSBURG HOUSING AUTHORITY
### STATEMENT OF OPERATING RECEIPTS & EXPENDITURES
### SUMMARY OF ALL PROGRAMS (EXCLUDING GRANTS)
### FOR THE MONTH ENDING October 2017

<table>
<thead>
<tr>
<th>ACCOUNT</th>
<th>DESCRIPTION</th>
<th>BUDGET</th>
<th>PUBLIC HOUSING</th>
<th>SECTION 8</th>
<th>SARATOGA</th>
<th>PALM BAYOU</th>
<th>COCC</th>
<th>YTD CURRENT</th>
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<tr>
<td>3110</td>
<td>RENTAL INCOME</td>
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<td>$195,261</td>
<td>$160,961</td>
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## ST. PETERSBURG HOUSING AUTHORITY

### STATEMENT OF OPERATING RECEIPTS & EXPENDITURES

#### SUMMARY OF ALL PROGRAMS (EXCLUDING GRANTS)

FOR THE MONTH ENDING October 2017

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<td>OPERATING TRANSFERS</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td><strong>NET RESIDUAL RECEIPTS</strong></td>
<td></td>
<td>$136,820</td>
<td>$16,637</td>
<td>$22,172</td>
<td>$67,271</td>
<td>$37,365</td>
<td>$106,184</td>
<td>$249,629</td>
</tr>
</tbody>
</table>
SPHA Income Fiscal Year - October 31, 2017
Excluding Grants
Total Income $28,662,113

- Rental Income $708,860
- S8 Admin/HAP Fees $24,277,492
- Use of Prior Years Reserves $614,077
- Interest & Other Income $1,039,227
- CF Contributions $114,319
- Central Office Fee Income $944,482

SPHA Expense Fiscal Year - October 31, 2017
Excluding Grants
Total Expense $28,412,484

- Administrative $1,871.710
- Ordinary Maintenance $365,404
- Non-Operating $0
- OCOCC Fee Expense $904,067
- Protective Services $4,099
- HAP $23,457,988
- Resident Services $1,582
- General $1,082,172
- Utilities $150,324
- Extra-Ordinary $575,138
SPHA Bank Balances as of October 31, 2017
Total - $7,468,727

- Public Housing: $1,951,884 (26.13%)
- Laurel Park Sale Proceeds: $673,939 (9.03%)
- Section 8: $1,491,519 (19.97%)
- Palm Bayou: $19,771 (0.26%)
- Saratoga: $347,848 (4.66%)
- Affordable Housing: $9,696 (0.13%)
- Central Office Accounts: $165,652 (2.22%)
- Restricted to Program: $6,730,253
- Available for Agency Use: $738,474

Graham: $2,612,910 (34.98%)
### Statement of Operating Receipts and Expenditures

#### Public Housing

For the Month of October - 2017

<table>
<thead>
<tr>
<th>Description</th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year To Date</th>
<th>Actual</th>
<th>% Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rental Income</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3110 Dwelling Income</td>
<td>372,242</td>
<td>35,785</td>
<td>344,503</td>
<td>99.26%</td>
<td></td>
</tr>
<tr>
<td>3120 Excess Utilities</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>3190 Non-Dwelling Rent</td>
<td>1,200</td>
<td>0</td>
<td>500</td>
<td>40.00%</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>373,442</td>
<td>35,785</td>
<td>345,003</td>
<td>99.26%</td>
<td></td>
</tr>
<tr>
<td><strong>Other Income</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3610 Interest on Investments</td>
<td>470</td>
<td>57</td>
<td>2,951</td>
<td>62.99%</td>
<td></td>
</tr>
<tr>
<td>3990 Other Income</td>
<td>23,400</td>
<td>1,967</td>
<td>13,522</td>
<td>56.08%</td>
<td></td>
</tr>
<tr>
<td>3890 Other Income - Museum PILOT</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>23,870</td>
<td>2,024</td>
<td>16,473</td>
<td>64.62%</td>
<td></td>
</tr>
<tr>
<td><strong>Hud Contribution</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3306 CFP 1406 Operations</td>
<td>70,307</td>
<td>5,859</td>
<td>58,589</td>
<td>84.28%</td>
<td></td>
</tr>
<tr>
<td>3308 CFP 1408 Computer Support</td>
<td>22,579</td>
<td>0</td>
<td>26,435</td>
<td>117.08%</td>
<td></td>
</tr>
<tr>
<td>3310 CFP 1410 Management Fee</td>
<td>35,153</td>
<td>2,929</td>
<td>29,296</td>
<td>83.80%</td>
<td></td>
</tr>
<tr>
<td>3401 Operating Subsidy</td>
<td>1,062,559</td>
<td>94,781</td>
<td>935,172</td>
<td>89.04%</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1,190,598</td>
<td>103,569</td>
<td>1,049,491</td>
<td>88.01%</td>
<td></td>
</tr>
<tr>
<td><strong>Prior Year Reserves</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9200 Prior Year Reserves</td>
<td>41,235</td>
<td>13,152</td>
<td>179,140</td>
<td>43.47%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Prior Year Reserves</strong></td>
<td>41,235</td>
<td>13,152</td>
<td>179,140</td>
<td>43.47%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Receipts</strong></td>
<td>1,629,145</td>
<td>154,530</td>
<td>1,590,106</td>
<td>97.35%</td>
<td></td>
</tr>
</tbody>
</table>
## Statement of Operating Receipts and Expenditures
### Public Housing
#### For the Month of October - 2017

**Rpt File:** GL0SSP4.QR

**ST. PETERSBURG HOUSING AUTHORITY**

**11/8/2017 2:37:19 PM**

**acj**

### ANNUAL BUDGET CURRENT PERIOD YEAR TO DATE 83.33%

<table>
<thead>
<tr>
<th>Category</th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year To Date</th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Administrative</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4110 Administrative Salaries</td>
<td>85,826</td>
<td>7,557</td>
<td>73,409</td>
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</tr>
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<td>4130 Legal</td>
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<td>19,765</td>
<td>21,182</td>
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<tr>
<td>4140 Staff Training</td>
<td>3,000</td>
<td>0</td>
<td>1,874</td>
<td>6</td>
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<tr>
<td>4150 Travel</td>
<td>1,500</td>
<td>0</td>
<td>102</td>
<td>8</td>
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</tr>
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<td>4171 Audit</td>
<td>3,239</td>
<td>270</td>
<td>2,699</td>
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</tr>
<tr>
<td>4190 Sundry</td>
<td>20,000</td>
<td>2,354</td>
<td>20,543</td>
<td>10</td>
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<td></td>
</tr>
<tr>
<td>4190.300 Telephone</td>
<td>10,000</td>
<td>417</td>
<td>7,339</td>
<td>7</td>
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</tr>
<tr>
<td>4190.400 Administrative Contracts</td>
<td>7,000</td>
<td>1,981</td>
<td>6,865</td>
<td>9</td>
<td></td>
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<tr>
<td>4190.700 Computer Support</td>
<td>22,579</td>
<td>448</td>
<td>33,723</td>
<td>14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4192.000 Management Fee</td>
<td>176,809</td>
<td>13,895</td>
<td>134,078</td>
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</tr>
<tr>
<td>4192.100 Accounting Fee</td>
<td>32,790</td>
<td>2,693</td>
<td>21,975</td>
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<td></td>
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</tr>
<tr>
<td>4192.300 Asset Mgmt. Fee</td>
<td>44,520</td>
<td>3,710</td>
<td>37,100</td>
<td>8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4190.800 CFP Management Fee</td>
<td>35,153</td>
<td>2,929</td>
<td>29,295</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>4195 Museum Expense</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td></td>
</tr>
<tr>
<td><strong>Total Administrative</strong></td>
<td>474,416</td>
<td>56,019</td>
<td>389,982</td>
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</tr>
<tr>
<td><strong>Resident Services</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4220 Sundry</td>
<td>4,000</td>
<td>145</td>
<td>1,582</td>
<td>3</td>
<td></td>
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</tr>
<tr>
<td>4230 Contract Costs</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Resident Services</strong></td>
<td>4,000</td>
<td>145</td>
<td>1,582</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Utilities</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4310 Water &amp; Sewer</td>
<td>64,668</td>
<td>10,141</td>
<td>72,010</td>
<td>11</td>
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</tr>
<tr>
<td>4320 Electricity</td>
<td>22,989</td>
<td>2,029</td>
<td>18,807</td>
<td>8</td>
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<tr>
<td>4330 Gas</td>
<td>1,849</td>
<td>48</td>
<td>1,334</td>
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<tr>
<td><strong>Total Utilities</strong></td>
<td>89,406</td>
<td>12,218</td>
<td>91,952</td>
<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ordinary Maintenance</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4410 Labor</td>
<td>120,544</td>
<td>6,738</td>
<td>89,200</td>
<td>7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4420 Materials</td>
<td>45,000</td>
<td>1,508</td>
<td>30,674</td>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4430 Contract Costs</td>
<td>136,000</td>
<td>10,158</td>
<td>129,443</td>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Ordinary Maintenance</strong></td>
<td>301,544</td>
<td>18,404</td>
<td>249,318</td>
<td>8</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Protective Services</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4480 Contract Costs</td>
<td>5,437</td>
<td>5,437</td>
<td>2,448</td>
<td>45.02%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Protective Services</strong></td>
<td>5,437</td>
<td>5,437</td>
<td>2,448</td>
<td>45.02%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Page: 2**

**St. Petersburg Housing Authority**

**Statement of Operating Receipts and Expenditures**

**Public Housing**

**For the Month of October - 2017**
<table>
<thead>
<tr>
<th>Description</th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Expense</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4510 Insurance</td>
<td>80,239</td>
<td>5,425</td>
<td>53,779</td>
</tr>
<tr>
<td>4520 Payment in Lieu of Taxes</td>
<td>28,053</td>
<td>1,932</td>
<td>19,320</td>
</tr>
<tr>
<td>4540 Employee Benefits</td>
<td>61,911</td>
<td>3,522</td>
<td>45,362</td>
</tr>
<tr>
<td>4570 Collection Losses</td>
<td>9,200</td>
<td>0</td>
<td>4,683</td>
</tr>
<tr>
<td>4590 Subsidy Transfers</td>
<td>574,939</td>
<td>57,911</td>
<td>574,843</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>754,342</strong></td>
<td><strong>68,791</strong></td>
<td><strong>697,987</strong></td>
</tr>
<tr>
<td><strong>Total Routine Expenditures</strong></td>
<td><strong>1,629,145</strong></td>
<td><strong>155,577</strong></td>
<td><strong>1,433,269</strong></td>
</tr>
<tr>
<td>Extraordinary Expenditures</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7540 Property Betterments</td>
<td>0</td>
<td>5,312</td>
<td>140,201</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>0</strong></td>
<td><strong>5,312</strong></td>
<td><strong>140,201</strong></td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>1,629,145</strong></td>
<td><strong>160,889</strong></td>
<td><strong>1,573,470</strong></td>
</tr>
<tr>
<td>Gross Residual Receipts</td>
<td>0</td>
<td>(6,359)</td>
<td>16,636</td>
</tr>
<tr>
<td>9999 Operating Transfers</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Net Residual Receipts</strong></td>
<td><strong>0</strong></td>
<td>(6,359)</td>
<td><strong>16,636</strong></td>
</tr>
</tbody>
</table>
### PUBLIC HOUSING TOTAL

October 31, 2017

October = 10/12 = 83.33% Target

Explanation of any variance of 10% or more from target.

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>ANNUAL BUDGET</th>
<th>YEAR TO DATE</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Interest on Investments</strong></td>
<td>$470</td>
<td>$2,951</td>
<td>627.88% Higher interest income than anticipated due to changes in banking services</td>
</tr>
<tr>
<td><strong>CFP 1408 Computer Support</strong></td>
<td>$22,579</td>
<td>$26,435</td>
<td>117.08% Includes allocation of annual HAB software maintenance, prepaid computer support, new printer/scanners, annual HAPPY software support, and new computers</td>
</tr>
<tr>
<td><strong>Prior Year Reserves</strong></td>
<td>$83,939</td>
<td>$179,140</td>
<td>434.44% Year to date expenses exceed income</td>
</tr>
<tr>
<td><strong>Sundry</strong></td>
<td>$20,000</td>
<td>$20,543</td>
<td>117.08% Includes surveying of Museum parcel, annual PHADA membership, and increase in banking fees</td>
</tr>
<tr>
<td><strong>Administrative Contracts</strong></td>
<td>$7,000</td>
<td>$6,665</td>
<td>95.22% Includes annual consulting services to update utility allowances and increased usage in color copies</td>
</tr>
<tr>
<td><strong>Computer Support</strong></td>
<td>$22,579</td>
<td>$33,723</td>
<td>149.35% Includes allocation of annual HAB software maintenance, prepaid computer support, new printer/scanners, annual HAPPY software support, new computers, and RAM drive</td>
</tr>
<tr>
<td><strong>Water &amp; Sewer</strong></td>
<td>$64,568</td>
<td>$72,010</td>
<td>111.53% Due to increased usage</td>
</tr>
<tr>
<td><strong>Contract Costs</strong></td>
<td>$136,000</td>
<td>$129,443</td>
<td>95.18% Includes pool repairs, monthly lawn maintenance, monthly pest control, and prune trees</td>
</tr>
<tr>
<td><strong>Subsidy Transfers</strong></td>
<td>$574,939</td>
<td>$574,843</td>
<td>99.98% Jordan Park monthly subsidy and draw from Affordability Reserve</td>
</tr>
<tr>
<td><strong>Property Betterments</strong></td>
<td>$0</td>
<td>$140,201</td>
<td>0.00% Includes JP deliverables, construction documents, permitting fees, and consulting expenses related to the RAD conversion</td>
</tr>
<tr>
<td>Description</td>
<td>Annual Budget</td>
<td>Current Period</td>
<td>Year To Date</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>---------------</td>
<td>----------------</td>
<td>--------------</td>
</tr>
<tr>
<td><strong>Rental Income</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3110 Dwelling Income</td>
<td>372,242</td>
<td>35,785</td>
<td>344,503</td>
</tr>
<tr>
<td>3190 Non-Dwelling Rent</td>
<td>1,200</td>
<td>0</td>
<td>500</td>
</tr>
<tr>
<td><strong>Total Rental Income</strong></td>
<td>373,442</td>
<td>35,785</td>
<td>345,003</td>
</tr>
<tr>
<td><strong>Other Income</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3610 Interest on Investments</td>
<td>230</td>
<td>57</td>
<td>1,419</td>
</tr>
<tr>
<td>3690 Other Income</td>
<td>22,000</td>
<td>1,967</td>
<td>12,403</td>
</tr>
<tr>
<td>3690 Other Income - Museum PILOT</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td><strong>Total Other Income</strong></td>
<td>22,230</td>
<td>2,024</td>
<td>13,822</td>
</tr>
<tr>
<td><strong>Hud Contribution</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3306 CFP 1406 Operations</td>
<td>70,307</td>
<td>5,859</td>
<td>58,589</td>
</tr>
<tr>
<td>3308 CFP 1408 Computer Support</td>
<td>12,847</td>
<td>0</td>
<td>12,121</td>
</tr>
<tr>
<td>3310 CFP 1410 Management Fee</td>
<td>35,153</td>
<td>2,929</td>
<td>29,295</td>
</tr>
<tr>
<td>3401 Operating Subsidy</td>
<td>364,678</td>
<td>28,551</td>
<td>281,612</td>
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<tr>
<td><strong>Total Hud Contribution</strong></td>
<td>482,985</td>
<td>37,339</td>
<td>381,616</td>
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<tr>
<td>9200 Prior Year Reserves</td>
<td>10,810</td>
<td>13,152</td>
<td>13,152</td>
</tr>
<tr>
<td><strong>Total Prior Year Reserves</strong></td>
<td>10,810</td>
<td>13,152</td>
<td>13,152</td>
</tr>
<tr>
<td><strong>Total Receipts</strong></td>
<td>889,467</td>
<td>88,300</td>
<td>753,593</td>
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</table>
St. Petersburg Housing Authority

Statement of Operating Receipts and Expenditures
Clearview, Disston, Romayne, Gateway, SS, and Sunset Oaks
For the Month of October - 2017

<table>
<thead>
<tr>
<th>Expenditures</th>
<th>ANNUAL BUDGET</th>
<th>CURRENT PERIOD</th>
<th>YEAR TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>4110 Administrative Salaries</td>
<td>85,826</td>
<td>7,557</td>
<td>73,409</td>
</tr>
<tr>
<td>4130 Legal</td>
<td>30,000</td>
<td>19,765</td>
<td>20,142</td>
</tr>
<tr>
<td>4140 Staff Training</td>
<td>3,000</td>
<td>0</td>
<td>1,874</td>
</tr>
<tr>
<td>4150 Travel</td>
<td>1,500</td>
<td>0</td>
<td>102</td>
</tr>
<tr>
<td>4171 Audit</td>
<td>1,170</td>
<td>98</td>
<td>975</td>
</tr>
<tr>
<td>4190 Sundry</td>
<td>16,000</td>
<td>2,237</td>
<td>15,803</td>
</tr>
<tr>
<td>4190.300 Telephone</td>
<td>10,000</td>
<td>417</td>
<td>7,339</td>
</tr>
<tr>
<td>4190.400 Administrative Contracts</td>
<td>7,000</td>
<td>1,981</td>
<td>6,665</td>
</tr>
<tr>
<td>4190.700 Computer Support</td>
<td>12,847</td>
<td>257</td>
<td>16,255</td>
</tr>
<tr>
<td>4192.000 Management Fee</td>
<td>87,358</td>
<td>7,280</td>
<td>73,460</td>
</tr>
<tr>
<td>4192.100 Accounting Fee</td>
<td>11,880</td>
<td>990</td>
<td>9,990</td>
</tr>
<tr>
<td>4192.300 Asset Management Fee</td>
<td>16,080</td>
<td>1,340</td>
<td>13,400</td>
</tr>
<tr>
<td>4190.800 CFP Management Fee</td>
<td>35,153</td>
<td>2,929</td>
<td>29,295</td>
</tr>
<tr>
<td>4195 Museum Expense</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>317,814</td>
<td>44,851</td>
<td>268,707</td>
</tr>
</tbody>
</table>

| Resident Services                |               |                |              |
| 4220 Sundry                      | 4,000         | 145            | 1,582        |
| Total                            | 4,000         | 145            | 1,582        |

| Utilities                        |               |                |              |
| 4310 Water & Sewer               | 64,568        | 10,141         | 72,010       |
| 4320 Electricity                 | 22,989        | 2,029          | 18,607       |
| 4330 Gas                         | 1,849         | 1334           | 1,334        |
| Total                            | 89,406        | 12,218         | 91,952       |

| Ordinary Maintenance             |               |                |              |
| 4410 Labor                       | 120,544       | 6,738          | 89,200       |
| 4420 Materials                   | 45,000        | 1,508          | 30,674       |
| 4430 Contract Costs              | 136,000       | 10,158         | 128,193      |
| Total                            | 301,544       | 18,404         | 248,068      |
### St Petersburg Housing Authority
**Statement of Operating Receipts and Expenditures**
Clearview, Disston, Romayne, Gateway, SS, and Sunset Oaks
For the Month of October - 2017

<table>
<thead>
<tr>
<th></th>
<th>ANNUAL BUDGET</th>
<th>CURRENT PERIOD</th>
<th>YEAR TO DATE</th>
<th>83.33% ACTUAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Protective Services</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4480 Contract Costs</td>
<td>3,000</td>
<td>0</td>
<td>2,448</td>
<td>86.87%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>3,000</td>
<td>0</td>
<td>2,448</td>
<td>86.87%</td>
</tr>
<tr>
<td><strong>General Expense</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4510 Insurance</td>
<td>80,239</td>
<td>5,425</td>
<td>53,779</td>
<td>66.87%</td>
</tr>
<tr>
<td>4520 Payment in Lieu of Taxes</td>
<td>28,053</td>
<td>1,932</td>
<td>19,320</td>
<td>68.87%</td>
</tr>
<tr>
<td>4570 Collection Losses</td>
<td>3,500</td>
<td>0</td>
<td>4,683</td>
<td>133.81%</td>
</tr>
<tr>
<td>4540 Employee Benefits</td>
<td>61,911</td>
<td>3,522</td>
<td>45,362</td>
<td>72.37%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>173,703</td>
<td>10,880</td>
<td>123,144</td>
<td>72.37%</td>
</tr>
<tr>
<td><strong>Total Routine Expenditures</strong></td>
<td>889,467</td>
<td>86,498</td>
<td>735,901</td>
<td>84.72%</td>
</tr>
<tr>
<td><strong>Extraordinary Expenditures</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7540 Property Betterments</td>
<td>0</td>
<td>5,312</td>
<td>17,692</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>0</td>
<td>5,312</td>
<td>17,692</td>
<td></td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>889,467</td>
<td>91,810</td>
<td>753,593</td>
<td>84.72%</td>
</tr>
<tr>
<td><strong>Net Residual Receipts</strong></td>
<td>0</td>
<td>(3,510)</td>
<td>0</td>
<td></td>
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</tbody>
</table>
October = 10/12 = 83.33% Target
Explanation of any variance of 10% or more from target.

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>ANNUAL BUDGET</th>
<th>YEAR TO DATE</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest on Investments</td>
<td>$ 230</td>
<td>$ 1,419</td>
<td>617.03% Higher interest income than anticipated due to changes in banking services</td>
</tr>
<tr>
<td>CFP 1408 Computer Support</td>
<td>$ 12,847</td>
<td>$ 12,121</td>
<td>94.35% Includes allocation of annual HAB software maintenance, prepaid computer support, new printers/scanners, and annual HAPPY software support</td>
</tr>
<tr>
<td>Prior Year Reserves</td>
<td>$ 10,810</td>
<td>$ 13,152</td>
<td>121.66% Due to consulting expenses related to the RAD conversion</td>
</tr>
<tr>
<td>Sundry</td>
<td>$ 16,000</td>
<td>$ 15,803</td>
<td>98.77% Due to an increase in banking fees</td>
</tr>
<tr>
<td>Administrative Contracts</td>
<td>$ 7,000</td>
<td>$ 6,665</td>
<td>96.22% Includes annual consulting services to update utility allowances and increased usage in color copies</td>
</tr>
<tr>
<td>Computer Support</td>
<td>$ 12,847</td>
<td>$ 16,255</td>
<td>126.53% Includes allocation of annual HAB software maintenance, prepaid computer support, new printers/scanners, annual HAPPY software support, and RAM drive</td>
</tr>
<tr>
<td>Water &amp; Sewer</td>
<td>$ 64,568</td>
<td>$ 72,010</td>
<td>111.53% Due to increased usage</td>
</tr>
<tr>
<td>Contract Costs</td>
<td>$ 136,000</td>
<td>$ 128,193</td>
<td>94.26% Includes pool repairs, monthly lawn maintenance, monthly pest control treatments, and prune trees</td>
</tr>
<tr>
<td>Collection Losses</td>
<td>$ 3,500</td>
<td>$ 4,683</td>
<td>133.81% Board approved write-off of past tenant debt</td>
</tr>
</tbody>
</table>
### Statement of Operating Receipts and Expenditures

**Jordan Park**

**For the Month of October - 2017**

<table>
<thead>
<tr>
<th>Description</th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year to Date</th>
<th>ACT %</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rental Income</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3110 Dwelling Income</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>3120 Excess Utilities</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Other Income</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3610 Interest on Investments</td>
<td>240</td>
<td>0</td>
<td>1,532</td>
<td>63</td>
</tr>
<tr>
<td>3690 Other Income</td>
<td>1,400</td>
<td>0</td>
<td>1,118</td>
<td>7</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1,640</td>
<td>0</td>
<td>2,650</td>
<td>16</td>
</tr>
<tr>
<td><strong>Hud Contribution</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3306 CFP 1406 Operations</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>3308 CFP 1408 Computer Support</td>
<td>9,732</td>
<td>0</td>
<td>14,314</td>
<td>14</td>
</tr>
<tr>
<td>3310 CFP 1410 Management Fee</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>3401 Operating Subsidy</td>
<td>697,881</td>
<td>66,230</td>
<td>653,560</td>
<td>9</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>797,613</td>
<td>66,230</td>
<td>667,874</td>
<td>9</td>
</tr>
<tr>
<td>9200 Prior Year Reserves</td>
<td>30,425</td>
<td>0</td>
<td>165,988</td>
<td>54</td>
</tr>
<tr>
<td><strong>Total Prior Year Reserves</strong></td>
<td>30,425</td>
<td>0</td>
<td>165,988</td>
<td>54</td>
</tr>
<tr>
<td><strong>Total Receipts</strong></td>
<td>739,678</td>
<td>66,230</td>
<td>836,513</td>
<td>11</td>
</tr>
</tbody>
</table>
### St. Petersburg Housing Authority

**Statement of Operating Receipts and Expenditures**

**Jordan Park**  
*For the Month of October - 2017*

<table>
<thead>
<tr>
<th>Expenditures</th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>4110 Administrative Salaries</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4130 Legal</td>
<td>2,000</td>
<td>0</td>
<td>1,040</td>
</tr>
<tr>
<td>4140 Staff Training</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4150 Travel</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4171 Audit</td>
<td>2,069</td>
<td>172</td>
<td>1,724</td>
</tr>
<tr>
<td>4190 Sundry</td>
<td>4,000</td>
<td>117</td>
<td>4,740</td>
</tr>
<tr>
<td>4190.300 Telephone</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4190.400 Administrative Contracts</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4190.700 Computer Support</td>
<td>9,732</td>
<td>191</td>
<td>17,488</td>
</tr>
<tr>
<td>4192.000 Management Fee</td>
<td>89,451</td>
<td>6,615</td>
<td>60,618</td>
</tr>
<tr>
<td>4192.100 Accounting Fee</td>
<td>20,910</td>
<td>1,703</td>
<td>11,985</td>
</tr>
<tr>
<td>4192.300 Asset Management Fee</td>
<td>28,440</td>
<td>2,370</td>
<td>23,700</td>
</tr>
<tr>
<td>4190.800 CFP Management Fee</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>156,602</td>
<td>11,168</td>
<td>121,275</td>
</tr>
<tr>
<td><strong>Resident Services</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4220 Sundry</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4230 Contract Costs</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Utilities</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4310 Water &amp; Sewer</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4320 Electricity</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4330 Gas</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Utilities</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Ordinary Maintenance</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4410 Labor</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4420 Materials</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4430 Contract Costs</td>
<td>0</td>
<td>0</td>
<td>1,250</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>0</td>
<td>0</td>
<td>1,250</td>
</tr>
</tbody>
</table>
## St. Petersburg Housing Authority

### Statement of Operating Receipts and Expenditures

Jordan Park

For the Month of October - 2017

<table>
<thead>
<tr>
<th></th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Protective Services</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4480 Contract Costs</td>
<td>2,437</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>2,437</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>General Expense</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4510 Insurance</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4520 Payment in Lieu of Taxes</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4540 Employee Benefits</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4570 Collection Losses</td>
<td>5,700</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4590 Subsidy Transfers</td>
<td>574,939</td>
<td>57,911</td>
<td>574,843</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>580,539</td>
<td>57,911</td>
<td>574,843</td>
</tr>
<tr>
<td><strong>Total Routine Expenditures</strong></td>
<td>739,678</td>
<td>69,079</td>
<td>697,368</td>
</tr>
<tr>
<td><strong>Extraordinary Expenditures</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7540 Property Betterments</td>
<td>0</td>
<td>0</td>
<td>122,509</td>
</tr>
<tr>
<td><strong>Total Extraordinary Expenditures</strong></td>
<td>0</td>
<td>0</td>
<td>122,509</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>739,678</td>
<td>69,079</td>
<td>819,877</td>
</tr>
<tr>
<td><strong>Net Residual Receipts</strong></td>
<td>0</td>
<td>(2,849)</td>
<td>16,636</td>
</tr>
<tr>
<td>DESCRIPTION</td>
<td>ANNUAL BUDGET</td>
<td>YEAR TO DATE</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>-------------------------</td>
<td>---------------</td>
<td>--------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Interest on Investments</td>
<td>$ 240</td>
<td>$ 1,532</td>
<td>Higher interest income than anticipated due to changes in banking service</td>
</tr>
<tr>
<td>CFP 1408 Computer Support</td>
<td>$ 9,732</td>
<td>$ 14,314</td>
<td>Includes allocation of annual HAB software maintenance, prepaid computer support, and new computers</td>
</tr>
<tr>
<td>Operating Subsidy</td>
<td>$ 697,881</td>
<td>$ 653,560</td>
<td>Amount awarded higher than original estimate</td>
</tr>
<tr>
<td>Prior Year Reserves</td>
<td>$ 18,690</td>
<td>$ 165,960</td>
<td>Year to date expenses exceed income</td>
</tr>
<tr>
<td>Sundry</td>
<td>$ 4,000</td>
<td>$ 4,740</td>
<td>Includes surveying of Museum parcel and annual PHADA membership</td>
</tr>
<tr>
<td>Computer Support</td>
<td>$ 9,732</td>
<td>$ 17,468</td>
<td>Includes allocation of annual HAB software maintenance, prepaid computer support, new computers, and RAM drive</td>
</tr>
<tr>
<td>Contract Costs</td>
<td>$ 0</td>
<td>$ 1,250</td>
<td>Lawn maintenance for Museum</td>
</tr>
<tr>
<td>Subsidy Transfers</td>
<td>$ 0</td>
<td>$ 574,843</td>
<td>Jordan Park monthly subsidy and draw from Affordability Reserve</td>
</tr>
<tr>
<td>Property Betterments</td>
<td>$ 0</td>
<td>$ 122,509</td>
<td>Includes JP deliverables, construction documents, and permitting fees</td>
</tr>
</tbody>
</table>
## Statement of Operating Receipts and Expenditures

**Section 8 Voucher Program**

For the Month of October - 2017

### Other Income

<table>
<thead>
<tr>
<th>Description</th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year To Date</th>
<th>ACTUAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>3610.000 Interest Income</td>
<td>180</td>
<td>0</td>
<td>451</td>
<td>251</td>
</tr>
<tr>
<td>3690 Other Income</td>
<td>50,000</td>
<td>3,566</td>
<td>19,963</td>
<td>8,204</td>
</tr>
<tr>
<td>3690.300 Other Income - Port-In HAP</td>
<td>1,064,616</td>
<td>2,911</td>
<td>927,288</td>
<td>83,33</td>
</tr>
<tr>
<td>3690.350 Port-In Admin Fees</td>
<td>47,717</td>
<td>(52)</td>
<td>49,067</td>
<td>10,935</td>
</tr>
<tr>
<td>3300 Fraud Recovery Income</td>
<td>36,000</td>
<td>2,541</td>
<td>11,181</td>
<td>3,386</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,198,513</strong></td>
<td><strong>8,967</strong></td>
<td><strong>1,007,949</strong></td>
<td><strong>83,33</strong></td>
</tr>
</tbody>
</table>

### HUD Contribution

<table>
<thead>
<tr>
<th>Description</th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year To Date</th>
<th>ACTUAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>3401.000 Annual Contribution</td>
<td>27,792,956</td>
<td>2,328,585</td>
<td>22,519,519</td>
<td>8,833</td>
</tr>
<tr>
<td>3401.050 Administration Fees</td>
<td>2,230,474</td>
<td>164,135</td>
<td>1,757,973</td>
<td>7,333</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>30,023,430</strong></td>
<td><strong>2,492,720</strong></td>
<td><strong>24,277,492</strong></td>
<td><strong>8,833</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year To Date</th>
<th>ACTUAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>3401.200 Unearned Revenue</td>
<td>0</td>
<td>(115,744)</td>
<td>28,484</td>
<td>8,204</td>
</tr>
<tr>
<td>9200 Prior Year Reserves</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>9300 Prior Year Admin Reserves</td>
<td>169,321</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Receipts</strong></td>
<td><strong>31,391,264</strong></td>
<td><strong>2,385,943</strong></td>
<td><strong>24,313,925</strong></td>
<td><strong>8,833</strong></td>
</tr>
</tbody>
</table>

### Expenditures

**Administrative**

<table>
<thead>
<tr>
<th>Description</th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year To Date</th>
<th>ACTUAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>4110 Administrative Salaries</td>
<td>1,028,203</td>
<td>62,750</td>
<td>695,995</td>
<td>6,833</td>
</tr>
<tr>
<td>4130 Legal</td>
<td>2,000</td>
<td>10,880</td>
<td>15,326</td>
<td>7,833</td>
</tr>
<tr>
<td>4140 Training</td>
<td>15,000</td>
<td>0</td>
<td>14,541</td>
<td>9,833</td>
</tr>
<tr>
<td>4150 Travel</td>
<td>16,800</td>
<td>0</td>
<td>949</td>
<td>8,833</td>
</tr>
<tr>
<td>4170 Audit</td>
<td>28,055</td>
<td>2,338</td>
<td>23,379</td>
<td>8,833</td>
</tr>
<tr>
<td>4190 Sundry</td>
<td>100,532</td>
<td>11,150</td>
<td>89,778</td>
<td>8,833</td>
</tr>
<tr>
<td>4190.100 Sundry - Port-Out Admin Fees</td>
<td>24,000</td>
<td>2,317</td>
<td>25,016</td>
<td>10,833</td>
</tr>
<tr>
<td>4190.300 Telephone</td>
<td>6,800</td>
<td>539</td>
<td>5,214</td>
<td>7,833</td>
</tr>
<tr>
<td>4190.400 Administrative Contracts</td>
<td>52,900</td>
<td>1,298</td>
<td>23,831</td>
<td>4,833</td>
</tr>
<tr>
<td>4190.700 Computer Support</td>
<td>90,646</td>
<td>298</td>
<td>61,938</td>
<td>6,833</td>
</tr>
<tr>
<td>4192.000 COCC Management Fee</td>
<td>494,524</td>
<td>40,296</td>
<td>394,992</td>
<td>7,833</td>
</tr>
<tr>
<td>4192.100 COCC Accounting Fee</td>
<td>309,078</td>
<td>25,185</td>
<td>246,870</td>
<td>7,833</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2,168,538</strong></td>
<td><strong>157,051</strong></td>
<td><strong>1,597,828</strong></td>
<td><strong>7,833</strong></td>
</tr>
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</table>

St. Petersburg Housing Authority

Report File: GL0S5P4.QR
<table>
<thead>
<tr>
<th></th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year To Date</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Utilities</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4310 Water</td>
<td>5,006</td>
<td>470</td>
<td>4,807</td>
<td>99.90</td>
</tr>
<tr>
<td>4320 Electric</td>
<td>15,824</td>
<td>1,311</td>
<td>13,920</td>
<td>88.00</td>
</tr>
<tr>
<td>Total Utilities</td>
<td>20,830</td>
<td>1,781</td>
<td>18,727</td>
<td>89.60</td>
</tr>
<tr>
<td><strong>Maintenance</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4420 Materials</td>
<td>15,000</td>
<td>0</td>
<td>2,723</td>
<td>18.15%</td>
</tr>
<tr>
<td>4430 Contracts</td>
<td>43,213</td>
<td>5,037</td>
<td>23,659</td>
<td>54.75%</td>
</tr>
<tr>
<td>Total</td>
<td>58,213</td>
<td>5,037</td>
<td>26,382</td>
<td>47.85%</td>
</tr>
<tr>
<td><strong>Protective Services</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4480 Protective Service Contracts</td>
<td>1,800</td>
<td>92</td>
<td>503</td>
<td>27.94%</td>
</tr>
<tr>
<td>Total</td>
<td>1,800</td>
<td>92</td>
<td>503</td>
<td>27.94%</td>
</tr>
<tr>
<td><strong>General Expense</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4510 Insurance</td>
<td>11,824</td>
<td>874</td>
<td>8,381</td>
<td>71.10%</td>
</tr>
<tr>
<td>4540 Employee Benefits</td>
<td>236,487</td>
<td>13,799</td>
<td>181,944</td>
<td>75.50%</td>
</tr>
<tr>
<td>Total</td>
<td>248,311</td>
<td>14,673</td>
<td>190,325</td>
<td>71.10%</td>
</tr>
<tr>
<td><strong>Rent To Owners</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4715 Housing Assistance Payments</td>
<td>25,600,496</td>
<td>2,180,230</td>
<td>21,055,281</td>
<td>82.35%</td>
</tr>
<tr>
<td>4715 Housing Assistance Payments - VASH</td>
<td>2,226,458</td>
<td>150,897</td>
<td>1,475,419</td>
<td>66.90%</td>
</tr>
<tr>
<td>4715.300 HAP - Port-In Vouchers</td>
<td>1,064,616</td>
<td>2,911</td>
<td>927,288</td>
<td>87.10%</td>
</tr>
<tr>
<td>Total</td>
<td>28,893,572</td>
<td>2,334,036</td>
<td>23,457,988</td>
<td>81.19%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>31,391,264</td>
<td>2,512,672</td>
<td>25,291,752</td>
<td>80.57%</td>
</tr>
<tr>
<td><strong>Net Residual Receipts</strong></td>
<td>0</td>
<td>1126,729</td>
<td>22,172</td>
<td>0.00%</td>
</tr>
</tbody>
</table>
### HOUSING CHOICE VOUCHER PROGRAM

October 31, 2017

**October = 10/12 = 83.33% Target**

*Explanation of any variance of 10% or more from target.*

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>ANNUAL BUDGET</th>
<th>YEAR TO DATE</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Income</td>
<td>$ 180</td>
<td>$ 451</td>
<td>250.48% Higher interest income than anticipated due to changes in banking services</td>
</tr>
<tr>
<td>Port-In Admin Fees</td>
<td>$ 47,717</td>
<td>$ 49,067</td>
<td>102.83% Admin Fee income is higher than anticipated due to an increase of Port-In vouchers being leased up</td>
</tr>
<tr>
<td>Unearned Revenue</td>
<td>$ 0</td>
<td>$ 28,484</td>
<td>0.00% Income from HUD exceeds expenses</td>
</tr>
<tr>
<td>Legal</td>
<td>$ 2,000</td>
<td>$ 15,326</td>
<td>766.28% Legal fees associated with an HCV tenant and employment services</td>
</tr>
<tr>
<td>Staff Training</td>
<td>$ 15,000</td>
<td>$ 14,541</td>
<td>96.94% Nan McKay, PHADA, and Tax Credit training</td>
</tr>
<tr>
<td>Sundry - Port-Out Adm Fees</td>
<td>$ 24,000</td>
<td>$ 25,016</td>
<td>104.23% Admin Fees is higher than anticipated due to an increase of Port-Out vouchers</td>
</tr>
<tr>
<td>Water &amp; Sewer</td>
<td>$ 5,006</td>
<td>$ 4,807</td>
<td>96.03% Due to increased usage</td>
</tr>
</tbody>
</table>
### Statement of Operating Receipts and Expenditures

**Saratoga Apartments**  
For the Month of October - 2017

#### Rental Income

<table>
<thead>
<tr>
<th>Description</th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year To Date</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>3110 Dwelling Rental</td>
<td>182,242</td>
<td>16,127</td>
<td>165,691</td>
<td>99%</td>
</tr>
<tr>
<td>3110 Dwelling Rent - HAP</td>
<td>51,081</td>
<td>2,570</td>
<td>29,570</td>
<td>57%</td>
</tr>
<tr>
<td>3120 Excess Utilities</td>
<td>8,400</td>
<td>825</td>
<td>7,635</td>
<td>90%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>241,723</strong></td>
<td><strong>19,522</strong></td>
<td><strong>202,897</strong></td>
<td><strong>83.33%</strong></td>
</tr>
</tbody>
</table>

#### Other Income

<table>
<thead>
<tr>
<th>Description</th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year To Date</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>3610 Interest on Investments</td>
<td>10,500</td>
<td>2,667</td>
<td>8,225</td>
<td>78.34%</td>
</tr>
<tr>
<td>3690 Other Income</td>
<td>20</td>
<td>0</td>
<td>80</td>
<td>390%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>10,520</strong></td>
<td><strong>2,667</strong></td>
<td><strong>8,305</strong></td>
<td><strong>78.34%</strong></td>
</tr>
</tbody>
</table>

#### Total Receipts

<table>
<thead>
<tr>
<th>Description</th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year To Date</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Receipts</strong></td>
<td><strong>252,243</strong></td>
<td><strong>22,189</strong></td>
<td><strong>211,202</strong></td>
<td><strong>83.33%</strong></td>
</tr>
</tbody>
</table>

#### Expenditures

**Administrative**

<table>
<thead>
<tr>
<th>Description</th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year To Date</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>4110 Administrative Salaries</td>
<td>17,504</td>
<td>1,579</td>
<td>15,720</td>
<td><strong>89.31%</strong></td>
</tr>
<tr>
<td>4130 Legal</td>
<td>3,500</td>
<td>365</td>
<td>1,525</td>
<td><strong>43.57%</strong></td>
</tr>
<tr>
<td>4170 Audit</td>
<td>297</td>
<td>25</td>
<td>248</td>
<td><strong>83.33%</strong></td>
</tr>
<tr>
<td>4190 Sundry</td>
<td>1,328</td>
<td>180</td>
<td>1,374</td>
<td><strong>102.73%</strong></td>
</tr>
<tr>
<td>4190.300 Telephone</td>
<td>3,800</td>
<td>277</td>
<td>2,879</td>
<td><strong>75.63%</strong></td>
</tr>
<tr>
<td>4190.700 Computer Support</td>
<td>2,416</td>
<td>2</td>
<td>1,648</td>
<td><strong>68.20%</strong></td>
</tr>
<tr>
<td>4192.000 Management Fee</td>
<td>21,178</td>
<td>1,765</td>
<td>17,813</td>
<td><strong>84.11%</strong></td>
</tr>
<tr>
<td>4192.100 Accounting Fee</td>
<td>2,880</td>
<td>240</td>
<td>2,423</td>
<td><strong>84.11%</strong></td>
</tr>
<tr>
<td>4192.300 Asset Management Fee</td>
<td>4,080</td>
<td>340</td>
<td>3,400</td>
<td><strong>84.11%</strong></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>56,983</strong></td>
<td><strong>4,772</strong></td>
<td><strong>47,029</strong></td>
<td><strong>83.33%</strong></td>
</tr>
</tbody>
</table>

**Utilities**

<table>
<thead>
<tr>
<th>Description</th>
<th>Annual Budget</th>
<th>Current Period</th>
<th>Year To Date</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>4310 Water &amp; Sewer</td>
<td>11,743</td>
<td>1,423</td>
<td>11,575</td>
<td><strong>98.02%</strong></td>
</tr>
<tr>
<td>4320 Electric</td>
<td>4,191</td>
<td>220</td>
<td>2,851</td>
<td><strong>68.02%</strong></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>15,934</strong></td>
<td><strong>1,642</strong></td>
<td><strong>14,426</strong></td>
<td><strong>98.02%</strong></td>
</tr>
</tbody>
</table>
**Statement of Operating Receipts and Expenditures**

Saratoga Apartments  
For the Month of October - 2017

<table>
<thead>
<tr>
<th></th>
<th>ANNUAL BUDGET</th>
<th>CURRENT PERIOD</th>
<th>YEAR TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ordinary Maintenance</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4410 Labor</td>
<td>30,928</td>
<td>1,730</td>
<td>22,898</td>
</tr>
<tr>
<td>4420 Materials</td>
<td>6,000</td>
<td>39</td>
<td>3,488</td>
</tr>
<tr>
<td>4430 Contract Costs</td>
<td>36,360</td>
<td>1,896</td>
<td>15,662</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>73,288</strong></td>
<td><strong>3,665</strong></td>
<td><strong>42,048</strong></td>
</tr>
<tr>
<td><strong>Protective Services</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4480 Contract Costs</td>
<td>1,000</td>
<td>0</td>
<td>951</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,000</strong></td>
<td>0</td>
<td><strong>951</strong></td>
</tr>
<tr>
<td><strong>General Expense</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>4510 Insurance</td>
<td>14,864</td>
<td>1,062</td>
<td>10,480</td>
</tr>
<tr>
<td>4520 Payment in Lieu of Taxes</td>
<td>21,489</td>
<td>1,836</td>
<td>18,364</td>
</tr>
<tr>
<td>4540 Employee Benefits</td>
<td>13,561</td>
<td>833</td>
<td>10,854</td>
</tr>
<tr>
<td>4570 Collection Losses</td>
<td>2,500</td>
<td>0</td>
<td>(223)</td>
</tr>
<tr>
<td><strong>Total Routine Expenditures</strong></td>
<td><strong>52,414</strong></td>
<td><strong>3,731</strong></td>
<td><strong>39,475</strong></td>
</tr>
<tr>
<td>7540 Property Betterments</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>199,619</strong></td>
<td><strong>13,810</strong></td>
<td><strong>143,929</strong></td>
</tr>
<tr>
<td><strong>Net Residual Receipts</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>52,624</strong></td>
<td>8,379</td>
<td><strong>67,273</strong></td>
</tr>
</tbody>
</table>

**St. Petersburg Housing Authority**

11/3/2017
<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>ANNUAL BUDGET</th>
<th>YEAR TO DATE</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 20</td>
<td>$ 80</td>
<td>Higher interest income than anticipated due to changes in banking services</td>
</tr>
<tr>
<td>Interest on Investments</td>
<td>$ 1,328</td>
<td>$ 1,374</td>
<td>Includes higher service fees due to changes in banking services</td>
</tr>
<tr>
<td>Administrative Sundry</td>
<td>$ 11,743</td>
<td>$ 11,575</td>
<td>Due to increased usage</td>
</tr>
<tr>
<td>Water &amp; Sewer</td>
<td>$ 1,000</td>
<td>$ 951</td>
<td>Includes annual cost of fire alarm monitoring and inspections</td>
</tr>
<tr>
<td>Collection Losses</td>
<td>$ 2,500</td>
<td>$(223)</td>
<td>Former resident paid balance owed</td>
</tr>
</tbody>
</table>
**St Petersburg Housing Authority**

Statement of Operating Receipts and Expenditures  
Palm Bayou Apartments  
For the Month of October - 2017

<table>
<thead>
<tr>
<th></th>
<th>ANNUAL BUDGET</th>
<th>CURRENT PERIOD</th>
<th>YEAR TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rental Income</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3110 Dwelling Rental</td>
<td>167,250</td>
<td>18,468</td>
<td>160,961</td>
</tr>
<tr>
<td>3110 Dwelling Rent - HAP</td>
<td>6,048</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>3120 Excess Utilities</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>173,298</td>
<td>18,468</td>
<td>160,961</td>
</tr>
<tr>
<td><strong>Other Income</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3610 Interest on Investments</td>
<td>24</td>
<td>0</td>
<td>29</td>
</tr>
<tr>
<td>3690 Other Income</td>
<td>500</td>
<td>185</td>
<td>3,079</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>524</td>
<td>185</td>
<td>3,108</td>
</tr>
<tr>
<td><strong>Total Prior Year Reserves</strong></td>
<td>250,000</td>
<td>80,560</td>
<td>434,937</td>
</tr>
<tr>
<td><strong>Total Receipts</strong></td>
<td>423,822</td>
<td>99,213</td>
<td>599,005</td>
</tr>
<tr>
<td><strong>Expenditures</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Administrative</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4110 Administrative Salaries</td>
<td>11,849</td>
<td>1,207</td>
<td>10,634</td>
</tr>
<tr>
<td>4130 Legal</td>
<td>3,000</td>
<td>355</td>
<td>820</td>
</tr>
<tr>
<td>4170 Audit</td>
<td>440</td>
<td>17</td>
<td>174</td>
</tr>
<tr>
<td>4190 Sundry</td>
<td>1,200</td>
<td>157</td>
<td>2,104</td>
</tr>
<tr>
<td>4190 Telephone</td>
<td>1,000</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>4190.100 Computer Support</td>
<td>3,394</td>
<td>156</td>
<td>3,188</td>
</tr>
<tr>
<td>4192.000 Management Fee</td>
<td>13,788</td>
<td>1,324</td>
<td>12,078</td>
</tr>
<tr>
<td>4192.100 Accounting Fee</td>
<td>1,875</td>
<td>180</td>
<td>1,643</td>
</tr>
<tr>
<td>4192.300 Asset Management Fee</td>
<td>2,880</td>
<td>240</td>
<td>2,400</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>39,426</td>
<td>3,646</td>
<td>33,947</td>
</tr>
<tr>
<td><strong>Utilities</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4310 Water &amp; Sewer</td>
<td>9,000</td>
<td>1,800</td>
<td>14,831</td>
</tr>
<tr>
<td>4320 Electric</td>
<td>4,000</td>
<td>212</td>
<td>3,061</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>13,006</td>
<td>2,012</td>
<td>17,892</td>
</tr>
</tbody>
</table>
### St. Petersburg Housing Authority

Statement of Operating Receipts and Expenditures  
**Palm Bayou Apartments**  
For the Month of October - 2017

<table>
<thead>
<tr>
<th>Category</th>
<th>ANNUAL BUDGET</th>
<th>CURRENT PERIOD</th>
<th>YEAR TO DATE</th>
<th>83.33% ACT.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ordinary Maintenance</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4410 Labor</td>
<td>20,821</td>
<td>1,016</td>
<td>15,237</td>
<td>7</td>
</tr>
<tr>
<td>4420 Materials</td>
<td>8,500</td>
<td>409</td>
<td>4,302</td>
<td>5</td>
</tr>
<tr>
<td>4430 Contract Costs</td>
<td>30,000</td>
<td>647</td>
<td>15,081</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>59,321</strong></td>
<td><strong>2,072</strong></td>
<td><strong>34,619</strong></td>
<td><strong>5</strong></td>
</tr>
<tr>
<td><strong>Protective Services</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4480 Contract Costs</td>
<td>900</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>900</strong></td>
<td><strong>0</strong></td>
<td><strong>0</strong></td>
<td></td>
</tr>
<tr>
<td><strong>General Expense</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4510 Insurance</td>
<td>23,624</td>
<td>1,979</td>
<td>20,157</td>
<td>8</td>
</tr>
<tr>
<td>4520 Payment in Lieu of Taxes</td>
<td>15,425</td>
<td>1,285</td>
<td>12,854</td>
<td>8</td>
</tr>
<tr>
<td>4540 Employee Benefits</td>
<td>5,148</td>
<td>559</td>
<td>7,228</td>
<td>7</td>
</tr>
<tr>
<td>4570 Collection Losses</td>
<td>1,400</td>
<td>0</td>
<td>906</td>
<td>6</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>49,597</strong></td>
<td><strong>3,823</strong></td>
<td><strong>41,145</strong></td>
<td><strong>8</strong></td>
</tr>
<tr>
<td><strong>Total Routine Expenditures</strong></td>
<td><strong>162,244</strong></td>
<td><strong>11,553</strong></td>
<td><strong>128,703</strong></td>
<td><strong>7</strong></td>
</tr>
<tr>
<td>7540 Property Betterments</td>
<td>250,000</td>
<td>80,560</td>
<td>434,937</td>
<td>17</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>412,244</strong></td>
<td><strong>92,113</strong></td>
<td><strong>561,640</strong></td>
<td><strong>13</strong></td>
</tr>
<tr>
<td><strong>Net Residual Receipts</strong></td>
<td><strong>11,578</strong></td>
<td><strong>7,099</strong></td>
<td><strong>37,365</strong></td>
<td><strong>32</strong></td>
</tr>
</tbody>
</table>
### PALM BAYOU APARTMENTS

October 31, 2017

October = 10/12 = 83.33% Target
Explanation of any variance of 10% or more from target.

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>ANNUAL BUDGET</th>
<th>YEAR TO DATE</th>
<th>PERCENT</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling Rent</td>
<td>$ 167,250</td>
<td>$ 160,961</td>
<td>96.24%</td>
<td>Due to a higher occupancy rate than anticipated</td>
</tr>
<tr>
<td>Interest on Investments</td>
<td>$ 24</td>
<td>$ 29</td>
<td>119.83%</td>
<td>Higher interest income than anticipated due to changes in banking services</td>
</tr>
<tr>
<td>Other Income</td>
<td>$ 500</td>
<td>$ 3,079</td>
<td>615.76%</td>
<td>Includes late fee charges, application fees, returned rent charges, and laundry income</td>
</tr>
<tr>
<td>Prior Year Reserves</td>
<td>$ 250,000</td>
<td>$ 434,937</td>
<td>173.97%</td>
<td>Includes HVAC replacements and Re-Roofing</td>
</tr>
<tr>
<td>Administrative Sundry</td>
<td>$ 1,200</td>
<td>$ 2,104</td>
<td>175.37%</td>
<td>Due to merchant service fees associated with an increase in electronic payments</td>
</tr>
<tr>
<td>Computer Support</td>
<td>$ 3,394</td>
<td>$ 3,188</td>
<td>93.92%</td>
<td>Includes upgrade to firewall and e-mail security, increase in RAM drive, and yearly subscription to offsite backup</td>
</tr>
<tr>
<td>Water &amp; Sewer</td>
<td>$ 9,000</td>
<td>$ 14,831</td>
<td>164.79%</td>
<td>Due to increased usage</td>
</tr>
<tr>
<td>Property Betterments</td>
<td>$ 250,000</td>
<td>$ 434,937</td>
<td>173.97%</td>
<td>Includes HVAC replacements and Re-Roofing</td>
</tr>
</tbody>
</table>
# Statement of Operating Receipts and Expenditures

## Central Office Cost Center

For the Month of October - 2017

<table>
<thead>
<tr>
<th>Other Income</th>
<th>ANNUAL BUDGET</th>
<th>CURRENT PERIOD</th>
<th>YEAR TO DATE</th>
<th>ACTUAL %</th>
</tr>
</thead>
<tbody>
<tr>
<td>3610 Interest on Bank Accounts</td>
<td>15</td>
<td>0</td>
<td>51</td>
<td>341</td>
</tr>
<tr>
<td>3690 Other Income</td>
<td>12,000</td>
<td>305</td>
<td>3,340</td>
<td>72</td>
</tr>
<tr>
<td>3900 Central Office Management Fee</td>
<td>770,605</td>
<td>63,183</td>
<td>599,377</td>
<td>78</td>
</tr>
<tr>
<td>3901 Bookkeeping Fee</td>
<td>346,623</td>
<td>28,298</td>
<td>272,910</td>
<td>83</td>
</tr>
<tr>
<td>3903 Asset Management Fee</td>
<td>51,480</td>
<td>4,290</td>
<td>42,900</td>
<td>83</td>
</tr>
<tr>
<td>3904 CFP Asset Management Fee</td>
<td>35,153</td>
<td>2,929</td>
<td>29,295</td>
<td>83</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,215,876</strong></td>
<td><strong>99,005</strong></td>
<td><strong>947,874</strong></td>
<td><strong>72</strong></td>
</tr>
</tbody>
</table>

| 9200 Prior Year Reserves | | | | 0 |

| **Total Receipts** | **1,215,876** | **99,005** | **947,874** | **72** |

## Expenditures

### Administrative

<table>
<thead>
<tr>
<th>Administrative</th>
<th>ANNUAL BUDGET</th>
<th>CURRENT PERIOD</th>
<th>YEAR TO DATE</th>
<th>ACTUAL %</th>
</tr>
</thead>
<tbody>
<tr>
<td>4110 Administrative Salaries</td>
<td>480,885</td>
<td>34,108</td>
<td>383,409</td>
<td>79</td>
</tr>
<tr>
<td>4130 Legal</td>
<td>75,000</td>
<td>2,871</td>
<td>8,891</td>
<td>12</td>
</tr>
<tr>
<td>4140 Training</td>
<td>9,500</td>
<td>1,190</td>
<td>7,014</td>
<td>73</td>
</tr>
<tr>
<td>4150 Travel</td>
<td>30,000</td>
<td>2,438</td>
<td>19,598</td>
<td>65</td>
</tr>
<tr>
<td>4170 Audit</td>
<td>1,200</td>
<td>100</td>
<td>1,000</td>
<td>83</td>
</tr>
<tr>
<td>4190 Sundry</td>
<td>42,650</td>
<td>1,329</td>
<td>26,588</td>
<td>62</td>
</tr>
<tr>
<td>4190.300 Telephone</td>
<td>7,380</td>
<td>211</td>
<td>3,036</td>
<td>41</td>
</tr>
<tr>
<td>4190.400 Administrative Contracts</td>
<td>9,520</td>
<td>806</td>
<td>5,481</td>
<td>57</td>
</tr>
<tr>
<td>4190.700 Computer Support and Services</td>
<td>44,310</td>
<td>385</td>
<td>31,528</td>
<td>72</td>
</tr>
<tr>
<td>4191 FMC</td>
<td>268,617</td>
<td>22,385</td>
<td>221,342</td>
<td>83</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>969,062</strong></td>
<td><strong>65,822</strong></td>
<td><strong>707,887</strong></td>
<td><strong>72</strong></td>
</tr>
</tbody>
</table>

## Utilities

<table>
<thead>
<tr>
<th>Utilities</th>
<th>ANNUAL BUDGET</th>
<th>CURRENT PERIOD</th>
<th>YEAR TO DATE</th>
<th>ACTUAL %</th>
</tr>
</thead>
<tbody>
<tr>
<td>4310 Water &amp; Sewer</td>
<td>1,866</td>
<td>184</td>
<td>1,881</td>
<td>100</td>
</tr>
<tr>
<td>4320 Electricity</td>
<td>6,192</td>
<td>513</td>
<td>5,447</td>
<td>87</td>
</tr>
<tr>
<td>4330 Gas</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>8,058</strong></td>
<td><strong>697</strong></td>
<td><strong>7,328</strong></td>
<td><strong>90</strong></td>
</tr>
</tbody>
</table>
### St. Petersburg Housing Authority

**Statement of Operating Receipts and Expenditures**

**Central Office Cost Center**

*For the Month of October - 2017*

<table>
<thead>
<tr>
<th></th>
<th><strong>ANNUAL BUDGET</strong></th>
<th><strong>CURRENT PERIOD</strong></th>
<th><strong>YEAR TO DATE</strong></th>
<th><strong>ACTUAL</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maintenance</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4420 Materials</td>
<td>4,500</td>
<td>177</td>
<td>2,077</td>
<td>47</td>
</tr>
<tr>
<td>4430 Contracts</td>
<td>17,544</td>
<td>2,100</td>
<td>10,960</td>
<td>62</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>22,044</td>
<td>2,277</td>
<td>13,037</td>
<td>54</td>
</tr>
<tr>
<td><strong>Protective Services</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4480 Protective Service Contracts</td>
<td>1,300</td>
<td>36</td>
<td>197</td>
<td>131</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1,300</td>
<td>36</td>
<td>197</td>
<td>131</td>
</tr>
<tr>
<td><strong>General Expense</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4510 Insurance</td>
<td>26,571</td>
<td>2,239</td>
<td>23,290</td>
<td>77</td>
</tr>
<tr>
<td>4540 Employee Benefits</td>
<td>115,412</td>
<td>6,491</td>
<td>89,950</td>
<td>77</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>141,983</td>
<td>8,729</td>
<td>113,240</td>
<td>77</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>1,142,447</td>
<td>77,562</td>
<td>841,689</td>
<td>77</td>
</tr>
<tr>
<td><strong>Net Residual Receipts</strong></td>
<td>73,429</td>
<td>21,443</td>
<td>106,185</td>
<td>14</td>
</tr>
</tbody>
</table>
CENTRAL OFFICE COST CENTER
October 31, 2017

October = 10/12 = 83.33% Target
Explanation of any variance of 10% or more from target.

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>ANNUAL BUDGET</th>
<th>YEAR TO DATE</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AMOUNT</td>
<td>PERCENT</td>
<td></td>
</tr>
<tr>
<td>Interest on Investments</td>
<td>$ 15</td>
<td>$ 51</td>
<td>341.60% Higher interest income than anticipated due to changes in banking services</td>
</tr>
<tr>
<td>Water &amp; Sewer</td>
<td>$ 1,866</td>
<td>$ 1,881</td>
<td>100.81% Due to increased usage</td>
</tr>
</tbody>
</table>
SPHA Capital Fund Program - October 31, 2017

CFP 2013
FL14P002501-13
Must be Expended by 9/8/2017

Expended $257,278
Remaining Balance $0

CFP 2014
FL14P002501-14
Must be Expended by 5/12/2018

Expended $326,537
Remaining Balance $5,822

CFP 2015
FL14P002501-15
Must be Expended by 4/12/2019

Expended $223,270
Remaining Balance $113,559

CFP 2016
FL14P002501-16
Must be Expended by 4/12/2020

Expended $165,936
Remaining Balance $185,598
<table>
<thead>
<tr>
<th>Project</th>
<th>BLI</th>
<th>Development</th>
<th>Total Budget</th>
<th>Expended</th>
<th>Unexpended</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations</td>
<td>1406</td>
<td>Authority-wide</td>
<td>$51,455.60</td>
<td>$51,455.60</td>
<td>$-</td>
<td>Completed</td>
</tr>
<tr>
<td>Management Improvement</td>
<td>1408</td>
<td>Authority-wide</td>
<td>$51,455.60</td>
<td>$51,455.60</td>
<td>$-</td>
<td>Completed</td>
</tr>
<tr>
<td>Administration</td>
<td>1410</td>
<td>Authority-wide</td>
<td>$25,727.80</td>
<td>$25,727.80</td>
<td>$-</td>
<td>Completed</td>
</tr>
<tr>
<td>Audit</td>
<td>1411</td>
<td>Authority-wide</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
<td>$-</td>
<td>Completed</td>
</tr>
<tr>
<td>Fees and Costs</td>
<td>1430</td>
<td>Authority-wide</td>
<td>$19,000.00</td>
<td>$19,000.00</td>
<td>$-</td>
<td>Completed</td>
</tr>
<tr>
<td>Roof</td>
<td>1450</td>
<td>Romayne</td>
<td>$58,300.00</td>
<td>$58,300.00</td>
<td>$-</td>
<td>Completed</td>
</tr>
<tr>
<td>Landscaping</td>
<td>1450</td>
<td>Gateway</td>
<td>$1,000.00</td>
<td>$1,000.00</td>
<td>$-</td>
<td>Completed</td>
</tr>
<tr>
<td>Paint</td>
<td>1460</td>
<td>Romayne</td>
<td>$28,500.00</td>
<td>$28,500.00</td>
<td>$-</td>
<td>Completed</td>
</tr>
<tr>
<td>Flooring</td>
<td>1460</td>
<td>Romayne</td>
<td>$7,039.00</td>
<td>$7,039.00</td>
<td>$-</td>
<td>Completed</td>
</tr>
<tr>
<td>Windows/Doors</td>
<td>1460</td>
<td>Scattered Site</td>
<td>$3,500.00</td>
<td>$3,500.00</td>
<td>$-</td>
<td>Completed</td>
</tr>
<tr>
<td>Flooring</td>
<td>1460</td>
<td>Scattered Site</td>
<td>$1,800.00</td>
<td>$1,800.00</td>
<td>$-</td>
<td>Completed</td>
</tr>
<tr>
<td>Kitchen/Bath</td>
<td>1460</td>
<td>Scattered Site</td>
<td>$4,500.00</td>
<td>$4,500.00</td>
<td>$-</td>
<td>Completed</td>
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<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$257,278.00</strong></td>
<td><strong>$257,278.00</strong></td>
<td><strong>$-</strong></td>
<td><strong>-</strong></td>
</tr>
<tr>
<td>Project</td>
<td>BLI</td>
<td>Development</td>
<td>Total Budget</td>
<td>Expended</td>
<td>Unexpended</td>
<td>Status</td>
</tr>
<tr>
<td>-------------------------</td>
<td>-----</td>
<td>-------------</td>
<td>--------------</td>
<td>----------</td>
<td>------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Operations</td>
<td>1406</td>
<td>Authority-wide</td>
<td>$66,471.80</td>
<td>$66,471.80</td>
<td>-</td>
<td>Completed</td>
</tr>
<tr>
<td>Management Improvement</td>
<td>1408</td>
<td>Authority-wide</td>
<td>$59,824.62</td>
<td>$59,824.62</td>
<td>-</td>
<td>Completed</td>
</tr>
<tr>
<td>Administration</td>
<td>1410</td>
<td>Authority-wide</td>
<td>$33,235.90</td>
<td>$33,235.90</td>
<td>-</td>
<td>Completed</td>
</tr>
<tr>
<td>Audit</td>
<td>1411</td>
<td>Authority-wide</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
<td>-</td>
<td>Completed</td>
</tr>
<tr>
<td>Fees &amp; Costs</td>
<td>1430</td>
<td>Authority-wide</td>
<td>$15,000.00</td>
<td>$15,000.00</td>
<td>-</td>
<td>Completed</td>
</tr>
<tr>
<td>Parking Lot</td>
<td>1450</td>
<td>Clearview</td>
<td>$50,000.00</td>
<td>$50,000.00</td>
<td>-</td>
<td>Completed</td>
</tr>
<tr>
<td>Parking Lot</td>
<td>1450</td>
<td>Romayne</td>
<td>$2,305.00</td>
<td>$2,305.00</td>
<td>-</td>
<td>Completed</td>
</tr>
<tr>
<td>Kitchen/Bath</td>
<td>1460</td>
<td>Disston</td>
<td>$73,117.14</td>
<td>$67,649.99</td>
<td>$5,467.15</td>
<td>On-going</td>
</tr>
<tr>
<td>Flooring</td>
<td>1460</td>
<td>Disston</td>
<td>$22,154.54</td>
<td>$21,803.60</td>
<td>$350.94</td>
<td>On-going</td>
</tr>
<tr>
<td>Flooring</td>
<td>1460</td>
<td>Romayne</td>
<td>$2,250.00</td>
<td>$2,246.00</td>
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## SPHA CFP 2015

**For the Month of October 2017**

**FL14P002501-15**

**Must be expended by April 12, 2019**

<table>
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<th>BLI</th>
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<th>Total Budget</th>
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<tr>
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<td>1450</td>
<td>Clearview</td>
<td>$23,312.89</td>
<td>-</td>
<td>$23,312.89</td>
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<tr>
<td>Roof</td>
<td>1450</td>
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<td>$5,000.00</td>
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<td>Disston Place</td>
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<td>$1,800.00</td>
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<tr>
<td>Appliances</td>
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<td>Gateway</td>
<td>$1,800.00</td>
<td>$1,800.00</td>
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<td>Completed</td>
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**Total**                             |      |                 | $336,829.00  | $223,270.23| $113,558.77|
### Project BLI Development Total Budget Expended Unexpended Status

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<thead>
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<th>Development</th>
<th>$</th>
<th>$</th>
<th>$</th>
<th>Status</th>
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<tbody>
<tr>
<td>Operations</td>
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<td>$ 70,306.80</td>
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<td>$ 5,000.00</td>
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<td><strong>$ 185,936.35</strong></td>
<td><strong>$ 185,597.65</strong></td>
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SPHA Capital Fund Program - Replacement Housing - October 31, 2017

RHF 2011
FL14R002502-11
Must be Expended by 7/29/2019

100%

Expended $0
Remaining Balance $80,963

RHF 2012
FL14R002501-12
Must be Expended by 7/29/2020

100%

Expended $0
Remaining Balance $330,804

RHF 2012
FL14R002502-12
Must be Expended by 10/29/2019

100%

Expended $0
Remaining Balance $111,311
<table>
<thead>
<tr>
<th>Project</th>
<th>BLI</th>
<th>Development</th>
<th>Total Budget</th>
<th>Expended</th>
<th>Unexpended</th>
<th>Status</th>
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</thead>
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| Total       |     |                      | $ 80,963.00  | $ -      | $ 80,963.00  |                 |
### SPHA
### RHF2012
### For the Month of October 2017
### FL14R002501-12
### Must be expended by July 29, 2020

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<th>Unexpended</th>
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<td>Development</td>
<td>Total Budget</td>
<td>Expended</td>
<td>Unexpended</td>
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<tr>
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<td>Authority-wide</td>
<td>$111,511.00</td>
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<td>$111,511.00</td>
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<td>Total</td>
<td></td>
<td></td>
<td>$111,511.00</td>
<td>$</td>
<td>$111,511.00</td>
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</tr>
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</table>
SPHA Capital Fund Program - Replacement Housing - October 31, 2017

RHF 2013
FL14R002501-13
Must be Expended by 10/29/2020
Expended $0 Remaining Balance $304,793

RHF 2013
FL14R002502-13
Must be Expended by 9/8/2017
Expended $0 Remaining Balance $114,810

RHF 2014
FL14R002501-14
Must be Expended by 5/12/2018
Expended $0 Remaining Balance $315,877

RHF 2014
FL14R002502-14
Must be Expended by 5/12/2018
Expended $0 Remaining Balance $112,231
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<th>Total Budget</th>
<th>Expended</th>
<th>Unexpended</th>
<th>Status</th>
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<tbody>
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<td>Development</td>
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<td>Unexpended</td>
<td>Status</td>
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<td>Unexpended</td>
<td>Status</td>
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<td>$</td>
<td>$315,877.00</td>
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<tr>
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<td>Development</td>
<td>Total Budget</td>
<td>Expended</td>
<td>Unexpended</td>
<td>Status</td>
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<td><strong>$112,231.00</strong></td>
<td>$ -</td>
<td><strong>$112,231.00</strong></td>
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</table>
SPHA Capital Fund Program - Replacement Housing - October 31, 2017

RHF 2015
FL14R002501-15
Must be Expended by 4/12/2019

0%
100%
\[\text{Expeded} \ 0 \ \ \ \text{Remaining Balance} \ 319,632\]

RHF 2015
FL14R002502-15
Must be Expended by 10/29/2019

0%
100%
\[\text{Expeded} \ 0 \ \ \ \text{Remaining Balance} \ 113,953\]

RHF 2016
FL14R002501-16
Must be Expended by 4/12/2020

0%
100%
\[\text{Expeded} \ 0 \ \ \ \text{Remaining Balance} \ 339,563\]

RHF 2016
FL14R002502-16
Must be Expended by 4/12/2020

0%
100%
\[\text{Expeded} \ 0 \ \ \ \text{Remaining Balance} \ 120,513\]
### Development Activity

<table>
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<td>$-</td>
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<td>Not yet started</td>
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</table>

**Total**

|               |     |                   | $319,632.00 | $-       | $319,632.00 |

*Must be expended by April 12, 2019*
<table>
<thead>
<tr>
<th>Project</th>
<th>BLI</th>
<th>Development</th>
<th>Total Budget</th>
<th>Expended</th>
<th>Unexpended</th>
<th>Status</th>
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<td>$</td>
<td>$113,953.00</td>
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<tr>
<td>Project</td>
<td>BLI</td>
<td>Development</td>
<td>Total Budget</td>
<td>Expended</td>
<td>Unexpended</td>
<td>Status</td>
</tr>
<tr>
<td>------------------------</td>
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<td>--------------</td>
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<tr>
<td>Development Activity</td>
<td>1499</td>
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<td>$ 339,563.00</td>
<td>$ -</td>
<td>$ 339,563.00</td>
<td>Not yet started</td>
</tr>
</tbody>
</table>

<p>| Total                  |      |                      | $ 339,563.00 | $ -      | $ 339,563.00 |                  |</p>
<table>
<thead>
<tr>
<th>Project</th>
<th>BLI</th>
<th>Development</th>
<th>Total Budget</th>
<th>Expended</th>
<th>Unexpended</th>
<th>Status</th>
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<td></td>
<td>$120,513.00</td>
<td>$0</td>
<td>$120,513.00</td>
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</tr>
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</table>
SPHA has recovered $1,409,823.66 from landlords and tenants on the Section 8 program since the inception of our Fraud Recovery Program. One-half of the funds recovered are used to further our fraud recovery program efforts.

Collections

The following is a yearly breakdown of the actual cash amount collected in each fiscal year as a result of this initiative:

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<th>Year</th>
<th>Amount</th>
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</thead>
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<td>$18,468.95</td>
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<tr>
<td>Total</td>
<td>$1,407,468.66</td>
</tr>
</tbody>
</table>

As of October 2017, SPHA has repayment agreements in place with 19 active Section 8 participants totaling $12,346.99 in outstanding fraud recovery debt to be collected.
Summary of Activities for the Month of October 2017

Fraud Investigations
During October 2017, zero (0) additional Section 8 tenant entered into repayment agreements.

Collections (Monthly)
During October, SPHA collected $2364.00 toward balances owed on current repayment agreements with Section 8 landlords and tenants.

Collections (Year to Date)
This fiscal year, (1/1/2017 through 10/31/2017), SPHA has collected $18,468.95 toward balances owed on repayment agreements with landlords and tenants.

Recap of Fraud Recovery Activities

- SPHA staff is working with HUD's Office of Inspector General, as well as the St. Petersburg Police Department, on Operation Spring Cleaning in an effort to expose and eliminate fraud within the Section 8 Program.

- SPHA staff is requesting client's tax returns to provide proof of income for the previous year. This is allowing SPHA staff to discover unreported income from clients.

- "Operation Zero-In", SPHA's focus on Section 8 participants who report zero income, or who report family contributions as their only income, continues. Through this initiative, efforts to determine unreported income are expanded.

- SPHA staff continues to utilize with great success, HUD's Earned Income Verification (EIV) system. This system allows the Housing Authority to gain access to the Department of Labor's information on employment income. The use of this system has uncovered many assisted families failing to report their incomes correctly.
MEMORANDUM

TO: LaShunda Battle, Acting Chief Operating Officer
FROM: Gil Machin, Housing Choice Voucher Officer
RE: Tenant Activity Report – October 2017
DATE: November 1, 2017

The SPHA Housing Choice Voucher program activity for October 2017 is as follows:

**Voucher Count**

Total Vouchers on the first of the month (excludes Port-Ins): 3,358

- Total VASH Vouchers on the first of the month: 246
- Total Port-In Vouchers on the first of the month: 0

<table>
<thead>
<tr>
<th>Project</th>
<th>New Admissions</th>
<th>Terminations</th>
<th>Vouchers Issued</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing Choice Voucher (Excludes VASH, Project Based, and Port-Ins)</td>
<td>48</td>
<td>10</td>
<td>156</td>
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<tr>
<td>VASH</td>
<td>3</td>
<td>1</td>
<td>11</td>
</tr>
<tr>
<td>Project Based Vouchers (Philip Benjamin Tower, Bay Pointe Tower, Pinellas Hope II and III, Salt Creek, Mastry)</td>
<td>1</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Port-Ins</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>TOTAL</td>
<td>52</td>
<td>13</td>
<td>170</td>
</tr>
</tbody>
</table>

**Per Unit Cost**

- Current Month HAP Per Unit Cost: $662.69
- HUD Funded Per Unit Cost: $691.13
- 2016 Average HAP Per Unit Cost: $673.07

**Percent Leased**

- Percent leased based on Budget Authority: 98%
- Percent leased based on Voucher Baseline: 93%

*SPHA must have a leasing rate of 98% of either Budget Authority or Voucher Baseline by year’s end.*
**SPHA Section 8 - Length of Participation - October 2017**

<table>
<thead>
<tr>
<th></th>
<th>&lt;1 year or less</th>
<th>1 - 5 years</th>
<th>6 - 10 years</th>
<th>11 - 15 years</th>
<th>16 - 20 years</th>
<th>21 - 25 years</th>
<th>&gt;25</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Count</td>
<td>300</td>
<td>1532</td>
<td>798</td>
<td>365</td>
<td>238</td>
<td>106</td>
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<tr>
<td>Percentage</td>
<td>8.7%</td>
<td>44.6%</td>
<td>23.2%</td>
<td>10.6%</td>
<td>6.9%</td>
<td>3.1%</td>
<td>2.8%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

[Graph image showing distribution of length of participation]

**SPHA Section 8 Length of Participation October 2017**

- <1 year or less: 8.7%
- 1 - 5 years: 44.6%
- 6 - 10 years: 23.2%
- 11 - 15 years: 10.6%
- 16 - 20 years: 6.9%
- 21 - 25 years: 3.1%
- >25: 2.8%

TOTAL: 100.0%
### H.M.S. for Windows

**User Reports - S8**

**S8 Length of Participation by Program/Project**

<table>
<thead>
<tr>
<th>Tenant Name</th>
<th>Current Address</th>
<th>Landlord ID</th>
<th>M/F</th>
<th>Eld/Dis</th>
<th>Age</th>
<th>Orig. M-I</th>
<th>Years</th>
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<table>
<thead>
<tr>
<th>Length of Participation</th>
</tr>
</thead>
<tbody>
<tr>
<td>3422</td>
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</tbody>
</table>

<table>
<thead>
<tr>
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<th>11-15 years</th>
<th>16-20 years</th>
<th>21-25 years</th>
<th>&gt; 25 years</th>
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</thead>
<tbody>
<tr>
<td>Females:</td>
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<td>221</td>
<td>1192</td>
<td>649</td>
<td>339</td>
<td>225</td>
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<td>Males:</td>
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<td>79</td>
<td>340</td>
<td>149</td>
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<td>728</td>
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<td>321</td>
<td>184</td>
<td>61</td>
<td>39</td>
<td>27</td>
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<tr>
<td>NOT Elderly:</td>
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<td>243</td>
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<td>79</td>
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<tr>
<td>Disabled:</td>
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<td>48</td>
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<td>159</td>
<td>58</td>
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<tr>
<td>Age &gt; 62:</td>
<td>551</td>
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<td>243</td>
<td>141</td>
<td>50</td>
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<td>2871</td>
<td>257</td>
<td>1289</td>
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<td>85</td>
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## Public Housing - Length of Participation

**October 2017 AMP2**

<table>
<thead>
<tr>
<th>Length of Participation</th>
<th>Count</th>
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<tr>
<td>≤ 1 year</td>
<td>10</td>
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<tr>
<td>1-5 years</td>
<td>85</td>
<td>64.4%</td>
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<td>11-15 years</td>
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<td>16-20 years</td>
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<td>5.3%</td>
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<tr>
<td>21-21 years</td>
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<td>0.0%</td>
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<tr>
<td>≥ 25 years</td>
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<td>0.0%</td>
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<tr>
<td>Total</td>
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<td>100.0%</td>
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<tr>
<td>Length of Participation</td>
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<td></td>
</tr>
<tr>
<td>-------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>HOH:</strong></td>
<td>132</td>
<td>&lt; 1 year</td>
</tr>
<tr>
<td>Females:</td>
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<tr>
<td>Males:</td>
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<td>1</td>
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<tr>
<td>NOT Elderly:</td>
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<td>9</td>
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<tr>
<td>Disabled:</td>
<td>59</td>
<td>1</td>
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<tr>
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<td>9</td>
</tr>
<tr>
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<tr>
<td>Age &lt; 62:</td>
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<td>9</td>
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Rpt Param: and ( PROGRAM.PROGRAM_NAME>= 'Public Housing' and PROGRAM.PROGRAM_NAME<= 'Public Housing')
## Public Housing - Length of Participation
### October 2017 Jordan Park

<table>
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<th>Length of Participation</th>
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</thead>
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<tr>
<td>≤ 1 year</td>
<td>33</td>
<td>14.6%</td>
</tr>
<tr>
<td>1-5 years</td>
<td>138</td>
<td>61.1%</td>
</tr>
<tr>
<td>6-10 years</td>
<td>23</td>
<td>10.2%</td>
</tr>
<tr>
<td>11-15 years</td>
<td>30</td>
<td>13.3%</td>
</tr>
<tr>
<td>16-20 years</td>
<td>2</td>
<td>0.9%</td>
</tr>
<tr>
<td>21-21 years</td>
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<td>0.0%</td>
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<tr>
<td>≥ 25 years</td>
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</tr>
<tr>
<td>Total</td>
<td>226</td>
<td>100.0%</td>
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</table>

### Pie Chart

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
## PH Length of Participation by Program/Project

<table>
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<tr>
<th>Tenant Name</th>
<th>Current Address</th>
<th>M/F</th>
<th>Eld/Dis</th>
<th>Age</th>
<th>Orig. M-I</th>
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</table>

### Length of Participation

<table>
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<tr>
<th>Length</th>
<th>HOH:</th>
<th>&lt; 1 year</th>
<th>1-5 years</th>
<th>6-10 years</th>
<th>11-15 years</th>
<th>16-20 years</th>
<th>21-25 years</th>
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<td>0</td>
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<td></td>
<td>Females:</td>
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<td>0</td>
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<td>NOT Elderly:</td>
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</tr>
<tr>
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Rpt Param: and (PROGRAM.PROGRAM_NAME='Tax Credit w/ PH' and PROGRAM.PROGRAM_NAME<= 'Tax Credit w/ PH')
<table>
<thead>
<tr>
<th>Development</th>
<th>Total Units</th>
<th>Units Offline</th>
<th>Units Available for Lease</th>
<th>Vacant Units</th>
<th>Occupied Units</th>
<th>Current Occupancy Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clearview</td>
<td>22</td>
<td>0</td>
<td>22</td>
<td>0</td>
<td>22</td>
<td>100%</td>
</tr>
<tr>
<td>Romayne</td>
<td>20</td>
<td>0</td>
<td>20</td>
<td>0</td>
<td>20</td>
<td>100%</td>
</tr>
<tr>
<td>Disston Place</td>
<td>33</td>
<td>0</td>
<td>33</td>
<td>1</td>
<td>32</td>
<td>97%</td>
</tr>
<tr>
<td>Scattered Sites</td>
<td>1</td>
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<td>1</td>
<td>0</td>
<td>1</td>
<td>100%</td>
</tr>
<tr>
<td>Gateway</td>
<td>20</td>
<td>0</td>
<td>20</td>
<td>1</td>
<td>19</td>
<td>95%</td>
</tr>
<tr>
<td>Sunset Oaks</td>
<td>38</td>
<td>0</td>
<td>38</td>
<td>0</td>
<td>38</td>
<td>100%</td>
</tr>
<tr>
<td>Jordan Park</td>
<td>237</td>
<td>1</td>
<td>236</td>
<td>10</td>
<td>226</td>
<td>95.8%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>371</td>
<td>1</td>
<td>370</td>
<td>12</td>
<td>358</td>
<td>96.8%</td>
</tr>
</tbody>
</table>

**Occupancy Rate**

- **Clearview**: 100%
- **Romayne**: 100%
- **Disston Place**: 97%
- **Gateway**: 95.8%
- **Sunset Oaks**: 100%
- **Jordan Park**: 100%

October 2017
## ST. PETERSBURG HOUSING AUTHORITY

### AFFORDABLE HOUSING OCCUPANCY REPORT SUMMARY

October 1, 2017

<table>
<thead>
<tr>
<th>Development</th>
<th>Total Units</th>
<th>Units Offline</th>
<th>Units Available for Lease</th>
<th>Vacant Units</th>
<th>Occupied Units</th>
<th>Current Occupancy Rate</th>
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</thead>
<tbody>
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<td>Saratoga</td>
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<td>0</td>
<td>34</td>
<td>2</td>
<td>32</td>
<td>94%</td>
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<td>Palm Bayou</td>
<td>24</td>
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<td>24</td>
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<td>24</td>
<td>100%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>58</td>
<td>0</td>
<td>58</td>
<td>2</td>
<td>56</td>
<td>96.6%</td>
</tr>
</tbody>
</table>

### Occupancy Rate

- Saratoga: 94%
- Palm Bayou: 100%

October 2017
October 3, 2018

Mr. Tony Love, CEO
St. Petersburg Housing Authority

INVOICE

Consulting – Strategic Plan

Total Cost ....................... $3,650.00

Please make check payable to Leo P. Dauwer
Based upon a set of Performance Review Questions (2016) to be referred to as the “Survey”, the senior staff at the St. Petersburg Housing Authority (SPHA) was requested to respond to six questions concerning the performance of the CEO as his performance was observed or perceived by each of them (there were eight responses). Several issues were raised repeatedly by two or more of the respondents. Most of the issues were discussed at the Tony Love/Leo Dauwer Conference.

At the outset of the conference which took place over a period of five hours and thirty minutes, it was not my expectation to discuss all of the several issues. It is expected that for an individual to listen to a series of complaints, faults and short-comings for over five hours- some of which may be valid and some not- is a very stressful situation. To Mr. Love’s credit, I was able to raise, discuss and come to some level of resolution or agreement on almost all of them.

Also to Mr. Love's credit, he approached the conference with a very positive attitude and referred to it as a “learnable moment”. That attitude remained in place throughout the conference and actually improved toward the end,

**The following issues or topics of concern took place:**

**1. Style of communication with executive staff:**

Mr. Love’s tendency to go beyond raising his voice to shouting at the executive staff, and to screaming at them was described in the Survey several times. It is noted Mr. Love has a normal heavy and deep voice. It would not take too much effort for him to shout and scream, nevertheless, his voice can be heard well beyond his office into other areas of the building when he is upset. Another factor is Mr. Love’s tendency to engage in conversational overlay, interrupting and repeating his point or the person’s name several times. Mr. Love began to agree he “raised his voice” and later to perhaps he shouted and ultimately agreed that on occasion he may have screamed. That stage of agreement should be considered progressive, mature and positive. He indicated he would refrain from shouting or screaming and that I would be allowed to check on his progress in thirty days.

**2. Lack of respect for input and recommendations from executive staff:**

It is perceived by the respondents to the Survey that although Mr. Love will ask for input and recommendations, he tends to interrupt early in the communication and reject or criticize the input and not permit the administrator to offer a retort or explanation. It is
further perceived by the women and some white administrators, he is a bit more unaccepting of their input. My experience over the years is that this perception is frequently held by all races and genders in a work place where negative perceptions are in place. The issue can be reduced and even eliminated when more positive climates are in place.

It is obvious, the executive staff has pride in the work which they have put into SPHA, especially if long service is involved. Several refer to their service and the reputation of SPHA being a “High performer”. Evidently, the relationship between the former executive director and the executive staff was quite different from that of Mr. Love. The difference has been described by some respondents to the survey as a “culture shock”. It has to be expected when a new CEO arrives, the climate and tone of the organization will change. If a tone of not accepting, or at least respecting the recommendations of subordinates is instilled, such a climate will filter down through the agency and the agency will be viewed as a “top down” operation- such an agency has great difficulty in being successful in today’s American society- and work force.

It was pointed out to Mr. Love that the executive staff must begin to see that they are being given an opportunity to have a sense of participation, involvement and most importantly, a sense of achievement- otherwise, they cannot and will not grow and mature professionally. The organization will lose the best of staff as a result.

Mr. Love agreed to address his relationship with the executive staff when any opportunity arose to give them more of a sense of participation and achievement.

3. The tendency to micro-manage and interfere below the level of the executive staff:

Respondents to the Survey perceived that when the CEO is not pleased with the progress of a program or project, he has a tendency to jump to conclusions and begin to give commands to all involved in the program or project.

“Jumping to conclusions” can be avoided by top level administrators by giving the opportunity for those on the scene or more closely involved with the situation, the opportunity to explain the situation- and to remain calm while it is being explained- even if it is a mess!

At this point, the Survey gave the impression there is a reluctance on the part of the executive staff to offer recommendations, suggestions or solutions for fear of a “put-down”. If such a significant amount of collective wisdom and teamwork is being ignored and lost, the problem-solving and decision-making process will be severely impacted throughout the organization. This issue, if present to the degree stressed throughout the Survey is factual, it must receive immediate attention by Mr. Love. It is imperative that a CEO surround himself with the best talent available. The CEO indicated he intended to seek opportunities for the executive staff to provide input and, if at all possible, accept their suggestions and recommendations and encourage them to move ahead and act upon their recommendations without interference. I believe such opportunities will be available
when the projects for the construction for elderly housing units will be undertaken in South St. Petersburg and another project involving the construction of housing for veterans will get underway.

4. The tendency to criticize or chastise within a group setting:

An axiom in the field of supervision is: “Always criticize in private- praise in public”. Several of the Surveys indicated that Mr. Love engages in a strong tone and sometimes prolonged negative comments directed toward a department or an individual. It has to be realized that the damage done when such an incident takes place is not always done to the individual being criticized- but rather to those others who are present. Regardless of the offense committed by the person being criticized, others present become fearful the criticism and embarrassment could fall on them sometime, (“But for the grace of the Lord, I come next”).

If in a group setting, a subordinate steps out of line, it can be effective for the CEO to let the subordinate finish and calmly state: “you need to see me in my office later today.” (Let a period of time pass to cool off). A tone of civility and decorum must be preserved in an organization that claims to have class and stature. A staff meeting cannot have the tone of a drill sargent shouting at a recruit!

5. The personal image of the CEO attracts the attention of the executive staff:

The perception was gained from the Survey that some of the actions of the CEO need to receive the attention of the CEO and in some other cases need to be better understood by the executive staff.

It is suggested that the CEO refrain from giving the image he has consumed too much alcohol at social functions or at any time when such drinking may impact his judgment or behavior while at work. He should be made aware that if his drinking has been viewed by others on the staff, residents, public officials (other than the senior staff), he places the board of commissioners in a difficult situation, if pressure takes place on the image and reputation of the SPHA.

Comment from Mr. Love:

Staff worked a booth at the Indy Car Races the spring of 2016 and this is the only time I was near staff with any alcohol. This comment was embellished to be more than what happened. I’m a fish in a fish bowl in this instance. This is the only time I have been around staff. Never at work!!

It is suggested that the CEO limit the appearance of impropriety when he becomes too involved in the bidding and purchasing process. It is sometimes very difficult for a CEO to remain neutral during a bidding/Request for Proposal and selection process in underway when he or she is aware of a superior vendor, nevertheless, only during the selection process when all bidders have responded, may input be exercised as to the best vendor.
The Survey appears to indicate that the appearance of favoritism was evident involving the HAI bid process for software. 

It is suggested that the executive staff have a greater understanding of the role of a CEO; any CEO is responsible for the organization every hour of every day. The CEO is the only staff member who is responsible for the future direction and goal-setting, planning process for the organization. It is necessary for CEOs to attend conferences, public meetings, make contacts and be open to where new information can be obtained about best practices. A CEO’s performance should not be measured by their time of arrival or departure from the office on a daily basis. A CEO’s performance should be appraised on what has been accomplished- not the fact he or she came in early and stayed late. Highly intelligent executives usually accomplish great work in less time than those who are not as bright. “One is not more noble who comes in early and stays late”.

Mr. Love needs to avoid using personal or affectionate tones or speech toward some and not toward others, otherwise, it is held he holds a bias. Executive level personnel need to be aware that all recognition involving approval or privilege or leeway must always be based upon the performance of lower level staff- not their race, gender, friendship or popularity. Many CEOs have a tendency to form a committee to decide or choose award winners or those selected for recognition instead of being personally involved in the decision.

It is suggested that the CEO separate his fraternity activities from SPHA and not extend invitations or ask for fraternity work to be done at SPHA. It appears to be a point of discontent and viewed as a source of favoritism.

This comment was inserted by Mr. Love.

This only happened once.

Finally, the CEO’s friendship with a Section 3 resident who has been awarded paid work assignments and who has given the impression “he is a friend of the CEO” should be placed in a more business-like format and the “friendship” factor should be eliminated and handled better by the Section 3 resident. The resident need not be penalized but it is recommended the CEO remove himself to the extent he is not involved in the perception of favoritism.

This comment was inserted by Mr. Love.

This person reported the inconsistency of treatment by the Maintenance Supervisor. The Asset Manager felt it was her duty to protect the Maintenance Supervisor when I asked what’s going on with the Section 3 resident. She took offense that I questioned why supplies were being locked from the Section 3 resident that had previously been available to him. In addition, I questioned from the Procurement Officer, why SPHA did not give notice to the Section 3 resident of a Pinellas County rule that required a
certification to perform painting of apartments and to continue to use his services, while he enrolled into classes to get his certification.

**Conclusion:**

This Summary Report has been sent to Mr. Tony Love for his review. He should be encouraged to review its contents and offer his response to any of its contents relative to its accuracy.

He is free to submit it to whomever he wishes, however, it must be submitted to SPHA as it has been paid for by the agency. It is suggested the Summary Report be placed within the format of an “anecdotal note” within the secure personnel records of the SPHA Human Resources Department.

Once again, I remain very impressed by Mr. Love’s attitude of positive acceptance of this process and I am equally encouraged that significant progress will take place at the executive level and function at SPHA.
March 22, 2019

Via Email Correspondence and
Regular U.S. Mail

Jacqueline M. Kovilaritch, Esquire
City Attorney
City of St. Petersburg
P.O. Box 2842
St. Petersburg, FL 33731

RE: St. Petersburg Housing Authority

Dear Ms. Kovilaritch:

I provide this letter in response to your March 18, 2019 correspondence.

Before addressing your specific questions, I want to make sure we are on the same page, your questions below reference “performance review” and “performance evaluation.” For purpose of the responses, I am using the terms interchangeably. I, also, want to point out that while the Board has tasked the Personnel Committee with conducting evaluations of the CEO and making recommendations, it would be disingenuous to suggest that the CEO is not under constant review by the Board as a whole. The CEO and the Agency are evaluated or reviewed monthly by the board in the form financial documentation and other reports received at each regular board meeting. These reports allow the Board to understand the health of the organization. In addition to the monthly reports it receives, the Board also relies on the regular internal and external auditing performed. This includes having an outside accounting firm report to the full board with a presentation of the audit findings in order to breakdown the results and answer any questions. Of course, all of this is in addition to the rigorous and regular auditing performed by HUD which has continuously graded the SPHA as a High Performer for at least the last 20 years.

I, also, would again like to invite the Mayor and/or his delegate to speak with the individual Commissioners regarding any questions or concerns he may have. In my last correspondence, I did my best to provide you a brief summary of the thought processes of the relevant Commissioners in regards to the November of 2017 vote to provide the CEO a pay raise. My brief summary, however, cannot possibly reflect the numerous factors and understandings that were weighed by each Commissioner before his/her vote.
As to the specific requests for documentation or questions, my responses follow:

1. Please provide me with a copy of the executed CEO Job Description for Mr. Love.

   Enclosed. As noted, earlier, the Personnel Committee goes through this document as a part of the evaluation process.

2. Did all current members of the Board receive the NAHRO handbook entitled The Handbook/or Commissioners (2d ed.)?

   Each Commissioner receives a copy of the National Association of Housing and Redevelopment Officials ("NAHRO") handbook as a part of an orientation package when they become a Commissioner. I cannot verify that each received the 2nd addition referenced in your question because the Commissioners come on at different times. The NAHRO handbook is a national publication that provides an excellent overview of the role and duties of a Commissioner. Of course, it is general in nature and does not trump State or Local regulations or the specific Bylaws unique to each organization. Finally, all Commissioners are encouraged to attend conferences held by NAHRO and/or Public Housing Authorities Directors Association ("PHADA") to keep them up to date on responsibilities and duties. For the last two years, Commissioner Harvey, has worked on preparing the 3rd edition of the Commissioners Handbook as a member of the NAHRO Commissioners Committee. The 3rd edition should be available later this year and will be provided to the Board as some information is already outdated in the 2nd edition as some programs have been deleted or drastically changed.

3. Please provide me with a copy of the Performance Review Questions (2016) referenced in Mr. Dauwer's Summary Report dated August 17, 2017. Also, please provide me with a copy of all records related to the Performance Review Questions (2016), including but not limited to the responses to such questions.

   Documentation responsive to this request was provided in the March 6, 2019 correspondence. Also, the questions or areas of concern are listed in the report received from Mr. Dauwer. It is my understanding that no written staff responses were found in H.R. files, I have requested a breakdown of efforts undertaken to recover the same and will forward the results of the same. Of course, if the documents you are requesting are found, then I will forward them along immediately upon receipt.

4. Was the 2016 Performance Evaluation Information or 2017 Performance Evaluation Information provided to the Personnel Committee prior to or during the committee
meeting on June 21, 2017? Prior to or during the committee meeting on November 15, 2017?

Yes, this information is provided to the Personnel Committee.

5. Was the 2016 Performance Evaluation Information or 2017 Performance Evaluation Information provided to the Board prior to or during the Board meeting on November 16, 2017?

No, the Chairperson reports the recommendations to the full board at which point the floor is open for discussion and/or questions. The board then votes.

6. Were the Performance Review Questions (2016) and responses thereto provided to the Personnel Committee prior to or during the committee meeting on June 21, 2017? Prior to or during the committee meeting on November 15, 2017?

Yes, the information was provided to the Personnel Committee.

7. Were the Performance Review Questions (2016) and responses thereto provided to the Board prior to or during the Board meeting on November 16, 2017?

No, the Chairperson reports the recommendations to the full board at which point the floor is open for discussion and/or questions. The board then votes.

8. Please describe all inquiries made and actions taken by the Personnel Committee and Board related to the Performance Review Questions (2016) and responses thereto. Please provide me with a copy of all records regarding same.

I believe you are in possession of all the responsive material. Again, in my correspondence dated March 6, 2019, I did my best to provide you a brief summary of the thought processes of the relevant Commissioners in regards to the November of 2017 vote to provide the CEO a pay raise. My brief summary, however, cannot possibly reflect the numerous factors and understandings that were weighed by each Commissioner before his/her vote. So I would again invite the Mayor or his delegate to reach out directly to each individual Commissioner so that a proper understanding of the factors weighed by each Commissioner before his/her vote.
9. Was Mr. Dauwer's Summary Report dated August 17, 2017 provided to the Personnel Committee prior to or during the committee meeting on June 21, 2017? Prior to or during the committee meeting on November 15, 2017?

The August 17, 2017, report and meeting between the CEO was a result of the corrective action and/or additional training that the personnel committee wanted to see as a result of the June 21, 2017, personnel committee meeting. So, obviously, the document was not available during the June 21, 2017, personnel committee meeting. The results of the August 17, 2017, report were distributed and discussed along with many other issues with the CEO during the November 15, 2017, personnel committee meeting.

10. Was Mr. Dauwer's Summary Report dated August 17, 2017 provided to the Board prior to or during the Board meeting on November 16, 2017?

No, the Chairperson reports the recommendations to the full board at which point the floor is open for discussion and/or questions. The board then votes.

11. Please describe all inquiries made and actions taken by the Personnel Committee and Board related to Mr. Dauwer's Summary Report, including but not limited to following up on Mr. Love’s performance of corrective actions identified in such report. Please provide me with a copy of all records regarding same.

I believe you are in possession of all the responsive material. The Chair of the Personnel Committee spoke with Mr. Dauwer and the CEO regarding the corrective action and confirmed that the CEO had meet with senior staff to discuss concerns and better ways to communicate prior to the November 15, 2017, personnel committee meeting. These issues were discussed along with many other factors during the CEO evaluation amongst the committee members and the CEO. After discussing this and a review of other goals, objectives and the overall state of the agency, the personnel committee voted to recommend to the full board a pay raise for the CEO. It was the first pay raise authorized since the CEO had taken over the position in January of 2016. As noted, in response to question 8, the relevant committee members welcome to discuss any questions regarding the process and the considerations that went into the vote with the Mayor and/or his delegate.

12. The minutes of the November 15, 2017 Personnel Committee meeting state that "a secondary CEO review will be conducted in the first quarter of 2018." When was that review conducted? Please provide me with a copy of all records related to such secondary CEO review.
Another review did not occur until October of 2018. The CEO was not seeking another raise and in addition to the day to day oversight of the over 3900 public housing and housing choice voucher units administered by the SPHA, the staff and Board were inundated with, and focused on strategic planning to finalize plans and funding for Jordan Park renovation and new construction project.

13. Mr. Dauwer's Summary Report dated August 17, 2017 states that "He [Mr. Love] indicated he would refrain from shouting or screaming and that I [Mr. Dauwer] would be allowed to check on his progress in thirty days." Was this progress check conducted? Please provide me with a copy of all records related to such progress check.

The CEO and Mr. Dauwer did speak with each other following the Summary report to discuss progress. My understanding is the report that you have is final. Mr. Dauwer also spoke with the Chair of the Personnel Committee and indicated that he was comfortable with the CEO’s progress. These issues along with the report were discussed by the Personnel Committee, with the CEO during the November 15, 2017, personnel committee meeting.

As referenced above and in earlier correspondences, if Mayor Kriseman has any additional questions or would like further information, please let us know. SPHA and its CEO would welcome the opportunity for further dialogue with Mayor Kriseman and separately for the Mayor to address the Board at a future meeting.

Best Regards,

Jay M. Walker

JMW/
Enclosure
ST PETERSBURG HOUSING AUTHORITY
JOB DESCRIPTION

Position: Chief Executive Officer (CEO)  Reports to: Board of Commissioners
Contract Position

Department: Administration  Classification: Exempt

Position Summary:

This is extremely responsible administrative and technical management work in providing the functions and activities necessary for the effective and efficient operation of the Authority in support of the Authority's mission. Formulate and provide agency strategy in accordance with Board of Commissioners established policies and guidelines. Develop and implement innovative programs and partnerships to provide housing opportunities while lessening dependency on federal funding. Ensure programs and operations generate adequate cash flow and remain fiscally viable. Adhere to financing requirement and regulatory guidelines of all funding entities to include the U.S. Department of Housing and Urban Development, Fannie Mae and grant providers. Plan, direct, coordinate and manage the effective and efficient operation of the Authority’s activities through the executive team and staff members.

The statements contained below reflect general details as necessary to describe the principal functions of the job, the level of knowledge and skill typically required and the scope of responsibility, but should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned including work in other functional areas to cover absences or relief, to equalize peak work periods, or otherwise balance the workload.

Primary Responsibilities & Essential Functions

Board of Commissioners & Community Involvement

- Serve as Secretary for the Board of Commissioners on all agency operations and concerns.
- Serve as principal advisor and participates in the meetings of the Board of Commissioners to give technical counsel, reports on operations, discuss problems, make recommendations, and seek direction.
- Develop agency strategy and policy in conjunction with Board of Commissioners.
- Participate in resident meetings, community meetings, city meetings, Authority meetings, etc., to effect communications between these groups and the Authority regarding housing problems and issues.
- Perform and supervise administrative tasks and responsibilities related to the preparation and presentation of all reports and recommendations to the St. Petersburg Housing Authority Board of Commissioners.
- Act as agency ambassador to promote the Authority public relations through the various news media and through presentations to interested agencies, groups, and organizations.
- Represent the Housing Authority in the community, with HUD, other interested agencies, organizations, and community and constituent groups.
Agency Operations
- Direct all agency operations and program development.
- Oversee the work in analyzing Authority budgetary needs, preparation of fiscal year budgets, financial statements, sale of notes and bonds, financial feasibility studies, and investment of funds to ensure the fiscal soundness of SPHA.
- Direct Economies of Scale Programs including existing contracts and expansion of opportunities.
- Conduct strategic planning including the formation of short and long term goals and plans for the Authority by directing the establishment and maintenance of the annual and 5-year plan.

Program & Property Development
- Develop public and private (affordable) housing opportunities (properties) for community residents.
- Ensure adequate project funding through various methods including private investors, tax credits, bond issuance, grants, public funds, etc.
- Diversify income sources to lessen independency of government funding.

Leadership, Management & Staff Development
- Ensure adherence to applicable federal and state employment laws and regulations.
- Attract and retain high-performing staff, ensure top caliber senior leadership team.
- Demonstrate leadership and supervision to motivate staff in carrying out SPHA mission.
- Train, coach and develop staff to ensure full utilization of skills and promotional opportunities.

Required Knowledge, Skills and Abilities:

Knowledge of:
- Program relations and requirements of HUD and other applicable organizations.
- Real estate, housing rehabilitation, and landlord/tenant laws.
- Leadership principles and effective supervisory skills.
- Property construction and management principles, as well as project management oversight.
- Business process and accounting methods.

Skills in:
- Strategy development and execution.
- Problem analysis and resolution.
- Negotiation and conflict resolution.
- Time management and delegation.
- Oral and written communication.
- Budgeting and resource allocation.
- Human resource management.

Ability to:
- Work with supportive resources to the Authority.
- Operate motor vehicle in order to visit Agency sites and properties.
• Sit at a desk or conference table for extended periods of time.
• Frequently move about properties and travel between multiple office sites and meetings, as well as to travel to out of town conferences.

Minimum Qualifications & Requirements:

• Bachelor’s degree in Public or Business Administration, Management, or closely related field from an accredited college or university. Coursework in finance is desired.
• A minimum of eight to ten years progressively responsible administrative or management experience, with five years in public management desired.
• Computer proficiency in Windows operating system and MS Office software including Word and Excel. Able to operate Internet applications and email, as well as external vendors’ and proprietary software programs.
• Possession of valid driver’s license.

Accommodations:

Upon request, reasonable accommodations will be made for otherwise qualified individuals with a disability.

Approved:

I confirmed having received a copy of the Chief Executive Officer job description.

Name

Date
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WELCOME TO OUR TEAM!

The challenge and goal for all SPHA team members is to deliver a variety of safe, sanitary, accessible, decent and affordable housing to the citizens of St. Petersburg and the surrounding areas, by providing all services in a professional, efficient and courteous manner. We depend on our employees to use their time and resources wisely, with integrity and commitment to the team and our residents. We challenged our employees to perform their duties with compassion, kindness, humility, gentleness and patience.

Federally subsidized housing programs are by nature, in a perpetual state of change. As management and staff continue to implement new federal regulations and guidelines, we must constantly explore innovative ways of ensuring federal program compliance, while providing the best possible housing to our residents, clients and customers. Because of these innovations and the ability to embrace change, SPHA continues to excel in providing excellent housing with less and less funding from the federal government. SPHA is working to reduce its dependency on federal resources and to keep housing affordable for families in need.

The purpose of Personnel Policy is to further the following goals:

- To provide a uniform system of human resource administration.
- To assist officers/managers in the development of sound management practices and procedures.
- To promote effective communication among officers, managers, supervisors and employees.
- To ensure, protect, and clarify the rights and responsibilities of both the employer and employees.
- To make effective consistent use of human resources.

The Personnel Policy provides essential information on how to accomplish the Authority/department mission within the administrative framework of the St. Petersburg Housing Authority.

This handbook, however, cannot anticipate every situation or answer every question about employment. Once you have thoroughly reviewed this handbook, please consult your immediate supervisor, Senior Staff Members, the Human Resources Officer, the Chief Operating Officer, or the Chief Executive Officer if you have any questions about the policies, practices and procedures.

The policy, procedures, and practices stated in this handbook are subject to modification from time to time as SPHA responds to industry growth and changes. The Authority reserves the right to revise or rescind any provisions of this handbook with or without notice, at its sole discretion.
PREAMBLE

The St. Petersburg Housing Authority (hereinafter called “the Authority”), established in 1937, is an autonomous, “quasi-Municipal” agency, and a political subdivision of the State of Florida. The purpose of the Authority is to build, manage, maintain, provide and administer subsidized rental housing and other programs to low and moderate-income persons and families.

The Authority is comprised of a Board of Commissioners, who are (unpaid) volunteers, appointed by the Mayor and approved by City Council. The Board sets operational policies, carried out by the Chief Executive Officer (CEO), the Board’s only employee. All other SPHA employees report to the CEO.

The Authority administers two (2) major housing programs. Funded by the federal government through the United States Department of Housing and Urban Development (“HUD”) and tenant rents, the Authority owns, maintains, and manages housing developments under the low rent or “public housing” program. The Authority also owns and operates unsubsidized rental housing with below-market rents for income-eligible families. The largest Authority-administered program is the Housing Choice Voucher (HCV) Program also known as “Section 8”. The HCV program provides federal subsidies for rental housing to private property owners through issuance of vouchers to eligible low-income families.

The Authority participates in other programs and enterprises for the provision of affordable housing options from time to time, as available and at the discretion of the Board of Commissioners. Recently, the Board approved the conversion of Authority-owned properties, currently funded and operated under the Low Rent, or Public Housing program, to the Rental Assistance Demonstration (RAD) program. RAD is a type of projected-based HCV program that expands financing options for property improvements and acquisitions, while keeping the housing affordable to its low-income residents.

MISSION STATEMENT

As a nationally recognized leader and innovator in the field of affordable housing, the St. Petersburg Housing Authority’s mission is to provide a variety of safe, sanitary, accessible, decent and affordable housing to eligible citizens of the City of St. Petersburg, while enhancing and promoting resident self-sufficiency.

CORE VALUES

INTEGRITY * DEPENDABILITY * LOYALTY * COURAGE

MOTTO

In Search of Excellence
Special Notes:

The role and responsibility of the Authority, mandated by various federal and state statutes including relevant implementing regulations, is shared by all its employees and is incorporated herein by reference. All applicable limitations, if any, shall apply.

If any policy or statements in these Personnel Policies were in conflict with Federal or State statues or with the United States Department of Housing and Urban Development’s (“HUD”) rules or regulations, as amended, said Federal or States statues, HUD rules or regulations shall prevail.

A seven-member Board of Commissioners, appointed by the Mayor of St. Petersburg, Florida, governs the Authority. The Board of Commissioners set policy for the Authority and are responsible for overseeing the ongoing effectiveness of the Authority in helping to address the City's housing problems.

The Board of Commissioners hires a Chief Executive Officer (formerly known as the Executive Director) as administrator of the Authority's operations. It is the Chief Executive Officer's responsibility to carry out the policies and goals set by the Board. The Chief Executive Officer reports to the Board of Commissioners and all Housing Authority staff reports to the Chief Executive Officer or the Chief Executive Officer’s designee.

Disclaimer

1. The Personnel Policies do not constitute an employment contract. Nothing contained herein is intended to create or become an employment contract between the Authority and any employee for the purposes of employment, promotions, or for the provision of any benefit.

2. The policies contained herein are the basic rules that guide administrative action for accomplishing the Authority’s objective. The purpose of this personnel policy manual is to provide information about the policies, regulations, and benefits applicable to employment with the Authority.

3. Any questions concerning the interpretation and application of these Personnel Policies shall be referred to the Executive Director, Deputy Executive Director, Human Resources Officer, or designee, for resolution.

4. The Authority retains the right to establish, change, modify, or make exceptions to these Personnel Policies, when necessary.

5. Administrative procedures may be promulgated by the Executive Director that are not in conflict or inconsistent with these Personnel Policies, and necessary to achieve its objectives.

6. These Personnel Policies will become effective upon enactment by resolution of the Board of Commissioners.
ARTICLE I. DEFINITIONS

Whenever used in this Ethics Policy, the following terms shall have the following meanings:

A. “Board of Commissioners” means the governing body of the Authority that establishes, approves, and/or enacts policy for the Authority.

B. “Business relationship” means any contractual or other private business dealing of any Commissioner or Employee, or of his or her spouse.

C. “Commissioner” means any member of the Authority Board of Commissioners.

D. “Compensation” means money, thing of value or other pecuniary benefit received or to be received in return for, or as reimbursement for, services rendered or to be rendered.

E. “Contractor” means any entity or Person (including his agents or employees acting within the scope of their employment) doing business with the Authority.

F. “Contract management authority” means personal involvement in or direct supervisory responsibility for the formulation or execution of an Authority contract, including without limitation, the preparation of specifications, evaluation of bids or proposals, negotiation of contract terms or supervision of performance.

G. “Doing business” means any one or any combination of sales, purchases, leases or contracts to, from or with the Authority in the past 12 months.

H. “Economic interest” means any interest valued or capable of valuation in monetary terms.

I. “Employee” means an individual employed by the Authority, whether part-time or full-time, but excludes members of the Board of Commissioners.

J. “Expenditure” means a payment, distribution, loan, advance, deposit, or gift of money or anything of value.

K. “Financial interest” means any interest because of which a Person currently receives or is entitled to receive a financial benefit.

L. “Gift” means anything of value given without consideration or expectation of return.

M. “Immediate family member” means spouse, children, parent, grandparents, grandchildren, brother, sister, father-in-law, mother-in-law, daughter-in-law, son-in-law, legal guardian, stepchildren, stepparents, stepbrother, stepsister, half brother, half sister, or any relative residing in the same household.

N. “Person” means any individual, entity, corporation, limited liability company, partnership, sole proprietorship, firm, association, union, trust, estate, as well as any parent or subsidiary of any of the foregoing, whether or not operated for profit.
O. “Political activity” means:

1. Serving as an officer of a political party, of a political club, or of an organization relating to a campaign for elected office (“organization”); as a member of a national, state or local committee of a political party, club or organization; as an officer or member of a committee of a political party, club organization; or being a candidate for any of these positions.

2. Organizing or reorganizing a political party, club or organization.

3. Directly or indirectly soliciting, receiving, collecting, handling, disbursing, or accounting for assessments, contributions, or other funds for any political party, political fund, candidate for elected office, candidate for political party office, or any committee which contributes to any of the foregoing.

4. Organizing, selling tickets to, promoting, or actively participating in a fundraising activity of a public office holder, candidate in an election or political party, political club or an organization.

5. Taking an active part in managing the political campaign of a candidate for public office in an election or a candidate for political party office;

6. Becoming a candidate for, or campaigning for, an elective public office in an election;

7. Soliciting votes in support of or in opposition to a candidate for public office in an election or a candidate for political party office;

8. Acting as a recorder, watcher, challenger or similar officer at the polls on behalf of a political party or a candidate in an election;

9. Driving voters to the polls on behalf of a political party or candidate in an election;

10. Endorsing or opposing a candidate for public office in an election or a candidate for political party office in a political advertisement, broadcast, campaign literature, or similar material, or disturbing such material;

11. Serving as a delegate, alternate, or proxy to a political party convention;

12. Addressing a convention, caucus, rally, or similar gathering in support of or in opposition to a candidate for public office or political party office;

13. Initiating or circulating a nominating petition for elective office;

14. Soliciting, collecting, or receiving a political contribution or a contribution for any political party, political fund, candidate for elected office, candidate for political party office, or any committee thereof or committee that contributes to any of the foregoing.

P. “Political contribution” means any gift, subscription, loan, advance, deposit of money, allotment of money, or anything of value given or transferred by one person to another including in cash, by check, by draft, through a payroll deduction or allotment plan, by pledge or promise, whether or not enforceable, or otherwise, for purposes of influencing in any way the outcome of any election.

Q. “Political fundraising committee” means any fund, organization, political action committee or other entity that, for purposes of influencing in any way the outcome of any election, receives or expends money or anything of value or transfers money or anything of value to any other fund political party, candidate, organization, political action committee, or other entity.
R. “Relative” means a Person who is related to a Commissioner or Employee as a spouse or as any of the following, whether by blood or by adoption: parent, child, brother or sister, aunt or uncle, great uncle or aunt, first cousin, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister, half-brother or half-sister and includes the grandfather or grandmother of the Person’s spouse and the Person’s fiancé or fiancée.

S. “Resolution” means any resolution, amendment, report or any other matter pending or proposed to the Board of Commissioners or a committee, including any other matters that may be the subject of a Board of Commissioners’ action.

T. “Seeking to do business” means (1) taking any action within the past six (6) months to obtain a contract or business from the Authority when, if such action were successful, it would result in the Person’s doing business with the Authority; and (2) the contract or business sought has not been awarded to any Person.

U. “Subcontractors” means any entity or Person (including officers, agents, or employees acting within the scope of their employment) paid, directly or indirectly, with Authority funds for services which will insure to the benefit of the Authority, regardless of the nature of the relationship of such individual to the Authority for purposes other than this policy.

V. “Vendor” means any Person who has provided goods or services to the Authority pursuant to contract or purchase order within the past 12 months.
ARTICLE II. CODE OF CONDUCT

1. **Fiduciary Duty** - Commissioners and Employees of the Authority shall, at all times in the performance of their duties, owe a fiduciary duty to the Authority.

2. **Applicability** - The policy applies to all Authority Commissioners and Employees. To avoid misunderstandings and conflicts of interest, Authority Commissioners and Employees shall adhere to the following policy. These ethical standards are established to guide personnel in the performance of their duties. Violation of one or more of the rules of conduct shall be considered sufficient grounds for dismissal, subject to the rights of appeal specified in the policy. Segments of the policy are in accordance with the Florida Statues entitled "Code of Ethics for Public Officers and Employees" (F.S. 112.313).

3. **Improper Influence** - No Commissioner or Employee shall make, participate in making, or in any way attempt to use their position to influence any Authority decision or action in which they know or has reason to know that he has any Economic interest distinguishable from its effect on the public generally.

4. **Offering, Receiving and Soliciting Gifts or Favors**
   (a) No Person shall give or offer to give to any Commissioner, Employee or Contractor, or to the spouse or minor child of either of them, or any immediate family member residing with the Commissioner or Employee, and none of them shall solicit or accept, anything of value, including, but not limited to, a gift, favor, or promise of future employment, based upon any mutual understanding, either explicit or implicit, that the votes, official actions, decisions or judgments of any Commissioner, Employee or Contractor, concerning the business of the Authority would be influenced thereby. It shall be presumed that a nonmonetary gift having a value of less than $50.00 does not involve such an understanding.
   (b) No Person who has an Economic Interest in specific Authority business, services or regulatory transaction, shall give directly or indirectly, to any Authority Commissioner or Employee whose decision or action may substantially affect such transaction, or to the spouse, minor child of any of them, or any immediate family member residing with the Commissioner or Employee, and none of them shall accept, and gift of (i) cash or its equivalent regardless of value, or (ii) an item or service other than a gift of a value of less than $50.00 as long as the items or services from any one source do not exceed a cumulative value of $100 during any calendar year. Nothing herein shall be construed to prohibit any such Person from accepting any gift from a Relative.
   (c) Except as prohibited in subsections (a) and (b), nothing in this section shall prohibit any Person from giving or receiving: (i) an award publicly presented in recognition of public services; (ii) commercially reasonable loans evidenced in writing with repayment due by a date certain made in the ordinary course of the lender’s business; (iii) political contributions, provided they are reported to the extent required by law; (iv) reasonable hosting, including travel and expenses, entertainment, meals or refreshments furnished in connection with public events, appearances or ceremonies related to official Authority business, if furnished by the sponsor of such public event.
   (d) Any gift given in violation of the provision of this section shall be turned over to the Human Resources Officer, as soon as possible, but no later than 30 days after its receipt, who shall add the gift of the inventory of Authority property.
   (e) Nothing in this section shall prohibit any Officer or Employee, or his spouse or minor child, or any immediate family member residing with the Officer or Employee, from accepting a gift on the Authority’s behalf; provided, it does not violate any part of the policy. The Person accepting the gift shall promptly report receipt of the gift to the Human Resources Officer, who shall add it to the inventory of Authority property.
5. **Authority-Owned Property** - No Commissioner, Employee, or Contractor shall engage in or permit the unauthorized use of Authority-owned property. Nothing in this provision prohibits Commissioners and Employees from utilizing telephone, facsimile, cell phones and computer equipment for limited personal use consistent with the Authority’s Communication Equipment Policy.

6. **Use or Disclosure of Confidential Information**
No Commissioner or Employee shall accept employment or engage in any business or professional activity that might require or induce such individual to disclose confidential information acquired by him or her because of his or her official position. No Commissioner or Employee shall disclose confidential information gained because of their official position, nor shall they otherwise use such information for their or others, personal gain or benefit.

7. **Conflicts of Interest; Appearance of Impropriety** - No Commissioner or Employee shall make or participate in the making of any policy or governmental or administrative decision with respect to any matter in which he has any Economic interest distinguishable from that of the general public. All Commissioners and Employees shall disclose to the Authority any situation that may exist involving either themselves or their immediate family members, which might present a possible conflict of interest.

(a) To avoid even the appearance of impropriety, any Commissioner who:

   (1) has any Economic interest in any matter pending before the Authority distinguishable from that of the general public; or

   (2) has a Business relationship with a Person or entity with a matter pending before the Authority Board of Commissioners or any board committee that requires board action, shall publicly disclose the nature and extent of such interest or Business relationship on the records of proceedings of the Board of Commissioners. The Board Member shall abstain from voting on the matter but shall be counted present for purposes of a quorum. The obligation to report a potential conflict of interest under this subsection arises as soon as the member of the Authority’s Board of Commissioners is or should be aware of such potential conflict.

(b) Any Commissioner or Employee who has a Financial interest in any matter pending before the Authority shall disclose the nature of such interest to the Human Resources Officer (for employees) and the Chairperson and/or General Counsel (for Commissioners) and, if the matter is pending in his own department, to the head of the department. The obligation to report under this subsection arises as soon as the Commissioner or Employee is or should be aware of the pendency of the matter. This subsection does not apply to applicants for health, disability or workers’ compensation benefits.

8. **Post-Employment Restrictions** - The provisions of subsection (b) do not apply to any former Commissioner or Employee who is acting within the scope of his employment while employed by any other governmental unit.

9. **Interest in Authority Business** - No Commissioner, Employee, or Public Officer during his or her tenure of office or employment with the Authority or for a period of one year thereafter, shall have any interest, direct or indirect in the Authority. This shall include being a vendor or a property owner.
10. **Solicitation or Acceptance of Political Contributions and Membership on Political Fundraising Committees**

(a) The Hatch Act, 5 U.S.C § 1501 et. seq. restricts the political activity of Employees in that they (i) may not be candidates for public office in a partisan election; (ii) may not use official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office; or (iii) may not directly or indirectly coerce contributions from another Commissioner or Employee in support of a political party or candidate.

(b) No Commissioner or Employee shall compel, coerce or intimidate any other Commissioner or Employee to make, refrain from making or solicit any Political contribution or engage in Political activities during working hours. Nothing in this section shall be construed to prevent any Commissioner or Employee from voluntarily making or soliciting an otherwise permissible contribution or from receiving an otherwise permissible voluntary contribution.

(c) No Commissioner or Employee shall knowingly solicit or accept any Political contribution from a Person doing business or seeking to do business with the Authority.

(d) No Person with Contract management authority shall serve on any Political fundraising committee.
EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

POLICY STATEMENT

The St. Petersburg Housing Authority is an Equal Employment Opportunity / Affirmative Action (EEO/AA) employer committed to maintaining a non-discriminatory, diverse work environment. It is the policy of the Authority not to discriminate against any employee or any applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability, sexual orientation or national origin. The policy shall include, but not be limited to, the following:

Recruitment and employment, promotion, demotion, transfer, compensation, selection for training including apprenticeship, layoff and termination.

Except with respect to sexual orientation, the Authority further agrees to take affirmative action to ensure equal employment opportunities. Further, it is the policy of the Authority that affirmative action is taken within the limits of the Title VII of the Civil Rights Act of 1964 to overcome any effects of discrimination.

The Human Resources Officer has been appointed Equal Employment Opportunity Officer and is responsible for planning and implementing our affirmative action program as well as for its day-to-day monitoring of affirmative action related decisions and activities. All personnel who are responsible for hiring and promoting employees and for the development and implementation of programs or activities are charged to support this program. They shall provide leadership in implementing affirmative action goals and initiatives.
SECTION I

DEFINITIONS

NOTE: The following definitions are not all inclusive.

**Anniversary Date** – The date an employee begins employment and the same month and day in the following years of uninterrupted employment. This is also the date from which annual leave and sick leave is computed. An anniversary date may change if an employee is in a non-pay status for more than one pay period, in which case, the anniversary date is deferred by an equivalent amount of time.

**Annual Leave (Personal Leave)** – The absence from work for approved reasons, i.e. vacation, etc. Annual leave must be approved at least 72 hours in advance, unless of an emergency nature.

**Compensation Plan** – The official schedule of pay, assigning rates of pay to each class title.

**Contract Employee / Contract Staff**
The “contracted” employee/staff employee is bound by the terms of a contract to provide specific services for a specific time and rate of pay, and is not “entitled” to benefits, or merit increases, etc. not specified in the contract.

**Continuous Service** – Employment that is uninterrupted, except for authorized leaves of absence, suspension, or separation due to reduction in work force. Authorized paid leaves of absences shall be included as part of continuous service.

**Demotion** – The reduction of an employee from a position with a higher pay level to a position with a lower pay level.

**Designee** – The person assigned to act in the place of the named representative of the Authority.

**EEO Officer** – The Authority's designated Equal Employment Opportunity Officer.

**Employment at-will** - Employment with the Authority is on an at-will basis only. This means that you or Authority may terminate employment at any time for any reason, with or without notice. Similarly, the terms and conditions of employment may also change.

**Employee Compliant Procedure / Employee Grievance Procedure** – The method by which an employee submits complaints to be resolved.

**Exempt Employee** – Employees in this category are not eligible for overtime payment for hours worked in excess of their scheduled workweek. Exempt employees are expected to work additional hours to complete assigned work in a timely manner.

**Evaluation Date** – The evaluation period is one calendar year (January 1 through December 31). Written documentation of an employee's performance will be completed each year and shall be submitted to the Human Resources Department.

**Full-time** – An employee who is employed forty (40) hours per week and has successfully completed a probation period. A full-time employee is eligible for all benefits and rights offered by the Authority.

**HUD** – The United States Department of Housing Urban Development – Federal agency that fulfills the regulatory demands of Congress concerning housing throughout the United States.
Immediate Family – Includes an employee’s spouse, children, parent, grandparents, grand-children, brother, sister, father-in-law, mother-in-law, daughter-in-law, son-in-law, legal guardian, stepchildren, stepparents, step-brother, stepsister, half brother, half sister, or any relative residing in the same household.

Improvement Plan - A formal written plan with goals, required milestones, and a schedule that is submitted to an employee following a marginal or negative performance evaluation. The improvement plan may require additional education or training, improved quality of work, improved productivity, or other specifically identified ways in which an employee is to improve performance.

Insubordination – The unwillingness, refusal or failure to follow a direction on the part of an employee to submit to authority vested in supervisors, managers, department directors/officers, and the Chief Executive Officer as outlined in the Personnel Policy. Disrespect shown toward an employee's supervisor, other employees, resident, or general public.

Intern – Student scheduled to work in a specific area of study that is based on the Authority’s need for a specific period.

Layoff – A reduction in force of the number of employees.

Management – Should be interpreted as the Chief Executive Officer or his or her designee(s).

Merit Pay Increase – An increase in compensation that may be granted to an employee based on job performance.

Non-Exempt Employee – An hourly employee that is eligible for overtime payment for hours worked in excess of forty hours per week.

Overtime – Time worked in excess of the regularly scheduled 40 hours per week for persons working in a non-exempt status.

Part-time – Appointment to a position that requires the employee to work fewer hours than normally designated for others in the same classification.

Pay Range – The salary range that is assigned to a particular classification title.

Pay Rate – A specific dollar amount, expressed as an annual rate, a bi-weekly rate, or an hourly rate.

Performance Evaluation – A report relative to the job performance and capacity of employees made by supervisors.

Position Description / Job Description – A written description of each position at the Authority that identifies each position’s supervisor, anyone supervised by the position, the duties and responsibilities of the position, the minimum qualifications and desired qualifications, the skills, abilities, licenses and certifications required for job performance, and the pay rate or pay range.

Probationary Employee – Any employee serving a probationary period prior to final appointment in that position or serving disciplinary probation.

Probationary period – A period of time no less than (nine months) 270 days after initial employment, promotion, demotion or transfer to a new position, or after implementation of an Improvement Plan following a below satisfactory performance appraisal.

Progressive Discipline – Disciplinary practices that normally progress through the following basic steps: oral reprimand, written reprimand, suspension from work, and termination. Exceptions to the progressive basic steps are noted elsewhere in the policy. The Chief Executive Officer makes the final decision.
**Provisional Employee** – Includes employees who do not meet all minimum qualifications, i.e. certifications, diplomas, etc.

**Regular Employee** – Includes all employees filling a regular, full-time budget approved position with the Authority. Regular employees will be entitled to the full array of employee fringe benefits.

**Reinstatement** – Re-hiring of a former employee who left the employ of the Authority in good standing.

**Relative** – Father, mother, spouse, son, daughter, brother, sister, grandparent, uncle, aunt, first cousin, nephew, niece, father-in-law, mother-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

**Resignation** – The separation of an employee from the Authority through submittal of a notice stating intent to terminate their employment.

**Sick Time** – Illness or injury during which an employee is medically incapacitated and unable to perform their job assignments.

**Standby Assignment** – An assignment made by a department director that requires an employee to be available for work on off-duty time that may include nights, weekends, or holidays.

**Suspension** – Temporary removal of an employee from work with or without pay.

**Tampa Bay Area** – This shall include all areas of Pinellas, Pasco, Hillsborough, Manatee, and Sarasota Counties in the state of Florida.

**Temporary Employee** – Includes all employees, whether part-time or full-time, whose term of employment is scheduled to terminate on or before the last day of such employee's twelfth consecutive month of employment. Temporary employees will not be eligible for any employee fringe benefits.

**Term Employee** - Includes all employees whose term of employment is scheduled to terminate on or after the first day of such employee’s thirteenth (13th) consecutive month of employment and before the last day of the forty-eighth (48th) consecutive month of employment. Term employees will be eligible for annual leave accrual, extended medical leave accrual, holiday pay, dental and medical insurance benefits, and retirement. No other fringe benefits will be extended to a Term Employee.

**Termination** – End of employment.

**Trainee** – Includes employees who do not meet all minimum qualifications relative to years of experience but are believed to be able to carry out the basic responsibilities of the position while learning the full responsibilities.
A.01 Purpose

The purpose of the Personnel Policy is to provide employees with a uniform, comprehensive, and efficient system of personnel administration for the Authority to ensure that employment opportunities with the Authority will be attractive to prospective and existing employees and that suitable career opportunities will exist to permit the Authority to meet its mission statement objectives through the employment of the highest caliber personnel available.

A.02 Merit System

The employment of personnel and all actions affecting employees shall be based solely on ability, merit, and fairness.

A.03 General Provision

Any of the Personnel Policy found to be in violation of Federal, State, or local laws shall be declared null and void.

A.04 Severability of Provisions

If any provision(s) of the Personnel Policy is determined to be invalid pursuant to Section IA.03, the remaining provisions of the policy shall remain in full force and effect.

A.05 Responsibility

A. The Chief Executive Officer shall have responsibility for the enforcement of the provisions and purposes of this Personnel Policy.

B. If further interpretation is required, the Board of Commissioners shall make such interpretation.
SECTION I

POLICY AND GENERAL PROVISIONS

GENERAL PROVISIONS

PART B

B.01 Purpose

A. The Personnel Policy of the Authority, as approved by the Board of Commissioners, is published to familiarize all employees with the basic Policy of the Authority. None of the policy is for fixed terms of employment, and the Authority, through amendments made by the Board of Commissioners, reserves the right to modify any such Policy or to make exceptions to them, at any time, without notice.

B. The Authority makes a substantial investment in its employees and appreciates how valuable each individual is to the team. The Authority will make every effort to work with members of the team in an attempt to apply its Personnel Policy fairly and to resolve job performance or other problems. Therefore, termination of employment should rarely prove necessary. By holding members of management accountable for fairness to others, the Authority’s goal of being a good and fair place to work for everyone will be achieved. These rules are not intended to and do not create a contract of employment, nor does any policy statement herein, or otherwise constitute a guarantee of future employment or any particular term of employment, including the providing of fringe benefits, except as required by law.

B.02 Positions Covered

The policy and procedures shall apply to all positions and employees in the Authority.

B.03 Administration and Amendment

A. The Board of Commissioners may amend the Personnel Policy at its discretion.

B. Procedural provisions may also be promulgated that may clarify procedures if they are not inconsistent with the policy. The Chief Executive Officer will issue the procedural memoranda.
SECTION II

EMPLOYMENT PRACTICES

STANDARD OF CONDUCT

PART A

A.01 Policy of the Authority

A. One objective of the Authority is to establish and administer a system of personnel management consistent with the goal of providing superior service to the community by employing and retaining individuals of the highest caliber who display professional pride integrity, and dignity in the performance of their duties.

B. The Authority advocates the concept that the quality of public service can attain maximum efficiency and effectiveness through a personnel management system based on principles.

C. Employees are encouraged to develop skills and seek formal training that will enhance their personal development and add to their overall expertise within the organization.

D. It is the policy of the Authority to expect its employees to exhibit the Authority’s core values and to display Leadership Principles/Traits (attached at the end of this Part A page 21). Further, all employees will comply with all policy and procedures, Code of Ethics for Public Employees, State Statues, and Federal Regulations in the performance of their duties, as well as to comply with all safety rules and standards to be successful at the Authority. An employee who violates any of the policy and procedures will be subject to disciplinary action, up to and including termination of employment.

E. The Authority retains the right, in accordance with applicable laws, regulations, and provisions of the Personnel Policy including, but not limited to, the following:

1. To determine the organization of the Authority.
2. To determine the purpose of each of its departments.
3. To exercise control and discretion over the organization and efficiency of operations.
4. To set standards for services to be offered to the public.
5. To manage and direct the employees of the Authority.
6. To hire, examine, classify, reclassify, promote, train, transfer, assign, schedule, and retain employees in positions with the Authority.
7. To suspend, demote, terminate, or take other disciplinary action against employees for just cause.
8. To increase, reduce, change, modify, or otherwise alter the composition and size of the work force, including the right to relieve employees from duties because of lack of work, funds, or other legitimate reasons.
9. To determine the location, methods, means, and personnel by which operations are conducted, including the right to contract and subcontract existing and future services.
10. To determine the number of employees to be employed by the Authority.
11. To establish, change, or modify duties, tasks, responsibilities, or requirements within position descriptions in the interest of efficiency, economy, technological change, or operating requirements.
12. To establish, change, or modify the number and types of positions of employees assigned to an organization, unit, department, division, or project.
A.02 Political Activity

A. All members, officers, and employees of the Authority whose principal employment is with the Authority are subject to the provisions of Section 1502 (a) of Title 5, United States Code (The Hatch Act).

B. If any individual is doubtful as to their status under the Hatch Act, they should contact the U.S. Civil Service Commission for a written ruling. Generally, the Hatch Act limits employees from:

1. Using their official authority to influence elections or form nominations for elective public office.
2. Requiring or advising employee or housing residents and/or subsidy recipient to make political contributions.

C. All employees are free to vote as they choose and to express their opinions on all political subjects and candidates.

A.03 Nepotism

A. The Authority will not hire members of an employee’s immediate family or relative that is defined herein.

B. Employees who become married to other employees may seek special permission from the Chief Executive Officer to retain their position.

A.04 Authority Residents, members of Resident Management Corporations (RMC) and Resident Associations (RA)

A. As required of all employees, residents of Authority administered properties or RMC and/or RA Board members who are employed by the Authority must conduct themselves in accordance with these Standards of Conduct. During working hours, a resident-employee’s first responsibility is to the Authority. Failure to abide by this requirement are grounds for disciplinary action, up to and including termination.

B. The Authority shall attempt to accommodate for the duties of members of RMC and/or RA Boards, which must be performed during the employee’s normal working hours whenever reasonably possible. Members of RMC and/or RA Boards must obtain prior approval from their supervisor to be absent from their assigned duties to attend to RMC and/or RA business.

A.05 Use of Authority Property

A. An employee shall not use Authority property, bulletin boards, equipment, or vehicles, except in the performance of official duty, nor permit their use by any unauthorized person, either on-or-off duty.

B. Employees must use proper telephone etiquette at all times. Personal calls must be kept to a minimum to allow business calls to get through and to not interfere in the performance of daily duties. Limited use of personal cell phones in an emergency during work hours is permitted.
A.06 Outside Employment

Upon acceptance of full-time employment with the Authority, the employee’s first responsibility is to the Authority and to efficiently performing assigned duties. However, the Authority does not object to employees accepting outside work, as long as it does not:

1. Interfere with employee’s Authority work hours including any required overtime.
2. Affect the efficient performance of employee’s regular duties with the Authority.

**Note:** Permission to hold any outside employment or business interests with anyone doing business with the St. Petersburg Housing Authority, its suppliers, or its contractors, must be secured from the department director, Human Resources office, and Chief Executive Officer in writing. Failure to secure advance permission may result in immediate termination.

A.07 Employees owing balances to the St. Petersburg Housing Authority

Employees who owe balances to the Authority for any reason (moving expense reimbursements, tuition reimbursements, etc.), including employees who are residents of Authority properties or programs owing monies to the Authority as a result of their tenancy, must agree to pay the debt through payroll deduction, in an amount mutually agreed upon by the employee and the Authority, until the balance is paid in full.

A.08 Employee Grievances

The Board of Commissioners is the final authority on grievances; however, employees shall not take their complaints to individual board members but must adhere to steps outlined in the grievance process contained herein. Failure to comply with this requirement may result in disciplinary action, up to and including termination.
<table>
<thead>
<tr>
<th>Leadership Principles</th>
<th>Leadership Traits</th>
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| 1. Take responsibility for your actions and the actions of your staff | • Integrity  
• Knowledge  
• Courage  
• Decisiveness  
• Dependability  
• Initiative  
• Tact  
• Justice  
• Enthusiasm  
• Bearing  
• Endurance  
• Unselfishness  
• Loyalty  
• Judgment  
• Respect |
| 2. Know yourself and seek self Improvement | |
| 3. Set the example | |
| 4. Develop your subordinates | |
| 5. Ensure that a job is understood, then supervise it and carry it through to completion | |
| 6. Know your staff and look after their welfare | |
| 7. Keep everyone informed | |
| 8. Set goals you can reach | |
| 9. Make sound and timely decisions | |
| 10. Know your job | |
| 11. Teamwork | |

YOU MAY DELEGATE AUTHORITY, BUT YOU CANNOT DELEGATE RESPONSIBILITY
B.01 Purpose

The Compensation Plan provides the basis of compensation for employees in the Authority. The Compensation Plan reflects the following:

1. Relative difficulty and responsibility existing between the various classes of work within the Authority.
2. Prevailing rates of pay for similar types of work in private and public sector employment in the labor market where the Authority recruits for employees.
3. Availability of applicants to fill positions in the Authority.
4. Economic conditions of the area.
5. Financial policy of the Authority.

B.02 Use

The Compensation Plan is used to reward employees for job performance, develop incentives for employees, and improve their productivity and quality of work.

B.03 Content

A. The Compensation Plan consists of the Salary Schedule as adopted by the Board of Commissioners.

B. The Compensation Plan indicates salary ranges for each job classification.

B.04 Amendment and Maintenance

A. Amendments to the Compensation Plan is considered when changes of responsibilities of work or classes, availability of labor supply, prevailing rates of pay, the Authority's financial condition and policy, or other pertinent economic considerations warrant such action.

B. The Chief Executive Officer shall recommend amendment of the Compensation Plan to the Board of Commissioners for appropriate action.

C. The Chief Executive Officer shall have a comparison of the Authority's compensation plan with comparable local private and public employers completed, as required by the Board.

B.05 Hiring and Starting Rate

A. The minimum salary established for a position is considered the normal hiring rate for new employees.

B. Hiring above the minimum salary, subject to the request of the employing department director, may be authorized by the Chief Executive Officer if the applicant's training, experience, or other qualifications are substantially above those required for the position, or there are not qualified applicants available who are willing to accept the minimum rate.
B.06 Merit Salary Increase

A. Merit salary increases are not automatic, but are to be earned based upon job performance. Evidence of satisfactory or above satisfactory service must be reflected in the employee's performance evaluation prior to approval of a merit increase, in accordance with established procedure.

B. Supervisors are responsible for accurate and prompt submission of employee performance evaluation, in accordance with established procedures.

C. All non-exempt employees will become eligible for consideration for a merit salary increase in accordance with established procedures at one (1) year intervals, typically at the end of the calendar year, or at such other times as may be recommended to and approved by the Chief Executive Officer, until the maximum salary for their position is reached.

D. Exempt employees may become eligible for consideration for a merit salary increase at the completion of the original probationary period, during the calendar year end after one year of service, or at other times as may be recommended to and approved by the Chief Executive Officer, until the maximum salary for their position is reached.

E. The Chief Executive Officer is authorized to approve merit increases of up to 5% above the maximum range of a Board approved position.

F. The effective date of a merit increase shall be the beginning of a pay period or as designated by the Chief Executive Officer.

B.07 Promotion, Reclassification

In instances where the Authority adjusts the overall compensation schedule or where total classes are adjusted, the Chief Executive Officer will establish the method of implementation.

B.08 Demotion

A. Reasons for Demotion

1. When an employee would otherwise be laid off because the position is being abolished, the position is being reclassified to a lower pay grade, lack of work, lack of funds, or because of the return to work from authorized leave of another employee to such a position in accordance with the rules of leave.
2. When an employee does not possess the necessary qualifications and/or skills to render satisfactory service in the position they hold.
3. If an employee voluntarily requests a demotion and the request is approved.

B. Effect of Demotion on Pay

The pay of an employee demoted to a classification having a lower pay grade than their present classification shall be based upon the following guidelines:

1. Demotion will not result in a pay raise. Employees demoted to a lower classification that was not held previously, may suffer a reduction in pay rate.
2. Pay will not exceed the maximum rate of the pay grade designated for the lower position.
3. Employees demoted to a lower classification, which was held immediately prior to being upgraded shall be placed in the grade and pay that they would have attained by remaining in the lower classification. The demotion pay adjustment will coincide with the effective date of the demotion.
4. Demoted employees may be afforded the opportunity to take a step-down pay plan over a three-month period, if budgeted funds are available and no employee infractions are present.

C. Probationary Status Due to Demotion

An employee who is demoted to a classification they held immediately prior to being upgraded will not have to serve any probationary period unless the previous classification was a probationary classification. In that case, the demoted employee would be required to complete the probationary period.

An employee who is demoted to a classification not previously held shall be required to serve a three-month probationary period. If, during this probationary period, the employee is found to be unqualified for the position; the employee may be dismissed in accordance with established procedures.

B.09 Transfer

A. An employee on regular or probationary status may be transferred with approval of the Chief Executive Officer. Prior to accepting the transfer, employees should carefully consider the rules under which a transfer is accomplished.

B. Department Transfer

1. An employee may be transferred to another department with the same job classification. Such transfer normally will not change the employee's pay rate.
2. The transferred employee shall serve any time remaining on their initial probationary period in the new position, plus an additional three (3) months.
3. If, during the remainder of the employee's initial probationary period and subsequent three month period, the employee is found to be unqualified for the position or incompetent in performing the duties of the new position, they may be returned to the position from which they were transferred, with the approval of the Chief Executive Officer, only if a vacancy exists.
4. If the former position is filled, every effort will be made to place the employee in a comparable vacant position. If a vacancy does not exist, and another suitable vacant position with the Authority does not exist, the employee will be released from employment.

B.10 Provisional / Trainee

A. When an applicant for any position does not meet all minimum qualifications, i.e. certification, registration, or license, but is believed to be able to carry out the responsibilities of the position, the department director may request the appointment as "provisional / trainee". In such cases, the employee will be hired at a rate ten percent (10%) below the minimum salary until the minimum qualifications have been satisfied. Provisional / trainee periods shall be six months, unless a different period is approved by the Chief Executive Officer. The department director may submit a recommendation for a one-time extension of another six-month period to the Chief Executive Officer for approval.

B. The time an employee remains in a provisional / trainee category will depend on the certification, registration, or license needed in individual cases. Length of the provisional / trainee period will be requested by the department director through the Human Resources Office for approval by the Chief Executive Officer.
B.11 On-Call Duty

A. In order to provide coverage for services during off-duty hours, it may be necessary for employees to have an on-call schedule. A department supervisor or director who requires an employee to be available for work in the event an urgent or emergency situation arises on the employee’s off-duty time may schedule the on-call duty assignment. Once scheduled to provide coverage, the on-call employee is required to respond in-person (when warranted) within one (1) hour of a bona fide emergency call.

B. An employee that is scheduled for on-call duty that is unavailable or otherwise fails to respond to a call to work or fails to respond within the specified reasonable time (one hour/within 50 miles traveled), will be subject to disciplinary action, up to and including termination.

C. Actual time worked by all non-exempt employees shall count as hours worked for computing weekly overtime eligibility and overtime pay.

B.12 Temporary Work at a Higher Classification

A. In the event there is a vacancy at a higher classification; an employee may be required to work in this higher classification, on a trainee, temporary, incidental, or emergency basis and shall do so at no increase in pay. If the employee is required to perform the duties for a period exceeding 30 consecutive calendar days, the Chief Executive Officer shall temporary assign the employee to an "Acting" position, and the employee shall be paid the appropriate minimum rate for the higher classification retroactive to the first day of such temporary work at the higher classification.

If the employee working in a higher classification is working in a supervisory capacity, they will be ineligible for overtime compensation during the period in which they receive a salary adjustment for serving in the higher classification.

B. In the event of the temporary reclassification of the Chief Executive Officer position to an Acting status, the reclassification and compensation shall be instituted by the Board of Commissioners.

C. At the conclusion of a temporary assignment to a higher classification, the employee's pay shall revert to the authorized rate established for the employee's regular position, and any such temporary increase granted shall not affect the employee's eligibility for normal merit advancement.

If the temporary assignment to a higher classification should extend over the employee's regular date for merit increase consideration, the employee shall be evaluated and given any entitled merit increase, or pay for temporary assignment, whichever is higher.

B.13 Wage Comparability Plan (Salary Survey)

A. The Wage Comparability Plan provides for a systematic arrangement and inventory of all Authority positions. The plan groups the various positions by the range of duties, responsibilities, and level of work performed. The job classifications standardize the meaning and allocation based upon the similarity of work and duties performed.

B. The Plan is used to:
   1. Determine qualifications to prepare announcements and to prepare the employing departments to begin interviews.
   2. Standardize salary ranges to be paid for the various job classifications.
   3. Establish lines of promotion.
4. Assist in developing employee-training programs.
5. Provide uniform job terminology.

C. The Plan consists of:

1. A grouping of positions based on equal difficulty and responsibility, which require the same general qualifications and which can be equitably compensated with the same pay.
2. A job classification for all personnel, budget, and related official records. Ordinarily, no person shall be appointed to a position in the Authority personnel structure that is under a title not contained in the Plan.
3. Written descriptions for each job classification containing the essential function of the work, relative responsibilities, and illustrative duties found in the class. Included are position requirements, setting forth the knowledge, abilities, and skills required for performance of the work and the training and experience needed for recruiting. Also shown will be the essential physical skills required and the environmental conditions that may be encountered. Written descriptions must be amended when significant changes in the essential functions of the work, relative responsibilities or illustrative duties occur.

D. Allocation of Positions

1. When a new position is established or duties of an old position are changed, the department director/manager shall prepare and submit a comprehensive position description describing the current duties of the new position.
2. The Human Resources office shall study and analyze the appropriateness of suggested duties of the new position and submit the recommendation to the Chief Executive Officer for approval.

E. Position Audit and Reclassification

1. The Human Resources office is charged with the responsibility of auditing positions. Position audits may be initiated by written request to the Human Resources office from:
   a. The Chief Executive Officer.
   b. The department director/manager where the position is located.
   c. The incumbent of the position to be audited.
2. The department director/manager should review and make recommendations to the Human Resources office for all proposed new positions, changes, and position descriptions.

F. Reclassification

1. When an employee, through diligent application of the work, is officially assigned more difficult and significant additional duties and responsibilities, their position may warrant reallocation. The Human Resources office, at the request of the department director/manager, shall perform a study of the duties and responsibilities of the position. This study will determine the proper classification to which the employee should be assigned that more fully describes the work to be performed.
2. If it is determined that the position should be reallocated, the department director/manager may require that the employee undergo a prescribed test for fitness, depending on the conditions of the reclassification and the nature of the position to be reclassified. Tests may include written or oral examination, interview, or performance testing.
3. Should the employee fail the examination, or for some other valid reason is not selected to fill the vacancy, the employee shall remain in their current position.
4. Should the position be reclassified to a job classification with the same pay as that of the original classification, the employee shall receive a corresponding change in title without the benefit of examination, provided the reclassified position is the same line and character of work involving the same basic duties and responsibilities?
5. Should the position be downgraded to a job classification with a lower pay than of the original classification, the employee shall be offered a transfer to a vacancy, if one exists, in the original classification in the same or other department. If the transfer is not accepted, the employee will remain in the existing position at the downgraded title and pay.

G. Position Control

1. All positions in the Authority are established and maintained through a personnel budget each fiscal year in accordance with established budget and accounting procedures. The establishment of additional positions will be accomplished at the discretion of the Chief Executive Officer upon approval of the Board of Commissioners.

2. No employee shall serve in a variety of positions, which would exceed a 100 percent allocation of that employee’s aggregate time.
SECTION II

EMPLOYMENT PRACTICES

PERFORMANCE EVALUATIONS

PART C

C.01 General Policy

The Authority utilizes a method of evaluation to measure each employee's performance as accurately and as fairly as possible.

All employees' work performance and work behavior will be evaluated informally at midyear and formally (in writing) annually at the end of each calendar year, unless otherwise necessary, by their immediate supervisors. The purpose of such evaluation is to inform each employee of their progress and how their performance, if indicated, can be improved. In addition, such performance appraisals will be used to assess each employee's potential for advancement and will be a major factor in personnel actions including both discipline and merit pay increases.

C.02 Frequency of Performance Ratings

A. Performance Evaluations will be completed on all employees. The initial evaluation and all future Performance Evaluations will be completed by the employee's supervisor and reviewed by the respective department head and the Human Resources Officer. The Performance Evaluation is sent to the Chief Operating Officer and/or the Chief Executive Officer for approval. After the above reviews, the employee's supervisor will sit in conference with the employee to review the completed Performance Evaluation. The employee is given an opportunity to make comments on the Performance Evaluation.

An initial evaluation will be completed by the end of the original three-month probationary period. It will be used in conjunction with the year-end evaluation to recommend the employee's removal from or continuation of the employee's probationary period.

Merit increases may be recommended by the employee's supervisor and must be approved by the Chief Executive Officer before implementation.

B. If an employee is required to complete a longer probationary period, the evaluation will be prepared at the end of the extended period.

C. Any employee may be evaluated in any situation where their supervisor determines that such employee’s job performance is either so outstanding or so unsatisfactory that a special performance rating is warranted.

C.03 Performance Evaluations Due When Supervisor Changes

In the event of a change of supervisor, a Performance Evaluation will be completed on the supervisor’s employee(s) before the supervisor leaves his/her position. This will assist the incoming supervisor when they complete the employee's annual evaluation and will provide a bridge of time from the previously completed evaluation.
SECTION II
EMPLOYMENT PRACTICES
RECRUITMENT AND APPLICATIONS
PART D

D.01 Recruitment

A. Applicants shall be recruited from a geographic area as wide as is necessary to assure obtaining well-qualified candidates for the various types of positions.

B. Realizing that it may be necessary to recruit individuals for executive management positions from outside the Authority's immediate geographic area, such individuals may be reimbursed for reasonable recruitment and relocation expenses with the approval of the Chief Executive Officer. If such individual voluntarily terminates their employment with the Authority within 18 months, they shall reimburse the Authority for said moving expense reimbursement on a pro-rata basis for the balance of the first eighteen months of employment (1/18 of the reimbursement per month or part thereof).

C. All positions are subject to the requirements of Section 3 of the HUD Act of 1968, as amended. To the greatest degree possible, the Authority will provide opportunities to qualified low and very low-income individuals.

D.02 Acceptance of Applications

A. No person responding to a job announcement shall be denied the opportunity of submitting a resume or filing an Application for Employment with the Authority. All such applications shall be made on standard forms designed and prepared by the Human Resources office.

B. Applications for Authority employment shall be active and considered by the Human Resources office for a period of three months from date the application is filed, unless the application becomes void by virtue of some other rule.

C. All applicants must be citizens of the United States or lawfully admitted resident aliens with a valid Alien Registration Card.

D.03 Rejection of Application

A. The Human Resources office may reject any application that indicates that the applicant does not possess one or more of the minimum requirements as specified in the job announcement.

B. An applicant may also be rejected if:
   • Less than seven (7) years have lapsed from the date of their most recent conviction of a crime
   • The crime was a felony or first degree misdemeanor
   • The applicant has any drug-related conviction
   • An incomplete application was submitted
   • False statements of any material fact were made in the application
   • Past employment record is "unsatisfactory," as determined by the Human Resources office and the department director/manager in consultation with the Chief Executive Officer
   • Poor credit score rating
D.04 References

A. As part of the pre-employment procedure, the Human Resources Officer shall verify references provided by candidates and education records, where appropriate.

B. Reference checks made by personal or telephone contact will be documented. Reference checks must be completed prior to the date of hire.

C. As part of the employment process, the Authority may conduct a police background, credit, and public records check and may verify any licenses or educational requirements deemed as required or essential to perform job responsibilities. The Authority shall conduct or cause to have performed a medical examination, including screening for drug use. If said medical exam reveals any medical conditions that would prohibit the individual from performing the essential job responsibilities as detailed in the position description, with reasonable accommodation, the Authority may choose to deny employment.
SECTION II
EMPLOYMENT PRACTICES
WORK SCHEDULES

PART E

E.01 Hours of Work

A. The Chief Executive Officer shall establish the hours of work, which, insofar as practical, shall be uniform within occupational groups, determined in accordance with the needs of the Authority and take into account the needs of the public who may be required to do business with various departments. Flexible work hours may be adopted upon recommendation of the department director/manager and approval of the Chief Executive Officer.

B. The normal business hours for Authority offices are from 8:00 a.m. to 4:30 p.m. Monday through Thursday and 8:00 a.m. to noon on Friday.

C. Employees working on a shift basis will work the hours as determined by the departmental policy.

D. Lunch breaks are typically thirty (30) minutes and no longer than one (1) hour in duration. Other schedules for lunch breaks may be scheduled at the discretion of the Chief Executive Officer or his designee.

E.02 Breaks

Each employee shall be eligible for a ten-minute break at mid-morning and mid-afternoon or at corresponding times, if assigned to either the evening or night shift. Break times will be determined by the supervisor, according to departmental needs and schedules. Smoking breaks must be incorporated into these two breaks or at employee’s normal lunch break.

E.03 Work Week

A. Each full-time employee's workweek may consist of five (5) consecutive eight-hour workdays or a total of 40 hours per week unless otherwise approved by the Chief Executive Officer.

B. Employees may be assigned to a workweek consisting of four consecutive ten-hour workdays or other working schedules for a total of 80 hours per pay period.

E.04 Overtime

A. Overtime work is avoided when possible, but may be required from time to time to meet the work requirements of the Authority.

B. The following policy shall apply to overtime:

1. All non-exempt (hourly) employees will be compensated for hours worked in excess of 40 hours in a week at the rate of time and a half of their regular hourly rate.
2. For purposes of computing overtime, scheduled vacation, paid holiday hours, paid court time, paid military time, and other scheduled time off will not be counted. All unscheduled time off shall not be counted toward the computation of overtime.
3. Overtime must be pre-authorized by a departmental director/manager, except in an emergency.
4. Employees shall be required to work overtime when assigned unless excused by their supervisor. Failure to accept an overtime assignment may be considered cause for disciplinary action.
5. All opportunities for overtime will be equitably rotated among employees qualified to perform the required work.

6. Hours worked on a holiday will be paid at straight time and will count towards the week's work for computation of overtime pay. This pay is in addition to the regular holiday pay.

E.05 Record Keeping

It is the policy of the Authority that every employee (management, exempt, and non-exempt) shall have a current and accurate record of hours worked for the proper preparation of payroll.

The Chief Executive Officer shall be responsible for establishing a system of implementing procedures for recording time worked.
SECTION II
EMPLOYMENT PRACTICES
PROBATIONARY PERIOD

PART F

F.01 Purpose

The purpose of the probationary period is to closely observe an employee’s performance, work habits, and qualifications, to determine if the prospective employee “fits” within the organizational climate of the Agency, and to reject any employee whose performance does not meet the required work standards.

F.02 Duration

The initial probationary period shall normally be for a period of three (3) months from the first day of work for a new employee. However, the department director/manager may recommend extending the probationary period. If the probationary period is extended, the department director/manager will coordinate this action with the Human Resources Department with the approval of the Chief Executive Officer. The probationary employee must be informed of the reason(s) for the extension.

F.03 Evaluation of Performance

A Performance Evaluation form is completed by the department director or manager and must be received by Human Resources at least two weeks prior to the end of the probationary period in order to have sufficient time to draft the memo removing the employee from probation. No employee is removed from probationary status until approved in writing by the Chief Operating Officer or designee.

F.04 Dismissal or Demotion of Probationary Employees

A. If, at any time, a probationary employee serving on the original probationary period has been found to be unqualified to perform or does not properly perform the duties of the position, the employee may be dismissed at the sole discretion of the supervisor and the department director/manager. Probationary employees also may be dismissed with or without cause.

B. The department director/manager must coordinate this action with the Human Resources Department for approval by the Chief Operating Officer. The dismissed employee who was serving their probationary period does not have the right of administrative appeal.

F.05 Disciplinary Probation – See Section IV, Part A.08
SECTION III

EMPLOYEE BENEFITS

ANNUAL LEAVE

PART A

A.01. Purpose

The purpose of annual leave is to provide full-time employees with an opportunity to be absent from work for approved reasons without loss of benefits. Annual leave will accrue from the start of employment with the Authority. It can be used following three (3) months of continuous full-time employment.

The types of leave from work authorized for annual leave are:

1. Vacation leave for rest and relaxation.
2. Personal leave to attend to the illness or injury of family members not covered through the Authority’s sick leave policy; court appearance of a personal nature; funerals of friends or relatives not covered under the funeral leave benefit; nationally recognized religious holidays associated with the employee's religious faith but not covered under the holiday benefit; or other personal reasons not covered above.
3. Emergency (unscheduled) leave is subject to supervisory approval. This leave may be requested with short notice because of a critical situation that could not have reasonably been foreseen by the employee in advance.

Note: Annual leave hours do not accrue during Family Medical Leave.

A.02. Eligibility for Annual Leave

A. Each regular and term full-time employee will be allowed annual leave with pay.

B. Temporary, part-time, and seasonal employees will not be eligible for annual leave.

C. Annual Leave is earned after three (3) months of continuous full-time employment. Annual leave may be requested and, if approved, taken during the employee’s initial probationary period without pay.

Note: Annual leave hours do not accrue during Family Medical Leave.
A.03. Rate of Earning Annual Leave

A. Regular and term full-time, non exempt employees, shall earn and accrue annual leave based upon the following schedule:

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Total Leave Accrued Annually</th>
<th>Total Leave Accrued Bi-Weekly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Years 1 &amp; 2</td>
<td>80 Hours</td>
<td>3.077 Hours</td>
</tr>
<tr>
<td>Years 3 &amp; 4</td>
<td>88 Hours</td>
<td>3.385 Hours</td>
</tr>
<tr>
<td>Years 5 &amp; 6</td>
<td>96 Hours</td>
<td>3.692 Hours</td>
</tr>
<tr>
<td>Years 7 &amp; 8</td>
<td>104 Hours</td>
<td>4.000 Hours</td>
</tr>
<tr>
<td>Years 9 &amp; 10</td>
<td>112 Hours</td>
<td>4.308 Hours</td>
</tr>
<tr>
<td>Years 11 &amp; 12</td>
<td>120 Hours</td>
<td>4.616 Hours</td>
</tr>
<tr>
<td>Years 13 &amp; 14</td>
<td>128 Hours</td>
<td>4.924 Hours</td>
</tr>
<tr>
<td>Years 15 &amp; 16</td>
<td>136 Hours</td>
<td>5.231 Hours</td>
</tr>
<tr>
<td>Years 17 &amp; 18</td>
<td>144 Hours</td>
<td>5.539 Hours</td>
</tr>
<tr>
<td>Years 19 &amp; 20</td>
<td>152 Hours</td>
<td>5.847 Hours</td>
</tr>
<tr>
<td>Years 21 on</td>
<td>160 Hours</td>
<td>6.154 Hours</td>
</tr>
</tbody>
</table>

The accrual amount is automatically computed by formulas written in the payroll program. Employees are encouraged to verify the accuracy of their accrual on their bi-weekly pay stub.

B. Regular and term, full-time, exempt employees shall earn and accrue annual leave based upon the following schedule:

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Total Leave Accrued Annually</th>
<th>Total Leave Accrued Bi-Weekly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Years 1 &amp; 2</td>
<td>120 Hours</td>
<td>4.616 Hours</td>
</tr>
<tr>
<td>Years 3 &amp; 4</td>
<td>128 Hours</td>
<td>4.924 Hours</td>
</tr>
<tr>
<td>Years 5 &amp; 6</td>
<td>136 Hours</td>
<td>5.231 Hours</td>
</tr>
<tr>
<td>Years 7 &amp; 8</td>
<td>144 Hours</td>
<td>5.539 Hours</td>
</tr>
<tr>
<td>Years 9 &amp; 10</td>
<td>152 Hours</td>
<td>5.847 Hours</td>
</tr>
<tr>
<td>Years 11 &amp; 12</td>
<td>160 Hours</td>
<td>6.154 Hours</td>
</tr>
<tr>
<td>Years 13 &amp; 14</td>
<td>168 Hours</td>
<td>6.462 Hours</td>
</tr>
<tr>
<td>Years 15 &amp; on</td>
<td>176 Hours</td>
<td>6.770 Hours</td>
</tr>
</tbody>
</table>

C. The maximum number of annual leave hours, which may be accrued as of December 31 of each year, is two hundred (200). During the year, an employee's accrual may exceed the maximum accrual amount; however, at December 31 of each year, any hours exceeding the maximum of two hundred (200) will be forfeited. The Chief Executive Officer may make exceptions.

A.04 Planned and Unplanned Absences

A. A planned absence is an absence from duty that is scheduled by the employee and approved by the department director at least seventy-two (72) hours in advance.

B. An unplanned absence generally causes more operational problems due to insufficient notice of less than seventy-two (72) hours and may include:

1. Emergency leave request with short notice.

2. Short term illness or injuries of an unexpected nature of employee or family members.
A.05 General Provisions

Annual leave must be used in increments of at least one hour for the first hour of absence. Other increments are allowed following the first hour by the written approval of the director/manager.

A. **Annual leave may not be used for repeated tardiness.**

B. Requests for annual leave must be made in advance of its use. In cases of illness, injury, or an emergency, the department director/manager may waive this requirement.

C. Employees shall not be granted paid annual leave for hours not earned and accrued or for hours in excess of their accumulated annual leave account.

D. The scheduling and use of annual leave for vacation or the department director/manager in accordance with departmental scheduling needs established by the supervisor shall approve personal reasons in advance. Factors and criteria to be considered by the supervisor in approving annual leave requests may vary based upon departmental requirements.

E. The nature of an employee's job and the operational requirements of a department may cause the supervisor to limit the scheduling of annual leave for vacation purposes during certain periods of the year. Based upon requirements and when in the best interest of the Authority, the supervisor may require the use of annual leave for vacation purposes in amounts of forty (40) or more consecutive hours. When a written request for annual leave of forty (40) or more hours is denied, the employee will be notified in writing of the reasons by the supervisor.

F. Employees may request and be granted advance annual leave pay prior to going on vacation provided the annual leave request is for forty (40) or more consecutive hours and the request is submitted to the supervisor in writing on the appropriate form, at least two weeks prior to annual leave usage.

G. Employees with a minimum of three (3) months of continuous full-time Authority employment shall be compensated for all earned but unused annual leave hours at their basic straight time hourly rate upon separation from the Authority.
SECTION III

EMPLOYEE BENEFITS

ILLNESS LEAVE

PART B

B.01 Purpose

A. The purpose of the illness leave program is to provide full-time regular and term employees with basic salary continuation during periods of extended illness or injury during which the employee is medically incapacitated and unable to perform their job assignments. Illness leave may also be used for the illness or injury of an immediate family member.

B. Full-time, non-exempt employees shall accrue four (4) hours of illness leave for each eighty (80) regularly scheduled work hours on active pay status.

C. Full-time, exempt employees shall accrue 5.16 hours of illness leave for each eighty (80) regularly scheduled work hours on active pay status.

D. Full-time employees on a forty (40) hour workweek schedule shall have a maximum illness leave accrual of four hundred eighty (480) hours. No additional hours will be credited to an employee's account until they reduce their accrual below the maximum allowed. This benefit is provided to assist employees with short-term disability needs.

The accrual amount is automatically computed by formulas written in the payroll program. Employees are encouraged to verify the accuracy of their accrual on their bi-weekly pay stub.

B.02 Eligibility for Illness Leave

A. Each regular (full-time, exempt and non-exempt) and term full-time employee will be allowed illness leave with pay.

B. Temporary, part-time and seasonal employees will not be eligible for illness leave.

C. Illness leave will not be paid during the employee's initial probationary period.

D. Employees who utilize excessive leave for alleged illnesses or injuries or are otherwise frequently absent from duty for alleged medical reasons may, at the department director/manager's discretion, be required by written notice to document their future absences for medical reasons with a physician's statement. Said statement must be presented to the department director/manager to obtain authorization for illness leave or paid annual leave. Employees failing to comply with such written notice shall not receive paid annual leave or illness leave for the day(s) in question and may be subject to progressive disciplinary action and/or review of their fitness for duty. For any absence due to medical reasons of one (1), two (2), or three (3) workdays, an employee may be required to submit a physician’s notice. For any absence due to medical reasons in excess of three (3) workdays, an employee will be required to submit a physician's notice. Employees failing to comply with such requirement shall not receive paid annual leave or illness leave for the day(s) in question and may be subject to progressive disciplinary action and/or review of their fitness for duty.

E. Frequent claiming of benefits under this section may constitute grounds for the assumption by the department director/manager that the physical condition of the employee is below the standard necessary for the proper performance of duty. Evidence of abuse of this benefit will constitute
grounds for disciplinary actions, up to and including dismissal. Excessive unplanned absences will affect your performance evaluation score.

B.03 Notification Procedures

A. An employee, medically incapacitated to the extent that they are unable to work, shall personally notify their immediate supervisor, or designee, before their scheduled reporting time as required by the supervisor, stating the nature of the illness or injury and the expected length of the absence. This procedure must be followed for each day the employee is unable to work unless specific prior approval waiving this requirement is granted by the supervisor.

B. Occasionally, circumstances may absolutely prevent an employee from personally notifying the department of an extended absence. In this instance, another person may make notification in accordance with other absence reporting requirements. If an employee is not reasonably able to personally notify the department or make alternative arrangements to notify the department of an absence and can substantiate this to the satisfaction of the supervisor, illness leave may be authorized by the department director/manager for an otherwise ineligible absence from work for medical reasons.

B.04 General Provisions

A. Illness leave must be used in increments of at least one hour for the first hour of absence. Other increments may be allowed following the first hour by the written approval of the director/manager.

B. Employees shall not be granted paid illness leave for hours not earned and accrued or in excess of their accumulated illness leave account.

C. Employees may not use paid illness leave for injuries sustained while engaged in outside employment.

D. Exempt employees who leave during normal working hours must use the appropriate leave for the time absent and obtain appropriate approval as outlined in this Section.

Note: Sick leave hours do not accrue during Family Medical Leave.

B.05 Light-Duty Assignments

A. Some minor injuries or illnesses may prohibit the full performance of regularly assigned job duties. However, there may be other duties the employee may safely perform without aggravating their medical condition. Providing a written physician’s statement that light-duty work is acceptable and identifies the employee's specific physical limitations in performing such assignments, the Chief Executive Officer, may assign, at his/her discretion and availability of light-duty work, other bonafide tasks and duties to the employee as the employee's health and medical condition may permit. Employees so assigned must perform light-duty assignments in compliance with medically established restrictions. Light-duty assignments must be for full-time work. The Chief Executive Officer must approve all light-duty assignments.

B.06 Payment of Illness Leave Upon Retirement

A. Upon separation from employment for either normal or disability retirement, on or after attaining the age of fifty-five (55), all eligible employees shall be entitled to receive payment at their straight time rate for a portion of their unused illness leave hours.
B. In order to be eligible for payment, an employee must meet the following requirements:

1. Age, minimum of fifty-five (55), and years of service, minimum of five (5), must equal sixty-five (65) or more.
2. Such compensation shall be limited to fifty percent (50%) of the balance in the affected employee's illness leave account, not to exceed two hundred forty (240) hours of compensation.
3. An employee in good standing who resigns his/her position or whose position is eliminated through re-organization is eligible for a portion of their sick accrual. To be eligible for this benefit, the employee must have been employed with the Authority for six (6) years or more and must have accumulate at least four hundred (400) hours of illness leave. Meeting all of the above criteria entitles the employee to receive twenty-five percent (25%) of the total sick time accrued up to a maximum of one hundred (100) hours.
SECTION III

EMPLOYEE BENEFITS

TRAINING

PART C

C.01 In-Service Training

A. In-service training shall be provided to aid employee's progress in work efficiency. Employee’s training shall be a continuing function of every supervisor.

B. Staff meetings for the employees will be held at least quarterly or at the discretion of the Chief Executive Officer and/or department directors. Departmental meetings shall occur at a minimum of two times per month to exchange information and to improve performance.

C.02 Other Training

A. The Chief Executive Officer or the Chief Operating Officer may determine it necessary for staff to receive additional outside training. Budget availability, course offerings, and needs of the Authority will determine which training courses staff may attend. Staff is encouraged to seek additional training at their own expense and utilize the Authority's reference library.

B. If an employee receives training paid by the Authority, and said employee voluntarily terminates their employment with the Authority within twelve (12) months of completion of training, they shall reimburse the Authority on a pro-rata basis for the balance of the twelve months of employment at the rate of one-twelfth (1/12) of the reimbursement per month.
D.01 Holidays Observed

The following, and any other days, or portion thereof, that the Board of Commissioners may declare, are designated as official holidays for Authority employees:

- New Year's Day
- Martin Luther King, Jr. Day
- Memorial Day
- Independence Day
- Labor Day
- Floating Holiday (birthday)
- Veteran’s Day
- Thanksgiving Day
- Day after Thanksgiving Day
- Christmas Eve
- Christmas Day
- New Year’s Eve

D.02 Eligibility

A. All full-time regular and term employees will receive pay at their regular straight time hourly rate for each of the holidays earned. Holiday hours paid may vary depending on the weekday it is observed. All holidays earned must be taken as time off or paid in the same period as earned.

B. In order to qualify for holiday time, **an employee must work their normally scheduled hours on both the regularly scheduled working day immediately prior to and after the holiday, unless prior approved leave time has been granted.** Employees on worker's compensation will be eligible for holiday pay through the worker's compensation carrier, as long as they are on active employment logs of the Authority.

C. Employees who are assigned by their supervisor to work on the day observed as a holiday must work that day to be eligible to receive holiday time. An employee who is scheduled to work on the day observed as a holiday and reports sick will be paid only holiday time for that day but must provide medical documentation of the illness.

D.03 General Provisions

A. Employees on vacation, jury duty, sick leave, funeral leave, or annual military leave must use the holiday on the same day that it is earned.

B. When a holiday falls on a Saturday, the preceding Friday shall be designated as substitute holiday for that year. When a holiday falls on a Sunday, the following Monday shall be designated as a substitute holiday and observed as the official holiday for that year.

C. Hours worked on a holiday will be paid at straight time and will count towards the week’s work for computation of overtime pay. This is in addition to the regular holiday pay.

D. The Chief Executive Officer will determine when any departments or operations will be closed in observance of the holiday.
SECTION III
EMPLOYEE BENEFITS
ADMINISTRATIVE ABSENCE

PART E

E.01 Funeral Leave

A. Eligibility

All full-time regular and term employees shall be granted, upon approval of management, time off with pay at their straight time rate, not to exceed three (3) consecutive scheduled workdays, if needed, to attend the funeral of a member of the employee's immediate family. The employee's immediate family is detailed in the definitions. (See page 14.)

B. General Provisions

1. Funeral leave shall not be charged to annual or illness leave.
2. Should an employee require additional time other than provided in this section, they may request the additional time from their immediate supervisor. Upon approval, any additional time used may be charged to annual leave if the employee has a sufficient number of accrued hours, otherwise the employee may be granted Leave Without Pay.
3. The employee may be required to provide their supervisor with proof of death in their family before compensation is approved.

E.02 Court Leave and Jury Duty

A. Eligibility

1. Full-time regular and term employees attending court as a witness on behalf of a public jurisdiction or for jury duty during their normal working hours shall receive full pay equal to their normal work schedule for the hours they attend in court. This time shall be charged as leave with pay.
2. The employee must surrender the paycheck from the court, and the Authority will issue a regular paycheck to the employee.

B. Notification

1. All full-time regular and term employees subpoenaed to attend court on behalf of public jurisdiction are eligible for leave with pay. Those employees who become plaintiffs or defendants are not eligible for leave with pay unless their being named as plaintiffs or defendants directly relates to their employment with the Authority.
2. Employees called for jury duty shall promptly notify their immediate supervisor so that arrangements can be made for their absence from work.
3. Employees who attend court or who are on jury duty for only a portion of a regularly scheduled workday are expected to report to their supervisor when excused or released by the court.
4. The employee shall provide the department director and human resources with proof of court or jury duty service before compensation is approved.
C. General Provisions

1. If a non-exempt employee is required to attend court on their personal off-duty time on Authority business, they shall be eligible to receive up to eight hours of straight time pay for each such day.
2. Time spent in court is the actual time required to report, as scheduled in writing on the subpoena, until release by the judge or other officer of the court.

E.03 Military Leave

A. Annual Military Leave

1. Employees who are commissioned reserve officers, reserve enlisted personnel in the United States military service, or members of the National Guard or Coast Guard shall be entitled to a leave of absence from their respective duties without loss of pay for such time as they shall be ordered to military service or field training in an active duty or active duty for training status, for a period not to exceed seventeen (17) consecutive calendar days in any one calendar year.
2. The employee shall be required to submit an order or statement from the appropriate military commander as evidence of any such duty. Such order or statement must accompany the formal request for military leave at least two (2) weeks in advance.
3. The Authority will make up the difference, if any, between military pay and the employee's regular base pay for the seventeen (17)-day period. The Authority will issue a regular paycheck for the period and the employee must submit payment from the military to the Authority. If the military pay is greater than the employee’s regular pay with the Authority, no action is required other than having the employee submit a copy of their military pay voucher.

B. Inactive Duty Training (Weekend Drills)

Employees who are members of the Armed Forces Reserve, Coast Guard, or the National Guard shall be excused from work without pay to attend inactive duty training drills as required. Evidence of membership in the applicable organization shall be provided to the department by the employee. Requests for such absences from work shall be made by the employee either orally or in writing. The submission of the applicable Reserve or National Guard training schedule will satisfy this requirement.

C. Recall to Active Military Duty

Any full-time employee who is a member of a reserve component or the National Guard, or the Coast Guard, who is ordered to active duty to fulfill their primary or emergency military obligation will be granted a military leave of absence without loss of pay not to exceed seventeen (17) days in any one calendar year. The seventeen (17) days as provided in this section are separate from the time provided for annual military leave.

D. Induction or Enlistment into Military Service

Any full-time employee who enlists, is drafted, or inducted into the armed services for active duty shall be granted a military leave of absence for the initial period of enlistment. All monies due the employee (i.e., annual leave, holiday time, etc.) shall be paid at the time of their leaving Authority employment to enter active military service.

E. Reinstatement from Military Service

1. Upon termination from active military service, an employee who wishes to return to Authority employment shall contact the Human Resources Department in writing within ninety days from the date of military discharge. An employee shall not be considered eligible for reinstatement
by the Authority if they voluntarily re-enlisted in the military service beyond their initial military obligation. An employee requesting reinstatement with the Authority shall submit to a medical examination to determine if they are physically and mentally capable of performing the duties of their former position.

2. An employee returning to Authority employment in their classified position shall start at the same range they were in when they left for military duty.

3. If the position vacated by an employee who entered the military service is reclassified or re-titled during their period of military service, such employee shall be entitled to be reinstated in the new or revised position, unless the employee is not capable of satisfactorily performing the duties of the position. If the former position has been abolished or if the employee is incapable of satisfactorily performing the duties, the employee shall be entitled to reinstatement in a position as nearly comparable as possible in salary and duties to the position vacated providing vacancies are available.

E.04 Family and Medical Leave

A. The Family and Medical Leave Act of 1993 (revised in 2012) is intended to: 1) balance the demands of the workplace with the needs of families; 2) allow for employees to take reasonable leaves of absence for medical reasons, the birth or adoption of children, and for the care of a child, spouse or parent, who has a serious health condition; and 3) promote the goal of equal employment opportunity. In 2008 the FMLA was amended to provide employees with family members serving in the Armed Forces, National Guard and Reserves with FMLA leave for reasons related to their family members’ military service. In 2012 the FMLA was again amended, expanding the military-related leave protections. The FMLA was also amended to include a special eligibility provision for airline flight crew employees. The final rule became effective March 8, 2013.

B. The following items set forth the general requirements of Title I of the Act:

1. Who is covered under the act: An employer engaged in commerce or in any industry or activity affecting commerce that employs fifty or more employees. Eligible employees include only those who have been employed for at least twelve (12) months and who have worked at least one thousand two hundred fifty (1,250) hours during that previous twelve (12)-month period.

2. Act benefits:
   a. A total of twelve (12) work weeks of leave during any twelve (12) month period for one or more of the following reasons: 1) because of the birth of a child of the employee and in order to care for such child; 2) because of the placement of a child with the employee for adoption or foster care; 3) in order to care for the spouse, child, or parent of the employee, if the spouse, child, or parent has a serious health condition; and 4) because of a serious health condition that makes the employee unable to perform their employment functions.
   b. A serious health condition means an illness, injury, impairment, or physical or mental condition that requires: 1) in-patient care in a hospital, hospice, or residential medical care facility; or 2) continuous treatment by a health care provider, and requires documentation from a medical doctor.
   c. Leave, because of the birth or adoption of a child, must not be taken by an employee intermittently. With respect to leave taken to care for a spouse, child, or parent, or because of a serious personal health condition, leave may be taken intermittently or on a reduced leave schedule.

3. Time restrictions: Leave for the birth or adoption of a child must be taken within twelve (12) months of the date the child is born or placed with the employee.
C. Pay during leave of absence

For a health condition affecting the employee or to care for a spouse, child, or parent, the employee may use accrued illness leave, accrued annual leave, and then be placed on Leave Without Pay for the balance of their absence.

D. Advance notice requirements

1. If an employee knows that they will be requesting a leave for the birth or adoption of a child, the employee is required to give the Authority documentation to substantiate their request and at least thirty (30) days notice before the date the leave is to begin or give notice as soon as practicable.
2. An employee who is planning medical treatment must make a reasonable effort to schedule the treatment so as not to disrupt the operations of the Authority. The employee is required to give the Authority at least thirty (30) days notice of their intention to take leave for medical treatment or as soon as practicable.
3. If spouses are employees of the Authority, and the request for leave is for personal health conditions or for the care of their child, each would be entitled to the leave. If the leave is for the birth or adoption of a child, or care for a sick parent, the total time would be limited to twelve (12) weeks.

E. Employment protection

With certain exceptions under the Act, any employee who takes leave under the Act shall be entitled, on return from leave: 1) to be restored to their former position; or 2) to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

E.05 Leave of Absence Without Pay

A. Duration and Approval

1. Employees may request a leave of absence without pay for absences from their employment with the Authority. The department director/manager and Chief Executive Officer must approve such requests.
2. Extensions to authorized leaves of absence must be requested and approved in writing by the employee's department director/manager and the Chief Executive Officer.
3. Failure to return to work at the expiration of an approved leave shall be considered as an absence without leave and shall be considered as voluntary resignation.

B. Employee's Responsibility

1. An employee granted a leave of absence without pay must keep their department director/manager informed every three (3) months of their current activity (medical, military, etc.).
2. An employee on a leave of absence without pay must keep their department director/manager advised of any change in their current address.
3. An employee who accepts either part or full-time employment elsewhere while on an authorized leave of absence without pay is required to notify their department director/manager in writing within three calendar days of accepting such employment.
4. Failure to comply with the above requirements may result in the employee being dropped from leave of absence without pay status, in which case they must return to duty or be considered as voluntarily resigning.
C. Reinstatement from Leave of Absence Without Pay

1. Employees returning from a medical leave of absence without pay shall be required to submit a doctor's statement certifying their ability to return to work.
2. An employee granted a leave of absence without pay should be returned to their former classification if the leave is for a period of ninety calendar days or less, unless circumstances have so changed, as to make it impossible or unreasonable to do so.
3. An employee granted a leave of absence without pay in excess of ninety calendar days should be permitted to return to work providing an appropriate vacancy exists. If such vacancy does not exist, the employee shall be terminated.
4. An employee granted a leave of absence without pay, who wishes to return to work before the leave period has expired, shall be required to provide the department director/manager with at least two weeks notice.
5. A leave of absence without pay for thirty (30) consecutive days or longer may result in a corresponding adjustment of the employee's classification date.
6. An employee will earn no extended illness leave, annual leave, holiday, or any type of seniority for the time that they are on a leave of absence without pay. Annual leave or sick leave hours do not continue to accrue during Family Medical Leave.

E.06 Leave of Absence Without Pay (Illness or Injury)

A. Approved leaves of absence without pay due to illness or injury shall be governed by the following provisions:

1. All requests for leaves of absence without pay due to illness or injury, including extensions, must receive the approval of the employee's department director/manager and the Chief Executive Officer and shall be supported by a medical certificate executed by a doctor at the employee's expense.
2. Group life and medical insurance coverage must be continued up to a maximum of twelve months during an approved leave of absence without pay for illness or injury with the employee paying 100% of the cost.
3. Employees having a minimum of five years of Authority seniority shall suffer no loss of either Authority or classification seniority while on a leave of absence without pay due to illness or injury for a period not to exceed twelve months.

E.07 Return to Work Authorization (With or Without Pay)

A. All Authority employees returning to work after an illness or injury of more than three calendar day’s duration are required to provide written authorization from their personal physician or from the Authority's designated physician. In the latter case, a doctor's appointment may be scheduled by the Human Resources Officer, but will be at the employee's time and expense.

B. A physician's recommendation for the employee's return to work on a light-duty basis will be considered by management, individually, on the following basis:

1. Suitable work must be available.
2. The employee must work on a full-time basis.
3. The physician recommending an employee's return to work on light-duty status must provide reasonable assurance that the condition will not exceed thirty (30) calendar days. The Chief Executive Officer must approve extensions of light-duty status beyond thirty (30) calendar days.
E.08 Employee Benefits During Leaves of Absence Without Pay

A. Group life and medical insurance coverage may be continued at the employee's sole expense while on authorized leave of absence without pay, provided premium payments are kept current. In case of leave of absence without pay for illness or injury, the maximum period shall be twelve months during which period both group life and medical insurance may be continued.

B. If a monthly premium is delinquent and payment has not been made, coverage will be canceled as of the beginning of the delinquent period.

C. When the employee will be out of town during an approved leave exceeding thirty (30) days, payment arrangements must be made in advance so that premiums are kept current.

D. If any coverage is canceled during an approved leave of absence without pay, it will be reinstated upon return to active duty by observing the waiting period prescribed for new employees.

E.09 Absence Without Leave

A. An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by specific grant of leave of absence under the provisions of these rules shall be deemed to be an absence without leave. Any such absences shall be without pay and may be subjected to disciplinary action.

B. Any employee who is absent for three consecutive workdays without proper authorization shall be deemed to have resigned. Such action may be reconciled by a subsequent grant of leave if the conditions warrant. A memorandum from the department director/manager recommending implementation of this Section is to be forwarded to Human Resources Department for review and subsequent approval by the Chief Executive Officer.
SECTION III

EMPLOYEE BENEFITS

MISCELLANEOUS BENEFITS PROGRAMS

PART F

F.01 Purpose

All full-time employees will be eligible to participate in any available Authority fringe benefit program that may be made available to the Authority’s work force except if such benefit is specifically limited to a particular job classification.

The benefit programs contained herein are the programs in effect at the time of the revision of this Personnel Policy. The Authority reserves the right to add, alter, or delete any of the benefit programs offered and/or require a financial contribution on the part of the employee as a condition of participation at its discretion.

F.02 Benefits

A. Health Insurance

All full-time regular employees, including full-time term employees, will be eligible to participate in the Authority’s health insurance plan according to federal and/or state laws and/or plan documents in effect at the time of the employee’s enrollment. Please see the Human Resources Officer for an explanation of your effective enrollment date and plan documents.

B. Life Insurance

All full-time regular employees will be eligible to receive group life insurance benefits. Full-time term employees will be eligible for group life insurance in accordance with the plan documents in effect at the time of election. Please see the Human Resources Officer for an explanation of your effective election date and plan documents.

C. Dental Insurance

All full-time regular employees, including full-time term employees, will be eligible to participate in group dental insurance benefits.

D. Vision Insurance

All full-time regular employees, including full-time term employees, will be eligible to participate in group vision insurance benefits.

E. Long-Term Disability Insurance

All full-time regular employees, excluding term employees, will be eligible to receive group long-term disability insurance benefits in accordance with the plan documents in effect at the time of election. Please see the Human Resources Officer for an explanation of your effective election date.

F. Short-Term Disability Insurance

All employees will be eligible to receive group short-term disability insurance benefits in accordance with the plan documents in effect at the time of employment. Please see the human resources officer for an explanation of your effective election date and plan documents.
F.03  Supplemental Medical (GAP) Insurance

All full-time regular employees, including full-time term employees, will be eligible to participate in the Authority's supplemental medical plan according to federal and/or state laws and/or plan documents in effect at the time of the employee’s enrollment. Employees not enrolled in a medical plan through the Authority may enroll in the GAP plan. Please see the Human Resources Officer for an explanation of your effective enrollment date and plan documents.

F.04  Flexible Spending Accounts (FSA)

All full-time regular employees, including full-time term employees, which participate in the Authority’s health insurance plan, will be eligible to participate in the Authority’s Flexible Spending Account. Please see the Human Resources Officer for an explanation of your effective enrollment date and plan documents.

F.05  Deferred Compensation Plan

A.  All regular full-time employees will be eligible to participate in the Authority Retirement Plans. The plans allow full-time employees to place retirement funds in trusts within the Authority’s after-tax and/or pre-tax plans. For complete details, see the Human Resources Officer.

B.  All regular full-time employees will be eligible to participate in the Retirement Plan after completing six (6) months of employment at the Authority.

F.06  Education Tuition Refund Program

This program will enhance service to the recipients of Authority services by providing encouragement and financial assistance to employees who successfully complete courses of instruction. Higher education may improve their effectiveness in their current positions or which may enable them to attain promotional advancement within their present career field or other career fields of the Authority.

A.  All regular full-time employees, excluding term employees, who meet the following criteria are eligible for tuition reimbursement:

1.  Employee has completed at least one year of service immediately prior to the commencement of the classes.
2.  Courses are a part of the school's core (required) courses for a degree or are elective courses that are directly related to the employee's current position or higher level position within their career field or other career fields of the Authority. The Chief Executive Officer will make final determination.
3.  Application was recommended by the department director/manager and was received by the Human Resources within thirty (30) days of the registration for a course.
4.  Employee is on the payroll at the time the tuition reimbursement is made.
5.  Employee has achieved a final grade of "C" or above or a grade of “Satisfactory”.
6.  The employee’s department director/manager, Human Resources, and the Chief Executive Officer shall approve all requests for tuition reimbursement.

B.  Types of Courses Covered

The courses covered by the policy are those given by an accredited college or university, reputable business or vocational school, or other educational institution approved by the Authority.

C.  Attendance at Courses

All course work must be accomplished outside of the employee's normal work schedule.
D. Tuition Reimbursement

Employees whose applications are approved will be entitled to tuition reimbursement for each approved course in accordance with the following schedule:

<table>
<thead>
<tr>
<th>GRADE ATTAINED</th>
<th>REIMBURSEMENT AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade of A</td>
<td>100% Reimbursement</td>
</tr>
<tr>
<td>Grade of Satisfactory</td>
<td>100% Reimbursement</td>
</tr>
<tr>
<td>(for “S” or “F” designation only)</td>
<td></td>
</tr>
<tr>
<td>Grade of B</td>
<td>75% Reimbursement</td>
</tr>
<tr>
<td>Grade of C</td>
<td>50% Reimbursement</td>
</tr>
<tr>
<td>Grade of D or below</td>
<td>0% Reimbursement</td>
</tr>
</tbody>
</table>

Employees entitled to education benefits under other programs or legislation (i.e. GI Benefits, grants, scholarships, etc.) shall not be approved for tuition reimbursement until such benefits have been expended.

The Authority’s payment for tuition will not be greater than the cost of the undergraduate tuition cost for four (4) classes per calendar year. for a Florida resident, at any state college or university, when funds are available within the employee’s respective department budget. Additionally, no employee will receive tuition refunds greater than actual expenditures paid by the employee.

E. If the employee voluntarily terminates their employment with the Authority within 18 months of receipt of education benefits, the employee shall reimburse the Authority for said education benefit in a pro-rata basis for the balance of the first 18 months there after (1/18 of the benefit per month or part thereof).

F. Longevity Program

In recognition of long and dedicated public service, all full-time employees with the following lengths of total continuous service shall receive non-monetary service awards in accordance with the following schedule:

- 5 years – Certificate of Appreciation
- 10 years – Company pin with years of service
- 15 years – Company pin with years of service and plaque
- 20 years – Company pin with years of service and plaque
- 25 years – Company pin with years of service and plaque

G. Employee Assistance Program

The Authority recognizes that there are times when personal problems affect an employee's well-being and job performance. In order to provide assistance to any employee requiring it, an Employee Assistance Program (EAP) is available to both employees and their immediate families on a confidential basis. The EAP will be sponsored and paid for by the Authority.

This program provides professional and CONFIDENTIAL assistance for any type of personal problems such as family/child problems, relationship issues, emotional distress, and chemical dependency.
All counseling through the EAP is on a voluntary basis, even if recommended to the employee by management. Participation in counseling does not relieve the employee of their responsibility to meet expected job performance and attendance standards.

The Authority has contracted a private counseling and service firm, which administers this confidential program. The Authority's financial obligation for counseling provided under this program is limited to the provisions of the contract in effect with the counseling and service firm at the time service is rendered.

The program is available to all Authority employees and their eligible dependents in the Tampa Bay area.

F.08 Drug Free Work Place

A. Policy

It is the policy of the Authority to comply with the Drug Free Workplace Act of 1988 (Public Law 100-690). Consistent with the provisions of the law and the goal of providing a drug free workplace, workforce, and community, the Authority has implemented the policy.

B. Purposes

The Authority acknowledges the problem of drug abuse in our society and sees it as a serious threat. National studies indicate that individuals using and abusing drugs have a significant drop in productivity, an increase in absenteeism, and are responsible for a significant percentage of all industrial accidents. This creates unnecessary costs, imposes an unfair burden upon employees who do not use or abuse drugs, and can create an unsafe work environment. Problems of this sort can be eliminated by maintaining a workforce that does not use illegal drugs or abuse prescription, over-the-counter drugs.

It is the goal of the Authority to have a workforce free of those who choose to use illegal drugs, and misuse prescription drugs. The policy, which was formulated to comply with Florida Statutes 440.102, "Drug Free Workplace Requirements," will help the Authority achieve this goal. All employees who remain in the Authority's employ shall, by remaining employed, demonstrate that they agree to abide by the terms and conditions of the policy as it now exists and as it may, from the time to time, be amended.

C. Scope

The policy shall apply to all employees. Anyone applying for employment with the Authority shall be required to take and pass a drug screen as a condition of employment.

D Definition

Drugs - This refers to illegal drugs, prescription drugs, controlled substances, and legal non-prescription drugs that alter mood, consciousness, or coordination.

E Policy

1. The sale, possession, use, or purchase of illegal drugs, or any drug or controlled substances which are not prescribed by a licensed medical doctor, or prescription drugs used in a manner not consistent with recognized medical procedures while working, operating an Authority vehicle, machinery, equipment, or otherwise is prohibited.

2. Observance of the policy is a condition of continued employment.
F. Testing

1. The Authority will conduct the following types of drug tests:
   a. All applicants selected for employment must take and pass a drug screen as a condition of obtaining employment.
   b. Any Authority employee whose behavior or performance suggests the influence of drugs or controlled substances will be subject to a drug screen based on "reasonable suspicion". If an employee refuses to submit to a drug screen, the employee will be discharged. If the drug screen is positive, the employee will be suspended without pay until they can pass a subsequent drug screen. If the employee passes a drug screen within thirty (30) working days, they will be returned to work without back pay, and will be given three further drug screens without advance notice during the next twelve (12) months of employment. If the employee is found to be again unable to pass a drug screen due to a second violation of the policy, the employee will be discharged.
   c. "Reasonable suspicion drug testing" means drug testing based on a belief that an employee is using or has used in violation of the Authority's policy, drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:
      i. Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.
      ii. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
      iii. A report of drug use, provided by a reliable and credible source, which has been independently corroborated.
      iv. Evidence that an employee has tampered with a drug test during their employment with the Authority.
      v. Information that an employee has caused, contributed to, or been involved in an accident while at work.
      vi. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the Authority's premises or while operating an Authority vehicle, machinery, or equipment.

2. Consequences of a positive, confirmed test result:
   a. Applicants with a positive, confirmed result will not be hired.
   b. Any employee who is terminated based on a positive, confirmed test result will forfeit Unemployment Compensation benefits as provided in the Florida Workers' Compensation Act.
   c. Employees injured in a work place accident who have a positive, confirmed test result will forfeit eligibility for medical and indemnity benefits as provided by the Florida Workers’ Compensation Act.

3. All test results shall be confidential and released only in accordance with established procedures.

4. Test results/challenges:
   a. All employees or applicants with a positive, confirmed test result will be notified, in writing, of the result, the consequences of it, and the options available to the employee or applicant.
   b. Any employee or applicant may challenge the Authority's test result within fifteen (15) days after receiving the Authority's explanation.
   c. An employee or applicant with a positive, confirmed test result will be allowed to submit information to the Chief Executive Officer, explaining or contesting the test result within fifteen (15) days of receipt of test result. If the challenge or explanation is not satisfactory, the Authority shall, within fifteen (15) days from receipt of the explanation or challenge, issue a written explanation why it is unsatisfactory, along with the report of the positive results to the employee or applicant.
5. Other Policy Violations:
   a. Any employee observed selling, possessing, using, delivering, or receiving illegal drugs or controlled substances not prescribed by a licensed medical physician will be suspended pending an investigation. Should the employee be found by the Authority to have violated this provision of the Policy, he or she will be discharged. Any illegal substance brought onto Authority premises will be confiscated and turned over to an appropriate law enforcement agency.
   b. If the circumstances described above involve individuals not directly employed by the Authority, such as contractors, consultants, and others who perform work indirectly for the Authority on Authority premises and/or in the immediate proximity of Authority employees, the following action will be taken:
      i. Activity will be reported to the law enforcement agency.
      ii. The individual will be directed to stop working immediately and leave the Authority premises or work site.
      iii. Any substance seized will be turned over to the appropriate legal authorities.
      iv. The individual's employer will be notified and an acceptable replacement will be requested.
      v. The Authority may from time to time conduct routine and random inspections of its properties to check for drug violations.

6. Rehabilitation:
   a. Any employee who voluntarily reports a drug abuse problem to management shall be permitted to take a personal leave, in order to obtain substance abuse counseling. This leave is conditioned upon the employee actually enrolling in a rehabilitation program approved by Human Resources.
   b. The employee must pass an Authority-authorized drug screen within thirty (30) working days from the last day worked or be discharged. If the employee passes the drug screen within thirty (30) working days, they will be eligible to return to work provided there is an opening available for which the employee is then qualified. The employee will be given three further drug screens without advance notice within the next twelve (12) months. If the employee fails any drug screen they will be discharged.
   c. The policy does not require the Authority to hold any position open for employees who successfully complete drug rehabilitation counseling.
   d. Nothing in the policy shall be construed as an obligation upon the Authority to provide, or to pay for, substance abuse counseling.

7. Additional Information
   a. The Authority will test for each and every one of the drugs on the Drug Testing List included herein.
   b. A list of the most common drugs and medications, by brand name, common name, and chemical name that may alter the effects of a drug test is listed on the Over-the-Counter and Prescription Drug List included herein.
   c. Each employee and applicant will be given an opportunity, both before and after the drug test, to confidentially report the use of prescription or non-prescription medications that may alter or affect a drug test.
   d. Each employee or job applicant has a right to consult the testing laboratory the Authority uses to administer its drug test for further information. The name and address of the laboratory, and the person to contact regarding this information can be obtained from Human Resources.
   e. The name and address of the Employee Assistance Program (EAP) available to Authority employees can be obtained from Human Resources.
   f. A statement that taking and passing a drug test is a condition of initial and continued employment in conformity with the Policy shall be placed on all vacancy announcements and job postings.
g. It shall be the responsibility of Human Resources to administer the Policy and to promulgate procedures necessary to achieve its objectives.

F.09 Alcohol Abuse Policy

A. Policy

The purpose of the policy is to define the Authority's position regarding employee alcohol use that adversely affects safety and/or job performance. The Authority's position is that the abuse of alcohol or any substance that affects safety and/or performance is a serious offense that will not be tolerated.

It is the goal of the Authority to have a workforce free from the use or abuse of alcohol, which adversely affects safety and/or job performance. The policy, which was formulated to comply with Florida Statutes 440.102 "Drug Free Workplace Requirements", will help the Authority achieve this goal. It shall supersede any previous alcohol abuse policy.

B. Scope

The policy shall apply to all employees of the Authority after the noted effective date.

C. Definition:

Alcohol - this refers to alcohol for human consumption in all its forms.

D. Testing

1. The Authority shall conduct the following type of alcohol tests:
   a. Any Authority employee whose behavior suggests the influence of alcohol will be subjected to an alcohol screen (enzyme oxidation methodology) based on "reasonable suspicion". If an employee refuses to submit to this test, the employee will be discharged. Positive alcohol test will be confirmed by a gas chromatography analysis of the blood. The first confirmed "reasonable suspicion" alcohol test at or above .04 blood alcohol content will result in a documented suspension for the balance of the day plus one additional day, without pay. A second positive confirmed "reasonable suspicion" alcohol test within a three (3) year period, will result in a suspension for the balance of the day plus five additional days, without pay, and a mandatory referral to an Authority-approved alcohol rehabilitative/treatment program for an evaluation for alcohol dependency. A third confirmed alcohol test with a three-year period would result in discharge.
   b. "Reasonable suspicion" testing means testing based on a belief that an employee is using or has used alcohol in violation of the Authority's policy, drawn from specific objectives and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:
      i. Observable phenomena while at work, such as direct observation of alcohol use or the physical symptoms, odor, or manifestation of being under the influence of alcohol.
      ii. Abnormal conduct or erratic behavior while at work or a noticeable deterioration in work performance.
   d. A report of alcohol abuse provided by a reliable and credible source, which has been independently corroborated.
   iv. Evidence that an individual has tampered with an alcohol test during their employment with the Authority.
   v. Information that an employee has caused, contributed to, or been involved in an accident while at work.
   vi. Evidence that an employee has used alcohol while working or while on the Authority's premises or while operating the Authority's vehicle, machinery, or equipment.
2. Consequences of a positive, confirmed test result:
   a. Any employee who is terminated based on a positive, confirmed test result will forfeit Unemployment Compensation benefits as provided in the Florida Workers' Compensation Act.
   b. Employees injured in a work place accident who have a positive confirmed test result will forfeit eligibility for medical and indemnity benefits as provided in the Florida Workers' Compensation Act.

3. All test results shall be confidential and released only in accordance with established procedures.

4. Test results/challenge:
   a. All employees with a positive, confirmed test result will be notified, in writing, of the result, the consequences of it, and the options available to the employee.
   b. An employee may challenge the Authority's test results within fifteen (15) days after receiving the Authority's explanation.
   c. An employee with a positive, confirmed test result will be allowed to submit information to the Chief Executive Officer explaining or contesting the test result within fifteen (15) days of receipt of test result. If the challenge or explanation is not satisfactory, the Authority shall, within fifteen (15) days from receipt of the explanation or challenge, issue a written explanation why it is unsatisfactory, along with the report of the positive results, to the employee.

E Rehabilitation

It is the employee's responsibility to seek treatment before alcohol abuse adversely affects job performance. The Authority's position on alcohol abuse rehabilitation is to assist and not to punish the employee who seeks to undergo treatment. The regular employee is encouraged to seek professional alcohol rehabilitation treatment by contacting their supervisor or the Human Resources Officer. The employee will be eligible to use their accrued sick leave during the period of approved rehabilitation, if the employee is not on their initial probationary period.

F. Corrective Action

If a regular employee's job performance is unsatisfactory, the employee will be subject to corrective disciplinary action. When a supervisor has reason to believe that alcohol abuse has adversely affected an employee's job performance, the Human Resources Officer should be contacted for referral. The employee and supervisor will be informed of the recommended treatment, if any, and assistance will be provided to the employee in obtaining that treatment. Alcohol rehabilitation does not relieve the employee of the responsibility for performing job duties satisfactorily and maintaining the safety and the security of co-workers and customers. After an employee has completed a program of approved alcohol rehabilitation, any further use of alcohol that affects job performance or safety will result in discharge.

G. Additional Information

1. Each employee will be given an opportunity, both before and after the alcohol test, to confidentially report the use of prescription or nonprescription medications that may alter or affect an alcohol test.
2. Each employee has a right to consult the testing laboratory the Authority uses to administer its alcohol test for further information. The name and address of the laboratory can be obtained from Human Resources.
3. The name and address of the Authority's Employee Assistance provider can be obtained from Human Resources.
4. It shall be the responsibility of Human Resources to administer the Policy and to promulgate procedures necessary to achieve its objectives.
DRUG TESTING LIST

All employees and applicants other than those subject to Department of Transportation (DOT) program testing

The following cutoff levels shall be used when testing for the listed drugs or metabolites. All levels equal to or exceeding the following shall be reported as positive:

CUT OFF LEVELS:

<table>
<thead>
<tr>
<th>DRUG</th>
<th>SCREEN</th>
<th>GC/MS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amphetamines</td>
<td>1,000 ng/ml</td>
<td>500 ng/ml</td>
</tr>
<tr>
<td>Barbiturates</td>
<td>200 ng/ml</td>
<td>150 ng/ml</td>
</tr>
<tr>
<td>Benzodiazepines (as Oxazepam)</td>
<td>300 ng/ml</td>
<td>150 ng/ml</td>
</tr>
<tr>
<td>Cannabinoids</td>
<td>100 ng/ml</td>
<td>50 ng/ml</td>
</tr>
<tr>
<td>Cocaine (as Benzoylecgonine)</td>
<td>300 ng/ml</td>
<td>150 ng/ml</td>
</tr>
<tr>
<td>Methadone</td>
<td>300 ng/ml</td>
<td>150 ng/ml</td>
</tr>
<tr>
<td>Methaqualone</td>
<td>300 ng/ml</td>
<td>140 ng/ml</td>
</tr>
<tr>
<td>Opiates (Morphine)</td>
<td>300 ng/ml</td>
<td>300 ng/ml</td>
</tr>
<tr>
<td>Phencyclidine (PCP)</td>
<td>25 ng/ml</td>
<td>25 ng/ml</td>
</tr>
<tr>
<td>Propoxphene</td>
<td>300 ng/ml</td>
<td>150 ng/ml</td>
</tr>
</tbody>
</table>

Applicable to employees and applicants subject to Department of Transportation (DOT) program testing

The following cutoff levels shall be used when testing for the listed drugs or metabolites. All levels equal to or exceeding the following shall be reported as positive.

<table>
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<td>200 ng/ml</td>
</tr>
<tr>
<td>Phencyclidine</td>
<td>25 ng/ml</td>
<td>25 ng/ml</td>
</tr>
</tbody>
</table>
OVER-THE-COUNTER AND PRESCRIPTION DRUGS LIST

The following over-the-counter and prescription drugs could alter or affect the outcome of a drug test:

**Amphetamines**  Obetrol, Biphetamine, Desoxyn, Dexedrine, Didrex

**Cannabinoids**  Marinol (Dronabinol, THC)

**Cocaine**  Cocaine HCI topical solution (Roxanne)

**Phencyclidine**  Not legal by prescription

**Methaqualone**  Not legal by prescription

**Opiates**  Paregoric, Parepectolin, Donnagel PF, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, etc.

**Barbiturates**  Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lofusate, Fiorinal, Fricet, Esgic, Butisol, Mebaral, Butabarbital, Phrenilin, Triad, etc.

**Benzodiazepines**  Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax

**Methadone**  Dolophine, Methadose

**Propoxyphene**  Darvocet, Darvon N, Dolene, etc.

**F.10  Medical Marijuana**

The possession or use of marijuana or medical marijuana is not allowed on our premises.

If an applicant or employee with a legal referral for marijuana (for the treatment of a medical condition) tests positive based on the substance limits for the drug test, it will be reported by the lab as a “positive drug test” and will be treated in accordance with all other positive drug tests.

Employees and applicants shall be given an opportunity to provide any information relevant to the test, including identification of currently or recently used prescription or non-prescription medications as well as any legal referral for marijuana use for the treatment of a medical condition.

There are no additional exceptions for applicants or employees with legal referrals for marijuana.
SECTION IV
STANDARDS OF CONDUCT
DISCIPLINARY ACTION

PART A

A.01 Purpose

All employees of the Authority are members of a team working together for the purpose of serving the residents of our communities. Employees who fail to follow the necessary policy and procedures governing their conduct are not only penalizing themselves, but also are doing a disservice to other employees, and the clients we serve. The policy is designed to ensure the rights and safety of all employees, and to provide working guidelines that encourage acceptable and business-like conduct.

A.02 Intent

A. It is the intent of the Authority that effective supervision and employee relations will avoid most matters that necessitate disciplinary action. The purpose of the Personnel Policy, and disciplinary action for violation of the Personnel Policy, is not intended to restrict the rights of anyone but to ensure the rights of all and secure cooperation and orderliness throughout the Authority.

B. As a general rule, the practice of progressive discipline shall be followed whenever possible. The steps in progressive discipline are oral reprimand, written reprimand, suspension from work, and discharge.

In recognition of the fact that each instance differs in many respects from somewhat similar situations, the Authority retains the right to treat each occurrence on an individual basis and without creating a precedent for other cases that may arise in the future.

C. Examples given in any rule do not limit the generality of the rule. The policy and procedures are not to be construed as a limitation upon the retained rights of the Authority, but merely as a guide to provide recommended standard penalties to apply to specific offenses. This is intended to mean that a more severe penalty may be issued in specific individual instances where warranted.

D. In each case of proposed disciplinary action, consideration will be given to the severity of the offense, the cost involved, the time interval between violations, the length and quality of service records, and the ability of the employee concerned.

A.03 Authority and Procedure

A. Removals and demotions for cause are based on the recommendation of the department director/manager and approval of the Chief Executive Officer.

B. Whenever a department director/manager determines that there are reasons for the dismissal, suspension, or demotion of an employee under their supervision, the department director shall notify Human Resources in writing thereof as quickly as is practical. The Human Resources Officer will request approval from the Chief Executive Officer, or designee, in all instances involving dismissal, demotions, or suspensions.

C. In the event employees are relieved of their duties with pay pending suspension, demotion, or dismissal, immediate notification shall be given to the Human Resources Officer. Under no circumstances shall an employee be relieved of their duties without prior approval of the Chief Executive Officer or designee.
A.04 Oral and Written Reprimands

A. Whenever employee performance, work habits, or personal conduct at any time fall below a desirable level, supervisors shall verbally inform employees promptly and specifically of such lapses. The supervisor shall give counsel and assistance. If appropriate and justified, a reasonable period for improvements may be allowed before initiating disciplinary measures. The oral reprimand should be reduced to writing and retained by the supervisor. A copy of the record should be forwarded to the department manager or director and a copy sent to the Human Resources Officer.

B. In situations where an oral warning has not resulted in the expected improvement, a written reprimand shall be issued defining the nature of the infraction under the policy. Upon approval of the department director/manager, Human Resources, and the Chief Executive Officer, the written reprimand will be sent to the employee and a copy shall be placed in the employee’s permanent personnel folder.

A.05 Suspensions

A. For disciplinary purposes, a department director/manager may recommend suspension of an employee with or without pay for a length of time they consider appropriate, not exceeding twenty (20) working days in any twelve (12) month period, subject to Part A.03 of this section.

B. In cases where an employee is charged with a crime and the department director/manager determines that the charge has some bearing on the employee’s employment if found guilty, the department director/manager shall review the matter and may recommend placement on leave or suspension with or without pay until the final determination of the Court subject to Part A.03 of this Section.

A.06 Examples of employees’ misconduct, which may lead to discipline, include, but are not limited to the following:

1. Wasting time, loitering, or leaving assigned work area without permission.
2. Behaving in a discourteous manner to Authority residents, employees, or other persons with whom the employee has contact during business hours.
3. Unexcused absences and/or late arrival to work.
4. Reporting to work late or back to work station late from lunch or designated break period.
5. Carelessness and/or failure to observe posted safety rules.
6. Engaging in horseplay, such as wrestling, throwing objects, practical jokes, or similar forms of disorderly behavior.
7. Failure to report an accident.
8. Fighting.
9. Loud disorderly conduct.
10. Sleeping on the job.
11. Unauthorized use of Authority vehicles or other equipment.
12. Wanton substantial neglect of duty.
13. Failure to report health or safety hazards known to an employee.
15. Theft of any type.
16. Engaging in any type of criminal offense.
17. Falsification of personnel records, including initial application for employment.
18. Sale or use of intoxicants, whether alcohol, drugs, or other controlled substance during work hours even if not on Authority property.
19. Refusal to carry out orders from a supervisor.
21. Willful and/or repeated violation of established Authority policy and/or procedures.
22. Being intoxicated at work.
23. Other activities deemed to be in violation of known laws, procedures, or policy.
24. Fraternization with tenants residing in the Authority properties during working hours.
25. Lying.

A.07 Automatic Dismissal

Certain infractions are cause for automatic dismissal of an employee without recourse to the Personnel Policy. Those infractions include, but are not necessarily limited, to:

1. Destruction of Authority property.
2. Bodily harm to an Authority employee, resident, or member of the public.
3. Insubordination.
4. Possession or use of firearms or other dangerous weapons on Authority property during work hours even if not on Authority property.
5. Acceptance of bribes from Authority residents, applicants for prospective residency, or any other person(s) doing business with the Authority.
6. Proven unlawful acts as determine by the laws of the State of Florida.

A.08 Disciplinary Probation

A. Whenever an employee’s performance becomes unsatisfactory including any violation of the policy, the employee may be placed on Disciplinary Probation. The employee’s department director shall coordinate this procedure with Human Resources prior to actually placing the employee on Disciplinary Probation. The employee must improve his or her performance during the probationary period, or may be subject to further disciplinary action, up to and including termination of employment.

B. During this Disciplinary Probation, the employee will not be eligible to receive a merit increase.
B.01 Purpose

This Grievance Procedure is established to provide full opportunity to employees to bring to the attention of management, complaints, grievances, or situations that the employee feels need either adjustment or information. It is the intent and desire of the Authority to address complaints or grievances informally, between the employee and the supervisor, and both are expected to make every effort to resolve problems as they arise. However, it is recognized that some grievances may not be resolved informally, and a formal process must be initiated.

The Board of Commissioners is the final authority on formal grievances; however, employees shall not take their complaints to individual Board Members, but must adhere to the steps outlined in the grievance process below. Failure to comply with this requirement may result in disciplinary action.

B.02 General Policy

A. Rights of Employees – Employees shall have the right to present grievances individually, as a group, or through a designated representative(s). In so doing, employees shall be assured of freedom from restraint, interference, discrimination, and reprisal. Such grievances shall be presented only through established lines of authority as set forth below. All grievances must be submitted within fifteen calendar days of the event or action giving rise to the grievance.

B. Supervisory Responsibility – Supervisors, at all levels, shall receive and act promptly on employee’s complaints. The Human Resources Officer shall be presented with a copy of all complaints immediately following the delivery of the document. The Human Resources Officer must be present for this meeting.

C. Lines of Authority – Grievances of employee(s), in order to be considered, are to be in writing or presented orally and followed by written form, and addressed to the supervisor having jurisdiction over the area or department where the grievance(s) originated. The Human Resources Officer must be present for this meeting.

D. The employee must present a written statement describing the offense, including information to substantiate their claim and state their expected resolution.

B.03 Grievable Items

A grievance may be submitted on any action or failure to act on the part of the Authority affecting an employee’s status of employment which shall include, but not be limited to, working conditions, work assignments, work schedules, scheduled time off, pay, employee appraisals, promotions, demotions, transfers, suspensions, dismissals, or any other condition affecting work not listed which may give rise to such grievance.

B.04 Grievance Procedure

Step 1 – Initial Grievance

Within fifteen (15) calendar days of the occurrence of the incident giving rise to the grievance, the aggrieved employee may submit a written or verbal grievance to their immediate supervisor and the
Human Resources Officer. Failure to submit the grievance within the specified period generally constitutes waiver of the right to submit a grievance.

Once a grievance is filed, the supervisor and Human Resources Officer will schedule a meeting within a reasonable time after receipt of the grievance to discuss the grievance and submit a response to the employee thereafter.

Step 2 – First Appeal
If the aggrieved employee is not satisfied with the response to the grievance received in Step 1, he/she may appeal in writing, within five (5) working days from the date of such response, to their supervisor’s supervisor. The appropriate supervisor will respond within a reasonable time to schedule a hearing with the aggrieved employee. Within a reasonable time, the supervisor will provide a written decision to the employee. The Human Resources Officer shall be present at all meetings and presented with a copy of all responses and/or documents rendered between the aggrieved employee and supervisors/managers.

Step 3 – Second Appeal
If the aggrieved employee remains unsatisfied with the decision at Step 2, he/she may appeal the decision in writing to the Chief Operating Officer, within a reasonable time from the receipt of the Step 2 decision. If the Chief Operating Office has already received the first appeal, the Chief Executive Officer shall hear the second appeal. The Chief Operating Officer or the Chief Executive Officer will schedule, within a reasonable time from the receipt of such appeal, a hearing with the aggrieved employee. The Chief Operating Officer or the Chief Executive Officer will provide the employee with a written decision. The Human Resources Officer shall be present at all meetings and presented with a copy of all responses and/or documents rendered between the aggrieved employee and Chief Operating Office and/or the Chief Executive Officer.

If, due to the position of the chain of command, the Chief Operating Office heard the second appeal and the employee remains unsatisfied with the decision, the employee may appeal in writing to the Chief Executive Officer within a reasonable time from the receipt of the Step 3 decision. The Chief Executive Officer will schedule, within a reasonable time from the receipt of such appeal, a hearing with the aggrieved employee. Within a reasonable time, the Chief Executive Officer will provide the employee with a written decision. The Human Resources Officer shall be present at all meetings and presented with a copy of all responses and/or documents rendered between the aggrieved employee and the Chief Executive Officer.

Step 4 – Third Appeal
If the aggrieved employee remains unsatisfied with the decision at Step 3, they may appeal in writing for a hearing before the Personnel Committee of the Board of Commissioners within five (5) working days of receipt of the Chief Executive Officer’s decision

All requests for hearing before the Personnel Committee of the Board of Commissioners must be submitted in writing to the Chief Executive Officer, who is Secretary of the Board. After receipt of such request, the Personnel Committee of the Board of Commissioners will schedule a hearing to consider the matter. Within five (5) working days after such hearing, the Personnel Committee of the Board of Commissioners will issue a recommendation to the Board of Commissioners regarding the final disposition of the grievance.

Step 5 – Final Appeal
If the Personnel Committee of the Board of Commissioners recommends a hearing before the Board of Commissioners, the Board will schedule a hearing within thirty (30) calendar days to consider the matter. Within five (5) working days after such hearing, the Board will issue a written decision to the employee that will be considered final and binding.

B.05 Time Limit Extensions

The time limits established above may be extended. If either the aggrieved employee or the applicable supervisor is on authorized leave, the time limits will automatically be extended until such leave is completed, or because of other extenuating circumstances approved by the Chief Executive Officer.
C.01 Resignation

A. Resignation is the separation of an employee from the Authority through the submittal of a notice that they wish to terminate their employment.

B. Employees should notify their immediate supervisor of their intent at least fourteen (14) calendar days before leaving.

C. Unauthorized absences from work for a period of three (3) days is as the employee’s voluntary resignation by the department director/manager.

D. Once written notice has been received, the resignation cannot be rescinded without the recommendation of the department director/manager and the approval of the Chief Executive Officer.
SECTION V
MISCELLANEOUS POLICIES

ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY & PROCEDURES

PART A

A.01 Policy

The Authority strictly forbids discrimination and harassment in any form. All employees are responsible for assuring that the Authority workplace is free from discrimination and harassment.

St. Petersburg Housing Authority is committed to maintaining a working environment that respects the rights, dignity, and worth of its employees. The Authority also seeks to assure equal employment opportunities for all employees and job candidates. In order to attain those goals, the Authority adopts the following Anti-Discrimination and Anti-Harassment Policy (“ADH Policy”).

A. The Authority prohibits its officers, managers, supervisors, employees and nonemployees who are in the workplace from all of the following conduct:

1. **Unlawful Discrimination** against another Authority employee by taking any adverse employment-related action based upon an employee’s race, color, religion, sex, national origin, pregnancy, age, marital status, disability, familial status, sexual orientation, ancestry, gender, results of genetic testing, gender identity or expression, and/or service in the military, or other trait or status protected by law. It is a violation of the Authority policy to commit such discrimination in any area of Authority employment.

2. **Unlawful Harassment** of any kind against another Authority employee based on the employee’s race, color, religion, sex, national origin, pregnancy, age, marital status, disability, familial status, sexual orientation, ancestry, gender, results of genetic testing, gender identity or expression, and/or service in the military, or other trait or status protected by law. Specific types of prohibited harassment such as **Sexual Harassment** and **Other Prohibited Harassment** are described in detail below and are violations of the Authority policy to commit any such harassment.

3. **Retaliation** against an Authority employee by taking adverse conduct because he or she reported an actual or perceived violation of this Policy, opposed practices prohibited by this Policy, or participated in the reporting or investigation process described below. “Adverse conduct” may include but is not limited to:
   - Express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination, or retaliation;
   - Denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process;
   - Subjecting an employee to unwanted transfers; or
   - Increasing, reducing or reassigning the employee’s duties.
These behaviors are unacceptable and therefore prohibited, even if not unlawful in and of themselves.

For the purpose of this ADH Policy, prohibited Sexual Harassment includes both “Quid pro quo” and “Hostile Work Environment” sexual harassment. “Sexual Harassment” is the unwelcome conduct of a sexual nature that is sufficiently persistent or offensive to the effect of unreasonably interfering with an employee’s job performance or creating an intimidating, hostile or offensive working environment. Sexual Harassment is defined by the Equal Employment Opportunity Commission (EEOC) Guidelines as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example; (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, or (c) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

B. “Quid pro quo” sexual harassment

“Quid pro quo” sexual harassment may occur when terms and conditions of employment (e.g. compensation, promotion, continued employment, and the like) are made contingent on the provision of sexual favors, usually to an employer, supervisor, or agent of the employer who has the authority to make decisions about employment status or benefits. Quid pro quo sexual harassment also can occur when the rejection of such favors results in a tangible employment detriment, such as loss of a job or job benefit. Commonly, quid pro quo sexual harassment involves an adverse employment action that occurs after an employee rejects sexual advances, or sexual favors are required in order to receive an employment benefit.

C. “Hostile Work Environment” sexual harassment may occur when unwelcome sexual advances, request for sexual favors, open displays of sexually suggestive materials in the workplace, unwelcome flirtations or sexual advances, or any of the above-described types of sexual harassment has the purpose or effect of unreasonably interfering with an individual’s work performance, or creating an intimidating, hostile, or offensive work environment.

It is impossible to list all conduct that may constitute sexual harassment, but the following are some examples of conduct that, if unwelcome, may constitute sexual harassment.

- Unwelcome sexual flirtations, advances or propositions, whether they involve physical touching or not;
- Unnecessary touching, patting, hugging or brushing against a person’s body;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one’s sex life, comments about an individual’s body or clothing, whether favorable or negative;
- Comments about an individual’s sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, publications, or cartoons in the workplace;
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments;
- Improper and harassing use of the electronic mail or telephone communication system;
- Inquiries into one’s sexual experiences;
• Gender-biased statements about male and/or female stereotypes; and/or
• Derogatory comments that refer to gender or pregnancy.

These examples apply to spoken or written words, as well as to e-mails, text messages, and social media posts, tweets, etc., that are about another employee. This extends to private social media accounts that can be seen and/or accessed by co-workers and third parties. These behaviors are unacceptable and therefore prohibited, even if not unlawful in and of themselves.

D. Other Prohibited Harassment includes, but is not limited to, epithets; slurs; jokes; pranks, innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, religion, sex, national origin, pregnancy, age, marital status, disability, familial status, sexual orientation, ancestry, gender, results of genetic testing, gender identity or expression or service in the military. Other Prohibited Harassment also includes hostile or intimidating acts engaged in to retaliate against those who report conduct which violates this policy or who participates in an investigation conducted under this policy. These behaviors are unacceptable and therefore prohibited, even if not unlawful in and of themselves.

E. Application of the ADH Policy applies to all employees, including supervisors and other management personnel and contract workers in the Authority’s workplaces. It is each employee’s responsibility to help eliminate all forms of prohibited discrimination and harassment and each employee is responsible to enforce and comply with this Policy. All officers, managers, and supervisors are specifically responsible within their particular department or division for publicizing and enforcing this policy. Any officer, manager or supervisor who observes ADH Policy violations, must report the contact to the Human Resources Officer.

• This ADH Policy applies to all personnel actions that affect the terms, conditions, and privileges of an individual’s employment with the Authority including, but not limited to, hiring, discharge, promotion, training, reassignment, pay, and benefits.
• An employee who violates this ADH Policy is subject to discipline and corrective action, up to and including termination.

The report of an incident of discrimination, harassment, or retaliation should be given to:

• An immediate supervisor, if reasonably possible.
• Any supervisor, manager or officer in any department with whom the employee feels comfortable making the incident report.
• A Human Resources Officer.

In addition, the Authority encourages individuals who believe they are being subjected to prohibited conduct to promptly advise the offender that his or her behavior is unwelcome and to request that it be discontinued. Often this action alone can resolve the problem. However, the Authority recognizes this can be uncomfortable or intimidating. Therefore, the Authority has created the following Anti-Discrimination and Anti-Harassment Complaint Procedure.
A.02 Complaint Procedure

The following steps should be followed, in sequence, to preserve confidentiality and protect individuals from groundless claims while at the same time carrying out both the spirit and intent of the policy.

A. Any employee who believes he or she has been subjected to anti-discrimination and anti-harassment or has witnessed actions that constitute a violation of the policy may report the matter to any member of the Authority’s management (i.e. direct supervisor, supervisor or manager within another department, Human Resources Officer). The employee should not wait until the action becomes severe or pervasive or until he or she believes it is a violation of the ADH Policy.

B. Either the employee or the member of management receiving the incident report must report the incident in writing using the Authority’s Complaint Form.

C. Either the employee or member of management must submit the completed Complaint Form to an HR Officer to begin the incident investigation. All Complaint Forms that contain allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved, witnesses of any alleged conduct or others who may have relevant knowledge. All Authority employees are required to cooperate in such investigations upon request.

D. To the extent possible the Authority will protect the confidentiality of alleged ADH Policy violation and documents created or obtained in connection with an investigation of such alleged ADH Policy violation.

E. False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that are made in good faith, even if later determined to be false) may result in appropriate disciplinary action.

A.03 Authority Procedure

The following steps should be followed, in sequence, to preserve confidentiality and protect individuals from groundless claims while at the same time carrying out both the spirit and intent of the policy:

1. The investigating authority (Human Resources Officer and /or the Chief Executive Officer or designee) will meet in private with the complaint employee, listen completely to the complaint, ask questions to clarify all points and will take abbreviated notes at that time. Care should be taken not to downplay the incident or make any statements that would diminish the seriousness of the complaint in the eyes of the employee. No judgment should be made until the full investigation process is completed.

2. After the investigating authority has heard the complete story one time and asked appropriate questions to clarify the events, the employee with the complaint is told that, at this point, it is necessary to take notes and obtain specific answers to questions so that a complete record of the complaint can be established. The “Sexual Harassment Question Checklist for the Complaint” will be utilized to document the event. The employee is to be assured that the complaint will be confidential, that the Authority considers it serious, and that a thorough investigation will be made. After completing the “Checklist for the Complaint,” the employee will be asked to read all written answers to the questions to ensure its accuracy and to sign the questionnaire as a record of the conversation.
3. The investigating authority will meet privately with any witnesses to the event. The witnesses will be informed that a complaint of sexual harassment is being investigated and that the discussion with them will remain strictly confidential. Witnesses should be assured that no retaliation whatsoever will occur and they must, in order to fulfill both their obligation under law and the Authority’s obligation, cooperate with the investigation process.

4. Following the same procedures as above, the witness will be asked to tell their story one time with abbreviated notes being taken after which they will be advised it is necessary to maintain a record of their answers to specific questions and of the conversation. Investigating authorities may use the “Witness Checklist” and it should be read and signed by the witness. After interviewing all witnesses, the staff member charged with the harassment should be interviewed.

5. The accused employee will be advised of the investigation and that the investigating authority has formed no judgment or opinion about it and, at that point, needs to speak to him/her about the incident to understand his/her side. The accused employee should explain his/her story completely with the investigation authority taking abbreviated notes and then follow the same procedure used with the charging party and witnesses. At the conclusion of the meeting, the accused will be asked to read the questionnaire to ensure its accuracy and sign it as confidential documentation of the conversation.

6. After thoroughly investigating the incident, all statements should be reviewed, compared, and contrasted. The facts should then be outlined and divided including those that are not in dispute and those that are. Common sense and judgment are brought to bear on the situation to determine the validity of the complaint.

7. If it is determined that the complaint is valid, the investigating authority should outline their recommendations for corrective disciplinary action (including termination, if appropriate). The investigating authority’s supervisor should review the recommendation and a consensus should be reached as to what should be done. The corrective action plan(s) should be placed in action and the complaint employee will be informed that if future harassment or any retaliation should occur, it should immediately be reported to Human Resources and the Chief Executive Officer.

8. In the event the Human Resources Officer is accused of or is the primary witness to an offense, the Chief Executive Officer shall appoint an alternate investigator to insure a full and effective investigation.
1. Name______________________________

2. Job________________________________

3. Supervisor__________________________

4. Hours of Work________________________

5. Days of Work__________________________

6. Who sexually harassed you_____________________

7. Are they a member of management____________________________

8. What dated the harassment occurred____________________________

9. Where did the harassment take place____________________________

10. Describe the conduct of the harasser____________________________

11. When did the harassing begin____________________________

12. Do you believe any one witnessed this event____________________________

   If so, provide their name(s)____________________________

13. Do you believe any other employee may have knowledge of this event____________________________

   If so, provide their name(s)____________________________

14. Is this the only harassing event from this individual?____________________________
16. If there is more than one harassing event, starting with the most recent and working back to the first event and separately for each event, please state:

a. When the event took place___________________________________________

b. Where the event took place___________________________________________

c. Describe the conduct of the harasser___________________________________

_____________________________________________________________________

_____________________________________________________________________

e. Approximate date(s) of these events___________________________________

f. Were there any witnesses____________________________________________

g. If yes, provide their name(s)________________________________________

h. Do you believe anyone else has any knowledge of the event____________

If yes, provide their name(s)___________________________________________

i. Other comments____________________________________________________

_____________________________________________________________________

_____________________________________________________________________

_____________________________________________________________________

_____________________________________________________________________
Questions the investigator asked:


Employee’s Signature: ______________________________
Investigator’s Signature: ______________________________
Date: ______________________________
1. **Name**

2. **Job**

3. **Supervisor**

4. **Hours of Work**

5. **Days of Work**

**STATEMENT:**

I am investigating a claim of sexual harassment made by ____________________________

against ____________________________. I have formed no opinion or belief as to the truth of this claim, but need your help to evaluate it. As you know, sexual harassment is strictly against Authority policy and we intend to enforce that policy. However, we cannot enforce the policy without the cooperation of everyone involved and I would appreciate it if you would take a few minutes to tell me what, if anything, you know about the event.

1. Do you see or come in contact with ____________________________ and ____________________________ while you are at work?

2. How often do you see or come in contact with ____________________________

3. Were you at work on ____________________________

4. Did you see or hear anything unusual occur between them on that day ____________________________

5. If so, in your own words, describe the event you witnessed ____________________________
SEXUAL HARASSMENT – WITNESS CHECKLIST

(Page 2 of 3)

If the witness cannot recall, then ask them specifically if they heard or saw the events complained of by the employee. You can do this in the following format:

1. Did you see ___________________________ do any of the following acts (Describe the acts complained of) ___________________________

2. Did you hear ___________________________ say any of the following statements (Describe the statement complained of) ___________________________

(State what the harasser is accused of saying) ___________________________
3. Do you know of any other employees who might have had an opportunity to hear or see anything of this nature

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

If so, please provide their names

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Employee’s Signature: _____________________________________________

Investigator’s Signature: ___________________________________________

Date: ____________________________________________________________
SECTION V

MISCELLANEOUS POLICY

AUTHORITY VEHICLES

PART B

A.01 Purpose

A. The policy applies to all persons who operate a motor vehicle owned by the Authority and provides guidelines for the control of usage of vehicles owned by the Authority.

B. The Chief Executive Officer or designee shall approve the usage of all Authority vehicles.

A.02 General Requirements

Every vehicle operator shall adhere to the following general requirements:

1. Operators must possess the appropriate valid Florida Drivers License and be covered by the Authority’s insurance policy. Operators must present their driver’s license to the Human Resources Officer semi-annually in January and July to verify the validity of the license.

2. Operators must, at all times, operate vehicles in a safe and defensive manner.

3. Operators must not operate vehicles while under the influence of drugs, alcohol, or any substance that could impair judgment or operating ability.

4. The person to whom the vehicle has been assigned shall exercise all due care and precaution to avoid accidents, theft, vandalism, or damage to the vehicle while it is in their custody.

5. Expenses are reimbursable in accordance with the following criteria:
   a. Gas should be obtained at the assigned fill-up stations. If this is not possible, fuel purchases will be reimbursed with proper receipts.
   b. All expenses for tolls, parking, storage, and other necessary expenses will be reimbursed. This does not include parking or other traffic violations.
   c. Signed records of expenditures shall be approved and submitted for payment. If two or more persons travel in the vehicle, only one shall be reimbursed for expenditures.

A.03 Travel Within Authority Jurisdiction

A. Travel within Authority jurisdiction shall be defined as distances within the Tampa Bay Area.

B. Authority vehicles may be assigned to certain employees to use on a regular basis. This assignment may include the added privilege of driving the vehicles back and forth between home and work each day. In such cases, the employee is to take the vehicle home at the end of the workday, park it, and refrain from using it for personal reasons. The Executive Officer Manager or designee shall periodically monitor mileage to insure that this privilege is not abused.

C. Vehicles may be checked out of the Authority’s motor pool on a short-term basis with authorization of the Executive Office Manager or designee. The request must include the following:

1. Purpose of trip or nature of event and date.
2. Destination and departure point.
3. Estimated number of passengers, if any.
4. Odometer readings.
5. Actual mileage.
6. Traveler’s signature.

All operators shall adhere to the applicable provisions set forth in the policy.
A.04 Assignment of Vehicles

A. Under specified circumstances, an Authority vehicle may be assigned to a particular employee to drive the assigned vehicle to and from home overnight and on weekends. This privilege would be extended for the miles to and from home with no personal use of the vehicle allowed.

When the vehicles are at the Authority, they would be made available to other Authority personnel as determined by need.

B. Whenever a vehicle is assigned to an employee, the value of the commuting use of the vehicle is $1.50 per one-way commute (that is from home to work or from work to home) and will be reported as additional income to the employee for tax purposes.

C. If more than one employee commutes in the vehicle, the amount to be included in the income of each employee is $1.50 per one-way commute.

D. Under specified circumstances, an Authority vehicle may be assigned to a particular employee to drive the assigned vehicle to and from home overnight, on weekends, and for limited personal use. In this circumstance, the employee would be obligated to follow the currently applicable IRS rules relative to use of corporate vehicles for personal use.

A.06 Marking of Vehicles

A. All Authority owned vehicles, with the exceptions of Executive Office vehicles, are to be marked with readily identifiable markings. The markings may include:

1. Yellow county license tag.
2. Vehicle number
3. The Authority logo may be placed on all vehicle driver and passenger doors.

B. In the case of vehicles leased by the Authority, there shall be no identifying markings since the leased vehicle will be returned to the owner.
SECTION V

MISCELLANEOUS POLICY

AUTHORITY VEHICLE ACCIDENT REPORTING

PART C

B.01 This procedure for Vehicle Accident Reporting applies to Authority-owned vehicles and/or privately owned vehicles used for Authority business.

A. In the event an Authority-owned vehicle is involved in a motor vehicle accident, the employee is to follow the established accident reporting procedures.

The supervisor of the employee involved in the motor vehicle accident will ensure that a “Motor Vehicle Accident Report” is completed and that the original copy of this report is forwarded to the Human Resources Department immediately after the accident occurred. In cases of serious or fatal injury, the Chief Executive Officer shall be notified immediately.

B. Operators are expected to notify the Human Resources Officer as soon as practical of any incidents involving collisions, personal injury, and theft of the vehicle or significant vandalism. If out of town, the operator should place a call to the Human Resources Officer or designee at the Authority. Employees involved in an accident will be required to submit to a drug and/or alcohol screen.

Information such as the name, address, telephone number, insurance carrier, investigative agency, witness, etc. of any other parties involved in an accident should be written down. An “Incident Report” must be completed and submitted immediately, or no later than the next regular workday. Employees must submit to a medical examination plus a drug test. Employees involved in an accident in a company vehicle must call the police.
ST PETERSBURG HOUSING AUTHORITY
INCIDENT / LIABILITY REPORT FORM

Note: Use this form to report for any issued that happened or is alleged to have happened where the Authority could be held liable but either which does not constitute a bona fide Motor Vehicle Accident or an on-the-job injury needing medical attention.

Date of Occurrence ________________________ Time ___________ (  ) a.m. (  ) p.m.

Location ______________________________________________________

Were the Police Notified?    Yes _____    No  _____  Police Report # ______________

Description of Incident (Use additional Paper if necessary)
___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________

Was emergency Medical Service administered at the scene:     Yes   ________  No  ________

If yes, Name of Service ______________________________________________________

Vehicle Number ________________________   Report Number ______________________

Action taken by the Supervisor / Manager
___________________________________________________________________________
___________________________________________________________________________

Signature: ________________________________    Date: __________________

Original:   Human Resources Manager     photocopy:  Executive Office
SECTION V

MISCELLANEOUS POLICY

CLOCKING IN/OUT ON THE TIME CLOCK

PART D

C.01 Policy

The objective of the policy is to establish parameters for all employees to follow with regard to clocking in/out on the timekeeper system. It is the policy of the Authority that employees (management, exempt, and non-exempt) shall have a current and valid record of all hours worked on the timekeeper system, unless otherwise approved by the Chief Executive Officer.

C.02 Procedure

The following procedure shall be followed for the stated groups of employees.

A. Management and Exempt employees:
   Employees assigned to these groups are to clock once daily, except when out of the office on Authority business, for certification that they attended for the day, unless otherwise approved by the Chief Executive Officer. Exempt employees must request the appropriate leave (annual or illness) for absences during the workday due to illness, doctor’s appointments, etc., or for attending to personal business.

B. Non-exempt employees:
   Employees assigned to this group are to clock in at the start of their work cycle and clock out at the end of their work cycle. It is also necessary for non-exempt employees to clock in and out for lunch periods for the proper analysis of hours worked. No employee shall work time in excess of his or her work schedule without prior supervisory approval.

Employees in this group are to punch in and out at their appointed start and end time. For proper analysis of hours, clocking within seven minutes of their assigned starting and stopping time will not incur overtime, as hours are calculated in 15-minute increments. Employees are expected to be at their desk and available at the designated hour to begin their workday. Although time is calculated in 15-minute increments, employees that clock in after the assigned start time are considered late.

C. The following must be followed by each employee:

1. Every employee will be issued a time card.
2. Clocks are located in prominent places at Authority properties. An employee can clock in or out on any of the time clocks and their time will be automatically recorded.
3. Severe, progressive disciplinary action will be given, up to and including dismissal, to employees who clock in or out on a time record for another employee, or who have another employee clock in or out on a time record for themselves.
4. The Chief Executive Officer or his/her designee (the respective supervisor or department director) must pre-approve all work in excess of employee’s normal work schedule. Therefore, it is imperative that all employees clock in at the beginning of their scheduled or approved work shift.
5. Upon completion of the bi-weekly period, each employee must calculate the hours worked, sign the time card, and give/send it to the immediate supervisor for review and approvals. The Department Directors/Manager will review, initial, and forward the time card and other
substantiating documents to the Human Resources Department for processing by Monday 10:00 a.m. of the pay week.

Please Note:

- Failure to adhere to these reporting procedures may result in the loss of pay for the hours of work in question and appropriate disciplinary action.
- Failure to report time as indicated above, misrepresentation of work hours, or altering of any time record will result in disciplinary action, up to and including termination.
- If further explanation or information is required regarding time clock procedures, please contact the Human Resources Department.
Dress and Appearance

PART E

D.01 Policy

The Authority’s objective in establishing ‘appearance and business casual dress code’ guidelines is to allow employees to work comfortably, while still maintaining high personal, moral, and ethical standards. In addition, good daily personal hygiene is essential with limited use of perfume/cologne.

D.02 Scope

The following is a general overview of appropriate and inappropriate business casual attire for work at the Authority, as well as all Authority events. It is not all-inclusive and may be open to change; however, it outlines what is generally acceptable (and not acceptable) as business casual attire.

Note: No dress code can cover all contingencies, so employees must exert a certain amount of judgment in their choice of clothing. If you experience uncertainty about acceptable, professional business casual attire at work, please ask your department supervisor, Chief Operating Officer, or the Human Resources Officer.

D.03 Application

The following application of the policy and procedures are established.

1. **Tattoos and visible body piercing:** Tattoos must be covered. Extreme body piercing and branding must not be visible. Visible body piercing (other than earrings) is not permitted. This includes tongue piercing and forking, eyebrow piercing, spacers in the ear lobe, nose piercing, and any other piercing that is distracting.

2. **Shirts, Tops, Blouses, and Jackets:** Dress shirts, sweaters, tops, golf-type shirts, and turtlenecks are acceptable attire for work. Suit jackets or sport jackets are also acceptable attire.

3. **Skirts, Dresses, and Skirted Suits:** Casual dresses and skirts, and skirts that are slightly split above or below the knee are acceptable. Dress skirt length should be at a length at which you can sit comfortable in public. Mini-skirts, skorts, sundresses, beach dresses, shorts, and spaghetti-strap dresses are generally inappropriate for the office. Knee-length shorts may be worn if it is part of a professional suit.

4. **Shoes and Footwear:** Loafers, clogs, boots, flats, sandals, dress heels and leather deck-type shoes are acceptable for work. Beach flip-flops and slippers are not acceptable in the office. Decorative, thong type, sandals are allowed on Friday dress-down days.

5. **Hats and Head Covering:** Hats are not appropriate in the office. Head cover that are required for religious purposes are allowed.

6. **Hairstyle and coloring:** Hairstyles must be conservative with no unnatural coloring, i.e. purple, blue, green, pink, etc.
**Summary:** All clothing should be pressed and never wrinkled, torn, dirty, or frayed. Clothing that works well for the beach, yard work, dancing, clubs, exercise sessions, and sports contests are not appropriate for a professional appearance at work. Clothing that reveals too much cleavage, back, chest, stomach or underwear is not appropriate. All clothing that has words, terms, or pictures that may be offensive to others is unacceptable.

Clothing that display sports teams, universities, and fashion brand names generally are not acceptable. Inappropriate slacks or pants include jeans (except on Fridays), sweatpants, exercise pants, Bermuda shorts, shorts, bib overalls, leggings, and any spandex or other form-fitting pants. Inappropriate tops include tank tops, halter-tops, tops with bare shoulders, sweatshirts, and t-shirts unless worn under another garment.

**D.04. Friday Dress**

Friday is declared ‘dress down day.’ On this day, jeans and other more casual clothing are allowed. Tennis shoes may also be worn on designated dress down days. Maintenance employees are excluded from ‘dress down day’ and are required to wear uniforms and safety shoes daily. As a means of identification, Public Housing staff and HQS Inspectors must wear uniform shirts on dress down days in the performance of their duties outside of the Central Office.

**D.05 Work Clothes / Uniforms**

Work clothes/uniforms that are provided for departmental employees generally set the standards for their functions. Employees must wear Authority-issued work clothes or uniforms. Determination of an employee’s specific appearance is a supervisory responsibility and will be treated as such.

**D.06 Occupational Safety and Health Administration (OSHA)**

Employees working in positions in which the Occupational Safety and Health Administration (“OSHA”) requires specific safety clothing to be worn in the performance of job responsibilities are required to wear such clothing.

**D.07 Conclusion**

If clothing fails to meet the standards above, the employee will be asked not to wear the inappropriate item to work again. If the problem persists, the employee may be sent home to change clothes without pay and will receive a verbal warning for the first offense. Progressive disciplinary action will be applied if dress code violations continue.
SECTION V

ACCEPTABLE USE OF DIGITAL EQUIPMENT, INTERNET ACCESS, ELECTRONIC COMMUNICATIONS AND OTHER APPLICATIONS

PART F

E.01 Purpose

The policy defines the appropriate use of technology resources that are owned by the Authority and provided for employee use. It covers all communications created, stored, received, or transmitted on or by any system or device provided by the Authority.

E.02 Applicability

The policy applies to anyone who uses the Authority’s technology resources, including employees, temporary employees, contractors, vendors and all others.

E.03 Definitions

Internet - A worldwide “network of networks,” including bulletin boards, World Wide Web (www), data servers, applications, messaging services, and other functions and features, which are accessed via a computer, a BlackBerry, or other client devices.

Digital Equipment - Includes, but is not limited to, computers, laptops, telephones, cellular telephones, Personal Digital Assistants (PDAs), and combination devices such as iPhones or Blackberries. Any technology provided by the Authority for communications, computing, printing, etc. is covered by this definition.

Data Files - Information contained in files such as e-mail messages, database tables, telephone records, extracts from databases or output from applications.

Messaging - Any technology used to facilitate digital communication, including, but not limited to, Instant Messaging (IM), electronic mail (e-mail, both Authority-provided and through external services for personal use), peer-to-peer networking (P2P), mobile, fixed, and software-based voice over Internet protocol (VOIP) telephones.

Authority-owned Technology Resources - Technology resources paid for by the Authority’s funds, including, but not limited to Internet/Intranet/Extranet-related systems, computer equipment, cellular telephones, software, operating systems, storage media, network accounts providing electronic mail, and systems that enable web browsing, and file transfer.

Social Networking - Any Internet site that is focused on creating “networks” of individuals such as MySpace, Face Book, Twitter, LinkedIn, etc.

Hacking/Hacking Tools - Behavior and tools designed to circumvent security measures, or to otherwise effect unauthorized changes to computer hardware or software.

Peer-To-Peer Networking - Protocol or service for networking devices without a centrally managed server.

Communication Protocol - An agreed-upon method of communication used within networks.

Malware - A general term for potentially hostile software; encompasses viruses, Trojans, spyware, etc.
E.04 POLICY:

The Authority reserves the right to change the policy at anytime, with such notice as the Authority deems appropriate. Failure to observe the rules set forth below may subject the employee to disciplinary action, up to and including termination.

The Authority Resources Are for the Authority Business: the Authority-owned technology resources shall serve the business needs of the housing authority and its clients.

Confidentiality: Information on the Authority clients may not be disclosed without a clear business need or public disclosure request. The Authority employees should not send confidential agency information to individuals or entities not authorized to receive that information or to the Authority employees who have no need to know that information. Full social security numbers for clients should never be sent over e-mail.

Housekeeping: Food or beverages spilled on a computer, mouse, keyboard, or cellular telephone can accidentally damage that resource or introduce a risk of electric shock to its user. Accordingly, do not eat or drink around the Authority-owned technology resources.

Limited Personal Use: The Authority-owned technology resources may be used for personal purposes on a limited basis, providing the following requirements be met:

- No violation of law or any Authority policy;
- No interference with an employee’s work responsibilities, job performance, and/or with the Authority’s operations;
- No aim for personal pecuniary gain;
- No conflict with or harm to the Authority;
- No harm to any constituent or co-worker; or
- No disruption to the workplace.

Limited Use of External E-mail Services: The limited use of an external e-mail service is allowed, providing that the service apply anti-malware controls in a manner equivalent to that provided by the Authority.

Music: The Authority’s computers must not be used to store or stream music/audio files for personal use.

Specific Prohibitions and Limitations: The Authority’s policy regarding acceptable behavior and communication will apply to use of the Internet and messaging. Specifically prohibited use includes, but is not limited to:

- Conducting a private business;
- Soliciting or proselytizing for commercial venture, religious or personal cause;
- Accessing sites which promote exclusivity, hatred, or positions which are contrary to the Authority’s policy of embracing cultural diversity; Accessing inappropriate sites including adult content, online gambling, and dating services;
- Accessing sites that promote illegal activity, copyright violation, or activity that violates the Authority’s ethical standards.
- Using the Internet to obtain or disseminate language or material which would normally be prohibited in the workplace;
- Using encryption technology that has not been approved for use by the Authority;
- The use of personally owned technology for conducting the Authority business, where official agency records are created but not maintained by the Authority;
- Making unauthorized general message distributions to all users (everyone);
- Installing any software that has not been approved by the Authority’s IT Department;
• Sharing or storing unlicensed software or audio/video files;
• Using security exploit tools (hacking tools) to attempt to elevate user privileges or obtain unauthorized resources;
• Broadcasting e-mail to large numbers of constituents unless the list members are hidden by the BCC field.
• Attempting to hide the identity of the sender in an e-mail message, or representing the sender as someone else or someone affiliated with another entity.
• Using an Authority e-mail address when posting to public forums, e.g. blogs, social media sites, wikis and discussion lists for personal use;
• Accessing sites that distribute computer security exploits (“hacking” sites);
• The use of online shopping;
• The use of social networking sites for personal purposes;
• The use or installation of unauthorized Instant Messaging, e.g. AIM, Yahoo Instant Messenger, Meebo, IRC, etc.; links and attachments are prohibited using the authorized IM client;
• Streaming music and/or media for entertainment during work hours;
• Using unauthorized Peer-to-Peer Networking, e.g. E-Mule, Kazaa, Limewire, Warez, etc;
• The use of “Soft” VOIP phones, e.g. Skype, Vonage, etc.

NOTE: If any of the above-prohibited uses is required for a legitimate business reason, it is management’s responsibility to follow the exception process as referenced at the end of this document.

Use Standard Resources Only: Digital equipment and all applications must be authorized and installed by appropriate IT personnel. Only software, hardware, and communication protocols that meet the Authority’s defined standards will be installed unless an exception has been documented in writing.

Employees shall not copy any software in the Authority computer system. Employees shall not copy any copyright material of a third party (such as software, database files or articles) unless an appropriate manager has confirmed that the agency has the right to copy, transmit, or distribute such materials. Use of unlicensed or unauthorized software is illegal and against federal copyright law. Employees are prohibited from loading unlicensed or unauthorized software on Authority’s computer system. The IT Department staff will conduct periodic computer software audits to insure compliance.

Additional Cost to the Agency: Resources that incur a cost to the Authority, whether accessed via the Internet, mobile/PDA, email or other applications, must not be accessed or downloaded without prior approval. It is the supervisor’s responsibility to assure the business need, applicability, and safety of any new resource.

No Expectation of Privacy: Nothing in the policy confers an individual right or is to be construed to provide an expectation of privacy. Employees must not expect privacy in the use of the Authority communications and digital equipment.

All documents created using Authority’s e-mail/telecommunications systems, including messages of a personal nature, are records of the agency. These records, like any other documents created in the course of an employee’s duties, are not private and may be read by others at the Authority or outside of the agency, under the appropriate circumstances. The Authority reserves the right to monitor, search, and access, inspect, and read any message or document sent over the e-mail/telecommunications systems, without regard to content.
E.05 Responsibilities

Employee Responsibilities
- Monitor personal use of the Internet, messaging, and other applications, to ensure that the Authority and its clients are being appropriately served.
- Adhere to the Authority standards as discussed in the policy language above.
- Read and adhere to relevant policy.
- Obtain authorization from their supervisor before incurring charges; for example, downloading data or accessing a paid service.
- Request IT Department staff to download and install software unless express consent has been granted for employees to download and install software.

Management Responsibilities
- Support enterprise-grade technology to enforce the policy, to ensure that the primary purpose of that use is to meet the Authority’s business needs, and that relevant Authority standards are met.
- Review and make decisions regarding the approval of all non-work related broadcast announcements. Acceptable uses for non-work related broadcast announcements would include arrival or departure of a department employee or a charitable campaign event.

E.06 Policy Enforcement

In order to safeguard the Authority resources, violators of the policy may be denied access to the Authority computing and network resources and may be subject to other disciplinary action. Violations of the policy will be handled in accordance with Authority’s established disciplinary procedures. The Authority may temporarily suspend, block or restrict access to computing resources and accounts, independent of such procedures, when it reasonably appears necessary to do so in order to protect the integrity, confidentiality, or availability of the Authority’s computing and network resources, or to protect the agency from liability.

- If violations of the policy are discovered, the Authority will take appropriate actions to resolve the issue and violators may be subject to disciplinary measures.
- If violations of the policy are discovered that are illegal activities, the Authority may notify appropriate authorities.
- The Authority reserves the right to pursue appropriate legal actions to recover any financial losses suffered because of violations of the policy.

E.07 Exception Process

Exceptions to the policy will be requested in writing to management, and the request will be escalated to the IT Department, the Human Resources Department, and/or the Chief Executive Officer. Exceptions will be documented in writing and retained according to existing retention schedules. Exceptions may be granted on a limited-time basis.
SECTION V

MISCELLANEOUS POLICY

MEDIA POLICY

PART G

F.01 Purpose

The Authority seeks to inform its employees, residents, stakeholders and the surrounding community of its programs, services and initiatives by engaging in a pro-active communications program. This program recognizes that one of the most effective and quickest ways to communicate the Authority’s policy and activities to employees and citizens is by working in partnership with the news media.

F.02 Policy

Inquiries from the news media are given a high priority by the Authority and should be responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate.

The Communication Officer is responsible for Authority’s media relations. All Authority employees should notify the Communication Officer about any media inquiries or if a media outlet is present at one of Authority’s properties. The majority of the Authority’s media requests are initiated when the media contacts the Communication Officer. Because the media often works on tight deadlines, it is important that all departments respond as soon as possible when the Communication Officer requests department information. Specific guidelines for responding to media requests follow.

F.03 Spokespersons

The Communications Officer acts as the Authority’s primary spokesperson and directs all media requests for information. Unless otherwise authorized, the following individuals also may speak to the media on behalf of the Authority:

- Chair of the Board of Commissioners
- Vice-Chair of the Board of Commissioners
- Chief Executive Officer
- Chief Operating Officer
- Department Heads
- Attorney representing the Authority in pending or active litigation

F.04 Public Records Requests

The Authority is fully compliant with the requirements of the Florida “Sunshine” Law (Florida Statute, Chapter 119.01). All applicable agency records are open for personal inspection and copying by any person, including members of the new media.

Public records requests by the news media can be made verbally or in writing to the Communications Officer. Certain fees, as outlined in the Sunshine Law, may apply to requests and will be communicated to the media outlet prior to the completion of the request.

If a fee is associated with copying requested records and the media outlet does not have the means to pay, the Communications Officer will arrange for the reporter to have access to the records for a thorough review.
F.05 Media Inquiries

A. General or Routine Issues

1. Calls from news media (generally television, radio or newspaper) received by an employee should always be referred immediately to the Communications Officer and the employee’s Department Head. An appropriate response to the media would be, “Our Communications Officer handles all media and public records requests. Please contact (phone number) or (e-mail).” Please obtain the reporter’s name, phone number (cell too if “in the field”), topic of story, and deadline and forward this information to the Communications Officer immediately.

2. Calls from the news media (print, television or radio) received by a member of the Authority’s Board of Commissioners should always be referred immediately to the Communications Officer and the Chief Executive Officer.

3. The Communications Officer will coordinate a response after consulting with the appropriate staff and the Chief Executive Officer. This response may take the form of a prepared statement by the agency or as an interview (on-camera, in person or via telephone) with the Communications Officer as the agency’s spokesperson. The Chief Executive Officer and Chair of the Board of Commissioners also may be available for interviews, as appropriate and as their schedules allow.

B. Sensitive or Controversial Issues

1. All television, radio, newspaper or other media inquiries regarding sensitive or controversial issues should always be referred immediately to the Communication Officer, Department Head, and Chief Executive Officer. The Communication Officer will coordinate the appropriate response.

2. For certain issues, the response may take the form of a prepared statement by the agency and requests for interviews may be declined. All requests for public information will be met with full compliance.

C. Litigation and Personnel Issues

1. As a quasi-public agency, the Authority’s business practices are transparent and open to public inspection. However, media inquiries regarding pending or active litigation and certain personnel-related information are exceptions under public records law.

2. Inquiries regarding pending or active litigation should be referred to the Communications Officer, who will work with the Chief Executive Officer and the Attorney representing the specific case. The Authority’s staff or Commissioners should not comment publicly on pending or active litigation. With permission from the Chief Executive Officer, the Attorney will be the sole spokesperson in these cases.

3. Inquiries regarding personnel-related information should be referred to the Communications Officer, who will work with the Human Resources Officer to provide the appropriate information.

D. Crisis or Emergency Issues

During a crisis or major emergency (i.e. hurricane), the procedure for handling the media is highlighted in the Authority’s Crisis Communications Plan. The plan designates the Communications Officer, or an appointed representative, should the Communications Officer be unavailable, as the main point of contact for the media.
F.06 Authority-Initiated Information

All proactive media contact should be initiated by the Communications Officer. This includes issuing press releases and making personal contacts with reporters and editors for coverage. Departments seeking promotion for events or activities should submit the information to the Communications Officer as soon as possible to ensure the best media coverage of their activities.

Members of the Authority’s Board of Commissioners should not contact the media without first speaking with the Chief Executive Officer and/or Communications Officer.

F.07 Personal Use of Social Media Sites

A. Staff may have personal accounts on social media sites (Facebook, Twitter, Instagram, Tumblr, Pinterest, Periscope, etc.) as long as they do not represent that they speak for the St. Petersburg Housing Authority (SPAH). A best practice is to not be identified as an SPHA employee. However, there are times when this is not possible or practical. In those cases, extra caution is warranted to ensure your comments are not taken as speaking for SPHA.

B. When signing up for a personal account on a social media website or application, an employee may not use their SPHA email address, and all caution should be taken to ensure that there is no appearance of that their posting behavior, or actions reflect negatively on SPHA or its activities.

C. When posting in a personal capacity, SPHA employees should never use or reference your position with SPHA. If you are easily identified as an SPHA employee, you may want to consider a disclaimer on your personal social media sites (blogs, Facebook pages, etc.) such as: “The posts on this site, including but not limited to images, links, and comments left by readers, are my own and don’t necessarily represent the St. Petersburg Housing Authority.”

Personal Point of View

It is recognized that all employees have the right to their personal points of view regarding any issue. However, personal points of view may conflict with the Authority’s official policy. Therefore, employees who write letters to the editor of any newspaper may not use official Authority stationary. If an employee chooses to identify himself or herself as an Authority employee in any personal letter or email to the editor, he or she must include language, which states the views set forth in the letter do not represent the views of the Authority, but rather, are the employee’s personally held opinions. Similar disclaimers must be given if an employee addresses a public meeting, participates in a radio talk show, or is interviewed for a radio or television program, unless the employee is officially representing the Authority. Employees who are representing the Authority in any of the above formats must identify themselves as an official spokesperson for the Authority and must be approved by the Chief Executive Officer.
G.01 Responsibility

The Human Resources Officer is responsible for establishing and maintaining comprehensive, central personnel records of all Authority employees. These are the official personnel records for the Authority. Departmental files are subordinate to the Human Resources office records. Personnel records shall be available for the employee’s review. Supervisors may maintain certain records, but all must be available for the employee’s review.

G.02 Records

A. A service record shall be maintained for every employee and shall contain complete information pertinent to their employment, including dates of employment, classification change(s), pay change(s), disciplinary action against the employee, awards received pertinent to employment, and all periodic performance evaluations. Information entered into the personnel file must be recommended by the department director/manager and approved by the Chief Executive Officer.

B. Employees should be aware of the importance of keeping their personnel records current. This requires an employee to immediately notify the Human Resources Officer of any changes, such as address, telephone number, beneficiary, number of dependents, divorce, marriage, or any change of status not previously reported that was originally given at time of employment. This is the responsibility of the employee, and failure to comply may result in loss of employee benefits.

C. The Human Resources Officer should be informed of any special training courses completed by an employee. Copies of diplomas or certificates are to be a permanent addition to the employee’s personnel file.
SECTION V
MISCELLANEOUS POLICY
SAFETY AND WORKER'S COMPENSATION

PART I

H.01 Accident Prevention

A. The Authority shall establish and maintain a comprehensive safety program, and all aspects of the working environment, including all work-associated activities, will receive proper attention within it. Administrators and supervisors must recognize their responsibilities for a successful safety program and will participate in the development, implementation, and improvement of the program, with the goal of eliminating unnecessary accidents and needless expense. Special supervisory attention must be directed to the proper, safe, and economical operation of equipment.

B. As an integral part of the overall safety program, a comprehensive reporting system has been implemented. The three basic report forms to be used in this area are:

1. Report of Injury of Employee
3. Incident/Liability Report

C. All employees are responsible for the use of safety equipment provided in the performance of their job responsibilities and shall wear the appropriate clothing as may be required under O.S.H.A. rules.

H.02 On-The-Job Injuries

A. All employees shall be advised of their responsibility to immediately report to their supervisor all injuries that occur on the job. Delay in reporting injury can cause complication of the injury and delay recovery. In case of serious injury or fatality, the appropriate law enforcement agency, the Human Resources Officer, and the Chief Executive Officer shall be notified immediately.

B. “Report of Injury” forms will be submitted to the Human Resources Officer with a copy to the affected employee’s immediate supervisor within twenty-four (24) hours after the occurrence of the injury or report of injury. If the injury occurs over a holiday or weekend, the injury report should then be submitted within twenty-four (24) hours from the time the work period starts after the weekend or holiday. This applies to all on-the-job injuries, as well as injuries received in a vehicular accident involving Authority-owned vehicles or in personal vehicles while conducting Authority business. In the latter case, a “Vehicular Accident Report,” as well as the “Injury Report,” will be required.

C. In the case of an Authority-owned vehicle that is involved in a motor vehicle accident, the employee will immediately notify their immediate supervisor and the Police Department. In the event the supervisor is not available, the employee should contact the Human Resources Officer.

The supervisor of the employee involved in the motor vehicle accident will insure that a “Motor Vehicle Accident Report” is completed. The original copy of this report is forwarded to the Chief Executive Officer and copy to the Human Resources Officer within three (3) working days of the time the accident occurred. In case of serious injury, the Chief Executive Officer should be notified immediately. In case of a fatality, the Chief Executive Officer, or designee, will personally contact the family or next of kin.
H.03 Incident/Liability Report

An “Incident/Liability Report” (see page 70) will be used to report any occurrence that happened, or is alleged to have occurred in which the Authority may conceivably share liability, but which does not require either a “Motor Vehicle Accident Report” or “Report of Injury” to an employee. This includes accidents involving an employee’s personal vehicle while they are working in an official capacity for the Authority.

H.04 Worker’s Compensation

A. Payment of Worker is Compensation to employees who are incapacitated because of an injury arising out of and in the course of performing their duties with the Authority will be governed by the Florida State Worker’s Compensation Law.

B. Full wages will be paid for the day of the on-duty injury, if disability results, or for that part of the day spent receiving medical treatment.

C. If the injured employee cannot return to work on their next shift or normal workday, the injury will be considered a disability, with the disability starting immediately following the day of the injury, whether it is a weekday, weekend, or holiday. Disability shall be counted by calendar days.

D. The statutory benefits of the Florida Worker’s Compensation Law do not allow for compensation during the first seven (7) calendar days of disability. The employee may use sick or annual leave during this time.

However, if the injury results in disability of more than fourteen (14) calendar days, compensation shall be allowed from the commencement of the disability.

E. Accrual of annual and sick pay benefits will be suspended during the period of disability. The employee will not receive holiday pay for any holiday occurring during the leave. The employee is responsible for keeping current any other obligations he/she may have to the Authority.

F. A decision involving possible separation of employment on the basis of physical inability to perform job duties for an employee who was injured as a result of a job-related accident and who has qualified for treatment under Worker’s Compensation will not be made until after the employee reaches the status of maximum medical improvement for the applicable injury or injuries as defined under the provisions of the Florida Statutes governing Worker’s Compensation.

H.05 Safety Equipment

The Authority will provide proper and necessary safety equipment and devices for employees engaged in work where such special equipment and devices are necessary. Such equipment and devices, where provided, must be used. Employees who fail to utilize provided equipment or devices will be subject to disciplinary action.
SECTION V

MISCELLANEOUS POLICY

TRAVEL POLICY

PART J

J.01 General Provisions

A. All travel allowances are subject to the provisions that the Chief Executive Officer must approve travel. The attendance of any conference, seminar, school, etc., must serve a direct public purpose with relation to the Authority.

The Human Resources Department will schedule all commercial fares, utilizing the most direct and economical route available by the carrier used.

B. Travel or Per Diem Reimbursement

The following are the only items that may be claimed for travel or per diem reimbursement:

1. Fare to and From Destination
   a. Mileage for personal vehicle used while traveling to and from the destination and necessary local business trips required while at the destination will be reimbursed per the current rates as established by Section 112.061, Florida Status, Uniform Travel Expense Law for Public Agencies or the GSA publication, whichever is applicable.
   b. Vehicle expenses for use of Authority vehicle used while at the destination.

2. Lodging
   a. Reimbursement for lodging shall be at the single occupancy rate, and the cost of the lodging must be supported by receipt of paid bills. When the Human Resources Officer cannot arrange for accommodations, all personnel are expected to use reasonable prudence in selecting accommodations for economy, adequate quality, and safety.
   b. If lodging is shared with another participant, reimbursement will be one-half of the double occupancy rates.

3. Reimbursement for meals
   Reimbursement for meals shall be at the current General Services Administration Domestic Per Diem Rate (GSA rates). No reimbursement will be made for expenses related to alcoholic beverages.

4. Incidental Expense
   a. Taxi fares, ferry fares, and tolls.
   b. Auto storage and parking fees.
   c. Communication expenses incurred while transacting Authority business.
   d. Actual cost of registration or tuition fees while attending a convention, conference, short course, etc.
   e. Reasonable miscellaneous expenses directly related to the purpose of travel.
   f. Tips must not exceed fifteen (15) percent of the total bill. In circumstances where the bill is less than $7.00, a one-dollar tip is allowable. Reasonable tips for services related to travel are allowable (i.e. baggage, housekeeping, etc.).
   g. No reimbursement will be made for expenses related to personal entertainment, personal telephone calls, movies, in-room video, etc.
5. Travel of Guests
   
a. An employee may choose a guest to accompany them when traveling on Authority business. The employee shall obtain pre-approval and indicate on the “Approval to Travel” form. The employee will be responsible for any costs over and above those that would normally be incurred by the Authority if the employee were traveling alone. The charges may include, but are not limited to, airfare, up-charges on hotel room, and additional costs for guests at conference-sponsored functions, etc. The employee and guest are solely responsible for any costs individually incurred by the guest (i.e. meals, tips, etc.) When submitting an “Approval to Travel” request, the employee shall:
   i. include a notation that a guest will be accompanying the employee;
   ii. document the cost that would be associated with the employee traveling alone;
   iii. estimate the additional costs for a guest to accompany the employee, if applicable;
   iv. submit prepayment to cover the estimated costs for a guest, if said the Authority is prepaying costs.

J.02 Authorized Modes of Travel

The following is the policy of the Authority for the various modes of travel:

A. Common Carrier

1. It is the policy of the Authority that, when available, travel will be facilitated by the use of air coach operated by a scheduled airline and will be subject to the following rules.
   a. Accommodations other than air coach will not normally be authorized if air coach service is available.
   b. Transportation allowance shall not exceed the cost of transportation (fare) furnished by the carrier, utilizing the most direct route available.
   c. Travel by bus or train carrier may be approved if the employee has a fear of flying.
   d. Commercial government rates shall be obtained when available.
   e. Receipts to qualify for reimbursement shall support travel expenses. (Receipts for reasonable tips shall not be required)

2. Authority-Owned Vehicle

Mileage may not be claimed when Authority-owned vehicles are used and reimbursement is limited to actual expenditures for gas, oil, or other mechanically related expenses that are supported by paid bills or receipts.

3. Privately-Owned Vehicle

Travel by privately owned vehicle may be authorized or required in lieu of common carrier or Authority-owned vehicle if the Authority will be better served by the use of a private vehicle. Payment of travel allowance for this mode of travel is subject to the following rules:
   a. Mileage for personal vehicle used while traveling to and from the destination and necessary local business trips required while at the destination will be reimbursed per the current rate as established by Section 112.601, Florida Statutes, and Uniform Travel Expense Law for Public Agencies.
   b. Whenever possible, mileage will be computed based on current Florida Department of Transportation Road Maps.
   c. Mileage necessary for the conduct of official business at the destination may be allowed but must be shown as separate items on the expense report.
   d. No transportation allowance will be paid when another person or another traveler who is entitled to a transportation allowance gratuitously transports an employee.
   e. Housing Quality Inspectors who document use of their personal vehicles in excess of 200 miles per month on official Authority business shall be eligible for reimbursement in accordance with the following schedules.
i. Basic monthly vehicle allowance of $200.00 plus reimbursement for mileage traveling to and from the destination per the current rates established by Section 112.601, Florida Statutes.

ii. The basic monthly vehicle allowance shall be prorated to deduct for leaves of absence without pay and for extended illness leave in excess of 30 consecutive calendar days.

iii. Employees who are authorized to use their own vehicles on Authority business must obtain and maintain a policy of insurance that meets the minimum requirements of liability established by the State of Florida for Property Damage and Personal Injury Coverage. The policy must include specific coverage for “Business Use” and name the Authority as an additional insured under the policy.

J.03 Advance Travel Allowance

In certain situations, advance payments for travel may be authorized to employees. Requests for travel advances must be submitted to the Human Resources Officer and approved by the Chief Executive Officer.
SECTION V  
MISCELLANEOUS POLICY 
UNIFORM ALLOWANCE POLICY AND PROCEDURES 
PART K 

K.01 Policy 

The Uniform Allowance Policy and Procedures are set to define the Authority’s position relative to the issuance and wearing of uniforms and/or safety equipment. 

K.02 Scope 

The Uniform Allowance Policy and Procedures are established for all applicable Authority employees. 

K.03 Application 

The following application of the policy and Procedures has been established: 

1. Steel-Toed Safety Shoes 
   a. All full-time regular and term employees of the Maintenance Department, as required by OSHA, must wear steel-toed safety shoes to work everyday. 
   b. The Authority will provide up to $50.00 as annual reimbursement toward the purchase of these safety shoes. A receipt must accompany the request for payment. 
   c. The initial reimbursement will be provided after a new employee has successful completed their probationary period. In subsequent years, annual reimbursement up to $50.00 will be issued to each applicable full-time regular and term employee on or after the beginning of the Authority’s fiscal year (January 1). 

2. Uniforms 
   All Maintenance and Inspection personnel shall be issued a supply of uniforms to be worn while at work for the Authority. The initial issuance of uniforms will be as follows: 
   a. Maintenance and Inspection personnel shall be issued a minimum of five (5) sets of uniforms consisting of shirts and slacks or shorts. 
   b. Maintenance workers will also be issued a pair of white painters’ pants, on an as-needed basis, to be worn with the employee’s personal bright white t-shirt. This attire is to be used while painting only. 

3. Other Wear 
   a. Winter Wear - During the cool winter months, optional winter windbreakers may be available on as-needed basis. Every Maintenance and Inspection may receive one windbreaker. 
   b. Caps – Each maintenance employee may be issued one baseball type cap with the Authority logo. 

4. Replacement of Uniforms 
   All uniforms shall be replaced on an as-needed basis with an old item being turned in for a new replacement. 

5. New Employees 
   Newly employed part-time, full-time, regular and term employees may be issued uniforms at the discretion of the department director/manager and the Chief Executive Officer.
SECTION V

MISCELLANEOUS POLICY

WORKPLACE VIOLENCE PREVENTION PROGRAM (WVPP)

PART L

The Authority is committed to a safe work environment that is free of threats, intimidation, and physical harm. Everyone has a right to work in a safe environment and everyone shares the responsibility for ensuring the safety of others. We have a zero tolerance for workplace violence, and will investigate and take appropriate action up to and including termination of employment regarding any threats to a safe workplace.

The Authority prohibits violent behavior in the workplace including, but not limited to, physical assaults, fighting, threatening comments, intimidation, threats through electronic communications including social media, and the intentional or reckless destruction of property of the company, employees, representatives, clients, or customers. Comments or behavior that reasonably could be interpreted as intent to do harm to people or property will be considered a threat. We also prohibit the possession and or use of weapons by any employee or representative while at work, on company property, or while on company business.

Any employees or representative who believes that he or she may be the target of violence or threats of violence, or is aware of violence or threatening conduct by, or directed at an employee or representative that could result in injury to a person or the destruction of property, has a responsibility to immediately report the situation to his or her immediate supervisor or the Human Resources Officer.

GUNS ARE OFF-LIMITS AT ST. PETERSBURG HOUSING AUTHORITY
CENTRAL OFFICE SITE, 2001 GANDY BLVD. NORTH,
ST PETERSBURG, FLORIDA

We prohibit the unauthorized possession and/or use of weapons by any employee, client or representative while at work, on company property, or while on company business.

The Authority is committed to a safe work environment that is free of threats, intimidation, and physical harm. Everyone has a right to work in a safe environment and everyone shares the responsibility for ensuring the safety of others. We have a zero tolerance for workplace violence and will investigate and take appropriate action up to and including termination regarding any threats to a safe workplace.

The Authority prohibits violent behavior at it’s housing properties and in the workplace including, but not limited to, guns, physical assaults, fighting, threatening comments, intimidation, threats through electronic communications including social media, and the intentional or reckless destruction of property of the company, employees, representative, clients, or customers. Comments or behavior that reasonably could be interpreted as intent to do harm to people or property will be considered a threat. We also prohibit the unauthorized possession and/or use of weapons by an employee or representative while at work, on company property, or while on company business.

An employee or representative who believes that he or she may be the target of violence or threats of violence, or is aware of violence or threatening conduct by, or directed at an employee or representative that could result in injury to a person or the destruction of property, has a responsibility to immediately report the situation to his or her immediate supervisor or the Human Resources Officer.
SECTION V

MISCELLANEOUS POLICY

OTHER POLICY AND PROCEDURES

PART M

M.01 Other Policy and Procedures

Other policy and procedures may be promulgated from time to time, as required, and will be applicable to employee conduct providing such policy and procedures have been given to each employee and are available in the Human Resources Office.
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EMPLOYMENT AGREEMENT BY AND BETWEEN

THE HOUSING AUTHORITY OF THE CITY OF ST. PETERSBURG

AND

TONY LOVE, CHIEF EXECUTIVE OFFICER

AGREEMENT made this 28th day of December, 2015, by and between the Housing Authority of the City of St. Petersburg, an autonomous, quasi-municipal entity that is a political subdivision of the State of Florida (hereinafter “the Authority), and Tony Love.

WITNESSETH:

WHEREAS, the Housing Authority of the City of St. Petersburg is a Housing Authority operating pursuant to Chapter 421, Florida Statutes, the Annual Contributions Contract with the United States Department of Housing and Urban Development (hereinafter “HUD”), and under the applicable laws, guidelines and/or regulations of HUD, as may be amended, and any future laws, guidelines and/or regulations which may hereafter be promulgated during the terms of this Agreement, for the purpose of providing housing, either by way of rental or home ownership opportunities, to low and moderate income persons in and around the City of St. Petersburg, Florida; and

WHEREAS, the Parties hereby enter this Employment Agreement in order to: secure and retain the services of Tony Love, as Chief Executive Officer of the Authority.

Now therefore, for and in consideration of the mutual promises and covenants herein, the Authority and Love agree as follows:

1. DUTIES. The Authority hereby employs the Chief Executive Officer (CEO) of the Housing Authority of the City of St. Petersburg. His powers and duties in that capacity are outlined in the Bylaws of the Authority and as to be determined by any laws, applicable HUD regulations, other federal and state laws or regulations, the Job Description of the CEO (attached hereto as Exhibit “A”), and by the direction and decision of the Board of Commissioners of the Authority (hereafter the “Board”).

(a) The CEO accepts employment and hereby agrees that, for the consideration hereinafter set forth, he shall perform the duties of CEO of the Authority and perform the duties of Secretary to the Board at all meetings, to include but not be limited to, at regular, special, annual meetings and/or as otherwise required by the Bylaws of the Authority or this Agreement.

2. TERM. The initial term of this Agreement shall be for three (3) years from the date of this Agreement. For the purposes of the Agreement, the initial three year term of this Agreement shall be deemed to have begun on January 4, 2016.
(a) The CEO may terminate this Agreement at his discretion upon giving ninety (90) days written notice to the Authority. The CEO shall incur no penalty for such termination and shall be entitled to full pay through the date of said termination, and shall also be entitled to any accrued benefits through the date of such termination in accordance with the terms of the Agreement, provided the CEO may not take vacation time during this period without the prior approval of the Authority. Should the CEO give the Authority notice under this Section, the Authority may select a date of termination which is earlier than the date identified by the CEO.

(b) The Authority may terminate the employment of the CEO for cause upon the following grounds; (1) failure on the part of the CEO to comply with Authority policy or federal, state, or local laws and regulations; (2) failure by the CEO to comply with any lawful decision or directive of the Board; (3) for activities on the part of the CEO constituting material malfeasance to be determined solely by the Board; (4) substandard and/or inadequate performance; (5) activity by him reasonably determined by the Board to be detrimental to the goals, objectives, or reputation of the Authority; (6) any conduct that rises to the level of Sexual Harassment to be determined by the Board.

Termination by the Authority under this clause shall require at least four votes of all Commissioners in office.

As practical, it is the intent of the Parties that before rendering a decision to terminate employment for cause or other discipline for cause that the Board, as practical, will follow the policy and procedures as dictated by the Personnel Policy of the St. Petersburg Housing Authority.

(c) Should the Authority select a date for termination under Paragraph 2 (b), the CEO shall receive at least four weeks' notice or, if the Board votes the termination effective immediately or some amount of time less than four weeks, the CEO shall receive four weeks' severance pay to include all accrued annual leave pay. Accrued sick leave shall be paid if the CEO has attained the age of fifty-five (55) and years of service, minimum of five (5), must equal sixty-five (65) or more. Such compensation shall be limited to fifty percent (50%) of the balance in the illness leave account, not to exceed two hundred forty (240) hours. The CEO must execute a release of claim as a condition precedent to receiving the severance provided for in this paragraph.

(d) At least ninety (90) days prior to the Termination Date of this Agreement, the Board shall review CEO's performance in relation to the duties set forth in the job description attached hereto as Exhibit A (as may be revised from time to time by the Board) and such goals and objectives as determined by the Board. CEO is expected to provide input to assist the Board with setting goals and objectives. If, in the sole discretion of the Board, the CEO's performance is satisfactory, the Term of Employment shall be extended for an additional term of one (1) year following the Termination Date. If, in the sole discretion of the Board, the Executive Director's performance is not satisfactory, the Board shall notify the CEO of this determination and the Term of Employment shall not be extended.
Should the Board fail to act before the Termination Date, the Term of Employment shall automatically be extended for an additional term of one (1) year following the Termination Date. Thereafter, this Agreement shall review for additional one (1) year successive periods, unless Employee receives written notice from the Board, at least sixty (60) days prior to the Anniversary date of the Agreement that the Commission wishes to terminate, or otherwise amend this Agreement.

(e) Notwithstanding any provision of this Agreement to the contrary, the Authority may terminate the CEO at any time without cause for any reason whatsoever. If CEO is terminated pursuant to this paragraph, then the CEO shall receive a sum equal to three (3) months salary at the annual salary then in effect plus unused annual leave time. The CEO must execute a release of claim as a condition precedent to receiving the severance provided for in this paragraph.

3. COMPENSATION AND PERFORMANCE APPRAISAL.

(a) For the initial year of this Agreement, the Authority shall pay to the CEO as full compensation for services rendered in the amount of One Hundred and Forty Thousand Dollars and 00/100 Cents ($140,000.00). For each succeeding year, the Authority agrees to adjust the CEO’s salary in such amounts and to such extent as the Board shall determine that is desirable to do so, on the basis of an annual Performance Appraisal of the CEO. The CEO and the Personnel Committee appointed by the Board of Commissioners shall meet on at least an annual basis to determine the desired goals and objectives to be included in and evaluated by the Performance Appraisal System, as determined by the Board. CEO is expected to provide input to assist the Board with setting goals and objectives.

(b) The Performance Appraisal System shall be based upon a goal-setting process, which shall include a set of goals and/or objectives to be satisfactorily accomplished by the CEO. The goals of which the CEO is to be held accountable will become part of each annual Performance Appraisal, and a copy of which is to be part of and attached to the Agreement for the applicable year of the performance appraisal of the CEO.

(c) The Performance Appraisal shall be conducted on an annual basis. If the Board shall fail to conduct an annual Performance Appraisal, the CEO’s compensation shall advance not less than five percent (5%) provided, however, that said advancement shall not occur until twenty (20) days after the CEO has delivered a written notice in the form of a letter to the Chairperson of the Board of Commissioners indicating that such advancement will take place in the absence of an annual performance appraisal.

(d) In addition to the compensation provided for in this Agreement, the Board may, in its discretion, pay the CEO an annual incentive performance payment. Such payment shall be based upon the CEO’s successful performance of certain comprehensive strategic objectives as determined by the Board, and shall be in an amount to be determined by the Board of Commissioners.

4. REIMBURSEMENT OF EXPENSES. The CEO shall be entitled to reimbursement for any out-of-pocket expenditure reasonably incurred in the performance of his
duties, in accordance with the Authority's policy on reimbursement expenses. The CEO shall provide the Authority with adequate documentation to support his claims for reimbursement.

5. **Benefits.** The CEO is entitled to all of the following Benefits:

   (a) **Base salary.** As his entire initial base salary for all services rendered by the CEO under this agreement, the Authority agrees to pay to the CEO a salary at the annual rate of One Hundred and Forty Thousand Dollars and 00/100 Cents ($140,000.00); payable in the manner that all Authority employees are paid during the term of this Agreement, commencing on January 4, 2016, and continuing until this Agreement is terminated, less all applicable withholdings and deductions. The Authority reserves the right, in the event of a documented financial crisis which necessitates an across the board adjustment to the salaries of all employees of the Authority by the Board, to adjust the CEO's salary at the same percentage rate of adjustment as all other employees of the Authority.

   (b) An Authority vehicle shall be available for the exclusive use of the CEO for all Authority-related business, including to and from work. It is further understood by the parties that the Authority shall be responsible for all gas, oil, operating repairs, maintenance, and insurance expenses and costs. Alternatively a monthly allowance of $500.00 for using his own vehicle in lieu of an automobile supplied by the Authority shall be paid to CEO.

   (c) Accrued annual leave and sick leave benefits, holiday pay, and health, dental, life and disability insurance and other employee benefits in accordance with the Authority policies, except in the case of the CEO who shall accrue annual leave at a rate of 9.23 hours per pay period (thirty (30) days per year). The Authority shall pay a portion of medical coverage cost as stipulated in the Personnel Policy.

   (d) Pension plan in accordance with the terms of the plan made available to all Authority employees.

   (e) A Term Life Policy, to include Life, Disability and Accidental Death and Dismemberment (AD&D) coverage is paid by the Authority. AD&D pays one times the annual base salary plus eight thousand five hundred dollars ($8,500). The CEO may elect to purchase additional coverage under the policy.

   (f) Reasonable moving cost for personal items will be paid by the Authority. CEO will obtain 3 quotes from moving companies to transport personal items and submit the same to the Authority for preapproval.

   (g) Reasonable residential rental costs will be paid by the Authority for a period of up to 6 months from the beginning of the Agreement so long as said expenses are submitted to the Authority for preapproval and fall within the Authority’s procurement guidelines.

   (h) All provisions of the regulations and rules of the Authority relating to increases in, accruals of, and reimbursement for annual leave, sick leave, retirement and pension system contribution, holidays and other fringe benefits, and working conditions as they now exist.
or hereafter may be amended, also shall apply to the CEO as they would to the other exempt supervisory personnel of the Authority, in addition to said benefits enumerated specifically for benefit of the CEO except as herein provided. However, it is recognized that the CEO's position with the Authority is unique, and there will be numerous situations and circumstances as to which the regular personnel policy should not apply.

6. **PROFESSIONAL DUES & SUBSCRIPTIONS.** The Authority agrees to encourage and pay for the professional dues and subscriptions of the CEO as are necessary for his continuation and full participation in national, regional, state, and local associations and organizations for his continued professional participation, growth, and advancement. The CEO is encouraged to represent the Authority and become a member of civic clubs or organizations, and the Authority agrees to pay all expenses necessary for such membership and participation. Further, the Authority agrees to pay all reasonable and necessary travel and related expenses incurred by the CEO in attending meetings of said organizations.

7. **DISABILITY.** A Disability Insurance Policy is to be paid by the Authority which will provide for a ninety (90) day disability threshold period before payments are triggered.

(a) If the CEO is disabled or is otherwise unable to perform his duties because of sickness, accident, injury, mental incapacity or health, which disability, if health related, has been confirmed in writing by a duly licensed physician in the State of Florida, mutually agreeable to the parties hereto, or which disability, if due to mental incapacity, has been established by final judgment of a Court of competent jurisdiction, for a period of twelve (12) successive weeks beyond any accrued sick leave, the Authority shall have the option to terminate this Agreement, subject to the aggregate severance payment requirements. However, the CEO shall be compensated for any and all accrued sick leave, vacation, holidays, and other accrued benefits.

8. **SUSPENSION.** The Board may suspend the CEO with full pay and benefits at any time during this Agreement.

9. **INDEMNIFICATION.** The Authority shall defend, save and hold harmless, and indemnify the CEO against any tort, professional liability claim, or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in good faith performance of the CEO's duties. The Authority will pay the amount of any settlement or judgment rendered on any such suit or claim.

(a) The Authority shall provide to the CEO such indemnification as may be provided by statute or may be provided by the Authority, in its sole discretion, by Resolution, or as outlined by the Personnel Policy of the Authority, or consistent with the terms or through the maintenance of an Errors and Omissions Policy which shall cover the CEO in the same manner and amounts as the Board, including reasonable “tail” coverage. It is understood by the parties hereto that any errors and omissions policy shall remain in effect during the term of this Agreement.

10. **CONFLICTS OF INTEREST.** In addition to complying with any and all applicable federal, state, and local laws and requirements governing conflicts of interest, the CEO
shall not engage in any business or transaction or have financial interest or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties or which would tend to impair independence of judgment or action in the performance of official duties, nor participate in the negotiation or the making of any contract with any business or entity in which he would have a financial interest.

11. **RESTRICTIVE COVENANT**

(a) During the term of this Agreement (or any automatic extension hereof), the CEO shall devote his best interests and substantially all of his working hours to advance the interest of the Authority, unless otherwise approved by the Board of Commissioners. The CEO shall not directly or indirectly, alone or as a member of a partnership or as an officer, director, or shareholder of another corporation, be engaged in any commercial duties or pursuits during the normal working hours of the Authority, unless otherwise approved by the Board of Commissioners. In addition, the CEO must also regularly represent the Authority at times which are not normal “working hours;” it is agreed that even during non-business hours, the CEO shall be available to satisfactorily perform duties which may require his presence or attention on behalf of the Authority.

(b) Under no circumstances shall this paragraph be understood to restrict the CEO’s ability to make passive investments or to otherwise earn or receive fees which require only limited time and attention. Limited consulting activities, with the permission of the Board, will be permitted and reasonable fees may be paid to the CEO for such activities. Nor shall this restrictive covenant be construed to include teaching, writing, or consulting performed on employee’s time off.

12. **WAIVER OF BREACH** (a) Waiver by either party hereto of a breach of any provision of this Agreement by the other party shall not operate or be construed as a waiver of any subsequent breach by such waiving party.

13. **NOTICE**. Any notice pursuant to this Agreement shall be in writing and mailed to the following addresses:

**CEO:**
Mr. Tony Love  
3115 Point of the Woods Drive  
West Bloomfield, MI  48324

**The Authority:**
Housing Authority of the City of St. Petersburg  
Attention: Chairperson of the Board of Commissioners  
2001 Gandy Blvd. North  
St. Petersburg, FL  33702

14. **CHOICE OF LAW.** This Agreement shall be construed and regulated under and by the laws of the State of Florida, and shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, personal representatives, successors and assigns; provided however, that the CEO may not assign, delegate, or otherwise transfer any rights or obligations
arising hereunder without the prior written consent of the Authority (which consent may be withheld in the Authority's sole discretion). No failure on the part of either party hereto at any time to require the performance by the other party of any term of this Agreement shall be taken held to be a waiver of such term or in any way affect such party's right to enforce such term, and waiver on the part of either party of any term of this Agreement shall be taken or held to be a waiver of any other term hereof or the breach thereof.

15. **VENUE & JURISDICTION.** All disputes arising under or in connection with this Agreement shall be addressed in the Circuit Court for the Sixth Judicial Circuit located in Pinellas County, Florida, or U.S. District Court in Tampa, FL as appropriate. If litigation is commenced in any court of competent jurisdiction to enforce or interpret any provision of this Agreement, the prevailing party shall be entitled to reasonable costs, including attorneys' fees, incurred in connection with the litigation.

16. **BINDING EFFECT.** The terms of this Agreement shall be binding upon and to the benefit of the parties hereto and their respective personal representatives, successors, and assigns.

17. **ENTIRE AGREEMENT.** This Agreement contains the entire Agreement between the parties hereto with respect to the transactions contemplated herein and supersedes all previous representations, negotiations, commitments, and writings with respect thereto.

18. **CONFLICTS OF AUTHORITY.** In the event of a conflict between this Agreement and any applicable federal, state, or local law or requirement, such federal, state, or local law or requirement shall control.

IN WITNESS WHEREOF, the parties have hereunto fixed their sign and seal, the day and year first above written.

THE HOUSING AUTHORITY OF THE CITY OF ST. PETERSBURG

Delphina Davis, Chair

Date: 12/28/15

Tony Love, Chief Executive Officer

Date: 12/28/15
ST PETERSBURG HOUSING AUTHORITY

JOB DESCRIPTION

Position: Chief Executive Officer (CEO)  Reports to: Board of Commissioners

Contract Position

Department: Administration  Classification: Exempt

Position Summary:

This is extremely responsible administrative and technical management work in providing the functions and activities necessary for the effective and efficient operation of the Authority in support of the Authority’s mission. Formulate and provide agency strategy in accordance with Board of Commissioners established policies and guidelines. Develop and implement innovative programs and partnerships to provide housing opportunities while lessening dependency on federal funding. Ensure programs and operations generate adequate cash flow and remain fiscally viable. Adhere to financing requirement and regulatory guidelines of all funding entities to include the U.S. Department of Housing and Urban Development, Fannie Mae and grant providers. Plan, direct, coordinate and manage the effective and efficient operation of the Authority’s activities through the executive team and staff members.

The statements contained below reflect general details as necessary to describe the principal functions of the job, the level of knowledge and skill typically required and the scope of responsibility, but should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned including work in other functional areas to cover absences or relief, to equalize peak work periods, or otherwise balance the workload.

Primary Responsibilities & Essential Functions

Board of Commissioners & Community Involvement

- Serve as Secretary for the Board of Commissioners on all agency operations and concerns.
- Serve as principal advisor and participates in the meetings of the Board of Commissioners to give technical counsel, reports on operations, discuss problems, make recommendations, and seek direction.
- Develop agency strategy and policy in conjunction with Board of Commissioners.
- Participate in resident meetings, community meetings, city meetings, Authority meetings, etc., to effect communications between these groups and the Authority regarding housing problems and issues.
- Perform and supervise administrative tasks and responsibilities related to the preparation and presentation of all reports and recommendations to the St. Petersburg Housing Authority Board of Commissioners.
- Act as agency ambassador to promote the Authority public relations through the various news media and through presentations to interested agencies, groups, and organizations.
- Represent the Housing Authority in the community, with HUD, other interested agencies, organizations, and community and constituent groups.
Agency Operations

- Direct all agency operations and program development.
- Oversee the work in analyzing Authority budgetary needs, preparation of fiscal year budgets, financial statements, sale of notes and bonds, financial feasibility studies, and investment of funds to ensure the fiscal soundness of SPHA.
- Direct Economics of Scale Programs including existing contracts and expansion of opportunities.
- Conduct strategic planning including the formation of short and long term goals and plans for the Authority by directing the establishment and maintenance of the annual and 5-year plan.

Program & Property Development

- Develop public and private (affordable) housing opportunities (properties) for community residents.
- Ensure adequate project funding through various methods including private investors, tax credits, bond issuance, grants, public funds, etc.
- Diversify income sources to lessen independency of government funding.

Leadership, Management & Staff Development

- Ensure adherence to applicable federal and state employment laws and regulations.
- Attract and retain high-performing staff, ensure top caliber senior leadership team.
- Demonstrate leadership and supervision to motivate staff in carrying out SPHA mission.
- Train, coach and develop staff to ensure full utilization of skills and promotional opportunities.

Required Knowledge, Skills and Abilities:

Knowledge of:

- Program relations and requirements of HUD and other applicable organizations.
- Real estate, housing rehabilitation, and landlord/tenant laws.
- Leadership principles and effective supervisory skills.
- Property construction and management principles, as well as project management oversight.
- Business process and accounting methods.

Skills in:

- Strategy development and execution.
- Problem analysis and resolution.
- Negotiation and conflict resolution.
- Time management and delegation.
- Oral and written communication.
- Budgeting and resource allocation.
- Human resource management.

Ability to:

- Work with supportive resources to the Authority.
- Operate motor vehicle in order to visit Agency sites and properties.
• Sit at a desk or conference table for extended periods of time.
• Frequently move about properties and travel between multiple office sites and meetings, as well as to travel to out of town conferences.

Minimum Qualifications & Requirements:

• Bachelor's degree in Public or Business Administration, Management, or closely related field from an accredited college or university. Coursework in finance is desired.
• A minimum of eight to ten years progressively responsible administrative or management experience, with five years in public management desired.
• Computer proficiency in Windows operating system and MS Office software including Word and Excel. Able to operate Internet applications and email, as well as external vendors' and proprietary software programs.
• Possession of valid driver's license.

Accommodations:

Upon request, reasonable accommodations will be made for otherwise qualified individuals with a disability.

Approved:

I confirmed having received a copy of the Chief Executive Officer job description.

Name

Date

Chief Executive Officer
AMENDMENT TO EMPLOYMENT AGREEMENT BY AND BETWEEN
THE HOUSING AUTHORITY OF THE CITY OF ST. PETERSBURG
AND
TONY LOVE, CHIEF EXECUTIVE OFFICER

AGREEMENT made this 21ST day of December, 2017, by and between the Housing Authority of the City of St. Petersburg, an autonomous, quasi-municipal entity that is a political subdivision of the State of Florida (hereinafter “the Authority”), and Tony Love.

WITNESSETH:

WHEREAS, the Housing Authority of the City of St. Petersburg is a Housing Authority operating pursuant to Chapter 421, Florida Statutes, the Annual Contributions Contract with the United States Department of Housing and Urban Development (hereinafter “HUD”), and under the applicable laws, guidelines and/or regulations of HUD, as may be amended, and any future laws, guidelines and/or regulations which may hereafter be promulgated during the terms of this Agreement, for the purpose of providing housing, either by way of rental or home ownership opportunities, to low and moderate income persons in and around the City of St. Petersburg, Florida; and

WHEREAS, the Parties entered an Employment Agreement on December 28, 2015, to secure and retain the services of Tony Love, as Chief Executive Officer of the Authority.

Now therefore, for and in consideration of the mutual promises and covenants herein, the Authority and Love agree to amend the Employment Agreement as follows:

1. Section 5(c) of the Employment Agreement dated December 28, 2015 is hereby replaced as follows:

   (c) Accrued annual leave and sick leave benefits, holiday pay, and health, dental, life and disability insurance and other employee benefits shall be in accordance with the Authority policies, except in the case of the CEO who shall receive thirty (30) days of annual leave that shall accrue at the beginning of each calendar year to begin January 1, 2018, that he may use at his discretion. The Authority shall pay a portion of medical coverage cost as stipulated in the Personnel Policy.

2. Section 5 (e) of the Employment Agreement dated December 28, 2015 is hereby replaced as follows:

   (e) A Term Life Policy, to include Live, Disability and Accidental Death and Dismemberment (AD&D) coverage is paid by the Authority. AD&D shall pay 2.5 times
the annual base salary plus eight thousand five hundred dollars ($8,500.00). The CEO may elect to purchase additional coverage under the policy.

3. No other section of the Employment Agreement dated December 28, 2015, is altered or in any other way effected by this Amendment to Employment Agreement and to the extent there is a conflict between the Employment Agreement dated December 28, 2015, and this Amendment the Employment Agreement dated December 28, 2015, shall control.

IN WITNESS WHEREOF, the parties have hereunto fixed their sign and seal, the day and year first above written.

THE HOUSING AUTHORITY OF THE CITY OF ST. PETERSBURG

Delphina Davis, Chair
Date: 12/21/17

Tony Love, Chief Executive Officer
Date: 12/21/17
Minutes of the Regular Meeting of the Board of Commissioners of the St. Petersburg Housing Authority
August 25, 2016

Commissioner Davis, Chair, called the meeting to order at 10:01 a.m. Upon roll call, the following were in attendance:

Present at Roll:  
Commissioner Delphinia Davis, Chair  
Commissioner Harry L. Harvey, Vice Chair  
Commissioner Artesha Adras  
Commissioner Jo Ann Nesbitt  
Commissioner Stewart Olson  
Commissioner Emeritus Arnett Smith

Absent at Roll:  
Commissioner Virginia Littrell (arrived at 10:03am)

Staff Present:  
Tony L. Love, Chief Executive Officer  
Melinda Perry, Chief Operating Officer

Others Present:  
Attorney Jay Walker, Trenam Kemker  
Attorney Jeff Butt, Squire Patton Boggs

SUBJECT:  
Swearing in Ceremony

Chairperson Davis swore in Artesha Adras as Commissioner of the St. Petersburg Housing Authority.

SUBJECT:  
Approval of the Agenda

Commissioner Harvey stated that in order to be able to properly address the issues we believe will be raised during the public form, I recommend that we move the report from the Residents' Interests committee to immediately after public forum, followed by the CEO's remarks, as they pertain to Jordan Park.

BOARD ACTION:  
Commissioner Olson made a motion to adjust the agenda. Commissioner Nesbitt seconded the motion. A vote was called:

Commissioner Davis:  Yes  
Commissioner Harvey:  Yes  
Commissioner Adras:  Yes  
Commissioner Littrell:  Out  
Commissioner Nesbitt:  Yes  
Commissioner Olson:  Yes
The Board approved the agenda.

SUBJECT: Legal Report
Attorney Jay Walker discussed his report.

SUBJECT: Approval of the Minutes of the June 23, 2016, Regular Board Meeting

BOARD ACTION: Commissioner Olson made a motion to approve the minutes. Commissioner Nesbitt seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Adras: Yes
Commissioner Littrell: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes

The Board approved the minutes.

SUBJECT: Public Forum
Terri Lipsey Scott, Delores Fletcher, René Flowers, Darryl Rouson, and Sylvia Norris individually came before the Board to discuss Jordan Park Apartments.

SUBJECT: Report from the Residents' Interests Committee:
Ms. Debra Pratt, WINN Residential, discussed her report on Jordan Park.

SUBJECT: Chief Executive Officer's Remarks:
Mr. Love discussed his report.

SUBJECT: Chairperson's Report: Recognition of Community Police Officer Karen Demick
The Board recognized and thanked Karen Demick for her services to the housing authority and congratulated her on her retirement from the City of St. Petersburg Police Department.

SUBJECT: Chairperson’s Report: Resolution #2418 – A Resolution to Change the Date of the September 2016 Board of Commissioners Meeting

BOARD ACTION: Commissioner Olson made a motion to approve travel. Commissioner Littrell seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Adras: Yes
Commissioner Littrell: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes

The Board approved Resolution #2418.

SUBJECT: Report from the Property Acquisition Committee: Resolution #2423 – A Resolution Authorizing the Acquisition of Jordan Park Apartments and Authorizing the Forgiveness of Certain indebtedness owed to the Authority

BOARD ACTION: The Property Acquisition Committee recommended Resolution #2423 to the full Board for approval. A vote was called.

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Adras: Yes
Commissioner Littrell: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes

The Board approved Resolution #2423.

SUBJECT: Report from the Personnel Committee: Resolution #2419 – A Resolution to Amend the Chief Executive Officer’s Contract

BOARD ACTION: The Personnel Committee recommended Resolution #2419 to the full Board for approval. A vote was called.
The Board approved Resolution #2419.

SUBJECT: Report from the Finance Committee: Resolution #2420 – Write-off of Vacated Public Housing Tenant Accounts

BOARD ACTION: The Finance Committee recommended Resolution #2420 to the full Board for approval. A vote was called.

The Board approved Resolution #2420.

SUBJECT: Report from the Finance Committee: Resolution #2421 – Write-off of Affordable Housing Tenant Accounts

BOARD ACTION: The Finance Committee recommended Resolution #2421 to the full Board for approval. A vote was called.

The Board approved Resolution #2421.

SUBJECT: Report from the Finance Committee: Resolution #2422 – A Resolution to Increase the Contract Amount for Architectural and Engineering Services
BOARD ACTION: The Finance Committee recommended Resolution #2422 to the full Board for approval. A vote was called.

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Adras: Yes
Commissioner Littrell: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes

The Board approved Resolution #2422.

SUBJECT: Old Business

There was no old business.

SUBJECT: New Business

Commissioner Davis appointed Commissioner Adras to serve on the Residents' Interests Committee.

Melinda Perry said the draft 2017 Annual Plan is included in the board packet.

There being no further business, the meeting was adjourned at 11:43 a.m.

Delphina Davis, Chairperson

Tony L. Love, Secretary
RESOLUTION #2419

A RESOLUTION TO AMEND THE CHIEF EXECUTIVE OFFICER’S CONTRACT

WHEREAS, the Board of Commissioners approved the Chief Executive Officer’s contract via Board action on December 14, 2015; and

WHEREAS, Section 5 (g) of the contract states that reasonable residential costs will be paid by the Authority for a period of up to six (6) months; and

WHEREAS, due to extenuating circumstances, it has been difficult for the Chief Executive Officer to secure a dwelling within the City of St. Petersburg during that time frame; and

WHEREAS, the Chief Executive Officer is requesting that the time period be extended by an additional three (3) months, to expire on September 30, 2016; and

WHEREAS, this amendment requires approval by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Commissioners of the St. Petersburg Housing Authority hereby agrees to amend the Chief Executive Officer’s contract to extend the provision of reasonable residential costs for an additional three (3) months, to expire on September 30, 2016.

APPROVED AND ADOPTED this 25th day of August 2016.

Dr. Delphina Davis  
Chairperson

Tony L. Love  
Secretary
Minutes of the Regular Meeting  
of the Board of Commissioners  
of the St. Petersburg Housing Authority  
January 25, 2018

Commissioner Davis, Chair, called the meeting to order at 10:12 a.m. Upon roll call, the following were in attendance:

Present at Roll:  Commissioner Dr. Delphinia Davis, Chair  
Commissioner Harry L. Harvey, Vice Chair  
Commissioner Sharlene Gambrell-Davis  
Commissioner Dr. Basha Jordan  
Commissioner Jo Ann Nesbitt  
Commissioner Emeritus Dr. Arnett Smith

Absent at Roll:  Commissioner Stewart Olson  
Commissioner Ann Sherman-White

Staff Present:  Tony L. Love, Chief Executive Officer  
LaShunda Battle, Acting Chief Operating Officer

Others Present:  Attorney Jay Walker, Trenam Kemker  
Dennis Lohr, Clearwater Housing Authority FMCC

SUBJECT:  Approval of the Agenda

BOARD ACTION: Commissioner Harvey made a motion to amend the agenda to include approval of travel under the Chairperson’s Report. Commissioner Nesbitt seconded the motion. A vote was called:

Commissioner Davis:  Yes
Commissioner Gambrell-Davis:  Yes
Commissioner Harvey:  Yes
Commissioner Jordan:  Yes
Commissioner Nesbitt:  Yes
Commissioner Olson:  Out
Commissioner Sherman-White:  Out

The Board approved the amended agenda.

SUBJECT:  Legal Report

Attorney Jay Walker discussed his legal report.

SUBJECT:  Approval of the Minutes of the November 16, 2017, Regular Board Meeting

BOARD ACTION: Commissioner Jordan made a motion to approve the minutes. Commissioner Harvey seconded the motion. A vote was called:
The Board approved the minutes.

SUBJECT: Public Forum

There were no requests to speak.

SUBJECT: Chairperson's Report: Approval of Travel to attend the PHADA 2018 Annual Convention and Exhibition

BOARD ACTION: Commissioner Harvey made a motion to approve travel for Commissioner Harvey, Commissioner Nesbitt, Commissioner Davis and Commissioner Gambrell-Davis. Commissioner Jordan seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Out
Commissioner Sherman-White: Out

The Board approved travel.

SUBJECT: Chairperson's Report: Approval of Travel to attend the NAHRO 2018 Washington Conference

BOARD ACTION: Commissioner Harvey made a motion to approve travel for Commissioner Harvey and Commissioner Nesbitt. Commissioner Jordan seconded the motion. A vote was called:
Commissioner Davis:       Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey:       Yes
Commissioner Jordan:       Yes
Commissioner Nesbitt:      Yes
Commissioner Olson:        Out
Commissioner Sherman-White: Out

The Board approved travel.

SUBJECT: Report from the Residents' Interests Committee:

Ms. Robin Adams discussed the Management Report. Mr. Larry Butler discussed the Social Services Report.

SUBJECT: Report from the Residents' Interests Committee: Resolution #2479 - A Resolution to Adopt the 2018 Utility Allowance Schedule for the Housing Choice Voucher Program

BOARD ACTION: The Residents' Interests Committee recommended Resolution #2479 to the full Board for approval. A vote was called:

Commissioner Davis:       Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey:       Yes
Commissioner Jordan:       Yes
Commissioner Nesbitt:      Yes
Commissioner Olson:        Out
Commissioner Sherman-White: Out

The Board approved Resolution #2479.

SUBJECT: Report from the Finance Committee: Financial Reports and Capital Improvement Grant Review

Mr. Dennis Lohr discussed the Financial Report.

Commissioner Harvey stated the Finance Committee did not meet this month. The committee will start to meet on an as needed basis.

SUBJECT: Report from the Finance Committee: Resolution #2480 - Disposition of Computer Equipment
BOARD ACTION: Commissioner Davis made a motion to approve Resolution #2480. Commissioner Harvey seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Out
Commissioner Sherman-White: Out

The Board approved Resolution #2480.

SUBJECT: Report from the Finance Committee: Resolution #2481 - Write-off of Vacated Public Housing Tenant Accounts

BOARD ACTION: Commissioner Davis made a motion to approve Resolution #2481. Commissioner Harvey seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Out
Commissioner Sherman-White: Out

The Board approved Resolution #2481.

SUBJECT: Report from the Finance Committee: Resolution #2482 - Write-off of Vacated Affordable Housing Tenant Accounts

BOARD ACTION: Commissioner Davis made a motion to approve Resolution #2482. Commissioner Jordan seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Out
Commissioner Sherman-White: Out

The Board approved Resolution #2482.
SUBJECT: Report from the Finance Committee: Resolution #2483 - Authorization to Pay Payment in Lieu of Taxes (PILOT) to the City of St. Petersburg for the 2016 Fiscal Year

BOARD ACTION: Commissioner Davis made a motion to approve Resolution #2483 and to send a letter to the City of St. Petersburg requesting to receive the PILOT funds back for use at Jordan Park Apartments. Commissioner Harvey seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Out
Commissioner Sherman-White: Out

The Board approved Resolution #2483 and to send a letter to the City of St. Petersburg requesting the return of PILOT funds.

SUBJECT: Chief Executive Officer’s Remarks – Jordan Park Development Report

Mr. Love discussed his report.

SUBJECT: Old Business

Mr. Love discussed the status of veterans housing. The land has been purchased, however, the project is placed on hold until substantial work has begun at Jordan Park Apartments.

SUBJECT: New Business

Commissioner Davis appointed Commissioner Gambrell-Davis to serve on the Residents’ Interests Committee.

There being no further business, the meeting was adjourned at 11:24 a.m.

Dr. Delphine Davis, Chairperson

Tony L. Love, Secretary
Commissioner Davis, Chair, called the meeting to order at 10:04 a.m. Upon roll call, the following were in attendance:

Present at Roll:  
Commissioner Dr. Delphinia Davis, Chair  
Commissioner Harry L. Harvey, Vice Chair  
Commissioner Sharlene Gambrell-Davis  
Commissioner Jo Ann Nesbitt  
Commissioner Stewart Olson

Absent at Roll:  
Commissioner Basha Jordan  
Commissioner Ann Sherman-White (arrived at 10:16 am)

Staff Present:  
Tony L. Love, Chief Executive Officer  
LaShunda Battle, Acting Chief Operating Officer

Others Present:  
Attorney Jay Walker, Trenam Kemker  
Dennis Lohr, Clearwater Housing Authority FMCC

SUBJECT: Approval of the Agenda

BOARD ACTION: Commissioner Olson made a motion to approve the agenda. Commissioner Harvey seconded the motion. A vote was called:

Commissioner Davis: Yes  
Commissioner Gambrell-Davis: Yes  
Commissioner Harvey: Yes  
Commissioner Jordan: Out  
Commissioner Nesbitt: Yes  
Commissioner Olson: Yes  
Commissioner Sherman-White: Out

The Board approved the agenda.

SUBJECT: Legal Report

Attorney Jay Walker discussed his legal report.

SUBJECT: Approval of the Minutes of the January 25, 2018, Regular Board Meeting

BOARD ACTION: Commissioner Olson made a motion to approve the minutes. Commissioner Nesbitt seconded the motion. A vote was called:

Commissioner Davis: Yes
The Board approved the minutes.

SUBJECT: Public Forum

Ms. Taffye Macon came before the Board to address her concerns regarding the Housing Choice Voucher Program.

SUBJECT: Election of Officers

BOARD ACTION: Commissioner Olson made a motion to re-elect Commissioner Davis and Chairperson and Commissioner Harvey as Vice Chairperson. Commissioner Sherman-White seconded the motion. A vote was called:

- Commissioner Davis: Yes
- Commissioner Gambrell-Davis: Yes
- Commissioner Harvey: Yes
- Commissioner Jordan: Out
- Commissioner Nesbitt: Yes
- Commissioner Olson: Yes
- Commissioner Sherman-White: Yes

The Board approved re-election of officers.

SUBJECT: Chairperson's Report: Approval of Travel for Commissioner Sharlene Gambrell-Davis to attend the NAHRO 2018 Washington Conference

BOARD ACTION: Commissioner Harvey made a motion to approve travel for Commissioner Gambrell-Davis. Commissioner Nesbitt seconded the motion. A vote was called:

- Commissioner Davis: Yes
- Commissioner Gambrell-Davis: Yes
- Commissioner Harvey: Yes
- Commissioner Jordan: Out
- Commissioner Nesbitt: Yes
- Commissioner Olson: Yes
- Commissioner Sherman-White: Yes
The Board approved travel.

SUBJECT: Report from the Residents’ Interests Committee:

Ms. Robin Adams discussed the Management Report. Mr. Larry Butler discussed the Social Services Report.

SUBJECT: Report from the Residents’ Interests Committee: Resolution #2484 - Authorization for Submission of the Section 8 Management Assessment Program (SEMAP) Certification for FYE 12/31/17

BOARD ACTION: The Residents’ Interests Committee recommended Resolution #2484 to the full Board for approval. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Out
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Yes

The Board approved Resolution #2484.

SUBJECT: Report from the Finance Committee: Financial Reports and Capital Improvement Grant Review

Mr. Dennis Lohr discussed the Financial Report.

Commissioner Harvey stated the Finance Committee did not meet this month.

SUBJECT: Report from the Finance Committee: Resolution #2485 – Amendment #1 to Renew Interlocal Agreement for Economies of Scale in the Implementation of Finance Management and Compliance Center (FMCC) Services

BOARD ACTION: Commissioner Davis made a motion to approve Resolution #2485. Commissioner Nesbitt seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
The Board approved Resolution #2485.

SUBJECT: Report from the Finance Committee: Resolution #2486 – A Resolution Approving an Application to be Submitted to the City of St. Petersburg, Florida for Funding to Assist with the Rehabilitation and New Construction of Jordan Park Apartments

BOARD ACTION: Commissioner Davis made a motion to approve Resolution #2486. Commissioner Olson seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrel-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Out
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Yes

The Board approved Resolution #2486.

SUBJECT: Report from the Finance Committee: Resolution #2487 – A Resolution to Approve Revised 2018 Annual Plan

BOARD ACTION: Commissioner Davis made a motion to approve Resolution #2487. Commissioner Olson seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrel-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Out
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Yes

The Board approved Resolution #2487.


Mr. Love discussed his reports.
SUBJECT: Old Business

There was no old business.

SUBJECT: New Business

There was no new business.

There being no further business, the meeting was adjourned at 11:01 a.m.

[Signatures]

Dr. Delphinia Davis, Chairperson

Tony L. Love, Secretary
Commissioner Davis, Chair, called the meeting to order at 10:02 a.m. Upon roll call, the following were in attendance:

Present at Roll: Commissioner Dr. Delphinia Davis, Chair
Commissioner Sharlene Gambrell-Davis
Commissioner Basha Jordan
Commissioner Jo Ann Nesbitt
Commissioner Stewart Olson

Absent at Roll: Commissioner Harry L. Harvey, Vice Chair (Excused)
Commissioner Ann Sherman-White (Excused)

Staff Present: Tony L. Love, Chief Executive Officer
LaShunda Battle, Acting Chief Operating Officer

Others Present: Attorney Jay Walker, Trenam Kemker
Dennis Lohr, Clearwater Housing Authority FMCC

SUBJECT: Approval of the Agenda

BOARD ACTION: Commissioner Olson made a motion to approve the agenda. Commissioner Jordan seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Out
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Out

The Board approved the agenda.

SUBJECT: Legal Report

Attorney Jay Walker discussed his legal report.

SUBJECT: Approval of the Minutes of the February 22, 2018, Annual Meeting

BOARD ACTION: Commissioner Nesbitt made a motion to approve the minutes. Commissioner Olson seconded the motion. A vote was called:

Commissioner Davis: Yes
The Board approved the minutes.

SUBJECT: Public Forum
There were no requests to speak.

SUBJECT: Report from the Residents' Interests Committee:
Ms. LaShunda Battle discussed the Management Report. Mr. Larry Butler discussed the Social Services Report.

SUBJECT: Report from the Finance Committee: Financial Reports and Capital Improvement Grant Review
Mr. Dennis Lohr discussed the Financial Report.

Mr. Love discussed his reports.

Mr. Love recognized and thanked Commissioner Gambrell-Davis for volunteering at the 2018 Firestone Grand Prix with SPHA staff.

SUBJECT: Old Business
There was no old business.

SUBJECT: New Business
There was no new business.
There being no further business, the meeting was adjourned at 10:56 a.m.

Dr. Delphinia Davis, Chairperson
Harry Harvey, vice-chair

Tony L. Love, Secretary
Minutes of the Regular Board Meeting
of the Board of Commissioners
of the St. Petersburg Housing Authority
April 26, 2018

Commissioner Harvey, Vice Chair, called the meeting to order at 11:30 a.m. Upon roll call, the following were in attendance:

Present at Roll:  Commissioner Harry L. Harvey, Vice Chair
Commissioner Sharlene Gambrell-Davis
Commissioner Dr. Basha P. Jordan
Commissioner Jo Ann S. Nesbitt
Commissioner Ann Sherman-White
Commissioner Emeritus Dr. Arnett Smith (left at noon)

Absent at Roll:  Commissioner Dr. Delphinia Davis, Chair
Commissioner Stewart Olson

Staff Present:  Tony L. Love, Chief Executive Officer
LaShunda Battle, Acting Chief Operating Officer

Others Present:  Attorney Jay Walker, Trenam Kemker
Dennis Lohr, Clearwater Housing Authority FMCC

SUBJECT:  Approval of the Agenda

BOARD ACTION: Commissioner Jordan made a motion to approve the agenda. Commissioner Nesbitt seconded the motion. A vote was called:

Commissioner Davis:  Out
Commissioner Gambrell-Davis:  Yes
Commissioner Harvey:  Yes
Commissioner Jordan:  Yes
Commissioner Nesbitt:  Yes
Commissioner Olson:  Out
Commissioner Sherman-White:  Yes

The Board approved the agenda.

SUBJECT:  Legal Report

Attorney Jay Walker discussed his legal report.

SUBJECT:  Approval of the Minutes of the March 22, 2018, Annual Meeting

BOARD ACTION: Commissioner Nesbitt made a motion to approve the minutes. Commissioner Sherman-White seconded the motion. A vote was called:
The Board approved the minutes.

SUBJECT: Public Forum

There were no requests to speak.

SUBJECT: Report from the Residents' Interests Committee:

Ms. Robin Adams discussed the Management Report. Mr. Larry Butler discussed the Social Services Report.

SUBJECT: Report from the Residents' Interests Committee: Resolution #2491 – A Resolution to Amend the Housing Choice Voucher Administrative Plan

BOARD ACTION: Commissioner Gambrell-Davis made a motion to approve Resolution #2491. Commissioner Jordan seconded the motion. A vote was called:

The Board approved Resolution #2491.

SUBJECT: Report from the Finance Committee: Financial Reports and Capital Improvement Grant Review

Mr. Dennis Lohr discussed the Financial Report.

SUBJECT: Report from the Finance Committee: Resolution #2488 – Write-off of Vacated Public Housing Tenant Account
BOARD ACTION: Commissioner Sherman-White made a motion to approve Resolution #2488. Commissioner Gambrell-Davis seconded the motion. A vote was called:

Commissioner Davis:       Out
Commissioner Gambrell-Davis: Yes
Commissioner Harvey:       Yes
Commissioner Jordan:       Yes
Commissioner Nesbitt:      Yes
Commissioner Olson:        Out
Commissioner Sherman-White: Yes

The Board approved Resolution #2488.

SUBJECT: Report from the Finance Committee: Resolution #2489 – Write-off of Vacated Affordable Housing Tenant Accounts

BOARD ACTION: Commissioner Jordan made a motion to approve Resolution #2489. Commissioner Sherman-White seconded the motion. A vote was called:

Commissioner Davis:       Out
Commissioner Gambrell-Davis: Yes
Commissioner Harvey:       Yes
Commissioner Jordan:       Yes
Commissioner Nesbitt:      Yes
Commissioner Olson:        Out
Commissioner Sherman-White: Yes

The Board approved Resolution #2489.

SUBJECT: Report from the Finance Committee: Resolution #2490 – A Resolution Approving a First Amendment to Development Agreement Relating to the Rehabilitation and New Construction of Jordan Park Apartments

BOARD ACTION: Commissioner Nesbitt made a motion to approve Resolution #2490. Commissioner Sherman-White seconded the motion. A vote was called:

Commissioner Davis:       Out
Commissioner Gambrell-Davis: Yes
Commissioner Harvey:       Yes
Commissioner Jordan:       Yes
Commissioner Nesbitt:      Yes
Commissioner Olson:        Out
Commissioner Sherman-White: Yes
The Board approved Resolution #2490.

SUBJECT: Chief Executive Officer’s Remarks – Update on the Financial Management and Compliance Center (FMCC)

Ms. Jacquelyn Roberson and Mr. Love gave an update on the status of hiring a Finance Director.

SUBJECT: Chief Executive Officer’s Remarks – Jordan Park Development Report

Mr. Love discussed his report.

SUBJECT: Old Business

There was no old business.

SUBJECT: New Business

Ms. LaShunda Battle announced that the Family Fun Day Picnic has been scheduled for Saturday, May 19, 2018, at Crescent Lake Park. All Commissioners are invited.

There being no further business, the meeting was adjourned at 1:14 p.m.

Dr. Delphia Davis, Chairperson

Tony L. Love, Secretary
Commissioner Davis, Chair, called the meeting to order at 10:04 a.m. The following were in attendance:

Present: Commissioner Dr. Delphinia Davis, Chair  
Commissioner Harry Harvey, Vice Chair  
Commissioner Sharlene Gambrell-Davis  
Commissioner Dr. Basha Jordan  
Commissioner Stewart Olson  

Absent: Commissioner Jo Ann S. Nesbitt  
Commissioner Ann Sherman-White  

Staff Present: Tony L. Love, Chief Executive Officer  

SUBJECT: Introduction  
Commissioner Davis stated that the Public Hearing for the Annual Agency Plan is being held today. Commissioner Davis said Congress has mandated that all public housing authorities prepare Agency Plans beginning in Fiscal Year 2000 and update the annual plan every year thereafter. HUD has determined that a public hearing must be held prior to the submission of an Agency Plan to ensure that the plan has been reviewed by all interested parties and the public has had an opportunity to comment on the plan.

SUBJECT: Review of Hearing Format  
Mr. Tony Love reviewed the format.

SUBJECT: Overview of Agency Plan  
Mr. Tony Love discussed the amended Agency Plan.

SUBJECT: Public Comment  
There were no comments.

SUBJECT: Resolution #2492 – Approval of the Amended 2018 Annual Plan  
BOARD ACTION: Commissioner Jordan made a motion to approve Resolution #2492. Commissioner Olson seconded the motion. A vote was called.

Commissioner Davis: Yes  
Commissioner Harvey: Yes
Commissioner Gambrell-Davis: Yes  
Commissioner Jordan: Yes  
Commissioner Nesbitt: Out  
Commissioner Olson: Yes  
Commissioner Sherman-White: Out

The Board approved Resolution #2492.

There being no further business, the meeting was adjourned at 10:17 a.m.

Dr. Delphinia Davis  
Chairperson

Tony L. Love  
Secretary
Minutes of the Regular Board Meeting  
of the Board of Commissioners  
of the St. Petersburg Housing Authority  
May 24, 2018

Commissioner Davis, Chair, called the meeting to order at 10:00 a.m. Upon roll call, the following were in attendance:

Present at Roll:  
Commissioner Dr. Delphinia Davis, Chair  
Commissioner Harry L. Harvey, Vice Chair  
Commissioner Sharlene Gambrell-Davis  
Commissioner Dr. Basha P. Jordan  
Commissioner Jo Ann S. Nesbitt  
Commissioner Stewart Olson  
Commissioner Ann Sherman-White

Staff Present:  
Tony L. Love, Chief Executive Officer  
LaShunda Battle, Acting Chief Operating Officer

Others Present:  
Attorney Jay Walker, Trenam Kemker  
Dennis Lohr, Clearwater Housing Authority FMCC

SUBJECT: Approval of the Agenda

BOARD ACTION: Commissioner Olson made a motion to approve the agenda. Commissioner Nesbitt seconded the motion. A vote was called:

Commissioner Davis: Yes  
Commissioner Gambrell-Davis: Yes  
Commissioner Harvey: Yes  
Commissioner Jordan: Yes  
Commissioner Nesbitt: Yes  
Commissioner Olson: Yes  
Commissioner Sherman-White: Yes

The Board approved the agenda.

SUBJECT: Legal Report

Attorney Jay Walker discussed his legal report.

SUBJECT: Approval of the Minutes of the April 26, 2018, Regular Board Meeting, and May 3, 2018, Special Call Meeting

BOARD ACTION: Commissioner Jordan made a motion to approve the minutes. Commissioner Olson seconded the motion. A vote was called:

Commissioner Davis: Yes
The Board approved the minutes.

SUBJECT: Public Forum

There were no requests to speak.

SUBJECT: Chairperson’s Report: Travel Report – PHADA 2018 Annual Convention and Exhibition

Commissioners Harvey and Davis discussed their travel report.

SUBJECT: Chairperson’s Report: Resolution #2493 – Approval of a Revised Travel and Training Policy for the Board of Commissioners

BOARD ACTION: Commissioner Harvey made a motion to approve Resolution #2493. Commissioner Olson seconded the motion. A vote was called:

The Board approved Resolution #2493.

SUBJECT: Chairperson’s Report: Approval of Travel for Commissioner Gambrell-Davis and Commissioner Sherman-White to attend the NAHRO 2018 Summer Conference on July 27-29, 2018

BOARD ACTION: Commissioners Gambrell-Davis and Sherman-White withdrew their request to attend the NAHRO Conference.

SUBJECT: Report from the Residents' Interests Committee:
Ms. Robin Adams discussed the Management Report. Mr. Larry Butler discussed the Social Services Report.

SUBJECT: Report from the Residents' Interests Committee: Resolution #2494 — A Resolution to Amend the 2018 Payments Standards only for Zero Bedroom Size for the Housing Choice Voucher Program

BOARD ACTION: Commissioner Nesbitt made a motion to approve Resolution #2494. Commissioner Davis seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Yes

The Board approved Resolution #2494.

SUBJECT: Report from the Finance Committee: Financial Reports and Capital Improvement Grant Review

Mr. Dennis Lohr discussed the Financial Report.

SUBJECT: Chief Executive Officer's Remarks – Jordan Park Development Report

Mr. Love discussed his report.

SUBJECT: Old Business

Ms. LaShunda Battle announced that the Family Fun Day Picnic has been rescheduled for Saturday, June 9, 2018, at Crescent Lake Park. All Commissioners are invited to attend with their families.

Mr. Love stated that the NAACP 2018 Freedom Fund Banquet will be held on June 16th. The Authority will purchase a ticket for any Commissioner who would like to attend.

SUBJECT: New Business

There was no new business.
There being no further business, the meeting was adjourned at 11:40 p.m.

Dr. Delphina Davis, Chairperson

Tony L. Love, Secretary
Commissioner Harvey, Vice Chair, called the meeting to order at 10:00 a.m. Upon roll call, the following were in attendance:

Present at Roll: Commissioner Harry L. Harvey, Vice Chair  
Commissioner Sharlene Gambrell-Davis  
Commissioner Dr. Basha P. Jordan  
Commissioner Jo Ann S. Nesbitt  
Commissioner Stewart Olson  
Commissioner Ann Sherman-White  
Commissioner Emeritus Dr. Arnett Smith  

Absent at Roll: Commissioner Dr. Delphina Davis, Chair  

Staff Present: Tony L. Love, Chief Executive Officer  

Others Present:  
Attorney Jay Walker, Trenam Kemker  
Dennis Lohr, Clearwater Housing Authority FMCC  
Robert Wedding, Robert Reid Wedding Architects and Planners  
Susan Bradley, Robert Reid Wedding Architects and Planners  
Michelle Ligon, Media and Public Relations Consultant

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SUBJECT: Approval of the Agenda

BOARD ACTION: Commissioner Olson made a motion to approve the agenda. Commissioner Jordan seconded the motion. A vote was called:

Commissioner Davis: Out  
Commissioner Gambrell-Davis: Yes  
Commissioner Harvey: Yes  
Commissioner Jordan: Yes  
Commissioner Nesbitt: Yes  
Commissioner Olson: Yes  
Commissioner Sherman-White: Yes

The Board approved the agenda.

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SUBJECT: Legal Report

Attorney Jay Walker discussed his legal report.

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SUBJECT: Approval of the Minutes of the May 24, 2018, Regular Board Meeting
BOARD ACTION: Commissioner Olson made a motion to approve the minutes. Commissioner Nesbitt seconded the motion. A vote was called:

Commissioner Davis: Out
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Yes

The Board approved the minutes.

SUBJECT: Public Forum

Johnny Rutledge, Oldan Riggins, Charles Cohen, Terri Lipsey Scott, Vito Sheeley, Dana Battle, Emma Stewart, Lisa Wheeler-Bowman, Carol Motely, Brenda Gilstrap, Akile’ Anai, Al Nixon, and Pastor G. Gregg Murray came before the Board to address their concerns regarding Jordan Park Apartments.

SUBJECT: Chairperson’s Report:

There was no Chairperson’s Report.

SUBJECT: Report from the Residents’ Interests Committee:

Ms. Robin Adams discussed the Management Report. Mr. Larry Butler discussed the Social Services Report.

SUBJECT: Report from the Residents’ Interests Committee: Resolution #2495 – Approval to Adopt the Amended 2018 Payment Standard Schedule

BOARD ACTION: The Residents’ Interests Committee recommended Resolution #2495 to the full Board for approval. A vote was called:

Commissioner Davis: Out
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Yes
The Board approved Resolution #2495.

SUBJECT: Report from the Finance Committee: Financial Reports and Capital Improvement Grant Review

Mr. Dennis Lohr discussed the Financial Report.

SUBJECT: Report from the Personnel Committee: Resolution #2496 – Establishment of a Finance Department and Approval of the Withdrawal of the Clearwater Housing Authority from the Interlocal Agreement for FMCC Services

BOARD ACTION: The Personnel Committee recommended Resolution #2496 to the full Board for approval. A vote was called:

Commissioner Davis: Out
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Olson: Yes
Commissioner Sherman-White: Yes

The Board approved Resolution #2496

SUBJECT: Chief Executive Officer’s Remarks – Jordan Park Development Report

Mr. Love discussed his report.

Robert Wedding, Susan Bradley, and Michelle Ligon came before the Board to discuss the Jordan Park Apartments.

SUBJECT: Old Business

Mr. Love discussed the Jordan Park temporary relocation process.

BOARD ACTION: Commissioner Jordan made a motion to look at the feasibility to keep some or all of the Historic Village units, build new units, and renovate 206 units at Jordan Park. Commissioner Nesbitt seconded the motion. A vote was called.

Commissioner Davis: Out
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: No
The Board approved to look at the feasibility to keep some or all of the Historic Village units, build new units, and renovate 206 units at Jordan Park.

SUBJECT: New Business

Commissioner Jordan discussed his E-mail to Mr. Love and the request to share said E-mail with the Commissioners.

There being no further business, the meeting was adjourned at 12:59 p.m.

Dr. Delphinia Davis, Chairperson

Tony L. Love, Secretary
Minutes of the Special Call Meeting
of the Board of Commissioners
of the St. Petersburg Housing Authority
July 31, 2018

Commissioner Davis, Chair, called the meeting to order at 10:00 a.m. Upon roll call, the following were in attendance:

Present at Roll: Commissioner Harry L. Harvey, Vice Chair
Commissioner Sharlene Gambrell-Davis
Commissioner Basha Jordan
Commissioner Ann Sherman-White
Commissioner Dr. Delphinia Davis, Chair
Commissioner Emeritus Dr. Arnett Smith

Absent at Roll: Commissioner Jo Ann Nesbitt

Staff Present: Tony L. Love, Chief Executive Officer
LaShunda Battle, Acting Chief Operating Officer

BOARD ACTION: Commissioner Harvey made a motion to adjust to agenda to switch agenda item #4 with agenda item #5. Commissioner Sherman-White seconded the motion. A vote was called.

Commissioner Harvey: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Jordan: No
Commissioner Nesbitt: Out
Commissioner Sherman-White: Yes
Commissioner Davis: Yes

The Board approved to adjust the agenda.

Subject: Public Forum

Brenda Gilstrap, Terri Lipsey Scott, and Council Member Steve Kornell came before the Board to address their concerns regarding Jordan Park Apartments.

SUBJECT: Resolution #2497 — Resolution Expressing the Intent of the Housing Authority of the City of St. Petersburg, Florida to proceed with the financing of the recapitalization of the Jordan Park Apartments through the Freddie Mac Tax Exempt Loan Program or other Financing Structure, including the Issuance of its Multifamily Housing Revenue Notes or Bonds, in a Principal Amount Not to Exceed $25,000 for the Benefit of Jordan Park LLC; Authorizing the Scheduling of a Public Hearing on the Financing; and Establishing an Effective Date

BOARD ACTION: Commissioner Harvey made a motion to approve Resolution #2497. There was extensive discussion.
Commissioner Sherman-White seconded the motion. There was no further discussion, and a vote was called.

Commissioner Harvey: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Jordan: No
Commissioner Nesbitt: Out
Commissioner Sherman-White: Yes
Commissioner Davis: Yes

The Board approved Resolution #2497.

There being no further business, the meeting was adjourned at 11:24 a.m.
Minutes of the Regular Board Meeting
of the Board of Commissioners
of the St. Petersburg Housing Authority
August 23, 2018

Commissioner Davis, Chair, called the meeting to order at 10:00 a.m. Upon roll call, the following were in attendance:

Present at Roll: Commissioner Dr. Delphinia Davis, Chair
Commissioner Harry L. Harvey, Vice Chair
Commissioner Sharlene Gambrell-Davis
Commissioner Dr. Basha P. Jordan
Commissioner Jo Ann S. Nesbitt
Commissioner Ann Sherman-White

Absent at Roll: Commissioner Emeritus Dr. Arnett Smith

Staff Present: Tony L. Love, Chief Executive Officer

Others Present: Attorney Jay Walker, Trenam Kemker
Dennis Lohr, Clearwater Housing Authority FMCC
Robert Wedding, Robert Reid Wedding Architects and Planners
Susan Bradley, Robert Reid Wedding Architects and Planners
Michelle Ligon, Media and Public Relations Consultant
Brian Nemoroff, Berman Hopkins

SUBJECT: Approval to amend the Agenda

BOARD ACTION: Commissioner made a motion to Amend the agenda. Agenda item 9: Report from the Finance Committee, item (D) will be moved up to item (A) Commissioner Olson made a motion to approve the agenda. Commissioner Sherman White seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Sherman-White: Yes

The Board approved the agenda.

SUBJECT: Legal Report

Attorney Jay Walker discussed his legal report.
SUBJECT: Approval of the Minutes of the June 28, 2018, Regular Board Meeting and the July 31, 2018 Special Call Meeting

BOARD ACTION: Commissioner Davis made a motion to approve the minutes. Commissioner Gambrell-Davis seconded the motion. A vote was called:

- Commissioner Davis: Yes
- Commissioner Gambrell-Davis: Yes
- Commissioner Harvey: Yes
- Commissioner Jordan: Yes
- Commissioner Nesbitt: Yes
- Commissioner Sherman-White: Yes

The Board approved the minutes.

SUBJECT: Public Forum

Celia Thomas, Deborah Figgs-Sanders, Jhanari Pathak, Jogesh Pathak, Paul Hendricks, Toriano Parker, Lisa Wheeler-Bowman, and Terri Lipsey Scott came before the Board to address their concerns regarding Jordan Park Apartments.

SUBJECT: Chairperson’s Report: Authorization to Ratify Approval of Travel for Commissioner Harvey to attend the NAHRO Summer Conference on July 26-29, 2018

BOARD ACTION: Commissioner Nesbit Made a motion to approve the travel. Commissioner Sherman-White seconded the motion. A vote was called:

- Commissioner Davis: Yes
- Commissioner Gambrell-Davis: Yes
- Commissioner Harvey: Yes
- Commissioner Jordan: Yes
- Commissioner Nesbitt: Yes
- Commissioner Sherman-White: Yes

The board approved the ratification of Travel for Commissioner Harvey.

SUBJECT: Report from the Residents’ Interests Committee.
BOARD ACTION: Commissioner Jordan Made a motion to Reconsider his motion to look at the feasibility to keep some or all of the Historic Village units, build new units, and renovate 206 units at Jordan Park from the June 28th Meeting in order to be within the By-Laws. Commissioner Nesbit Seconded the motion. A vote was called.

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Sherman-White: Yes

SUBJECT: Report from the Residents' Interests Committee: Resolution #2498 - A Resolution to Construct (60) New Apartments and Renovate (206) Existing Apartments at Jordan Park Development Through the Rental Assistance Demonstration (RAD) Program

Mr. Love showed a copy of the presentation from the August 9, 2018 Workshop on the RAD Conversion and Jordan Park Historic Village. He also Presented on the financial figures of the proposed plan.

Ms. Susan Bradley Presented on the conditions of the existing Historic Village.

Ms. Michelle Ligon presented on the addition of the creation of the committee to establish a future exhibit to sustain the history of Historic Village.

BOARD ACTION: The Resident Interest Committee recommended Resolution #2498 to the full Board for approval. A vote was called.

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Sherman-White: No

The board approved Resolution 2498.

SUBJECT: Report from the Residents' Interests Committee: Resolution #2500 - A Resolution to Amend the St. Petersburg Housing Authority's Public Record Request Policy
Ms. Michelle Ligon presented the Media Policy Changes.

BOARD ACTION: The Resident Interest Committee recommended Resolution #2500 to the full Board for approval. A Vote was called.

Commissioner Davis:  Yes
Commissioner Gambrell-Davis:  Yes
Commissioner Harvey:  Yes
Commissioner Jordan:  Yes
Commissioner Nesbitt:  Yes
Commissioner Sherman-White:  Yes

The board approved Resolution 2500.

SUBJECT: Report from the Finance Committee: Report from the Auditors

Mr. Brian Nemeroff from Berman Hopkins Wright & LaHam presented the Audit report: Basic Financial Statements and Supplemental Information for the Year ended December 31, 2017.

SUBJECT: Report from the Finance Committee: Financial Reports and Capital Improvement Grant Review

Mr. Dennis Lohr discussed the Financial Report.

SUBJECT: Report from the Finance Committee: Resolution #2501 – Write-off Vacated Public Housing Tenant Accounts

Ms. Robin Adams presented on the Public Housing Write-offs.

BOARD ACTION: The Finance Committee recommended Resolution #2501 to the full Board for approval. A vote was called.

Commissioner Davis:  Yes
Commissioner Gambrell-Davis:  Yes
Commissioner Harvey:  Yes
Commissioner Jordan:  Yes
Commissioner Nesbitt:  Yes
Commissioner Sherman-White:  Yes

The Board approved Resolution 2501.
SUBJECT: Report from the Finance Committee: Resolution #2502 – Write-off Vacated Affordable Housing Tenant Accounts

Ms. Robin Adams presented on the Affordable Housing Write-offs.

BOARD ACTION: The Finance Committee recommended Resolution #2502 to the full Board for approval. A vote was called.

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Sherman-White: Yes

The Board approved Resolution 2502.

SUBJECT: Report from the Property Acquisition Committee: Resolution #2499 – A Resolution Approving the Purchase of 3419 32nd Ave N St. Petersburg, FL 33713

Mr. Love discussed the proposed use for the property and financial/funding information.

BOARD ACTION: Commissioner Jordan Motioned to approve the resolution. Commissioner Sherman-White Seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Jordan: Yes
Commissioner Nesbitt: Yes
Commissioner Sherman-White: Yes

The Board approved Resolution #2499.

SUBJECT: Chief Executive Officer’s Remarks – Jordan Park Development Report

Mr. Love discussed his report.

Ms. LaShunda Battle gave an update on the relocation of the Jordan Park History Village families.
SUBJECT: Old Business

There was no Old Business

SUBJECT: New Business

Commissioner Davis further discussed that the committee for the preservation of Jordan park will be formed and the meeting to do so will be posted onto the SPHA website.

There being no further business, the meeting was adjourned at 1:11 p.m.

Dr. Delphinia Davis, Chairperson                      Tony L. Love, Secretary
Commissioner Davis, Chair, called the meeting to order at 10:01 a.m. Upon roll call, the following were in attendance:

Present at Roll: Commissioner Dr. Delphinia Davis, Chair  
Commissioner Harry L. Harvey, Vice Chair  
Commissioner Shariene Gambrell-Davis  
Commissioner Jo Ann S. Nesbitt  
Commissioner Terri Lipsey Scott  

Absent at Roll: Commissioner Emeritus Dr. Arnett Smith  
Commissioner Ann Sherman-White  
Commissioner Basha Jordan  

Staff Present: Tony L. Love, Chief Executive Officer  

Others Present: Attorney Adam Brouillet, Trenam Kemker  
Attorney Sandy MacLennan, Squire Patton Boggs  
Dennis Lohr, Clearwater Housing Authority FMCC  
Michelle Ligon, Media and Public Relations Consultant

SUBJECT: Swearing in Ceremony

BOARD ACTION: Chairperson Davis swore in new Commissioner Terri Lipsey Scott.

SUBJECT: Approval of the Agenda

BOARD ACTION: Commissioner Nesbitt made a motion to approve the agenda. Commissioner Gambrell-Davis seconded the motion. A vote was called:

Commissioner Davis: Yes  
Commissioner Gambrell-Davis: Yes  
Commissioner Harvey: Yes  
Commissioner Nesbitt: Yes  
Commissioner Lipsey Scott: Yes

The Board approved the agenda.

SUBJECT: Legal Report

Attorney Adam Brouillet discussed his legal report.
SUBJECT: Legal Report

Sandy MacLennan discussed the City's request for an indemnification.

BOARD ACTION: Director Nesbitt made a Motion to authorize the CEO and/or Chairperson of the St. Petersburg Housing Authority to negotiate and execute an indemnification of the City of St. Petersburg for liability the City may incur in connection with the approval by the Mayor of the issuance of tax-exempt obligations by the St. Petersburg Housing Authority as part of the Jordan Park financing plan, the form of such indemnification to be approved by legal counsel. Director Harvey seconded the motion. A vote was called.

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Nesbitt: Yes
Commissioner Lipsey Scott: Yes

The Board approved the motion.

SUBJECT: Approval of the Minutes of the August 23, 2018, Regular Board Meeting.

BOARD ACTION: Commissioner Harvey made a motion to approve the minutes. Commissioner Gambrell-Davis seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Nesbitt: Yes
Commissioner Lipsey Scott: Abstain

The Board approved the agenda.

SUBJECT: Public Forum

There were no requests to speak.

SUBJECT: Chairperson's Report: Approval of Travel for Commissioners Harvey and Gambrell-Davis to attend the NAHRO National Conference and Exhibition on October 25-27, 2018

BOARD ACTION: Commissioner Nesbitt Made a motion to approve the travel. Commissioner Gambrell-Davis seconded the motion. A vote was called.

Commissioner Davis: Yes
The board approved the ratification of Travel for Commissioners Harvey and Gambrell-Davis.

SUBJECT: Report from the Residents' Interests Committee: Property Management Report

Ms. Robin Adams presented the report on Clearview Park, Disston Place, Romayne, Gateway Place, Sunset Oaks, Jordan Park, Saratoga and Palm Bayou Management. Robins said the August occupancy rate was at 99% for AMP 2 and AMP 3 properties. Jordan Park maintained an occupancy rate of 99 percent with only one vacancy as of August 2018. Ms. Adams discussed the improvements and activities at the properties.

SUBJECT: Report from the Residents' Interests Committee: Social Services Report

Mr. Larry Butler discussed the Social Services Report.

SUBJECT: Report from the Residents' Interests Committee: Resolution #2503: A Resolution to Amend the Housing Choice Voucher Program

Mr. Larry Gonzalez presented Resolution #2503 A Resolution to Amend the Housing Choice Voucher Program to modify SPHA's wait list procedures to include email contact in addition to hard copy mail.

BOARD ACTION: Commissioner Nesbitt Made a motion to approve the Resolution. Commissioner Gambrell-Davis seconded the motion. A vote was called.

The board approved Resolution 2503.

SUBJECT: Report from the Finance Committee

Mr. Dennis Lohr presented the Financial Report.
SUBJECT: Report from the Personnel Committee

Ms. Jacquelyn Roberson presented the Personnel Committee Report.

SUBJECT: Report from the Personnel Committee: Resolution #2504: A Resolution Approving a Revised Personnel Policy

Ms. Jacquelyn Roberson noted the amendment to Resolution #2504: A Resolution Approving a Revised Personnel Policy the Personnel Committee Report as requested by the Personnel Committee.

BOARD ACTION: The Board requested the Resolution be deferred.

SUBJECT: Report from the Personnel Committee: Resolution # 2505: A Resolution Approving Revised Salary Ranges

Jacquelyn Roberson presented Resolution # 2505: A Resolution Approving Revised Salary Ranges.

BOARD ACTION: Commissioner Harvey made a motion to approve Resolution # 2505. Commissioner Gambrell-Davis seconded the motion. A vote was called.

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Nesbitt: Yes
Commissioner Lipsey Scott: Yes

The board approved Resolution 2505.

SUBJECT: Report from the Personnel Committee: Resolution # 2506: A Resolution Approving a High Performer Bonus for Staff for Fiscal Year 2017

Jacquelyn Roberson presented Resolution # 2506: A Resolution Approving a High Performer Bonus for Staff for Fiscal Year 2017.

BOARD ACTION: Commissioner Harvey made a motion to approve Resolution # 2506. Commissioner Gambrell-Davis seconded the motion. A vote was called.

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Harvey: Yes
Commissioner Nesbitt: Yes
Commissioner Lipsey Scott: Yes
The board approved Resolution 2506.

SUBJECT: Chief Executive Officer's Remarks – Jordan Park Development Report

Ms. Michelle Ligon discussed the Jordan Park Community Meeting schedule. The Board also discussed the Jordan Park Historic Village "museum" concept.

Mr. Love discussed his report.

SUBJECT: Old Business

There was no Old Business

SUBJECT: New Business

Commissioner Lipsey Scott inquired about Committee assignments and the Personnel Committee's process for undergoing the CEO evaluation.

Note: Special Call Meeting scheduled for October 3, 2018 to review the agency's Annual Plan.

The regular October meeting is taking place one day early on October 24, 2018 due to the NAHRO Conference.

LaShunda Battle introduced two new employees to the Board: Larry Gonzalez, Housing Choice Voucher Officer and Rachel Gelbmann, Executive Office Manager.

There being no further business, the meeting was adjourned at 11:21 a.m.
Commissioner Davis, Chair, called the meeting to order at 10:22 a.m. Upon roll call, the following were in attendance:

Present at Roll:  
Commissioner Dr. Delphinia Davis, Chair  
Commissioner Harry L. Harvey, Vice Chair  
Commissioner Sharlene Gambrell-Davis  
Commissioner Jo Ann S. Nesbitt

Absent at Roll:  
Commissioner Emeritus Dr. Arnett Smith  
Commissioner Ann Sherman-White  
Commissioner Basha Jordan  
Commissioner Terri Lipsey Scott

Staff Present:  
Tony L. Love, Chief Executive Officer

Others Present:  
LaShunda Battle  
Jacquelyn Roberson  
Pamela Hobbs  
Robin Adams  
Audria Davis  
Michelle Ligon, Media and Public Relations Consultant

SUBJECT: Public Forum

There were no requests to speak.

SUBJECT: Overview of the Agency Annual Plan

Mr. Tony Love and LaShunda Battle reviewed the changes made to the Agency Annual Plan due to HUD October 17, 2018.

BOARD ACTION: Commissioner Harvey made a Motion to approve the agency's Annual Plan for submission to HUD. Commissioner Davis seconded the motion. A vote was called.

Commissioner Davis:  Yes  
Commissioner Gambrell-Davis:  Yes  
Commissioner Harvey:  Yes  
Commissioner Nesbitt:  Yes

The Board approved the Annual Plan for submission to HUD.

SUBJECT: Report from the Personnel Committee: CEO Evaluation
The Personnel Committee reported on the CEO evaluation and provided the following recommendations to the Board:

- Approve the CEO’s performance appraisal salary increase of 5% and increase the car allowance by $100/month retroactive to January 2018.

The Personnel Committee will meet again to discuss the creation of a policy for the CEO evaluation process.

The Personnel Committee also recommends that the RISE Board of Directors meet to discuss performance based incentive pay for the CEO (of 2% of net development fees) and senior staff (of 1% of net development fees) for projects with development fees paid on a quarterly basis until incentive fees earned are exhausted. Additionally, the Committee recommends a monthly deferred compensation payment of $791.66 to be paid into the CEO’s retirement account monthly.

BOARD ACTION: Commissioner Davis made a Motion to send the Personnel Committee’s recommendations for the CEO’s increased pay and car allowance retroactive to January 2018 to the full Board. Commissioner Harvey seconded the motion. A vote was called.

- Commissioner Davis: Yes
- Commissioner Gambrell-Davis: Yes
- Commissioner Harvey: Yes
- Commissioner Nesbitt: Yes

The Board approved the Motion.

SUBJECT: New Business

BOARD ACTION: Commissioner Davis announced that after the Regular October Board meeting, Attorney Jay Walker will conduct a workshop for all Board members on ethics, Board governance, etc. There will also be someone from the Housing Authority Insurance (HAI) group to go over the housing authority’s insurance coverage.

There being no further business, the meeting was adjourned at 10:54 a.m.
REGULAR MEETING
Board of Commissioners of the St. Petersburg Housing Authority
Wednesday October 24, 2018, at 10:00 a.m.
2001 Gandy Boulevard North, St. Petersburg, Florida

Members of the public who wish to address an agenda item under Public Forum must fill out a "Registration Form to Provide Statements at Public Forum" prior to the beginning of the Public Forum.

AGENDA

1. Call to Order
2. Roll Call
3. Approval of the Agenda
4. Legal Report
5. Approval of Minutes of the September 20, 2018, Regular Board Meeting and the October 3, 2018 Special Call / Annual Plan Public Hearing
6. Public Forum
7. Chairperson’s Report
8. Report from the Residents’ Interests Committee
9. Report from the Personnel Committee
   A. Resolution # 2504: A Resolution Approving a Revised Personnel Policy
10. Report from the Finance Committee
    A. Financial Reports and Capital Improvement Grant Review
    B. Resolution #2508 – Write-off Vacated Public Housing Tenant Accounts
    C. Resolution #2509 – Write-off Vacated Affordable Housing Tenant Accounts
    D. Fraud Recovery Program Status Report
11. Chief Executive Officer’s Remarks
    A. Jordan Park Development Report
12. Old Business
13. New Business
14. Adjourn

NOTE: At the conclusion of the regularly scheduled Board Meeting, the Board will enter into a Housing Commissioners Board Workshop that will discuss the following items:
   • Public Official Coverage
   • SPHA Bylaws
   • Florida’s Sunshine Laws

Residents’ Interests Committee: Commissioner Nesbitt, Chair, Commissioner Davis, and Commissioner Gambrell-Davis
Tuesday October 23, 2018, at 12:00 p.m.

Personnel Committee: Commissioner Harvey, Chair, Commissioner Nesbitt, and Commissioner Davis
Tuesday October 23, 2018, at 12:30 p.m.

Finance Committee: Commissioner Harvey, Chair, Commissioner Nesbitt, and Commissioner Davis
Tuesday October 23, 2018, at 1:00 p.m.
Commissioner Davis, Chair, called the meeting to order at 10:01am. Upon roll call, the following were in attendance:

Present at Roll:  Commissioner Dr. Delphinia Davis, Chair
Commissioner Sharlene Gambrell-Davis
Commissioner Jo Ann S. Nesbitt
Commissioner Terri Lipsey Scott

Absent at Roll:  Commissioner Harry L. Harvey, Vice Chair
Commissioner Emeritus Dr. Arnett Smith
Commissioner Ann Sherman-White
Commissioner Basha Jordan

Staff Present:  Tony L. Love, Chief Executive Officer
LaShunda Battle, Acting Chief Operating Officer
Pamela Hobbs, Procurement Officer
Larry Gonzalez, Housing Choice Voucher Officer
Larry Butler, Social Services Officer
Robin Adams, Asset Management Officer
Jacquelyn Roberson, Human Resources Officer
Audria Davis, Compliance Officer

Others Present:  Attorney Jay Walker, Trenam Kemker
Dennis Lohr, Clearwater Housing Authority FMCC
Michelle Ligons, Media and Public Relations Consultant

SUBJECT:  Approval of the Agenda

BOARD ACTION:  Commissioner Lipsey Scott made a motion to approve the agenda. Commissioner Gambrell-Davis seconded the motion. A vote was called:

Commissioner Davis:  Yes
Commissioner Gambrell-Davis:  Yes
Commissioner Nesbitt:  Yes
Commissioner Lipsey Scott:  Yes

The Board approved the agenda.

SUBJECT:  Legal Report

Attorney Jay Walker discussed his legal report.
SUBJECT: Approval of Minutes of the September 20, 2018, Regular Board Meeting and the October 3, 2018 Special Call / Annual Plan Public Hearing

BOARD ACTION: Commissioner Nesbitt made a motion to approve the minutes. Commissioner Gambrell-Davis seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Nesbitt: Yes
Commissioner Lipsey Scott: No

The Board approved the minutes of the September 20, 2018, Regular Board Meeting and the October 3, 2018 Special Call / Annual Plan Public Hearing.

SUBJECT: Public Forum

There were no requests to speak.

SUBJECT: Chairperson's Report

BOARD ACTION: Chairperson Davis had no items to report.

SUBJECT: Report from the Residents' Interests Committee: Property Management Report

Ms. Robin Adams presented the report on Clearview Park, Disston Place, Romayne, Gateway Place, Sunset Oaks, Jordan Park, Saratoga and Palm Bayou Management. Robins said the August occupancy rate was at 99% for AMP 2 and AMP 3 properties. Jordan Park maintained an occupancy rate of 100 percent with only one vacancy as of August 2018. Ms. Adams discussed the improvements and activities at the properties.

SUBJECT: Report from the Residents' Interests Committee: Social Services Report

Mr. Larry Butler discussed the Social Services Report.

SUBJECT: Report from the Residents' Interests Committee: Housing Choice Voucher

Mr. Larry Gonzalez discussed the status of the Housing Choice Voucher program.

SUBJECT: Report from the Personnel Committee: Resolution #2504: A Resolution Approving a Revised Personnel Policy
Ms. Jacquelyn Roberson outlined the changes made to the Personnel Policy and presented Resolution #2504: A Resolution Approving a Revised Personnel Policy.

BOARD ACTION: Commissioner Davis made a motion to approve Resolution #2504. Commissioner Gambrell-Davis seconded the motion. A vote was called:

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Nesbitt: Yes
Commissioner Lipsey Scott: Yes

The Board approved the Resolution #2504: A Resolution Approving a Revised Personnel Policy.

SUBJECT: Report from the Finance Committee

Mr. Dennis Lohr presented the Financial Report.

SUBJECT: Report from the Finance Committee: Resolution # 2508: Write-off Vacated Public Housing Tenant Accounts

Robin Adams presented Resolution # 2508 – Write-off Vacated Public Housing Tenant Accounts.

BOARD ACTION: Commissioner Nesbitt made a motion to approve Resolution # 2508. Commissioner Gambrell-Davis seconded the motion. A vote was called.

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Nesbitt: Yes
Commissioner Lipsey Scott: Yes

The board approved Resolution # 2508: Write-off Vacated Public Housing Tenant Accounts.

SUBJECT: Report from the Finance Committee: Resolution # 2509: Write-off Vacated Affordable Housing Tenant Accounts

Robin Adams presented Resolution # 2509 – Write-off Vacated Affordable Housing Tenant Accounts.

BOARD ACTION: Commissioner Davis made a motion to approve Resolution # 2508. Commissioner Gambrell-Davis seconded the motion. A vote was called.

Commissioner Davis: Yes
Commissioner Gambrell-Davis: Yes
The board approved Resolution # 2509: Write-off Vacated Affordable Housing Tenant Accounts.

SUBJECT: Report from the Finance Committee: Fraud Recovery Program Status Report

Audria Davis presented the Fraud Recovery Program Status Report.

SUBJECT: Chief Executive Officer’s Remarks – Jordan Park Development Report

Mr. Love discussed the Jordan Park Community Meeting schedule.

Ms. Michelle Ligon discussed the Jordan Park Community Meeting schedule. The Board also discussed the Jordan Park Historic Village “museum” concept.

SUBJECT: Old Business

There was no Old Business

SUBJECT: New Business

Commissioner Lipsey Scott made a statement requesting that her vote for Resolution # 2506: A Resolution Approving a High Performer Bonus for Staff for Fiscal Year 2017 at the September Board meeting be rescinded. In order for a vote to be rescinded, the entire vote must be rescinded and the matter must be brought to the full Board for a vote again. Since Commissioner Lipsey Scott’s change in vote would not have affected the outcome of the vote, no new vote was called.

NOTE: At the conclusion of the regularly scheduled Board Meeting, the Board entered into a Housing Commissioners Board Workshop to discuss the following items:
- Public Official Coverage
- SPHA Bylaws
- Florida’s Sunshine Laws

There being no further business, the meeting was adjourned at 11:07am.
REGULAR MEETING

Board of Commissioners of the St. Petersburg Housing Authority
Thursday November 15, 2018, at 10:00 a.m.
2001 Gandy Boulevard North, St. Petersburg, Florida

Members of the public who wish to address an agenda item under Public Forum must fill out a “Registration Form to Provide Statements at Public Forum” prior to the beginning of the Public Forum.

AGENDA

1. Call to Order
2. Roll Call
3. Approval of the Agenda
4. Legal Report
5. Approval of Minutes of the October 24, 2018, Regular Board Meeting
6. Public Forum
7. Chairperson’s Report
8. Report from the Residents’ Interests Committee
   A. Resolution #2510 – Public Housing 2019 Flat Rents
   B. Resolution #2511 – Approval of 2019 Housing Choice Voucher Utility Allowances
   C. Resolution #2512 – Approval of 2019 Public Housing Utility Allowances
   D. Resolution #2513 – A Resolution to Approve the 2019 Payment Standards for the Housing Choice Voucher Program
9. Report from the Finance Committee
   A. Resolution #2514 – A Resolution to Approve the Operating Budgets for the Fiscal Year Ending December 31, 2019
   B. Financial Reports and Capital Improvement Grant Review
   C. Resolution #2515 – Disposition of Furniture
   D. Resolution #2516 – General Counsel Legal Services Contract Increase Amount
   E. Resolution #2517 – Approval of Bond, Real Estate & Tax Credit Counsel Contract
   F. Fraud Recovery Program Status Report
10. Chief Executive Officer’s Remarks
    A. Jordan Park Development Report
11. Old Business
12. New Business
13. Adjourn
Commissioner Davis, Chair, called the meeting to order at 10:02 am. Upon roll call, the following were in attendance:

Present at Roll:  
Commissioner Dr. Delphinia Davis, Chair  
Commissioner Harry L. Harvey, Vice Chair  
Commissioner Sharlene Gambrell-Davis  
Commissioner Jo Ann S. Nesbitt  
Commissioner Terri Lipsey Scott

Absent at Roll:  
Commissioner Emeritus Dr. Arnett Smith  
Commissioner Ann Sherman-White (arrived at 10:08)  
Commissioner Basha Jordan (Requested Excused Absence)

Staff Present:  
Tony L. Love, Chief Executive Officer  
LaShunda Battle, Acting Chief Operating Officer  
Pamela Hobbs, Procurement Officer  
Larry Gonzalez, Housing Choice Voucher Officer  
Larry Butler, Social Services Officer  
Robin Adams, Asset Management Officer  
Audria Davis, Compliance Officer

Others Present:  
Dennis Lohr, Clearwater Housing Authority FMCC  
Michelle Ligon, Media and Public Relations Consultant  
Attorney Shaun N. Amarnani, Trenam Kemker

SUBJECT: Approval of the Agenda

BOARD ACTION: Commissioner Lipsey Scott made a motion to approve the agenda. Commissioner Nesbitt seconded the motion. A vote was called:

Commissioner Davis: Yes  
Commissioner Harvey: Yes  
Commissioner Gambrell-Davis: Yes  
Commissioner Nesbitt: Yes  
Commissioner Lipsey Scott: Yes

The Board approved the agenda.

SUBJECT: Legal Report

Attorney Shaun N. Amarnani discussed his legal report.

Mr. Amarnani gave an update on several legal issues currently occurring.
- Goodman VS RISE case. Stated that they are close to settling the case.

- City of St. Petersburg Code Violation notice was sent the SPHA. They gave the SPHA until November 14th to correct the violations. SPHA attempted to source funding from the city to rectify the violations and it has been delayed. Mr. Amarnani stated they will continue to monitor the situation.

- An update on Bond Financing Approval options was given. The city has requested a joint meeting with the board and Mr. Amarnani stated the decision is with the board.

SUBJECT: Approval of Minutes of the October 24, 2018, Regular Board Meeting

BOARD ACTION: Commissioner Nesbitt made a motion to approve the minutes. Commissioner Gambrell-Davis seconded the motion. A vote was called:

- Commissioner Davis: Yes
- Commissioner Harvey: Yes
- Commissioner Gambrell-Davis: Yes
- Commissioner Nesbitt: Yes
- Commissioner Lipsey Scott: No

The Board approved the minutes of the October 24, 2018, Regular Board Meeting

SUBJECT: Public Forum

Lisa Wheeler Bowman, City Council chair, requested to speak.

SUBJECT: Chairperson’s Report

BOARD ACTION: Chairperson Davis Reported the PHADA Commissioners conference in January and asked any interested commissioners to let the SPHA Executive office know if they would like to attend.

SUBJECT: Report from the Residents’ Interests Committee: Property Management Report

Ms. Robin Adams presented the report. She said the September occupancy rate was at 99% for AMP 2 properties. Jordan Park maintained an occupancy rate of 100 percent as of October 2018. Ms. Adams discussed the improvements and activities at the properties as well as a small rise in Domestic Violence Issues.

SUBJECT: Report from the Residents’ Interests Committee: Social Services Report
Mr. Larry Butler discussed his report and upcoming activities for the residents. He also discussed some programs and resources available to the residents.

SUBJECT: Report from the Residents' Interests Committee: Resolution # 2510: Public Housing 2019 Flat rents

Ms. Robin Adams presented the resolution.

A vote was Called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Nesbitt: Yes
Commissioner Sherman-White: Yes
Commissioner Lipsey Scott: Yes

BOARD ACTION: The Board approved Resolution #2510.

SUBJECT: Report from the Residents' Interests Committee: Resolution # 2511: A Resolution to adopt the 2019 Utility Allowance Schedule for the Housing Choice Voucher Program.

Mr. Larry Gonzalez presented the resolution.

A vote was Called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Nesbitt: Yes
Commissioner Sherman-White: Yes
Commissioner Lipsey Scott: Yes

BOARD ACTION: The Board approved Resolution #2511.

SUBJECT: Report from the Residents' Interests Committee: Resolution # 2512: Approval of the 2019 Public Housing Utility Allowance.
Ms. Robin Adams presented the resolution.

A vote was Called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Nesbitt: Yes
Commissioner Sherman-White: Yes
Commissioner Lipsey Scott: Yes

BOARD ACTION: The Board approved Resolution #2512.

SUBJECT: Report from the Residents' Interests Committee: Resolution # 2513: A Resolution to Approve the 2019 Payment Standards for the Housing Choice Voucher Program.

Mr. Larry Gonzalez presented the resolution.

A vote was Called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Nesbitt: Yes
Commissioner Sherman-White: Yes
Commissioner Lipsey Scott: Yes

BOARD ACTION: The Board approved Resolution #2513.

SUBJECT: Report from the Finance Committee: Resolution #2514 – A Resolution to approve the Operating Budgets for the Fiscal Year ending December 31, 2019

Mr. Dennis Lohr presented the Resolution and explained in detail the 2019 Operating Budgets.

A Vote was Called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Nesbitt: Yes
Commissioner Sherman-White: Yes
Commissioner Lipsey Scott: Yes

BOARD ACTION: The Board approved Resolution #2514.

SUBJECT: Report from the Finance Committee: Financial Reports and Capital Improvement Grant Review

Mr. Dennis Lohr presented the October 2018 financial reports and capital improvement grant review.

SUBJECT: Report from the Finance Committee: Resolution #2515 – Disposition of Furniture.

Ms. LaShunda Battle presented the Resolution.

A Vote was Called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Nesbitt: Yes
Commissioner Sherman-White: Yes
Commissioner Lipsey Scott: Yes

BOARD ACTION: The Board approved Resolution #2515

SUBJECT: Report from the Finance Committee: Resolution #2516 – General Counsel Legal Services Contract Amount Increase.

Ms. Pamela Hobbs presented the Resolution.

A Vote was Called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Gambrell-Davis: Yes
Subject: Report from the Finance Committee: Resolution #2517 – Approval of Bond, Real Estate and Tax Credit Counsel Contract

Ms. Pamela Hobbs presented the Resolution.

A Vote was Called:

Commissioner Davis: Yes
Commissioner Harvey: Yes
Commissioner Gambrell-Davis: Yes
Commissioner Nesbitt: Yes
Commissioner Sherman-White: Yes
Commissioner Lipsy Scott: Yes

Board Action: The Board approved Resolution #2517.

Subject: Report from the Finance Committee: Fraud Recovery Program Status Report

Audria Davis presented Fraud Recovery Program Status Report for October 2018.

Subject: Chief Executive Officer’s Remarks – Jordan Park Development Report

Ms. LaShunda Battle invited the Commissioners to SPHA’s Thanksgiving staff potluck and the Holiday Breakfast.

Ms. LaShunda Battle discussed the charitable programs the SPHA does each Christmas. Including the Adopt a family program. She also discussed that SPHA had a donation from the company Morneau Shepell in order to give away bikes to some children within the public housing program.

Ms. Michelle Ligon discussed an upcoming Community Meeting on December 6, 2018 for Jordan Park Historic Preservation. She also gave an update from the last two (2) Community Meetings and the Jordan Park Exhibit.
Mr. Tony Love gave an update on the HUD financing plan reviews with regards to the Jordan Park and AMP2 developments. He stated that the Environmental review is still pending.

Mr. Tony Love also reviewed the updated timeline in regards to Jordan Park and AMP2 Developments. The timeline was revised in order to align with the Operating Budgets for Fiscal year 2019.

SUBJECT: Old Business

Commissioner Lispey Scott requested an update on financial standing in regards to the requests made by SPHA to the City council.

Mr. Tony Love gave an update on the financial requests from the City Council and the financial standing of the Jordan Park new construction mid-rise building and the rehab of the 206 family units.

SUBJECT: New Business

There was no New Business

There being no further business, the meeting was adjourned at 12:16 pm.

Dr. Delphinia Davis, Chairperson  Tony L. Love, Secretary
The SPHA was created in 1937 and is governed by Chapter 421 of the Florida Statutes.

The mission of the SPHA is to provide a variety of safe, sanitary, accessible, decent and affordable housing to eligible citizens of the City of St. Petersburg, while enhancing and promoting resident self-sufficiency.
The SPHA and the City of St. Petersburg

The Mayor of St. Petersburg with city council confirmation appoints the Commissioners to unpaid four year terms. However, the SPHA is not a city department and does not operate under city oversight.

The SPHA is an independent political subdivision of the State of Florida, but it does not receive operating income from the State of Florida, Pinellas County or the City of St. Petersburg.

THE BOARD OF COMMISSIONERS

The SPHA is governed by a seven person Board of Commissioners. The Board is responsible for oversight and policy-making for the SPHA. Policy includes developing the mission, goals and plans for the SPHA and should spell out the expectations with respect to the operation of the SPHA.

The Board conducts business in meetings that are noticed and open to the Public as required by Florida’s Government in the Sunshine Laws.

Board meetings are run in accordance with the SPHA By-Laws as adopted by the Board of Commissioners.
Board of Commissioners Cont’d

Board meetings per the By-Laws are overseen by the Chairperson and in his/her absence the Vice-Chairperson. The Chairperson and Vice-Chairperson are elected annually by majority vote of the Board.

The Board is responsible for hiring and evaluating the Chief Executive Officer of the SPHA, who shall also act as the Secretary of the Board. The Chairperson of the Board coordinates with the CEO to see that all resolutions of the Board are carried into effect.

The CEO is the sole employee of the Board of Commissioners.

The Commissioner

A Commissioner is one of seven individuals of the Board and although unpaid and unelected is subject to Government in the Sunshine Laws outlined in Chapter 286 of the Florida Statutes, Public Records laws as outlined in Chapter 119 of the Florida Statutes, Code of Ethics for Public Officers as outlined in Part III of Chapter 112 of the Florida Statutes, the By-Laws and Personnel Policy of the SPHA.

The By-Laws and Personnel Policy were approved and voted on by the Board and lay out the rights, duties and expectations of each individual commissioner as it pertains to his/her role as a board member.
Commissioners owe a fiduciary responsibility in the performance of his/her duties.

Unless authorized by the Board or the CEO and/or Communication Officer, a Commissioner does not speak on behalf of the Board of Commissioners or on behalf of the SPHA.

The Chairperson’s duties and responsibilities are laid out in the By-Laws of the SPHA as approved by the Board of Commissioners.

Important responsibilities include: presiding over meetings of the Board; resolving disputes as it pertains to the conduct of meetings and ultimately enforcing the meeting so that appropriate decorum and order is carried out so as not to effect the business of the board; appointing board members to various committees of the Board; and creating the Agenda of Board Meetings with the assistance of the CEO.
The CEO

The CEO is responsible for the day to day and administrative operation of the SPHA. He/she is responsible for seeing that all resolutions passed by the Board are carried into effect.

The Board makes SPHA policy with recommendations and advisement from the CEO; the CEO puts it into effect. The CEO answers to the Board.

Per the By-Laws, the CEO is responsible for the selection, compensation and discharge of all SPHA personnel or staff.

The CEO employs the Staff of the SPIHA to assist him/her in implementing the policy approved by the Board. The Staff answers to the CEO.

Florida’s Sunshine Laws- Why you have a CEO

Board Meetings are where the business of the Board must take place.

No individual Commissioner acts on behalf of the Board, and Board action must take place in a board meeting where there is a quorum and majority vote.

All SPHA board meetings are subject to Florida’s Sunshine Laws. There can be no board meeting without making all meetings: (1) open to the public; (2) with reasonable notice of such meeting being given; and (3) taking minutes of the meeting that are promptly recorded. See section 286.011 of the Florida Statutes.

In short, the Board is not in a position to hold an impromptu meeting of any kind to discuss issues that could reasonably be expected to come before the Board for consideration.
In addition to board meetings being covered by Florida’s Sunshine Laws, each Commissioner of the Board is bound by Florida’s Sunshine Laws. Commissioners cannot communicate to each other regarding any matter that could reasonably come to the Board for consideration outside of a properly noticed meeting in compliance with the Sunshine Laws. Knowing violation of the Sunshine Law by an individual Commissioner is a second degree misdemeanor punishable with up to 60 days in jail and a $500.00. See generally section 286.011(3) of the Florida Statutes.

Ignorance by a Commissioner is no excuse either and can lead to a civil fine as well as the costs of hiring an attorney for representation. See Id. By way of example, communications regarding Board matters right before a properly noticed meeting, during a recess or immediately after are a violation of Florida’s Sunshine Laws (i.e. asking another Commissioner for support or inquiring how they might vote in the breakroom during a recess or before a meeting is a violation of Florida’s Sunshine Law).
Florida’s Sunshine Laws are restrictive on what actions Boards and individual Commissioners can take, which leads to why Board meetings must run smoothly and why the Board hires a CEO with the technical experience to take care of the vast number of day to day matters and numerous other administrative matters that take place on a regular basis in carrying out the policy set forward by the Board.

The Board Meeting

Scheduled Board Meetings take place on the 4th Thursday of each month except for the months of July and December.

Unplanned Board meetings of any nature must be coordinated and properly noticed in compliance with Florida’s Sunshine Laws.

As a Board meeting is the only place Board business can take place and with a limited number of meetings on the schedule, it is very important that the meetings run smoothly allowing each Commissioner the opportunity to exchange ideas, deliberate and to take action on the items listed on the Agenda.

The Chairperson has a great deal of latitude in enforcing board rules to make certain that proper decorum and rules are followed.
The Bylaws as adopted by the Board of Commissioners outlines the process of creating a meeting Agenda. See Article 3, Section 7. The agenda is created by the Chairperson of the Board and the Chief Executive Officer. See Id.

While matters not on the agenda can be considered by the Board, the Attorney General’s office has advised boards to postpone any formal action on any item added that is controversial in nature. See AGO, 03-53.

How does an individual Commissioner get an item on the Agenda?

Per the Bylaws, for a policy item, the Commissioner must bring the proposed agenda item to the appropriate Committee for review, and the committee via majority vote may add the item to the next general board agenda if possible, but no later than the second general meeting.

For an administrative item, the Commissioner must take the matter to the CEO for consideration. If the CEO believes the item is appropriate, he/she will add the item to the next general board agenda if possible, but no later than the second general meeting.
What if the Committee or CEO says NO?

If an item the Commissioner sought to be added onto the Agenda is denied at either the Committee level or by the CEO, the Board member may bring the matter up before the Board during the New Business portion of the next scheduled Board meeting.

The Commissioner will be allowed a brief statement as to why he/she believes it should be added to the agenda, and a Committee member that voted against putting the item on the Agenda, or the CEO, will be allowed a brief statement as why the item was not added to the agenda.

Following the statements, the full board will vote on whether to add the item to the next agenda of the full board.

Per the By-Laws, this process does not place the item on the current Agenda, but makes it an item on the agenda of the next scheduled general board meeting.

Additionally, adding an item on the agenda via the Old/New business portion of the meeting could result in the violation of the Sunshine Laws Notice Requirements.
Old/New Business and the Agenda

Old/New Business section of the Agenda is not to be used to skirt the procedure laid out in the By-Laws for placing an item on the Agenda. The Board uses the Robert’s Rules of Order as a guideline, but to the extent there is a conflict with the By-Laws, the By-Laws will control. See Article V, Section 2.

Additionally, Florida’s Sunshine Laws trump even the By-Laws. Old/New business cannot be used to get controversial items or items that may be of considerable public interest on the Agenda without providing proper notice to the public. The public must be provided a reasonable opportunity to participate in the decision making process and items of considerable public interest must be listed as an agenda item.

Slide 19

Speaking on behalf of the Authority or Board

The personnel policy as approved by the Board of Commissioners outlines the policy and guidelines applicable to Commissioners and Employees when speaking to the media. See generally Section V, Miscellaneous Policy, Media Policy, Part F.

The Communications Officer acts as the Authority’s primary spokesperson and absent this position, the following individuals are allowed to speak on behalf of the Authority: the Chairperson, Vice-Chairperson, CEO, COO and Department heads. See Id.

Slide 20
Media contacts a Commissioner—Calls from the news media (print, television or radio) received by a member of the Authority’s Board of Commissioners should always be referred immediately to the Communications Officer and the Chief Executive Officer. See Id.

Members of the Authority’s Board of Commissioners should not contact the media without first speaking with the Chief Executive Officer and/or Communications Officer. See Id.

Remember who makes up the Board

Board Members are appointed by the Mayor with Council consent, but at the end of the day, they are volunteers donating their time to make our City a better place to live. They did not run for political office and are not paid for their services.

Having a disagreement on the best course of action on any given item is actually healthy for the organization, but it goes without saying that launching personal attacks, intimidation, shouting or the use of other confrontational mechanisms is not the best way to make a point or for the Board to reach a consensus on the best course of action. The discussion should be focused solely on the agenda item that is currently before the Board for consideration.
There is no reason for Surprises—the By-Laws Map Out how the Meetings are to Run

The By-Laws as approved by the Board dictate how items are added to the Agenda.

The Agenda is published with the Notice of Meeting well in advance of the meeting.

If a Commissioner or Commissioners feel there should be an amendment to the By-Laws, there is a mechanism for this as well. The By-Laws were most recently amended in November of 2015.
St. Petersburg housing agency board approved pay raise for CEO without reviewing his evaluation

St. Petersburg Housing Authority CEO Tony Love got a $10,000 pay raise despite reports he created a hostile work environment.

By Christopher O'Donnell
Times Staff Writer

Published February 22
Updated February 22

ST. PETERSBURG — St. Petersburg Housing Authority CEO Tony Love was in his job 18 months when board members decided to ask staffers how they felt about their boss as part of his first evaluation.

A half-dozen senior employees, including the chief operating officer and head of asset management, completed the anonymous questionnaire. Many of their answers raised serious questions about his leadership.

Love often yelled at staff, was “bullish” and on one occasion ordered three employees to spend more than three hours making “goody bags” for his upcoming fraternity golf event, according to one questionnaire obtained by the Tampa Bay Times.

“Subordinate staff has broken down in tears, feel they work in an environment of undue intimidation and their future with the agency is dismal,” another stated.
But the board that oversees the mostly government-funded agency approved a 7.1 percent pay raise for Love in November 2017 without reviewing his evaluation or the questionnaires.

“We haven’t actually seen his review, so how are we going to vote on that?” board member Jo Ann Nesbitt asked during the meeting.

Nesbitt and others were told that the evaluation could be requested from human resources. Then all of them, including Nesbitt, supported the raise, bumping Love’s annual salary by $10,000 to $150,000, documents show.

The pay hike was backdated to the beginning of the year, and the CEO was also rewarded with fringe benefits added to his contract beginning in 2018.

Nesbitt and board chairwoman Delphinia Davis didn’t return calls for comment. Board member Harry Harvey declined to comment, saying only Davis is authorized to speak for the board.

Love, 63, told the Times he was unaware that his human resources director had asked staffers to provide feedback about his performance. He said he could not recall during his evaluation meeting with the personnel committee if the employee questionnaires were discussed.

When asked about employees’ comments about his management, he said he has a loud voice that may have been mistaken for shouting.

“We did things in a very aggressive way to accomplish our goals and those goals were accomplished and whatever comments were made to the personnel committee I did not have knowledge of,” he said. “Perceptions of my voice is misleading.”

This isn’t the first time the Housing Authority has come under fire for a lack of transparency.

Earlier this month, it told board member Terri Lipsey Scott she would have to pay up to $900 for copies of records she wanted to review. The agency reversed that decision after City Council Chairman Charlie Gerdes offered to pay the cost.

Love’s pay increase also raises questions about whether the Housing Authority is following Florida’s public records laws.

Audio recordings are routinely made of Housing Authority meetings. But the agency was only able to provide a four-minute recording of the June 2017 personnel committee meeting held about two weeks after the employee
questionnaires were completed. The short audio shows that members of the committee, which includes board members Harvey and Davis, agreed to turn off the recorder when the CEO’s evaluation came up.

Love said it’s part of an established process used for the evaluation of previous CEOs to turn off the audio recording.

Under Florida law, meetings can be closed in a so-called executive session for discussion of issues like pending litigation or negotiations with unions. But the law does not provide the same exemption for personnel matters like a CEO evaluation.

Records show that the meeting lasted 80 minutes but contain just the following description: “The committee discussed the CEO’s evaluation.”

Also, when asked for copies of the questionnaires that staffers completed about Love, the agency said they couldn’t be found.

Under state law, personnel records must be retained for up to 50 years after the end of employment.

“If the records were subject to retention and they can’t find them, they have violated the law,” said Barbara Peterson, president of the First Amendment Foundation, a Tallahassee nonprofit group that advocates for freedom of information.

The Housing Authority did provide the Times a copy of Love’s evaluation it said was completed by the personnel committee. The five-page document lists goals that Love accomplished in his first year, including the purchase of Jordan Park, which the agency is seeking to redevelop, and Wallysburg Apartments, which is intended to provide affordable housing. It also credits him with reaching an agreement for St. Petersburg to forgive a $3.1 million loan that was used to demolish deteriorating Jordan Park apartments in 2000.

The evaluation does not incorporate comments made by his employees or list their concerns.

The seven commissioners who make up the Housing Authority’s governing board are selected by the St. Petersburg mayor and approved by the City Council. But the agency is otherwise autonomous and board members, who serve on a voluntary basis, provide the only oversight.

“The lack of oversight and transparency is astounding, especially considering council asked many of these members tough questions before their appointment and they committed to fulfilling that role,” said City Council member Amy Foster. “If one do not plan on reconfirming any member who has allowed this on their watch.”

Board members followed up Love’s 2017 pay rise with a 5 percent rise the following year and increased his monthly car allowance from $600 to $700 per month, both backdated to the beginning of 2018. They also recommended he and top staff get a slice of any development fees from the construction of new public housing. That idea was later scrapped.

Two staff questionnaires obtained by the Times reveal a strained workplace.
Love used terms like “baby and sweetheart” when addressing some female employees, one questionnaire states. A common complaint was that Love shouted at staffers and failed to listen to employees, even those with experience.

“He raises his voice, belittles senior staff and termination is on the table with each and every interaction you engage in with him,” wrote one employee.

Rachel Gelbmann, who was let go about 12 days before the end of her three-month probationary period in November, said there was an uncomfortable work atmosphere when Love was in the office.

“He seems generally disrespectful to women and most of the senior office staff are women,” she said. “I’ve seen him shout at people multiple times a day usually.”

Gelbmann said she was fired because she made several complaints about Love to the human resources department.

One of those was after he ordered her to change the minutes of a meeting that had already been posted on the agency’s website. He wanted them to reflect that the board had voted to appoint Nesbitt to a committee. After she and other staff listened to the recording of the meeting, she refused to make the change.

“We listened to it again and again,” she said. “We were of the opinion that the minutes shouldn’t be altered.”

Love said he did not recall that and it would have been unnecessary since the board chairman could authorize a committee assignment without a vote. He said he never made negative comments to his staff about their talent.

“People have their opinions,” he said. “Change is hard for some people. Some people like to stay in their comfort zone.”

Contact Christopher O’Donnell at codonnell@tampabay.com or (813) 226-3446. Follow @codonnell_times.
St. Petersburg Housing Authority CEO lived rent-free in low-income housing — while earning $140,000 salary

Tony Love lived for nine months in Saratoga Apartments in 2016. The agency also paid for his furniture and electricity.

ST. PETERSBURG — With its granite countertops and modern kitchens and bathrooms, Saratoga Apartments is one of the St. Petersburg Housing Authority's best properties.

A one-bedroom apartment rents for $500 a month at the affordable housing complex just east of Disston Heights, which is restricted to low-income families. For a single person, that would mean a salary of less than $34,000.

But for nine months in 2016, the occupant of apartment 54 was Tony Love, the housing authority’s chief executive.

He was making $140,000 a year.

The contract the Housing Authority awarded Love required the agency to pay his rent for the first six months following his relocation from Michigan. Soon after taking charge, Love decided it made more sense for him to live in a vacant agency apartment than for the agency to pay for a privately owned one.
He also billed the agency $3,000 for the cost of furnishing the second-floor
one-bedroom apartment, including a new sofa, dining table, bed and two bar-
stools from Big Lots.

The free accommodations did not end after six months. Love was still in the
apartment in August 2016 when he asked the agency’s board to approve a
retroactive contract amendment extending his stay through the end of
September.

His decision to live in housing designated as affordable violates federal
guidelines set for Saratoga by the U.S. Department of Housing and Urban
Development, its officials said.

"This is outrageous," said Lisa Wheeler-Bowman, the St. Petersburg City
Council member assigned as liaison to the housing agency. "How can he not
afford his own apartment or his own home?"

Love, 63, said his decision saved the agency money and gave him insight into
the conditions faced by residents.

"The agency was responsible for my living arrangement during that period of
time no matter where I stayed," Love said. "I thought it was a yeoman thing
for me to do to show the agency that I wasn’t trying to gouge anyone."

Love said he needed the additional three months because he was frequently
traveling to Michigan on weekends to be with his mother, who was terminally
ill with cancer. She died May 9. He also had to help organize her funeral
and said he had not had enough time to look for an apartment.

"I was going back and forth and realtors are not interested in finding you a
rental property," he said.

He disputes that his use of the apartment denied a low-income family the
chance to live in affordable accommodations.

The agency does not maintain a waiting list for Saratoga and there was a
vacant unit when he was looking for a place to stay, he said. Michelle Ligon, a
spokeswoman for the Housing Authority, said that during Love’s stay at
Saratoga the 34-unit complex had vacancies in all but one month.

But vacant apartments are typically advertised on Craigslist and filled within a
month, said Robin Adams, the agency’s asset management officer.

Love’s contract stated that the agency would pay "reasonable residential
rental costs" but does not specify furniture. Love said because the apartment
was unfurnished, it was a justifiable expense.
After he moved out of the apartment, Love said he put the furniture in storage at his own expense. Later, he said he reimbursed the agency about $360 for two items that he kept and donated the rest to a group that provides temporary shelter for women.

Despite repeated requests, Love declined to provide the name of the shelter.

Apartment rents at Saratoga are not subsidized by the federal government as they are in public housing or Section 8 properties. The rent paid by residents also covers trash, lawn care and pest control, according to the agency’s website.

But with Love, the agency also paid his electric bill, which Ligon said was about $32 per month.

The Tampa Bay Times asked for copies of the bills on Feb. 14. They had not been provided as of Friday.

The Housing Authority purchased Saratoga in 2008 for about $3 million. The revenue for that purchase came from the sale of James Park, a public housing project that was built with federal funds.

HUD approved the purchase with a restriction that Saratoga only be used for households that earn 80 percent or less of Tampa Bay’s median income, records show.

"The use in 2016 of a unit acquired with federal funds to house a person of high income did not comply with the guidance provided in 2008 to the housing authority for the use of the proceeds," said HUD spokeswoman Gloria Shanahan. "We are looking into this and will be addressing it with the Board of Directors, which has fiduciary responsibility of the St. Petersburg Housing Authority."

The Housing Authority already is under scrutiny after St. Petersburg Mayor Rick Kriseman said last week he has “zero confidence” in Love’s leadership and intends to remove five of the agency’s seven board members for failing to provide oversight.

His announcement was in response to a Tampa Bay Times investigation that found the agency’s board in 2017 approved a 7 percent pay raise for Love without reviewing his evaluation. The $10,000 hike increased Love’s yearly salary to $150,000 and was awarded despite written reports from senior staffers that Love routinely shouted, belittled staff and was causing the agency to lose key employees.

The agency was also criticized this year after officials told board member Terri Lipsey Scott she would have to pay up to $900 for copies of records she wanted to review. The agency reversed that decision after City Council Chairman Charlie Gerdes offered to pay the cost.

Contact Christopher O’Donnell at codonnell@tampabay.com or (813) 226-3446. Follow @codonnell_times.
Consultant got $3,600 to teach St. Pete housing CEO to be nicer, stop screaming at staff

In 2017 the consultant coached St. Petersburg Housing Authority CEO Tony Love on how to treat staff better. But the complaints haven’t stopped.

By Christopher O'Donnell

Published April 10
Updated April 10

Click here to read this story in Spanish.

St. Petersburg Housing Authority CEO Tony Love had a simple explanation for claims made by some of his senior staffers that he belittled and shouted at them.

“I have a heavy voice,” Love told a Tampa Bay Times reporter in February. He said complaints about his management style could be the result of employees struggling to deal with a new CEO.

But records show that in 2017, the authority was so concerned about that management style that it paid a consultant $3,650 to address Love’s failings as a boss.

In a five-hour meeting with the consultant, Love acknowledged he “screamed” at staffers and on one occasion made them do non-agency work for him. Among the recommendations made by the consultant was that Love stop criticizing employees in front of others and refrain from making friends with the owners of outside firms paid to work for the agency.
The consultant's efforts may have been in vain: Four days after Love spoke to the Times, another top authority worker filed a formal grievance complaining that the CEO bullied, intimidated and degraded her.

“Mr. Love has consistently verbally abused, harassed and degraded me and other senior staff members, especially female staff members, through one-way interrogations, baseless chastising, insults and bullying,” read the complaint from Robin Adams, the authority's asset management officer. Her complaint states that she has been receiving counseling to deal with the “extreme stress” and anxiety caused by Love, who is paid $157,000 annually to run the agency.

The complaint is another sign of turmoil in the authority's highest echelons. St. Petersburg Mayor Rick Kriseman recently announced he will remove three of the authority's governing board members for failing to adequately oversee the agency and its CEO. He cited the same reason for recently declining to reappoint two other board members.

Among his concerns is that the board approved a 7 percent pay raise for Love even though some board members had not seen his evaluation. The housing agency was also cited by the U.S. Department of Housing and Urban Development because Love lived rent-free for nine months in an apartment designated for low-income families. He also approved using agency funds to furnish the apartment and to pay his electric bills.

Adams filed her grievance after a Feb. 14 meeting with the CEO and other employees to discuss unpaid rents in properties the authority owns. During the meeting, she said, Love belittled, berated and talked over her. The same behavior has been “ongoing and continuous since he was hired in January 2016,” her complaint said.

“This was a 'last straw' incident for me,” wrote Adams, who joined the authority in 2009. She stated that she wanted a written apology and a commitment from Love to improve the way he treats her and other staffers.

Authority spokeswoman Michelle Ligon said Tuesday that the consultant was hired in 2017 as a “coaching exercise” to come up with ways to encourage staff to be more receptive to new ideas.

“The effectiveness of team building, through consensus, is challenging but not impossible,” she said, “as shown by virtue of the compelling fact that in a very short period of time, the agency has transitioned in management, operations, and industry matters.”
But the consultant’s report only addresses the behavioral issues raised by Love’s employees.

Adams’ description of Love’s behavior is consistent with the hostile work environment described by Rachel Gelbmann, who was let go about 12 days before the end of her three-month probationary period in November. Similar complaints were also made in 2017 by some senior agency employees who were asked to fill out anonymous questionnaires about their boss as part of his first evaluation 18 months after he was hired.

The authority told the Times that the questionnaires, which are public record, could not be found.

Two questionnaires obtained by the Times from former employees included complaints of low morale, bullying, and disrespect for women on staff.

Other concerns were about Love’s judgment. On one occasion, he ordered three employees to spend more than three hours making “goody bags” for his upcoming fraternity golf event. He also appeared intoxicated at the 2016 St. Petersburg Grand Prix where the agency had a concession booth set up to raise funds, an employee wrote. Love was also taking beers that were intended to be sold, that complaint said.

Shortly after the questionnaires were completed, the authority hired Massachusetts housing consultant Leo Dauwer to work with Love. Dauwer, who runs Dower Associates, had previously conducted the authority’s search to find a successor to former CEO Darrell Irions, who retired in 2015.

Dauwer was mailed copies of the questionnaires and held a face-to-face meeting with Love in August 2017.

In his five-page report of the meeting, Dauwer praised Love for his willingness to listen to criticism and to use it as a “learnable moment.”

The report includes responses from Love to some of the accusations made in the staff questionnaires. Love stated that he only ordered staff to do work to benefit his fraternity just once. He disputed Dauwer’s comment that he needed to “refrain from giving the image he has consumed too much alcohol at social functions or at any time when such drinking may impact his judgment or behavior while at work.”

“This is the only time I was near staff with any alcohol,” Love wrote of the 2016 Grand Prix complaint. “This comment was embellished to be more than what happened. I’m a fish in a fish bowl in this instance.”

Dauwer, 90, said he was aware that Love had some issues at his previous job as executive director of the Inkster Housing Commission in Michigan. But he said the St. Petersburg housing agency had wanted a CEO who could not only administer housing but also put together financing for development of new affordable and low-income housing.

“Could he handle people a little better? I suppose so, but he was introducing change that not everybody thought was a good idea,” Dauwer told the Times.

Contact Christopher O’Donnell at codonnell@tampabay.com or (813) 226-3446. Follow @codonnell_times.
March 25, 2019

Board of Commissioners  
St. Petersburg Housing Authority  
2001 Gandy Blvd. North  
St. Petersburg, Florida 33702

SUBJECT: Notice of Violation of Affordability Requirement at Saratoga Apartments

Dear Members of the Board,

On March 1, 2019, the Tampa Bay Times published an article titled, “St. Petersburg Housing Authority CEO lived rent-free in low-income housing — while earning $140,000 salary”. Mr. Tony Love resided at Saratoga Apartments, an affordable housing development for 9 months, from January through September 2016. The Office of Public Housing, Miami Field Office of HUD (OPH-Miami) confirmed that this report was accurate.

On February 1, 2008, the OPH-Miami approved the use of public housing sales proceeds for the acquisition and rehabilitation of Saratoga Apartments (attached). These proceeds totaling $3,222,792.50 was earned from the 2005 disposition of James Park, a public housing development. HUD’s Special Application Center’s (SAC’s) approval of the disposition of James Park restricted the use of any sale proceeds for affordable housing purposes only. In accordance with this SAC mandate, the OPH-Miami approved the use of proceeds to acquire and rehabilitate Saratoga Apartments on the condition that all 34 units would be operated as affordable housing. Only households earning 80%, or less of Area Median Incomes (AMI) are eligible to reside at this property.

We acknowledge that Section 5(g) of the December 14, 2015 employment agreement between the Housing Authority of the City of St. Petersburg (the Authority) and its CEO, Mr. Love, states that, “reasonable residential cost will be paid by the Authority for a period of up to six (6) months”. We are also aware that on August 25, 2016, after 8 months (exceeding the term of the original agreement), the Board retroactively approved a contract amendment extending this benefit to 9 months, through September 2016. However, in 2016, 80% of AMI in Pinellas County for a one-person household was $33,150. Mr. Love’s annual salary of $140,000 in 2016 was 422% of the eligible income threshold. Under no circumstances should Mr. Love have been permitted to reside at Saratoga Apartments.

The OPH-Miami was notified that the sum of $28,700 was transferred from the Authority’s Central Office Cost Center (C OCC) accounts to the Saratoga operating accounts on February 28, 2019, to compensate for Mr. Love’s 9-month residency at Saratoga Apartments in 2016. While we recognize that replenishing the accounts of Saratoga Apartments was done in good faith, and in response to media and OPH-Miami scrutiny, please note that only non-federal fees generated in the
COCC should have been used to replenish the account of Saratoga Apartments. However, Sections 8 and 9 fee income earned by the COCC from the HCV, CFP and Operating Fund programs remain federalized and should not be used in this situation to repay Saratoga Apartments. We hereby request that the Authority provide documentation verifying that only non-federal COCC funds were used in this transaction.

Being selected to serve on the Authority’s Board of Commissioners is a high honor and privilege, but one that carries with it a serious responsibility to serve the interests of the Authority and its residents, as well as oversee the Authority’s operations. As fiduciaries of the Authority’s resources, each Board member has the basic responsibility of understanding the Authority’s mission and programs. We recognize that all may not come to this role with a complete understanding of the myriad of housing programs and regulations. Nevertheless, various training opportunities exist, which Board members are expected to avail themselves of.

The Authority must provide evidence to this office within 30 days of this letter to show that funds used to reimburse the Saratoga operating account were from non-federal sources. Board members should also make concerted efforts to immediately undertake necessary training to ensure they adequately understand the requirements of the various programs administered by the Housing Authority. Henceforth, in light of this and various other recent issues, the OPH-Miami will closely monitor the affairs of the Authority.

If you have any questions, or require additional information, please contact me by phone at 305-520-5091, or email: Uche.A.Oluku@hud.gov.

Sincerely,

Uche A. Oluku, PhD
Director,
Office of Public Housing

Cc: Mr. Tony Love
CEO, St. Petersburg Housing Authority
PROCEDURES TO BE FOLLOWED FOR
HOUSING AUTHORITY COMMISSIONER REMOVAL HEARING

PART I
GENERAL INFORMATION

1. **Public comment:** 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 time to another speaker or party except as provided in paragraph 5.

2. **Questions by Council:** 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.

3. **Burden of proof:** Because removal is initiated by the Mayor pursuant to Florida Statutes section 421.07, City Administration bears the burden of proof that removal is warranted under that statute (i.e., “[f]or inefficiency or neglect of duty or misconduct in office”).

4. **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.

5. **Parties; allocation of time:** The parties at this hearing are the City Administration and each commissioner contesting removal. Commissioners may be represented by legal counsel. Because the hearing may concern more than one commissioner, part II of these procedures establishes time limits for each portion of the hearing on a *per commissioner* basis. To the extent that two or more commissioners are represented by common counsel and desire to combine their time limits for each portion of the hearing, they may do so by notifying the City Clerk prior to the start of the hearing. But in all cases, the time available for the City Administration will be equivalent to the total time available to the commissioners. For example, if two commissioners were represented by common counsel and elected to combine their time and a third commissioner was representing herself, the parties would be subject to the following time limits for the initial presentation: (i) City Administration would have 30 minutes for an initial presentation related to all three commissioners; (ii) counsel for the first two commissioners would have 20 minutes for an initial presentation on behalf of those two commissioners; and (iii) the third commissioner would have 10 minutes for her initial presentation.
PART II
ORDER OF HEARING

1. **Introduction:** City Clerk reads caption of the charges for removal.

2. **Initial presentations:**
   
   (a) City Administration (10 minutes × number of commissioners)
   
   (b) Each commissioner, in turn or combined (10 minutes per commissioner)

3. **Public hearing:** During the public hearing portion, any person may speak for 3 minutes after being sworn-in. Each speaker should limit his or her testimony to information relevant to the charges against the commissioner(s).

4. **Cross-examination:**
   
   (a) City Administration (5 minutes × number of commissioners)
   
   (b) Each commissioner, in turn or combined (5 minutes per commissioner)

5. **Rebuttal / closing:** Each party shall have an opportunity to provide a closing argument or rebuttal as follows:
   
   (a) City Administration (5 minutes × number of commissioners)
   
   (b) Each commissioner, in turn or combined (5 minutes per commissioner)

6. **Deliberation:** Deliberation will follow standard rules for Council debate. Because each charge against a commissioner represents an independent ground for removal of that commissioner, each motion to concur in the mayor’s removal of a commissioner must concern a single charge against a single commissioner. Accordingly, if City Council desires to concur in the removal of a commissioner on the basis of multiple charges, an individual motion will be required for each charge.
The following page(s) contain the backup material for Agenda Item: A Resolution by the St. Petersburg City Council approving an amendment to the FY2018/19 Project Plan for the South St. Petersburg Community Redevelopment Area to reallocate $125,000 in funding from the Commercial Revitalization Program to the Commercial Matching Grant Program in the Business and Commercial Development Budget.
Please scroll down to view the backup material.
ST. PETERSBURG CITY COUNCIL
Meeting of May 16, 2019

TO The Honorable Charlie Gerdes, Chair, and Members of City Council

SUBJECT A Resolution by St. Petersburg City Council approving an amendment to the FY2018/19 Project Plan for the South St. Petersburg Community Redevelopment Area to reallocate $125,000 in funding from the Commercial Revitalization Program to the Commercial Matching Grant Program in the Business and Commercial Development Budget.

RECOMMENDATION Administration recommends City Council approve the attached Resolution.

I. Request and Impact

City Council APPROVE the reallocation of $125,000 in funding from the Commercial Revitalization Program (CRP) to the Commercial Matching Grant Program in the “Business and Commercial Development” budget to increase the number of applicants awarded funding through the Commercial Matching Grant program (see Exhibit 1 of attached resolution). The reallocation will increase the balance in the Commercial Matching Grant Program from $405,000 to $530,000 and reduce the balance in the CRP from $1,039,493 to $914,493.

If approved this reallocation request will allow the City to fully fund twenty-eight (28) applications out of the 38 that were in the Commercial Matching Grant review pool. Under the original budgeted amount of $405,000, twenty-four applications would be funded with six of them receiving only partial funding because of tied scores. In addition, the proposed increased funding level for this round is nearly identical to the approximately $524,000 allocated to the program by City Council for the FY2017 Commercial Matching Grant cycle. Thirty-two applications received full or partial funding in that cycle.

Finally, the reallocation from the CRP will still allow the City to fully fund all six applications to this program in 2019. The six applications are requesting a combined $450,000 in grant funding which would leave $464,493 remaining in the CRP line item if the amendment is approved.

II. Overview

On December 6, 2018, City Council approved Resolution #2018-615 adopting the FY2018/2019 budget for the South St. Petersburg CRA Redevelopment Trust Fund. This budget provided approximately $1.749 million in funding to the CRA’s Business and Commercial Development Budget (see Exhibit 1 in attached resolution). A majority of
the funding was allocated to provide funding for the 2019 commercial grant application cycle. The Commercial Matching Grant Program was allocated $405,000 for the 2019 grant cycle while the Commercial Revitalization Program (CRP) was allocated $1,039,493. (For a more comprehensive discussion on each program and the selection and evaluation of the applications to them, please see the two companion staff reports).

To solicit applications for both grant programs the City of St. Petersburg conducted extensive outreach prior to the application deadline of February 11, 2019, notifying the public, property owners and business owners of the funding opportunity. By the February 11th deadline, the City received six CRP applications requesting a total of $450,000 in grant funding. All six applications have been recommended for full funding by City Administration, leaving a surplus of $589,493 in the CRP line item.

A total of 46 Commercial Matching Grant applications were received by the City with funding requests exceeding $850,000. (The number of eligible applications and funding requests would ultimately drop to 38 applications and approximately $666,000.) As mentioned, the originally approved budget for this program was $405,000, which leaves a deficit of more than $260,000 of requested versus available grant funds.

To prioritize grant applications when funding requests exceed available funds, applications to the South St. Petersburg CRA Matching Grant Program are reviewed by the South St. Petersburg CRA Committee using the CRA Grant Scoring and Evaluation System. At its April 5, 2019, meeting the Committee scored the applications. The highest score was “120” while the lowest was “-5” (see Exhibit 2 in attached resolution for a list of all scores).

Twenty-four applications, with a median score of “45” or higher qualify for Commercial Matching Grant funding under the current budget. The total eligible grant award for these applications is $445,200, but with a budget of $405,000 for the program, the six applications below that tied with a score of “45” will see their awards reduced by approximately one-third of the eligible award. These are:

<table>
<thead>
<tr>
<th>File #</th>
<th>Project Name</th>
<th>Project Address</th>
<th>Eligible Award</th>
<th>Reduced Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Central Plaza SDC</td>
<td>3201-3365 Central</td>
<td>$20,000</td>
<td>$13,357</td>
</tr>
<tr>
<td>29</td>
<td>Collectors Exchange</td>
<td>2935-39 Central Ave</td>
<td>$23,492</td>
<td>$15,689</td>
</tr>
<tr>
<td>15</td>
<td>Mari Jean Hotel</td>
<td>2349 Central Ave</td>
<td>$40,000</td>
<td>$26,714</td>
</tr>
<tr>
<td>31</td>
<td>St. Pete Fitness</td>
<td>2727 6th Ave S</td>
<td>$20,000</td>
<td>$13,357</td>
</tr>
<tr>
<td>10</td>
<td>St. Petersburg Travel Ctr.</td>
<td>4400 Central Ave</td>
<td>$5,397</td>
<td>$3,604</td>
</tr>
<tr>
<td>38</td>
<td>Warehouse Creative</td>
<td>2338 Emerson Ave S</td>
<td>$12,203</td>
<td>$8,150</td>
</tr>
</tbody>
</table>

If City Council approved the reallocation of $125,000 to the Commercial Matching Grant line item, the above applications would receive the full award for which they are
eligible. In addition, another four currently unfunded applications would receive full funding. These are:

<table>
<thead>
<tr>
<th>File #</th>
<th>Project Name</th>
<th>Project Address</th>
<th>Eligible Award</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>Pregnancy Treasures</td>
<td>4601 Central Ave</td>
<td>$20,000</td>
<td>40.0</td>
</tr>
<tr>
<td>42</td>
<td>Classic Architectural</td>
<td>2063 1st Ave S</td>
<td>$25,000</td>
<td>40.0</td>
</tr>
<tr>
<td>32</td>
<td>GLS Construction Services</td>
<td>350 49th Street S</td>
<td>$14,173</td>
<td>35.0</td>
</tr>
<tr>
<td>33</td>
<td>3 United LLC</td>
<td>2600-14 Central Ave</td>
<td>$20,000</td>
<td>35.0</td>
</tr>
</tbody>
</table>

The funding increase to $525,000 is nearly equivalent to the amount approved by City Council for the FY2017 grant cycle, which was $524,220 (a total that included appropriations made for bonus awards.) In addition, the proposal would fund 23 applications, which is also similar in number to the 32 applications funded in 2017.

Finally, the reallocation from the CRP will still allow the City to fully fund all six applications to this program in 2019. The six applications are requesting a combined $450,000 in grant funding which would leave $464,493 remaining in the CRP line item if the amendment were approved.

III. Recommendation

Administration recommends City Council approve the attached Resolution.

Attachments: Resolution with Exhibits 1 and 2
A RESOLUTION BY ST. PETERSBURG CITY COUNCIL APPROVING AN AMENDMENT TO THE FY2018/19 PROJECT PLAN FOR THE SOUTH ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA (CRA) TO REALLOCATE $125,000 IN FUNDING FROM THE COMMERCIAL REVITALIZATION PROGRAM TO THE COMMERCIAL MATCHING GRANT PROGRAM IN THE BUSINESS AND COMMERCIAL DEVELOPMENT BUDGET; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg City Council approved a Community Redevelopment Plan (Plan) for the South St. Petersburg CRA on May 21, 2015 (Ord. #169-H), which included establishment of a tax increment financing district and redevelopment trust fund for the entire 7.4-sq.mi. South St. Petersburg CRA;

WHEREAS, on December 6, 2018, City Council approved Resolution #2018-615 adopting the consolidated FY2018/2019 budget of $5.486 million for the South St. Petersburg CRA Redevelopment Trust Fund;

WHEREAS, the FY2018/2019 budget provided approximately $1.749 million in funding to the CRA’s Business and Commercial Development Budget (see Exhibit 1), a majority of which included allocations of $405,000 for the Commercial Matching Grant Program and $1,039,493 for the Commercial Revitalization Program;

WHEREAS, because obtaining funding through these two programs is done through a competitive application process, the City of St. Petersburg conducted extensive outreach prior to the application deadline of February 11, 2019, notifying the public, property owners and business owners of the funding opportunity;

WHEREAS, by the February 11, 2019, deadline the City received six (6) Commercial Revitalization Program applications requesting a total of $450,000 in grant funding and forty-six (46) Commercial Matching Grant applications with funding request exceeding $850,000;

WHEREAS, the number of eligible application and funding requests for the Commercial Matching Grant program would ultimately drop to thirty-eight applications and $666,904 respectively;

WHEREAS, to prioritize grant applications when funding requests exceed available funds, applications to the South St. Petersburg CRA Matching Grant Program are reviewed by the South St. Petersburg CRA Committee (Committee) using the CRA Grant Scoring and Evaluation System;
WHEREAS, at its April 5, 2019, meeting the Committee scored the 38 eligible applications with twenty-four (24) applications receiving a score of “45” or higher enabling them to qualify for full or partial funding;

WHEREAS, the Mayor’s Office is recommending that City Council approve the full grant funding request of $450,000 for the six (6) applicants to the Commercial Revitalization Program, which would leave a surplus of $589,493 in that program allocation, a surplus that could be used to supplement the budget for the Commercial Matching Grant program;

WHEREAS, reallocating $125,000 from the Commercial Revitalization Program to the Commercial Matching Grant Program would increase the latter’s allocation to $525,000 and would allow the City to fully fund twenty-eight (28) Commercial Matching Grant applications, a number and funding level equivalent to the 32 applications approved for $524,220 by City Council in the 2017 grant cycle;

WHEREAS, the reallocation of funding from the Commercial Revitalization Program budget will allow the City to fully fund all six applications to this program in 2019, while still leaving a surplus of $464,493 remaining in the budget; and

WHEREAS, at its May 16, 2019, meeting, the St. Petersburg Community Redevelopment Agency recommended that City Council approve the proposed amendment to the FY2018/2019 budget for the Redevelopment Trust Fund for the South St. Petersburg CRA to reallocate $125,000 from the Commercial Revitalization Program to the Commercial Matching Grant Program.

NOW, THEREFORE, BE IT RESOLVED, that the St. Petersburg City Council approves amending the FY2018/2019 budget for the Redevelopment Trust Fund of the South St. Petersburg Community Redevelopment Area (CRA) to reallocate $125,000 in funding from the Commercial Revitalization Program to the Commercial Matching Grant Program in the Business and Commercial Development Budget.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:  

[Signature]
City Attorney (Designee)

APPROVED BY:

[Signature]
Alan DeLisle
City Development Administration
### Exhibit 1

**FY2018/2019 Budget**  
**South St. Petersburg CRA Redevelopment Trust Fund**

#### Table 4. Business and Commercial Development Budget

<table>
<thead>
<tr>
<th>Sources</th>
<th>CSP</th>
<th>County</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY18 South St. Petersburg TIF Revenue</td>
<td>455,264</td>
<td>185,258</td>
<td>640,523</td>
</tr>
<tr>
<td>FY19 South St. Petersburg TIF Revenue</td>
<td>707,905</td>
<td>287,320</td>
<td>995,024</td>
</tr>
<tr>
<td>FY17 Carryover Sources</td>
<td>90,624</td>
<td>23,322</td>
<td>113,946</td>
</tr>
<tr>
<td>Redevelopment Loan Program</td>
<td>25,000</td>
<td>25,000</td>
<td></td>
</tr>
<tr>
<td>Emergency Grant Program</td>
<td>25,000</td>
<td>25,000</td>
<td></td>
</tr>
<tr>
<td>Unexpended FY17 Grant Awards</td>
<td>40,624</td>
<td>23,322</td>
<td>63,946</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Uses</th>
<th>CSP</th>
<th>County</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Acquisition and Site Preparation</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY17 CRA Grant Bonuses</td>
<td>80,000</td>
<td>80,000</td>
<td></td>
</tr>
<tr>
<td>South St. Petersburg CRA Loan Consortium</td>
<td>TBD</td>
<td>TBD</td>
<td></td>
</tr>
<tr>
<td>2017 Redevelopment Micro Loan Program</td>
<td>100,000</td>
<td>100,000</td>
<td></td>
</tr>
<tr>
<td>Emergency Grant</td>
<td>25,000</td>
<td>25,000</td>
<td></td>
</tr>
<tr>
<td>Environmental Cleanup of 22nd Street South lots</td>
<td>50,000</td>
<td>50,000</td>
<td>100,000</td>
</tr>
<tr>
<td>Commercial Matching Grant Program</td>
<td>205,000</td>
<td>200,000</td>
<td>405,000</td>
</tr>
<tr>
<td>Commercial Revitalization Program</td>
<td>793,593</td>
<td>245,900</td>
<td>1,039,493</td>
</tr>
</tbody>
</table>

1 The exact funding amounts and sources for the Commercial Matching Grant Program is an estimate because the program is administered through a competitive application process.
## Exhibit 2

**Final Results from South St. Petersburg CRA Grant Review Committee**

April 5, 2019

<table>
<thead>
<tr>
<th>File #</th>
<th>Project Name</th>
<th>Project Address</th>
<th>Unadjusted Grant Award</th>
<th>Revised Award</th>
<th>Median GRC Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Primal Performance Spine &amp; Sport</td>
<td>4401 Central Ave</td>
<td>$7,883</td>
<td>$7,883</td>
<td>120.0</td>
</tr>
<tr>
<td>7</td>
<td>Newkirk Building</td>
<td>2184-9th Ave S</td>
<td>$20,000</td>
<td>$20,000</td>
<td>112.0</td>
</tr>
<tr>
<td>34</td>
<td>Boys &amp; Girls Club of the Suncoast</td>
<td>1011 22nd St S</td>
<td>$40,000</td>
<td>$40,000</td>
<td>110.0</td>
</tr>
<tr>
<td>18</td>
<td>PERC Tenant Space</td>
<td>1523 16th St S</td>
<td>$25,000</td>
<td>$25,000</td>
<td>100.0</td>
</tr>
<tr>
<td>19</td>
<td>PERC Tenant Space</td>
<td>1523 16th St S</td>
<td>$25,000</td>
<td>$25,000</td>
<td>100.0</td>
</tr>
<tr>
<td>40</td>
<td>Tampa Bay Black Business Initiative Fund</td>
<td>1123 22nd St S</td>
<td>$8,461</td>
<td>$8,461</td>
<td>100.0</td>
</tr>
<tr>
<td>28</td>
<td>Craftsman House</td>
<td>2955 Central Ave</td>
<td>$30,302</td>
<td>$30,302</td>
<td>90.0</td>
</tr>
<tr>
<td>39</td>
<td>Warehouse Creative LLC</td>
<td>2338 Emerson Ave S</td>
<td>$25,000</td>
<td>$25,000</td>
<td>90.0</td>
</tr>
<tr>
<td>8</td>
<td>Legget Building</td>
<td>2154-9th Ave S</td>
<td>$20,000</td>
<td>$20,000</td>
<td>88.0</td>
</tr>
<tr>
<td>4</td>
<td>Latimer and Sons Barbershop</td>
<td>2400 MLK St S</td>
<td>$19,706</td>
<td>$19,706</td>
<td>75.0</td>
</tr>
<tr>
<td>6</td>
<td>Newkirk Building</td>
<td>2184-9th Ave S</td>
<td>$20,000</td>
<td>$20,000</td>
<td>72.0</td>
</tr>
<tr>
<td>5</td>
<td>WestCare Gulf Coast-Florida Inc</td>
<td>1735 MLK St S</td>
<td>$5,308</td>
<td>$5,308</td>
<td>60.0</td>
</tr>
<tr>
<td>17</td>
<td>Tennis Foundation of St Petersburg</td>
<td>650 18th Ave S</td>
<td>$1,053</td>
<td>$1,053</td>
<td>60.0</td>
</tr>
<tr>
<td>37</td>
<td>Starling School and Day Care Center Inc</td>
<td>615 28th St S</td>
<td>$8,097</td>
<td>$8,097</td>
<td>60.0</td>
</tr>
<tr>
<td>11</td>
<td>St Petersburg Travel Center Inc</td>
<td>4400 Central Ave</td>
<td>$15,400</td>
<td>$15,400</td>
<td>60.0</td>
</tr>
<tr>
<td>27</td>
<td>DHM Real Estate Group LLC</td>
<td>3451 Central Ave</td>
<td>$20,000</td>
<td>$20,000</td>
<td>55.0</td>
</tr>
<tr>
<td>36</td>
<td>Starling School and Day Care Center Inc</td>
<td>615 28th St S</td>
<td>$12,918</td>
<td>$12,918</td>
<td>50.0</td>
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<tr>
<td>9</td>
<td>Legget Building</td>
<td>2154-9th Ave S</td>
<td>$20,000</td>
<td>$20,000</td>
<td>50.0</td>
</tr>
<tr>
<td>3</td>
<td>Central Plaza SDC, LLC</td>
<td>3201-3365 Central Ave</td>
<td>$20,000</td>
<td>$13,357</td>
<td>45.0</td>
</tr>
<tr>
<td>15</td>
<td>Man Jean Hotel LLC</td>
<td>2349 Central Ave</td>
<td>$40,000</td>
<td>$26,714</td>
<td>45.0</td>
</tr>
<tr>
<td>29</td>
<td>Collectors Exchange</td>
<td>2935-39 Central Ave</td>
<td>$23,492</td>
<td>$15,689</td>
<td>45.0</td>
</tr>
<tr>
<td>31</td>
<td>St Pete Fitness LLC</td>
<td>2727 6th Ave S</td>
<td>$20,000</td>
<td>$13,357</td>
<td>45.0</td>
</tr>
<tr>
<td>38</td>
<td>Warehouse Creative LLC</td>
<td>2338 Emerson Ave S</td>
<td>$12,203</td>
<td>$8,150</td>
<td>45.0</td>
</tr>
<tr>
<td>10</td>
<td>St Petersburg Travel Center Inc</td>
<td>4400 Central Ave</td>
<td>$5,397</td>
<td>$3,604</td>
<td>45.0</td>
</tr>
</tbody>
</table>

### Funding Limit of Original Budget of $405,000

<table>
<thead>
<tr>
<th>File #</th>
<th>Project Name</th>
<th>Project Address</th>
<th>Unadjusted Grant Award</th>
<th>Revised Award</th>
<th>Median GRC Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>Pregnancy Treasures &amp; Boutique LLC</td>
<td>4601 Central Ave</td>
<td>$20,000</td>
<td>NA</td>
<td>40.0</td>
</tr>
<tr>
<td>42</td>
<td>Classic Architectural Inc</td>
<td>2063 1st Ave S</td>
<td>$25,000</td>
<td>NA</td>
<td>40.0</td>
</tr>
<tr>
<td>32</td>
<td>GLS Construction Svc Inc</td>
<td>350 49th St S</td>
<td>$14,713</td>
<td>NA</td>
<td>35.0</td>
</tr>
<tr>
<td>33</td>
<td>3 United LLC</td>
<td>2600-2614 Central Ave</td>
<td>$20,000</td>
<td>NA</td>
<td>35.0</td>
</tr>
</tbody>
</table>

### Funding Limit with $125,000 Budget Increase

<table>
<thead>
<tr>
<th>File #</th>
<th>Project Name</th>
<th>Project Address</th>
<th>Unadjusted Grant Award</th>
<th>Revised Award</th>
<th>Median GRC Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>St Pete Fitness LLC</td>
<td>2727 6th Ave S</td>
<td>$20,000</td>
<td>30.0</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Kumjo Lee Building</td>
<td>3535 Central Ave</td>
<td>$15,946</td>
<td>25.0</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Out of the Ordinary LLC</td>
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<td>$5,957</td>
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<td></td>
</tr>
<tr>
<td>26</td>
<td>DHM Real Estate Group LLC</td>
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<td>$20,000</td>
<td>20.0</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Annam Investments LLC</td>
<td>3510/3530 1st Ave N</td>
<td>$20,000</td>
<td>20.0</td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>Classic Architectural Inc</td>
<td>2063 1st Ave S</td>
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<td></td>
</tr>
<tr>
<td>44</td>
<td>The Body Electric Yoga Co</td>
<td>655 31st St S</td>
<td>$20,000</td>
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<td></td>
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<tr>
<td>43</td>
<td>The Body Electric Yoga Co</td>
<td>655 31st St S</td>
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<td>0.0</td>
<td></td>
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<tr>
<td>24</td>
<td>Kumjo Lee Building</td>
<td>3535 Central Ave</td>
<td>$4,640</td>
<td>-5.0</td>
<td></td>
</tr>
</tbody>
</table>

**Total Grant Fund Request** $666,904
The following page(s) contain the backup material for Agenda Item: A Resolution by the City Council of the City of St. Petersburg approving the priority list for applications to the FY2018/2019 South St. Petersburg Community Redevelopment Area Commercial Matching Grant Program. Please scroll down to view the backup material.
ST. PETERSBURG CITY COUNCIL
Meeting of May 16, 2019

TO The Honorable Charlie Gerdes, Chair, and Members of City Council

SUBJECT A Resolution by St. Petersburg City Council approving the priority ranking of FY2018/19 applications to the South St. Petersburg Community Redevelopment Area Commercial Matching Grant Program.

RECOMMENDATION Administration recommends City Council approve the attached Resolution.

I. Request

City Council APPROVE the following action regarding the FY2018/19 applications to the South St. Petersburg Community Redevelopment Area (CRA) matching grant program:

- Prioritize funding for applications to the South St. Petersburg CRA Commercial Matching Grants in the order recommended by the South St. Petersburg CRA Grant Review Committee with applications scoring “35” points or greater receiving full or partial funding (see Exhibit A of attached resolution).

II. Overview of the Grant Review Process

On April 5, 2019, the South St. Petersburg CRA Grant Review Committee (Committee) held a public meeting to evaluate and make recommendations to City Council on the FY2018/19 Commercial Matching Grant Program applications that would be funded with tax increment revenue from the South St. Petersburg CRA Redevelopment Trust Fund. This review process and structure was first approved by City Council on May 18, 2017 (see Resolution 2017-316) to increase transparency in the CRA grant process and later refinements were made to the review process on December 6, 2019, regarding the scoring criteria (see Resolution 2018-614). The Committee is comprised of three City Council members from District 5, District 6 and District 7 as well as four members of the Citizen Advisory Committee of the South St. Petersburg CRA.

The Committee reviewed applications for funding through the Commercial Site Improvement grant program and the Commercial Building Interior and Tenant Improvement program (collectively known as the CRA Commercial Matching Grant program).

The City of St. Petersburg conducted extensive outreach prior to the application deadline of February 11, 2019, notifying the public, property owners and business owners of the availability of the Commercial Matching Grant program. Between late November 2018 and February 6, 2019, Economic and Workforce Development (EWD)
staff held thirteen mandatory workshops dedicated to educating the public on the application requirements. They were held at both the Enoch Davis Recreation Center and the Greenhouse, and over 180 individuals attended. Another 20 participants accessed a webinar to ensure they would be able to apply for the grants.

EWD staff also held 32 satellite office hours at the Enoch Davis Recreation Center and the Tampa Bay Black Business Investment Corporation. These were held in the last five weeks of the grant cycle and were designed to provide one-on-one counseling for potential applicants.

Greenhouse and Marketing staff also walked five commercial corridors during the final weeks of the cycle. These corridors were 16th Street South, 18th Avenue South, 28th Street South, Dr. Martin Luther King, Jr. Street South, and 22nd Street South. Finally, the Marketing Department sent 21 social media related posts and other media coverage.

III. Overview of the 2019 CRA Matching Grant Applications

Forty-six (46) applications to the CRA Commercial Matching Grant program were submitted by the February 11, 2019, deadline. Of the 46 applications, 26 sought funding through the Commercial Site Improvement Grant (CSI) program, while 20 applications sought funding through the Commercial Building Interior and Tenant Improvement Grant (CBTI) program.

Both grant programs call for a matching grant award of up to $20,000, or $40,000 if the project is for a local historic landmark. Of these two programs, only the Commercial Site Improvement Grant program is funded from TIF contributions from both City and Pinellas County sources. This is due to requirements set forth in Pinellas County’s June 2014 policy governing use of its tax increment financing revenue. There are also bonuses of up to $5,000 provided to applicants that utilize certified Small Business Enterprise contractors for their work and house tenants that are in the City’s “Grow Smarter” industries. (These industries are Financial Services, Specialized Manufacturing, Marine and Life Sciences, Data Analytics, and Creative Arts and Design.)

In addition, fourteen applicants submitted both CSI and CBTI applications for the same property. Another four applicants to the CRA grant cycle received funding in prior CRA grant cycles for the same property but for different improvement projects. These are

<table>
<thead>
<tr>
<th>File #</th>
<th>Project Name</th>
<th>Project Address</th>
<th>Prior Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>28</td>
<td>Craftsman House (2017)</td>
<td>2901 Central Avenue</td>
<td>$1,002</td>
</tr>
<tr>
<td>34</td>
<td>Boys and Girls Club (2017)</td>
<td>1011 22nd Street South</td>
<td>$40,000</td>
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<tr>
<td>25</td>
<td>KumJo Lee Office Building (2016)</td>
<td>3535 Central Avenue</td>
<td>$7,851</td>
</tr>
<tr>
<td>46</td>
<td>Delores Smith Academy (2016)</td>
<td>1766 49th Street South</td>
<td>$15,732</td>
</tr>
<tr>
<td>46</td>
<td>Delores Smith Academy (2017)</td>
<td>1766 49th Street South</td>
<td>$13,022</td>
</tr>
</tbody>
</table>
Below is a summary of the funded improvements:

- The Craftsman House was provided funding for a Commercial Site Improvement grant to remove and replace fencing.

- The Boys and Girls Club at the historic Royal Theater received Commercial Site Improvement grant funding for outdoor recreational equipment including a basketball court and playground with a total eligible cost of $116,350.

- The KumJo Lee Office Building received Commercial Site Improvement grant funding for landscaping, windows, re-stuccoing and repainting the exterior.

- In 2016, The Delores Smith Academy received funding for both a Commercial Site Improvement Grant and Commercial Building Interior and Tenant Improvement Grant for a security camera, signage, HVAC, electrical panel and replacing a fire panel.

- In 2017, The Delores Smith Academy received funding for both a Commercial Site Improvement Grant and Commercial Building Interior and Tenant Improvement Grant to replace a fire sprinkler system, attic closure, new doors, landscaping and lawn sprinkler system, repaved parking lot, and sidewalk.

Before the Committee officially convened on April 5, 2019, six applications were removed from the original pool of 46. One applicant submitted four applications - two Commercial Matching Grant applications each - for her properties located 1240 49th Street South (#45 and #46) and 1766 49th Street South (#20 and #21). In addition, she also submitted a Commercial Revitalization Program application. With the applicant's consent, staff removed her Commercial Match Grant applications from the pool and reviewed and processed only the Commercial Revitalization Program applications. A final application, located at 2517 1st Avenue South (#35), was submitted for work already completed in 2018, and was seeking reimbursement. This is not permitted under the CRA Commercial Matching Grant Program.

At the review meeting, the Committee also deemed ineligible another two applications, located at 1400 18th Avenue South (#22 and #23), because they were substantially incomplete. Finally, an application for fencing and playground equipment for a family day care center located at 624 13th Avenue South was tabled by the Committee. Staff recommended that the project be deemed ineligible because the applicant is not licensed by the Florida Department of Children and Families as a licensed day care center. The applicant argued that the lack of fencing was the reason she could not get her license but offered no information. The Committee tabled consideration of this application until May 2nd when she could present evidence supporting her arguments.
IV. Committee Scoring of the CRA Matching Grant Applications

Applications to the South St. Petersburg CRA Grant Program are funded by tax increment financing revenue and reviewed by the South St. Petersburg CRA Committee using the CRA Grant Scoring and Evaluation System. The structure was first approved by City Council on May 18, 2017, through Resolution 2017-316, and refined later on December 6, 2019, regarding the scoring criteria (see Resolution 2018-614).

At its April 5, 2019, meeting the Committee reviewed the submitted applications, each of which were assigned a preliminary score from staff. The Committee scored each remaining eligible application individually and submitted their scores to staff for entry and tallying. The median value for the collective scores of the seven members was used to arrive at the final Committee-recommended score for each application. The top ten scores for the applications as well as their eligible awards are as follows:

<table>
<thead>
<tr>
<th>File #</th>
<th>Project Name</th>
<th>Project Address</th>
<th>Eligible Award</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Primal Performance Spine</td>
<td>4401 Central Ave</td>
<td>$7,883</td>
<td>120</td>
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<td>7</td>
<td>Newkirk Building</td>
<td>2184 9th Ave S</td>
<td>$20,000</td>
<td>112</td>
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<td>34</td>
<td>Boys and Girls Club</td>
<td>1011 22nd St S</td>
<td>$40,000</td>
<td>110</td>
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<tr>
<td>18</td>
<td>PERC Tenant Space</td>
<td>1523 16th St S</td>
<td>$25,000</td>
<td>100</td>
</tr>
<tr>
<td>18</td>
<td>PERC Tenant Space</td>
<td>1523 16th St S</td>
<td>$25,000</td>
<td>100</td>
</tr>
<tr>
<td>40</td>
<td>Tampa Bay BBIC</td>
<td>1123 22nd St S</td>
<td>$8,461</td>
<td>100</td>
</tr>
<tr>
<td>28</td>
<td>Craftsman House</td>
<td>2955 Central Ave</td>
<td>$30,302</td>
<td>90</td>
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<tr>
<td>39</td>
<td>Warehouse Creative LLC</td>
<td>2338 Emerson Ave</td>
<td>$25,000</td>
<td>90</td>
</tr>
<tr>
<td>8</td>
<td>Leggett Building</td>
<td>2154 9th Ave S</td>
<td>$20,000</td>
<td>88</td>
</tr>
<tr>
<td>4</td>
<td>Latimer &amp; Sons</td>
<td>2400 Dr. MLK Jr. S</td>
<td>$19,706</td>
<td>75</td>
</tr>
</tbody>
</table>

Twenty-four applications, with a median score of “45” or higher qualify for commercial matching grant funding under the originally budgeted amount of $405,000. This represents about 63 percent of the qualified applications submitted. The total eligible grant award for these applications is $445,200. However, retaining the original budgeted amount for the program means that some applications will receive reduced awards to ensure that the grant program stays within the budget. The six lowest scoring applications of the 24 eligible for funding all tied with scores of “45” and will have their awards reduced by approximately one-third of the eligible award. These are:

<table>
<thead>
<tr>
<th>File #</th>
<th>Project Name</th>
<th>Project Address</th>
<th>Eligible Award</th>
<th>Reduced Award</th>
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<td>3</td>
<td>Central Plaza SDC</td>
<td>3201-3365 Central</td>
<td>$20,000</td>
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<tr>
<td>29</td>
<td>Collectors Exchange</td>
<td>2935-39 Central Ave</td>
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<td>$15,689</td>
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<td>15</td>
<td>Mari Jean Hotel</td>
<td>2349 Central Ave</td>
<td>$40,000</td>
<td>$26,714</td>
</tr>
<tr>
<td>31</td>
<td>St. Pete Fitness</td>
<td>2727 6th Ave S</td>
<td>$20,000</td>
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</tr>
<tr>
<td>10</td>
<td>St. Petersburg Travel Ctr.</td>
<td>4400 Central Ave</td>
<td>$5,397</td>
<td>$3,604</td>
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<td>38</td>
<td>Warehouse Creative</td>
<td>2338 Emerson Ave</td>
<td>$12,203</td>
<td>$8,150</td>
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</table>
City Administration is recommending through a companion resolution that City Council increase the budget by $125,000 for the Commercial Matching Grant Program from $405,000 to $530,000. This increase would come from reallocating funding from the Commercial Revitalization Program (CRP) budget, which will have $589,393 surplus even if City Council approves full funding for all six applications to the program. If the reallocation request then the City would be able to fully fund the six applications above as well as award full funding to the following four.

<table>
<thead>
<tr>
<th>File #</th>
<th>Project Name</th>
<th>Project Address</th>
<th>Eligible Award</th>
<th>Score</th>
</tr>
</thead>
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<tr>
<td>14</td>
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<td>42</td>
<td>Classic Architectural</td>
<td>2063 1st Ave S</td>
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<td>40</td>
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<tr>
<td>32</td>
<td>GLS Construction</td>
<td>350 49th St S</td>
<td>$14,713</td>
<td>35</td>
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<td>33</td>
<td>3 United LLC</td>
<td>2600-14 Central Ave</td>
<td>$20,000</td>
<td>35</td>
</tr>
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</table>

Ultimately, twenty-eight (28) of the thirty-eight (38) Commercial Matching Grant applications would be funded if City Council approves the increase to $530,000. The proposed increased funding level for this round is nearly identical to the approximately $524,000 allocated to the program by City Council for the FY2017 Commercial Matching Grant cycle. In that cycle, thirty-two applications received funding.

The entire application list is included in Exhibit A of the attached resolution, which lists the score for each application from highest to lowest and includes the grant award for which it is eligible. In addition, a summary of each application submitted and scored is included.

For more details on each application including the preliminary score, view the [2019 Map of CRA Commercial Matching Grant Applications](https://tinyurl.com/y2gvyxba). To retrieve application information, click on the number and then the link to "More Information" in the pop-up box. The map also provides information on building permits issued since December 2017. This is one of the review criteria that the GRC and staff use to score applications. To access the building permit layer, click on the down button and select the box next to “Permit Value Greater or Equal to $10,000.” The individual applications can also be viewed at [https://tinyurl.com/y2gvyxba](https://tinyurl.com/y2gvyxba).

V. Recommendation

Administration recommends City Council approve the attached Resolution.

Attachments: Resolution and Exhibit A
Summary sheet for each grant application
NO. 2019 - ___

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ST. PETERSBURG APPROVING THE PRIORITY LIST IN EXHIBIT A FOR APPLICATIONS TO THE FY2018/19 SOUTH ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA COMMERCIAL MATCHING GRANT PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg City Council approved a Community Redevelopment Plan (Plan) for the South St. Petersburg Community Redevelopment Area (CRA) on May 21, 2015 (Ord. #169-H), which included establishment of a tax increment financing district and redevelopment trust fund for the entire 7.4-sq.mi. South St. Petersburg CRA;

WHEREAS, the Pinellas County Board of County Commissioners approved the Plan on June 2, 2015 (Res. #15-48), delegated authority to the City of St. Petersburg to establish a redevelopment trust fund for the entire CRA, and approved on June 23, 2015, Ord. #15-27 establishing a redevelopment trust fund for the entire South St. Petersburg CRA and establishing FY2014 as the base year on which future increments in property values in the CRA will be based;

WHEREAS, on February 4, 2016, City Council adopted Resolution 2016-47 approving inter alia the Commercial Site Improvement Grant program and the Commercial Building Interior and Tenant Improvement Grant program (collectively known as the “CRA Commercial Matching Grant Program”) to be funded with tax increment financing from the South St. Petersburg Community Redevelopment Trust Fund in order to revitalize commercial corridors and provide access to capital for business and property owners;

WHEREAS, on May 18, 2017, the St. Petersburg City Council adopted Resolution 2017-316, which approved the establishment of the Grant Review Committee for the South St. Petersburg Community Redevelopment Area as well as a scoring and evaluation system for reviewing CRA Commercial Matching Grant Program applications;

WHEREAS, on December 6, 2018, the St. Petersburg City Council adopted Resolution 2018-614, which refined the scoring and evaluation system for reviewing CRA grant requests;

WHEREAS, on December 6, 2018, City Council adopted Resolution 2018-615 approving the FY2018/19 budget for the South St. Petersburg CRA Redevelopment Trust Fund, which identified $405,000 for the Commercial Matching Grant program;
WHEREAS, City Administration issued a Notice of Funding Availability in November 2019 to the CRA community announcing that the City would accept CRA Commercial Matching Grant applications until February 11, 2019, and would continue to provide notice during the open grant period;

WHEREAS, during the open grant period the City of St. Petersburg conducted extensive outreach prior to the application deadline to notify the public, property owners and business owners of the availability of the program;

WHEREAS, between late November 2018 and February 6, 2019, Economic and Workforce Development staff held thirteen mandatory workshops dedicated to educating the public on the application requirements with more than 180 individuals attending and another 20 viewing a grant application training webinar;

WHEREAS, Economic and Workforce Development staff also held 32 satellite office hours at the Enoch Davis Recreation Center and the Tampa Bay Black Business Investment Corporation, which were held in the last five weeks of the grant cycle and designed to provide one-on-one counseling for potential applicants;

WHEREAS, forty-six (46) applications to the CRA Commercial Matching Grant Program were submitted by the February 11, 2019, deadline. Of the 46 applications, 26 sought funding through the Commercial Site Improvement Grant program, while 20 applications sought funding through the Commercial Building Interior and Tenant Improvement Grant program;

WHEREAS, before the South St. Petersburg CRA Grant Review Committee officially convened to review applications, six applications were removed from the original pool of 46 due to participation in the Commercial Revitalization Program (a different grant opportunity under the South St. Petersburg CRA), submission of an application for work that had already been completed and withdrawal by the applicant;

WHEREAS, on April 5, 2019, the South St. Petersburg CRA Grant Review Committee met to evaluate the CRA grant application requests and deemed two applications substantially incomplete and ineligible for funding and tabled another application due to the need for additional documentation;

WHEREAS, the South St. Petersburg CRA Grant Review Committee scored the remaining 37 eligible CRA Commercial Matching Grant applications in accordance with the adopted scoring and evaluation system, and produced a final recommended priority list for funding;
WHEREAS, on May 16, 2019, City Council took action on a City Administration recommendation to increase funding by $125,000 to $530,000 for the Commercial Matching Grant Program budget to be funded by a surplus in the Commercial Revitalization Program budget.

WHEREAS, at its May 16, 2019, public meeting, the St. Petersburg Community Redevelopment Agency recommended that the St. Petersburg City Council approve the funding priority list for the CRA Commercial Matching Grant program.

NOW, THEREFORE, BE IT RESOLVED, that the St. Petersburg City Council prioritizes funding for the South St. Petersburg CRA Commercial Matching Grants concurrent with the recommendation of the South St. Petersburg CRA Grant Review Committee in the order identified in Exhibit A.

This resolution shall become effective immediately upon its adoption.

Passed by St. Petersburg City Council in regular session on the 16th day of May 2019.

APPROVED AS TO FORM AND CONTENT:                      APPROVED BY:

[Signatures]

City Attorney (Designee)     Alan DeLisle, Administrator
City Development Administration
Exhibit A

Priority Order for FY2018/19 CRA Commercial Matching Grant Applications

South St. Petersburg CRA
<table>
<thead>
<tr>
<th>File #</th>
<th>Project Name</th>
<th>Eligible Project</th>
<th>Address</th>
<th>Grant Type</th>
<th>Award Score</th>
<th>Present Address</th>
<th>Eligible Project Underscore</th>
<th>Grant Median GRC</th>
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<td>Comm. Site</td>
<td>$15,756</td>
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<td>Comm. Site</td>
<td>$19,706</td>
<td>$10,000</td>
<td>22nd St S</td>
<td>Latimer and Sons BarberShop</td>
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<td>10</td>
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<td>Comm. Site</td>
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<td>Tennis Foundation of St. Pete</td>
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<td>Comm. Site</td>
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<td>$20,000</td>
<td>5th St S</td>
<td>Northwest Florida</td>
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<td>St. Petersburg Travel Center</td>
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<td>Score</td>
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<td>624 Central Ave S</td>
<td>60.0</td>
<td>Pathways Early Learning Academy II LLC</td>
<td>$624,197</td>
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</table>
File #02 (CBIT)
4401 Central Ave
Primal Performance Spine & Sport

- **Request:** Energy Efficient Windows, Air Ducts and Insulation
- **Total Eligible Project Costs:** $15,766
- **Total Eligible Grant Award:** $7,883
- **Grant Review Committee Score:** 120

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File #07 (CBIT)
2184 9th Avenue South
Newkirk Building

- **Request:** General Demolition, Asbestos, Carpentry, Concrete, Roofing, HVAC, Electrical
- **Total Eligible Project Costs:** $92,100
- **Total Eligible Grant Award:** $20,000
- **Grant Review Committee Score:** 112

---
File #34 (CBIT)
1011 22nd St South
Boys and Girls Club of the Suncoast

- Request: Applicant is seeking CRA Funding to repair/replace roof of its Royal Theater facility located on the Deuces Live Main Street.
- Total Eligible Project Costs: $85,000
- Total Eligible Grant Award: $40,000
- Grant Review Committee Score: 110

File #18 (CSI)
1523 16th St South
PERC Facility

- Request: Applicant proposes to renovate the vacant structure to create office space for G2 Design LLC (3 jobs) and the corporate office of the Second Chance Tiny Home Manufacturing office (4 full time and 45 PT jobs annually.)
- Total Eligible Project Costs: $57,480
- Total Eligible Grant Award: $25,000
- Grant Review Committee Score: 100
File #19 (CBIT)
1523 16th St South
PERC Facility

- Request: Applicant proposes to renovate the vacant structure to create office space by replacing interior windows, doors, lighting fixtures, dry wall, ductwork, plumbing and metal framing
- Total Eligible Project Costs: $76,109
- Total Eligible Grant Award: $25,000
- Grant Review Committee Score: 100

File #40 (CSI)
1123 22nd St South
Tampa Bay Black Business Initiative Fund

- Request: Repave the asphalt, minor roof repair, update the electrical fuse panel, install fence, exterior lighting, painting exterior building, and landscaping.
- Total Eligible Project Costs: $16,922
- Total Eligible Grant Award: $8,461
- Grant Review Committee Score: 100
File #28 (CBIT)  
2955 Central Ave  
Craftsman House

- **Request:** Applicant is installing new roof, replacing HVAC, repair water damaged ceiling.
- **Total Eligible Project Costs:** $60,603
- **Total Eligible Grant Award:** $30,302
- **Grant Review Committee Score:** 90

File #39 (CBIT)  
2338 Emerson Ave South  
Warehouse Creative LLC

- **Request:** Renovate interior by testing for Asbestos, HVAC/insulation installation adding a reception desk, baseboards/countertops. There will be selective demolition, drywall framing, Tile work and installation dishwasher.
- **Total Eligible Project Costs:** $60,778
- **Total Eligible Grant Award:** $25,000
- **Grant Review Committee Score:** 90
File #08 (CBIT)
2154 9th Ave South
Leggett Building

- Request: General Demolition, Asbestos, Carpentry, Concrete, Roofing, HVAC, Electrical.
- Total Eligible Project Costs: $80,000
- Total Eligible Grant Award: $20,000
- Grant Review Committee Score: 88

File #04 (CBIT)
2400 Dr. M.L. King, Jr. St. S
Latimer & Son's Family Hair Care

- Request: Demolition, Bathroom facilities, Barber counters and pantry
- Total Eligible Project Costs: $39,412
- Total Eligible Grant Award: $19,706
- Grant Review Committee Score: 75
**File #06 (CSI)**
2184 9th Avenue South
Newkirk Building

- **Request:** General Demolition, Asbestos, Carpentry, Concrete, Exterior doors
- **Total Eligible Project Costs:** $60,100
- **Total Eligible Grant Award:** $20,000
- **Grant Review Committee Score:** 72

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**File #05 (CSI)**
1735 Dr. M.L. King, Jr. St S
Westcare Florida Gulf Coast

- **Request:** Exterior lighting, addition of a double driveway gate to be installed in place of a recently removed security guard booth.
- **Total Eligible Project Costs:** $10,615
- **Total Eligible Grant Award:** $5,308
- **Grant Review Committee Score:** 60
File #11 (CBIT)
4400 Central Ave
St Pete Travel Center

• Request: Creating new office space by dividing the existing building into two separate suites.
• Total Eligible Project Costs: $30,800
• Total Eligible Grant Award: $15,400
• Grant Review Committee Score: 60

File #17 (CSI)
650 18th Ave South
Tennis Foundation of St Petersburg

• Request: Applicant is requesting funding to repair and replace portions of galvanized chain link fencing at the St. Petersburg Tennis Center located at Bartlett Park.
• Total Eligible Project Costs: $2,106
• Total Eligible Grant Award: $1,053
• Grant Review Committee Score: 60
**File #37 (CBIT)**  
615 28th St South  
Starling School & Day Care Center  

- **Request:** Applicant is seeking CRA Funding to replace roofing and plumbing  
- **Total Eligible Project Costs:** $16,194  
- **Total Eligible Grant Award:** $8,097  
- **Grant Review Committee Score:** 60

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**File #27 (CBIT)**  
3551 Central Ave  
DHM Real Estate  

- **Request:** Applicant is constructing partitions for new space with drywall and new space, and adding trim. The reroofing project was moved by staff from the Commercial Site Improvement budget, where it is not an eligible cost.  
- **Total Eligible Project Costs:** $69,300  
- **Total Eligible Grant Award:** $20,000  
- **Grant Review Committee Score:** 55
File #09 (CSI)
2154 9th Ave South
Leggett Building

- Request: General Demolition, Asbestos, Carpentry, Concrete, Exterior doors.
- Total Eligible Project Costs: $76,000
- Total Eligible Grant Award: $20,000
- Grant Review Committee Score: 50

File #36 (CSI)
615 28th St South
Starling School & Day Care Center

- Request: Applicant is seeking CRA Funding to replace existing soffits with vinyl, install recess lighting in soffits, exterior painting and window replacement.
- Total Eligible Project Costs: $25,836
- Total Eligible Grant Award: $12,918
- Grant Review Committee Score: 50
File #03 (CSI)
3201-3365 Central Avenue
Central Plaza SDC, LLC

- Request: Replace existing awning
- Total Eligible Project Costs: $125,461
- Total Eligible Grant Award: $20,000
- Grant Review Committee Score: 45

File #15 (CSI)
2349 Central Avenue
Mari-Jean Hotel

- Request: The work includes repainting the building exterior, installing new storefront and other windows on the façade as well as new awnings.
- Total Eligible Project Costs: $82,367
- Total Eligible Grant Award: $40,000
- Grant Review Committee Score: 45
File #29 (CSI)
2935-2939 Central Ave
Collectors Exchange

- Request: Applicant will demolish and replace the front façade of the building. This will involve new masonry on the front, three new impact windows, one new door and lighting for signs.
- Total Eligible Project Costs: $46,986
- Total Eligible Grant Award: $23,492
- Grant Review Committee Score: 45

File #31 (CBIT)
2727 6th Ave South
St Pete Fitness LLC

- Request: Applicant will renovate warehouse into a Gym which includes roof replacement, 5-ton HVAC and spray insulation.
- Total Eligible Project Costs: $61,180
- Total Eligible Grant Award: $20,000
- Grant Review Committee Score: 45
File #38 (CSI)
2338 Emerson Ave South
Warehouse Creative LLC

- **Request**: Renovate exterior of the property which consists of painting, siding, fencing, landscape removal.
- **Total Eligible Project Costs**: $24,206
- **Total Eligible Grant Award**: $12,203
- **Grant Review Committee Score**: 45

File #10 (CSI)
4400 Central Ave
St Pete Travel Center

- **Request**: Paving, Signage, Landscaping Exterior painting of building
- **Total Eligible Project Costs**: $10,793
- **Total Eligible Grant Award**: $5,397
- **Grant Review Committee Score**: 45
File #14 (CBIT)
4601 Central Avenue
Pregnancy Treasures

- **Request:** The work includes removing walls to create reception and waiting area, dividing rooms into three separate massage rooms, waiting area, creating closet and storage space.
- **Total Eligible Project Costs:** $44,717
- **Total Eligible Grant Award:** $20,000
- **Grant Review Committee Score:** 40

File #42 (CBIT)
2063 1st Ave South
Classic Architectural Inc

- **Request:** Major interior renovation including two bathrooms, drywall ceiling of storage area, repairing fire sprinkler heads, repairing electric and panel replacement and add new lighting and fans.
- **Total Eligible Project Costs:** $114,755
- **Total Eligible Grant Award:** $25,000
- **Grant Review Committee Score:** 40
File #32 (CSI)  
350 49th St South  
GLS Construction Services Inc.

- Request: Exterior improvements such as: Exterior Painting, replace wood ramp, install new Fencing/lighted signage and irrigation repairs with landscaping.
- Total Eligible Project Costs: $29,425
- Total Eligible Grant Award: $14,713
- Grant Review Committee Score: 35

File #33 (CSI)  
2600-2614 Central Ave  
3 United LLC

- Request: Renovate exterior a 2-story retail structure. Making repairs to the Masonry, pressure wash, paint building, install new awnings, add signage/lighting and replace storefront windows and doors
- Total Eligible Project Costs: $184,500
- Total Eligible Grant Award: $20,000
- Grant Review Committee Score: 35
**File #30 (CSI)**
2727 6th Ave South
St Pete Fitness LLC

- **Request:** Renovate warehouse into a Gym which includes lighted signage, new impact energy windows and LED lighting package. The windows were moved from the applicants Commercial Building Interior grant, proposed reroofing project was moved to the Commercial Interior grant.

- **Total Eligible Project Costs:** $40,990
- **Total Eligible Grant Award:** $20,000
- **Grant Review Committee Score:** 30

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**File #25 (CBIT)**
3535 Central Ave
KumJo Lee

- **Request:** Applicant is requesting funding renovate their building by replacing their roof, replacing HVAC, replacing Orangeburg pipe with PVC and add interior lighting

- **Total Eligible Project Costs:** $31,891
- **Total Eligible Grant Award:** $15,946
- **Grant Review Committee Score:** 25
File #12 (CSI)
3510-30 1st Ave North
Annam Investments LLC

- **Request:** Façade renovations by replacing doors with impact glass and replacing awnings in the main/middle and side of building
- **Total Eligible Project Costs:** $46,173
- **Total Eligible Grant Award:** $20,000
- **Grant Review Committee Score:** 20

File #13 (CSI)
3021-23 Central Avenue
Out of the Ordinary, LLC

- **Request:** Work will consist of repairing the asphalt and concrete apron surrounding the building and adding landscaping
- **Total Eligible Project Costs:** $11,914
- **Total Eligible Grant Award:** $5,957
- **Grant Review Committee Score:** 20
File #26 (CSI)
3551 Central Ave
DHM Real Estate

- Request: Applicant is reconstructing the façade for 3451 Central Avenue to reflect the design for the adjoining tenant space at 3457 Central Avenue
- Total Eligible Project Costs: $44,460
- Total Eligible Grant Award: $20,000
- Grant Review Committee Score: 20

File #41 (CSI)
2063 1st Ave South
Classic Architectural Inc

- Request: Window repairs, storefront glazing, exterior painting, refurbishing the sliding “barn” door, replacing front entry door, adding signage, providing exterior lighting, and fence replacement.
- Total Eligible Project Costs: $42,790
- Total Eligible Grant Award: $20,000
- Grant Review Committee Score: 10
File #44 (CBIT)
655 31st St South
The Body Electric Yoga Co

• Request: Remove existing mechanical equipment, electrical fixtures, insulation and partitions in warehouse space, New Roofing/Insulation and Siding repair.
• Total Eligible Project Costs: $181,500
• Total Eligible Grant Award: $20,000
• Grant Review Committee Score: 5

File #43 (CSI)
655 31st St South
The Body Electric Yoga Co

• Request: Applicant is requesting demolition of Fence, Loading Dock & Trees, Cut/ Fill/ Grade/ Compact Dirt/Paving and restriping, and landscaping
• Total Eligible Project Costs: $30,855
• Total Eligible Grant Award: $15,428
• Grant Review Committee Score: 0
Request: Repave their parking area, reconstructing entry features such as concrete steps and railings.

Total Eligible Project Costs: $9,279
Total Eligible Grant Award: $4,640
Grant Review Committee Score: -5

Request: Constructing a 1,000-SF addition on the east side of the property to expand the usable space while also expanding restrooms to make them handicapped accessible.

Total Eligible Project Costs: $64,919
Total Eligible Grant Award: $20,000
Preliminary Staff Score: 20
File #22 (CSI) DETERMINED INELIGIBLE BY GRC
1400 18th Ave South
Food Max

- **Request:** Applicant is requesting for exterior improvements such as replacing doors and windows, repaint the building, replace exterior lights to LED, repave entire parking lot and install new sign.
- **Total Eligible Project Costs:** $46,000
- **Total Eligible Grant Award:** $20,000
- **Preliminary Staff Score:** 30

File #23 (CBIT) DETERMINED INELIGIBLE BY GRC
1400 18th Ave South
Food Max

- **Request:** Applicant is requesting funding for a new refrigerator for meat storage
- **Total Eligible Project Costs:** $42,000
- **Total Eligible Grant Award:** $20,000
- **Preliminary Staff Score:** 20
File #01 (CSI) Tabled by GRC
624 13th Avenue South
Pathways Early Learning

- **Request**: Vinyl Fencing, Outdoor Furniture and Playsets
- **Total Eligible Project Costs**: $None
- **Total Eligible Grant Award**: $None
- **Preliminary Staff Score**: 30
The following page(s) contain the backup material for Agenda Item: A Resolution by the City Council of the City of St. Petersburg approving grants in the amount of $450,000 for six applications to the FY2018/2019 South St. Petersburg Community Redevelopment Area Commercial Revitalization Program.
Please scroll down to view the backup material.
To The Honorable Charlie Gerdes, Chair, and Members of City Council

Subject A Resolution by the City Council of the City of St. Petersburg approving grants in the amount of $450,000 for six applications to the FY2018/2019 South St. Petersburg Community Redevelopment Area Commercial Revitalization Program.

Recommendation Administration recommends City Council approve the attached Resolution.

Request

City Council APPROVE $450,000 in funding for the following six FY2018/19 applications to the South St. Petersburg Community Redevelopment Area (CRA) Commercial Revitalization Program:

- Steep Station 2901 Central Avenue $50,000
- St. Petersburg Arts Alliance 2622-30 Fairfield Avenue S $100,000
- Brewery Collective 800 28th Street S $100,000
- Fairgrounds 2610 Fairfield Avenue S $100,000
- Delores Smith Academy I 1766 49th Street S $50,000
- Delores Smith Academy II 1240 49th Street S $50,000

Funding is available to award in full the requested amounts for each application. On December 6, 2018, City Council approved Resolution #2018-615 adopting the FY2018/2019 budget for the South St. Petersburg CRA Redevelopment Trust Fund. This budget provided approximately $1.749 million in funding to the CRA’s Business and Commercial Development Budget. Of this amount, over $1.039 million was allocated to provide funding for the Commercial Revitalization Program (CRP). If the six CRP applications are approved for funding by City Council the remaining surplus in the CRP would total $589,493.

Overview of the CRP Grant Review Process

The CRP supports projects in the South St. Petersburg CRA that provide visible improvements to a building or site, decrease CRA vacancy rates, provide missing retail or service opportunities, retain or create jobs, and/or create new commercial space. The CRP is one of three commercial grant funding opportunities currently available in the South St. Petersburg CRA – the others being the “Commercial Site Improvement” and “Commercial Building Interior and Tenant Improvement” grant programs. The CRP combines into one grant program the intent of these two existing CRA programs but is designed to support larger economic development projects in
South St. Petersburg, i.e., those which are investing $100,000 or more in capital improvement costs. The CRP also provides incentives for new commercial construction, which the other two do not.

CRP applicants may receive up to $100,000 as a grant award for an approved project. City Council must approve a funding award under this program predicated upon the recommendation provided by the Mayor, if the economic impact of the project warrants an increased investment. City of St. Petersburg TIF contributions to the CRA Redevelopment Trust Fund are used to fund the Commercial Revitalization Program. In addition, Pinellas County contributions can be utilized if the project components are used in compliance with its February 6, 2017, policy governing their use.

Application packages are reviewed by an internal review committee that will evaluate the strengths and weaknesses of the applications relative to

- the location of the project on a priority commercial corridor identified by the Citizen Advisory Committee of the South St. Petersburg CRA,
- creation of new commercial space through new construction or renovation of a previously vacant and blighted building,
- the number of jobs to be created and/or retained by the proposal,
- the number of CRA residents employed by the applicant at the time of application submittal,
- the capital investment by the applicant and the leverage provided by the City funding, and
- the use of environmentally sustainable materials and practices recommended by the City’s Office of Sustainability and Resiliency.

After receiving the evaluation from the review committee, a recommendation will be made by the Mayor to the St. Petersburg City Council.

Pre-Deadline Marketing of the Commercial Revitalization Program

The City of St. Petersburg conducted extensive outreach prior to the CRP application deadline of February 11, 2019, notifying the public, property owners and business owners of the availability of the CRP grant award. Between late November 2018 and February 6, 2019, Economic and Workforce Development (EWD) staff held thirteen mandatory workshops dedicated to educating the public on the application requirements. They were held at both the Enoch Davis Recreation Center and the Greenhouse, and over 180 individuals attended. Another 20 participants accessed a webinar to ensure they would be able to apply for the grants.
EWD staff also held 32 satellite office hours at the Enoch Davis Recreation Center and the Tampa Bay Black Business Investment Corporation. These were held in the last five weeks of the grant cycle and were designed to provide one-on-one counseling for potential applicants.

Greenhouse and Marketing staff also walked five commercial corridors during the final weeks of the cycle. These corridors were 16th Street South, 18th Avenue South, 28th Street South, Dr. Martin Luther King, Jr. Street South, and 22nd Street South. Finally, the Marketing Department sent 21 social media related posts and provided content for other media.

Overview and Evaluation of the 2019 CRP Applications

Six applications to the CRA Commercial Revitalization Program were submitted by the February 11, 2019, deadline. The applications are summarized below, while Exhibit 1 of the attached resolution contains the staff evaluation and essential parts of the application.

<table>
<thead>
<tr>
<th>Project</th>
<th>Address</th>
<th>Project Costs</th>
<th>Grant Amount</th>
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<td>Steep Station</td>
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<td>Delores Smith Academy I</td>
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<td>Delores Smith Academy II</td>
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<td>Total</td>
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Funding the six applications will provide significant economic and community impacts. First, with total project costs for the six applications exceeding $5.56 million, the City will leverage approximately $11.36 in private investment for each $1.00 in public investment. In addition, four of the six applications with a total grant funding request of $350,000 will be creating new commercial space, which will require each to create at least ten jobs, with five to be occupied by residents of the CRA. This works out to approximately $8,750 per job created if only the minimum job creation of 40 is met. (The other two applications can meet their job requirements by retaining their existing employees.) Furthermore, three applications located along Fairfield Avenue South and 28th Street South will provide destinations along the Pinellas Trail where no activity currently exists. Finally, two applications located on 49th Street will increase child care options in the CRA, which is a priority for the South St. Petersburg CRA.

Steep Station
2901 Central Avenue

The applicant is requesting funding to build café/restaurant space to replace an existing Airstream trailer that currently serves in that use. The proposal will require construction of entirely new mechanical, plumbing, and electrical systems as well as roofing, windows and foundations. Applicant will utilize shipping containers as the primary structure for the use. The
total square footage of the project upon completion will be 960 SF of new structure, which includes 480 SF of air-conditioned space on the first floor with an equal amount of open-air space on the second floor for rooftop seating. (The Airstream will be removed from the property.)

The proposal will add capital investment in a section of the Grand Central District that has seen less investment than the area east of 28th Street. The project will retain the nine jobs currently on site.

**APPLICATION STRENGTHS**
- Reuses shipping containers and reduce use of virgin building material that would otherwise occur with more conventional construction methods and materials.
- Improves the urban design of the business by orienting the building to Central Avenue and making it more pedestrian scaled.
- One of the first commercial buildings constructed in City with these materials.
- Investment in a portion of the Grand Central District that has not seen the business activity that parts of Central Avenue to the east have had.
- The Project will help maintain an existing business on the property that has nine employees.

**APPLICATION WEAKNESSES**
- The Project will result in a ~200 SF loss in conditioned space.
- The sketch plan for the Project shows the building with 10-ft. setbacks from Central Avenue. This would require a variance from the design requirements for CCT-2.

The applicant proposes to renovate two former industrial now vacant warehouses into the new headquarters of the St. Petersburg Arts Alliance (SPAA), including office and classroom space, along with space for theater and dance classes, rehearsals and production. The applicant has provided a letter of commitment from SPAA indicating its intent to lease space in the Project once completed. SPAA is a non-profit umbrella organization and their new space will include headquarters for the SHINE Mural Festival and Keep St. Pete Lit, which currently serves 130 students per week, mostly at Fairmount Park and Campbell Park elementary school, and space for Second Saturday Artwalk, “Funding for Futures” Grant Program for student artists with financial needs, and Arts for a Complete Education (ACE) Pinellas

The Project is comprised of two attached buildings that are perpendicular to one another (see aerial photograph). Building 1 (2630 Fairfield Avenue South) is two stories and approximately 19,000 SF. The first floor will house offices, class rooms, storage and restrooms for the users described below. The second floor is expected to house office space for a new division of
Sebsen Electric, with whom the applicant is in negotiations. Building 2 will house approximately 6,000 SF of space for theater and dance classes, rehearsals and production.

Total number of jobs created are estimated between 10 and 18 while 7 to 10 jobs are expected to be retained. Half of these would need to be filled by CRA residents.

**APPLICATION STRENGTHS**

- Project reinforces the vision of the Warehouse Arts District.
- Proposes mixed use to support several different organizations.
- Applicant has background in this type of work.
- Propose renovation will improve the aesthetic of the industrial district as well as the Pinellas Trail.
- Provides a use that will activate the Pinellas Trail in a location with little activity.
- Programming proposed to expand into South St. Petersburg. Keep St. Pete Lit already serves children at Fairmount and Campbell Park elementary schools.
- Significant capital investment in a currently vacant building

**APPLICATION WEAKNESSES**

- This is one of three proposals on property owned by Guru and Gaia. One of two proposals by the same applicant.
- Applicant does not yet have a lease agreement with electrical contractor proposed to occupy the second floor space.
- Countywide rules will restrict the certain uses that are not IT oriented as accessory. This could include the electrical contractor office where only 25% of total area can be used as accessory. City will need to monitor for compliance during construction, before award and during the five-year compliance period.
- The City must ensure that space is not converted into a performing arts space. "Rehearsal space" is allowed as indoor recreational use. Performing art venue space is not allowed. Episodic (irregular) events are allowed by code.
- Parking could potentially be an issue when rehearsals and classes overlap.

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**Brewery Collective**  
800 28th Street South

The Project will convert the former vehicle inspection station and warehouse into a craft beer manufacturing plant and a tasting room. The Project site has been underutilized for more than a decade. Renovation work will include constructing demising walls to separate the brewing room from the rest of the operation as well as constructing office space, cooler room, bathrooms and tasting room.

This is a new venture for the Casoria Beverages which is behind Rock Brothers Brewery in Ybor. The Project will serve as a collective where locals can launch small breweries and craft beers as well as enjoy a tasting room near the Pinellas Trail. They are looking to hire 12-15 people of
whom at least five would need to be CRA residents. This is one of three proposals on property under the same ownership.

APPLICATION STRENGTHS

- The concept of an incubator space for startups is a plus given that the microbrewery business is capital intensive for both equipment and real estate.
- Applicant has experience in the brewery business and will be a benefit to the startups who utilize the facility.
- Nice gateway for the Pinellas Trail at that location. Mirrors what is going on in north Pinellas County along the Pinellas Trail near Ozona and Palm Harbor.
- Activates the Pinellas Trail along a stretch with little to attract riders.
- Adaptively reuses a vacant and/or underutilized space along the 28th Street South commercial corridor. Industrial Traditional is the only zoning category allowing breweries as a permitted use.

APPLICATION WEAKNESSES

- One of three grant applications associated with the property owner Guru & Gaia
- As an accessory use in Tasting room cannot occupy more than 25% of the site. As currently drawn, it would occupy approximately 37 percent of the building.
- Outdoor areas would be counted against their accessory space requirements.
- Parking could be an issue considering the amount of outdoor gathering space.
- Site plan provided is inadequate to analyze parking at this stage

Fairgrounds
2610 Fairfield Avenue South

The Project proposes renovation of a former warehouse site into the “Fairgrounds” which is a cooperative of artists and curators coming together to create an interactive experience that invites visitors to explore studios and interact with artists in their creative environments. Approximately 2/3 of the Fairgrounds 9,400 SF within the Factory in St. Petersburg’s Warehouse Arts District will consist of a labyrinth of artist studios, each installed by an artist to create a unique experience reflective of the artist’s work. Every two years Fairgrounds will select a cohort of artists who will participate in residencies. Each artist within a class will be given a studio and $10,000 to design and install their studio. The remainder of the Fairgrounds facility will house offices, ticketing and information booths and flex space able to host temporary exhibition.

Fairgrounds will hire local artists and makers from within the CRA to operate and maintain its facility and to engage with the public. The Fairgrounds proposes 12 to 17 new jobs and will target 6 to 12 CRA residents to expand their career in the arts. They intend to reach out to Gibbs School to engage in educational and career training. This is one of three proposals on property under the same ownership. One of two proposals by the same applicant.
APPLICATION STRENGTHS

- Project reinforces the vision of the Warehouse Arts District.
- Propose renovation will improve the aesthetic of the industrial district as well as the Pinellas Trail.
- Provides a use that will activate the Pinellas Trail in a location with little activity.
- Business model, with the sharing of proceeds from entry fees, will help grow local artists.
- Significant capital improvement investment in a currently vacant building.

APPLICATION WEAKNESSES

- One of three grant applications associated with the same property owner (Guru and Gaia)
- Applicant is also co-applicant affiliated with the SPAA’s CRP application at 2622-30 Fairfield Avenue S.
- The Project will convert existing manufacturing building within an industrial district.
- Countywide rules will restrict the certain uses that are not IT oriented as accessory, such as sales and events. City will need to monitor for compliance during construction, before award and during the five-year compliance period.

Delores Smith Academy I
1766 49th Street South

Applicant proposes to expand her preschool and daycare operation by constructing an 800 SF addition. She is also proposing infant care at the facility. The applicant has received funding in prior rounds under the City’s Commercial Matching Grant program, mainly for site improvements and interior security and fire safety features. The project will help retain 5 employees, four of whom live in the CRA. Proposal expands a daycare center which is a CRA priority.

APPLICATION STRENGTHS

- The Project will add ~860 SF of commercial space in CRA.
- The Project will add ~$136,000 in capital investment along the 49th Street corridor which has not seen as much activity as other corridors in CRA.
- The Project will retain 4 jobs for employees that are resident in the CRA.
- The Project will expand daycare opportunities for families in the CRA.

APPLICATION WEAKNESSES

- New handicapped ramp may not be needed. Applicant will need to get an evaluation prior to undertaking the building permit process.
- Addition of 800 SF may create additional parking needs which are not accounted for in the application.
- Estimates vary between $100,000 and $136,000. In addition, only one provides specific line-item details that allow staff to determine eligible costs and portions of the project.
that can be funded with County TIF. This can be mitigated by requiring the applicant’s selected contractor to provide the final estimate in line item form prior to the execution of the grant agreement.

- Uncertain if the maximum number of children will be exceeded by the addition. Applicant will need to first get preliminary approval by ELC and/or Pinellas County Licensing Board before undertaking the building permit process.
- Applicant has received funding from the City through the CRA Matching Grant program in both 2016 and 2017. (Note: proposal does not involve work on project elements from these earlier awards.)

**Dalores Smith Academy II**

1240 49th Street South

Applicant is renovating a vacant and boarded home on 49th Street South into an infant care facility. As a new facility, the applicant is required to create five new jobs of whom half must be CRA residents. The applicant has received funding in prior rounds under the City’s Commercial Matching Grant program, mainly for site improvements and interior security and fire safety features.

**APPLICATION STRENGTHS**

- The Project will re-occupy a vacant and boarded building on the 49th Street South commercial corridor.
- The Project will add ~1,650 SF of commercial space to the CRA.
- The Project will add ~$150,000 in capital investment along the 49th Street corridor which has not seen as much activity as other corridors in the CRA.
- The Project will create 8 jobs in the South St. Petersburg CRA.
- The Project will expand day care opportunities for families in the CRA.

**APPLICATION WEAKNESSES**

- The applicant did not provide a site plan to identify important activities such as fencing, location of parking, and outdoor playground equipment. These will need to be identified as part of building permit approval.
- Conversion from a residential use to a day care center may involve more extensive code upgrades than anticipated by the estimates provided.

**Recommendation**

Administration recommends City Council approve the attached Resolution.

Attachments: Resolution and Exhibit 1
WHEREAS, the City of St. Petersburg City Council approved a Community Redevelopment Plan (Plan) for the South St. Petersburg Community Redevelopment Area (CRA) on May 21, 2015 (Ord. #169-H), which included establishment of a tax increment financing district and redevelopment trust fund for the entire 7.4-sq.mi. South St. Petersburg CRA;

WHEREAS, the Pinellas County Board of County Commissioners approved the Plan on June 2, 2015 (Res. #15-48), delegated authority to the City of St. Petersburg to establish a redevelopment trust fund for the entire CRA, and approved on June 23, 2015, Ord. #15-27 establishing a redevelopment trust fund for the entire South St. Petersburg CRA and establishing FY2014 as the base year on which future increments in property values in the CRA will be based;

WHEREAS, on February 4, 2016, City Council adopted Resolution 2016-47 approving inter alia the Commercial Revitalization Program to be funded with tax increment financing from the South St. Petersburg Community Redevelopment Trust Fund in order to revitalize commercial corridors, retain and/or create jobs, provide missing retail or service opportunities, create new commercial space, and provide access to capital for business and property owners;

WHEREAS, on December 6, 2018, the St. Petersburg City Council adopted Resolution 2018-614, which refined the evaluation system and process for reviewing and approving CRA Commercial Revitalization Program grant applications to focus on their respective strengths and weaknesses regarding the following criteria:

• the location of the project on a priority commercial corridor identified by the Citizen Advisory Committee of the South St. Petersburg CRA;
• creation of new commercial space through new construction or renovation of a previously vacant and blighted building;
• the number of jobs to be created and/or retained by the proposal;
• the number of CRA residents employed by the applicant at the time of application submittal;
• the capital investment by the applicant and the leverage provided by the City funding; and
• the use of environmentally sustainable materials and practices recommended by
the City’s Office of Sustainability and Resiliency.

WHEREAS, on December 6, 2018, City Council adopted Resolution 2018-615 approving the FY2018/19 budget for the South St. Petersburg CRA Redevelopment Trust Fund, which identified $1,039,493 for the Commercial Revitalization Program;

WHEREAS, City Administration issued a Notice of Funding Availability in November 2019 to the CRA community announcing that the City would accept CRA Commercial Revitalization Program applications until February 11, 2019, and would continue to provide notice during the open grant period;

WHEREAS, during the open grant period the City of St. Petersburg conducted extensive outreach prior to the application deadline to notify the public, property owners and business owners of the availability of the program;

WHEREAS, between late November 2018 and February 6, 2019, the City of St. Petersburg conducted extensive outreach Economic and Workforce Development staff held thirteen mandatory workshops dedicated to educating the public on the application requirements with more than 180 individuals attending and another 20 viewing a grant application training webinar;

WHEREAS, Economic and Workforce Development staff also held 32 satellite office hours at the Enoch Davis Recreation Center and the Tampa Bay Black Business Investment Corporation, which were held in the last five weeks of the grant cycle and designed to provide one-on-one counseling for potential applicants;

WHEREAS, the following six (6) applications to the CRA Commercial Revitalization Program (summarized in Exhibit 1) were submitted by the February 11, 2019, deadline, requesting a total of $450,000 in grant funding:

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<thead>
<tr>
<th>Project</th>
<th>Address</th>
<th>Grant Amount</th>
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<td>2901 Central Ave</td>
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</tr>
<tr>
<td>Fairgrounds</td>
<td>2610 Fairfield Ave S</td>
<td>$100,000</td>
</tr>
<tr>
<td>Delores Smith Academy I</td>
<td>1766 49th Street S</td>
<td>$50,000</td>
</tr>
<tr>
<td>Delores Smith Academy II</td>
<td>1240 49th Street S</td>
<td>$50,000</td>
</tr>
</tbody>
</table>

WHEREAS, an internal review committee comprised of members of the Economic and Workforce Development and Planning and Development Services departments
evaluated the strengths and weaknesses of the applications and provided their findings to the Mayor’s office;

WHEREAS, the Mayor’s Office recommended approval of all six applications at the requested funding levels for each;

WHEREAS, at its May 16, 2019, public meeting, the St. Petersburg Community Redevelopment Agency recommended that the St. Petersburg City Council approve grant funding for the six applications to the CRA Commercial Revitalization Program.

NOW, THEREFORE, BE IT RESOLVED, that the St. Petersburg City Council approves the following funding grant awards for the six applications to the Commercial Revitalization Program during the FY2018/2019 grant cycle:

<table>
<thead>
<tr>
<th>Application</th>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steep Station</td>
<td>2901 Central Ave</td>
<td>$50,000</td>
</tr>
<tr>
<td>St. Pete Arts Alliance</td>
<td>2622-30 Fairfield Ave S</td>
<td>$100,000</td>
</tr>
<tr>
<td>Casoria Brewery</td>
<td>800 28th Street S</td>
<td>$100,000</td>
</tr>
<tr>
<td>Fairgrounds</td>
<td>2610 Fairfield Ave S</td>
<td>$100,000</td>
</tr>
<tr>
<td>Delores Smith Academy I</td>
<td>1766 49th Street S</td>
<td>$50,000</td>
</tr>
<tr>
<td>Delores Smith Academy II</td>
<td>1240 49th Street S</td>
<td>$50,000</td>
</tr>
</tbody>
</table>

This resolution shall become effective immediately upon its adoption.

Passed by St. Petersburg City Council in regular session on the 16th day of May 2019.

APPROVED AS TO FORM AND CONTENT:                        APPROVED BY:

City Attorney (Designee)               Alan DeLisle, Administrator
                                        City Development Administration
Exhibit 1

Applications
for the
Commercial Revitalization Program
Steep Station
2901 Central Avenue
Steep Station
2901 Central Avenue
File Number: 2018/19 CRP-4

| Project Summary |
|-----------------|-----------------|
| **Zoning:** CCT-2 | **Source of Funds:** City and County TIF (per rules) |
| **Current Property Use:** Retail/Restaurant | **Proposed Use:** Retail/Restaurant |
| **Grant Fund Request:** $50,000 | **Total Project Costs:** $113,784 |
| **Maximum Grant Allowed:** $50,000 | **Minimum Investment Required:** $100,000 |
| **Jobs Created &/or Retained** | **CRA Priority Corridor? No** |
| 9 jobs retained | |

**Project Description and Budget**

The applicant is requesting funding to build café/restaurant space to replace an existing Airstream trailer that currently serves in that use. The proposal will require construction of entirely new mechanical, plumbing, and electrical systems as well as roofing, windows and foundations. Applicant will utilize shipping containers as the primary structure for the use. The total square footage of the project upon completion will be 960 SF of new structure, which includes 480 SF of air-conditioned space on the first floor with an equal amount of open-air space on the second floor for rooftop seating. (The Airstream will will be removed from the property.)

The proposal will add capital investment in a section of the Grand Central District that has seen less investment than the area east of 28th Street. The project will retain the nine jobs currently on site.

Pinellas County tax increment financing contributions may also be for the following components as well as those that also detailed in the Commercial Revitalization Program approved by City Council on December 6, 2018.

- Exterior painting, re-siding, and/or cleaning
- Brownfield (lead, asbestos, petroleum, etc) remediation
- Masonry repairs
- Removing architecturally inappropriate exterior finishes and materials
- Restoring significant architectural details
- Installation or repair of exterior signage,
- Awnings and canopies installation or repair
- Doors and windows
- Exterior lighting attached to an existing building
- Architectural and engineering fees as well as permitting and development review fees
## Proposed Budget

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Cost Estimate</th>
<th>County Eligible Costs</th>
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<tbody>
<tr>
<td>Site Work</td>
<td>$3,024</td>
<td>$3,024</td>
</tr>
<tr>
<td>Layout</td>
<td>$1,890</td>
<td>$1,890</td>
</tr>
<tr>
<td>Foundation</td>
<td>$5,796</td>
<td></td>
</tr>
<tr>
<td>Containers</td>
<td>$6,930</td>
<td>$6,930</td>
</tr>
<tr>
<td>Roof Systems</td>
<td>$9,450</td>
<td></td>
</tr>
<tr>
<td>Roof Deck</td>
<td>$4,410</td>
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</tr>
<tr>
<td>Mechanical</td>
<td>$5,040</td>
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<tr>
<td>Electrical</td>
<td>$7,434</td>
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<tr>
<td>Plumbing</td>
<td>$5,922</td>
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<tr>
<td>Framing and Lumber</td>
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<tr>
<td>Masonry</td>
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<tr>
<td>Windows, Doors, and Hardware</td>
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<td>$4,662</td>
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<tr>
<td>Metal formed stairs</td>
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<tr>
<td>Aluminum Railings</td>
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<tr>
<td>Trim Work</td>
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<tr>
<td>Concrete Floors</td>
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<tr>
<td>Painting</td>
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<td>Supervision</td>
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<td>Dumpsters</td>
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<td>Port-O-Let</td>
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<td>Permit</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$113,784</strong></td>
<td><strong>$33,138</strong></td>
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<tr>
<td>Adopted Review Standards</td>
<td></td>
<td></td>
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<tr>
<td>--------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Is the Project located in one of the following zoning districts: CCS-1, CCS-2, CCT-1, CCT-2, CR5-1, CRS-2, CRT-1, CRT-2, RC-1, IT, IS, and IC?</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The property is zoned CCT-2, which is a mixed-use zoning district allowing a wide-range of uses including residential, retail, restaurants, and bars and taverns.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Does capital investment (excluding land) for the Project represent at least $100,000 for a $50,000 grant request? If Project is requesting $100,000 in grant funding, does the Project exceed $250,000 in capital investment?</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The project estimates range between $104,100 and $113,784, which makes the applicant eligible for a $50,000 grant award.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Does the Project rehabilitate and return to service a vacant commercial structure or adds new commercial square footage to a building or a business district through new construction or adaptive reuse of a building formerly used for non-commercial purposes, or removes blight or a declared public nuisance?</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. The property currently has a total gross square footage of 1,375 SF, although only 632 SF is conditioned space. This space will be removed for the shipping containers of which only 486 SF is conditioned space.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Does the Project visibly improve the exterior building, site, and/or essential interior building systems such as plumbing, electrical, HVAC, and energy efficiency improvements?</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes. The business is currently housed in a structure that is perpendicular to Central Avenue and set back ~20 feet from the sidewalk. The new structure will be aligned along Central Avenue with an entrance from the sidewalk which will improve the streetscape and pedestrian access along the corridor in this location.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Does the Project remediate environmental contamination on the site such as lead, petroleum or asbestos?</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Not indicated.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Are architectural and engineering fees as well as permitting and development review fees less than 10 percent of the total eligible project costs?

The application indicates that architectural/design fees are 17 percent of the total project costs at the lower estimate and about 16 percent of the higher estimate. However, the use of shipping containers as the main structure will require more detailed design work for door and window openings, heating and cooling, and provision of mechanical, electrical and plumbing. Construction Services and Permitting indicate that these design costs are typical of an unconventional building type.

Will a business occupy space that is improved or constructed (no speculative development)?

Yes. Steep Station, the grant applicant, currently operates on the site.

Will the Project create at least two jobs, or retains at least five jobs, or facilitates the relocation of a company with five or more employees to the South St. Petersburg CRA? If Project is requesting $100,000 in grant funding, will it create at least ten jobs, retain at least 10 jobs or facilitate the relocation of a company with 10 or more employees? (At least 50 percent of the job creation requirement must be met by residents of the CRA.)

Yes. The Project will retain nine jobs that are currently on the site.

Is the project located on a priority commercial corridor identified by the Citizen Advisory Committee of the South St. Petersburg Community Redevelopment Area? (Note: the priority corridors for the FY2019 grant cycle are 18th Avenue South, Dr. M.L. King, Jr., Street South, and 16th Street South.)

No. However, Central Avenue is one of the major commercial corridors in the South St. Petersburg CRA. In addition, while the subject property is located in the Grand Central District, much of the capital investment in the corridor by small business has been to the east in the Designated Florida Main Street District. For instance, of the three other corner properties at the intersection of 29th Street and Central Avenue where the Project is located, two are vacant and the third is an automotive repair use.
Will the Project create new commercial space through new construction or renovation of a previously vacant and blighted building?

No. The property currently has a total gross square footage of 1,375 SF, although only 632 SF is conditioned space. This space will be removed for the shipping containers of which only 486 SF is conditioned space.

How does the number of jobs to be created and/or retained by the Project compare with the other CRP applications?

The Project will retain nine jobs. Among the six applications submitted the Project ranks last in terms of jobs created or retained.

How many CRA residents are employed at the Project at the time of application submittal?

One CRA resident was employed at the time of application submittal.

How does the capital investment in the Project and the leverage provided by the City funding compare with the other CRP applications?

Among the six CRP applications submitted, this Project’s capital investment and the leverage provided by City funding is the lowest.

What types of environmentally sustainable materials recommended by the City’s Office of Sustainability and Resiliency?

The shipping containers are reusable materials and will reduce the use of virgin materials that would occur if the Project was conventionally constructed. In addition, the Project is proposing a highly-efficient 42 SEER Carrier HVAC system that is ENERGY STAR certified.
### Other Committee Comments and Considerations

#### Strengths
- The Project will reuse shipping containers and reduce use of virgin building material that would otherwise occur with more conventional construction methods and materials.
- The Project will improve the urban design of the business by orienting the building to Central Avenue making it more pedestrian scaled.
- The Project will be one of the first commercial buildings constructed with these materials.
- The Project likely would not be built without the City’s funding contribution.
- The Project is investing in a portion of the Grand Central District that has not seen the business activity that parts of Central Avenue to the east have had.
- The Project will help maintain an existing business on the property that has nine employees.

#### Weaknesses
- The Project will result in a ~200 SF loss in conditioned space.
- The sketch plan for the Project shows the building with 10-ft. setbacks from Central Avenue. This would require a variance from the design requirements for CCT-2.
<table>
<thead>
<tr>
<th>Applicant Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicant</strong></td>
</tr>
<tr>
<td><strong>Physical Address</strong></td>
</tr>
<tr>
<td><strong>Phone</strong></td>
</tr>
<tr>
<td><strong>Email Address</strong></td>
</tr>
<tr>
<td><strong>Property Owner</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Physical Address</strong></td>
</tr>
<tr>
<td><strong>Phone</strong></td>
</tr>
<tr>
<td><strong>Email</strong></td>
</tr>
</tbody>
</table>
# Commercial Revitalization Program

## Grant Application

### Project Information

<table>
<thead>
<tr>
<th>Date</th>
<th>Project Address(es)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/11/19</td>
<td>2901 Central Ave St Petersburg, FL 33713</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Zoning</th>
<th>Parcel ID(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
<td>23-31-16-35118-020-0150</td>
</tr>
</tbody>
</table>

**Current Building Use:** (i.e., Vacant, Commercial, Industrial, Mixed Use with Residential)
- Commercial

**Proposed Business Use:** Commercial

**Funding Amount Requested:** $50,000

**Use of Grant Funding Proceeds** (refer to ‘Funding Requested’ in line above; provide attachment of detailed cost breakdown)

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Labor</td>
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<tr>
<td>Supplies/Materials</td>
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<td>Equipment</td>
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<td>Architectural/Engineering</td>
<td>17,700</td>
</tr>
<tr>
<td>Other (define)</td>
<td>$</td>
</tr>
</tbody>
</table>

**Estimated Private Capital Investment** (provide attachment of detailed investment)
- $104,200

**Total Number of Jobs Created:**

**Total Number of Jobs Retained:** 10

- **Building Type:**
  - [ ] New
  - [x] Existing

**Size of Building (sf)**

<table>
<thead>
<tr>
<th>Size</th>
<th>Total</th>
<th>New Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>632</td>
<td></td>
<td>480</td>
</tr>
</tbody>
</table>

**Project Description** (attach any drawings and/or detailed written description as necessary)

Container cafe with roof top seating. The concept will add square footage to the existing building in a modern yet ecofriendly building structure that will improve the overall aesthetics of the location.
Legal Name of Business
Steep Station St Pete

Principal Business Address (not P.O. Box)
2901 Central Ave

City: St Petersburg
State: FL
Zip: 33713

Date Business Est: 10/20/2017
Business’ Industry (provide NAICS code if available): Coffee and Tea Shop

Type of Ownership (select one)
☐ C-Corp.
☑ LLC
☐ S-Corp.
☐ Sole Proprietorship

Business Email: chris@steepstation.com
Website: www.steepstation.com

Mailing Address (if different)

Key Contact Name: Christopher Brown
Key Contact Cell: 727-504-3537
Key Contact Email: chris@steepstation.com
Bus. Telephone: 727-954-8108

Please answer the following:

Has applicant ever declared bankruptcy or had any judgments, repossessions, or garnishments filed against them?
Yes ☐ No ☑

Are there any pending actions regarding bankruptcy, judgments, repossessions or garnishments?
Yes ☐ No ☑

Are any tax obligations, including payroll, business or real estate taxes, past due?
Yes ☐ No ☑

Are any mortgage payments three months or more in arrears?
Yes ☐ No ☑

Has the applicant or partners or interest in the application been convicted of a felony for financial mismanagement within the last five years?
Yes ☐ No ☑

Are property insurance payments late or unpaid?
Yes ☐ No ☑

Are there code enforcement liens on the project site?
Yes ☐ No ☑

Are there special assessment liens on the project site?
Yes ☐ No ☑

Are any tax obligations, including payroll, business or real estate taxes, past due?
Yes ☐ No ☑

If you answer yes to any of the questions above, please explain:

Applicant Certification and Signatures

I certify that the information provided in this application is true and accurate to the best of my ability and no false or misleading statements have been made in order to secure approval of this application. You are authorized to make all the inquiries you deem necessary to verify the accuracy of the information contained herein.

Applicant Signature

Print Name: Christopher Brown
Date: 2/11/19
<table>
<thead>
<tr>
<th>Commercial Revitalization Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner Authorization</td>
</tr>
</tbody>
</table>

As owner of the property/properties located below, I hereby authorize the Applicant as identified above to undertake the activities specified in this application.

**Property Address(es)**
2901 Central Avenue, St Petersburg, FL 33713

**Property Identification Number(s)**
23-31-16-35118-020-0150

**Owner Signature**

**Date**
2/11/17

**Print Name**
William Hillman
Request for Confidentiality

Any and all information held by the City's Development Administration office which contains or would provide information concerning the plans, intentions or interests of Steep Station St Pete LLC (Name of Business) to locate, relocate or expand any of its business activities in the State of Florida (collectively, “Information”) shall be kept confidential and exempt from Section 119.07(1), Florida Statutes, and Section 24(a), Article I of the Florida Constitution, as authorized and to the extent provided in Section 288.075, Florida Statutes.

I/We acknowledge and agree that the Information may be disclosed to all persons in the chain of command of the City Development Administrator, including but not limited to the Mayor, and to the attorneys that advise the City’s Development Administration office. I/We further acknowledge and agree that the City’s Development Administration is (check one) is (check one) not (check one) authorized to disclose the Information to members of the St. Petersburg City Council.

Signature: [Signature]

Printed Name: Christopher Brown

Date: 2/11/2019
<table>
<thead>
<tr>
<th>Description</th>
<th>Qty</th>
<th>Rate</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Work</td>
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</tr>
<tr>
<td>Subcontract, per Ea</td>
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<td>3,024.00</td>
<td>3,024.00</td>
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<tr>
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<tr>
<td>Subcontract, per Ea</td>
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<td>Foundation</td>
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<td>Subcontract, per Ea</td>
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<tr>
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<tr>
<td>Plumbing</td>
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<tr>
<td>Subcontract, per Eas</td>
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<td>5,922.00</td>
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<td>Framing and lumber package</td>
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<tr>
<td>Metal formed stairs(No specs provided) Need shop details</td>
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<tr>
<td>Trim Work</td>
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<tr>
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Caroline Contractors, LLC  
18039 US Hwy 41  
Lutz, FL 33549  
O-813-931-4611  
F-813-933-7677  
CB-C058954

<table>
<thead>
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<td>20574</td>
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<th>Job</th>
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<td>Container project</td>
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</tbody>
</table>

<table>
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<th>Amount</th>
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<td></td>
</tr>
<tr>
<td>Subcontract, per Ea</td>
<td>1</td>
<td>4,032.00</td>
<td>4,032.00</td>
</tr>
<tr>
<td>Painting</td>
<td></td>
<td></td>
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<tr>
<td>Material, per Ea</td>
<td>1</td>
<td>4,914.00</td>
<td>4,914.00</td>
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<tr>
<td>Labor, per Ea</td>
<td>1</td>
<td>1,890.00</td>
<td>1,890.00</td>
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<tr>
<td>Job Site clean up</td>
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<td></td>
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</tr>
<tr>
<td>Subcontract, per Ea</td>
<td>1</td>
<td>1,890.00</td>
<td>1,890.00</td>
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<tr>
<td>Supervision</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Subcontract, per Ea</td>
<td>1</td>
<td>7,560.00</td>
<td>7,560.00</td>
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<tr>
<td>Dumpsters</td>
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<tr>
<td>Subcontract, per Ea</td>
<td>3</td>
<td>661.50</td>
<td>1,984.50</td>
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<td>Port-O-Let</td>
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<tr>
<td>Subcontract, per MO</td>
<td>6</td>
<td>132.30</td>
<td>793.80</td>
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<td>Permit(allowance)</td>
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<tr>
<td>Subcontract, per Ea</td>
<td>1</td>
<td>1,890.00</td>
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*Project Subtotal  
113,784.30

*Project Total  
113,784.30

Total  
113,784.30
<table>
<thead>
<tr>
<th>Item</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Work</td>
<td>$2,400</td>
</tr>
<tr>
<td>Layout</td>
<td>$1,500</td>
</tr>
<tr>
<td>Foundation</td>
<td>$4,600</td>
</tr>
<tr>
<td>Containers</td>
<td>$5,500</td>
</tr>
<tr>
<td>Roof Beam System</td>
<td>$7,500</td>
</tr>
<tr>
<td>Plumbing</td>
<td>$4,300</td>
</tr>
<tr>
<td>Electrical</td>
<td>$5,900</td>
</tr>
<tr>
<td>H.V.A.C.</td>
<td></td>
</tr>
<tr>
<td>Lumber</td>
<td>$3,100</td>
</tr>
<tr>
<td>Carpentry</td>
<td>$4,800</td>
</tr>
<tr>
<td>Stairs / Lift</td>
<td>$8,700</td>
</tr>
<tr>
<td>Exterior Walls</td>
<td>$4,100</td>
</tr>
<tr>
<td>Railing</td>
<td>$4,500</td>
</tr>
<tr>
<td>Windows / Doors</td>
<td>$2,200</td>
</tr>
<tr>
<td>Roof Deck</td>
<td>$3,500</td>
</tr>
<tr>
<td>Trim</td>
<td>$2,000</td>
</tr>
<tr>
<td>Hardware</td>
<td>$1,500</td>
</tr>
<tr>
<td>Floor / Concrete</td>
<td>$3,200</td>
</tr>
<tr>
<td>Painting</td>
<td>$3,300</td>
</tr>
<tr>
<td>Labor</td>
<td>$1,500</td>
</tr>
<tr>
<td>Clean / Hauling</td>
<td>$1,500</td>
</tr>
<tr>
<td>Supervision</td>
<td>$6,000</td>
</tr>
<tr>
<td>Total</td>
<td>$82,200</td>
</tr>
</tbody>
</table>

Steep Station
Central Ave.
St. Petersburg FL.
SITE WORK: $2,400
LAYOUT: $1,500
FOUNDATION: $4,600
CONTAINERS: $5,500
ROOF BEAM SYSTEM: $7,500
PLUMBING: $4,300
ELECTRICAL: $5,900
H.V.A.C.: $3,100
LUMBER: $3,100
CARPENTRY: $4,800
STAIRS / LIFT: $8,700
EXTERIOR WALLS: $4,100
RAILING: $4,500
WINDOWS / DOORS: $2,200
ROOF DECK: $3,200
TRIM: $2,000
HARDWARE: $1,500
FLOOR / CONCRETE: $3,200
PAINTING: $3,900
LABOR: $1,500
CLEAN / HAULING: $1,500
SUPERVISION: $6,000

TOTAL: $82,200

SITE WORK:
LAYOUT: $2,400
FOUNDATION: $4,600
CONTAINERS: $5,500
ROOF BEAM SYSTEM: $7,500
PLUMBING: $4,300
ELECTRICAL: $5,900
H.V.A.C.: $3,100
LUMBER: $3,100
CARPENTRY: $4,800
STAIRS / LIFT: $8,700
EXTERIOR WALLS: $4,100
RAILING: $4,500
WINDOWS / DOORS: $2,200
ROOF DECK: $3,200
TRIM: $2,000
HARDWARE: $1,500
FLOOR / CONCRETE: $3,200
PAINTING: $3,900
LABOR: $1,500
CLEAN / HAULING: $1,500
SUPERVISION: $6,000

TOTAL: $82,200

STEEP STATION
CENTRAL AVE.
ST. PETERSBURG, FL

ARCHITECTURAL/ENGINEERING:
Layout: $1,500
Foundation: $4,600
Roof Beam System: $7,500
Exterior Walls: $4,100

$17,700

LABOR:
Sitework: $2,400
Carpentry: $4,800
Painting: $3,900
Labor: $1,500
Clean/haul: $1,500
Supervision: $6,000

$20,100

EQUIPMENT:
Containers: $10,500
H.V.A.C.: $4,000
Bolted down: $12,100
(Kegerator): $10,000
Bolted down: $3,100
Refrigeration:
Prep table: $3,100

$27,500

SUPPLIES/MATERIALS:
Plumbing: $4,300
Electrical: $5,100
Lumber: $3,100
Stairs & Lift: $8,700
Railings: $4,500
Windows/Doors: $2,200
Roof Deck: $3,500

$38,900

HARDWARE
Sandpiper $1,100

$3,200
This worksheet estimates the key financial figures for a company over five years. The projections include abbreviated income and cash flow statements, and a balance sheet.

### Income Statement

<table>
<thead>
<tr>
<th>Years</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>$243,300</td>
<td>$267,900</td>
<td>$277,300</td>
<td>$380,200</td>
<td>$488,100</td>
</tr>
<tr>
<td>Cost of goods sold</td>
<td>$124,100</td>
<td>$124,000</td>
<td>$120,500</td>
<td>$171,567</td>
<td>$219,652</td>
</tr>
<tr>
<td>Net Operating Income</td>
<td>$119,200</td>
<td>$51,430</td>
<td>$156,500</td>
<td>$208,613</td>
<td>$268,446</td>
</tr>
<tr>
<td>Operating expenses</td>
<td>$55,123</td>
<td>$62,520</td>
<td>$64,223</td>
<td>$65,444</td>
<td>$71,225</td>
</tr>
<tr>
<td>Net Income</td>
<td>$56,077</td>
<td>$58,020</td>
<td>$92,277</td>
<td>$143,169</td>
<td>$197,223</td>
</tr>
</tbody>
</table>

### Cash Flow Statement

<table>
<thead>
<tr>
<th>Years</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash flow from operations</td>
<td>$77,000</td>
<td>$56,300</td>
<td>$94,557</td>
<td>$99,002</td>
<td>$112,561</td>
</tr>
<tr>
<td>Cash flow from investing</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Cash flow from financing</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Net cash flows from operating activities</td>
<td>$77,000</td>
<td>$56,300</td>
<td>$94,557</td>
<td>$99,002</td>
<td>$112,561</td>
</tr>
<tr>
<td>Net cash flows from investing</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Net cash flows from financing</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Net cash flow for the period</td>
<td>$77,000</td>
<td>$56,300</td>
<td>$94,557</td>
<td>$99,002</td>
<td>$112,561</td>
</tr>
<tr>
<td>Beginning cash balance</td>
<td>$257,830</td>
<td>$280,114</td>
<td>$463,218</td>
<td>$658,772</td>
<td>$880,556</td>
</tr>
<tr>
<td>Ending cash balance</td>
<td>$257,830</td>
<td>$280,114</td>
<td>$463,218</td>
<td>$658,772</td>
<td>$880,556</td>
</tr>
</tbody>
</table>

### Balance Sheet

<table>
<thead>
<tr>
<th>Years</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash</td>
<td>$257,830</td>
<td>$280,114</td>
<td>$463,218</td>
<td>$658,772</td>
<td>$880,556</td>
</tr>
<tr>
<td>Accounts receivable</td>
<td>$17,600</td>
<td>$13,800</td>
<td>$19,500</td>
<td>$21,890</td>
<td>$21,890</td>
</tr>
<tr>
<td>Inventory</td>
<td>$6,300</td>
<td>$5,200</td>
<td>$9,300</td>
<td>$9,400</td>
<td>$11,200</td>
</tr>
<tr>
<td>Prepaid expenses</td>
<td>$5,700</td>
<td>$6,300</td>
<td>$5,500</td>
<td>$3,200</td>
<td>$2,700</td>
</tr>
<tr>
<td>Total Current Assets</td>
<td>$287,430</td>
<td>$305,414</td>
<td>$495,116</td>
<td>$690,672</td>
<td>$916,256</td>
</tr>
<tr>
<td>Fixed Assets</td>
<td>$28,000</td>
<td>$30,500</td>
<td>$45,000</td>
<td>$43,000</td>
<td>$41,000</td>
</tr>
<tr>
<td>Total Assets</td>
<td>$315,430</td>
<td>$338,914</td>
<td>$543,118</td>
<td>$733,872</td>
<td>$957,256</td>
</tr>
<tr>
<td>Accounts payable</td>
<td>$6,400</td>
<td>$6,200</td>
<td>$9,600</td>
<td>$7,600</td>
<td>$8,200</td>
</tr>
<tr>
<td>Short-term notes</td>
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<td>$5,500</td>
<td>$4,500</td>
<td>$5,400</td>
<td>$5,700</td>
</tr>
<tr>
<td>Accrued &amp; other liabilities</td>
<td>$2,300</td>
<td>$2,300</td>
<td>$3,000</td>
<td>$2,900</td>
<td>$2,700</td>
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<td>Total Current Liabilities</td>
<td>$14,400</td>
<td>$14,000</td>
<td>$17,600</td>
<td>$15,900</td>
<td>$18,600</td>
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<tr>
<td>Long-term debt</td>
<td>$22,100</td>
<td>$23,700</td>
<td>$22,600</td>
<td>$21,800</td>
<td>$22,400</td>
</tr>
<tr>
<td>Other long-term liabilities</td>
<td>$1,400</td>
<td>$1,500</td>
<td>$1,400</td>
<td>$1,000</td>
<td>$1,700</td>
</tr>
<tr>
<td>Total Long-term Liabilities</td>
<td>$23,500</td>
<td>$25,200</td>
<td>$24,000</td>
<td>$22,800</td>
<td>$24,100</td>
</tr>
<tr>
<td>Shareholders' equity</td>
<td>$277,530</td>
<td>$299,414</td>
<td>$501,518</td>
<td>$695,172</td>
<td>$914,556</td>
</tr>
<tr>
<td>Total Liabilities and Equity</td>
<td>$315,430</td>
<td>$338,914</td>
<td>$543,118</td>
<td>$733,872</td>
<td>$957,256</td>
</tr>
</tbody>
</table>

The worksheet estimates the key financial figures for a company over five years. The projections include abbreviated income and cash flow statements, and a balance sheet.

### Five Year Projections
St. Petersburg Arts Alliance
2622-30 Fairfield Avenue South
St. Petersburg Arts Alliance  
2622/2630 Fairfield Avenue South  
File Number: 2018/19 CRP-1

<table>
<thead>
<tr>
<th>Project Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Zoning:</strong> Industrial Traditional (IT)</td>
</tr>
<tr>
<td><strong>Current Property Use:</strong> Vacant Industrial</td>
</tr>
<tr>
<td><strong>Grant Fund Request:</strong> $100,000</td>
</tr>
<tr>
<td><strong>Maximum Grant Allowed:</strong> $100,000</td>
</tr>
<tr>
<td><strong>Jobs Created/Retained</strong></td>
</tr>
<tr>
<td>10-18 created/7 to 10 retained (per application)</td>
</tr>
</tbody>
</table>

**Project Description and Budget**

The applicant proposes to renovate two former industrial now vacant warehouses into the new headquarters of the St. Petersburg Arts Alliance (SPAA), including office and classroom space, along with space for theater and dance classes, rehearsals and production. The applicant has provided a letter of commitment from SPAA indicating its intent to lease space in the Project once completed.

The Project is comprised of two attached buildings that are perpendicular to one another (see aerial photograph). Building 1 on the attached aerial (2630 Fairfield Avenue South) is two stories and approximately 19,000 SF. The first floor will house offices, class rooms, storage and restrooms for the users described below. The second floor is expected to house office space for a new division of Sebsen Electric, with whom the applicant is in negotiations. (They do not currently have a lease agreement but the company has provided a letter of interest.) Building 2 will house approximately 6,000 SF of space for theater and dance classes, rehearsals and production.

SPAA is a non-profit umbrella organization and their new space will include:

- Headquarters for the SHINE Mural Festival and Keep St. Pete Lit (serving 130 students per week at Fairmount Park and Campbell Park elementary school)
- Second Saturday Artwalk
- Funding for Futures Grant Program for student artists with financial needs
- Arts for a Complete Education (ACE) Pinellas

Total number of jobs created are estimated between 10 and 18 while 7 to 10 jobs are expected to be created. Half of these would need to be filled by CRA residents. This is one of three proposals on property under the same ownership. One of two proposals by the same applicant.
Pinellas County tax increment financing contributions may also be for the following components as well as those that also detailed in the Commercial Revitalization Program approved by City Council on December 6, 2018.

- Exterior painting, re-siding, and/or cleaning
- Brownfield (lead, asbestos, petroleum, etc) remediation
- Masonry repairs
- Restoring significant architectural details
- Installation or repair of exterior signage,
- Awnings and canopies installation or repair
- Doors and windows
- Exterior lighting attached to an existing building
- Architectural and engineering fees as well as permitting and development review fees

<table>
<thead>
<tr>
<th>Projects</th>
<th>Costs</th>
<th>County Eligible</th>
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</thead>
<tbody>
<tr>
<td>General Requirements</td>
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<tr>
<td>Demolition</td>
<td>$21,000</td>
<td></td>
</tr>
<tr>
<td>Utilities</td>
<td>$18,000</td>
<td></td>
</tr>
<tr>
<td>Landscaping</td>
<td>$18,000</td>
<td>$18,000</td>
</tr>
<tr>
<td>Concrete (site)</td>
<td>$13,000</td>
<td>$13,000</td>
</tr>
<tr>
<td>Masonry</td>
<td>$31,000</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Metals</td>
<td>$42,000</td>
<td></td>
</tr>
<tr>
<td>Finish Carpentry</td>
<td>$36,000</td>
<td></td>
</tr>
<tr>
<td>Waterproofing</td>
<td>$17,000</td>
<td></td>
</tr>
<tr>
<td>Roofing</td>
<td>$16,000</td>
<td></td>
</tr>
<tr>
<td>Doors, Frames, and Hardware</td>
<td>$22,000</td>
<td></td>
</tr>
<tr>
<td>Windows - storefront and curtain wall</td>
<td>$115,200</td>
<td>$115,200</td>
</tr>
<tr>
<td>Wood Flooring</td>
<td>$38,000</td>
<td></td>
</tr>
<tr>
<td>Framing and Drywall</td>
<td>$54,500</td>
<td></td>
</tr>
<tr>
<td>Carpet, Vinyl and Specialty Flooring</td>
<td>$35,000</td>
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</tr>
<tr>
<td>Paint and Wall Covering</td>
<td>$56,000</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Materials</td>
<td>$92,000</td>
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</tr>
<tr>
<td>Toilet Accessories</td>
<td>$67,000</td>
<td></td>
</tr>
<tr>
<td>Plumbing</td>
<td>$68,150</td>
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</tr>
<tr>
<td>HVAC</td>
<td>$129,500</td>
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<tr>
<td>Electric</td>
<td>$223,000</td>
<td></td>
</tr>
<tr>
<td>General Conditions</td>
<td>$84,700</td>
<td></td>
</tr>
<tr>
<td>Fee</td>
<td>$99,772</td>
<td></td>
</tr>
<tr>
<td>Insurance</td>
<td>$4,300</td>
<td></td>
</tr>
<tr>
<td>Contingency</td>
<td>$249,430</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,739,852</strong></td>
<td><strong>$146,200</strong></td>
</tr>
<tr>
<td>Adopted Review Standards</td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the Project located in one of the following zoning districts: CCS-1, CCS-2, CCT-1, CCT-2, CRS-1, CRS-2, CRT-1, CRT-2, RC-1, IT, IS, and IC?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes. The Project site is located in the IT zoning district.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does capital investment (excluding land) for the Project represent at least $100,000 for a $50,000 grant request? If Project is requesting $100,000 in grant funding, does the Project exceed $250,000 in capital investment?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Based on the estimates provided, the Project’s capital investment could range between $1.69 million and $2.3 million. Thus, it exceeds the minimum $250,000 threshold capital investment to receive the $100,000 grant award.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the Project rehabilitate and return to service a vacant commercial structure or adds new commercial square footage to a building or a business district through new construction or adaptive reuse of a building formerly used for non-commercial purposes, or removes blight or a declared public nuisance?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes. The Project will return to service two industrial buildings that have been vacant for more than one year. The Project is also proposing studios for dance and theater training making it an adaptive reuse of the vacant industrial building. The offices will be accessory to the studios.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the Project visibly improve the exterior building, site, and/or essential interior building systems such as plumbing, electrical, HVAC, and energy efficiency improvements?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes. Although the buildings were in recent use and the building systems may still be functional, the exteriors of the buildings will be significantly improved over their former industrial appearance. Moreover, a portion of the improvements will be oriented toward the Pinellas Trail, improving the users experience which in this location is mostly comprised of industrial buildings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the Project remediate environmental contamination on the site such as lead, petroleum or asbestos?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes. The estimates call for asbestos remediation. There is no indication from the application whether other contaminants exist.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Are architectural and engineering fees as well as permitting and development review fees less than 10 percent of the total eligible project costs?

Yes. The application indicates approximately $130,000 which is less than 10 percent of the $1.7 million in expected construction costs.

Will a business occupy space that is improved or constructed (no speculative development)?

Yes. Over 70 percent of the Project will be occupied by a user that has signed a Letter of Intent with the applicant to occupy the space.

Will the Project create at least two jobs, or retains at least five jobs, or facilitates the relocation of a company with five or more employees to the South St. Petersburg CRA? If Project is requesting $100,000 in grant funding, will it create at least ten jobs, retain at least 10 jobs or facilitate the relocation of a company with 10 or more employees? (At least 50 percent of the job creation requirement must be met by residents of the CRA.)

Undetermined. With a request for $100,000 in CRA grant funding, the applicant must create, retain or relocate 10 jobs to the site. Neither SPAA nor Keep St. Pete Lit individually have employee rolls adding up to 10 or more jobs that will be relocated. SPAA, housed currently at the Chamber of Commerce, will be relocating two full-time employees and three part-time employees to the Project. Keep St. Pete Lit (now working at home or in borrowed space) will also be relocating two FTS and 3 PT employees. The applicant also indicates 10 to 18 jobs will be added, likely to come from the occupancy of the space proposed by Sebsen Electric.

To ensure the job creation and retention requirements of the Commercial Revitalization Program are met, the City will retain 25 percent of the award until six months after the completion of the project. The retainage amount will be released to the applicant upon submission of appropriate documentation.
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the project located on a priority commercial corridor identified by the Citizen Advisory Committee of the South St. Petersburg Community Redevelopment Area? (Note: the priority corridors for the FY2019 grant cycle are 18th Avenue South, Dr. M.L. King, Jr., Street South, and 16th Street South.)</td>
<td>No. However, the Project is located within the Deuces and Warehouse Arts District Association planning area and its proposed uses are consistent with the intent of that Plan.</td>
</tr>
<tr>
<td>Will the Project create new commercial space through new construction or renovation of a previously vacant and blighted building?</td>
<td>No. The buildings are vacant but not blighted.</td>
</tr>
<tr>
<td>How does the number of jobs to be created and/or retained by the Project compare with the other CRP applications?</td>
<td>If the jobs relocated from SPAA and Keep St. Pete Lit’s current locations are counted as retained then those 10 employees make the Project the second lowest in terms of jobs created/retained. It is uncertain how many employees will be created based on the occupancy of the new office space unaffiliated with the either SPAA or Keep St. Pete Lit.</td>
</tr>
<tr>
<td>How many CRA residents are employed at the Project at the time of application submittal?</td>
<td>None.</td>
</tr>
</tbody>
</table>
How does the capital investment in the Project and the leverage provided by the City funding compare with the other CRP applications?

The Project provides the greatest leverage of the six CRP applications submitted.

What types of environmentally sustainable materials recommended by the City’s Office of Sustainability and Resiliency?

None indicated.
### Other Committee Comments and Considerations

<table>
<thead>
<tr>
<th><strong>Strengths</strong></th>
<th><strong>Weaknesses</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Project reinforces the vision of the Warehouse Arts District.</td>
<td>• The Project will convert existing industrial buildings within an industrial district.</td>
</tr>
<tr>
<td>• Proposes mixed use to support several different organizations.</td>
<td>• Countywide rules will restrict the certain uses that are not IT oriented as accessory. This could include the electrical contractor office where only 25% of total area can be used as accessory. City will need to monitor for compliance during construction, before award and during the five-year compliance period.</td>
</tr>
<tr>
<td>• Applicant has background in this type of work.</td>
<td>• The City must ensure that space is not converted into a performing arts space. “Rehearsal space” is allowed as indoor recreational use. Performing art venue space is not allowed. Episodic (irregular) events are allowed by code.</td>
</tr>
<tr>
<td>• Propose renovation will improve the aesthetic of the industrial district as well as the Pinellas Trail.</td>
<td>• Parking could potentially be an issue when rehearsals and classes overlap.</td>
</tr>
<tr>
<td>• Provides a use that will activate the Pinellas Trail in a location with little activity.</td>
<td></td>
</tr>
</tbody>
</table>
| Applicant         | Guru and Gaia, LLC  
c/o Kara Behar          |
|-------------------|----------------------|
| Physical Address  | 990 Bay Esplanade  
Clearwater, FL 33767 |
| Phone             | 727-504-1442          |
| Email Address     | Kara.behar@gmail.com |
| Property Owner (if different from Applicant) | Same |
| Physical Address  | Same                 |
| Phone             | Same                 |
| Email             | Same                 |
## Project Information

<table>
<thead>
<tr>
<th>Date</th>
<th>Project Address(es)</th>
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<tr>
<td>2-08-2019</td>
<td>2622 &amp; 2630 Fairfield Ave S., St Petersburg, Fl 33712</td>
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<tr>
<th>Zoning</th>
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<td>IT - INDUSTRIAL TRADITIONAL</td>
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</table>

<table>
<thead>
<tr>
<th>Current Building Use (i.e., Vacant, Commercial, Industrial, Mixed Use with Residential)</th>
<th>Proposed Business Use</th>
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<tr>
<td>LIGHT MANUFACTURING, STORAGE AND OFFICE</td>
<td>CREATIVE STUDIOS, REHERSAL SPACE, CREATIVE MANUFACTURING AND STUDIO SPACE</td>
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</table>

<table>
<thead>
<tr>
<th>Funding Amount Requested</th>
<th>Use of Grant Funding Proceeds (refer to 'Funding Requested' in line above; provide attachment of detailed cost breakdown)</th>
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<tbody>
<tr>
<td>$100,000</td>
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- Labor < $500,000
- Supplies/Materials < $750,000
- Equipment < $300,000
- Architectural/Engineering < $130,000
- Other (define) $0

<table>
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<tr>
<th>Estimated Private Capital Investment (provide attachment of detailed investment)</th>
<th>Total Number of Jobs Created</th>
<th>Total Number of Jobs Retained</th>
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<tr>
<td>$1,700,000</td>
<td>10-18</td>
<td>7-10</td>
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<table>
<thead>
<tr>
<th>Building Type</th>
<th>Size of Building (sf)</th>
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<tr>
<td>New</td>
<td>Total 24,640</td>
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<tr>
<td>Existing</td>
<td>New Space 0</td>
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**Project Description** (attach any drawings and/or detailed written description as necessary)

Revitalization of 2 existing warehouses in the Warehouse Arts District at the intersection of 28th and Fairfield Ave. S. The warehouses will be transformed into Creative Offices / Studios for the St. Pete Arts Alliance, SHINE Mural Festival and the literary non-profit; Keep St. Pete Lit. The space will allow for creative classrooms, central headquarters and a large rehearsal space for dance and theater rehearsals. The rehearsal space will include a climate controlled environment with mirrors and a professional dance floor. The second story of the building be updated to provide office space for a lighting design business. The exterior facades will upgrade to provide light open spaces, landscaping and an awning for students and artists to gather. Currently St. Pete Arts Alliance has outgrown it's office at the Chamber of Commerce, and has limited access to classrooms. Keep St. Pete Lit has no dedicated office or classroom space, but borrows space as available from other businesses. This renovation will both rehabilitate run-down buildings and provide a hub for the creative non-profits to expand their work in St. Pete. Please see the design plans for concept sketches and the contractor bids for the scope of work.
Legal Name of Business: Guru & Gaia, LLC

BA (if applicable): 

Tax I.D. Number: 83-2496130

Principal Business Address (not P.O. Box): 990 Bay Esplanade

City: Clearwater
State: FL
Zip: 33767

Date Business Est: 2018

Business' Industry (provide NAICS code if available): Real Estate, 531190

Type of Ownership (select one):

- [ ] C-Corp.
- [ ] S-Corp.
- [x] LLC
- [ ] Sole Proprietorship
- [ ] Partnership

Business Email: kara.behar@gmail.com

Website: n/a

Mailing Address (if different):

City: 
State: 
Zip: 

Key Contact Name: Kara Behar

Key Contact Email: kara.behar@gmail.com

Key Contact Cell: 727-504-1442

Bus. Telephone: 727-504-1442

Please answer the following:

Has applicant ever declared bankruptcy or had any judgments, repossessions, or garnishments filed against them? [x] No

Are there any pending actions regarding bankruptcy, judgments, repossessions or garnishments? Yes [ ] No [x]

Are any tax obligations, including payroll, business or real estate taxes, past due? Yes [ ] No [x]

Are any mortgage payments three months or more in arrears? Yes [ ] No [x]

Has the applicant or partners or interest in the application been convicted of a felony for financial mismanagement within the last five years? Yes [ ] No [x]

Are property insurance payments late or unpaid? Yes [ ] No [x]

Are there code enforcement liens on the project site? Yes [ ] No [x]

Are there special assessment liens on the project site? Yes [ ] No [x]

Are any tax obligations, including payroll, business or real estate taxes, past due? Yes [ ] No [x]

If you answer yes to any of the questions above, please explain:

Community Revitalization Program

Applicant Certification and Signatures

I certify that the information provided in this application is true and accurate to the best of my ability and no false or misleading statements have been made in order to secure approval of this application. You are authorized to make all the inquiries you deem necessary to verify the accuracy of the information contained herein.

Applicant Signature: 

Print Name: Kara Behar

Date: 2/10/2019
As owner of the property/properties located below, I hereby authorize the Applicant as identified above to undertake the activities specified in this application.

**Property Address(es)**
622 & 2630 Fairfield Ave S.
St Petersburg FL 33712

**Property Identification Number(s)**
23-31-16-17460-000-0110

**Owner Signature**

**Date**
2-10-19

**Print Name**
Kara Behar
Request for Confidentiality

Any and all information held by the City’s Development Administration office which contains or would provide information concerning the plans, intentions or interests of [Name of Business] to locate, relocate or expand any of its business activities in the State of Florida (collectively, “Information”) shall be kept confidential and exempt from Section 119.07(1), Florida Statutes, and Section 24(a), Article I of the Florida Constitution, as authorized and to the extent provided in Section 288.075, Florida Statutes.

I/We acknowledge and agree that the Information may be disclosed to all persons in the chain of command of the City Development Administrator, including but not limited to the Mayor, and to the attorneys that advise the City’s Development Administration office. I/We further acknowledge and agree that the City’s Development Administration [ ] is [ ] is not (check one) authorized to disclose the Information to members of the St. Petersburg City Council.

Signature: __________________________

Printed Name: ______________________

Date: 02/10/2019
This project will house the new headquarters of the St. Petersburg Arts Alliance (SPAA), including office and classroom space, along with space for theater and dance classes, rehearsals, and production.

The St. Pete Arts Alliance is a 501(c)3 nonprofit umbrella organization and their new space will include:

- SHINE Mural Festival headquarters
- Keep St. Pete Lit headquarters, including expanded space for children’s literary programming. Keep St. Pete Lit currently serves 130 students per week, focusing on the Fairmount Park and Campbell Park Elementary Schools, and Virginia Leonard Community Center
- Second Saturday ArtWalk
- ACE Pinellas
- Funding Futures Grant Program for student artists with financial needs
- Approximately 5,000 sq. ft. of theater and dance rehearsal space for production and classes

SPAA is dedicated to raising money and advocating for the entire St. Pete creative community – artists, arts and cultural organizations, and creative businesses. SPAA funds arts programs that are part of an arts business economic development strategy, such as the monthly ArtWalk across five arts districts. SPAA funds 15-20 individual artist awards annually each with a community engagement focus; arts business education sessions; and produces the SHINE St. Petersburg Mural Festival, last year employing 37 local, national and international artists bringing our City of Arts an international spotlight. Over 80 percent of SPAA’s budget last year was for arts programming, a percentage unmatched by other arts councils and alliances. SPAA has the highest non-profit rating possible from GuideStar: Platinum status.
St. Petersburg Arts Alliance
2622 & 2630 Fairfield Ave S
St. Petersburg, FL 33712
Guru & Gaia
St. Petersburg Arts Alliance
2622 & 2630 Fairfield Ave S
St. Petersburg, FL 33712
Guru & Gaia
St. Petersburg Arts Alliance

2622 & 2630 Fairfield Ave S
St. Petersburg, FL 33712

Guru & Gaia
Guru & Gaia, LLC
2622 & 2630 Fairfield Avenue South St Petersburg, Fl
Re: SPAA Proposal
Dear Kara
Summit Design + Build, LLC would like to thank you for the opportunity to present our proposal for the above referenced project.
Attached you will find the following documents:
- Introduction to Summit
- Estimate Summary
Should you have any questions or concerns please do not hesitate to contact me. Thank you again for your time and consideration. We look forward to working together with you on this exciting project.
Sincerely,
SUMMIT DESIGN + BUILD, LLC
Scott Hutchison
Director of Southeast Construction

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<td>TESTING</td>
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<td>WEATHER CONDITIONS &amp; USAGE</td>
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<td>CONCRETE &quot;BUILDING&quot;</td>
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<td>SPECIALTY FOUNDATIONS</td>
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<td>MASONRY</td>
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<td>Item</td>
<td>Cost</td>
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<td>WATERPROOFING</td>
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<td>FIREPROOFING</td>
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<td>JOINT SEALANTS</td>
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<td>DOORS, FRAMES &amp; HARDWARE</td>
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<td>WINDOWS, STOREFRONT &amp; CURTAINWALL</td>
<td>$115,200.00 Storefront system</td>
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<td>WOOD FLOORING</td>
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<td>COUNTERTOPS</td>
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<td>FRAMING, DRYWALL &amp; INSULATION</td>
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<td>TILE</td>
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<td>CARPET, VINYL &amp; SPECIALTY FLOORING</td>
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<td>PAINT &amp; WALL COVERING</td>
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<td>RESIDENTIAL APPLIANCES</td>
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<td>CONVEYING EQUIPMENT</td>
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<td>FIRE SUPPRESSION</td>
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<td>PLUMBING</td>
<td>$68,150.00 Per drawing provided</td>
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<td>REFRIGERATION</td>
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<td>ELECTRIC</td>
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<td>GENERAL CONDITIONS</td>
<td>$84,700.00 Fulltime sup, 1/2 PM, 1/2 time PE</td>
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<td>FEE</td>
<td>$99,772.00 8%</td>
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<tr>
<td>INSURANCE</td>
<td>$4,300.00 1.50%</td>
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<td>CONTINGENCY</td>
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<tr>
<td>TOTAL PRICE</td>
<td>$1,685,352.00</td>
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</table>
## 2. EXISTING CONDITIONS
- Asbestos Testing...
- Demo and remove existing store fronts to prep for new (Warehouse B.).
- Saw cut and remove concrete for underground plumbing / electric (Warehouse A). $25,550.00

## 3.4. CONCRETE / MASONRY
- Prep and pour back concrete at areas removed for underground plumbing / electric (Warehouse A). $42,500.00
- Prep and install new rebar, CMU, pre-cast lintels / CIB for new openings (Warehouse A & B). INCLUDED ABOVE

## 5. METALS
- Furnish and install new handrails at interior concrete ramp (Warehouse B). $1,600.00

## 6. WOOD, PLASTICS, COMPOSITES
- Furnish all labor and materials for new deck at rear of Warehouse B. INCLUDED ABOVE
- Furnish wood blocking for cabinets, toilet accessories, and additional areas as required for Warehouse A & B. INCLUDED ABOVE

## 7. THERMAL AND MOISTURE PROTECTION
- Furnish and install like-kind roofing materials to flash in new penetrations and provide repairs (Warehouse A & B). $33,000.00
<table>
<thead>
<tr>
<th>ITEMS</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. OPENINGS</td>
<td></td>
</tr>
<tr>
<td>- Furnish and install new interior doors at Warehouse A - Level 1 and Warehouse B.</td>
<td>$ 6,630.00</td>
</tr>
<tr>
<td>- Furnish and install new storefront windows for (12) locations at Warehouse A - Level 1 and Warehouse B.</td>
<td>$ 136,770.00</td>
</tr>
<tr>
<td>- Furnish and install (1) single storefront door at Warehouse B and (1) double storefront door at Warehouse A - Level 1.</td>
<td>INCLUDED ABOVE</td>
</tr>
</tbody>
</table>

| 7. FINISHES | |
| - Furnish and install new metal framing / drywall for new walls at Warehouse A - Level 1. | $ 53,625.00 |
| - Furnish and install new metal framing / drywall for new walls at Warehouse B. | INCLUDED ABOVE |
| - Furnish new sound batt insulation at new framed partitions at Warehouse A & B. | INCLUDED ABOVE |
| - Furnish and apply new interior paint at all exposed surfaces for Warehouse A & B. | $ 85,070.00 |
| - Furnish and apply new exterior paint at Warehouse A & B. | $ 29,375.00 |
| - Prep, grind and seal concrete floors at Warehouse A - Level 1 and Warehouse B Entry and Deliveries / Waiting areas | $ 48,880.00 |
| - Furnish and install base at new framed walls at Warehouse A - Level 1 and Warehouse B. | $ 4,250.00 |
| - Furnish and install new sprung dance floors at Warehouse B - Rehearsal Space. | $ 48,040.00 |
| - Furnish and install full length mirrors at East and West walls of Warehouse B - Rehearsal Space | $ 40,320.00 |

| 8. SPECIALTIES | |
| - Furnish and install new toilet accessories at Warehouse A restrooms. | $ 8,890.00 |
| - Furnish and install new toilet partitions at Warehouse A - Level 1 restrooms. | $ 16,800.00 |
| - Furnish and install new aluminum awnings at Warehouse A - Entry and Warehouse B - Entry. | $ 70,000.00 |

| 11. EQUIPMENT | N/A |

| 12. CASEWORK | |
| - Furnish and install new cabinetry at Warehouse A - Level 1 restrooms. | $ 6,500.00 |

| 13. SPECIAL CONSTRUCTION | N/A |

| 14. CONVEYING EQUIPMENT | N/A |

| 21. FIRE SUPPRESSION | |
| - Modify existing fire sprinkler system to accommodate new partition layout at Warehouse A - Level 1 and Warehouse B. | $ 25,575.00 |

| 22. PLUMBING | |
| - Furnish and install new plumbing fixtures at Warehouse A - Level 2. | INCLUDED ABOVE |
| - Furnish and install new sanitary and water to new restrooms at Warehouse A - Level 1. | INCLUDED ABOVE |
| - Includes temp water. | INCLUDED ABOVE |

| 23. HVAC | |
| - Furnish and install new restroom exhaust fans at Warehouse A - Level 1. | INCLUDED ABOVE |
| - Modify existing HVAC systems and reroute / add new ductwork as required for updated floor plan. | INCLUDED ABOVE |
### Electrical
- Furnish and install new electrical wiring to new receptacles and required devices at Warehouse A - Level 1 and Warehouse B: $307,230.00
- Furnish and install new sub-panels as required for tenant spaces
- Furnish and install new lighting fixtures at Warehouse A and Warehouse B: $122,905.00

### Communications
- Furnish and install low voltage wiring at Warehouse A and Warehouse B: $49,585.00

### Electronic Safety and Security
- Modify existing fire alarm system to accommodate new partition layout at Warehouse A - Level 1 and Warehouse B: $35,250.00

### Earthwork
- N/A

### Exterior Improvements
- Provide sitework for new asphalt topping and line striping
- Furnish and install new landscaping

---

**Estimate General Summary Sheet**

**CGC1517459**

**Project:** St. Pete Arts Alliance  
**Address:** 2622 & 2630 Fairfield Ave S, St. Pete 33712  
**Owner:** Guru & Gaia LLC

<table>
<thead>
<tr>
<th>ITEMS</th>
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<tr>
<td>25. Integrated Automation</td>
<td>N/A</td>
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<td>26. Electrical</td>
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<tr>
<td>- Furnish and install new electrical wiring to new receptacles and required devices at Warehouse A - Level 1 and Warehouse B</td>
<td>$307,230.00</td>
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<tr>
<td>- Furnish and install new sub-panels as required for tenant spaces</td>
<td>INCLUDED ABOVE</td>
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<tr>
<td>- Furnish and install new lighting fixtures at Warehouse A and Warehouse B</td>
<td>$122,905.00</td>
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<td>27. Communications</td>
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<td>- Furnish and install low voltage wiring at Warehouse A and Warehouse B</td>
<td>$49,585.00</td>
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<td>28. Electronic Safety and Security</td>
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<tr>
<td>- Modify existing fire alarm system to accommodate new partition layout at Warehouse A - Level 1 and Warehouse B</td>
<td>$35,250.00</td>
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<tr>
<td>31. Earthwork</td>
<td>N/A</td>
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<td>32. Exterior Improvements</td>
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<tr>
<td>- Provide sitework for new asphalt topping and line striping</td>
<td>INCLUDED ABOVE</td>
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<tr>
<td>- Furnish and install new landscaping</td>
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**Exclusions:**
- All items listed above are for budget purposes only - Boyd Construction has not been provided "for construction" plans or specifications to date.
- Anything not explicitly mentioned above.
- Warranty on existing lines, conditions or items supplied by others.

**Summary:**

**Subtotal:** $1,589,208.31

**Boyd Overhead:** 3%  
$47,876.25

**GL Coverage:** 0.45%  
$7,151.44

**Boyd Fee:** 4.0%  
$63,588.33

**Total for Scope of Work:** $1,707,604.33
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<td>Temp. Water</td>
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<td>1544.00</td>
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<td>Flooring Dance Floor</td>
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<td>Paints and Coatings</td>
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<td>Exterior Awnings &amp; Entrances</td>
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<td>Interior upgrades (ALLOWANCE)</td>
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<td>Repairs related to awning</td>
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<td>General Conditions @ 3%</td>
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<td>Fee @ 5%</td>
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</table>
Guru & Gaia is a joint LLC between Liz Dimmitt and Kara and Jordan Behar.

Liz Dimmitt is the Founder and Managing Partner of The Culture Fixx, an agency specializing in cultural and creative placemaking strategies to drive economics, audience and conversations. Liz has worked in cultural strategy and creative placemaking for over 15 years. In addition, she has a background in private equity and is the Managing Director at Circa 1881, an initiative by noted private collectors dedicated to liberating artworks from storage via exhibitions and loans to educational, institutional and corporate partners.

Liz is an active participant in NYC’s and Tampa Bay’s cultural communities and serves on the boards of NurtureArt, Athletes+Causes, The Tampa Museum of Art and The John and Mable Ringling Museum of Art. She holds a BA in Finance from Georgetown University and a MA in Visual Arts Administration from NYU where she wrote her thesis on Corporate Art Programs 2.0.

Kara & Jordan Behar are owners of Behar + Peteranecz Architecture, a Florida-based firm with over 10 years of experience in the Tampa Bay community. Since inception, the firm has focused on custom design primarily located in coastal environments and has grown to include education facilities, community centers, restaurants, hotels, office buildings, residential living facilities, mixed-use buildings, luxury custom homes, and townhomes.

Prior to her role as Executive Director of Behar + Peteranecz, Kara was a marketing professional in the technology industry. As the first employee of ComputerJobs.com, Kara focused on marketing strategies, placement and content and was quickly recruited into The Coca-Cola Company’s early foray into the Internet and became their Global Internet Recruitment Strategist.

Guru & Gaia are multi-generational, local business owners who are developing a property in the Warehouse Arts District focused on the enhancements of the arts in St. Pete. Collectively, we are on boards of directors for the John and Mable Ringling Museum of Art, Tampa Museum of Fine Art, SPAA, Warehouse Arts District & ArtsXchange, and the Clearwater Community Development Board. We are dedicated professionals who have careers in the fields of art and have a vested interested in giving back to the St. Pete community. We own the properties and are financially supporting the renovations.
This Letter of Intent is to summarize the agreement between The St. Petersburg Arts Alliance (SPAA) and Guru & Gaia to come together to renovate and program two manufacturing warehouses located at 2622 and 2630 Fairfield Ave S, St. Pete 33712.

The St. Pete Arts Alliance is a 501(c)3 nonprofit umbrella organization dedicated to raising money and advocating for the entire St. Pete creative community - artists, arts and cultural organizations, and creative businesses. SPAA funds arts programs that are part of an arts business economic development strategy, such as the monthly ArtWalk across five arts districts. SPAA funds 15-20 individual artist awards annually each with a community engagement focus; arts business education sessions; and produces the SHINE St. Petersburg Mural Festival, last year employing 37 local, national and international artists bringing our City of Arts an international spotlight. Over 80 percent of SPAA’s budget last year was for arts programming, a percentage unmatched by other arts councils and alliances. SPAA has the highest non-profit rating possible from Guidestar: Platinum status.

Guru & Gaia is a joint LLC between Liz Dimmitt and Kara and Jordan Behar, with respective business the CultureFixx and Behar + Peteranecz: Architecture. We are multi-generational, local business owners who are developing a property in the Warehouse Arts District focused on the enhancements of the arts in St. Pete. Collectively, we are on boards of directors for the John and Mable Ringling Museum of Art, Tampa Museum of Fine Art, SPAA, Warehouse Arts District & ArtsXchange, and the Clearwater Community Development Board. We are dedicated professionals who have careers in the fields of art and have a vested interested in giving back to the St. Pete community. We own the properties and are financially supporting the renovations.

This collaboration allows the St. Pete Arts Alliance to establish a headquarters for itself, for the SHINE Mural Festival, and for the literary nonprofit Keep St. Pete Lit. The renovation will include a 5,000 sq. ft. rehearsal space for theater productions and studio work that SPAA will be responsible for programming. Most importantly, the renovation provides much needed classroom and meeting space for educational programming. For example, the new space will extend Keep St. Pete Lit's Kids Literary Programming by xx number of classes annually/or by xx number of kids reached. This program currently serves 130 at-risk youth per week, focusing on the Fairmount Park and Campbell Park Elementary Schools, and Virginia Leonard Community Center. With additional classrooms and rehearsal space we intend to grow educational and arts programming throughout St. Pete, specifically focusing on South St. Pete and the CRA district.

This Letter of Intent is being entered into to confirm both parties' understanding of the principal ideas of the project and a mutual willingness to proceed in working toward a definitive Agreement consistent with the vision laid out in this letter.
February 8, 2019

Guru & Gaia
2430 Terminal Drive South
St. Petersburg, FL 33712

Dear Guru & Gaia,

This Letter of Intent is to signify Sebsen Electric's interest in renting approximately 5,500 square feet of space for our lighting design firm in Guru & Gaia’s renovated manufacturing warehouse project located at 2622 and 2630 Fairfield Ave S, St. Pete 33712.

Sebsen Electric was founded on a dedication to providing exceptional, professional service and getting the job done right the first time. Sebsen provides commercial, residential, and contracting lighting and electrical design services to clients large and small, and our drive to exceed expectations keeps us on our toes.

On expanding to St. Petersburg’s Warehouse Arts District, Sebsen intends to hire 13-20 new employees.

This Letter of Intent is being entered into to confirm Sebsen’s interest in rental space with Guru & Gaia and Sebsen’s willingness to proceed in working toward a definitive lease Agreement.

For questions, please contact Anthony Italiano at (813) 335-0783 or anthony@sebsenelectric.com .

Sincerely,

Anthony Italiano
### Rent Adjustment: 100%

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<th>2019</th>
<th>2020</th>
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<th>2022</th>
<th>2023</th>
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<td>2nd Floor Office Leases</td>
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<td>Common Area Maintenance / Utilities / RE Tax (Pro Rata)</td>
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### Operating Expenses

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### Debt Service

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<td>$150,000</td>
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<tr>
<td>2020</td>
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<td>$50,000</td>
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<td>2021</td>
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<td>2024</td>
<td>$89,808</td>
<td>$36,730</td>
<td>$50,000</td>
<td>$150,000</td>
<td>$150,000</td>
<td>2.24</td>
</tr>
<tr>
<td>2025</td>
<td>$89,808</td>
<td>$36,730</td>
<td>$50,000</td>
<td>$150,000</td>
<td>$150,000</td>
<td>2.24</td>
</tr>
</tbody>
</table>

### Valuation

<table>
<thead>
<tr>
<th>Cap rate</th>
<th>7.9%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Value</td>
<td>$496,053</td>
</tr>
</tbody>
</table>

CONFIDENTIAL
Brewery Collective
800 28th Street South
Brewery Collective and Tasting Room
800 28th Street South
File Number: 2018/19 CRP-2

<table>
<thead>
<tr>
<th>Project Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Zoning:</strong> Industrial Traditional (IT)</td>
</tr>
<tr>
<td><strong>Current Property Use:</strong> Vacant</td>
</tr>
<tr>
<td><strong>Grant Fund Request:</strong> $100,000</td>
</tr>
<tr>
<td><strong>Maximum Grant Allowed:</strong> $100,000</td>
</tr>
<tr>
<td><strong>Jobs Created/Retained:</strong> 12 to 15 created</td>
</tr>
</tbody>
</table>

**Project Description and Budget**

The Project will convert the former vehicle inspection station and warehouse into a craft beer manufacturing plant and a tasting room. The Project site has been underutilized for more than a decade. Renovation work will include constructing demising walls to separate the brewing room from the rest of the operation as well as constructing office space, cooler room, bathrooms and tasting room.

This is a new venture for the Casoria Beverages which is behind Rock Brothers Brewery in Ybor. The Project will serve as a collective where locals can launch small breweries and craft beers as well as enjoy a tasting room near the Pinellas Trail. They are looking to hire 12-15 people of whom at least five would need to be CRA residents. This is one of three proposals on property under the same ownership.

Pinellas County tax increment financing contributions may also be for the following components as well as those that also detailed in the Commercial Revitalization Program approved by City Council on December 6, 2018.

- Exterior painting, re-siding, and/or cleaning
- Brownfield (lead, asbestos, petroleum, etc.) remediation
- Masonry repairs
- Removing architecturally inappropriate exterior finishes and materials
- Restoring significant architectural details
- Installation or repair of exterior signage,
- Awnings and canopies installation or repair
- Doors and windows
- Exterior lighting attached to an existing building
- Architectural and engineering fees as well as permitting and development review fees
## Project Budget

<table>
<thead>
<tr>
<th>Project Items</th>
<th>Costs</th>
<th>County Eligible</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Requirements</td>
<td>$92,000</td>
<td></td>
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<tr>
<td>Demolition</td>
<td>$22,000</td>
<td></td>
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<tr>
<td>Asphalt</td>
<td>$13,000</td>
<td></td>
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<tr>
<td>Fencing</td>
<td>$18,000</td>
<td>$18,000</td>
</tr>
<tr>
<td>Landscaping</td>
<td>$21,000</td>
<td>$21,000</td>
</tr>
<tr>
<td>Concrete (site)</td>
<td>$32,000</td>
<td>$32,000</td>
</tr>
<tr>
<td>Miscellaneous Metals</td>
<td>$14,000</td>
<td></td>
</tr>
<tr>
<td>Waterproofing</td>
<td>$29,000</td>
<td></td>
</tr>
<tr>
<td>Doors, Frames, and Hardware</td>
<td>$3,400</td>
<td></td>
</tr>
<tr>
<td>Windows - storefront and curtain wall</td>
<td>$58,000</td>
<td>$58,000</td>
</tr>
<tr>
<td>Countertops</td>
<td>$16,000</td>
<td></td>
</tr>
<tr>
<td>Framing and Drywall</td>
<td>$187,500</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Materials and Equipment</td>
<td>$385,000</td>
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<tr>
<td>Plumbing</td>
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<tr>
<td>HVAC</td>
<td>$205,000</td>
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<tr>
<td>Refrigeration</td>
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<td></td>
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<tr>
<td>Electric</td>
<td>$98,000</td>
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<tr>
<td>General Conditions</td>
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<tr>
<td>Fee</td>
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<tr>
<td>Insurance</td>
<td>$4,500</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$1,667,002</strong></td>
<td><strong>$129,000</strong></td>
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<tr>
<td>Adopted Review Standards</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Is the Project located in one of the following zoning districts: CCS-1, CCS-2, CCT-1, CCT-2, CR-1, CR-2, CR-5, CR-6, CRT-1, CRT-2, RC-1, IT, IS, and IC?</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes. The Project is in the Industrial Traditional (IT) zoning district. IT is the only zoning district in the City code that allows breweries as a permitted use.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Does capital investment (excluding land) for the Project represent at least $100,000 for a $50,000 grant request? If Project is requesting $100,000 in grant funding, does the Project exceed $250,000 in capital investment?</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes. The total capital investment in the project is expected to exceed $1.7 million.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Does the Project rehabilitate and return to service a vacant commercial structure or adds new commercial square footage to a building or a business district through new construction or adaptive reuse of a building formerly used for non-commercial purposes, or removes blight or a declared public nuisance?</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes. The building has either been vacant or underutilized for more than a decade. The Project will add 9,000 SF of commercial use through adaptive reuse and promote activity along the Pinellas Trail, which abuts it to the south.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Does the Project visibly improve the exterior building, site, and/or essential interior building systems such as plumbing, electrical, HVAC, and energy efficiency improvements?</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes. The applicant is adding more than $480,000 in HVAC, plumbing and electrical alone (per estimate) as well as improving the exterior by adding windows where none currently exist.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Does the Project remediate environmental contamination on the site such as lead, petroleum or asbestos?</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Not indicated. However, the budgets for the three estimates call for asbestos abatement as part of the demolition cost.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Are architectural and engineering fees as well as permitting and development review fees less than 10 percent of the total eligible project costs?

Yes. The applicant indicates that the cost for architectural and engineering fees are $120,000, which is 7 percent of the total project cost.

Will a business occupy space that is improved or constructed (no speculative development)?

Yes. The applicant will be the occupant of the building once completed.

Will the Project create at least two jobs, or retains at least five jobs, or facilitates the relocation of a company with five or more employees to the South St. Petersburg CRA? If Project is requesting $100,000 in grant funding, will it create at least ten jobs, retain at least 10 jobs or facilitate the relocation of a company with 10 or more employees? (At least 50 percent of the job creation requirement must be met by residents of the CRA.)

Yes. The application indicates that the Project will be creating 12 to 15 jobs, which exceeds the minimum number required for it to receive $100,000 in grant funding. In addition, at least five (5) of the created jobs must be filled by residents of the South St. Petersburg CRA.

To ensure the job creation and retention requirements of the Commercial Revitalization Program are met, the City will retain 25 percent of the award until six months after the completion of the project. The retainage amount will be released to the applicant upon submission of appropriate documentation.

Is the project located on a priority commercial corridor identified by the Citizen Advisory Committee of the South St. Petersburg Community Redevelopment Area? (Note: the priority corridors for the FY2019 grant cycle are 18th Avenue South, Dr. M.L. King, Jr., Street South, and 16th Street South.)

No. However, the Project is located within the Deuces and Warehouse Arts District Association planning area and its proposed uses are consistent with the intent of that Plan.
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will the Project create new commercial space through new construction</td>
<td>No. The building is vacant and/or underutilized but is not vacant.</td>
</tr>
<tr>
<td>or renovation of a previously vacant and blighted building?</td>
<td></td>
</tr>
<tr>
<td>How does the number of jobs to be created and/or retained by the Project</td>
<td>With 12 to 15 jobs proposed by the applicant, the Project ranks two out of six in terms of job creation.</td>
</tr>
<tr>
<td>compare with the other CRP applications?</td>
<td></td>
</tr>
<tr>
<td>How many CRA residents are employed at the Project at the time of</td>
<td>None. The building is vacant.</td>
</tr>
<tr>
<td>application submittal?</td>
<td></td>
</tr>
<tr>
<td>How does the capital investment in the Project and the leverage</td>
<td>The Project ranks third among the six applications, trailing narrowly the other two projects associated with the property owner Guru</td>
</tr>
<tr>
<td>provided by the City funding compare with the other CRP applications?</td>
<td>and Gaia, Inc.</td>
</tr>
<tr>
<td>What types of environmentally sustainable materials recommended by the</td>
<td>Not indicated.</td>
</tr>
<tr>
<td>City’s Office of Sustainability and Resiliency?</td>
<td></td>
</tr>
</tbody>
</table>

### Strengths

- The concept of an incubator space for startups is a plus given that the microbrewery business is capital intensive from both an equipment and real estate perspective.

- Applicant has experience in the brewery business and will be a benefit to the startups who utilize the facility.

- Nice gateway business for the Pinellas Trail at that location. Mirrors what is going on in north Pinellas County along the Pinellas Trail near Ozona and Palm Harbor.

- Activates the Pinellas Trail along a stretch with little to attract riders.

- Adaptively reuses a vacant and/or underutilized space along the 28th Street South commercial corridor. Industrial Traditional is the only zoning category allowing breweries as a permitted use.

### Weaknesses

- One of three grant applications associated with the same property owner (Guru and Gaia)

- As an accessory use in Tasting room cannot occupy more than 25% of the site. As currently drawn, it would occupy approximately 37 percent of the building.

- Outdoor areas would be counted against their accessory space requirements.

- Parking could be an issue considering the amount of outdoor gathering space.

- Need site plan to illustrate where the parking.
## Applicant Summary

| **Applicant**         | Casoria Beverages, LLC  
c/o Tony Casoria       |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Physical Address</strong></td>
<td>475 2nd Street North, #603 St. Petersburg, FL 33701</td>
</tr>
<tr>
<td><strong>Phone</strong></td>
<td>828-773-9481</td>
</tr>
<tr>
<td><strong>Email Address</strong></td>
<td><a href="mailto:Casoriat.@gmail.com">Casoriat.@gmail.com</a></td>
</tr>
<tr>
<td><strong>Property Owner</strong></td>
<td>Guru and Gaia, LLC</td>
</tr>
</tbody>
</table>
| **Physical Address**  | 990 Bay Esplanade       
Clearwater, FL 33767 |
| **Phone**             | 727-504-1442            |
| **Email**             | Kara.behar@gmail.com    |
**Project Information**

<table>
<thead>
<tr>
<th>Date</th>
<th>Project Address(es)</th>
<th>Zoning</th>
<th>Parcel ID(s)</th>
<th>Current Building Use</th>
<th>Proposed Business Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-11-2019</td>
<td>800 28th st. s., St Petersburg, Fl 33712</td>
<td>IT - INDUSTRIAL TRADITIONAL</td>
<td>23-31-16-17460-000-0170</td>
<td>STORAGE, INDUSTRIAL</td>
<td>Brewery Manufacturing and Tasting Room</td>
</tr>
</tbody>
</table>

**Funding Amount Requested** $100,000

**Use of Grant Funding Proceeds** (refer to ‘Funding Requested’ in line above; provide attachment of detailed cost breakdown)

<table>
<thead>
<tr>
<th>Labor</th>
<th>Supplies/Materials</th>
<th>Equipment</th>
<th>Architectural/Engineering</th>
</tr>
</thead>
<tbody>
<tr>
<td>$548,000</td>
<td>$834,000</td>
<td>$417,000</td>
<td>$120,000</td>
</tr>
</tbody>
</table>

**Other (define) $**

**Estimated Private Capital Investment** (provide attachment of detailed investment)

SEE ATTACHED GC BIDS

<table>
<thead>
<tr>
<th>Total Number of Jobs Created</th>
<th>Total Number of Jobs Retained</th>
</tr>
</thead>
<tbody>
<tr>
<td>12 - 15</td>
<td>0</td>
</tr>
</tbody>
</table>

**Building Type**

- [ ] New
- [✓] Existing

<table>
<thead>
<tr>
<th>Size of Building (sf)</th>
<th>Total 9,000</th>
<th>New Space 0</th>
</tr>
</thead>
</table>

**Project Description**

This is a new venture that is a startup from Casoria Beverages LLC, the company behind Rock Brothers Brewery in Ybor. This project will upgrade a run-down warehouse on an over-grown lot to be come a landmark brewery collective where local St. Pete persons can come together to experiment and launch small breweries and craft brews as well as enjoy beers in and enjoy the Pinellas trail and the outdoors. The building exterior will be upgraded, painted and the surrounding land made into an inviting landscaped setting. We plan to open the space up as a stopping point on the Pinellas Trail and as a gathering spot for the neighborhood. The interior will turn from storage to a function brewery with space set aside for a tasting room, bathrooms and office space. We are targeting to hire 15 people, and enable small breweries to start and expand.
Legal Name of Business: CASORIA BEVERAGES, LLC

BA (if applicable) Tax I.D. Number: 46-1908432

Principal Business Address (not P.O. Box): 475 2ND ST N #603
City: ST PETERSBURG State: FL Zip: 33701

Date Business Est: 01/02/2013 Business’ Industry: any and all

Type of Ownership (select one):
- ☑ LLC
- ☐ S-Corp.
- ☐ Partnership

Business Email: casoriat@gmail.com Website: n/a

Mailing Address (if different): City: State: Zip:

Key Contact Name: Tony Casoria Key Contact Cell: 828-773-9481
Key Contact Email: casoriat@gmail.com Bus. Telephone: 828-773-9481

Please answer the following:

Has applicant ever declared bankruptcy or had any judgments, repossessions, or garnishments filed against them? Yes ☐ No ☑

Are there any pending actions regarding bankruptcy, judgments, repossessions or garnishments? Yes ☐ No ☑

Are any tax obligations, including payroll, business or real estate taxes, past due? Yes ☐ No ☑

Are any mortgage payments three months or more in arrears? Yes ☐ No ☑

Has the applicant or partners or interest in the application been convicted of a felony for financial mismanagement within the last five years? Yes ☐ No ☑

Are property insurance payments late or unpaid? Yes ☐ No ☑

Are there code enforcement liens on the project site? Yes ☐ No ☑

Are there special assessment liens on the project site? Yes ☐ No ☑

Are any tax obligations, including payroll, business or real estate taxes, past due? Yes ☐ No ☑

If you answer yes to any of the questions above, please explain:

Community Revitalization Program

Applicant Certification and Signatures

I certify that the information provided in this application is true and accurate to the best of my ability and no false or misleading statements have been made in order to secure approval of this application. You are authorized to make all the inquiries you deem necessary to verify the accuracy of the information contained herein.

Applicant Signature
Print Name: Tony Casoria Date: 2/11/2019
As owner of the property/properties located below, I hereby authorize the Applicant as identified above to undertake the activities specified in this application.

**Property Address(es)**
800 28th St. S.
St. Petersburg FL 33712

**Property Identification Number(s)**
23-31-16-17460-000-0170

<table>
<thead>
<tr>
<th>Owner Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Signature]</td>
<td>2-10-19</td>
</tr>
</tbody>
</table>

**Print Name**
Kara Behar
Request for Confidentiality

Any and all information held by the City’s Development Administration office which contains or would provide information concerning the plans, intentions or interests of CASORIA BEVERAGES, LLC (Name of Business) to locate, relocate or expand any of its business activities in the State of Florida (collectively, “Information”) shall be kept confidential and exempt from Section 119.07(1), Florida Statutes, and Section 24(a), Article I of the Florida Constitution, as authorized and to the extent provided in Section 288.075, Florida Statutes.

I/We acknowledge and agree that the Information may be disclosed to all persons in the chain of command of the City Development Administrator, including but not limited to the Mayor, and to the attorneys that advise the City’s Development Administration office. I/We further acknowledge and agree that the City’s Development Administration is □ is □ is not (check one) authorized to disclose the Information to members of the St. Petersburg City Council.

Signature: ________________________________________

Printed Name: Tony Casoria

Date: 02/11/2019
Brewery Collective
by Casoria Beverages, LLC
800 29th Street S., St. Petersburg, FL 33712

Brewery Collective is a space for startup and established local brewers to access industry tools for exploratory and collaborative ventures, while operating on a craft brewery incubator model to generate revenue and support entrepreneurs in the community.

Brewery Collective Overview:

- Targeting to hire 15 full time employees and provide the opportunity for local business to start up and hire
- Operated/programmed by a Head Brewer with an established track record of launching successful breweries that revitalize communities - most recently Rock Brothers Brewing in Ybor.
- Renovation of a 9,000 sf storage warehouse to a functioning brewery with tasting room
- Opportunity for small brewers/startups to access industry tools and expert guidance to produce and feature their beers in the taproom
- Offers exposure for new businesses while bringing craft brewing to the South St. Pete community
- Opportunity for established local breweries to experiment with new beer types and techniques, and offer exclusive and specialty beers in the taproom alongside up-and-coming brands

Brewery Collective will be open to the public and will offer additional community programming including tours, brewing classes, tastings, and more. Brewery Collective will hire staff to operate and maintain the facility and will actively seek to foster startup and independent brewers from the community.
Casoria Brewery

800 28th Street South
Brewery Collective

800 28th St. S
St. Petersburg, FL 33712
Dear Tony Cassoria,

Summit Design + Build, LLC would like to thank you for the opportunity to present our proposal for the above referenced project. Attached you will find the following documents:

- Introduction to Summit
- Estimate Summary

Should you have any questions or concerns please do not hesitate to contact me. Thank you again for your time and consideration. We look forward to working together with you on this exciting project.

Sincerely,

SUMMIT DESIGN + BUILD, LLC
Scott Hutchison
Director of Southeast Construction

---

<table>
<thead>
<tr>
<th>Trade</th>
<th>2/7/19</th>
<th>Comment</th>
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<tbody>
<tr>
<td>GENERAL REQUIREMENTS</td>
<td>$92,000.00</td>
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<tr>
<td>LAYOUT, SURVEY &amp; INVESTIGATION</td>
<td></td>
<td></td>
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<tr>
<td>SECURITY &amp; SAFETY</td>
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<tr>
<td>PERMITS &amp; FEES (NOT BUILDING PERMIT)</td>
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<tr>
<td>DESIGN</td>
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<tr>
<td>TESTING</td>
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<tr>
<td>WEATHER CONDITIONS &amp; USAGE</td>
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<td>CANOPY, HOIST &amp; TOWER CRANE</td>
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<tr>
<td>DEMOLITION</td>
<td>$22,000.00</td>
<td>Asbestos removal &amp; Demolition per drawing</td>
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<td>EXCAVATION &amp; GRADING</td>
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<td>UTILITIES</td>
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<td>ASPHALT</td>
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<tr>
<td>FENCING (PERMANENT)</td>
<td>$18,000.00</td>
<td></td>
</tr>
<tr>
<td>LANDSCAPING, HARDSCAPE &amp; IRRIGATION</td>
<td>$21,000.00</td>
<td></td>
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<tr>
<td>CONCRETE <em>SITE</em></td>
<td>$32,000.00</td>
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<td>CONCRETE <em>BUILDING</em></td>
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<td>included above</td>
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<tr>
<td>SPECIALTY FOUNDATIONS</td>
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<td></td>
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<tr>
<td>PRECAST</td>
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<tr>
<td>MASONRY</td>
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<td>STRUCTURAL STEEL</td>
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<tr>
<td>MISCELLANEOUS METALS</td>
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<td>guardrail &amp; misc.</td>
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<td>RESIDENTIAL DOORS, TRIMS &amp; CASING</td>
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<tr>
<td>ROUGH CARPENTRY</td>
<td></td>
<td></td>
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<td>FINISH CARPENTRY <em>LABOR</em></td>
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<td></td>
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<tr>
<td>MILLWORK MATERIAL</td>
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<td>ACOUSTICAL CEILINGS</td>
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<tr>
<td>WATERPROOFING</td>
<td>$29,000.00</td>
<td>insulation upgrades</td>
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<td>ROOFING</td>
<td></td>
<td></td>
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<td>EIFS &amp; STUCCO</td>
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<tr>
<td>SIDING</td>
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<td></td>
</tr>
<tr>
<td>COOLER &amp; FREEZER PANELS</td>
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SPAAB Budget
2.8.19
<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
<th>Notes</th>
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</thead>
<tbody>
<tr>
<td>Fireproofing</td>
<td>$3,400.00</td>
<td>Doors per drawings to include hardware</td>
</tr>
<tr>
<td>Joint Sealants</td>
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<td></td>
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<tr>
<td>Doors, Frames &amp; Hardware</td>
<td>$3,400.00</td>
<td>Doors per drawings to include hardware</td>
</tr>
<tr>
<td>Overhead Doors</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Windows, storefront &amp; curtainwall</td>
<td>$58,000.00</td>
<td>Storefront system 7 upgrade bays</td>
</tr>
<tr>
<td>Wood Flooring</td>
<td></td>
<td></td>
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<tr>
<td>Countertops</td>
<td>$16,000.00</td>
<td></td>
</tr>
<tr>
<td>Framing, drywall &amp; insulation</td>
<td>$187,500.00</td>
<td></td>
</tr>
<tr>
<td>Tile</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carpet, vinyl &amp; specialty flooring</td>
<td>$385,000.00</td>
<td>equipment for brewery functions</td>
</tr>
<tr>
<td>Paint &amp; wall covering</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floor stain, sealer &amp; epoxy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Miscellaneous material &amp; equipment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Toilet accessories</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Window treatments</td>
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<tr>
<td>Dock equipment</td>
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<tr>
<td>Residential appliances</td>
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<tr>
<td>Conveying equipment</td>
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<tr>
<td>Fire suppression</td>
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<tr>
<td>Plumbing</td>
<td>$183,000.00</td>
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<td>Heating, ventilation &amp; air conditioning</td>
<td>$205,000.00</td>
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<td>Refrigeration</td>
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<td>Electric</td>
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<td>Subtotal</td>
<td>$1,408,900.00</td>
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<td>General conditions</td>
<td>$140,890.00</td>
<td>Fulltime sup, 1/2 PM, 1/2 time PE</td>
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<td>Fee</td>
<td>$112,712.00</td>
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<td>Insurance</td>
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<td>Contingency</td>
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## Estimate General Summary Sheet

**CGC1517459**

**PROJECT:** Brew Collective  
**ADDRESS:** 800 28th St. S, St. Pete 33712  
**OWNER:** Guru & Gaia LLC

<table>
<thead>
<tr>
<th>ITEMS</th>
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<tr>
<td>1. GENERAL REQUIREMENTS</td>
<td>$195,230.00</td>
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<tr>
<td>- Architectural and Engineering Design Fees</td>
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<td>- Permitting</td>
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<tr>
<td>- Project Management</td>
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<tr>
<td>- Supervision</td>
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</tr>
<tr>
<td>- Project Administration</td>
<td>INCLUDED ABOVE</td>
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<tr>
<td>- Temporary Labor</td>
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<tr>
<td>- Skilled Labor</td>
<td>INCLUDED ABOVE</td>
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<tr>
<td>- NOC</td>
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<tr>
<td>- Blueprints</td>
<td>INCLUDED ABOVE</td>
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<tr>
<td>- Port-O-Let</td>
<td>INCLUDED ABOVE</td>
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<tr>
<td>- Equipment Rental</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- Misc. tools and materials</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- Temporary Barriers, Enclosures, Locks, Warning Signs, and Lights.</td>
<td>INCLUDED ABOVE</td>
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<tr>
<td>- Temporary Fencing</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- General Dumpster Pulls</td>
<td>INCLUDED ABOVE</td>
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<tr>
<td>- Shoring</td>
<td>INCLUDED ABOVE</td>
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<tr>
<td>- Scaffolding</td>
<td>INCLUDED ABOVE</td>
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<tr>
<td>- Material Testing</td>
<td>INCLUDED ABOVE</td>
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<tr>
<td>- Floor, Wall and Equipment Area Protection</td>
<td>INCLUDED ABOVE</td>
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<tr>
<td>- Connex Box</td>
<td>INCLUDED ABOVE</td>
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<td>- Final Cleaning</td>
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<td>- Asbestos Testing</td>
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<table>
<thead>
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<th>TOTAL</th>
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</thead>
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<tr>
<td>2. EXISTING CONDITIONS</td>
<td>$37,080.00</td>
</tr>
<tr>
<td>- Demo existing overhead doors, interior windows and doors</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- Demo portion of existing offices</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- Sawcut existing slab at brewery, taproom, plumbing trenches and masonry openings for new storefronts.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- Sawcut existing slab at cooler areas for moisture barrier.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- Provide core drilling throughout for MEP penetrations and equipment installation.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- Scrap masonry walls to remove adhesives from prior use.</td>
<td>INCLUDED ABOVE</td>
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</table>

<table>
<thead>
<tr>
<th>ITEMS</th>
<th>TOTAL</th>
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<tbody>
<tr>
<td>3/4. CONCRETE / MASONRY</td>
<td>$58,050.00</td>
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<tr>
<td>- Provide / Install concrete scope as follows:</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- Prep and pour new 4&quot; interior slab for brewhouse and tank farm.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- Patch back plumbing trenches.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- Prep and pour equipment housekeeping pads for equipment, compressors, boiler, chiller, condensers, pumps etc</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- Infill interior masonry openings as required, coolers, restrooms and others as needed.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- Termites Treatment (multiple mobilizations).</td>
<td>INCLUDED ABOVE</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ITEMS</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. METALS</td>
<td>$47,340.00</td>
</tr>
<tr>
<td>ALLOWANCE: Provide / install guardrail at taproom and patio.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>ALLOWANCE: Provide / install new steel railings and stairs.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>ALLOWANCE: Provide / install new steel beams and columns at bar area.</td>
<td>INCLUDED ABOVE</td>
</tr>
</tbody>
</table>
**Estimate General Summary Sheet**

**CGC151/459**

**PROJECT:** Brew Collective  
**ADDRESS:** 800 28th St., St. Pete 33712  
**OWNER:** Guru & Gaia LLC

<table>
<thead>
<tr>
<th>ITEMS</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>7. THERMAL AND MOISTURE PROTECTION</strong></td>
<td>$22,680.00</td>
</tr>
<tr>
<td>ALLOWANCE: Provide / install roof insulation at underside of roof deck at taproom only.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>ALLOWANCE: Necessary caulking, waterproofing, expansion joints, etc.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>ALLOWANCE: Roof penetrations for boiler venting, brewhouse venting, exhaust fans, CO2 venting/fans.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td><strong>8. OPENINGS</strong></td>
<td>$64,890.00</td>
</tr>
<tr>
<td>ALLOWANCE: Provide / install new impact rated storefront doors and windows scope as follows:</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- Provide &amp; install new storefront doors.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- Provide &amp; install interior wood doors.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>- Provide &amp; install new interior storefront window in taproom.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>ALLOWANCE: Provide / install HM frames and doors and associated hardware.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>ALLOWANCE: Provide / install overhead doors gass impact rated doors.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td><strong>9. FINISHES</strong></td>
<td>$245,070.00</td>
</tr>
<tr>
<td>ALLOWANCE: Provide / install interior metal framing &amp; drywall partitions at taproom, restrooms and office/storage space. Provide / install in wall blocking, framing and FRP at bar.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>ALLOWANCE: Provide / install painting of all drywall partitions, doors/frames, exposed ceilings, and exterior siding and soffits.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>ALLOWANCE: Provide / install new bar top. (Finish TBD)</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>ALLOWANCE: Provide / install simple grind and polished concrete floors at tasting room and restrooms only.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>ALLOWANCE: Provide / install cement urethane floor at production slab. (Elite Crete, recommended for high temperature, high production areas)</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td><strong>10. SPECIALTIES</strong></td>
<td>$1,108.00</td>
</tr>
<tr>
<td>ALLOWANCE: Provide / install grab bars at restrooms.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td><strong>11. EQUIPMENT</strong></td>
<td>$417,971.00</td>
</tr>
<tr>
<td>Lab microscope, temperature incubator, autoclave, centrifuge, vortex mixer, hemacytometer.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>Cooler and long draw system to taproom.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>Three-station semi-auto keg washer</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>CIP station and pump.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>10BBL (2) vessel brewhouse, 15BBL hot liquor/cold liquor tanks, pumps, wort aeration, hot/cold blending assembly.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>(4) 15BBL fermentation vessels, (4) 10BBL fermentation vessels, (2) 20BBL brite tanks.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>Process piping, glycol chiller, cellar control.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>Equipment rigging.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td><strong>12. FURNISHINGS</strong></td>
<td>$38,793.42</td>
</tr>
<tr>
<td>ALLOWANCE: Ensure proper installation of walk-in coolers.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>ALLOWANCE: Provide / install seating, booths, tables.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td>ALLOWANCE: Provide / install bar, plywood die wall and foot rest.</td>
<td>INCLUDED ABOVE</td>
</tr>
<tr>
<td><strong>21. FIRE ALARM / SUPPRESSION</strong></td>
<td></td>
</tr>
<tr>
<td>ALLOWANCE:</td>
<td>NOT INCLUDED</td>
</tr>
</tbody>
</table>
## Estimate General Summary Sheet

**CGC1517459**

### Project: Brew Collective
Address: 800 28th St. S, St. Pete 33712
Owner: Guru & Gala LLC

<table>
<thead>
<tr>
<th>Estimate Number:</th>
<th>Budget $1,790,261.43</th>
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<tbody>
<tr>
<td>Date:</td>
<td>2/8/2019</td>
</tr>
<tr>
<td>Estimator:</td>
<td>Boyd</td>
</tr>
<tr>
<td>Type of Building:</td>
<td>Commercial</td>
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<tr>
<td>Duration:</td>
<td>TBD</td>
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<td>Building Area:</td>
<td>9060SF</td>
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### 22. Plumbing

<table>
<thead>
<tr>
<th>Allowance: Provide / install plumbing scope of work as follows:</th>
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<tbody>
<tr>
<td>- Provide / install all water, sanitary and vent piping to accommodate new ADA restrooms.</td>
</tr>
<tr>
<td>- Provide / install plumbing for bar area.</td>
</tr>
<tr>
<td>- Provide / install trench drain at brewery.</td>
</tr>
<tr>
<td>- Provide / install standard ADA plumbing fixtures.</td>
</tr>
<tr>
<td>- Provide / install gas piping to brewing equipment.</td>
</tr>
<tr>
<td>- Provide / install all fixtures per plan, toilets, urinals, mop basin, sinks.</td>
</tr>
<tr>
<td>- Provide / install new water heaters per plan.</td>
</tr>
<tr>
<td>- Provide / install new hose bibs per plan.</td>
</tr>
<tr>
<td>- Provide / install new water filtration system.</td>
</tr>
<tr>
<td>- Provide / install grease traps at 3-compartment sinks as indicated per plan.</td>
</tr>
</tbody>
</table>

**ALLOWANCE: Provide / install plumbing scope of work as follows:**

- Provide / install all water, sanitary and vent piping to accommodate new ADA restrooms.
- Provide / install plumbing for bar area.
- Provide / install trench drain at brewery.
- Provide / install standard ADA plumbing fixtures.
- Provide / install gas piping to brewing equipment.
- Provide / install all fixtures per plan, toilets, urinals, mop basin, sinks.
- Provide / install new water heaters per plan.
- Provide / install new hose bibs per plan.
- Provide / install new water filtration system.
- Provide / install grease traps at 3-compartment sinks as indicated per plan.

**Total: $172,170.00**

### 23. Electrical

<table>
<thead>
<tr>
<th>Allowance: Provide / install electrical system scope as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Provide &amp; install receptacles, switches, occupancy sensors.</td>
</tr>
<tr>
<td>- Provide &amp; install power to all HVAC and brewing equipment.</td>
</tr>
<tr>
<td>- Provide &amp; install new panels and switchgear.</td>
</tr>
</tbody>
</table>

**Allowance: Provide & install light fixtures.**

**Total: $180,630.00**

### 24. HVAC

<table>
<thead>
<tr>
<th>Allowance: Provide / install HVAC equipment and ductwork.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allowance: Provide / install Glycol Chiller.</td>
</tr>
<tr>
<td>Allowance: Provide / install Compressed Air System.</td>
</tr>
</tbody>
</table>

**Total: $141,750.00**

### 25. Exterior Improvements

| Allowance: Provide / install new metal panels, asphalt, curbing, overlay, striping, parking blocks, signage, landscaping. |

**Total: $43,380.00**

---

### Subtotal: $1,666,134.42

- Boyd Overhead: 3.00% $49,984.03
- GL Coverage: 0.5% $7,497.50
- Boyd Fee: 4.0% $66,645.38

**Total for scope of work: $1,790,261.43**

### Exclusions:
- All items listed above are for budget purposes only - Boyd Construction has not been provided "for construction" plans or specifications to date.
- Anything not explicitly mentioned above.
- Warranty on existing lines, conditions or items supplied by others.
<table>
<thead>
<tr>
<th>COST CODE</th>
<th>DESCRIPTION</th>
<th>BUDGET</th>
<th>COMMITTED COST</th>
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<tr>
<td>1511.00</td>
<td>Temp Electric</td>
<td>$151,700.00</td>
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<td>1517.00</td>
<td>Temp Water</td>
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<td>Temporary Toilets</td>
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<td>Dumpster</td>
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<td>railings, stairs and brewing workings</td>
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<td>Rough Carpentry - Interior Blocking</td>
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<td>Door Installation</td>
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<td>8750.00</td>
<td>YKK Storefront</td>
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<td>Metal Frame / Drywall</td>
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<td>Toilet Accessories (ALLOWANCE)</td>
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<td>------------</td>
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<tr>
<td>Division 17</td>
<td>Exterior Awnings &amp; Entrances</td>
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<td>Front and Rear Awnings</td>
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<td>Division 18</td>
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<td>Interior upgrades (ALLOWANCE)</td>
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<td>(ALLOWANCE)</td>
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<td>$25,000.00</td>
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<tr>
<td>Division Total</td>
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The table above provides a breakdown of costs for various divisions and sub-divisions, including awnings, insulation, energy efficiency, waterproofing, roofing repairs, plumbing, and general conditions. The total project cost is $1,659,976.20.
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<th>Expenses</th>
<th>Jan</th>
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<th>Mar</th>
<th>Apr</th>
<th>May</th>
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<th>Jul</th>
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Income

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Expenses

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</table>
[1] Total of Income - Expenses

[2] This total includes the 'Starting Balance' from the 'Setup' tab.
To Whom It May Concern,

The purpose of this letter is to acknowledge the account listed below for Guru & Gaia, LLC is an open/active commercial loan (mortgage) with Bank OZK and is in good standing. All terms and conditions under the loan agreement have been met and all payments made as agreed.

Account Number(s): xxxxxxx0305

Thank You,

Glen Everhart, SVP

Bank OZK | Office 727-502-8537 | glen.everhart@ozk.com

6100 4th Street N | St. Petersburg, FL 33703
Fairgrounds
2610 Fairfield Avenue South
Fairgrounds
2610 Fairfield Avenue South
File Number: 2018/19 CRP-3

<table>
<thead>
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<th>Project Summary</th>
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<td><strong>Current Property Use:</strong> Vacant Industrial</td>
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<tr>
<td><strong>Grant Fund Request:</strong> $100,000</td>
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<td><strong>Maximum Grant Allowed:</strong> $100,000</td>
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<td><strong>Jobs Created</strong></td>
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</table>

**Project Description and Budget**

The Project proposes renovation of a former warehouse site into the “Fairgrounds” which is a cooperative of artists and curators coming together to create an interactive experience that invites visitors to explore studios and interact with artists in their creative environments. Approximately 2/3 of the Fairgrounds 9,400 SF within the Factory in St. Petersburg’s Warehouse Arts District will consist of a labyrinth of artist studios, each installed by an artist to create a unique experience reflective of the artist’s work. Every two years Fairgrounds will select a cohort of artists who will participate in residencies. Each artist within a class will be given a studio and $10,000 to design and install their studio. The remainder of the Fairgrounds facility will house offices, ticketing and information booths and flex space able to host temporary exhibition.

Fairgrounds will hire local artists and makers from within the CRA to operate and maintain its facility and to engage with the public. The Fairgrounds proposes 12 to 17 new jobs and will target 6 to 12 CRA residents to expand their career in the arts. They intend to reach out to Gibbs School to engage in educational and career training. This is one of three proposals on property under the same ownership. One of two proposals by the same applicant.

Pinellas County tax increment financing contributions may also be for the following components as well as those that also detailed in the Commercial Revitalization Program approved by City Council on December 6, 2018.

- Exterior painting, re-siding, and/or cleaning
- Brownfield (lead, asbestos, petroleum, etc) remediation
- Masonry repairs
- Removing architecturally inappropriate exterior finishes and materials
- Restoring significant architectural details
- Installation or repair of exterior signage,
- Awnings and canopies installation or repair
- Doors and windows
- Exterior lighting attached to an existing building
- Architectural and engineering fees as well as permitting and development review fees
## Project Budget

<table>
<thead>
<tr>
<th>Projects</th>
<th>Costs</th>
<th>County Eligible</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Requirements</td>
<td>$87,000</td>
<td></td>
</tr>
<tr>
<td>Demolition</td>
<td>$32,000</td>
<td></td>
</tr>
<tr>
<td>Utilities</td>
<td>$12,000</td>
<td></td>
</tr>
<tr>
<td>Asphalt</td>
<td>$13,000</td>
<td>$13,000</td>
</tr>
<tr>
<td>Landscaping</td>
<td>$26,000</td>
<td>$26,000</td>
</tr>
<tr>
<td>Concrete (site)</td>
<td>$42,000</td>
<td>$42,000</td>
</tr>
<tr>
<td>Masonry</td>
<td>$36,000</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Metals</td>
<td>$3,300</td>
<td></td>
</tr>
<tr>
<td>Finish Carpentry</td>
<td>$42,000</td>
<td></td>
</tr>
<tr>
<td>Waterproofing</td>
<td>$24,500</td>
<td></td>
</tr>
<tr>
<td>Doors, Frames, and Hardware</td>
<td>$3,400</td>
<td></td>
</tr>
<tr>
<td>Windows - storefront and curtain wall</td>
<td>$88,000</td>
<td>$88,000</td>
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<tr>
<td>Framing and Drywall</td>
<td>$128,500</td>
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<tr>
<td>Miscellaneous Materials and Equipment</td>
<td>$385,000</td>
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<tr>
<td>Plumbing</td>
<td>$183,000</td>
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<tr>
<td>HVAC</td>
<td>$215,000</td>
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<tr>
<td>Electric</td>
<td>$158,000</td>
<td></td>
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<tr>
<td>General Conditions</td>
<td>$147,870</td>
<td></td>
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<tr>
<td>Fee</td>
<td>$118,296</td>
<td></td>
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<tr>
<td>Insurance</td>
<td>$4,500</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$1,749,366</strong></td>
<td><strong>$169,000</strong></td>
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</table>
## Adopted Review Standards

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the Project located in one of the following zoning districts:</td>
<td>Yes. The Project is located within the Industrial Traditional (IT) zoning district.</td>
</tr>
<tr>
<td>CCS-1, CCS-2, CCT-1, CCT-2, CRS-1, CRS-2, CRT-1, CRT-2, RC-1, IT, IS,</td>
<td></td>
</tr>
<tr>
<td>and IC?</td>
<td></td>
</tr>
<tr>
<td>Does capital investment (excluding land) for the Project represent at</td>
<td>Yes. The Project’s estimated cost range from $1.7 million to $2.1 million in</td>
</tr>
<tr>
<td>least $100,000 for a $50,000 grant request? If Project is requesting</td>
<td>capital improvements.</td>
</tr>
<tr>
<td>$100,000 in grant funding, does the Project exceed $250,000 in</td>
<td></td>
</tr>
<tr>
<td>capital investment?</td>
<td></td>
</tr>
<tr>
<td>Does the Project rehabilitate and return to service a vacant commercial</td>
<td>Yes. The Project does return to service a vacant commercial structure.</td>
</tr>
<tr>
<td>structure or adds new commercial square footage to a building or a</td>
<td>However, the property was occupied within the last 9 to 12 months for a</td>
</tr>
<tr>
<td>business district through new construction or adaptive reuse of a</td>
<td>manufacturing use and cannot be considered blighted.</td>
</tr>
<tr>
<td>building formerly used for non-commercial purposes, or removes blight</td>
<td></td>
</tr>
<tr>
<td>or a declared public nuisance?</td>
<td></td>
</tr>
<tr>
<td>Does the Project visibly improve the exterior building, site, and/or</td>
<td>Yes. Nearly one-third ($556,000) of the total construction costs will be</td>
</tr>
<tr>
<td>essential interior building systems such as plumbing, electrical, HVAC,</td>
<td>expended on mechanical, electrical or plumbing. Another $150,000 (or 8</td>
</tr>
<tr>
<td>and energy efficiency improvements?</td>
<td>percent of total) will be spent on windows, doors, landscaping and</td>
</tr>
<tr>
<td></td>
<td>masonry that improve the exterior appearance. In fact, the investment</td>
</tr>
<tr>
<td></td>
<td>on the exterior, based on the drawings provided in the application,</td>
</tr>
<tr>
<td></td>
<td>will dramatically improve the exterior of both the Fairfield and</td>
</tr>
<tr>
<td></td>
<td>Pinellas Trail facing facades.</td>
</tr>
<tr>
<td>Does the Project remediate environmental contamination on the site such</td>
<td>Not indicated.</td>
</tr>
<tr>
<td>as lead, petroleum or asbestos?</td>
<td></td>
</tr>
</tbody>
</table>
### Are architectural and engineering fees as well as permitting and development review fees less than 10 percent of the total eligible project costs?

Cannot be determined from information provided. One estimates includes A&E and permitting within the estimate of General Requirements while another does not include it at all.

### Will a business occupy space that is improved or constructed (no speculative development)?

Yes. The applicant will occupy the space.

### Will the Project create at least two jobs, or retains at least five jobs, or facilitates the relocation of a company with five or more employees to the South St. Petersburg CRA? If Project is requesting $100,000 in grant funding, will it create at least ten jobs, retain at least 10 jobs or facilitate the relocation of a company with 10 or more employees? (At least 50 percent of the job creation requirement must be met by residents of the CRA.)

The application indicates that the Fairgrounds will create proposes 12 to 17 new jobs with 8 to 12 being part-time jobs and pledges “6 to 12” artists and makers from within the CRA to maintain the facility and interact with the public.

To ensure the job creation and retention requirements of the Commercial Revitalization Program are met, the City will retain 25 percent of the award until six months after the completion of the project. The retainage amount will be released to the applicant upon submission of appropriate documentation.

### Is the project located on a priority commercial corridor identified by the Citizen Advisory Committee of the South St. Petersburg Community Redevelopment Area? (Note: the priority corridors for the FY2019 grant cycle are 18th Avenue South, Dr. M.L. King, Jr., Street South, and 16th Street South.)

No. However, the Project is located within the Deuces and Warehouse Arts District Association planning area and its proposed uses are consistent with the intent of that Plan.
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will the Project create new commercial space by creating new commercial space through new construction or renovation of a previously vacant and blighted building?</td>
<td>No. The building is vacant but not blighted.</td>
</tr>
<tr>
<td>How does the number of jobs to be created and/or retained by the Project compare with the other CRP applications?</td>
<td>Of the 15-17 jobs that the Project will generate, most of them are part-time jobs.</td>
</tr>
<tr>
<td>How many CRA residents are employed at the Project at the time of application submittal?</td>
<td>None.</td>
</tr>
<tr>
<td>How does the capital investment in the Project and the leverage provided by the City funding compare with the other CRP applications?</td>
<td>At $1.749 million, the Fairgrounds will be the most capital intensive of the Commercial Revitalization Program applications.</td>
</tr>
<tr>
<td>What types of environmentally sustainable materials recommended by the City’s Office of Sustainability and Resiliency?</td>
<td>Not indicated.</td>
</tr>
</tbody>
</table>
### Other Committee Comments and Considerations

<table>
<thead>
<tr>
<th>Strengths</th>
<th>Weaknesses</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Project reinforces the vision of the Warehouse Arts District.</td>
<td>• One of three grant applications associated with the same property owner (Guru and Gaia)</td>
</tr>
<tr>
<td>• Propose renovation will improve the aesthetic of the industrial district as well as the Pinellas Trail.</td>
<td>• Applicant is also co-applicant affiliated with the SPAA’s CRP application at 2622-30 Fairfield Avenue S.</td>
</tr>
<tr>
<td>• Provides a use that will activate the Pinellas Trail in a location with little activity.</td>
<td>• The Project will convert existing manufacturing building within an industrial district.</td>
</tr>
<tr>
<td>• Business model, with the sharing of proceeds from entry fees, will help grow local artists.</td>
<td>• Countywide rules will restrict the certain uses that are not IT oriented as accessory, such as sales and events. City will need to monitor for compliance during construction, before award and during the five-year compliance period.</td>
</tr>
<tr>
<td>• Significant capital improvement investment in a currently vacant building.</td>
<td></td>
</tr>
<tr>
<td><strong>Applicant Summary</strong></td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td></td>
</tr>
</tbody>
</table>
| **Applicant**         | The Culture Fixx, LLC  
c/o Elizabeth Dimmitt |
| **Physical Address**  | 225485 US Highway 19 North  
Clearwater, FL |
| **Phone**             | 917-280-6299 |
| **Email Address**     | edimmitt@gmail.com |
| **Property Owner**    | Guru and Gaia, LLC |
| **Physical Address**  | 990 Bay Esplanade  
Clearwater, FL 33767 |
| **Phone**             | 727-504-1442 |
| **Email**             | Kara.behar@gmail.com |
Commercial Revitalization Program
Grant Application

Project Information

Date: 2/8/19
Project Address(es):
2610 Fairfield Ave S, St. Petersburg, FL 33712

Zoning: Industrial (IT)
Parcel ID(s):
23-31-16-17460-000-0110

Current Building Use (i.e., Vacant, Commercial, Industrial, Mixed Use with Residential):
Madico Film Factory - manufacturing & storage

Proposed Business Use:
Art & Cultural Center, The Culture Fixx's Fairgrounds will be an interactive artist studio experience

Funding Amount Requested:
$100,000

Use of Grant Funding Proceeds (refer to 'Funding Requested' in line above; provide attachment of detailed cost breakdown):

<table>
<thead>
<tr>
<th>Labor</th>
<th>Supplies/Materials</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equipment</td>
<td>Architectural/Engineering</td>
</tr>
</tbody>
</table>

Other (define) $:

Estimated Private Capital Investment (provide attachment of detailed investment):
$1,000,000

Total Number of Jobs Created: 12 to 17
Total Number of Jobs Retained: 12 to 17

Building Type: 

- [ ] New
- [x] Existing

Size of Building (sf): 9400 Total

Project Description (attach any drawings and/or detailed written description as necessary):

See attached longer written description.

Fairgrounds is a cooperative of artists and curators coming together to create an interactive, fun and engaging experience, inviting visitors to explore artist studios and interact with local artists in their created environments, while also providing monetary support for its artists and curator(s). Fairgrounds aims to create both installation and income opportunities for artists and curators by giving them both a place to showcase their work to the public and to share in profits from ticket sales.

We will target to hire 6-12 CRA residents to expand their career in the arts. We will be reaching out to Gibbs School to engage in educational and career training programs.

Fairgrounds will be a unique business in the CRA and the entire Tampa Bay area.
<table>
<thead>
<tr>
<th><strong>Legal Name of Business</strong></th>
<th>The Culture Fixx LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DBA (if applicable)</strong></td>
<td>The Culture Fixx</td>
</tr>
<tr>
<td><strong>Principal Business Address</strong> (not P.O. Box)</td>
<td>2610 Fairfield Ave S.</td>
</tr>
<tr>
<td><strong>City, State</strong></td>
<td>St. Petersburg, FL</td>
</tr>
<tr>
<td><strong>Date Business Est</strong></td>
<td>Business Industry: Arts</td>
</tr>
<tr>
<td><strong>Type of Ownership</strong></td>
<td>LLC</td>
</tr>
<tr>
<td><strong>Mailing Address</strong> (if different)</td>
<td>25485 U.S. Highway 19 N</td>
</tr>
<tr>
<td><strong>City, State, Zip</strong></td>
<td>Clearwater, FL 33763</td>
</tr>
<tr>
<td><strong>Key Contact Name</strong></td>
<td>Elizabeth Dimmitt</td>
</tr>
<tr>
<td><strong>Key Contact Email</strong></td>
<td><a href="mailto:edimmitt@gmail.com">edimmitt@gmail.com</a></td>
</tr>
<tr>
<td><strong>Key Contact Cell</strong></td>
<td>917-280-6299</td>
</tr>
<tr>
<td><strong>Bus. Telephone</strong></td>
<td>727-791-1</td>
</tr>
</tbody>
</table>

**Please answer the following:**

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has applicant ever declared bankruptcy or had any judgments, repossession, or garnishments filed against them?</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Are there any pending actions regarding bankruptcy, judgments, repossession or garnishments?</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Are any tax obligations, including payroll, business or real estate taxes, past due?</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Are any mortgage payments three months or more in arrears?</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Has the applicant or partners or interest in the application been convicted of a felony for financial mismanagement within the last five years?</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Are property insurance payments late or unpaid?</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Are there code enforcement liens on the project site?</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Are there special assessment liens on the project site?</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Are any tax obligations, including payroll, business or real estate taxes, past due?</td>
<td></td>
<td>√</td>
</tr>
</tbody>
</table>

**If you answer yes to any of the questions above, please explain:**

---

**Community Revitalization Program**

**Applicant Certification and Signatures**

I certify that the information provided in this application is true and accurate to the best of my ability and no false or misleading statements have been made in order to secure approval of this application. You are authorized to make all the inquiries you deem necessary to verify the accuracy of the information contained herein.

**Applicant Signature**

Elizabeth Dimmitt

**Date**

2/8/19
Request for Confidentiality

Any and all information held by the City’s Development Administration office which contains or would provide information concerning the plans, intentions or interests of The Culture Fixx (Name of Business) to locate, relocate or expand any of its business activities in the State of Florida (collectively, “Information”) shall be kept confidential and exempt from Section 119.07(1), Florida Statutes, and Section 24(a), Article I of the Florida Constitution, as authorized and to the extent provided in Section 288.075, Florida Statutes.

I/We acknowledge and agree that the Information may be disclosed to all persons in the chain of command of the City Development Administrator, including but not limited to the Mayor, and to the attorneys that advise the City’s Development Administration office. I/We further acknowledge and agree that the City’s Development Administration is (check one) authorized to disclose the Information to members of the St. Petersburg City Council.

Signature: ____________________________

Printed Name: Elizabeth Dimmitt

Date: 2/8/19
As owner of the property/properties located below, I hereby authorize the Applicant as identified above to undertake the activities specified in this application.

Property Address(es)
2610 Fairfield Ave S, St. Petersburg, FL 33712

Property Identification Number(s)
23-31-16-17460-000-0110

Owner Signature

Date
2/10/19

Print Name
Kara Behar
Fairgrounds is a cooperative of artists and curators coming together to create an interactive, fun and engaging experience, inviting visitors to explore studios and interact with artists in their created environments, while also providing monetary support for its artists and curator(s). Fairgrounds aims to create both installation and income opportunities for artists and curators by giving them both a place to showcase their work to the public and to share in profits from ticket sales.

Approximately 2/3 of the Fairgrounds’ 9,400 SF space within The Factcry in St. Petersburg’s Warehouse Arts District will consist of a labyrinth of artist studio rooms, each installed by an artist to create a unique environment reflective of the artist’s work and a larger theme chosen by a curator. In addition, Fairgrounds will feature a central great room, with an on-theme collaborative installation created by all the participating artists.
Every 2 years, Fairgrounds will work with a curator to select an overall theme and to invite a class of 10 to 12 artists, with a preference to local artists, to participate in residencies. Each artist within a class will then be given a studio space and $10,000 for materials to design and install their studio. The curator and all artists will work together to create group installation for Fairgrounds’ great room.

Fairgrounds will be open to the public with admission charged for entry. A portion of the profits from ticket sales will be shared with each class of artists and its curator(s) so that they share in the financial success of the project as a whole.

In addition, Fairgrounds will hire local artists and makers from within the CRA to operate and maintain its facility and to engage with the public. Fairgrounds will have 2-3 full-time employees and 8-12 part-time employees. By recruiting artists and makers for these positions, Fairgrounds aims to support the local creative community by providing artists with additional sources of income.

The remainder of the Fairgrounds facility will house the offices, ticketing and information booths and a flex space able to host an art gallery with works by featured artists, special projects and/or temporary exhibitions.
Possible Participating Artists
MILAGROS Collective
Francisco Moreno
Elisabeth Condon
Kate Kinder
Lauren Silberman
Ya La'ford
Charles Parkhill
Sue Havens

JUJMO
Ryan Patrick Martin
Jonathan Chapline
Ezra Johnson
Haiiileen
Aakash Nihalani
Ann Patterson

Possible Themes
The State Fair
Family Vacation
Mall of America
Catch Me If You Can
Amusement Park
La la land

Animal Planet
Dot Mania
School’s Out
World Cruise
A Year of Holidays
Space Camp

The Business Model

Fairgrounds is an experience economy company, introducing the public to an interactive art studio experience. Fairgrounds will be both art and entertainment with engaging interactive elements that inspire guests to make and share memories.

Fairgrounds will charge admissions per person. Profits from ticket sales will be shared with the participating artists and curators.

The front section of the Fairgrounds space will host various programming including art exhibitions and special cultural exhibitions.
Unique to the CRA

Fairground is a unique company in not only the CRA but also the Tampa Bay Area. We know of no other company looking to work with artists to create unique experiences within their studios to encourage events and admission sales.

Fairgrounds Vision

Fairgrounds will aim to be a company that balances purpose and profit, and holistically considers the impact of our decisions on our workers, customers, suppliers, community, and the environment. In supporting artists and curators, our goal is to develop this business as a force for good in the CRA and Tampa Bay communities. We will have a long term mission to create value for our investors, artists, community, employees and partners.

Reference Images
Existing
Fairgrounds
2610 Fairfield Ave S
St. Petersburg, FL 33712
Fairgrounds
2610 Fairfield Ave S
St. Petersburg, FL 33712

Before

After
Fairgrounds
2610 Fairfield Ave S
St. Petersburg, FL 33712
2.7.19
FairGrounds / CultureFixx
880 28th Street S 33712
Re: 2610 Fairfield Ave S 33712
Dear Liz Dimmitt
Summit Design + Build, LLC would like to thank you for the opportunity to present our proposal for the above referenced project.
Attached you will find the following documents:

- Introduction to Summit
- Estimate Summary

Should you have any questions or concerns please do not hesitate to contact me. Thank you again for your time and consideration. We look forward to working together with you on this exciting project.

Sincerely,

SUMMIT DESIGN + BUILD, LLC
Scott Hutchison
Director of Southeast Construction

<table>
<thead>
<tr>
<th>Project</th>
<th>2.7.19</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL REQUIREMENTS</td>
<td>$87,000.00</td>
<td></td>
</tr>
<tr>
<td>LAYOUT, SURVEY &amp; INVESTIGATION</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SECURITY &amp; SAFETY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PERMITS &amp; FEES (NOT BUILDING PERMIT)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DESIGN</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TESTING</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WEATHER CONDITIONS &amp; USAGE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CANOPY, HOIST &amp; TOWER CRANE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DEMOLITION</td>
<td>$32,000.00</td>
<td>Asbestos removal &amp; Demolition per drawing</td>
</tr>
<tr>
<td>EXCAVATION &amp; GRADING</td>
<td></td>
<td></td>
</tr>
<tr>
<td>UTILITIES</td>
<td>$12,000.00</td>
<td></td>
</tr>
<tr>
<td>ASPHALT</td>
<td>$13,000.00</td>
<td></td>
</tr>
<tr>
<td>FENCING (PERMANENT)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LANDSCAPING, HARDSCAPE &amp; IRRIGATION</td>
<td>$26,000.00</td>
<td></td>
</tr>
<tr>
<td>CONCRETE <em>SITE</em></td>
<td>$42,000.00</td>
<td></td>
</tr>
<tr>
<td>CONCRETE <em>BUILDING</em></td>
<td></td>
<td>included above</td>
</tr>
<tr>
<td>SPECIALTY FOUNDATIONS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PRECAST</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MASONRY</td>
<td>$26,000.00</td>
<td>decking and ramp</td>
</tr>
<tr>
<td>STRUCTURAL STEEL</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MISCELLANEOUS METALS</td>
<td>$3,300.00</td>
<td>guardrail &amp; misc.</td>
</tr>
<tr>
<td>RESIDENTIAL DOORS, TRIMS &amp; CASING</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ROUGH CARPENTRY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FINISH CARPENTRY <em>LABOR</em></td>
<td>$42,000.00</td>
<td>rear awning</td>
</tr>
<tr>
<td>MILLWORK MATERIAL</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACoustical Ceilings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WATERPROOFING</td>
<td>$24,500.00</td>
<td>insulation upgrades</td>
</tr>
<tr>
<td>ROOFING</td>
<td></td>
<td></td>
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<tr>
<td>EIFS &amp; STUCCO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SIDING</td>
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<td>DOORS, FRAMES &amp; HARDWARE</td>
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<td>WINDOWS, STOREFRONT &amp; CURTAINWALL</td>
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<td>Storefront system 7 upgrade bays</td>
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<td>WOOD FLOORING</td>
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<td>COUNTERTOPS</td>
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# Estimate General Summary Sheet

**CGC1517459**

**PROJECT:** Fairgrounds  
**ADDRESS:** 2610 Fairfield Ave S, St. Pete 33712  
**OWNER:** Guru & Gaia LLC

<table>
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<th>ITEMS</th>
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<td>Blueprints</td>
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<td>Temporary Barriers, Enclosures, Locks, Warning Signs and Lights</td>
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<td>2. EXISTING CONDITIONS</td>
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<td>Asbestos Testing</td>
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<td>Provide interior selective demolition.</td>
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<td>Saw cut and remove existing CMU for (5) new openings.</td>
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<tr>
<td>Saw cut existing slab for new under slab plumbing and electric as required.</td>
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<tr>
<td>3. CONCRETE</td>
<td>$50,100.00</td>
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<tr>
<td>Pour back plumbing and electric trenches as required.</td>
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<tr>
<td>Prep and Install new rebar, CMU, pre-cast lintels for new openings.</td>
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<td>4. MASONRY</td>
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<td>5. METALS</td>
<td>$4,180.00</td>
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<td>Provide / Install new steel handrails at new entry at North side of building.</td>
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<tr>
<td>6. WOOD, PLASTICS, COMPOSITES</td>
<td>$23,320.00</td>
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<tr>
<td>Provide / Install new wood structure and IPE decking at new entry at North side of building</td>
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<tr>
<td>Provide / Install vertical wood slats at new steel handrails at new entry at North side of building</td>
<td>INCLUDED ABOVE</td>
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<tr>
<td>7. THERMAL AND MOISTURE PROTECTION</td>
<td>$15,000.00</td>
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<tr>
<td>Roof repairs as required for new rooftop equipment and general repair as required.</td>
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</tbody>
</table>
## Estimate General Summary Sheet

**CGC1517459**

**PROJECT:** Fairgrounds  
**ADDRESS:** 2610 Fairfield Ave S, St. Pete 33712  
**OWNER:** Guru & Gaia LLC

### Items

<table>
<thead>
<tr>
<th>Description</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. OPENINGS</td>
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<tr>
<td>Provide / install impact, low-e insulated storefront systems as required</td>
<td>$81,700.00</td>
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<tr>
<td>Provide / install hollow metal doors, frames and hardware as required</td>
<td>$5,525.00</td>
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<td>2. FINISHES</td>
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<tr>
<td>Provide / install all interior metal framing, insulation and drywall as required. Including fire separation walls as required.</td>
<td>$48,750.00</td>
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<tr>
<td>Provide / install all moveable gallery walls as required.</td>
<td>$70,729.00</td>
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<tr>
<td>Grind and finish all concrete floors as required.</td>
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<tr>
<td>Provide / install floor and wall tile throughout restrooms.</td>
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<tr>
<td>Provide / apply primer and paint throughout interior, inclusive of ceilings.</td>
<td>$54,300.00</td>
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<tr>
<td>Provide / apply primer and paint at exterior.</td>
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<td>3. SPECIALTIES</td>
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<td>Provide / install exterior metal awning at main building entrance</td>
<td>$18,648.00</td>
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<tr>
<td>Provide / install all toilet accessories at Men's and Women's restrooms</td>
<td>$640.00</td>
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<tr>
<td>Provide / install toilet partitions at Men's and Women's restrooms.</td>
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<td>4. EQUIPMENT</td>
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<tr>
<td>5. CASEWORK</td>
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<td>Provide / install built-in case work in &quot;Office&quot;</td>
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<td>6. SPECIAL CONSTRUCTION</td>
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<td>7. CONVEYING EQUIPMENT</td>
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<td>N/A</td>
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<tr>
<td>8. FIRE SUPPRESSION</td>
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<tr>
<td>Provide sprinkler modifications to existing system as required for new floorplan layout.</td>
<td>$23,250.00</td>
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<td>9. PLUMBING</td>
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<tr>
<td>Provide / install new water and sanitary piping.</td>
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<td>Provide / install new plumbing fixtures.</td>
<td>INCLUDED ABOVE</td>
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<tr>
<td>10. HVAC</td>
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</tr>
<tr>
<td>Provide / modify existing HVAC system and ductwork to accommodate new layout.</td>
<td>$388,200.00</td>
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<tr>
<td>11. ELECTRICAL</td>
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<tr>
<td>Provide / modify existing electrical to accommodate new layout including new panels as required.</td>
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<tr>
<td>Provide / install light fixture package throughout.</td>
<td>$78,450.00</td>
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<tr>
<td>Provide / install low voltage for sound, POS, data ports, etc.</td>
<td>$31,650.00</td>
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Estimate Number: BUDGET  
Date: 2/8/2019  
Estimator: BOYD  
Type of Building: COMMERCIAL  
Duration: TBD  
No. of Units: 1
## Estimate General Summary Sheet

**CGC1517459**

**PROJECT:** Fairgrounds  
**ADDRESS:** 2610 Fairfield Ave S, St. Pete 33712  
**OWNER:** Guru & Gaia LLC

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<th>ITEMS</th>
<th>TOTAL</th>
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<tbody>
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<td><strong>27. COMMUNICATIONS</strong></td>
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<td><strong>28. ELECTRONIC SAFETY AND SECURITY</strong></td>
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<tr>
<td>Provide fire alarm modifications to existing system as required for new floor plan layout.</td>
<td>$22,500.00</td>
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<tr>
<td><strong>31. EARTHWORK</strong></td>
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<tr>
<td><strong>32. EXTERIOR IMPROVEMENTS</strong></td>
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<tr>
<td>Provide / install landscaping</td>
<td>$3,500.00</td>
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<td>Provide / install bike racks.</td>
<td>$1,200.00</td>
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<tr>
<td>Provide asphalt patching / repair and line striping</td>
<td>$6,200.00</td>
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<td><strong>SUBTOTAL</strong></td>
<td>$1,655,631.20</td>
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<td>Boyd Overhead (3%)</td>
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<td>GL Coverage (0.45%)</td>
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<td>Boyd Fee (4%)</td>
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<td><strong>TOTAL FOR SCOPE OF WORK</strong></td>
<td>$1,821,955.72</td>
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**Exclusions:**
- All items listed above are for budget purposes only - Boyd Construction has not been provided "for construction" plans or specifications to date.
- Anything not explicitly mentioned above.
- Warranty on existing items, conditions or items supplied by others.

---

**Estimate Number:** BUDGET  
**Date:** 2/8/2019  
**Estimator:** BOYD  
**Type of Building:** COMMERCIAL  
**Duration:** TBD  
**No. of Units:** 1
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<td>15700.00</td>
<td>HVAC</td>
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<td>COST CODE</td>
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<td>BUDGET</td>
<td>COMMITTED COST</td>
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<td><strong>Division Total</strong></td>
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<td>19100.00</td>
<td>(ALLOWANCE)</td>
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<td>20100.00</td>
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<td>Fee @ 5%</td>
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<td><strong>Project total</strong></td>
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<td>FAIRGROUNDS Pro Forma</td>
<td>Year 1</td>
<td>Year 2</td>
<td>Year 3</td>
<td>Year 4</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------</td>
<td>-------</td>
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<tr>
<td>Operating Income</td>
<td>2019*</td>
<td>2020</td>
<td>2021</td>
<td>2022</td>
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<tr>
<td>Admission Sales</td>
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Operating Expenses

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<th>Year 1</th>
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<th>Year 4</th>
<th>Year 5</th>
<th>Year 6</th>
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<td>$45,000</td>
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<td>Marketing</td>
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<tr>
<td>Payroll</td>
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<td>Guest Services (8-12 hires)</td>
<td>$150,000</td>
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<tr>
<td>Artist / Curator Payments</td>
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<td>Contract Services</td>
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<td>Furnishing / Equipment</td>
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<td>Utilities</td>
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<td>Telephone/ internet</td>
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<tr>
<td>Insurance/Taxes</td>
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<td>$130,750</td>
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<tr>
<td>Total Operating Expenses</td>
<td>$265,450</td>
<td>$1,509,150</td>
<td>$2,202,400</td>
<td>$2,363,300</td>
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<td>Net Operating Income</td>
<td>($265,450)</td>
<td>($239,150)</td>
<td>($32,400)</td>
<td>$331,700</td>
<td>$406,343</td>
<td>$279,717</td>
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</table>
Delores Smith Academy I
1766 49th Street South
### Grant Application

<table>
<thead>
<tr>
<th><strong>Project Information</strong></th>
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</thead>
<tbody>
<tr>
<td><strong>Date</strong></td>
<td>2/4/19</td>
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<tr>
<td><strong>Project Address(es)</strong></td>
<td>7020 Grove St, Smith JP 8713307</td>
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<tr>
<td><strong>Zoning</strong></td>
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</tr>
<tr>
<td><strong>Parcel ID(s)</strong></td>
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</tbody>
</table>

**Current Building Use** (i.e., Vacant, Commercial, Industrial, Mixed Use with Residential)

- [ ] Vacant
- [ ] Commercial
- [ ] Industrial
- [ ] Mixed Use with Residential

**Proposed Business Use**

- [ ] Daycare Academy
- [ ] Preschool
- [ ] Early Education

**Funding Amount Requested**

- [ ] $188,009,000

**Use of Grant Funding Proceeds** (refer to 'Funding Requested' in line above; provide attachment of detailed cost breakdown)

<table>
<thead>
<tr>
<th><strong>Labor</strong></th>
<th><strong>Supplies/Materials</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Equipment</strong></td>
<td><strong>Architectural/Engineering</strong></td>
</tr>
<tr>
<td></td>
<td>($300,000)</td>
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</tbody>
</table>

**Other (define)**

- [ ] $0

**Estimated Private Capital Investment** (provide attachment of detailed investment)

- [ ] $0

**Total Number of Jobs Created**

- [ ] 8

**Total Number of Jobs Retained**

- [ ] 8

**Building Type**

- [ ] New
- [ ] Existing

**Size of Building (sf)**

- Total: 804 (1009)
- New Space: 804

**Project Description** (attach any drawings and/or detailed written description as necessary)

- #1 HVAC: $8,500
- #2 Roof: $19,500
- #3 Plumbing: $12,999
- #4 Windows: $19,999
- #5 Fencing: $5,300
- #6 Flooring: $8,000

**New addition for the Infants/Haddie Program**
## Project Information

<table>
<thead>
<tr>
<th>Date</th>
<th>Project Address(es)</th>
</tr>
</thead>
<tbody>
<tr>
<td>02/04/2019</td>
<td>1766 49th Street South St Petersburg, FL 33707</td>
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</table>

<table>
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<th>Zoning</th>
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<tbody>
<tr>
<td></td>
<td>28-31-16-02088-004-0070</td>
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</tbody>
</table>

**Current Building Use** (i.e., Vacant, Commercial, Industrial, Mixed Use with Residential)
- school, academy, commercial, college, personal services

**Proposed Business Use**
- academy/daycare infant/toddler program

**Funding Amount Requested** 137,247.99

**Use of Grant Funding Proceeds** (refer to 'Funding Requested' in line above; provide attachment of detailed cost breakdown)

<table>
<thead>
<tr>
<th>Labor</th>
<th>Supplies/Materials</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equipment</td>
<td>Architectural/Engineering</td>
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<tr>
<td>Other (define) $</td>
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**Estimated Private Capital Investment** (provide attachment of detailed investment)

<table>
<thead>
<tr>
<th>Total Number of Jobs Created</th>
<th>8</th>
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</thead>
<tbody>
<tr>
<td>Total Number of Jobs Retained</td>
<td>8</td>
</tr>
</tbody>
</table>

**Building Type**
- ✓ New
- ✓ Existing

| Size of Building (sf) | Total 1809 | New Space 864 |

**Project Description** (attach any drawings and/or detailed written description as necessary)

- Exterior painting, re-siding, and/or cleaning
- Masonry repairs
- Removal of architecturally inappropriate or incompatible exterior finishes and materials
- Restoration of significant architectural details or removal of materials that cover said architectural details
- Site improvement features such as landscaping, fencing, parking lots, lighting, dumpster enclosures and buffer walls provided such features do not collectively exceed more than 25 percent of the eligible project costs
- Construction of pedestrian and bicycle amenities such as benches, shelters, bike racks and bike lockers • Installation or repair of exterior signage, including wall, window, hanging, and monument signs advertising the business name and identity provided such features do not collectively exceed more than 25 percent of eligible project costs • Awnings and canopies installation or repair
- Doors and windows
- Roof repairs that attach to a new or renovated façade
- Exterior lighting attached to an existing building
- Demolition of obsolete accessory structures and partial demolition of exterior walls made necessary for renovation or expansion • Window and comice flashing and repair • Remediation of documented environmental contamination on the exterior site such as lead, petroleum or asbestos
- Architectural and engineering fees as well as permitting and development review fees not to exceed 10 percent of the total eligible project costs
Legal Name of Business: Delores M. Smith Academy

DBA (if applicable): 
Tax I.D. Number: 474642419

Principal Business Address (not P.O. Box): 1766 49th Street South St Petersburg
City: St Petersburg
State: FL
Zip: 33707
Date Business Est: 2014

Business’ Industry: (provide NAICS code if available):

Type of Ownership (select one):

- C-Corp.
- LLC
- Sole Proprietorship
- S-Corp.
- Partnership

Business Email: deloressmith85@gmail.com
Website: 
Mailing Address (if different): 4611 Catalonia Way South St. Petersburg, Fl 33712
City: St Petersburg
State: FL
Zip: 33712

Key Contact Name: Delores M. Smith
Key Contact Email: deloressmith85@gmail.com
Key Contact Cell: 7274923084
Bus. Telephone: 7274923084

Please answer the following:

- Has applicant ever declared bankruptcy or had any judgments, repossessions, or garnishments filed against them? [No]
- Are there any pending actions regarding bankruptcy, judgments, repossessions or garnishments? [No]
- Are any tax obligations, including payroll, business or real estate taxes, past due? [No]
- Are any mortgage payments three months or more in arrears? [No]
- Has the applicant or partners or interest in the application been convicted of a felony for financial mismanagement within the last five years? [No]
- Are property insurance payments late or unpaid? [No]
- Are there code enforcement liens on the project site? [No]
- Are there special assessment liens on the project site? [No]
- Are any tax obligations, including payroll, business or real estate taxes, past due? [No]

If you answer yes to any of the questions above, please explain:

Applicant Certification and Signatures

I certify that the information provided in this application is true and accurate to the best of my ability and no false or misleading statements have been made in order to secure approval of this application. You are authorized to make all the inquiries you deem necessary to verify the accuracy of the information contained herein.

Applicant Signature
Print Name: Delores M. Smith
Date: 02/04/2019
## Commercial Revitalization Program

### Owner Authorization

As owner of the property/properties located below, I hereby authorize the Applicant as identified above to undertake the activities specified in this application.

<table>
<thead>
<tr>
<th>Property Address(es)</th>
</tr>
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<tbody>
<tr>
<td>1766 49th Street South St Petersburg, FL 33707</td>
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<table>
<thead>
<tr>
<th>Property Identification Number(s)</th>
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<tr>
<td>28-31-16-02086-004-0070</td>
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<table>
<thead>
<tr>
<th>Owner Signature</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>Delores M. Smith</td>
<td>02/09/19</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Print Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delores M. Smith</td>
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</table>
Request for Confidentiality

Any and all information held by the City's Development Administration office which contains or would provide information concerning the plans, intentions or interests of [Name of Business] to locate, relocate or expand any of its business activities in the State of Florida (collectively, "Information") shall be kept confidential and exempt from Section 119.07(1), Florida Statutes, and Section 24(a), Article I of the Florida Constitution, as authorized and to the extent provided in Section 288.075, Florida Statutes.

I/We acknowledge and agree that the Information may be disclosed to all persons in the chain of command of the City Development Administrator, including but not limited to the Mayor, and to the attorneys that advise the City's Development Administration office. I/We further acknowledge and agree that the City's Development Administration is not (check one) authorized to disclose the Information to members of the St. Petersburg City Council.

Signature: [Signature]

Printed Name: [Printed Name]

Date: [Date]
File #2019-CRP-6
Delores Smith Academy I
1766 49th Street South

Addition Site (from N)
Talica Construction Group is pleased to offer you our proposal some of $136,423 which will include the following construction services:

- Permitting
- All applicable licenses and insurances
- Removal and proper disposal of all construction debris
- Removal of excess dirt in order to pour slab at proper elevation
- Install underground sewer line from new bathrooms to sewer tie
- Prep and pour monolithic slab 4 inches thick
- Lay and pour concrete block walls
- Install roof trusses
- Install roof sheathing
- Install asphalt roof shingles with 30 pound felt paper as underlayment
- Install two 53” x 38” Windows
- Install four 53” x 49” Windows
- Install one exterior 3068 man door
- Construct two ADA bathrooms and one air handler closet
- Install (3) 3068 interior doors
- Hang finish and paint drywall
- Stucco and paint exterior
- Install H/C ramp at side door
Electric to include:

CLASSROOM:
9 - Receptacles
16 - Recess cans
1 - Switch
2 - 3 Way switches
2 - Emergency lights
2 - Exit lights

BATHROOM #1:
1 - Light
1 - Inuse switch
1 - Exhaust fan, duct by others
1 - GFCI receptacle

BATHROOM #2:
1 - Light
1 - Inuse Switch
1 - Exhaust fan, duct by others
1 - GFCI receptacle

STORAGE ROOM:
1 - Switch
1 - Water heater
1 - Air handler
1 - Light
1 - Receptacle
3 - Arc fault
2 - GFCI

OUTSIDE:
  • 2 - Lights, 1 - Weatherproof GFCI receptacle, 1 - Air compressor

Plumbing to include:

• Complete sanitary sewer system tie into city
• 2 - toilets
• 2 - sinks with faucets
• Tie-in to existing water supply
• Relocation of water heater
HVAC to include:

- 14 seer split system with 10 KW heat strip
- Thermostat
- air handler scan
- floats with
- tiedown kit for condenser
- eight supply ducts
- two return ducts
- 280 CFM exhaust fans in bathrooms
- new copper and drain lines

Terms 30% upon acceptance, 30% upon completion of block, 30% upon completion of rough in inspections and 10% upon completion project

Acceptance: ____________________________ Date: ____________________
To Delores Smith
1766 49th St St Pete

The project details:
1. The soil is ready for preconstruction inspection, layout (survey)
2. Do the footer and stem walls
3. Plumbing rough in
4. Do the slab and block wall
5. Framing / trusses / sheathing / shingles
6. Electrician rough in
7. Finishing / insulation / drywall / painting interior / matching the exterior
8. Tile in the floor and bath standard grade
9. Materials and labor / permits

Building 36x24 = 864 sq ft = 123,440
Coastal City Solutions
CGC# 1520326
112 N Delaware Ave
Tampa, FL 33606
813-765-0042 cellular
813-871-0322 fax

Recap by Category

<table>
<thead>
<tr>
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<td>$4,400.00</td>
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<tr>
<td>FRAMING</td>
<td></td>
<td>06100</td>
<td>$4,500.00</td>
</tr>
<tr>
<td>HVAC</td>
<td>2 TON UNIT</td>
<td>-</td>
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<td>PLUMBING</td>
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<td>SOFFIT, GUTTERS, &amp; DOWNSPOUTS</td>
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<td>STUCCO</td>
<td>MATCH EXISTING</td>
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<td>TOILET &amp; BATH ACCESS</td>
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<td>10800</td>
<td>$500.00</td>
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<td>TRUSSES</td>
<td>MATERIAL ONLY</td>
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<td>WINDOWS - ALUMINUM</td>
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<td>Overhead</td>
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<td><strong>$6,275.52</strong></td>
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<tr>
<td>Profit</td>
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<td><strong>Total</strong></td>
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<td><strong>$106,995.04</strong></td>
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DELORES SMITH ACADEMY - DRAFT BUDGET 1/4/2019
DATE: 01/31/2019

Attn: Delores Smith
1766 49th Street South
St Petersburg, FL
Phone: (727)492-3084

RE: Estimate For Your Addition Project

Barrow Construction agrees to perform the attached scope of work for a total price of $100,208.50. Below is the outline of the scope of work and references. Additional work beyond the scope of work below will be considered a Change Order.

1. General Scope of Work @ $60,678.00
   a. Provide sealed and signed plans for scope of work
   b. Provide permit and insurance for all trades including impact fee for new bathrooms
   c. Remove existing tree including its roots and dispose
   d. Install temporary construction fence and an access gate to construction site
   e. Grub area where addition is going to be built and remove all grass
   f. Layout, form, excavate footer and install footer steel and dowels
   g. Provide concrete, pump, pour slab, and finish (3000 psi concrete)
   h. Provide and install the masonry, precast lintels and window sills
   i. Provide and install vertical and horizontal wall reinforcements
   j. Provide concrete and pump and pour walls as required
   k. Provide and install hurricane roof truss straps in tie beam
   l. Provide and install pre-engineered roof trusses, sub fascia, plywood, and dry-in with peel and stick underlayment
   m. Provide and install drip edges, lead boots, and all other roof flashing, and 30 year dimensional shingles closely matching existing
   n. Provide and install windows and exterior door with hardware
   o. Provide and install wall and ceiling insulation as required
   p. Stucco new addition exterior closely matching existing
   q. Provide and install drywall, finish, prime and paint both interior and exterior matching existing (owner to provide matching color)
   r. Provide and install interior bathroom doors with hardware, sinks and all bath accessories (both bathrooms to be HC accessible)
   s. Provide and install tile flooring everywhere in new addition (Tile Allowance at @$1.50/SF)
   t. Provide and install baseboards and paint them
   u. Install HC ramp as required
   v. Rework site and parking to comply with requirements of new addition
   w. Provide and install window marble window sills
   x. Perform all miscellaneous touch up and caulking
   y. Clean up site of all construction debris
2. **Electrical @ $9,500.00**
   a. Provide and wire in accordance with codes and the approved plans
   b. May need to upgrade electrical Panel (will consult with electrical contractor)
   c. Wire for bath fans, Air Handler Units and provide disconnect for new 2 ton outside condenser
   d. Provide and install all emergency and exit lights
   e. Provide and install all light fixtures, receptacles, and switches
   f. Provide permit and insurance for scope of work

3. **HVAC @ $10,600.00**
   a. Provide and install duct work for a two ton heat pump air conditioning system, 16 seer, Armada or equal brand
   b. Provide and install thermostat for the system
   c. Install grills and return for the air handler unit
   d. Provide and install bath exhaust fans
   e. Provide permit and insurance for scope of work

4. **Plumbing @ $14,500.00**
   a. Provide and install Drain and water lines for the bathrooms
   b. New water lines to connect to existing water heater
   c. Provide and install all miscellaneous shut off valves
   d. Provide and install toilets, and bath sinks, faucets
   e. Provide and install one outside hose bib
   f. Provide permit for the scope of work

**PAYMENT:** 15% to start, 25% after plans, permit and tree removal, 25% after plumbing first rough-in, foundation, masonry, roof trusses, sheathing and dry-in, 25% after interior framing, AC rough-in, electrical rough-in and permanent roof installation, 10% at project completion and final inspection.

**GUARANTEE:** All work performed by Barrow Construction is guaranteed for 12 months starting from the date of project completion.

**ACCEPTANCE:** ____________________ DATE: ____________________

**OWNER**

Estimated duration of this scope of work is 6 to 7 months after permitting. Additional time request will be made for change orders, and conditions beyond our control.

We thank you for calling on Barrow Construction for your construction needs.

Truly yours,

Buba Barrow; President/CEO

N
<table>
<thead>
<tr>
<th>Item Description</th>
<th>Quantity</th>
<th>Unit</th>
<th>Cost</th>
<th>Total</th>
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<tbody>
<tr>
<td>Gran Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site: Parking and Related Landscape</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fencing, Exterior doors and Windows, Door Dilets</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ceiling Insulation, Exterior doors and Windows, Drywall, Door Dilets</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mastical Roof, Second Plumbing roof, wall and ceiling</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electrical rough-in, AC Rough-in</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exterior walls above grade</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Framing (Ceiling)</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Framing (Walls)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sheathing, roof, Dry-in</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roof Fuses, Nuss Insulation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Masonry (rough line)</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Remodel Treatment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Masonry (tiles and recessed window tiles)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Door Steel, Brick, Underframe, Plumbing, SDE's and</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Foundation work, Club, Reveal and Exterior Ledge</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fencing all the walls and temporary separation fence</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>For the two additional bathrooms, Two removals</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site Plan, Landscape plan, Plan review, Demolition</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plans, Building, Electrical, Mechanical, Plumbing</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item Description</td>
<td></td>
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<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>$290,000.00</td>
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</table>

St. Peterburg, FL 33713
2530 Lase Ave, N Site 206
Contractor: Barrow Construction

Area of Additon = 24,365 = 664 SF
Project Address: 1766 4th Street South
Summary of Findings:

Option 1: Install one 120V/240V parking lot light
- Install 20amp circuit up to 200'
- Install conduit up to 200'
- Bury up to 180'
- Install lamp post 16'
- Install LED lamp fixture, high lumens
- Pull permit

Option 2: Install solar parking lot light
- Install concrete footer
- Install 16' lamp post
- Install solar light fixture
- Install solar panel

Note - (Blacktop cutting and repaving is customer's responsibility)

Agreement for Service: The estimated price includes sales (or other) tax. It does not cover unforeseen parts or labor which may be needed after the work begins. Written customer authorization will be obtained before beginning any additional work. I authorize the performance of the work described herein. This invoice, including taxes, is due and payable upon receipt.

Signature: X
Proposition

2/1/2019

Deborah Vanlandingham
Deborah.Vanlandingham@Amramp.com
1766 49th Street South
St. Petersburg FL
727-492-3084

We hereby propose to furnish labor and materials complete per drawing attached drawing—
Notes: Budgetary Proposal Site will need to be revisited once Quote is approved.

PURCHASE $17,308.00 Ramp Materials furnished (applicable taxes additional)
Mobile Home Skirting along bottom sides of ramp 975.00.
Once Wood ramp is removed ground must be leveled. Rental of equipment and work to level
425.00, Installation of Pro Ramp estimated 10 hours with 4 installers 1,975.00.
If Amramp is to remove existing wood ramp and take off property cost would be 790.00

Delivery: 5-8 weeks after your authorization to proceed

Payment Terms:
Purchase – 50% deposit upon approval

Amramp Authorized Signature: Deborah Vanlandingham

Amramp is designed to comply with IBC and ADA (Americans with Disabilities Act) design
criteria. These are Federal Standards as we provide in all states. Our price is based on IBC
criteria. If you require us to provide a ramp that is to meet other local requirements, please let us
know before we deliver so we can provide a cost quote for those requirements.

Excluded: Permits, site work, concrete work, landscaping of any kind, in-fill above or below the
ramp surface. Transition from end of ramp to grade by others. Unless otherwise noted, steps are
built in 7” increments and customer is responsible to bring grade to first riser of step into
compliance. If IBC stairs are required, they are custom built with equal closed risers based on
elevations in attached drawing and additional charges may apply if changes are required.

Generally, if there are rails or other elements that are being removed to permit installation of the
work, the cost of reinstallation is not included unless it is specifically listed here.

This proposal may be withdrawn by us if not accepted within 30 days.

Acceptance of proposal - The above prices, specifications, and the terms and conditions are
satisfactory and are hereby accepted. You are authorized to do the work as specified.

Customer Signature __________________________ Date _______________________

Page 171
## LIGHTS

- Install new parking lot lights with 18 foot pole above grade
- Install 220 watt LED shoebox fixture with a photocell.

This will cover the front parking lot shining toward the building

### Labor and material

<table>
<thead>
<tr>
<th>Activity</th>
<th>QTY</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIGHTS</td>
<td>1</td>
<td>2,495.00</td>
<td>2,495.00</td>
</tr>
</tbody>
</table>

**TOTAL**

$2,495.00

---

1. WORKMANSHIP - All work to be completed in a workman like manner according to standard practices.
2. MATERIALS - All materials are included for specified work unless noted otherwise.
3. Warranty - Workmanship 5yr, material 1 yr.

Accepted By

Accepted Date
ADDRESS
Delores M. Smith Academy
1766 49th St S
Gulfport, FL 33707

Please detach top portion and return with your payment.

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>QTY</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIGHTS</td>
<td>1</td>
<td>2,495.00</td>
<td>2,495.00</td>
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</table>

Install new parking lot lights with 18 foot pole above grade
Install 220 watt LED shoebox fixture with a photocell.
This will cover the front parking lot shining toward the building

Labor and material

TOTAL $2,495.00

1. WORKMANSHIP - All work to be completed in a workman like manner according to standard practices.
2. MATERIALS - All materials are included for specified work unless noted otherwise.
3. Warranty - Workmanship 5yr, material 1 yr.

Accepted By

Accepted Date
Appendix A
Project Development Plan

1766 49th Street South

Project Description

1. The Company shall perform or cause to be performed the following activities and services associated with the Final Approved Budgets for File #2016TIF-15 (Commercial Site Improvement) and File #2016TIF-16 (Commercial Building Interior and Tenant Improvement Grant):

**File #2016TIF-15**

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monument sign near intersection on 49th St-S</td>
<td>$7,354</td>
</tr>
<tr>
<td>Exterior Outdoor Light Pole</td>
<td>$415</td>
</tr>
<tr>
<td>Trees and shrubs</td>
<td>$2,240</td>
</tr>
</tbody>
</table>

**Final Eligible Project Costs** $10,010

**File #2016TIF-16**

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td><em>Install new fire alarm system</em></td>
<td>$9,500</td>
</tr>
<tr>
<td>Air Conditioning System</td>
<td>$6,776</td>
</tr>
<tr>
<td>Upgrade electrical panel box with new one located outside</td>
<td>$3,000</td>
</tr>
<tr>
<td>Insulate attic</td>
<td>$700</td>
</tr>
<tr>
<td>Add privacy partitions to the girls’ restroom</td>
<td>$1,682</td>
</tr>
<tr>
<td>ADT Security Camera</td>
<td>$1,200</td>
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</tbody>
</table>

**Final Eligible Project Costs** $22,858

**Final Eligible Costs - Minus Fire Alarm system** $13,358

* Applicant must demonstrate need for new system documented by SPFP before the City grant reimbursement is paid; otherwise the final eligible project costs will be reduced accordingly as indicated above.
Appendix A
Project Development Plan

1766 49th Street South

Project Description

1. The Company shall perform or cause to be performed the following activities and services associated with the Final Approved Budgets for File #2017TIF-29 (Commercial Site Improvement Grant) and File #2017TIF-30:

**File 2017TIF-29**

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landscaping and sod</td>
<td>$3,500</td>
</tr>
<tr>
<td>Lawn sprinkler system</td>
<td>$2,750</td>
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<tr>
<td>Parking lot and sidewalk work</td>
<td>$19,800</td>
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Total Eligible Project Costs $26,044

**File 2017TIF-30**

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Costs</th>
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<tbody>
<tr>
<td>Fire sprinkler system</td>
<td>$18,900</td>
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Total Eligible Project Costs $18,900
**Commercial Revitalization Program**

**Grant Application**

### Project Information

<table>
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<th>Date</th>
<th>Project Address(es)</th>
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<tbody>
<tr>
<td>02/04</td>
<td>1240 49th Street South ST. PAUL 55105</td>
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<table>
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<tr>
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<td>285-31-16-21276 001-0010</td>
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### Current Building Use (i.e. Vacant, Commercial, Industrial, Mixed Use with Residential)

Academy, daycare, personal services, infant/toddler program

### Proposed Business Use

Academy, daycare, personal services, infant/toddler program

### Funding Amount Requested

113,599.00

### Use of Grant Funding Proceeds (refer to ‘Funding Requested’ in line above; provide attachment of detailed cost breakdown)

- Labor: Included in Price
- Supplies/Materials: Included in Est.
- Architectural/Engineering: 4,500
- Other (define): $ 0

### Estimated Private Capital Investment (provide attachment of detailed investment)

<table>
<thead>
<tr>
<th>Total Number of Jobs Created</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of Jobs Retained</td>
<td>5</td>
</tr>
</tbody>
</table>

### Building Type

- New: X
- Existing: 

### Size of Building (sf)

- Total: 1,809
- New Space: X

### Project Description (attach any drawings and/or detailed written description as necessary)

- Site Needs the following upgrades and repairs:
  - Doors Exterior/Interior 4,500
  - Windows 12,999
  - Walls Exterior 4,400
  - Kitchen #1 8,000
  - Flooring 6,000
  - Plumbing 12,000
  - Electrical Panel 6,000
  - HVAC Unit 6,000
  - Roof 8,000
  - Landscape, shrubs, clean-out 3,000
  - Vinyl Fence 5,300
  - Permit Survey 4,800

**Total $ 113,599.00**
### Project Information

<table>
<thead>
<tr>
<th>Date</th>
<th>Project Address(es)</th>
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</thead>
<tbody>
<tr>
<td>02/04/2019</td>
<td>1240 49th Street South St Petersburg, Fl 33707</td>
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<table>
<thead>
<tr>
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<tbody>
<tr>
<td></td>
<td>28-31-16-2127-001-0010</td>
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</table>

**Current Building Use** (i.e., Vacant, Commercial, Industrial, Mixed Use with Residential)
- school, academy, commercial, college, personal services

**Proposed Business Use**
- daycare for infant and toddlers program

**Funding Amount Requested** 137,247.99

**Use of Grant Funding Proceeds** (refer to 'Funding Requested' in line above; provide attachment of detailed cost breakdown)

<table>
<thead>
<tr>
<th>Labor</th>
<th>Supplies/Materials</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Equipment</th>
<th>Architectural/Engineering</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Other (define $)</th>
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</thead>
</table>

**Estimated Private Capital Investment** (provide attachment of detailed investment)

<table>
<thead>
<tr>
<th>Total Number of Jobs Created</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of Jobs Retained</td>
<td>8</td>
</tr>
</tbody>
</table>

**Building Type**
- New
- Existing

<table>
<thead>
<tr>
<th>Size of Building (sf)</th>
<th>Total</th>
<th>New Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>1981</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Project Description** (attach any drawings and/or detailed written description as necessary)
- Exterior painting, re-siding, and/or cleaning
  - Masonry repairs
  - Removal of architecturally inappropriate or incompatible exterior finishes and materials
  - Restoration of significant architectural details or removal of materials that cover said architectural details
  - Site improvement features such as landscaping, fencing, parking lots, lighting, dumpster enclosures and buffer walls provided such features do not collectively exceed more than 25 percent of the eligible project costs
  - Construction of pedestrian and bicycle amenities such as benches, shelters, bike racks and bike lockers • Installation or repair of exterior signage, including wall, window, hanging, and monument signs advertising the business name and identity provided such features do not collectively exceed more than 25 percent of eligible project costs • Awnings and canopies installation or repair
  - Doors and windows
  - Roof repairs that attach to a new or renovated façade
  - Exterior lighting attached to an existing building
  - Demolition of obsolete accessory structures and partial demolition of exterior walls made necessary for renovation or expansion • Window and cornice flashing and repair • Remediation of documented environmental contamination on the exterior site such as lead, petroleum or asbestos
  - Architectural and engineering fees as well as permitting and development review fees not to exceed 10 percent of the total eligible project costs •
### Applicant Information

<table>
<thead>
<tr>
<th>Legal Name of Business</th>
<th>Delores M. Smith Academy Site 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>DBA (if applicable)</td>
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<tr>
<td>Tax I.D. Number</td>
<td>474642419</td>
</tr>
<tr>
<td>Principal Business Address (not P.O. Box)</td>
<td>1240 49th Street South St Petersburg</td>
</tr>
<tr>
<td>City</td>
<td>St Petersburg</td>
</tr>
<tr>
<td>State</td>
<td>FL</td>
</tr>
<tr>
<td>Zip</td>
<td>33707</td>
</tr>
<tr>
<td>Date Business Est</td>
<td>2014</td>
</tr>
<tr>
<td>Business Email</td>
<td><a href="mailto:deloressmith85@gmail.com">deloressmith85@gmail.com</a></td>
</tr>
<tr>
<td>Website</td>
<td></td>
</tr>
<tr>
<td>Mailing Address (if different)</td>
<td>4611 Catalonia Way South St. Petersburg, Fl 33712</td>
</tr>
<tr>
<td>City</td>
<td>St Petersburg</td>
</tr>
<tr>
<td>State</td>
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</tr>
<tr>
<td>Zip</td>
<td>33712</td>
</tr>
<tr>
<td>Key Contact Name</td>
<td>Delores M. Smith</td>
</tr>
<tr>
<td>Key Contact Email</td>
<td><a href="mailto:deloressmith85@gmail.com">deloressmith85@gmail.com</a></td>
</tr>
<tr>
<td>Key Contact Cell</td>
<td>7274923084</td>
</tr>
<tr>
<td>Bus. Telephone</td>
<td>7274923084</td>
</tr>
</tbody>
</table>

Please answer the following:

- **Has applicant ever declared bankruptcy or had any judgments, repossessions, or garnishments filed against them?**
  - Yes [ ]
  - No [X]

- **Are there any pending actions regarding bankruptcy, judgments, repossessions or garnishments?**
  - Yes [ ]
  - No [X]

- **Are any tax obligations, including payroll, business or real estate taxes, past due?**
  - Yes [ ]
  - No [X]

- **Are any mortgage payments three months or more in arrears?**
  - Yes [ ]
  - No [X]

- **Has the applicant or partners or interest in the application been convicted of a felony for financial mismanagement within the last five years?**
  - Yes [ ]
  - No [X]

- **Are property insurance payments late or unpaid?**
  - Yes [ ]
  - No [X]

- **Are there code enforcement liens on the project site?**
  - Yes [ ]
  - No [X]

- **Are any special assessment liens on the project site?**
  - Yes [ ]
  - No [X]

- **Are any tax obligations, including payroll, business or real estate taxes, past due?**
  - Yes [ ]
  - No [X]

If you answer yes to any of the questions above, please explain:

### Applicant Certification and Signatures

I certify that the information provided in this application is true and accurate to the best of my ability and no false or misleading statements have been made in order to secure approval of this application. You are authorized to make all the inquiries you deem necessary to verify the accuracy of the information contained herein.

**Applicant Signature**

**Print Name** Delores M. Smith  
**Date** 02/04/2019
As owner of the property/properties located below, I hereby authorize the Applicant as identified above to undertake the activities specified in this application.

**Property Address(es)**
1240 49th Street South St Petersburg, Fl 33707

**Property Identification Number(s)**
28-31-16-21275-001-0010

**Owner Signature**

**Date**
02/04/19

**Print Name**
Delores M. Smith
File #2019-CRP-5
Delores Smith Academy II
1240 49th Street South

View from West

View from Northwest
Delores Smith Academy II
1240 49th Street South

View from Southwest

View from Northwest
Delnor McShane Academy, Site #2
1240 49th Street South
St. Petersburg, FL 33707

#1 Monument (LED Sign)
#2 Greifer Pest Control
#3 APT Security
#4 Roof
#5 Stucco
#6 Re-Construction
#7 Windows
#8 Electrical
Upgrade

#1 Monument Sign

#2 Tertiary Treatment

#3 AOT
To. Delores Smith Academy  
1240 49th St. South  
Petersburg, FL 33707

Description of Parts and Materials
Remodel upgrade to Coding Standards of 1240 49th St. S

<table>
<thead>
<tr>
<th>Major Project Details</th>
<th>Quantity</th>
<th>Description</th>
<th>Material</th>
</tr>
</thead>
<tbody>
<tr>
<td>Replace Flooring in all 11 Area.</td>
<td>1</td>
<td></td>
<td>$6000.00</td>
</tr>
<tr>
<td>Upgrade (Plumbing Equipment)</td>
<td>2</td>
<td></td>
<td>$12,000.00</td>
</tr>
<tr>
<td>Upgrade Electrical Panel</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upgrade Air Conditioning Unit</td>
<td>4</td>
<td></td>
<td>$8000.00</td>
</tr>
<tr>
<td>Replace Front Roof and Existing Flat Roof on the back.</td>
<td>5</td>
<td></td>
<td>$13000.00</td>
</tr>
<tr>
<td>Texture existing interior walls and paint</td>
<td>6</td>
<td></td>
<td>$4500.00</td>
</tr>
<tr>
<td>Stucco exterior wall and paint</td>
<td>7</td>
<td></td>
<td>$9000.00</td>
</tr>
<tr>
<td>Upgrade lighting to LED lights</td>
<td>8</td>
<td></td>
<td>$3200.00</td>
</tr>
<tr>
<td>Drawings/Permit/Survey</td>
<td>9</td>
<td></td>
<td>$4800.00</td>
</tr>
<tr>
<td>Clean out Area trees, scrubs, and landscaping</td>
<td>10</td>
<td></td>
<td>$6300.00</td>
</tr>
<tr>
<td>Install Vinyl Fence with post</td>
<td>11</td>
<td></td>
<td>$5300.00</td>
</tr>
<tr>
<td>Parking and Pavement</td>
<td>12</td>
<td></td>
<td>$12000.00</td>
</tr>
</tbody>
</table>

Total | | | $113,599.00
This is a materials and labor estimate with allowances on specific materials, actual cost will be determined on specific costs of materials chosen by customer and adjusted at the final draw if minor, or by written change order ahead of time if major. Allowances are listed for ease.

- Permit $1200
- Survey $500
- Concrete $12500
- Framing of new walls $8500
- Kitchen exhaustion System 12,000

**New Roof** $14000
Dimensional shingles to match existing, Color as close as possible

- Impact windows $15500
  - 4 impact windows per plan

- Exterior door $8000
  - 7 exterior impact door

- Interior doors $4500

**HVAC** $9150
- 2 ton ac unit per plan

**Electrical** $6900
- Electrical wiring per plan, existing panel,
- Allowance for fans and lights $4500
- ARC Fault Ground Fault upgrade of existing circuits at additional cost.

**Plumbing** $9400
- Plumbing per plan, attach to existing drains and water lines, separate hot water heater,
- Allowances for Toilet, vanity urinal at $250 each
Drywall $6750  
Hang tape and texture to orange peel or knock down texture

Stucco $5800  
Stucco new addition to match existing

Tile $5184  
Floor tile Allowance for materials at $2 per sq ft

Soffet Fascia and gutters $3000  
Metal Fascia wrap, vented soffet, 5" gutters and downspouts

Interior Trim $2200  
2 interior 6 panel doors  
5 ¼ 5180 style baseboard

Interior and exterior paint $7800  
Color TBD

Total Project Cost - $128,284.00

Sincerely,  
Jordan Hidalgo, President
## Recap by Category

<table>
<thead>
<tr>
<th>O&amp;P Items</th>
<th>Desc</th>
<th>CostCode</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>CONCRETE/WALLS</td>
<td>FTGS, SLAB, WALLS</td>
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<tr>
<td>DEMOLITION</td>
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<td>02050</td>
<td>$2,300.00</td>
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<tr>
<td>DOORS &amp; HARDWARE</td>
<td></td>
<td>09200</td>
<td>$4,500.00</td>
</tr>
<tr>
<td>DRYWALL</td>
<td></td>
<td>09250</td>
<td>$6,800.00</td>
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<tr>
<td>DUMPSTERS</td>
<td></td>
<td>02050</td>
<td>$4,644.00</td>
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<tr>
<td>ELECTRICAL</td>
<td></td>
<td>16400</td>
<td>$5,200.00</td>
</tr>
<tr>
<td>FINISH CARPENTRY /BASEBOARDS</td>
<td>TRIM &amp; BASE</td>
<td>06200</td>
<td>$3,500.00</td>
</tr>
<tr>
<td>FLOORING</td>
<td>LVT TILE</td>
<td>03700</td>
<td>$4,400.00</td>
</tr>
<tr>
<td>FRAMING</td>
<td></td>
<td>06100</td>
<td>$4,500.00</td>
</tr>
<tr>
<td>HVAC</td>
<td>2 TON UNIT</td>
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<tr>
<td>INSULATION</td>
<td></td>
<td>07200</td>
<td>$2,500.00</td>
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<tr>
<td>LIGHTING</td>
<td></td>
<td>16100</td>
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<tr>
<td>FENCING</td>
<td></td>
<td>04301</td>
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<tr>
<td>MASONRY/INTERIOR WALLS/TEXTURE</td>
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<tr>
<td>PAINTING/INTERIOR/EXTERIOR</td>
<td></td>
<td>09900</td>
<td>$5,300.00</td>
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<tr>
<td>PLUMBING/UPDATE BATHROOM 1,2</td>
<td></td>
<td>15400</td>
<td>$6,000.00</td>
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<tr>
<td>ROOFING/FLAT ROOF/HIGH FRONT SECTION</td>
<td>3 TAB SHINGLES</td>
<td>07300</td>
<td>$13,000.00</td>
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<tr>
<td>SOFFIT, GUTTERS, &amp; DOWNSPOUTS</td>
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<td>07240</td>
<td>$4,500.00</td>
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<tr>
<td>STUCCO EXTERIOR</td>
<td>MATCH EXISTING</td>
<td>04100</td>
<td>$4,900.00</td>
</tr>
<tr>
<td>TOILET &amp; BATH ACCESS</td>
<td></td>
<td>10800</td>
<td>$6,500.00</td>
</tr>
<tr>
<td>PARKING PAVEMENT/ASPHALT</td>
<td>MATERIAL ONLY</td>
<td>06100</td>
<td>$12,200.00</td>
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<tr>
<td>WINDOWS - HURRICANE ALUMINUM</td>
<td>15 TOTAL</td>
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<td>$16,000.00</td>
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<tr>
<td>CONTINGENCY</td>
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<td>20:00</td>
<td>$3,500.00</td>
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<tr>
<td>DRAWINGS, PERMITS, PLANS</td>
<td></td>
<td></td>
<td>$4,000.00</td>
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<tr>
<td><strong>O&amp;P Items Subtotal</strong></td>
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<td></td>
<td><strong>$141,444.00</strong></td>
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</tbody>
</table>

### Permitting

- **BY OWNER** $-
- **Overhead** @ 8% $6,275.52
- **Profit** @ 8% $6,275.52

**Total** $153,995.04

---

**DELORES SMITH ACADEMY -**  
1/10/2019
### Description

<table>
<thead>
<tr>
<th>内部TekStar柜体，附带完整的LED显示装配，20mm 24x80 Red</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Electrical Information</strong></td>
</tr>
<tr>
<td>水平LED照明方案，适用于2 x 6 '柜体</td>
</tr>
<tr>
<td>LED通信方法：短距无线；连接性要求视线连接，信号天线及无线设备天线安装在建筑上。最大距离为1,500英尺。</td>
</tr>
<tr>
<td><strong>Structural Details</strong></td>
</tr>
<tr>
<td>支架风格：纪念碑牛角（创造基座外观）</td>
</tr>
<tr>
<td>支架宽度：5英尺0英寸</td>
</tr>
<tr>
<td>最低风载荷等级：120英里/小时，暴露B</td>
</tr>
<tr>
<td><strong>Miscellaneous Items</strong></td>
</tr>
<tr>
<td>LID橱柜： Holly Green</td>
</tr>
<tr>
<td>安装：Holly Green</td>
</tr>
</tbody>
</table>

**Special Instructions:**
- Freight is included in this price.
- *Schools are tax exempt with Florida exempt letter.*

**Investment:** $11,661.00
**Special Price:** $10,522.70

**Shipping Terms:** F.O.B. Origin
**Payment Terms:** Net 30 with Purchase Order Issued to EBSCO Sign Group LLC

**By purchasing the SignCommand.com product, you are agreeing with the Website Terms of Use (https://www.signcommand.com/terms) and Software End User License Agreement (https://www.signcommand.com/eula).**
Your Consultant: Laurie Pierson
(800) 237-3928, x234

Customer ID: 3149052
Quote Number: 928789 / 1
Date Quoted: 2/8/2019

Customer's Authorized Signature

____________________________________________________________________
Print Name Date

____________________________________________________________________
Laurie Pierson, Regional Manager - School Division
(800) 237-3928, x234
lpierson@stewartsigns.com

2/8/2019

Stewart Signs • 2201 Canlu Court • Suite 215 • Sarasota, FL 34232-6253
Phone: (800) 237-3928 Fax: (800) 485-4280 Web: www.stewartsigns.com Tax ID: 20-5076284
1. Check proposal for accuracy and, if approved, sign and date where indicated.
2. Approve design and colors on the custom artwork. Be sure to check spelling. If approved, sign and date the artwork.
3. Write deposit check according to terms listed on proposal form's header, made payable to EBSCO Sign Group LLC, dba Stewart Signs.
4. Return signed custom artwork, signed proposal form and deposit check to Stewart Signs.

*Unless indicated under special instructions, permits, footers, erection, electrical service, electrical hook-up and planters or other decorative masonry are the responsibilities of the buyer.
**Stewart Signs furnishes engineered footer drawings when applicable.
***Any cancellation may be subject to a cancellation charge.
****A late fee of 1.5% per month will be charged on any overdue balances.
*****In the event of a payment default, customer will be responsible for all of Stewart Signs costs of collection, including but not limited to court costs, filing fees and attorney fees.
Limited Product Warranty ("Limited Warranty")

Definition of Warranty Coverage:

1) EBSCO Sign Group, LLC, dba Stewart Signs (the "Company") expressly warrants to the original purchaser ("You" or "Buyer" or "Owner" or "Customer") that, for a period of five (5) years from the date of shipment (the "Warranty Period"), the electronic displays and the associated Company products (the "Product") will be reasonably free of material defects in materials and workmanship impacting Product fit, form and/or function. During the Warranty Period, the Company will, at its discretion, repair or replace any defective covered Product. The Owner will be responsible for removing and reinstalling any and all repaired or replacement parts. This Limited Warranty only applies to the Company's Product if installed, used, and maintained in the manner recommended by Company, and this Limited Warranty is conditioned upon compliance with all such instructions. Lifetime telephone support for the Product is provided, as needed.

2) In the event the Product is damaged during shipping, it is the responsibility of the Buyer to refuse delivery, causing the Product to be returned to the manufacturer for repair. Title to the Product passes to the Buyer upon the Company's delivery to the freight carrier. The Company assumes no liability for damage caused by careless handling or poor installation, except for work completed by employees of the Company. Loss or damage to the Product when in possession of the freight carrier is the responsibility of the Customer and is not covered by this Limited Warranty.

3) Any information or suggestion by the Company with respect to the Product concerning applications, specifications or compliance with zoning, codes and standards is provided solely for your convenience and without any representation as to accuracy or suitability. You must verify and test the suitability of any information with respect to the Product for your specific application.

4) Sign Structure and Sign Face: In the event the sign structure or Identification/changeable copy portion of the sign functions under normal use and service thereof DURING THE LIFE OF THE SIGN due to material defects in workmanship or materials, the Company will, at its option, repair or replace any defective materials.

5) Vandalism to Sign Faces: This Limited Warranty covers polycarbonate faces against breakage due to vandalism DURING THE LIFE OF THE SIGN. Warranty protection does not extend to these surfaces if damaged by gunshots, or when damaged coincident with damage to the sign cabinet in which the faces are installed.

6) Failed electronic parts or assemblies, with the exception of lamps, will be repaired or replaced, at the sole discretion of the Company. Owner bears the expense and responsibility of shipping Product to Company's Repair Center. Replacement or repaired parts are warranted to be free from material defects in material or workmanship for ninety (90) days, or for the remainder of the Warranty Period of the Product they are replacing or in which they are installed, whichever is longer.

7) The Company will repair failed LED pixels if greater than one half of one percent (0.5%) of the total number of pixels in the sign have failed in one (1) calendar year, provided the sign is installed with the recommended ventilation system for its location. The definition of pixel failure is when all LED’s in the pixel will no longer emit light. Pixel repair is performed at the Company Repair Center. It is common knowledge within the sign industry that all LEDs degrade and produce less light as they age. Eventually the LEDs will require replacement even though the LEDs will still emit light. This Limited Warranty does not cover normal LED degradation.

8) Customer Obligations:

a) Third-party communication devices such as wireless devices and modems, which are covered by a separate electronic communication warranty.

b) Damage to Product that has been moved from its original installation location or is mounted in a mobile structure.

c) Cosmetic damage to the Product (including but not limited to scratches and dents that do not otherwise affect the fit, form or functionality of the Product or materially impair its use).

d) Temperature sensor results: temperature sensors will register variable results, given local environmental factors such as direct sunlight, distance from concrete or asphalt, etc.; results are not guaranteed or covered under this Limited Warranty.

e) Recovery or transfer of any data or software stored on the Product not originally installed on the Product by the Company.

f) Light bulbs or lamps.

9) Exclusions and Restrictions:

The Company reserves the right to restrict service, limit replacement parts or invalidate this Limited Warranty to Customers whose account balance is past due. This Limited Warranty specifically excludes any on-site labor required to service the covered Product including diagnosis, removal and installation of parts or products. Any on-site service required by the Customer of Company technicians or a local authorized service provider is billable to the Customer based on an agreed upon written quote. This Limited Warranty does not apply to software. Software is covered by a separate agreement, which appears in the Company's software license agreement. Cabinet LED illumination and power supply are covered for a period of two (2) years, when purchased as a system.

10) This Limited Warranty specifically does not cover the following:

a) Defects caused by unreasonable or unintended use of Product, improper or unauthorized handling, accident, omission, neglect, vandalism (unless otherwise noted in this Limited Warranty), misuse, physical abuse, Installation, use and/or fabrication, and maintenance of the Product by any party other than the Company.

b) Damage not resulting from manufacturing defects that occur while the Product is in the Owner's control and/or possession.

Stewart Signs 
1201 Conullo Court • Suite 215 • Sarasota, FL 34232-6255
Phone: (800) 237-3928 Fax: (800) 485-4280 Web: www.stewartsigns.com Tax ID: 20-5076284

Your Consultant: Laurie Pierson
Customer ID: 3149052
Quote Number: 928789/IDate Quoted: 2/18/2019
(800) 237-3928, x134
Stewart Signs
A...
c) Extreme physical or electrical stress or interference; environmental conditions beyond the Company's control, such as man-made or naturally occurring electrochemical oxidation or corrosion and/or metallic pollutants; normal wear and tear; inadequate, improper, or surges of electrical power; lightning; floods, fire, acts of God, war, terrorism, or other external causes, including Force Majeure.

d) Unauthorized modification including installation of third-party software on the Product.

e) Product modification or service by anyone other than: (a) the Company, (b) a Company-authorized service provider, or (c) Customer's own installation of Company approved parts with instruction from the Company. Service to a damaged or misfunctioning sign which has not been ordered or authorized by the Company's Customer Satisfaction Department is not covered under this Limited Warranty and will automatically invalidate this Limited Warranty.

f) Computer viruses, Trojan horses, worms, self-replicating code or like destructive code which was not included in the Product by the Company.

g) Products installed with known or visible manufacturing defects at the time of installation.

12) All items returned to the Company must have a Return Materials Authorization ("RMA") number, available by using the contact information below. Items received without an RMA number will not be processed and will be returned to the Customer at their expense. The Customer is responsible for sending any defective part to the Company, after which the Company will send a repaired or replacement part to the Customer.

13) The Company will provide and be responsible for the cost of shipping parts from the Company to the Customer, with the exception of sign faces replaced due to vandalism. Standard shipping via the United States Postal Service or other commercial parcel delivery company is the default method of delivery. Expedited delivery is available to the Customer at his or her expense. The Customer will provide and be responsible for the cost of shipping parts to the Company.

14) Warranty claims must be registered with the Company within thirty (30) days of damage or malfunction. To register a claim, the Customer must contact the Company at the location specified below and provide (a) his or her name and any other required contact information, (b) Product and purchase descriptions, and (c) the nature of the defect. The Company reserves the right (at its sole discretion) to require proof of original purchase (e.g., paid invoice, receipt) and to visit the site of the installation or to require documentation of the claim before assuming any responsibility under the provisions of this Limited Warranty.

15) THE LIMITED WARRANTIES SET FORTH HEREIN ARE THE ONLY WARRANTIES MADE BY THE COMPANY IN CONNECTION WITH THE PRODUCT. THE COMPANY CANNOT AND DOES NOT MAKE ANY IMPLIED OR EXPRESS WARRANTIES WITH RESPECT TO THE PRODUCT, AND DISCLAIMS ALL OTHER WARRANTIES, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. THE COMPANY'S SOLE OBLIGATION UNDER THIS LIMITED WARRANTY SHALL BE TO REPAIR OR REPLACE MALFUNCTIONING OR DEFECTIVE PARTS OF THE PRODUCT. BUYER ASSUMES ALL RISK WHATSOEVER AS TO THE RESULT OF THE USE OF THE PRODUCT PURCHASED, WHETHER USED SINGULARLY OR IN COMBINATION WITH ANY OTHER PRODUCTS OR SUBSTANCES.

16) NO CLAIM BY BUYER OF ANY KIND, INCLUDING CLAIMS FOR INDEMNIFICATION, SHALL BE GREATER IN AMOUNT THAN THE PURCHASE PRICE OF THE PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. IN NO EVENT SHALL COMPANY BE LIABLE TO BUYER IN TORT, CONTRACT OR OTHERWISE, FOR ANY SPECIAL, INDIRECT, INCIDENTAL, CONSEQUENTIAL, RELIANCE, PUNITIVE OR EXEMPLARY DAMAGES, OR FOR LOSS OF PROFIT, REVENUE OR USE, IN CONNECTION WITH, ARISING OUT OF, OR AS A RESULT OF, THE SALE, DELIVERY, SERVICING, USE OR LOSS OF USE OF THE PRODUCT SOLD HEREUNDER, OR FOR ANY LIABILITY THAT BUYER HAS TO ANY THIRD PARTY WITH RESPECT THERETO.
Dear Delores Smith,

Thank you for choosing ADT® Security Services. Below is your quote proposal. If you have any additional questions, please do not hesitate to reach out to me. Otherwise, I look forward to setting up your installation.

Sincerely,
Tiffany Claudio
tclaudio@adt.com
17276428271
ADT Security Services

SAFETY AND SECURITY IS A STEP CLOSER

Request for:
Delores Smith Academy
Service Address:
1240 49th St S
Gulfport, FL 33707

Additional Contact:
Your Local ADT Manager:
Jason Garrison
jgarrison@adt.com
+1 9018305374

Proposal ID:
106367525
Proposal Expires: 3/5/2019

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<th>Product Description</th>
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<td>(Tier 1) Package:</td>
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<tr>
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<tr>
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<tr>
<td>Radio w/ATT&amp;T SIM</td>
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<td>[300-03866] - Battery, Rlask2, 7.2V,</td>
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<td>For Keypad</td>
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<tr>
<td>[5000PR-COM] - SafeWatch Pro Wireless</td>
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<tr>
<td>Motion Detector</td>
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[5817CBXT] - Wireless Window/Door Contact, Commercial
[TSSKP310021U] - WALL MOUNT 1 ACCESSORY for TSSC-KP-grey
[TSSKP310051U] - INWALL PWR 1 CABLE FOR KEYPAD

$0.00  $0.00

Accessories:

[5817CBXT] - Wireless Window/Door Contact, Commercial
[S600P1R-COM] - SafeWatch Pro 1 Wireless Motion Detector

$75.00  $0.00

Solution Subtotal: $838.00  $511.99

Additional Fees:

[EPERMIT] - Municipal Electrical  1 Decal Permit
[APERMIT] - Municipal Police / Alarm  1 Use Permit - Customer Responsibility

$0.00  $0.00

Fees Subtotal: $0.00  $0.00

Additional Discounts:

DOA Discount  1 $-275.00  $0.00

Discounts Subtotal: $-275.00  $0.00

Permits:

Video  Oty  Install  Monthly

[DS-7716N-I-S/IP/16-4TB] - NVR, 16- 1 Channel, H264, up to 6MP wi/4TB Package:

$1,050.00  $56.92

Accessories:

[DS-2CD2122FWD-I52] - Outdoor 8 Dome, 2MP/1080p, H264, 2.8mm

$1,512.00  $94.48

Solution Subtotal: $2,552.00  $151.40

Additional Fees:

[LABOR] - Additional Labor  8 $520.00  $0.00
[EPERMIT] - Municipal Electrical  1 Decal Permit
[APERMIT] - Municipal Police / Alarm  1 Use Permit - Customer Responsibility

$55.00  $0.00

$0.00  $0.00

Fees Subtotal: $575.00  $0.00

Additional Discounts:

DOA Discount  1 $-1,200.00  $-37.85
Discounts Subtotal:  $4,200.00  $37.85

Permits:
Reinstatement Charges
Past Due Amount  $0.00
Pre payAmount  $0.00
Taxes:
Install Taxes  $171.15
Monthly Service Charges  $3.15

TOTAL INSTALLATION PRICE*:  $2,671.15
TOTAL MONTHLY SERVICE CHARGE:  $177.13
TOTAL SAVINGS:  $1,475.00  $37.85
Minimum Deposit Due:  $1,335.58
Balance Due at Installation:  $1,335.57

Again, if you have additional questions, please do not hesitate to reach out to me. Otherwise, our next step will be setting up your installation. Please review your proposal and call to have your installation scheduled.

Sincerely,
Tiffany Claudia, ADT Security Service
tclaudio@adt.com
17276428271

ADT Security Services. Providing rapid response and peace of mind, 24 hours a day.*

*36 month monitoring contract required. Total installation charge based on equipment system configuration contained in this Quote Proposal. This is a quote only and is not a binding contract between you and ADT. You will be required to sign a small business contract prior to installation. Refer to ADT Com/legal for Small Business Terms and Conditions and Contract Information.

©2017 ADT LLC dba ADT Security Services. All rights reserved. ADT, the ADT logo, ADT Always There and 800.ADT.ASAP and the product/service names listed in this document are marks and/or registered marks. Unauthorized use is strictly prohibited. License information available at www.ADT.com or by calling 800 ADT.ASAP.
CA ACO7155, 974443; PPO17232, FL EP001121, LA F1635, F1640, F1643, F1654, F1665; MA 172C; NC Licensed by the Alarm Systems Licensing Board of the State of North Carolina 7535P2, 7561P2, 7563P10, 7563P7, 7565P1, 7566P9; NY 12000305615, PA 090797. MS 15019511

Mon, Feb 4, 2019 at 1:32 PM
Reply-To: ADT Security Services <support-b5abvgebv3j0caum7e6fqc610cru@business.adt.com>
To: deioressmith85@gmail.com

[Quoted text hidden]
Reply-To: ADT Security Services <support-b5abugebgv3j0caum7e6fqc610cinu@business.adt.com>
To: deloressmh5@gmail.com

[Quoted text hidden]
GEIGER'S PEST SERVICES, INC.
3300 Bennett Street North
St. Petersburg, Florida 33713
Phone: (727) 323-9595 • Fax: (727) 323-7337
www.gpsbugs.com
CERTIFIED • LICENSED • INSURED

| First Year - Plus any applicable sales tax | 950 |
| 50% deposit required for securing a treatment date | 20 |
| Annually | 125 |

EFFECTIVE DATE

The undersigned GEIGER'S PEST SERVICES, INC. hereby contracts to provide treatment against the attack of:

- [ ] Dry Wood Termites (Fumigation)
- [ ] Powder Post Beetles (Fumigation)
- [ ] Old House Borers (Fumigation)
- [ ] Timbor Spot Treatment (SEE GRAPH)

Formosan Termites are NOT covered.

for the building(s) listed below for the sum of: $950.

The undersigned warrants that any additional applications of chemical found necessary during the period of this limited warranty shall be performed at no additional cost. This limited warranty shall remain in force for one year from the effective date noted above. This agreement is limited to retreatment only.

GEIGER'S PEST SERVICES, INC., agrees to extend this limited warranty from year to year for re-inspection and application of chemicals, where necessary, for the next five years for the sum of $125 payable annually on or before each anniversary date. The limited warranty for this agreement is transferable to the new property owner at no cost. It is the responsibility of the new property owner to contact Geiger's Pest Services, Inc., as soon as possible so we may update our records.

The purchaser reserves the right to terminate this agreement as of any anniversary date by giving advance written notice to the undersigned; the undersigned reserves the right to terminate this agreement as of the fifth or any later anniversary date.

It is further agreed and understood that in the event of default by the purchaser in payment of this contract price or any part thereof under this contract, the Undersigned shall be released from further inspections or re-servicing as herein provided. Such failure to make payments nullifies all guarantees under this contract.

Furthermore it is also agreed and understood that if the property to be treated is subject to a Real Estate Transaction including refinance, that the purchaser agrees to pay contract price in full within thirty days of the effective date noted above, regardless if that transaction has closed. In the event of default by the purchaser in payment then Geiger's Pest Services, Inc. reserves the right to charge a late fee up to 10% of the contract price after the thirty days from effective date as noted above.

The purchaser agrees that any additions to the building or buildings covered by this contract during the limited warranty period shall not be covered by this limited warranty, unless the additions thereto are treated by the Undersigned at an additional cost.

Geiger's Pest Services, Inc. reserves the right to raise the annual renewal fee of the limited warranty every five (5) years to keep pace the increased costs of doing business.

Any and all addendums attached are subject to the same terms and conditions listed on reverse.

Do not sign this agreement (contract) before you read it or if it contains any blank spaces. (see reverse side) You are entitled to a completely filled in and exact copy of this contract.

List and location of building(s):

| 12X6 | 4HR | 5FT |

Buyer's right to cancel: If this is a home solicitation sale and if you do not want the goods or services, you may cancel this agreement by mailing a notice to the seller. This notice must indicate that you do not want the goods and services and must be postmarked before midnight of the third business day after you sign this agreement.

Geiger's Pest Services, Inc. requires the balance owed $950 to be paid by date of treatment. If purchaser cancels or reschedules, Geiger's Pest Services, Inc. reserves the right to charge a $250 fee.
ALTERNATIVE UPGRADES

DIMENSIONALS

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40 Year Warranty $480

NOT INCLUDED:

1. #? wood replacement
   (Material & Labor no profit)
2. #156 recommended Ridge Vent.
3. #405 maximum re-mail if necessary.
4. #0 seasonal adjustment
   (Through 4/15)
5. #3,988 tapered system
   (only advised if water remains
   48 hrs. after rain)

Aluminum Ridge Vents installed @ $12.00 per 10 foot section ($1.20 per lineal foot)
Cobra III Ridge Vents installed @ $12.00 per 4 foot section ($3.00 per lineal foot)

Golden Pledge Warranty Cost - $228

The Roofing Professionals
In response to demands from the insurance industry, our Florida Legislature passed a bill requiring that any residential re-roofing job must include additional nailing to bring the existing structure into compliance with today's code. Further, secondary water protection must be installed. Additionally, if the home has a value of $300,000 or more, an amount equal to 15% of the cost of the new roof must be spent to improve the existing roof to wall fastening. These requirements went into effect on October 1, 2007.

The work required to meet the nailing requirements of the new law is impossible for anyone to determine prior to removing the existing roofing material and exposing the wood deck. The law requires that we carefully examine the nails that fasten the sheathing or skin of your roof to the rafters or trusses, which are the framework of your roof. If the existing nails and their spacing meet the law's requirements, there is no work required; consequently you will incur no cost. If, however, the existing nails are not of the required size and description, but are not adequately spaced, we can supplement those nails with new nails. If the existing nails are not of the size and description that are required, we have no alternative but to re-nail the entire roof deck. We will only charge you for the work that we actually do, and as we had previously stated, we guarantee the cost of re-nailing your roof will not exceed $405.

To comply with the secondary water barrier, we have the option of using a narrow tape on the joints of the wood deck, or covering the entire wood deck with an adhesive backed, modified asphalt membrane. We have opted to use the solid membrane to give you full protection. Our thought is that if we are going to spend money to merely meet a requirement, spend a little bit more and get something of real value. That membrane provides you with a backup, or failsafe level of protection, should a storm damage or blow the shingles off your roof.

In addition to the above, if your home has an insured value of $300,000 or more, or in the absence of homeowner's insurance, if the assessed value of the home is $300,000 or more, a sum equal to 15% of the cost of the roof must be spent to improve the roof to wall fastening. That work must be done by a State certified general contractor. Duncan Roofs has that license and that capability. We will work with you to meet that requirement.

Please understand that though there are additional costs under this new law, there are also benefits. You will have the peace of mind of knowing that your home will be in far better condition to weather a severe storm, your belongings are far better protected, and your homeowner's insurance premium should be significantly reduced.
The Rich get richer, and the Poor get poorer!

Because the Rich buy Value and the Poor buy Price.

To Recognize the Value of a Duncan Roof...
February 5, 2019

Mr. Kenny Smith
1240 49th Street South
St. Petersburg, Florida 33705

-Mr. Smith:

We propose to tear off the existing shingle roof and the built-up roof over the flat deck of the home at the above address and to install a new GAF Timberline High Definition asphalt/fiberglass shingle roof over a solid adhesive backed modified asphalt membrane and a GAF hot mopped 5-ply system with a granulated cap sheet on the flat deck for the sum of $13,740.00. We further propose to install a tapered polyisocyanurate insulation system beneath the new roof membrane on the flat deck for an additional $2,988.00. Our price includes: all applicable taxes and permit fees, baked enamel aluminum eaves drip, and new lead stack flashing. Any rotted wood that may be encountered will be replaced on a time and material basis at our raw cost.

Our proposal provides a 50-year, 100% coverage, labor and material warranty on the shingle roof and a 20-year, 100% coverage, labor and material warranty on the flat deck with yearly inspections of your roof including photographs and a written report.

We expect to complete our work in one day. We will restrict our ground activities and leave the premises as neat and clean as we found them. All work will be performed by conscientious, competent craftsmen following the best practices of the trade.

Thank you for the opportunity to submit this proposal.

Respectfully submitted,

R. L. Duncan, President
February 5, 2019

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1240 49th Street South
St. Petersburg, Florida 33705

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Thank you for the opportunity to submit this proposal.

Respectfully submitted,

R. L. Duncan, President

Accepted: ___________________________ Date: ____________
This Proposal is to—

REPLACE THE SHINGLE ROOF AND THE FLAT ROOF

*It includes:*

**SHINGLES**—
- GAF Timberline High Definition asphalt/fiberglass shingles.
- A *full* adhesive-backed underlayment beneath the new shingles.
- Shingles hand nailed with hot dipped galvanized nails.
- An extended material manufacturer's guarantee for **50 years** of *Non-Prorated* coverage on the shingles.

**FLAT**—
- A hot-mopped 5-ply roof system with a granulated cap sheet.
- An extended material manufacturer's guarantee for **20 years** of *Non-Prorated* coverage on the flat roof deck with the option of an upgrade to **25 years**.

**ADDITIONALLY**—
- Our *workmanship guaranteed* for the *life of the roof*.
- Yearly inspections of the roof with photographs and a written report.
- No subcontractors; Installation will be done by full time, hourly paid & factory trained, tested, and certified Duncan Roofs employees.
We've always taken great pride in the fact that our prices remain constant through dry periods and rainy weather, regardless of the backlog of work we've enjoyed. We've also recognized, however, that during the hottest months of the year, due to the extreme heat, our field employees naturally produce less than they do during the cooler months. That decrease in production drives our labor costs much higher. To maintain a consistent low markup, which keeps our prices as low as possible across the board, and to fairly apportion our costs, we add a labor surcharge to those jobs that must be performed during the "Dog Days" of summer, and hold our prices on the jobs that can wait till fall.

If this contract is signed/received --

- From April 15th to May 14th, to be completed as soon as possible, $343
- From May 15th to June 14th, to be completed as soon as possible, $1,029
- From June 15th to August 14th, to be completed as soon as possible, $856
- From August 15th to September 14th, to be completed as soon as possible, $515
- From September 15th to October 31, to be completed as soon as possible, $343
- From November 1st to April 14th, to be completed as soon as possible, $0

- OR -

- From April 15 to October 31, to be completed as soon after November 1 as our schedule allows, $0

*The Keeping Professionals*
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*All installed products include a 25 Year Workmanship Warranty **Initials**
Guardian System - Project order designed and built on site with AAMA Certified Master Installer. Frame type selected to integrate with wall system for maximum efficiency. Barrier system implemented at placement, and sealant applied from exterior trim to wall, chosen with your wall system in mind.


START Entering your bid into an acceptable item.

Additional Details

Preferred Contact: | CHOOSE | Structure: | CHOOSE | Version: | INITIAL
--- | --- | --- | --- | --- |
Home Type: | CHOOSE | Source: | CHOOSE | HOA/ARC: | CHOOSE

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Glass

<table>
<thead>
<tr>
<th>LE3</th>
<th>3 Layer Low-E w/ Argon Gas</th>
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<tbody>
<tr>
<td>LM</td>
<td>Large Multi Impact</td>
</tr>
<tr>
<td>TP</td>
<td>Triple Pane 4 Coats Low-E w/ Argon Gas</td>
</tr>
<tr>
<td>OB</td>
<td>Obscured (Floats/White) Glass</td>
</tr>
<tr>
<td>TG</td>
<td>Tempered Glass</td>
</tr>
<tr>
<td>NI</td>
<td>Better Inside (Hard Coat Low-E)</td>
</tr>
<tr>
<td>TRT</td>
<td>Tilt/Slide Glass</td>
</tr>
<tr>
<td>RSL</td>
<td>Specialty (or) Decorative Glass (no Gas)</td>
</tr>
<tr>
<td>SOL</td>
<td>Solid Door (No Glass)</td>
</tr>
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</table>

Window & Door Styles

<table>
<thead>
<tr>
<th>DH</th>
<th>Double Hung</th>
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<tbody>
<tr>
<td>PIC</td>
<td>Picture</td>
</tr>
<tr>
<td>2S</td>
<td>2 Lite Slider</td>
</tr>
<tr>
<td>3S</td>
<td>3 Lite Slider</td>
</tr>
<tr>
<td>SGD</td>
<td>Sliding Glass Door</td>
</tr>
<tr>
<td>SW</td>
<td>Seven Door</td>
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<tr>
<td>SL</td>
<td>Sliding Lite</td>
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</table>

<table>
<thead>
<tr>
<th>SH</th>
<th>Single Hung</th>
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</thead>
<tbody>
<tr>
<td>CAS</td>
<td>Casement</td>
</tr>
<tr>
<td>AW</td>
<td>Awning</td>
</tr>
<tr>
<td>SM</td>
<td>Structural Mull Bar</td>
</tr>
<tr>
<td>X</td>
<td>Moving</td>
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<tr>
<td>O</td>
<td>Fixed</td>
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<tr>
<td>PIK</td>
<td>Pocket</td>
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Shapes

<table>
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<tr>
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<tr>
<td>1/2</td>
<td>Half</td>
</tr>
<tr>
<td>EL</td>
<td>Extended Leg</td>
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<tr>
<td>CT</td>
<td>Circle Top</td>
</tr>
<tr>
<td>EB</td>
<td>Eyebrow</td>
</tr>
<tr>
<td>ELLIPT</td>
<td>Elliptical</td>
</tr>
<tr>
<td>OCT/HEX</td>
<td>Octagon / Hexagon</td>
</tr>
<tr>
<td>TRAPTR</td>
<td>Trapezoid / Triangle</td>
</tr>
</tbody>
</table>

Home Owner Agreement

Initials

1) Budget is subject to review at Processing. Any inaccuracies will be credited to you or updated for your final approval.

2) Painting is outside A1's scope of work. Any painting needs are the responsibility of the homeowner.

3) Permit Fees: $130 Processing Fee plus Permit/NOC Receipts (reimbursement by Separate Check after Inspection Passed).

4) In the event of engineering limitations, A1 will substitute comparable manufacturers so as suitable codes/energy ratings are met.

5) "Installation" is defined as product set in position for intended use. In the event the product or installation is delayed, the Client shall pay "Due at Install" portion upon installation of All Work Except what cannot be completed due to such delay. Deposit % is excluded from withhold. The remaining balance shall be paid upon installation of remaining work specified therein.

6) "ACH" (Automated Clearing House) debit from homeowner account - required under financing option - begins on 1st (or 15th) of month following installation. A fully executed Promissory Note and ACH Form with Voided Check must be on file prior to any orders being released to the manufacturers. A1 recommends that take place at time of Final Measure if possible.

Signature:

*All installed products include a 25 Year Workmanship Warranty

DATE
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>STucco Work</td>
<td>$5400</td>
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<tr>
<td>Pressure Wash House Bond with Two Coats</td>
<td></td>
</tr>
<tr>
<td>Travel Texure Finishes, All Labor &amp; Materials</td>
<td></td>
</tr>
</tbody>
</table>

**Sub-Total**

<table>
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**Tax**

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<th>Amount</th>
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**Total**

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<tr>
<th>Description</th>
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**Deposit**

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**Balance Due**

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<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
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<td></td>
</tr>
</tbody>
</table>
ALL AFFORDABLE FENCE

CUSTOMER FENCE ESTIMATE FORM

CUSTOMERS NAME: Delores M. Smith

ADDRESS: 1240 45th Street South

PHONE: (727) 686-3130  EMAIL: TFDIXON33@YAHOO.COM

PHONE (H) ___________________________ (C) ___________________________ (B) ___________________________

EMAIL: ___________________________ FAX: ___________________________

(CIRCLE CHOICES)

HEIGHT: 5' / 6' / 7' / 8' / 9' / 10' / 11' / 12'

CHAIN LINK

FRAMEWORK MESH

GALVANIZED 9 GA GALV

11 GA GALV

COLORED 9 GA COLORED

WHITE / BLACK / GREEN / BROWN

PRIVACY SLATS

SUPPLY ONLY / INSTALLED

MAXIMUM / TOP-LOCKING / LITE LINK

WHITE / BLACK / GREEN / BROWN / BEIGE / GREY

ORNAMENTAL

MAJESTIC / GENESIS

OPTIONAL:

CORONA RINGS / QUAD FLARES

VINYL

SENTRY / MANOR / ESTATE

WHITE / ALMOND / PEBBLE / CLAY / STONE

MISC

MESH IN / OUTSIDE OF YARD

GRASS / FINAL GRADE / ROCKS

WALKOUT BASEMENTS / DOGS

EXAMPLE OF FENCE LAYOUT

MISC. NOTES: 18 line post, 6 ends, 2 corner

post, 4 Double Drive, 2 WalkGate

23 sections of fence.

Material 2,420 $8.50 each

Labor 1,000

3,420 $8.50 each
The following page(s) contain the backup material for Agenda Item: Acquisition of 635 – 64th Street South, St. Petersburg (Grace Connection Church).
Please scroll down to view the backup material.
ST. PETERSBURG CITY COUNCIL

Meeting of May 16, 2019

TO: The Honorable Charles W. Gerdes, Chair and Members of City Council

SUBJECT: Acquisition of 635 – 64th Street South, St. Petersburg (Grace Connection Church).

BACKGROUND: On July 14, 2018, Real Estate and Property Management ("REPM") received an unsolicited offer from 828 Realty, LLC ("Broker"), the representative for Grace Connection of Tampa Bay, Inc., a Florida not-for-profit corporation ("Church"), offering to sell the Church-owned property located at 635 – 64th Street South, St. Petersburg ("Property") at an asking price of $2,228,827.00. In accordance with REPM policy, a memorandum was drafted and sent on July 16, 2018 to the appropriate City departments to determine interest in acquiring the Property for City use. In response to the memorandum, Neighborhood Affairs Administration ("NAA") identified a potential use of affordable housing for the Property.

Over the past 16 months, at the direction of the Mayor, NAA and the Community Development Administration have been collaboratively working with City Council to advance initiatives to increase the supply of market-rate and affordable housing within St. Petersburg city limits. One strategic element of this directive is the use of Penny for Pinellas funds for land acquisition and development of housing that is affordable. The City anticipates receiving approximately $15 million in Penny for Pinellas funding from FY 20 to FY 29 for this purpose. In FY 20, the City will begin receiving and budgeting these funds for the intended use and this acquisition will be the City’s first acquisition using this strategy. The intended goal of this acquisition is to lease the Property to a developer to construct and manage a multi-family housing development that is affordable ("Intended Use"). Based on the location and geography of the Property, the abutting 55+ mobile home park and the senior housing need in St. Petersburg, NAA intends to have a preference for senior housing in a Request for Proposals ("RFP").

In accordance with City policy, NAA requested REPM to assist with the proposed acquisition of the Property. A summary of the Property is described below:

- **Land Area:** ±4.76 acres
- **Improvements:** ±28,460 square feet, consisting of multiple buildings. The City intends to demolish the existing buildings to make way for the Intended Use.
- **Zoning:** NS-1 (Neighborhood Suburban–Single Family)
- **Legal Description:** Tract A, KOENIG'S PASadena BAPTist REPLAT, as recorded in Plat Book 56, Page 44 of the Public Records of Pinellas County, Florida.
- **Street Address:** 635 – 64th Street South, St. Petersburg, Florida

Subsequently NAA, in conjunction with staff from REPM, Housing and Community Development, Planning and Development Services, Finance, Budget, and Community Services, began the process of preliminary research to determine if it would be feasible to acquire the
Property for the Intended Use. Upon the conclusion of the preliminary research, NAA determined the acquisition of the Property could be feasible for the Intended Use.

Beginning on August 29, 2018, REPM negotiated with the Broker to determine acceptable terms and conditions as part of an agreement between the Church and the City. The LOI included contingencies for due diligence, zoning amendment and the issuance of a RFP by the City for the purpose of soliciting proposals from developers to develop the Property in accordance with the Intended Use. In response to the LOI, REPM received confirmation from the Broker confirming the Church’s interest to move forward with an agreement for sale and purchase ("Agreement"), subject to the City acquiring two (2) appraisals to determine market value of the Property.

In accordance with City policy, two (2) appraisals were obtained on the Property. The City requested the market value of the fee simple interest of the Property as-is. The first appraisal was performed by Scott Seaman, SRA, State Certified General Real Estate Appraiser, McCormick Seaman and Terrana, who indicated an estimated market value of $1,600,000 as of October 8, 2018. A second appraisal was performed by Chris Finch, MAI, SRA, State-Certified General Real Estate Appraiser, Fogarty and Finch, Inc., who indicated an estimated market value of $1,800,000 as of October 22, 2018.

With a basis of value established by the appraisals on the Property, NAA instructed REPM to commence negotiations with the Church on the terms and conditions of an Agreement. Several additional steps will be required prior to the construction of the Intended Use, which will include due diligence, an application to change the Future Land Use and Zoning designations, a RFP to select a development proposal, and, most likely, a Site Plan Review application. After negotiations with REPM, the Church has executed an Agreement with the following terms and conditions, subject to City Council approval:

- **Purchase Price:** $1,750,000
- **Due Diligence:** The City shall have ninety (90) days from the effective date of the Agreement to perform surveys, inspections and environmental audits.
- **Zoning:** The City shall have two hundred seventy (270) days from the effective date of the Agreement to successfully obtain a zoning amendment for the Property to a zoning designation suitable for the Intended Use.
- **RFP:** The City shall have two hundred seventy (270) days from the effective date of the Agreement to issue an RFP; obtain proposals; determine the suitability of the proposals received by the City; and to select a qualified applicant for the development of the Intended Use.
- **Closing Date:** The transaction shall be closed within one hundred eighty (180) days after the terms and conditions of the re-zoning and RFP contingencies have been met.
- Costs to Church: The Church shall be responsible for the costs associated with providing a title commitment, title policy, general warranty deed, closing fee and State documentary stamps on the deed.

- Costs to City: The City shall be responsible for the costs associated with obtaining surveys, appraisals, inspections, environmental audits, recording of the deed and expenses associated with the re-zoning of the Property and the issuance of an RFP.

On March 28, 2019, the proposed acquisition of the Property, including the terms of the Agreement and the Intended Use, was presented to the Housing, Land Use and Transportation committee, who approved moving the agreement to full City Council after City staff conducted a public meeting. On April 23, 2019, NAA and City staff held a public meeting at the Property for the purpose of presenting to residents of the community the proposed acquisition and Intended Use of the Property and to provide residents the opportunity to engage in a public discussion. Approximately 500 individuals were present for the public meeting and a majority of the comments were in opposition to an affordable housing development on the Property. The most frequent objections stated during the meeting were as follows: 1) compatibility with the neighborhood, 2) potential traffic impacts, 3) the adequacy of infrastructure (especially wastewater capacity), 4) impacts on property values and 5) environmental concerns related to the abutting Bear Creek.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to purchase an improved property located at 635 – 64th Street South, St. Petersburg, from Grace Connection of Tampa Bay, Inc., a Florida not-for-profit corporation for the sum of $1,750,000; and to pay for survey(s), inspections, environmental audit(s), demolition costs and other acquisition/closing related costs, all not to exceed $150,000; and to execute all documents necessary to effectuate this transaction; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Funds for the additional costs of purchasing the property ($150,000) have been previously appropriated in the Housing Capital Improvements Fund (3000), Affordable/Workforce Housing Project (16670) and the Codes Compliance Department, Demolition Division (110-1129). Funds for the purchase of the property ($1,750,000) are anticipated to be available after City Council adoption of the proposed FY20 CIP Budget in the Citywide Infrastructure Capital Improvement Fund (3027), Affordable Housing Land Acquisitions Project (TBD).

ATTACHMENTS: Illustrations and Resolution
Resolution No. 2019 - ______

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO PURCHASE AN IMPROVED PROPERTY LOCATED AT 635 – 64TH STREET SOUTH, ST. PETERSBURG, FROM GRACE CONNECTION OF TAMPA BAY, INC., A FLORIDA NOT FOR PROFIT CORPORATION FOR THE SUM OF $1,750,000; AND TO PAY FOR SURVEY(S) INSPECTIONS, ENVIRONMENTAL AUDIT(S), DEMOLITION COSTS AND OTHER ACQUISITION/CLOSING RELATED COSTS, ALL NOT TO EXCEED $150,000; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 14, 2018, Real Estate and Property Management ("REPM") received an unsolicited offer from 828 Realty, LLC ("Broker"), the representative for Grace Connection of Tampa Bay, Inc., a Florida not-for-profit corporation ("Church"), offering to sell Church-owned property located at 635 – 64th Street South, St. Petersburg ("Property") at an asking price of $2,228,827.00; and

WHEREAS, in accordance with REPM policy, a memorandum was drafted and sent on July 16, 2018 to the appropriate City departments to determine interest in acquiring the Property for City use; and

WHEREAS, in response to the memorandum, Neighborhood Affairs Administration ("NAA") identified a potential use of affordable housing for the Property; and

WHEREAS, over the past 16 months, at the direction of the Mayor, the NAA and the Community Development Administration have been collaboratively working with City Council to advance initiatives to increase the supply of market-rate and affordable housing within St. Petersburg city limits; and

WHEREAS, one strategic element of this directive is the use of Penny for Pinellas funds for land acquisition and development of housing that is affordable; and

WHEREAS, the City anticipates receiving approximately $15 million in Penny for Pinellas funding from FY 20 to FY 29 for this purpose; and

WHEREAS, the intended goal of this acquisition is to lease the Property to a developer to construct and manage a multi-family housing development that is affordable ("Intended Use"); and

WHEREAS, these steps will include due diligence, an application to change the Future Land Use and Zoning designations, a request for proposals ("RFP") to select a development proposal, and, most likely, a Site Plan Review application; and
WHEREAS, based on the location and geography of the Property, the abutting 55+ mobile home park and the senior housing need in St. Petersburg, NAA intends to have a preference for senior housing in the RFP; and

WHEREAS, in accordance with City policy, NAA requested REPM to assist with the proposed acquisition of the Property. A summary of the Property is described below:

Land Area:  ±4.76 acres

Improvements: ±28,460 square feet, consisting of multiple buildings. The City intends to demolish the existing buildings to make way for the Intended Use.

Zoning: NS-1 (Neighborhood Suburban–Single Family)

Legal Description: Tract A, KOENIG’S PASADENA BAPTIST REPLAT, as recorded in Plat Book 56, Page 44 of the Public Records of Pinellas County, Florida.

Street Address: 635 – 64th Street South, St. Petersburg, Florida; and

WHEREAS, upon conclusion of the preliminary research, NAA determined the acquisition of the Property could be feasible for the Intended Use; and

WHEREAS, beginning on August 29, 2018, REPM negotiated with the Broker to determine acceptable terms and conditions as part of an agreement between the Church and the City; and

WHEREAS, in accordance with City policy, two (2) appraisals were obtained on the Property, one indicated an estimated market value of $1,600,000 as of October 8, 2018 while a second indicated an estimated market value of $1,800,000 as of October 22, 2018; and

WHEREAS, after negotiations with REPM, the Church has executed an Agreement with the following terms and conditions, subject to City Council approval:

- **Purchase Price:** $1,750,000
- **Due Diligence:** The City shall have ninety (90) days from the effective date of the Agreement to perform surveys, inspections and environmental audits.
- **Zoning:** The City shall have two hundred seventy (270) days from the effective date of the Agreement to successfully obtain a zoning amendment for the Property to a zoning designation suitable for the Intended Use.
- **RFP:** The City shall have two hundred seventy (270) days from the effective date of the Agreement to issue an RFP; obtain proposals; determine the suitability of the proposals received by the City; and to select a qualified applicant for the development of the Intended Use.
- **Closing Date:** The transaction shall be closed within one hundred eighty (180) days after the terms and conditions of the re-zoning and RFP contingencies have been met.
• **Costs to Church:** The Church shall be responsible for the costs associated with providing a title commitment, title policy, general warranty deed, closing fee and State documentary stamps on the deed.

• **Costs to City:** The City shall be responsible for the costs associated with obtaining surveys, appraisals, inspections, environmental audits, recording of the deed and expenses associated with the rezoning of the Property and the issuance of an RFP; and

WHEREAS, on March 28, 2019, the proposed acquisition of the Property, including the terms of the Agreement and the Intended Use, was presented to the Housing, Land Use and Transportation committee, who approved moving the agreement to full City Council after City staff conducted a public meeting; and

WHEREAS, on April 23, 2019, NAA and City staff held a public meeting at the Property for the purposes of presenting to residents of the community the proposed acquisition and Intended Use of the Property and to provide residents the opportunity to engage in a public discussion.

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 purchase an improved property located at 635 – 64th Street South, St. Petersburg, from Grace Connection of Tampa Bay, Inc, a not for profit Florida corporation, for the sum of $1,750,000; and to pay for survey(s), inspections, environmental audit(s), demolition costs and other acquisition/closing related costs, all not to exceed $150,000; and to execute all documents necessary to effectuate same; and

BE IT FURTHER RESOLVED that the additional costs of purchasing the property ($150,000) have been previously appropriated in the Housing Capital Improvements Fund (3000), Affordable/Workforce Housing Project (16670) and the Codes Compliance Department, Demolition Division (110-1129); and

BE IT FURTHER RESOLVED that funds for the purchase of the property ($1,750,000) are anticipated to be available after City Council adoption of the proposed FY20 CIP Budget in the Citywide Infrastructure Capital Improvement Fund (3027), Affordable Housing Land Acquisitions Project (TBD).

This Resolution shall become effective immediately upon its adoption.

**LEGAL:**

[Signature]

City Attorney (Designee)

00446393.doc v3

**APPROVED BY:**

[Signature]

Robert M. Gerdes, Administrator
Neighborhood Affairs
The following page(s) contain the backup material for Agenda Item: Pier Report
Please scroll down to view the backup material.
ST. PETERSBURG CITY COUNCIL

Meeting of May 16, 2019

Report

TO: The Honorable Charles Gerdes, Chair, and Members of City Council

SUBJECT: A resolution accepting Addendum No. 5 in an amount not to exceed $552,775 submitted by Skanska USA Building, Inc. ("Skanska") to the Guaranteed Maximum Price ("GMP") proposal dated November 17, 2017, for Pier Pavilion, Bait House and Sundry Shop Tenant Improvements; providing that the total GMP for the Pier Project shall not exceed $41,211,812; authorizing the Mayor or his designee to execute the Seventh Amendment to the Construction Manager at Risk Agreement with a GMP between the City of St. Petersburg, Florida, and Skanska dated July 13, 2015, as amended, to incorporate Addendum No. 5 to the GMP proposal into such agreement, as amended; authorizing the City Attorney’s office to make non-substantive changes to the Seventh Amendment; approving a transfer in the amount of $552,775 from the unappropriated balance of the Downtown Redevelopment District Fund (1105) to the General Capital Improvement Fund (3001); authorizing a supplemental appropriation in the amount of $552,775 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from the above transfer, for the construction of the Pier Pavilion, Bait House and Sundry Shop Tenant Improvements to the Pier Visioning Project (11988); and providing an effective date.

EXPLANATION: The City of St. Petersburg, Florida ("City") and Skanska USA Building, Inc. ("Skanska") executed the Construction Manager at Risk Agreement with a Guaranteed Maximum Price ("GMP") on July 13, 2015, for Skanska to provide preconstruction and construction phase services for the new St. Pete Pier™ Project. Following execution of the agreement, the City authorized Skanska to provide preconstruction phase services in an amount not to exceed $490,000. On March 2, 2017, City Council approved a First Amendment for additional preconstruction services in an amount not to exceed $381,200 for fabrication and delivery of twenty (20) test piles and two (2) overwater pile layout templates for a revised total Preconstruction Phase services fee of $871,200. Skanska has completed the preconstruction phase services approved to date. On June 1, 2017 City Council approved the Second Amendment for the Partial GMP for the Marine Structural Work in the amount of $17,579,847. On December 7, 2017, City Council approved the Third Amendment to incorporate the Final GMP in the amount of $38,520,687. On August 2, 2018, City Council approved the Fourth Amendment to add $55,000 in additional preconstruction services related to tenant improvements. On February 7, 2019 City Council approved the Fifth Amendment to add Addendum No. 1 in the amount of $711,371 for the Tampa Bay Watch Discovery center tenant improvements and Addendum No. 2 in the amount of $400,000 to increase the Owner’s Contingency in the GMP. On April 18, 2019 City Council approved the Sixth Amendment to add Addendum No. 3 in the amount of $174,150 for splash pad enhancement and Addendum No. 4 in the amount of $852,829 for Pier Head building modifications.

Acceptance of Addendum No. 5 for the United Park Services tenant improvements to the Pavilion, Bait House and Sundry Shop in the amount not to exceed $552,775 includes electrical, mechanical, plumbing systems, interior finishes and installation of kitchen equipment.
A total of $552,775 is being requested to be transferred from the funds authorized under the IRP Interlocal Agreement (Pier District Enhancements). A lease amendment will be brought forward at a later date for United Parks Services to reimburse the full cost of this work.

The summary of Pier GMP’s to date is as follows:

- Partial GMP No.1 for Marine Structure $ 17,579,847
- Partial GMP No.2 for Balance of the Work $ 18,098,487
- Final Base GMP Proposal $ 35,678,334
- Acceptance of Project Enhancements $ 2,842,353

- Final GMP Proposal $ 38,520,687
- Addendum No. 1 for TBW Discovery Center TI $ 711,371 (approved)
- Addendum No. 2 for additional Owner’s Contingency $ 400,000 (approved)
- Addendum No. 3 for upgrades to the Splash Pad $ 174,150 (approved)
- Addendum No. 4 for Pier Head building modifications $ 852,829 (approved)
- Addendum No. 5 for Pavilion, Bait House and Sundry $ 552,775 (requested)

Revised Final GMP $ 41,211,812

**Recommendation:** Administration recommends City Council approve a resolution accepting Addendum No. 5 in an amount not to exceed $552,775 submitted by Skanska USA Building, Inc. (“Skanska”) to the Guaranteed Maximum Price (“GMP”) proposal dated November 17, 2017, for Pier Pavilion, Bait House and Sundry Shop Tenant Improvements; providing that the total GMP for the Pier Project shall not exceed $41,211,812; authorizing the Mayor or his designee to execute the Seventh Amendment to the Construction Manager at Risk Agreement with a GMP between the City of St. Petersburg, Florida, and Skanska dated July 13, 2015, as amended, to incorporate Addendum No. 5 to the GMP proposal into such agreement, as amended; authorizing the City Attorney’s office to make non-substantive changes to the Seventh Amendment; approving a transfer in the amount of $552,775 from the unappropriated balance of the Downtown Redevelopment District Fund (1105) to the General Capital Improvement Fund (3001); authorizing a supplemental appropriation in the amount of $552,775 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from the above transfer, for the construction of the Pier Pavilion, Bait House and Sundry Shop Tenant Improvements to the Pier Visioning Project (11988); and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** Additional funding in the amount of $552,775 will be available after approval of a transfer in the amount of $552,775 from the unappropriated balance of the Downtown Redevelopment District Fund (1105) to the General Capital Improvement Fund (3001);
and authorization of a supplemental appropriation in the amount of $552,775 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from the above transfer to the Pier Visioning Project (ECID Project No. 09227-019; Oracle No. 11988) for construction of the Pavilion, Bait House and Sundry Shop tenant improvements.

ATTACHMENTS: Resolution
GMP Addendums 5

APPROVALS: Administrative Budget
RESOLUTION NO. 2019—____

A RESOLUTION ACCEPTING ADDENDUM NO. 5 IN AN AMOUNT NOT TO EXCEED $552,775 SUBMITTED BY SKANSKA USA BUILDING, INC. ("SKANSKA") TO THE GUARANTEED MAXIMUM PRICE ("GMP") PROPOSAL DATED NOVEMBER 17, 2017, FOR PIER PAVILION, BAIT HOUSE AND SUNDRY SHOP TENANT IMPROVEMENTS; PROVIDING THAT THE TOTAL GMP FOR THE PIER PROJECT SHALL NOT EXCEED $41,211,812; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE SEVENTH AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT WITH A GMP BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND SKANSKA DATED JULY 13, 2015, AS AMENDED, TO INCORPORATE ADDENDUM NO. 5 TO THE GMP PROPOSAL INTO SUCH AGREEMENT, AS AMENDED; AUTHORIZING THE CITY ATTORNEY’S OFFICE TO MAKE NON-SUBSTANTIVE CHANGES TO THE SEVENTH AMENDMENT; APPROVING A TRANSFER IN THE AMOUNT OF $552,775 FROM THE UNAPPROPRIATED BALANCE OF THE DOWNTOWN REDEVELOPMENT DISTRICT FUND (1105) TO THE GENERAL CAPITAL IMPROVEMENT FUND (3001); AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $552,775 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001) RESULTING FROM THE ABOVE TRANSFER, FOR THE CONSTRUCTION OF THE PIER PAVILION, BAIT HOUSE AND SUNDRY SHOP TENANT IMPROVEMENTS TO THE PIER VISIONING PROJECT (11988); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") and Skanska USA Building, Inc. ("Skanska") entered into a Construction Manager at Risk Agreement with a Guaranteed Maximum Price ("GMP") on July 13, 2015, for Skanska to provide preconstruction and construction phase services for the new Pier; and

WHEREAS, following execution of the agreement, the City authorized Skanska to provide the preconstruction phase services in an amount not to exceed $490,000; and

WHEREAS, on March 24, 2017, the City and Skanska executed the First Amendment for Skanska to provide additional preconstruction services which included fabrication and delivery of twenty (20) test piles and two (2) overwater pile layout templates in an amount not to exceed $381,200 (for the total preconstruction phase costs not to exceed $871,200); and

WHEREAS, on June 9, 2017, the City and Skanska executed the Second Amendment to incorporate the Partial GMP Proposal for the marine structural work in the amount of $17,579,847 into the agreement, as amended; and
WHEREAS, on December 7, 2017, the City and Skanska executed the Third Amendment to incorporate the Final GMP Proposal in an amount not to exceed $38,520,687 (which included (i) the Partial GMP Proposal — Marine Structural Work and the Partial GMP Proposal — Balance of the Work in the amount of $18,098,487, which are collectively the base GMP for the project, and (ii) the GMP proposal for the addition of three pier enhancement elements {the Plaza Pavilion, the Enhanced Splash Pad, and the Additional Breakwater} in the amount of $2,842,353) into the agreement, as amended, to revise the disadvantaged worker and apprentices provision to clarify good faith efforts and retainer, and to modify other necessary provisions; and

WHEREAS, on August 2, 2018, the City and Skanska executed the Fourth Amendment for Skanska to provide additional preconstruction phase services related to the Pier head building tenant improvements, education building tenant improvements, and pavilion tenant improvements for an amount not to exceed $55,000, and to revise the project schedule; and

WHEREAS, on February 7, 2019, the City and Skanska executed the Fifth Amendment to increase the GMP by an additional $1,111,371 for construction of the Tampa Bay Watch Discovery Center tenant improvements and to increase the owner’s contingency and to further revise the project schedule; and

WHEREAS, on April 19, 2019, the City and Skanska executed the Sixth Amendment to increase the GMP by an additional $1,026,979 for (i) upgrades to the interactive control system for the Pier splash pad and (ii) the Pier head building back of house and core & shell modifications; and

WHEREAS, the City and Skanska desire to execute the Seventh Amendment to increase the GMP by an additional $552,775 for Pier Pavilion, Bait House and Sundry Shop Tenant Improvements (for a total GMP for the Pier Project not to exceed $41,211,812).

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that Addendum No. 5 in an amount not to exceed $552,775 submitted by Skanska USA Building, Inc. ("Skanska") to the Guaranteed Maximum Price ("GMP") proposal dated November 17, 2017 for Pier Pavilion, Bait House and Sundry Shop Tenant Improvements is hereby accepted.

BE IT FURTHER RESOLVED that the total GMP for the Pier Project shall not exceed $41,211,812.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the Seventh Amendment to the Construction Manager at Risk Agreement with a GMP between the City of St. Petersburg, Florida, and Skanska dated July 13, 2015, as amended, to incorporate Addendum No. 5 to the GMP proposal into such agreement, as amended.

BE IT FURTHER RESOLVED that the City Attorney’s Office is authorized to make non-substantive changes to the Seventh Amendment.

BE IT FURTHER RESOLVED that there is hereby approved the following transfer for FY19:

Downtown Redevelopment District Fund (1105)
Transfer to: General Capital Improvement Fund (3001)  $552,775
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 FY19:

General Capital Improvement Fund (3001)  
Pier Visioning Project (11988)  

$552,775

This resolution shall become effective immediately upon its adoption.

Approvals:

City Attorney (Designee) 00446214

Brejesh Prayman, P.E., ENV SP  
Engineering and Capital Improvements Director

Budget
Pier GMP Addendum No. 5 for the Pavilion, Bait House, and Sundry Shop Tenant Improvements (ASI 09) Estimate Summary

- Executive Summary
- Cost Summary
Pier GMP Addendum No. 5 for the Pavilion, Bait House, and Sundry Shop Tenant Improvements (ASI 09) Estimate

Executive Summary
Pier GMP Addendum No. 5 for the Pavilion, Bait House, and Sundry Shop Tenant Improvements (ASI 09) Estimate is based upon the documents prepared by ASD and their respective consultants (A/E Team) which are itemized in the Document List of this proposal. Further project scope definition has been developed by Skanska USA Building Inc., and various assumptions and qualifications are attached to this proposal.

Estimate components
Pier GMP Addendum No. 5 for the Pavilion, Bait House, and Sundry Shop Tenant Improvements (ASI 09) Estimate $552,775

Project Description
Pier GMP Addendum No. 5 for the Pavilion, Bait House, and Sundry Shop Tenant Improvements (ASI 09) Estimate includes modifications and space fit out of the Pavilion, Bait House, and Sundry Shop areas. Modifications and fit out includes structural steel, cast in place concrete, millwork, roofing, doors, overhead doors, finishes, HVAC, plumbing, and electrical. Kitchen equipment is purchased, delivered, and set in place by tenant/ city/ owner, installed and connected in place by Tenant.

Skanska has developed and enclosed a Project Schedule, which indicates the schedule objectives for the project.

- Completion of Tenant Improvements December 3rd, 2019
- Substantial Completion For Pier Project December 20th, 2019

The following additional milestone dates are anticipated within the Project Schedule in order to achieve the dates above.

- NTP by City for Tenant Improvements May 16th, 2019
- Permit issued for Tenant Improvements May 17th, 2019
Cost Summary
Following is the Cost Summary breakdown.
### Target Estimate Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>Pavilion Costs</th>
<th>Bait House Costs</th>
<th>Sundry Shop Tenant Costs</th>
<th>Pier GMP Addendum No. 5 for the Pavilion, Bait House, and Sundry Shop Tenant Improvements (ASI 09) Estimate Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 01A General Requirements</td>
<td>8,413</td>
<td>502</td>
<td>1,085</td>
<td>10,000</td>
</tr>
<tr>
<td>2 01B Survey/ Layout/ Asbuilts</td>
<td>Included Above</td>
<td>Included Above</td>
<td>Included Above</td>
<td>Included Above</td>
</tr>
<tr>
<td>3 01C Pile Driving Criteria &amp; Concrete Testing Allowance</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>4 01D Temporary Construction</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>5 03A Marine Structural</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>6 03B C.I.P. Concrete</td>
<td>24,924</td>
<td>3,616</td>
<td>10,384</td>
<td>37,924</td>
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<tr>
<td>7 05A Steel</td>
<td>29,656</td>
<td>RF#232 No Longer Applicable</td>
<td>N/A</td>
<td>29,656</td>
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<tr>
<td>8 05B Railings</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>9 06A Rough Carpentry - Boardwalk</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>10 06B Millwork</td>
<td>By Tenant</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>11 06C Millwork Solid Surface Wall Panels And Stainless Steel Wall Panels</td>
<td>By Tenant</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>12 06C Fishing &amp; Education Stair</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>13 07A Roofing</td>
<td>5,265</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>14 07B Waterproofing</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>15 07C Rainscreen</td>
<td>Included In 9A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>16 08A Doors</td>
<td>Re-located Only</td>
<td>2,500</td>
<td>N/A</td>
<td>2,500</td>
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<tr>
<td>17 08B Overhead Doors</td>
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<td>N/A</td>
<td>26,339</td>
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<tr>
<td>18 08C Exterior Skin/ Storefront</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>19 08D Aluminum Canopy</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>20 09A Drywall</td>
<td>12,346</td>
<td>N/A</td>
<td>2,270</td>
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<tr>
<td>21 09F Flooring/ Polished Concrete</td>
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<tr>
<td>22 09F Epoxy Flooring</td>
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<td>2,065</td>
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<tr>
<td>23 09G Painting</td>
<td>5,247</td>
<td>375</td>
<td>1,437</td>
<td>7,059</td>
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<tr>
<td>24 10 Accessories</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>25 10C Signage Allowance</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>300</td>
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<tr>
<td>26 13A Water Feature Allowance</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>27 14A Traction Elevators</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>28 21A Fire Protection</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>29 22A Plumbing</td>
<td>74,093</td>
<td>N/A</td>
<td>N/A</td>
<td>74,093</td>
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<tr>
<td>29 23A HVAC</td>
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<td>7,000</td>
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<tr>
<td>30 26A Electrical</td>
<td>55,637</td>
<td>6,751</td>
<td>22,986</td>
<td>85,374</td>
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<td>31 26B Lighting Fixture Package Allowance</td>
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<td>N/A</td>
<td>N/A</td>
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<tr>
<td>32 31A Sitework</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>33 32A Landscape, Irrigation, Hardcape</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>34 32B Trees, Shrubs, Ground Cover Allowance</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>35 35A Breakwater</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>36 Kitchen Equipment ALLOWANCE (Connections Only)</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>37 Pierhead Booster Pump (Included in ASI10)</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Direct Cost**: 367,165

**BUILDING PERMIT**: NIC

**CONSTRUCTION CONTINGENCY**: 12,851

**SUBGUARD**: 5,396

**CCIP % OF**: 11,998

**Sub Total**: 357,410

**GENERAL CONDITIONS**

- General Conditions (Lump Sum): 42,065
- Construction Management Fees: 16,277
- Builders risk insurance: 4,651
- Performance & Payment Bond: 4,651

**CM FEES**: 2,099

**INSURANCES & BOND**: 5,528

**Performance & Payment Bond**: 5,528

**SUBTOTAL**: 465,054

**OWNER’S CONTINGENCY FOR UNFORSEEN CONDITIONS**: Excluded

**CONTRACT TOTALS**: 465,054
The following page(s) contain the backup material for Agenda Item: Sewer Report
Please scroll down to view the backup material.
To: The Honorable Charlie Gerdes, Chair, and Members of City Council

Subject: Approving an increase in allocation for process control equipment, parts and software with Rexel USA Inc., a sole source supplier for the Water Resources Department, at a total contract amount of $380,402.

Explanation: The vendor will furnish and deliver Allen-Bradley process control equipment, parts, software and software licenses for the programmable logic controllers (PLC) used at the lift stations, water and wastewater plants. All of Water Resources' SCADA systems utilize Allen-Bradley PLCs as a standard for control and monitoring functions. Current SCADA capital improvement projects include tasks to replace all PLC hardware within the water reclamation facilities. Rexel has provided a bulk purchase discount to procure all the remaining equipment needed to complete this upgrade, therefore, an allocation increase is requested.

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

Rexel USA Inc. (Pinellas Park, FL) ........................................ $380,402

<table>
<thead>
<tr>
<th>Original agreement amount</th>
<th>250,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allocation increase</td>
<td>130,402</td>
</tr>
<tr>
<td>Total agreement amount</td>
<td>380,402</td>
</tr>
</tbody>
</table>

This purchase is made in accordance with Section 2-249 Sole Source Procurement of the City Code, which authorizes City Council to approve the purchase of a supply or service, of over $100,000 without competitive bidding, if it has been determined that the supply or service is available from only one source. This agreement will be effective through July 31, 2021.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Water Resources Operating Fund (4001), North East WRF Division (4202173), North West WRF Division (4202177), South West WRF Division (4202181), and Lift Stations Division (4202205).

Attachments: Sole Source Resolution

Approvals:

[Signature]

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

Department: Water Resources
Requisition No.: 5420991

Check One: X Sole Source
Proprietary Specifications

Proposed Vendor: Southern Electric dba Rexel
Estimated Total Cost: $130,401.44 one-time purchase

Description of Items (or Services) to be purchased:
PLC hardware

Purpose of Function of items:
Provide monitoring and control of plant equipment and machines.

Justification for Sole Source of Proprietary specification:
WRD has standardized on Allen-Bradley PLC equipment city wide. Current SCADA CIPIs include tasks to replace all PLC hardware within WRFs. Rexel has provided a bulk purchase discount to procure all the remaining equipment needed to complete this upgrade within WRF. Rather than charging against and depleting our existing 3 year BPA we will treat this as a one-time sole source request.

Date: 03-19-2019

Department Director

Date: 03/19/19

Administrator/Chief

Date: 04/15/19

Louis Moore, Director
Procurement & Supply Management

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.
A RESOLUTION APPROVING THE INCREASE IN THE AMOUNT OF $130,402 TO THE ALLOCATION FOR THE BLANKET PURCHASE AGREEMENT WITH REXEL USA INC. FOR PROCESS CONTROL EQUIPMENT; PROVIDING THAT THE TOTAL CONTRACT AMOUNT SHALL NOT EXCEED $380,402; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 19, 2018, City Council approved a three-year blanket purchase agreement ("Agreement") with Rexel USA Inc. for process control equipment, parts, and software for the Water Resources Department (WRD) at a total contract amount not to exceed $250,000; and

WHEREAS, an increase in the amount of $130,402 to the allocation for the Agreement is needed to purchase replacement hardware for the WRD's SCADA system control and monitoring functions at a discounted price; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the increase in the amount of $130,402 to the allocation for the Blanket Purchase Agreement with Rexel USA Inc. for process control equipment is hereby approved.

BE IT FURTHER RESOLVED that the total contract amount shall not exceed $380,402.

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

This Resolution shall become effective immediately upon its adoption.

Approved by:

City Attorney (Designee)
00445830
ST. PETERSBURG CITY COUNCIL

Sewer Report

Meeting of May 16, 2019

TO: The Honorable Charles Gerdes, Chair and Members of City Council

SUBJECT: A Resolution authorizing the Mayor or his designee to execute Amendment No. 2 to Task Order No. 16-06-KHA/T ("Task Order"), as revised and amended, to the architect/engineering agreement dated June 1, 2016, between the City of St. Petersburg, Florida and Kimley-Horn and Associates, Inc. ("A/E") for A/E to provide additional professional engineering services for the final design and construction plans related to the Southwest Water Reclamation Facility (SWWRF) Access Improvements Project in an amount not to exceed $104,694.14, providing that the total Task Order, as revised and amended, shall not exceed $245,229.58 (ECID Project No. 17064-111; Oracle No. 15967); and providing an effective date.

EXPLANATION: The Southwest Water Reclamation Facility ("SWWRF") located on 54th Avenue South and 41st Street, at the end of the I-275 southwest bound off ramp, is currently undergoing improvements and implementation of a dedicated turn lane will provide operational safety improvements to the median opening for access to the SWWRF and also residents entering and exiting along 41st Street S.

The initial work authorized to Kimley-Horn was to collect intersection turning movements for the intersection of the SWWRF access drive at 41st Street and to analyze the data into a technical memorandum with conceptual plans and a probable construction cost of the left turn lane.

On June 1, 2016, the City Council approved an A/E Agreement between the City of St. Petersburg and Kimley-Horn and Associates, Inc. ("A/E") to furnish professional engineering services related to the design and construction of Traffic Calming, Bicycle/Pedestrian and Development of Regional Impact Projects.

On March 2, 2017, City Council approved Task Order No. 16-06-KHA/T in the amount of $82,393.44. The scope of services included but not limited to data collection, justification summary memorandum, traffic operations analysis and recommendation, technical memorandum, concept plans for the left turn lane, and probable construction cost. Task Order No. 16-06-KHA/T included an allowance in the amount of $10,000.00.

On June 15, 2017, ECID administratively approved Revision No. 1 to Task Order No. 16-06-KHA/T in the amount of $1,985.97 from the $10,000 allowance to provide a Task 8 to include additional Traffic Vehicle Counts and an updated Technical Justification Memo.

On July 20, 2017, City Council Approved Amendment No.1 to Task Order No. 16-06-KHA/T in the amount of $58,142.00 to provide funding for 90% and 100% Turn Lane Plans, Engineer’s Opinion of Probable Cost, Project Administration, and Permit Coordination. Amendment No 1 included an allowance in the amount of $10,000.00.

On October 20, 2017, ECID administratively approved Revision No. 2 in the amount of $9,705.20 from the aggregate allowance of $20,000 to provide an Interchange Operation Analysis Report ("IOAR") in-lieu-of the Justification Summary Memorandum, as per the Florida Department of Transportation ("FDOT") requirements.

The IOAR was submitted to FDOT for review and concurrence, of which the final recommendations included additional scope of work requirements for an overhead sign structure and vehicular signage.

Amendment No. 2 to Task Order 16-06-KHA/T in the amount of $104,694.14 will provide professional engineering services included, but not limited to additional 15%, 60%, 90% and 100% plans, overhead sign
structure, survey services for areas of field conditions that have changed based on the FDOT’s on-going construction project along SR 682 (54th Avenue S) and the City’s driveway improvements to the SWWRF, geotechnical services, and subsurface utility engineering services. This Amendment includes an allowance of $15,000.00.

In summary, based on the scope in Task Order 16-06-KHA/T, Amendment 1 and Amendment 2. Kimley Horn will deliver 15%, 60%, 90% and 100% Plan submittals as required for improvements along a National Highway System (“NHS”) roadway.

Task Order No. 16-06-KHA/T, Amendment No. 1, and Amendment No. 2 to Task Order No. 16-06-KHA/T include the following phases and associated not to exceed fees and costs:

Task Order 16-06-KHA/T

<table>
<thead>
<tr>
<th>Phase</th>
<th>Fee</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic Study Phase and Conceptual Construction Plans</td>
<td>$82,393.44</td>
<td>Approved</td>
</tr>
<tr>
<td>Amendment No. 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Final Design Phase and Construction Plans</td>
<td>$58,142.00</td>
<td>Approved</td>
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<tr>
<td>Amendment No. 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional Plan Submittals and Design Phase Services</td>
<td>$104,694.14</td>
<td>New</td>
</tr>
<tr>
<td>Total</td>
<td>$245,229.58</td>
<td></td>
</tr>
</tbody>
</table>

A/E services during the construction phase will be provided to Council for approval as an Amendment to the Task Order.

Contractor costs for the improvements will be provided to Council for approval as a separate Agreement.

RECOMMENDATION: Administration recommends authorizing the Mayor or his designee to execute Amendment No. 2 to Task Order No. 16-06-KHA/T (“Task Order”), as revised and amended, to the architect/engineering agreement dated June 1, 2016, between the City of St. Petersburg, Florida and Kimley-Horn and Associates, Inc. (“A/E”) for A/E to provide additional professional engineering services for the final design and construction plans related to the Southwest Water Reclamation Facility (SWWRF) Access Improvements Project in an amount not to exceed $104,694.14, providing that the total Task Order, as revised and amended, shall not exceed $245,229.58 (ECID Project No. 17064-111; Oracle No. 15967); and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Funds have been previously appropriated in the Water Resources Capital Projects Fund (4003), WRF SW Access Improve FY17 Project (ECID Project No. 17064-111; Oracle No. 15967).

ATTACHMENTS: Resolution
Amendment No 2 to Task Order No. 16-06-KHA/T

APPROVALS: Administrative
Budget
RESOLUTION 2019-_______

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT NO. 2 TO TASK ORDER NO. 16-06-KHA/T ("TASK ORDER"), AS REVISED AND AMENDED, TO THE ARCHITECT/ENGINEERING AGREEMENT DATED JUNE 1, 2016 BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND KIMLEY-HORN AND ASSOCIATES, INC. ("A/E") FOR A/E TO PROVIDE ADDITIONAL PROFESSIONAL ENGINEERING SERVICES FOR THE FINAL DESIGN AND CONSTRUCTION PLANS RELATED TO THE SOUTHWEST WATER RECLAMATION FACILITY (SWWRF) ACCESS IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED $104,694.14; PROVIDING THAT THE TOTAL TASK ORDER, AS REVISED AND AMENDED, SHALL NOT EXCEED $245,229.58 (ECID PROJECT NO. 17064-111; ORACLE NO. 15967); AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, on March 3, 2017, City Council approved Task Order No. 16-06-KHA/T ("Task Order") in an amount not to exceed $82,393.44 for A/E to provide data collection, justification summary memorandum, traffic operations analysis and recommendation, technical memorandum, concept plans for the left turn lane, and probable construction cost related to the Southwest Water Reclamation Facility (SWWRF) Access Improvements Project; and

WHEREAS, on June 15, 2017, Administration approved Revision No. 1 to the Task Order in an amount not to exceed $1,985.97 from the previously approved allowance for A/E to provide additional Traffic Vehicle Counts and an updated Technical Justification Memo; and

WHEREAS, on July 20, 2017, City Council approved Amendment No. 1 to the Task Order in an amount not to exceed $58,142 for A/E to provide 90% and 100% Turn Lane Plans, Engineer’s Opinion of Probable Cost, Project Administration, and Permit Coordination; and

WHEREAS, on October 20, 2017, Administration approved Revision No. 2 to the Task Order in an amount not to exceed $9,705.20 from the previously approved allowance for A/E to provide an Interchange Operation Analysis Report ("IOAR") in-lieu-of the Justification Summary Memorandum, as per the Florida Department of Transportation ("FDOT") requirements; and

1
WHEREAS, Administration desires to issue Amendment No. 2 to the Task Order, as revised and amended, for A/E to provide additional 15% plans, 60% plans, including overhead sign structure, survey services for areas of field conditions that have changed based on the FDOT’s on-going construction project along SR 682 (54th Avenue South) and the City’s driveway improvements to the SWWRF, geotechnical services, and subsurface utility engineering services in an amount not to exceed $104,694.14.

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. 2 to Task Order No. 16-06-KHA/T ("Task Order"), as revised and amended, to the architect/engineering agreement dated June 1, 2016 between the City of St. Petersburg, Florida and Kimley-Horn and Associates, Inc. ("A/E") for A/E to provide additional professional engineering services for the final design and construction plans related to the Southwest Water Reclamation Facility (SWWRF) Access Improvements Project in an amount not to exceed $104,694.14.

BE IT FURTHER RESOLVED that the total Task Order, as revised and amended, shall not exceed $245,229.58.

This resolution shall become effective immediately upon its adoption.

Approved by:  

Approved by:  

Legal Department  
By: (City Attorney or Designee)  
00446056  

Brijesh Praytran, P.E., SP, ENV  
Engineering & Capital Improvements Director
MEMORANDUM
CITY OF ST. PETERSBURG
Engineering and Capital Improvements Department

TO: The Honorable Charles Gerdes, Chair, and City Councilmembers

FROM: Brejesh Prayman, P.E., ENV SP, Director
        Engineering & Capital Improvements Department

RE: Consultant Selection Information
    Firm: Kimley Horn & Associates, Inc.
    Amendment No. 2 to Task Order No. 16-06-KHA/T in the amount of $104,694.14

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 detailed design and final FDOT approval of the turn lane improvements at 54th Avenue S and 41st Street.

    Kimley Horn & Associates, Inc. has satisfactorily completed planning and conceptual approval of the design from FDOT. This work is a continuation of the previous conceptual planning phase.

    Kimley Horn & Associates, Inc. has significant experience in the design, permitting and construction phase activities along State and National Highway System and has satisfactorily completed similar work and is familiar with the City Standards.

    This is the second Amendment to the sixth Task Order issued under the 2016 Master Agreement.

2. Transaction Report listing current work – See Attachment A
## ATTACHMENT A

Transaction Report for
Kimley Horn & Associates, Inc.
Miscellaneous Professional Services for Traffic Calming, Bicycle/Pedestrian Projects
A/E Agreement Effective - June 1, 2016
A/E Agreement Expiration - May 4, 2020

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Total: 1,116,754.15
This Amendment No. 2 to Task Order No. 16-06-KHA/T, as revised and amended, is made and entered into this ____ day of ____________, 20__, pursuant to the ARCHITECT/ENGINEERING AGREEMENT FOR MISCELLANEOUS PROFESSIONAL SERVICES FOR TRAFFIC CALMING, BICYCLE/PEDESTRIAN AND DEVELOPMENT OF REGIONAL IMPACT PROJECTS dated June 1, 2016, as amended ("Agreement"), between Kimley-Horn and Associates, Inc. ("A/E"), and the City of St. Petersburg, Florida ("City"), and upon execution shall become a part of the Agreement.

I. DESCRIPTION OF PROJECT

The initial Task Order authorized the A/E to undertake a comprehensive traffic study/analysis of this corridor, within the limits of the southbound I-275 off-ramp and the signalized intersection at Avenue of States Drive (Eckerd Drive), which provides access to Eckerd College. The expanded traffic study area would provide recommendations for a dedicated left turn lane, access improvements and associated modifications required for accommodating all traffic entering and leaving the South West Water Reclamation Facility (SWWRF).

Revision No. 1 to the Task Order authorized the A/E to conduct 72 hour counts as required by the FDOT and to update the technical memorandum for submittal to FDOT.

In Amendment No. 1 to the Task Order, the A/E was authorized to prepare construction plans for a left turn lane into the SWWRF facility located at the west end of the I-275 off-ramp based on the approved left turn lane concept. Due to the nature of the project at the time, a 90% and 100% Plan Phase Submittal was required. Also authorized was coordination of the plans and construction permits to the City, SWRWMD and FDOT for approval.

Under Revision No. 2 to the Task Order, the A/E revised Task 2 - Justification Summary Memorandum per comments from FDOT to include the conversion of the Justification Summary memorandum to an Interchange Operational Analysis Report (IOAR). The A/E also revised Task 5 - Concept Left Turn Lane Plans and Probable Construction Cost to accommodate an alternative analysis of a design concept provided by FDOT.

For this Amendment No. 2 to the Task Order, as revised and amended, the A/E will revise Amendment No.1 to prepare additional construction plan submittals for a left turn lane into the SWWRF facility located at the west end of the I-275 off-ramp based on the approved...
left turn lane concept. Amendment No. 2 will also revise the deliverable date for Task 10. The A/E will provide services that include, survey for areas of field conditions that have changed based on the FDOT’s on-going construction project along SR 682 (54th Avenue South) and the City’s driveway improvements to the SWWRF. Additional services include: design services and plans submittal requirements, which including overhead sign structure, geotechnical services and subsurface utility engineering.

As approved in Amendment No. 1, Task 10 established the deliverable of 90% Turn Lane Plans. Due to the increase in scope of the project, additional Plan Phases are required to adhere to FDOT requirements. This Amendment No. 2, in addition to the other Tasks below, creates additional 15% and 60% Plan Phase submittals. In summation, the A/E will be required to submit 15%, 60%, 90%, and 100% Plans Phase submittals.

II. SCOPE OF SERVICES

Task 9 - Data Collection - Additional Services

The A/E will perform field visits to identify conflicts and the feasibility of the proposed design. The A/E will review existing available information and review updated survey, geotechnical information, utility information, as-built roadway plans and crash data.

Task 10 - 90% Turn Lane Plans and Option of Probable Cost - Additional Services

The A/E will provide 90% construction plans per the Task 10 Scope of Services in Amendment No. 1. In addition to Task 10, the A/E will be required to submit 15% and 60% Plan Phase submittals, as stated below in Task 10A and Task 10B.

Task 10A - 15% Line & Grade - Ramp and Turn Lanes Plans

The A/E will provide design analysis and proposed alignment of I-275 westbound off-ramp and left turn lane on SR 682 (54th Avenue South). Upon review of the proposed design, the City and FDOT will submit any comments in writing to the A/E. At which time the A/E will respond to comments and make required revisions to the plans.

The exhibit for review will consist of:

- Aerial exhibit to show the lane transition on the ramp and the left turn lane configuration into the SWWRF facility.
- Location of the overhead sign structure at the off-ramp.

Other submittal requirements include:

- Design Variation for substandard shoulder width on I-275 off-ramp.

Task 10B - 60% Turn Lane Plans and Opinion of Probable Cost

The A/E shall prepare 60% construction plans for the turn lane improvements and associated signing and pavement marking plans. The 60% plans and opinion of probable cost will be submitted to FDOT and the City for review. The A/E will send out 60% plans to all utility providers with facilities along the corridor as identified by Sunshine One-Call. Upon
review of the plans the City and FDOT will submit any comments in writing to the A/E. At which time the A/E will respond to comments and make required revisions to the plans.

This task includes 60% plan submittal.

Deliverables:

A) Roadway Plans
   - One key sheet
   - One signature sheet
   - One summary of pay items sheet
   - Summary of quantities sheets (up to 4 anticipated)
   - One typical section
   - One general notes sheet
   - Project Survey Control
   - Plan sheets (1" = 40’)
   - VVH Table
   - Drainage structure section sheet
   - Cross section sheets
   - Temporary traffic control plan
   - One signing and pavement marking key sheet
   - One tabulation of quantities sheet (SAPM)
   - One signing and pavement marking general notes
   - Signing and pavement marking plan sheets (1" = 40’)

Other submittal requirements include:
   - Geotechnical Report
   - SUE Report
   - Structural Calculations for multi-post sign foundation.

B) Utility Coordination

The A/E will be responsible for coordinating the proposed design with the affected utility companies to minimize utility conflicts. The individual utility owners will designate the existing utilities within the project limits and assist the A/E during the design phase.

Each utility provider will be responsible for identifying their respective utilities for this project. This utility information will be provided to the A/E by the utility provider or the City for inclusion into the turn lane design plans for this project. The A/E will be responsible for coordinating with the utility providers for the proposed construction elements such that utility conflicts are minimized or avoided.

The A/E will provide to the utility owners, electronic PDF files of plans. Should a utility owner request CADD files in lieu of PDF files, the A/E cannot be responsible for the accuracy of the CADD files after they are provided. The A/E will, prior to and during design, obtain available data from the utility owners that may be needed to
determine the actual location and depth (if provided by the utility owner) of the 
underground utilities. The A/E will prepare for and attend up to two (2) utility 
coordination meetings.

C) Opinion of Probable Cost

Develop quantities consistent with the City preferences and prepare an Opinion of 
Probable Costs (OPC). The OPC will be submitted with the 60%, 90%, and Final 
Submittal.

D) Submittals

The A/E will submit up to five (5) copies of the turn lane design plans at 60%, 90%, 
and Final completion stage to the City. These documents will be submitted to the City 
for review at each stage. City staff will have three (3) weeks to review and provide 
comments at each stage. The A/E will submit a Final Signed and Sealed set to the 
City for record.

The A/E will utilize the pavement design for the widening and resurfacing improvements 
currently underway by FDOT.

Task 12 - 100% Turn Lane Plans and Opinion of Probable Cost - Additional Services

The A/E shall provide the City's Section 20 (Technical Specification) and Pay Item Proposal 
Sheet for the final bid documents.

Task 13 - Project Administration - Additional Services

During the execution of this project, the A/E shall provide all project management and 
administration functions, including QA/QC, supervision, coordination, attendance at 
required project meetings, preparation of meeting minutes, and management of 
schedule/budget.

Task 14 - Survey

The A/E shall provide all survey in the updated areas of the median and driveway 
connection on/adjacent to SR 682 (54th Avenue South), including newly constructed 
drainage structures. Provide cross section data information at the propose overhead sign 
structure at the I-275 off-ramp and survey geotechnical borings taken at the proposed 
overhead sign structure at the I-275 off-ramp.

Task 15 - Geotechnical

The A/E shall provide geotechnical services for the overhead sign structure locations to 
include borings and report; to provide the soil parameters for the over-head foundation 
design.
Task 16 - Subsurface Utility Engineering (SUE)

The A/E shall conduct subsurface utility engineering for designating and locating horizontal and vertical position of utilities that are located in the area of the proposed overhead sign structure and proposed traffic separator at the I-275 off-ramp. The A/E shall incorporate the findings into a report and into the plan set.

III. SCHEDULE

Work under this Task Order shall begin no later than ten (10) calendar days from Notice to Proceed.

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<td>Task 10A - 15% Line &amp; Grade - Ramp and Turn Lanes Plans</td>
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IV. A/E'S RESPONSIBILITIES

The A/E shall provide the services described in Section II, Scope of Services.

V. CITY'S RESPONSIBILITIES

The City's participation under this Task Order is anticipated to include, but not limited to the following:

- Review and comment on A/E's deliverables.

VI. DELIVERABLES

Task 9 - Data Collection - N/A
Task 10A - 15% Line & Grade - Ramp and Turn Lanes Plans - PDF Version
Task 10B - 60% Turn Lane Plan and Opinion of Probable Cost - PDF Version
Task 10 - 90% Turn Lane Plans and Opinion of Probable Cost - PDF Version
Task 12 - 100% Turn Lane Plans and Opinion of Probable Costs - PDF Version
Task 13 - Project Administration - N/A
VII. **A/E'S COMPENSATION**

The A/E was authorized the lump sum amount of $72,393.44 under the original Task Order for Tasks 1 through 6. (A separate $10,000.00 Allowance was approved but not authorized.)

Revision No. 1 to the Task Order authorized the A/E the lump sum amount of $1,985.97 (from the Allowance) for Task 8.

Amendment No. 1 to the Task Order authorized the A/E the lump sum amount of $48,142.00 for Tasks 9 through 13 (An additional $10,000.00 Allowance was approved but not authorized).

Revision No. 2 to the Task Order authorized the A/E the lump sum amount of $9,705.20 (from the Allowance) for revised Tasks 2 and 5.

For this Amendment No. 2 to the Task Order, the City shall compensate the A/E in a lump sum amount of $89,694.14 for Tasks 14 through 16 and additional services to Tasks 9, 10 and 13.

Amendment No. 2 to the Task Order establishes an Allowance of $15,000.00 for additional services not identified in the Scope of Services. Additional services may be performed only upon receipt of prior written authorization from the City and such authorization shall set forth the additional services to be provided by the A/E. The cost for any additional services shall not exceed the amount of the allowance set forth in this Amendment No. 2 to the Task Order. The total unauthorized Allowance will be $23,308.83.

The total for Amendment No. 2 including Allowance is $104,694.14, per Attachment 1 to Appendix A.

The total Task Order amount including Revision No. 1, Amendment No. 1, Revision No. 2 and Amendment No. 2 shall not exceed $245,229.58.

VIII. **PROJECT TEAM**

Subconsultants -
  - Element Engineering Group, LLC
  - Arehna Engineering, Inc.
  - Omni Communications, LLC
IX. MISCELLANOUS

In the event of a conflict between this Amendment No. 2 to Task Order No. 16-06-KHA/T, as revised and amended, and the Agreement, the Agreement shall prevail.

IN WITNESS WHEREOF the Parties have caused this Amendment No. 2 to Task Order No. KHA/T, as revised and amended, to be executed by their duly authorized representatives on the day and date first above written.

ATTEST

By: ________________________________
   Chandrakasa 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)

Kimley-Horn and Associates, Inc.
(Company Name)

By: ________________________________
   (Signature)

Scott W. Geller, PE, Vice President
(Printed Name and Title)

Date: 3/29/2019

WITNESSES:

By: ________________________________
   (Signature)

CHRISTOPHER HABTOK
(Printed Name)

By: ________________________________
   (Signature)

SHAN K. BARNETT, P.E.
(Printed Name)
### I. Manpower Estimate: All Tasks

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#### TASK

9 Data Collection - Additional Services

10A 15% Line & Grade - Ramp and Turn Lanes Plans

10B 60% Turn Lane Plans and Opinion of Probable Cost

12 100% Turn Lane Plans and Opinion of Probable Cost - Additional Services

13 Project Administration - Additional Services

14 Survey

15 Geotechnical

16 Subsurface Utility Engineering (SUE)

Total: 20 50 52 56 83 58 321 $56,081.64

### II. Fee Calculation

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### III. Fee Limit

- **Lump Sum Cost**: $89,694.14
- **Allowance**: $15,000.00
- **Total**: $104,694.14

### IV. Notes:

1. Multiplier (per contract)
2. Includes expenses for: Expenses included within rates.
3. Allowance to be used only upon City's written authorization.

Amendment No. 2 to Task Order No. 19-06-K04 A/T
ST. PETERSBURG CITY COUNCIL

Sewer Report

Meeting of May 16, 2019

TO: The Honorable Charles Gerdes, Chair and Members of City Council

SUBJECT: A Resolution authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 16-02-GFY/W ("Task Order") to the architect/engineering agreement dated December 13, 2016 between the City of St. Petersburg, Florida and George F. Young, Inc. ("A/E") for A/E to provide professional engineering services including final design, bidding services, and construction phase services related to the Lift Station No. 42 (Jim Walter) Improvements Project in an amount not to exceed $96,277.14; providing that the total Task Order, as amended, shall not exceed $185,148.09 (Engineering Project No.18097-111; Oracle No. 16355); and providing an effective date.

EXPLANATION: Lift Station 42 (Jim Walter) is located east of Dr. Martin Luther King Jr. St N, and north of Gandy Boulevard. Lift Station No.42 receives flows from the Ibis Walk Residential Development and service collection areas north of Gandy Blvd, and pumps to the North East Water Reclamation Facility (NEWRF). Lift Station 42 is approximately 4 feet below grade of surrounding properties’ surface elevation. Due to recent development in the area and heavy overland flows during rain events, the station has experienced frequent flooding. The infrastructure of this station is also nearing the end of its useful life expectancy and in need of replacement. This is an asset management project.

On May 3, 2018, Council approved Task Order No. 16-02-GFY/W, in the amount of $88,870.95 to provide professional engineering services included but not limited to multiple conceptual design alternatives and recommendations for replacing the pump station with a new, more efficient submersible pump station. An Alternative was recommended, which requires raising the existing access road to access the new lift station and elevating electrical, instrumentation and controls.

Amendment No. 1 to Task Order No. 16-02-GFY/W in the amount of $96,277.14 will provide professional engineering services including bid documents based on recommended Alternative. Geotechnical services for the raised entrance road, lift station, electrical design, and an additional survey are required for the detailed design, bidding phase services and construction phase services.

Task Order No. 16-02-GFY/W and Amendment No 1 includes the following phases and associated costs respectively:

- Conceptual Design Memorandum and Final Design Recommendation: $78,870.95 (Approved)
- Allowance for Additional Services: $10,000.00 (Approved)
- Final Design, Bidding Services, and Construction Phase Services: $96,277.14 (New)

Total: $185,148.09
RECOMMENDATION: Administration recommends authorizing Mayor or his designee to execute Amendment No. 1 to Task Order No. 16-02-GFY/W ("Task Order") to the architect/engineering agreement dated December 13, 2016 between the City of St. Petersburg, Florida and George F. Young, Inc. ("A/E") for A/E to provide professional engineering services including final design, bidding services, and construction phase services related to the Lift Station No. 42 (Jim Walter) Improvements Project in an amount not to exceed $96,277.14; providing that the total Task Order, as amended, shall not exceed $185,148.09 (ECID Project No. 18097-111; Oracle No. 16355); and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Funds have been previously appropriated in the Water Resources Capital Projects Fund (4003) LST #42 Jim Walter Rehab FY18 Project (16355).

ATTACHMENTS: Resolution
Task Order No. 16-02-GFY/W Amendment No. 1
Map

APPROVALS: [Signatures]
Administrative
Budget
RESOLUTION 2019-______

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT NO. 1 TO TASK ORDER NO. 16-02-GFY/W ("TASK ORDER") TO THE ARCHITECT/ENGINEERING AGREEMENT DATED DECEMBER 13, 2016 BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND GEORGE F. YOUNG, INC. ("A/E") FOR A/E TO PROVIDE PROFESSIONAL ENGINEERING SERVICES INCLUDING FINAL DESIGN, BIDDING SERVICES, AND CONSTRUCTION PHASE SERVICES RELATED TO THE LIFT STATION NO. 42 (JIM WALTER) IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED $96,277.14; PROVIDING THAT THE TOTAL TASK ORDER, AS AMENDED, SHALL NOT EXCEED $185,148.09 (ENGINEERING PROJECT NO. 18097-111; ORACLE NO. 16355); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida and George F. Young, Inc. ("A/E") entered into an architect/engineering agreement on December 13, 2016 for A/E to provide miscellaneous professional services for Potable Water, Wastewater and Reclaimed Water Projects; and

WHEREAS, on May 3, 2018, City Council approved Task Order No. 16-02-GFY/W ("Task Order") in an amount not to exceed $88,870.95 for A/E to provide multiple conceptual design alternatives and recommendations for replacement of the pump station related to the Lift Station No. 42 (Jim Walter) Improvements Project ("Project"); and

WHEREAS, Administration desires to issue Amendment No. 1 to the Task Order for A/E to provide professional engineering services including bidding documents based on recommended Alternative 2D, geotechnical services, detailed design survey, and an updated engineer’s opinion of probable construction cost including bidding phase and construction phase services for the Project in an amount not to exceed $96,277.14.

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. 16-02-GFY/W ("Task Order") to the architect/engineering agreement dated December 13, 2016 between the City of St. Petersburg, Florida and George F. Young, Inc. ("A/E") for A/E to provide professional engineering services including final design, bidding services, and construction phase services related to the Lift Station No. 42 (Jim Walter) Improvements Project in an amount not to exceed $96,277.14.

BE IT FURTHER RESOLVED that the total Task Order, as amended, shall not exceed $185,148.09.

This resolution shall become effective immediately upon its adoption.

Approved by: 

[Signature]

Legal Department
By: (City Attorney or Designee)
0445412

Approved by: 

[Signature]

Brijesh Prayumar, P.E., SP, ENV
Engineering & Capital Improvements Director
MEMORANDUM
CITY OF ST. PETERSBURG
Engineering and Capital Improvements Department

TO: The Honorable Charles Gerdes, Chair, and City Councilmembers
FROM: Brejesh Prayman, P.E., ENV SP, Director Engineering & Capital Improvements Department
RE: Consultant Selection Information
Firm: George F. Young, Inc.
Amendment No. 1 to Task Order No. 16-02-GFY/W in the amount of $185,148.09

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 detailed design and bidding phase services for rehabilitation of Lift Station 42. This work is a continuation of the preliminary planning and conceptual design alternatives and recommendations.

   George F. Young, Inc. has satisfactorily completed similar work under pervious A/E Annual Master Agreements in 2012, and is familiar with the City Standards.

   George F. Young, Inc. has previously performed work at this Lift Station and is familiar with the flow parameters.

   This is the second Task Order issued under the 2016 Master Agreement.

2. Transaction Report listing current work – See Attachment A
AMENDMENT NO. 1 TO TASK ORDER NO. 16-02-GFY/W
LIFT STATION 42 - CONCEPTUAL DESIGN ALTERNATIVES
POTABLE WATER, WASTEWATER AND RECLAIMED WATER PROJECTS
CITY PROJECT NO. 18097-111

This Amendment No. 1 to Task Order No. 16-02-GFY/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 13, 2016 ("Agreement") between George F. Young, Inc. ("A/E"), and the City of St. Petersburg, Florida ("City"), and upon execution shall become a part of the Agreement.

I. DESCRIPTION OF PROJECT

The City desires to re-size and replace the Lift Station 42 servicing the Ibis Walk collection area and flows from lift stations 66 and 68, north of Gandy Blvd. Lift Station 42 currently resides roughly 4 feet below surrounding properties that were developed after the lift station was originally constructed and it receives heavy overland flows during rain events putting the station at risk for flooding. Lift Station 42 also no longer receives sanitary flows from Lift Station 82 and is now oversized relative to the current design flows. In addition, the existing pump station infrastructure is nearing the end of its useful life expectancy and is due for replacement. The City would like to design a properly sized pump station for the actual flows received at Lift Station 42 and construct it on-site (via construction of a new submersible pump station and demolition of the existing pump station). Due to limited available space in the area and the local geography, only the existing site is being considered for the relocation of the pump station to include options of using the dry well with new fiberglass liner as the new wet well.

In the initial Task Order, the A/E evaluated alternatives for optimizing Lift Station 42. Following review with City Project Team, it was recommended Alternative 2D (raise existing access road to access new lift station electrical and I&C at elevation 7.0'/104.8") as outlined in the technical memorandum be advanced for detailed design and bidding.

For this Amendment No. 1 to the Task Order, the A/E will prepare bid documents based on recommended Alternative 2D. Geotechnical services (for the raised entrance road, lift station, electrical design) and an additional survey are required for the detailed design. The A/E will also provide an updated engineer's opinion of probable construction cost, bidding phase services and construction phase services.

II. SCOPE OF SERVICES

Task 1 - Project Management - Additional Services

A/E will provide overall project management and coordination to include directing technical staff, coordinating with City staff and supporting detailed design efforts.
Task 2 – Data Collection and On-site Investigation - Additional Services

T2.06 Provide a survey showing existing building tied to plat easement.

T2.07 Conduct geotechnical borings and prepare recommendation for access road profile, and raising the lift station and its appurtenances.

Task 4 – Construction Documents

The A/E will prepare construction documents for bidding Lift Station 42 improvements as defined in the recommended Alternative 2D Technical Memorandum.

A/E will develop site civil plans to raise the entrance access road to 25-year 24-hour storm elevation, prepare demolition plans for existing structures, raise new lift station to elevation 9.0’ NAVD, resize wetwell and new mechanical equipment for optimal design flows.

Code Minimum Landscape Plan:

A/E will develop a City code minimum landscape plan for the proposed lift station including all code required foundation and perimeter landscaping and any interior VUA greenspace calculations. Plant lists and planting notes and details will be provided as required by the City. The fee will include a site visit to verify existing conditions and meeting time and coordination with the. Irrigation performance specifications will be provided in lieu of an irrigation plan.

Electrical and I&C bid documents shall include:

- Design of new electrical service entrance and power distribution system based on the conclusions drawn from the preliminary design report.
- Design of new task lighting as required.
- Work as required for the reuse or design of a new standby generator system for the Pump Station.
- Design of new telemetry system for the pump station.
- Design of the inclusion of flow metering with the pre-package control system provided by the pump vendor.
- Coordination with the pump vendor to insure continuity between the pump controls, flow metering and telemetry systems.
- e) Specifications for electrical and telemetry systems.

T4.01 90% Design Construction Documents

T4.02 Technical Review Committee Meeting & Response to Comments

T4.03 100% Bld Documents
Task 5 – Pre-Bid Meeting

The A/E will attend one (1) pre-bid meeting and site visit and assist in answering questions from the bidders.

Task 6 – Bidding Phase

The A/E will assist the City in preparing bid documents and preparing responses to questions received during the bidding phase from bidders.

Task 7 – Pre-construction Meeting

The A/E will attend the pre-construction meeting with the awarded contractor and support City staff in responding to contractor’s questions relative to the bid documents.

Task 8 – Limited Construction Administration

A/E will perform submittal reviews, respond to RFIs, and provide up to four (4) hours per week of on-site inspections during the construction phase.

III. SCHEDULE

Work under this Task Order shall begin no later than 10 days from Notice to Proceed.

<table>
<thead>
<tr>
<th>Task</th>
<th>Description</th>
<th>Number of Days from NTP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Task 1 – Project Management - Additional Services</td>
<td>Ongoing throughout project</td>
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<tr>
<td>Task 2 – Data Collection - Additional Services</td>
<td>60</td>
<td></td>
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<tr>
<td>Task 4 – Construction Documents</td>
<td>160</td>
<td></td>
</tr>
<tr>
<td>Task 5 – Pre-Bid Meeting</td>
<td>Follow City’s Bid/Advertisement Schedule</td>
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<tr>
<td>Task 6 – Bidding Phase</td>
<td>Follow City’s Bid/Advertisement Schedule</td>
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<tr>
<td>Task 7 – Pre-construction Meeting</td>
<td>Follow City’s Construction Schedule</td>
<td></td>
</tr>
<tr>
<td>Task 8 – Limited Construction Administration</td>
<td>Follow City’s Construction Schedule</td>
<td></td>
</tr>
</tbody>
</table>

IV. A/E’S RESPONSIBILITIES

The A/E will perform services outlined in Section II, Scope of Services.

V. CITY’S RESPONSIBILITIES

- Using the recently updated citywide sewer model, perform modeling for the Lift Station 42 catchment area and discharge into City’s sanitary forcemain model and provide results to A/E.
- City to confirm design flows including average daily flow (ADF) and peak hourly flow (PHF) based on Level of Service desired for this northeast catchment area and calibrated flow meter results.
• City will be responsible for asbestos and lead based paint assessments and provide the results to A/E prior to preparation of bid documents.

VI. DELIVERABLES

Task 1 – Project Management - Additional Services – Updated project schedule.

Task 2 – Data Collection - Additional Services – Updated survey and geotechnical report.


Task 5 – Pre-Bid Meeting – Attend meeting with City staff and potential contractors.

Task 6 – Bidding Phase – Assistance in responding to bidder questions via email.

Task 7 – Pre-construction Meeting – Attend and participate in pre-construction meeting scheduled by the City.

Task 8 – Limited Construction Administration – Shop Drawing review during construction; review of contractor submittals; respond to RFIs; and provide punch list review and close out document review after construction is complete.

VII. A/E’S COMPENSATION

The A/E was authorized the lump sum amount of $78,870.95 under the initial Task Order for Tasks 1 through 3 (a separate $10,000.00 Allowance was not authorized).

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 Amendment No. 1 to the Task Order.

For this Amendment No. 1, the City shall compensate the A/E the not-to-exceed amount of $96,277.14 for Tasks 4 through 8 and additional services to Tasks 1 and 2, per Attachment 1 to Appendix A.

The total Task Order amount including Amendment No. 1 shall not exceed $185,148.09.

VIII. PROJECT TEAM

George F. Young, Inc.

Subconsultants - T.D.T. Engineering, Inc., (Electrical and Controls)
Professional Service Industries, Inc. (Geotechnical)

IX. MISCELLANEOUS

In the event of a conflict between this Amendment No. 1 to Task Order No. 16-02-GFY/W and the Agreement, the Agreement shall prevail.
IN WITNESS WHEREOF the Parties have caused this Amendment No. 1 to Task Order No. 16-02-GFY/W to be executed by their duly authorized representatives on the day and date first above written.

ATTEST

By: ________________________________
    Chandrahasa Srinivasa
    City Clerk

(SEAL)

CITY OF ST. PETERSBURG, FLORIDA

By: ________________________________
    Brejesh Prayman, P.E., ENV SP, Director
    Engineering & Capital Improvements

DATE: ______________________________

APPROVED AS TO FORM FOR CONSISTENCY
WITH THE STANDARD TASK ORDER.
NO OPINION OR APPROVAL OF THE SCOPE
OF SERVICES IS BEING RENDERED BY
THE CITY ATTORNEY'S OFFICE

By: ________________________________
    City Attorney (Designee)

George F. Young, Inc.

(Company Name)

By: ________________________________
    ____________________________
    George Joyce II
    Senior Vice President

(Printed Name and Title)

Date: ________________

WITNESSES:

By: ________________________________
    ____________________________
    Timothy Rankin

(Printed Name)

By: ________________________________
    ____________________________
    Michael F. Caffrey

(Printed Name)
## ATTACHMENT 3 TO APPENDIX A

**Work Task Breakdown**

**Lift Station 42 Conceptual Design Alternatives**

**Project No.**

### I. Manpower Estimate: All Tasks

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<thead>
<tr>
<th>Direct Labor Rates Classifications</th>
<th>Project Manager</th>
<th>2-Person Field Crew</th>
<th>Land Survey</th>
<th>Landscape Architect</th>
<th>Civil Engineer</th>
<th>Survey Technician</th>
<th>Principal</th>
<th>Engineeer</th>
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**TASK**

1.07 Project Management          | 37               | 16                  |            |                    |               |                  |          |          |             | 48.00       | $8,412.32  |
2.06 Collect Survey Data         | 4                | 4                   |            |                    |               |                  |          |          |             | 8.00        | $5,062.40  |
2.07 Collect Geotechnical Boring | 4                | 4                   |            |                    |               |                  |          |          |             | 4.00        | $2,977.14  |
4.01 Construction Documents      | 16               | 24                  | 60         |                    |              |                  |          |          |             | 220.00      | $50,504.56 |
4.02 Technical Review Meeting   | 4                | 2                   |            |                    |              |                  |          |          |             | 10.00       | $1,770.00  |
4.03 100% Bid Documents          | 4                | 4                   |            |                    |              |                  |          |          |             | 48.00       | $6,492.56  |
5.04 Pre-Bid Meeting             | 4                | 4                   |            |                    |              |                  |          |          |             | 8.00        | $1,560.96  |
6.06 Bid Day                    | 4                | 4                   |            |                    |              |                  |          |          |             | 16.00       | $2,867.20  |
7.06 Bidding Phase               | 4                | 4                   |            |                    |              |                  |          |          |             | 16.00       | $2,560.96  |
8.06 Limited Construction Admin | 24               | 48                  | 96         |                    |              |                  |          |          |             | 48.00       | $15,588.96 |

Totals 100 4 0 28 70 16 80 168 462 $74,774.80

### II. Fee Calculation

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<th>Task</th>
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Total $74,774.80 $2,540.24 $18,942.30 $9,317.10 $96,377.14

### III. Fee Limit

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<th>Total</th>
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</thead>
</table>

### IV. Notes:

1. Rate x overhead x profit (per contract).
2. Includes expenses for: printing, mailage.
3. Includes 5 percent markup of SUBCONSULTANT (per contract).
4. Allowances to be used only upon city's written authorization.

Amendment No. 1 to Task Order No. 16-02-0FYW
Page 1 of 1
The following page(s) contain the backup material for Agenda Item: Approving the amended and restated recyclables processing agreement between the City of St. Petersburg, Florida, and Waste Connections of FL, Inc. (formerly, Progressive Waste Solutions of FL, Inc.) for the processing of recyclable materials; authorizing the City Attorney’s Office to make non-substantive changes to the amended and restated recyclables processing agreement; authorizing the Mayor or his designee to execute the amended and restated recyclables processing agreement.
Please scroll down to view the backup material.
May 16th, 2019

TO: The Honorable Charlie Gerdes, Chair and Members of City Council

FROM: Willie Joseph, Sanitation Director

DATE: Meeting of May 16th, 2019

SUBJECT: Amended and Restated Recycling Contract

Background:
The current contract for processing material collected from the residential recycling program will expire at the end of May 2020. This contract was signed in 2015 when the market for recyclable material was much more favorable than it is currently. Significant terms in the current contract are:

• Processing Fee of $20.46/ton (plus annual CPI increases)
• 64.5% Rebate on salable items (excluding glass)
• No costs for disposal of contamination or for the transport of glass
• If Processing Fee is larger than the Rebate, the City does not pay the difference

To minimize future risk in a volatile market, the Sanitation department requested and received approval from the Purchasing department to conduct negotiations with our current provider, Waste Connections, on an Amended and Restated Contract. While the amended contract would increase City costs, especially over the first year, the Administration believes there is a financial benefit to the City in modifying the contract terms now as opposed to waiting until the current contract expires. Significant terms of the Amended and Restated Contract are:

• Processing Fee of $90/ton (plus annual CPI increases)
• 100% Rebate on salable items (excluding glass)
• City would pay for the disposal of contamination at the County Solid-Waste Facility, currently $37.50/ton
• City would pay ¼ of the index price for mixed glass to defray transportation costs. The current index is negative $22.50/ton, so the City would pay $11.25/ton of glass
• If Processing Fee is larger than the Rebate, the City would pay the difference
• 'Favored Nation' clause – if another government agency signs a contract with more favorable terms, this contract can be amended so the City receives those more favorable terms
• Additional landscape screening on the south side of the Waste Connections sorting facility
• A monthly report on where the recyclable material is sold
• A performance bond; and a
• Five (5) year term with two (2) one (1) year mutual renewal options
If the City waits until the current contract expires, we anticipate being offered terms similar to what was recently offered to another local municipality, or worse. Significant terms of that offer were:

- Processing Fee of $110/ton (plus annual CPI increases)
- 25% Rebate on salable items (excluding glass)
- Municipality would pay for the disposal of contamination at the County Solid-Waste Facility, currently $37.50/ton.
- Municipality would pay the full index price for mixed glass to defray transportation costs. The current index is negative $22.50/ton.
- If Processing Fee is larger than the Rebate, the Municipality would pay the difference

In addition to the lower processing fee in the Amended and Restated Contract proposal versus the recent proposal above to a nearby municipality, there are several other factors that make the current proposal advantageous to the City. The difference between receiving 100% of the rebate and 25% of the rebate is significant now and could become more so if the market for recyclable materials begins to recover from current low levels. Also important is the risk reduction gained by the ‘Favored Nation’ clause and the performance bond. This assures the City that we will be able to move to more advantageous terms if they become available during the life of this contract, while also assuring the vendor will satisfy the terms by performing the work or by payment to the City to have the work performed.

Importantly, the proposed terms of the Amended and Restated Contact should not have a significant impact on the 10-year projection for Sanitation rates. During the Rate Study conducted in 2018, the deteriorating market for recyclable materials was recognized and an increase in the cost of recycling beginning in 2020 was included in the study. The proposed Amended and Restated Contract is consistent with estimates used for the rate study to project rates over a 10-year period.

The Administration estimates the proposed Amended and Restated Contract would result in a savings to the City of approximately $1,266,698 over the five (5)-year period of the contract when compared to one (1) year under our current contract and four (4) years under the terms recently offered to another local municipality. When coupled with the risk mitigation of the ‘Favored Nation’ clause, the Administration supports entering into a new Amended and Restated contract at this time under the proposed terms.

The Amended and Restated Contract was reviewed by the HERS Committee on May 9, 2019 and recommended for approval to City Council.

The Administration requests approval by City Council of the Amended and Restated Contract through the attached Resolution.

Attachments: Resolution
Amended and Restated Contract
Sole Source Approval
RESOLUTION NO.

A RESOLUTION APPROVING THE AMENDED AND
RESTATED RECYCLABLES PROCESSING AGREEMENT
BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND
WASTE CONNECTIONS OF FL, INC. (FORMERLY,
PROGRESSIVE WASTE SOLUTIONS OF FL, INC.) FOR THE
PROCESSING OF RECYCLEABLE MATERIALS;
AUTHORIZING THE CITY ATTORNEY’S OFFICE TO MAKE
NON-SUBSTANTIVE CHANGES TO THE AMENDED AND
RESTATED RECYCLABLES PROCESSING AGREEMENT;
AUTHORIZING THE MAYOR OR HIS DESIGNEE TO
EXECUTE THE AMENDED AND RESTATED RECYCLABLES
PROCESSING AGREEMENT; AND PROVIDING AN
EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida (“City”) provides curbside collection of
commingled recyclable material from single family residences and needs a convenient way to
process such materials; and

WHEREAS, Waste Connections of FL, Inc. (“WC”) is a full-service, non-hazardous solid
waste recycling company providing disposal services to commercial and residential customers in
Florida, and has equipment to process and separate the collected recyclable materials; and

WHEREAS, the City and WC executed an agreement on June 1, 2015 (“Original
Agreement”), for the City to deliver collected materials to WC for processing at WC’s recycling
facility located at 1190 20th Street North, St. Petersburg, FL 33713; and

WHEREAS, over the last few years there have been changes in the recycling market which
necessitates changes to the Original Agreement; and

WHEREAS, the City and WC wish to add, modify and amend sections of the Original
Agreement to (i) add new definitions, (ii) change the monthly recycling rebate to a monthly
recyclables processing payment, (ii) add a favored nations section, and (iv) modify other necessary
sections; and

WHEREAS, the City and WC now desire to execute an Amended and Restated
Recyclables Processing Agreement consistent with the foregoing recitals; and

WHEREAS, WC has agreed to the terms and conditions set forth in the Amended and
Restated Recyclables Processing Agreement.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St.
Petersburg, Florida, that the Amended and Restated Recyclables Processing Agreement between
the City of St. Petersburg, Florida, and Waste Connections of FL, Inc. (formerly, Progressive
Waste Solutions of FL, Inc.) for the processing of recyclable materials is hereby approved.
BE IT FURTHER RESOLVED that the City Attorney's Office is authorized to make non-substantive changes to the Amended and Restated Recyclables Processing Agreement.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the Amended and Restated Recyclables Processing Agreement.

This Resolution shall become effective immediately upon its adoption.

Approvals:

[Signature]
City Attorney (Designee)
00445615

[Signature]
Administration
AMENDED AND RESTATED
RECYCLABLES PROCESSING AGREEMENT

THIS AMENDED AND RESTATED RECYCLABLES PROCESSING AGREEMENT (the “Agreement”) is made as of the ___ day of May, 2019 (“Effective Date”), by and between:

The City of St. Petersburg, Florida, with a mailing address of 175 5th St. N., St. Petersburg, FL 33701 (“CITY”).

and

Waste Connections of Florida, Inc., a Delaware corporation, with a mailing address of 3 Waterway Square Pl, Ste. 110 Woodlands, TX 77380 (“WC”).

RECITALS

WHEREAS, the CITY provides curbside collection of commingled recyclable material from Single Family Residences (as defined herein) and needs a convenient way to process such Collected Materials (as defined below); and

WHEREAS, WC is a full-service, non-hazardous solid waste recycling company providing disposal services to commercial and residential customers in Florida, and has equipment to process and separate the Collected Materials; and

WHEREAS, the CITY and WC executed an agreement on June 1, 2015 (“Original Agreement”), for CITY to deliver Collected Materials to WC for processing at WC’s recycling facility located at 1190 20th Street North, St. Petersburg, FL 33713 (the “Facility”); and

WHEREAS, over the last few years there have been changes in the recycling market which necessitates changes to the Original Agreement; and

WHEREAS, the CITY and WC wish to add, modify and amend sections of the Original Agreement to (i) add new definitions, (ii) change the monthly recycling rebate to a monthly recyclables processing payment, (ii) add a favored nations section, and (iv) modify other necessary sections; and

WHEREAS, the CITY and WC now desire to execute an Amended and Restated Recyclables Process Agreement consistent with the foregoing recitals and subject to the terms and conditions set forth below.

NOW, THEREFORE, for and in consideration of the foregoing recitals (all of which are hereby adopted as an integral part of this Agreement), and for other good and valuable consideration, the receipt of which are hereby acknowledged, and of the mutual covenants stated below, the parties hereby agree as follows:
1. **Definitions.**

(a) "Collected Materials" means commingled materials deposited by residents of Single Family Residences for the purpose of recycling and which shall be collected curbside or in alleys by the CITY or its third party collections contractor.

(b) "Contract Year" means the twelve (12) month period following the Effective Date and each twelve (12) month period thereafter.

(c) "Fiscal Year" means that period of time from October 1 to September 30 each year.

(d) "Hazardous Materials" are defined as any substance or material that could adversely affect the safety of the public, handlers or carriers during transportation, and those hazardous wastes outlined by the U.S. Environmental Protection Agency. (See Exhibit C for classifications of hazardous materials and summary of types of hazardous wastes.)

(e) "Monthly Commodity Amount" means the product of (i) the Monthly Sellable Commodity Tonnage multiplied by (ii) Monthly Sellable Commodity AMV, rounded to the nearest cent. The CITY shall receive the Monthly Commodity Amount in accordance with this Agreement.

(f) "Monthly Glass Transportation Fee" means the index value of mixed glass as first published each month by www.recyclemarkets.net multiplied by half for each ton of single stream mixed glass transported from the Facility by WC for recycling in any given month. The City shall only pay WC the Monthly Glass Transportation Fee if the index value of mixed glass as first published each month by www.recyclemarkets.net is negative.

(g) "Monthly Fees" means the total of the Monthly Glass Transportation Fee, Monthly Non-Recyclable Materials Disposal Fee and the Monthly Processing Fee. The CITY shall pay WC the Monthly Fees in accordance with this Agreement.

(h) "Monthly Non-Recyclable Materials Disposal Fee" means amount charged by Pinellas County, Florida for each ton of Non-Recyclable Materials transported from the Facility by WC for disposal at the Pinellas County Solid Waste Disposal Facility in any given month.

(i) "Monthly Processing Fee" means ninety dollars ($90)* per ton for each ton of Collected Materials delivered to the Facility and accepted by WC in any given month. *On each anniversary of the Effective Date, during the Term of this Agreement, the Monthly Processing Fee shall be increased by the percentage increase in the Consumer Price Index (all items) for the Southwest Region for the previous twelve-month-period or 3%, whichever is less.
(j) “Monthly Sellable Commodity AMV” means the sum of (i) the index value of each Sellable Commodity as first published each month by www.recyclemarkets.net multiplied by (ii) the applicable material percentage of each Sellable Commodity set forth in Exhibit A, Chart 1.

(k) “Monthly Sellable Commodity Tonnage” means (i) the number of tons of Collected Materials delivered to the Facility in any given month, minus (ii) the sum of (a) the number of tons of Non-Recyclable Materials and (b) the number of tons of single stream mixed glass delivered to the Facility for processing in such month. In the event that single stream mixed glass becomes as Sellable Commodity (as described in paragraph 6.A.), the number of tons of single stream mixed glass delivered to the Facility for processing in a given month shall not be subtracted from the number of tons of Collected Materials delivered to the Facility in a given month.


(m) “Recyclable Commodity” means those types of Collected Materials categorized as a Recyclable Commodity on Exhibit A, Chart 1.

(n) “Sellable Commodity” means every Recyclable Commodity, specifically excluding single stream mixed glass set forth in Exhibit A, Chart 1.

(o) “Single Family Residences” means any structure in St. Petersburg with four or less living units serviced by 95 gallon automated recycling carts.

2. **Term.** The initial term of this Agreement shall be for a period of five (5) years commencing on the Effective Date, unless earlier terminated as provided for herein. This Agreement may be extended (under the same terms and conditions) for two one (1) year periods at the end of the then expiring term, provided such extension is mutually agreed upon by both parties in writing. References in this Agreement to “Term” shall include the initial term of this Agreement and all renewal terms.

3. **Monthly Recyclables Processing Payment.** On or before the 30th day of each month during the Term, WC shall provide the CITY a detailed invoice identifying the Monthly Recyclables Processing Payment with appropriate documentation which shall evidence the preceding month’s Monthly Fees and Monthly Commodity Amount. The Monthly Recyclables Processing Payment equals the Monthly Commodity Amount minus the Monthly Fees. If a Monthly Recyclables Processing Payment is due (because the Monthly Commodity Amount exceeds the Monthly Fees), WC shall remit payment of the Monthly Recyclables Processing Payment with the invoice. In the event that the Monthly Fees are greater than the Monthly Commodity Amount, the CITY shall remit payment in an amount equal to the Monthly Fees minus the Monthly Commodity Amount. Such payment shall be made by the CITY within thirty (30) days after receipt of the monthly invoice.

4. **Composition Study of Collected Materials.**
A. The types of Collected Materials and the material percentages are set forth in Exhibit A, Chart 1. Commencing at the beginning of the second Contract Year, WC and the CITY may conduct a composition study of the Collected Materials to determine the current measurement of the composition of the Collected Materials. In the event WC and the CITY decide to conduct a composition study, WC and the CITY shall, on the date and time mutually agreed upon by the parties, sort all of the Collected Materials delivered to the Facility by the types of Collected Materials identified in Exhibit A, Chart 1. Specifically, the parties shall (i) sort the Collected Materials using WC equipment and (ii) document the weight of each type of Collected Materials. After the composition study is conducted, the average weight of the types of Collected Materials shall be used to determine the percentage of total Collected Materials tonnage attributable to each type of Collected Materials going forward until either party requests a new composition study. Except for the first Contract Year (i.e., there shall be no composition study in the first Contract Year), there shall be no more than one (1) composition study of Collected Materials during any Contract Year of this Agreement. The results of any future composition study shall become effective on the first day of the month following the completion of such composition study. The results of any future composition studies shall be deemed to replace the then existing material percentages on Exhibit A, Chart 1 and, Exhibit A will be deemed amended accordingly, as of the effective date of each composition study. Further, each party shall be responsible for its own cost to conduct any composition studies.

B. In the event that the parties disagree on the results of any composition study, the parties agree to retain an unbiased third party consultant (mutually agreed upon by both parties) to conduct a composition study of the Collected Materials. The parties agree that the cost for such consultant shall not exceed thirty thousand ($30,000) and that such cost shall be shared equally between the parties.

5. **Obligations, Duties and Responsibilities of CITY.**

A. In addition to the CITY'S other obligations, duties and responsibilities set forth in this Agreement, the CITY shall be responsible for and shall bear all costs and expenses associated with: (i) collecting the Collected Materials from Single Family Residences in the ordinary course of its business; (ii) informing the residents of Single Family Residences as to what materials can be recycled per the specifications set forth in Exhibit B; (iii) delivering all of the Collected Materials from Single Family Residences to the Facility for sorting and processing; (iv) removing any truck load of Collected Materials that is rejected because it contains Non-Recyclable Materials in excess of twenty percent (20%) in accordance with Section 9; and (v) removing any Hazardous Materials that has been identified and segregated by WC in accordance with Section 9. The CITY makes no guarantees as to the quantity of Collected Materials that will be delivered to the Facility.

B. The CITY shall appoint in writing to WC one or more designated representatives who will be readily available during normal business hours of the CITY.
C. The CITY shall be solely responsible for its employees' acts of negligence when such employees are acting within the scope of their employment, and shall only be liable for any damages resulting from said negligence to the extent permitted by Section 768.28, Florida Statutes. Nothing herein is intended to serve as a waiver of sovereign immunity by the CITY. Nothing herein shall be construed as consent by the CITY to be sued by third parties in any matter arising out of this Agreement.

D. The CITY is a fully qualified liability self-insurer under Florida Statutes to the extent and limits provided by the statute. This self insurance will cover the City's responsibilities set forth in Section 5.C. above. The CITY is also fully qualified self-insurer under Florida Statute 440 for Workers' Compensation. This self insurance will cover the actions of the CITY's officers, agents, employees and volunteers while acting in the scope and course of their employment for the CITY.

E. The CITY represents and warrants that, to the extent it becomes aware the Collected Materials may contain any Hazardous Materials, it will notify WC at the time of delivery of any Hazardous Materials it believes may be included in the Collected Materials. In the event that any Hazardous Materials are found in any of the Collected Materials unloaded at the Facility, the CITY, after being notified by WC, shall remove any Hazardous Materials that have been identified and segregated by WC in accordance with Section 9. Subject to notification to the City by WC in accordance with Section 9, the CITY shall be responsible for costs, including but not limited to costs incurred to segregate or clean-up the Facility, that are incurred by WC related to Hazardous Materials found in any of the Collected Materials unloaded at the Facility.

6. **Obligations, Duties, and Responsibilities of WC.**

A. In addition to WC's other obligations, duties and responsibilities set forth in this Agreement, WC shall be responsible for and shall bear all costs and expenses associated with: (i) operating the Facility and providing access to the Facility's certified scale(s) and tipping floor during normal operating hours (currently 7:00 a.m. to 5:00 p.m. Mon-Fri.); (ii) accurately weighing and providing scale tickets which shall include truck number, time, date, and weights of the truck both inbound and outbound for all Collected Materials transported to the Facility; (iii) accepting Collected Materials; (iv) processing every Recyclable Commodity in a manner so that they can be recycled and/or sold to markets; (vi) disposing of any Non-Recyclable Materials and any other wastes (except for Hazardous Materials); (vii) notifying the CITY of any Hazardous Materials that have been delivered with the Collected Materials and segregating any Hazardous Materials in accordance with Section 9 (which Hazardous Materials shall be removed by and/or the responsibility of the CITY in accordance with Section 9); (viii) providing reports on the monthly volumes of Collected Materials and every Sellable Commodity generated by the CITY; and (ix) providing the CITY with a list of buyers for every Sellable Commodity on a monthly basis. In the event that the index value of mixed glass as first published each month by www.recyclemarkets.net becomes positive, the CITY and WC shall meet to discuss an amendment to this
Agreement to modify the definition of Sellable Commodity to include single stream mixed glass.

B. WC shall appoint in writing to the CITY one or more designated representatives authorized to act on the behalf WC and shall be present during the operational hours of the Facility.

C. Within one hundred eighty (180) days after the Effective Date, WC shall plant a minimum of four (4) additional evergreen trees along the south side of the Facility. The evergreen trees shall be a minimum of four inches (4") diameter at breast height (DBH) and twelve feet (12') in height at the time of planting. Such trees shall be located to obstruct the view of the materials storage area from the interstate.

D. WC shall defend at its expense, pay on behalf of, hold harmless and indemnify the City, its officers, employees, agents, elected and appointed officials and volunteers (collectively, "Indemnified Parties") from and against any and all claims, demands, liens, liabilities, penalties, fines, fees, judgments, losses and damages (collectively, "Claims"), (a) arising out of (1) injury to, illness or death of any person, or (2) loss of or damage to the property of any person or entity, and (b) caused by the negligence or willful misconduct of WC in the performance or nonperformance of any services within the scope of this Agreement, and only to the extent caused by the willful misconduct or negligence of WC, or of anyone acting under its direction or control. However, WC shall not be liable for any and all suits, actions, claims, demands, damages, liabilities, interest, attorneys' fees, costs, and expenses of whatsoever kind (a) arising out of (1) injury to, illness or death of any person, or (2) loss of or damage to the property of any person or entity, and (b) caused by the negligence or willful misconduct of CITY in the performance or nonperformance of this Agreement.

E. WC shall carry the following minimum types and amounts of insurance at its own expense: (i) Commercial general liability insurance in an amount of at least One Million Dollars ($1,000,000) per occurrence, Two Million Dollars ($2,000,000) aggregate in occurrences form. (This policy shall include coverage for (a.) personal injury or death or property damage or destruction and (b.) contractual liability under this Agreement); (ii) Automobile liability insurance of $1,000,000 combined single limit covering all owned, hired and non-owned vehicles; (iii) Workers' Compensation insurance as required by Florida law and Employers' Liability insurance in an amount of at least $100,000 each accident, $100,000 per employee, and $500,000 for all diseases; and (iv) Environmental liability insurance of at least $1,000,000 to cover materials in transit. (This requirement may be satisfied by endorsement to the auto policy if no separate environmental policy is carried). All of WC's insurance policies required hereunder, except Workers' Compensation, shall name the Indemnified Parties as additional insureds. WC shall provide the CITY with notice at least thirty (30) days prior to any cancellation, reduction or material change in coverage. WC shall provide the CITY with Certificates of Insurance on a standard ACORD form reflecting all required coverage. All insurance required shall be provided by responsible insurers licensed in the State of Florida and rated at least A- in the then current edition of Best's
Insurance Guide. WC hereby waives all subrogation rights of its insurance carriers in favor of the Indemnified Parties. This provision is intended to waive fully, and for the benefit of the Indemnified Parties, any rights or claims which might give rise to a right of subrogation in favor of any insurance carrier.

7. **Ownership of the Collected Materials.** Until unloaded at the Facility, the Collected Materials shall be at all times owned by CITY, subject to its obligations, duties and responsibilities under this Agreement. The CITY hereby agrees that full ownership of the Collected Materials shall be automatically transferred to WC at the time the Collected Materials are unloaded and accepted at the Facility, free and clear of all liens, security interests, or claims of any third party; provided, however, that the title to any Hazardous Materials delivered to the Facility shall remain with the CITY. Nothing herein shall be construed to relieve WC of its duties or obligations regarding notifying the CITY of any Hazardous Materials delivered with the Collected Materials and segregating any Hazardous Materials as required by this Agreement.

8. **Exclusivity.** Throughout the Term, CITY agrees that all Collected Materials from Single Family Residences shall be transferred to WC. In consideration thereof, WC agrees that during the Term WC will (i) provide a place for unloading the Collected Materials and (ii) process every Recyclable Commodity.

9. **Volume & Contamination.**

A. The CITY shall transport all Collected Materials to the Facility. In the event that Non-Recyclable Materials in excess of twenty percent (20%) is discovered in any given load, WC shall notify the driver while on the premises of the Facility and also notify the CITY by phone. WC will notate the date, time, vehicle number and estimated quantity of Non-Recyclable Materials. WC shall segregate such rejected load and the CITY will remove the rejected load within two (2) hours of being notified by phone. The CITY will not pay a processing fee for rejected loads and such rejected loads shall not be included in the Monthly Sellable Commodity Tonnage calculation. If the CITY is unable to remove the load, fails to remove the load, or refuses to remove the load within two (2) hours of notification, WC may dispose of the rejected load at the CITY’s sole cost and expense including transportation, handling, and disposal costs. If WC does not notify the driver of Non-Recyclable Materials in excess of twenty percent (20%) while on premises of the Facility, such entire load of Collected Materials shall be deemed accepted by WC.

B. The CITY shall transport all Collected Materials to the Facility. In the event that any Hazardous Materials are discovered in any given load, WC shall notify the driver while on the premises of the Facility, notify the CITY by phone and segregate the Hazardous Materials from the load. WC will notate the date, time, and vehicle number. The CITY will remove the Hazardous Materials within two (2) hours of being notified by phone. If the CITY is unable to remove the Hazardous Materials within two (2) hours of notice from WC, WC may dispose of the Hazardous Materials at the CITY’s sole cost and expense including transportation, handling, and disposal costs. If WC does not notify the driver of the discovery of any Hazardous Materials in any given load while on
premises of the Facility, such entire load of Collected Materials shall be deemed accepted by WC.

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

11. **Amendment or Waiver.** This Agreement may not be amended, nor any of its terms waived, unless such amendment or waiver is in writing and signed by all parties.

12. **Governing Law and Venue.** This Agreement shall be interpreted and construed in accordance with the laws of the State of Florida and shall inure to and be binding upon the parties, their successors and assigns. Venue for any action brought in state court shall be in Pinellas County, St. Petersburg Division. Venue for any action brought in federal court shall be in the Middle District of Florida, Tampa Division, unless a division shall be created in St. Petersburg or Pinellas County, in which case the action shall be brought in that division. The parties consent to the personal jurisdiction of the aforementioned courts and irrevocably waive any objections to said jurisdiction.

13. **Counterparts.** This Agreement may be executed in multiple counterparts, all of which taken together shall constitute one instrument and each of which shall be considered an original for all purposes.

14. **Notices.** Unless and to the extent otherwise provided in this Agreement, all notices, demands, requests for approvals and other communications which are required to be given by either party to the other shall be in writing and shall be deemed given and delivered on the date delivered in person, upon the expiration of five (5) days following the date mailed by registered or certified mail, postage prepaid, return receipt requested to the address provided below, or upon the date delivered by overnight courier (signature required) to the address provided below (or to such other address as may be designated by the receiving party on ten (10) days prior written notice).

**TO WC:**

Waste Connections of FL, Inc.

Attn: Area Manager

With a copy to:

Attn: ______________________________
TO CITY:
City of St. Petersburg
P. O. Box 2842
St. Petersburg, FL 33731
Attn: Louis Moore, Director Procurement and
Supply Management

With a copy to:
City of St. Petersburg
P. O. Box 2842
St. Petersburg, FL 33731
Attn: Jeff Donnel, Recycling Manager, Sanitation Department

15. **Compliance with Laws.** Both parties shall comply with all applicable federal, state, and local laws, ordinances, rules and regulations, the federal and state constitutions, and orders and decrees of any lawful authorities having jurisdiction over the matter at issue (collectively, "Laws"), including but not limited to Florida Public Records Laws (e.g. Chapter 119, Florida Statute) and all federal and state environmental laws, rules and regulations. In the event that the St. Petersburg City Council adopts an ordinance that WC construes to either impair its rights under this Agreement or impose additional obligations on WC, WC may terminate this Agreement upon one hundred twenty (120) days prior written notice to the CITY.

16. **Non-Appropriation.** To the extent permitted by applicable law without causing this obligation to be subject to approval by referendum pursuant to the Florida Constitution, the CITY shall appropriate in its annual budget, for each Fiscal Year, non-ad valorem funds lawfully available to satisfy its obligations, duties, and responsibilities under this Agreement. This provision does not create any lien upon, or pledge of, such non-ad valorem funds, nor does it preclude the CITY from pledging such funds in the future, or from levying and collecting any particular non-ad valorem funds.

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

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

19. **Books and Records.** WC shall keep and maintain all books and records with respect to this Agreement during the Term and for the retention periods set forth in the most recent General Records Schedule GS1-SL for State and Local Government Agencies. Nothing herein shall be construed to allow destruction of records that may be required to be retained longer by the statutes of the State of Florida.
20. **Performance and Payment Bond.** WC shall furnish a performance and payment bond to the CITY executed by a surety company duly authorized to do business in the State of Florida, which shall be counter-signed by an agent for WC. The amount of the performance and payment bond shall be two million five hundred thousand dollars ($2,500,000), as security to the CITY for WC’s faithful performance of this Agreement and as security for the payment to all persons performing labor and furnishing materials in connection with this Agreement. The performance and payment bond shall be renewed on an annual basis and shall remain in effect for the Term of this Agreement. The surety shall have a rating classification of “B+” and a financial category of Class IV as evaluated in the current Best’s Key Rating Guide, Property Liability.

21. **Favored Nations.** In the event WC and any other public agency execute a contract or an amendment to an existing contract after the Effective Date for the processing of recyclable materials at the Facility and such contract or amendment contains a term, condition or provision that is more favorable than a term or condition of this Agreement, WC shall, within five (5) days after execution of such contract or amendment, provide a copy of such contract or amendment to the CITY. Within thirty (30) days after receipt of such contract or amendment, the CITY shall have the option to accept such favorable term, condition or provision. If the CITY opts to accept such favorable term, condition or provision, the parties shall execute an amendment to this Agreement to incorporate such term, condition or provision.

22. **Miscellaneous.**

   (a) **Authorization.** CITY and/or WC shall execute and deliver any and all documents that may reasonably be requested by the other in order to properly document this Agreement. Each party hereto represents and warrants that its undersigned representative has been appropriately authorized to execute this Agreement on its behalf.

   (b) **Binding Effect.** This Agreement shall inure to the benefit of, and be binding upon, the parties and their respective successors and assigns.

   (c) **Assignment.** Neither party may assign in whole or in part its rights and obligations under this Agreement, without the prior written consent of the other party.

   (d) **Entire Agreement.** This Agreement is the final expression of the agreement of the parties hereto with respect to the subject matter hereof. There are no representations, promises, warranties, understandings, or agreements, express or implied, oral or otherwise, except those expressly referred to or set forth in this Agreement. No promise, representation, warranty, or agreement made subsequent to the execution and delivery of this Agreement by either party, and no revocation, partial or otherwise, or change, amendment, addition, alteration, waiver or modification of this Agreement or any of the terms hereof shall be enforceable, unless it is in writing and signed by both parties.
(e) **Headings.** Headings or captions of the sections in this Agreement are for convenience of reference only and in no way define or limit or describe the intent of this Agreement or any provision hereof.

(f) **Partial Invalidity.** Every provision of this Agreement is intended to be severable. In the event that any one or more of the provisions contained in this Agreement is, for any reason, held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability does not affect any other provision of this Agreement, and the remaining provisions shall continue to govern the relationship among the parties hereto.

(g) **Force Majeure.** The performance of this Agreement may be suspended and the obligations hereunder excused in the event and during the period that such performance is prevented by a cause or causes beyond reasonable control of such party. The performance of this Agreement will be suspended and the obligations hereunder excused only until the condition preventing performance is remedied. Such conditions shall include, but not be limited to, acts of God, acts of war, accident, explosion, fire, flood, riot, sabotage, acts of terrorists, unusually severe weather, lack of adequate fuel, or judicial or governmental laws or regulations.

23. **Original Agreement.** The Original Agreement is hereby amended and restated. Commencing on the Effective Date, all terms and conditions of said Original Agreement shall be replaced in their entirety by this Agreement.

**REMAINING PORTION INTENTIONALLY LEFT BLANK**

**IN WITNESS WHEREOF,** the parties have executed this Agreement as of the date first written above.

**CITY OF ST. PETERSBURG, FLORIDA**

**ATTEST**

By: ________________________________
Name: ________________________________

City Clerk

11
Title: ________________________________ (SEAL)

WASTE CONNECTIONS OF FLORIDA, INC.

By: ____________________________
Print: ____________________________
Title: ____________________________

WITNESSES

By: ____________________________
Print: ____________________________

Approved as to Form and Content

City Attorney (Designee)
00446723
## Exhibit A

### Chart 1

<table>
<thead>
<tr>
<th>Types of Collected Materials</th>
<th>Category</th>
<th>Material %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Stream News &amp; Mixed Paper</td>
<td>Recyclable Commodity</td>
<td>44.27%</td>
</tr>
<tr>
<td>Single Stream OCC</td>
<td>Recyclable Commodity</td>
<td>7.24%</td>
</tr>
<tr>
<td>Single Stream Aluminum</td>
<td>Recyclable Commodity</td>
<td>1.53%</td>
</tr>
<tr>
<td>Single Stream Metal</td>
<td>Recyclable Commodity</td>
<td>1.55%</td>
</tr>
<tr>
<td>Single Stream PET</td>
<td>Recyclable Commodity</td>
<td>5.56%</td>
</tr>
<tr>
<td>Single Stream HDPE Clear/Natural</td>
<td>Recyclable Commodity</td>
<td>1.18%</td>
</tr>
<tr>
<td>Single Stream HDPE Mixed Color</td>
<td>Recyclable Commodity</td>
<td>1.68%</td>
</tr>
<tr>
<td>Single Stream Plastic - 3 thru 7</td>
<td>Recyclable Commodity</td>
<td>1.01%</td>
</tr>
<tr>
<td>Single Stream Plastic - Rigid</td>
<td>Recyclable Commodity</td>
<td>0.53%</td>
</tr>
<tr>
<td>Single Stream Mixed Glass</td>
<td>Recyclable Commodity</td>
<td>28.37%</td>
</tr>
<tr>
<td>Single Stream MRF Waste</td>
<td>Non-Recyclable Materials</td>
<td>7.08%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>100.00%</td>
</tr>
</tbody>
</table>
City of St. Petersburg

Sole Source Request

Procurement & Supply Management

Department: Sanitation  Requisition No. ____________________________

Check One:  x Sole Source  Proprietary Specifications

Proposed Vendor: Waste Connections

Estimated Total Cost: Approximately $5,000,000

Description of Items (or Services) to be purchased:

Recycling Services

Purpose of Function of Items:

Sort recyclable material and deliver to market

Justification for Sole Source of Proprietary specification:

The City conducted an RFP for recycling services and entered into a contract with Waste Connections to provide this service in June of 2015. At that time, Waste Connections was the only responder to the RFP. Currently, Waste Connections is the only recycling provider in Pinellas County and disrupting our current service of this ongoing task by hauling material outside the County is unreasonable and impractical. Additional services are needed by this vendor to maintain and complete an ongoing task of recycling.

__________________________________________  4/29/19
V. Jones

Department Director

__________________________________________  4-24-19
L. Green

Administrator/Chief

__________________________________________  4/26/19
Louis Moore, Director

Procurement & Supply Management

I hereby certify that in accordance with Section 2-249 of the City of St. Petersburg Procurement Code, I have conducted a good faith review of available sources and have determined that there is only one potential source for the required items per the above justification. I also understand that under Florida Statute 838.22(2) it is a second degree felony to circumvent a competitive bidding process by using a sole-source contract for commodities or services.

Rev (1/11), (9/15)
The following page(s) contain the backup material for Agenda Item: Requesting the creation of a Complete Count Committee to ensure accurate data collection and representation of all St. Petersburg residents in the 2020 census. (Councilmember Foster)
Please scroll down to view the backup material.
TO: Members of City Council

DATE: April 30, 2019

COUNCIL DATE: May 16, 2019

RE: Census 2020 – Complete Count Committee

ACTION DESIRED:

Respectfully requesting the creation of a Complete Count Committee to ensure accurate data collection and representation of all St. Petersburg residents in the 2020 census.

RATIONAL:

- Five census tracts in St. Petersburg are considered “hard to count” because their self-response rate in the 2010 census was 73% or less

- A high response rate is vital to achieve equal political representation and access public and private resources. Census data guide the distribution of $600 billion in federal assistance each year

- Since 2010, Florida has lost 17 Census Bureau Office locations which have previously helped with hard to count tracts

- 2020 is the first year citizens will be asked to complete the census entirely online

ATTACHMENTS:

- Map of hard to count census tracts in Pinellas County, Florida
- Hard to count maps and information for tracts 234.00, 287.00, 212.00, 205.00 and 203.02

Amy Foster
Council Member, District 8
HARDEST-TO-COUNT CENSUS TRACTS IN PINELLAS COUNTY, FLORIDA

Hardest to Count (HTC) Tracts in the Nation
Tracts with 2010 mail return rates of 73% or less (in the bottom 20 percent of return rates nationwide) are shaded on the map.

For more details and additional information, please visit: https://www.CensusHardtoCountMaps2020.us

Hardest to Count (HTC) Tracts in the Nation
Tracts with 2010 mail return rates of 73% or less (in the bottom 20 percent of return rates nationwide) are shaded on the map

- 0 - 60% mail return rate
- 60 - 65%
- 65 - 70%
- 70 - 73%
- above 73% (no HTC tracts)

Tracts counted using special Update/Enumerate method; they are hard-to-count but mail return rates not applicable

Counties
Based on the latest census estimates (for the 2013-2017 period), **1,462 people live in 734 households** in this tract, and **213 people live in group quarters**. (Total population = 1,675.)

Some population characteristics that may affect this tract’s participation in the 2020 Census include:

**Census Self-Response**

In 2010, **only 72.3% of the tract’s households mailed back their 2010 census questionnaire**, requiring more costly and difficult in-person follow up to count the remaining 27.7%. **This tract is one of the hardest to count in the country.**

**2020 Type of Enumeration**

In 2020, **all of this tract’s households will receive a mailing from the Census Bureau** with information about how to submit their census information either online, by phone, or using a paper questionnaire.

**Internet Access at Home**

In 2020, for the first time the Census Bureau will be urging most households to submit their census responses online via the internet. However, all households receiving census materials in the mail or dropped off at their door have the option of submitting responses on-line, by phone, or using a paper questionnaire.

During 2013-17, **21.4% of this tract’s households had either no home internet subscription or dial-up only**, according to the latest American Community Survey estimates (https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_5YR/B28002/1400000US12103023400). **18.4% of households had a cellular data plan only** (which may be costly to use for non-essential services). Read more (https://civilrights.org/new-report-highlights-opportunities-risks-first-high-tech-census/) about the importance of internet access for the 2020 Census.
Populations at Risk of Being Undercounted

Some populations historically have been, or are at risk of being, missed in the census at disproportionately high rates. These include (based on 2013-17 estimates):

PEOPLE OF COLOR

- ~10% of the tract is Hispanic (regardless of race)
- ~11% of the tract reported their race as Black (either alone or in combination with other races)
- ~3% of the tract reported their race as Asian (either alone or in combination with other races)
- ~2% of the tract reported their race as American Indian or Alaska Native (either alone or in combination with other races)

(Percentages may not total 100%.)

Note: see the Census Bureau's analysis of net undercount rates for race and Hispanic origin categories, DSSD 2010 CENSUS COVERAGE MEASUREMENT MEMORANDUM SERIES #2010-G-01 (https://www.census.gov/coverage_measurement/pdfs/g01.pdf). [PDF]

The following links provide fact sheets and tables regarding the risk of undercount for people of color:

- Hispanic / Latino (http://civilrights.org/latinos-htc-tables/)
- Asian / Native Hawaiian / Pacific Islander (http://civilrights.org/asians-htc-tables/)
- Black / African American (https://civilrights.org/african-americans-htc-tables/)

CENSUS 2020
Hard To Count Communities
www.censushardtocountmaps2020.us


Hardest to Count (HTC) Tracts in the Nation
Tracts with 2010 mail return rates of 73% or less (in the bottom 20 percent of return rates nationwide) are shaded on the map

- 0 - 60% mail return rate
- 60 - 65%
- 65 - 70%
- 70 - 73% (no HTC tracts)

- Tracts counted using special Update/Enumerate method; they are hard-to-count but mail return rates not applicable

- Counties
Based on the latest census estimates (for the 2013-2017 period), 2,942 people live in 968 households in this tract. Some population characteristics that may affect this tract’s participation in the 2020 Census include:

**Census Self-Response**

In 2010, only 72.5% of the tract’s households mailed back their 2010 census questionnaire, requiring more costly and difficult in-person follow up to count the remaining 27.5%. This tract is one of the hardest to count in the country.

**2020 Type of Enumeration**

In 2020, the Census Bureau will invite households in this tract to submit their census information by:

- sending a mailing to 94.6% (as of 2017, approx. 916) of the tract’s households. These households can then submit their census information either online, by phone, or using a paper questionnaire.
- dropping-off an invitation to participate to 5.4% (as of 2017, approx. 52) of the tract’s households. These households can then submit their census information either online, by phone, or using a paper questionnaire.

(NB: The Census Bureau does mail any material to PO Boxes. Percents may not add to 100 due to rounding.)

**Internet Access at Home**

In 2020, for the first time the Census Bureau will be urging most households to submit their census responses online via the internet. However, all households receiving census materials in the mail or dropped off at their door have the option of submitting responses on-line, by phone, or using a paper questionnaire.

During 2013-17, 42.4% of this tract’s households had either no home internet subscription or dial-up-only, according to the latest American Community Survey estimates (https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_5YR/B28002/1400000US12103028700). 7.6% of households had a cellular data plan only (which may be costly to use for non-essential services). Read more (https://civilrights.org/new-report-highlights-opportunities-risks-first-high-tech-census/) about the importance of internet access for the 2020 Census.
Populations at Risk of Being Undercounted

Some populations historically have been, or are at risk of being, missed in the census at disproportionately high rates. These include (based on 2013-17 estimates):

**PEOPLE OF COLOR**

- ~1% of the tract is Hispanic (regardless of race)
- ~92% of the tract reported their race as Black (either alone or in combination with other races)
- ~6% of the tract reported their race as Asian (either alone or in combination with other races)
- ~1% of the tract reported their race as American Indian or Alaska Native (either alone or in combination with other races)

*(Percentages may not total 100%.)*

**Note:** see the Census Bureau's analysis of net undercount rates for race and Hispanic origin categories, *DSSD 2010 CENSUS COVERAGE MEASUREMENT MEMORANDUM SERIES #2010-G-01* ([https://www.census.gov/coverage_measurement/pdfs/g01.pdf](https://www.census.gov/coverage_measurement/pdfs/g01.pdf)]. [PDF]

The following links provide fact sheets and tables regarding the risk of undercount for people of color:


Hardest to Count (HTC) Tracts in the Nation

Tracts with 2010 mail return rates of 73% or less (in the bottom 20 percent of return rates nationwide) are shaded on the map.

- 0 - 60% mail return rate
- 60 - 65%
- 65 - 70%
- 70 - 73% (no HTC tracts)

Tracts counted using special Update/Enumerate method; they are hard-to-count but mail return rates not applicable

Counties
Tract 0212.00 in Pinellas County, FL

Based on the latest census estimates (for the 2013-2017 period), 3,209 people live in 1,116 households in this tract, and 305 people live in group quarters. (Total population = 3,514.)

Some population characteristics that may affect this tract's participation in the 2020 Census include:

Census Self-Response

In 2010, only 72.2% of the tract's households mailed back their 2010 census questionnaire, requiring more costly and difficult in-person follow up to count the remaining 27.8%. This tract is one of the hardest to count in the country.

2020 Type of Enumeration

In 2020, all of this tract's households will receive a mailing from the Census Bureau with information about how to submit their census information either online, by phone, or using a paper questionnaire.

Internet Access at Home

In 2020, for the first time the Census Bureau will be urging most households to submit their census responses online via the internet. However, all households receiving census materials in the mail or dropped off at their door have the option of submitting responses on-line, by phone, or using a paper questionnaire.

During 2013-17, 45.7% of this tract's households had either no home internet subscription or dial up-only, according to the latest American Community Survey estimates (https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_5YR/B28002/14000000US12103021200). 8.8% of households had a cellular data plan only (which may be costly to use for non-essential services). Read more (https://civilrights.org/new-report-highlights-opportunities-risks-first-high-tech-census/) about the importance of internet access for the 2020 Census.
Populations at Risk of Being Undercounted

Some populations historically have been, or are at risk of being, missed in the census at disproportionately high rates. These include (based on 2013-17 estimates):

**PEOPLE OF COLOR**

- ~1% of the tract is Hispanic (regardless of race)
- ~87% of the tract reported their race as Black (either alone or in combination with other races)
- ~1% of the tract reported their race as American Indian or Alaska Native (either alone or in combination with other races)

(Percentages may not total 100%.)

**Note:** see the Census Bureau's analysis of net undercount rates for race and Hispanic origin categories, *DSSD 2010 CENSUS COVERAGE MEASUREMENT MEMORANDUM SERIES #2010-G-01* ([https://www.census.gov/coverage_measurement/pdfs/g01.pdf](https://www.census.gov/coverage_measurement/pdfs/g01.pdf)). [PDF]

The following links provide fact sheets and tables regarding the risk of undercount for people of color:


Hardest to Count (HTC) Tracts in the Nation
Tracts with 2010 mail return rates of 73% or less (in the bottom 20 percent of return rates nationwide) are shaded on the map

- 0 - 60% mail return rate
- 60 - 65%
- 65 - 70%
- 70 - 73%
- above 73% (no HTC tracts)

Tracts counted using special Update/Enumerate method; they are hard-to-count but mail return rates not applicable

Counties
Based on the latest census estimates (for the 2013-2017 period), 3,528 people live in 1,425 households in this tract, and 146 people live in group quarters. (Total population = 3,674.)

Some population characteristics that may affect this tract's participation in the 2020 Census include:

**Census Self-Response**
In 2010, only 70.4% of the tract's households mailed back their 2010 census questionnaire, requiring more costly and difficult in-person follow up to count the remaining 29.6%. This tract is one of the hardest to count in the country.

**2020 Type of Enumeration**
In 2020, all of this tract's households will receive a mailing from the Census Bureau with information about how to submit their census information either online, by phone, or using a paper questionnaire.

**Internet Access at Home**
In 2020, for the first time the Census Bureau will be urging most households to submit their census responses online via the internet. However, all households receiving census materials in the mail or dropped off at their door have the option of submitting responses on-line, by phone, or using a paper questionnaire.

During 2013-17, 49.8% of this tract's households had either no home internet subscription or dial up-only, according to the latest American Community Survey estimates (https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_5YR/B28002/1400000US12103020500). 9.8% of households had a cellular data plan only (which may be costly to use for non-essential services). Read more (https://civilrights.org/new-report-highlights-opportunities-risks-first-high-tech-census/) about the importance of internet access for the 2020 Census.
Populations at Risk of Being Undercounted

Some populations historically have been, or are at risk of being, missed in the census at disproportionately high rates. These include (based on 2013-17 estimates):

PEOPLE OF COLOR △

- ∼8% of the tract is Hispanic (regardless of race)
- ∼79% of the tract reported their race as Black (either alone or in combination with other races)
- ∼1% of the tract reported their race as American Indian or Alaska Native (either alone or in combination with other races)
- ∼2% of the tract reported their race as Native Hawaiian or Pacific Islander (either alone or in combination with other races)

(Percentages may not total 100%)

Note: see the Census Bureau's analysis of net undercount rates for race and Hispanic origin categories, DSSD 2010 CENSUS COVERAGE MEASUREMENT MEMORANDUM SERIES #2010-G-01 (https://www.census.gov/coverage_measurement/pdfs/g01.pdf). [PDF]

The following links provide fact sheets and tables regarding the risk of undercount for people of color:

- Hispanic / Latino (http://civilrights.org/latinos-htc-tables/)
- Asian / Native Hawaiian / Pacific Islander (http://civilrights.org/asians-htc-tables/)
- Black / African American (https://civilrights.org/african-americans-htc-tables/)

Hardest to Count (HTC) Tracts in the Nation
Tracts with 2010 mail return rates of 73% or less (in the bottom 20 percent of return rates nationwide) are shaded on the map:

- 0 - 60% mail return rate
- 60 - 65%
- 65 - 70%
- 70 - 73%
- above 73% (no HTC tracts)

Tracts counted using special Update/Enumerate method; they are hard-to-count but mail return rates not applicable

Counties
Based on the latest census estimates (for the 2013-2017 period), **3,999 people live in 1,601 households** in this tract. Some population characteristics that may affect this tract’s participation in the 2020 Census include:

**Census Self-Response**
In 2010, **only 72.9% of the tract’s households mailed back their 2010 census questionnaire**, requiring more costly and difficult in-person follow up to count the remaining 27.1%. **This tract is one of the hardest to count in the country.**

**2020 Type of Enumeration**
In 2020, all of **this tract’s households will receive a mailing from the Census Bureau** with information about how to submit their census information either online, by phone, or using a paper questionnaire.

**Internet Access at Home**
In 2020, for the first time the Census Bureau will be urging most households to submit their census responses online via the internet. However, all households receiving census materials in the mail or dropped off at their door have the option of submitting responses on-line, by phone, or using a paper questionnaire.

During 2013-17, **8.4% of this tract’s households had either no home internet subscription or dial up-only**, according to the latest American Community Survey estimates (https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_5YR/B28002/1400000US12103020302). **8.5% of households had a cellular data plan only** (which may be costly to use for non-essential services). Read more (https://civilrights.org/new-report-highlights-opportunities-risks-first-high-tech-census/) about the importance of internet access for the 2020 Census.
Populations at Risk of Being Undercounted

Some populations historically have been, or are at risk of being, missed in the census at disproportionately high rates. These include (based on 2013-17 estimates):

PEOPLE OF COLOR ▲

- ~8% of the tract is Hispanic (regardless of race)
- ~43% of the tract reported their race as Black (either alone or in combination with other races)
- ~2% of the tract reported their race as Asian (either alone or in combination with other races)
- ~1% of the tract reported their race as American Indian or Alaska Native (either alone or in combination with other races)

(Percentages may not total 100%.)

**Note:** see the Census Bureau's analysis of net undercount rates for race and Hispanic origin categories, *DSSD 2010 CENSUS COVERAGE MEASUREMENT MEMORANDUM SERIES #2010-G-01* (https://www.census.gov/coverage_measurement/pdfs/g01.pdf). [PDF]

The following links provide fact sheets and tables regarding the risk of undercount for people of color:

- Hispanic / Latino (http://civilrights.org/latinos-htc-tables/)
- Asian / Native Hawaiian / Pacific Islander (http://civilrights.org/asians-htc-tables/)
- Black / African American (https://civilrights.org/african-americans-htc-tables/)

The following page(s) contain the backup material for Agenda Item: Requesting an amendment to City Code Section 21-86 to rename the walking path at Booker Creek Park to the memory of Phil Whysong, a former North Kenwood Neighborhood Association President who played an important role in the creation of the park. (Councilmember Foster)
Please scroll down to view the backup material.
TO: Members of City Council  
DATE: April 30, 2019  
COUNCIL DATE: May 16, 2019  
RE: Renaming of Booker Creek Park Walking Path  

ACTION DESIRED:  

Respectfully requesting an amendment to City Code Section 21-86 to rename the walking path at Booker Creek Park to the memory of Phil Whysong, a former North Kenwood Neighborhood Association President who played an important role in the creation of the park.

Amy Foster  
Council Member, District 8
The following page(s) contain the backup material for Agenda Item: Request a discussion to consider adopting time limitations on presentations at all City Council meetings. (Councilmember Wheeler-Bowman)
Please scroll down to view the backup material.
TO: Members of City Council

DATE: May 2, 2019

COUNCIL DATE: May 16, 2019

RE: Policy and Procedures Manual Amendment – Presentations

ACTION DESIRED:

Chapter Two, Section 1B(4) of the City Council Policy and Procedures Manual limits the time period for making presentations at mini meetings. I respectfully request a discussion to consider adopting time limitations on presentations at all City Council meetings.

Lisa Wheeler-Bowman, Council member
District 7
The following page(s) contain the backup material for Agenda Item: Requesting a special meeting of City Council and the CPPC to discuss potential changes to our preservation ordinance with a particular focus on third party designation and the potentially eligible list. (Councilmember Foster) Please scroll down to view the backup material.
ACTION DESIRED:

Respectfully requesting a special meeting of City Council and the CPPC to discuss potential changes to our preservation ordinance with a particular focus on third party designation and the potentially eligible list.

RATIONAL:

In the Council proceedings on May 9, 2019 the majority of the body expressed discomfort with third party applications for historical designation. Additionally, on April 9, 2019 the CPPC expressed a desire for a joint meeting with Council to discuss challenges with the current preservation ordinance.

Amy Foster
Council Member, District 8
The following page(s) contain the backup material for Agenda Item: Referring to HLUT, or other relevant committee, for a discussion regarding the current process and potential changes to third party applications for Local Historic Landmark Designation. (Councilmember Gabbard)
Please scroll down to view the backup material.
TO: Members of City Council

DATE: May 10, 2019

COUNCIL DATE: June 6, 2019

RE: Third Party Application Process for Local Historic Landmark Designation

ACTION DESIRED:

Respectfully submit a referral to HLUT, or other relevant committee, for a discussion regarding the current process and potential changes to third party applications for Local Historic Landmark Designation.

Brandi Gabbard, Council Member
District 2
A RESOLUTION APPROVING A TRANSFER IN THE AMOUNT OF $186,422 FROM THE UNAPPROPRIATED BALANCE OF THE WEEKI WACHEE CAPITAL IMPROVEMENTS FUND (3041) TO THE WEEKI WACHEE OPERATING FUND (1041); AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, per the quarterly financial reports presented to the Budget, Finance & Taxation Committee at the May 9, 2019 meeting, it was reported that various approved projects were completed with saving in the amount of $184,422 in the Weeki Wachee Capital Improvements Fund (3041); and

WHEREAS, the Budget, Finance & Taxation Committee recommended that such funds be transferred to the Weeki Wachee Operating Fund (1041) for investment in accordance with policies set forth in the City Alternate Investment Policy.

NOW THEREFORE BE IT RESOLVED that the following transfer from the unappropriated balance of the Weeki Wachee Capital Improvements Fund (3041) to the Weeki Wachee Operating Fund (1041) for Fiscal Year 2019 is hereby approved:

Weeki Wachee Capital Improvements Fund (3041)
Transfer to: Weeki Wachee Operating Fund (1041) $186,422

This resolution shall become effective immediately upon its adoption.

Approvals:

City Attorney (Designee)  Budget
00446025
RESOLUTION NO. 2019-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. PETERSBURG, FLORIDA ESTABLISHING ITS INTENT TO REIMBURSE CERTAIN CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE CITY'S VARIOUS PUBLIC UTILITIES CAPITAL IMPROVEMENT PROJECTS WITH PROCEEDS OF A FUTURE TAX-EXEMPT FINANCING; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to Section 1.150-2 of the Income Tax Regulations which were promulgated pursuant to the Internal Revenue Code of 1986, as amended, the municipal charter of the City of St. Petersburg, Florida (the "Issuer") and other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby ascertained, determined and declared that:

A. The Issuer has determined that the need exists to incur debt to expend funds in the enterprise fund or other appropriate fund or account in order to acquire, construct and equip the Issuer's various capital improvements projects related to the Issuer's Public Utilities System, including without limitation water treatment and distribution, water systems maintenance, reclaimed water distribution, wastewater collection and water reclamation facilities, all in accordance with plans on file at the offices of the Issuer, as such plans may be modified from time to time (collectively, the "Project").

B. It is expected that the costs of the Project will be reimbursed by and financed with the borrowing proceeds by the Issuer in the future.

SECTION 3. DECLARATION OF INTENT. The Issuer hereby expresses its intention to be reimbursed from proceeds of a future tax-exempt financing for capital expenditures to be paid by the Issuer for the purpose of acquiring, constructing and equipping the Project. The Issuer expects to use funds on deposit in the enterprise fund or other
appropriate fund or account to pay costs associated with the Project. It is reasonably expected that the total amount of debt to be incurred by the Issuer with respect to the Project will not exceed $100,000,000. This Resolution is intended to constitute a "declaration of official intent" within the meaning of Section 1.150-2 of the Income Tax Regulations which were promulgated pursuant to the Internal Revenue Code of 1986, as amended, with respect to the debt incurred, in one or more financings, to acquire, construct and equip the Project.

SECTION 4. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

LEGAL: 

DEPARTMENT:

00445753
The following page(s) contain the backup material for Agenda Item: Confirming Preliminary Assessment for Lot Clearing Number(s) LCA 1601.
Please scroll down to view the backup material.
ST. PETERSBURG CITY COUNCIL

MEETING OF: MAY 16, 2019

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Lot Clearing Number(s) LCA 1601

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: 1601
NUMBER OF STRUCTURES: 59
ASSESSABLE AMOUNT: $11,680.22

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 $11,680.22 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 / MAILING ADDRESS</th>
<th>PARCEL ID / LEGAL DESCRIPTION</th>
<th>PROPERTY ADDRESS</th>
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<td>26 FT OF LOT 449</td>
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**3468 17TH AVE S**

**3526 15TH AVE S**

**2020 27TH ST S**

**1021 9TH PL S**

**4535 19TH AVE S**

**215 NINA ST NE**

**1033 SNELL ISLE BLVD NE**

**26 FT OF LOT 449**
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**TOTAL NUMBER OF ASSESSMENTS:** 59

**TOTAL ASSESSMENT AMOUNT:** 11,680.22
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A RESOLUTION CONFIRMING AND APPROVING PRELIMINARY ASSESSMENT ROLLS FOR LOT CLEARING NO. 1601 ("LCA 1601") 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. 1601 ("LCA 1601") 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.

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. 1601 ("LCA 1601") 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:

City Attorney (Designee)  
00444838
The following page(s) contain the backup material for Agenda Item: Confirming Preliminary Assessment for Building Securing Number SEC 1245.
Please scroll down to view the backup material.
ST. PETERSBURG CITY COUNCIL

MEETING OF: MAY 16, 2019

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Building Securing Number SEC 1245

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: 1245
NUMBER OF STRUCTURES 16
ASSESSABLE AMOUNT: $4,795.79

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 $4,795.79 will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR:

COUNCIL ACTION:

FOLLOW-UP: AGENDA NO.
<table>
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<th>ASSESSMENT NUMBER</th>
<th>OWNER NAME /MAILING ADDRESS</th>
<th>PARCEL ID /LEGAL DESCRIPTION</th>
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<td>CHICAGO IL 606055011</td>
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<td>SEC 1245 07950</td>
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<td>27 31 16 12474 000 0810 BRUNSON-DOWELL SUB NO. 1 LOT 83 &amp; N 20FT OF LOT 82 (SEE N34-31-16)</td>
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TOTAL NUMBER OF ASSESSMENTS: 16

TOTAL ASSESSMENT AMOUNT: $4,795.79
### BUILDING SECURING NUMBER SEC 1245

**COST/FUNDING/ASSESSMENT INFORMATION**

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</table>
A RESOLUTION ASSESSING THE COSTS OF SECURING LISTED ON SECURING BUILDING NO. 1245 ("SEC 1245") 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. 1245 ("SEC 1245"); 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 May 16, 2019, 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. 1245 ("SEC 1245") 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)  
00444859
The following page(s) contain the backup material for Agenda Item: Confirming Preliminary Assessment for Building Demolition Number DMO 472. Please scroll down to view the backup material.
ST. PETERSBURG CITY COUNCIL

MEETING OF: MAY 16, 2019

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Building Demolition Number DMO 472

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/secturing/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: 472
NUMBER OF STRUCTURES: 2
ASSESSABLE AMOUNT: $12,517.49

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

COST/FUNDING/ASSESSMENT INFORMATION:
The total assessable amount of $12,517.49 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 /MAILING ADDRESS</th>
<th>PARCEL ID /LEGAL DESCRIPTION</th>
<th>PROPERTY ADDRESS</th>
<th>ORIGINAL ASSESSMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>DMO 0472 03330</td>
<td>2424 2ND AVE SOUTH TRUST RSRE HOLDINGS LLC TRE 2803 GULF TO BAY BLVD UNIT 408 CLEARWATER FL 33759</td>
<td>23 31 16 78390 028 0040 ST PETERSBURG INVESTMENT CO SUB BLK 28, LOT 4</td>
<td>2424 2ND AVE S</td>
<td>11,997.88</td>
</tr>
<tr>
<td>DMO 0472 03331</td>
<td>BIG TUCKER HOLDINGS LLC PO BOX 143 SAINT PETERSBURG FL 337310143</td>
<td>09 31 16 96372 003 0030 WESTGATE MANOR BLK C, LOT 3</td>
<td>5628 36TH AVE N</td>
<td>519.61</td>
</tr>
</tbody>
</table>

TOTAL NUMBER OF ASSESSMENTS: 2

TOTAL ASSESSMENT AMOUNT: 12,517.49
<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>AMOUNT TO BE ASSESSED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demolition Cost</td>
<td>$4881.00</td>
</tr>
<tr>
<td>Asbestos Cost</td>
<td>$6594.00</td>
</tr>
<tr>
<td>Legal Ad</td>
<td>$592.49</td>
</tr>
<tr>
<td>Engineer's Charge</td>
<td>$0.00</td>
</tr>
<tr>
<td>Administrative Fee</td>
<td>$450.00</td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td><strong>$12,517.49</strong></td>
</tr>
</tbody>
</table>
A RESOLUTION ASSESSING THE COSTS OF DEMOLITION LISTED ON BUILDING DEMOLITION NO. 472 ("DMO NO. 472") 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. 472 ("DMO No. 472"); 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 May 16 2019, 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. 472 ("DMO No. 472") 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)
00444860
The following page(s) contain the backup material for Agenda Item: Affordable Housing Lot Disposition Program
Please scroll down to view the backup material.
St. Petersburg City Council

Meeting of May 16, 2019

TO: The Honorable Charles Gerdes, Chair and Members of City Council

SUBJECT: Reduction of Lot Disposition fee and disposal of foreclosure properties as set forth in the Foreclosure Properties Disposition Policy

RECOMMENDATION: The Administration recommends that City Council conduct a public hearing and approve the attached resolutions.

BACKGROUND

In April 2018, City Council approved a resolution to dispose of foreclosure properties through the process set forth in the Foreclosure Properties Disposition Policy. A component of the disposition policy was to offer lots to approved developers at a cost of $4,000 to be paid at the closing of the sale at an affordable price to a qualified homebuyer whose income has been verified by the City to be at or below 120% AMI (as defined in City Code Chapter 17.5-97) (“Qualified Homebuyer”).

PROPOSED CHANGES

Based on a review of the initial Lot Disposition process, Staff is recommending modifying the Lot Disposition policy to remove the requirement of payment to the City in the amount of $4,000 at closing and make the lots available through the Lot Disposition Program for a nominal cost of $10. Reducing this cost will better align policy with the goal of the program to make developing affordable housing more feasible by reducing the cost to acquire land.

This proposed process was reviewed and recommended for approval by the South St. Petersburg CRA Citizen Advisory Committee on March 5, 2019. In addition, staff has attached a resolution authorizing that the eight (8) properties acquired since the last approval on April 19, 2018 be approved for this process.

Attachments: Resolution modifying lot disposition fee
Resolution authorizing eight (8) properties be approved for the process Policy
A RESOLUTION APPROVING AND ADOPTING CHANGES TO THE POLICIES AND PROCEDURES THAT PROVIDE FOR DISPOSITION OF FORECLOSED REAL PROPERTY AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City Council has previously approved the administration to foreclose on real property with any or all of the following liens: Code Enforcement Board, Special Assessment and Utility; and

WHEREAS, on April 19, 2018, City Council approved (via Resolution 2018-211 and 2018-212) certain procedures, as described on the attachment hereto, to provide for the disposition of said property to specific purchasers under certain conditions and subject to specific terms with the goal of removing blight, and to place such property back into productive use and onto the tax rolls of Pinellas County; and

WHEREAS, Administration has determined that the program would benefit by reducing the cost paid for the properties by the developer at closing from four thousand dollars ($4,000) to ten dollars ($10); and

WHEREAS, by lowering the cost, Administration hopes to increase participation in the program by reducing the costs involved, which in turn will facilitate the construction of new homes in a more timely manner.

NOW THEREFORE, BE IT RESOLVED that the attached changes to the policies and procedures for disposition of foreclosed real property (with additions indicated by underlining and deletions indicated by strikethrough) are hereby approved and adopted.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

APPROVED BY:

City Attorney (Designee)

Rob Gerdes, Administrator
Neighborhood Affairs Administration
PROCEDURE FOR DISPOSITION OF FORECLOSURE PROPERTIES POLICY:

BACKGROUND

As one element of the City's plan to reduce blight, the City has been addressing several abandoned, vacant and blighted properties through the foreclosure process. City Council, through Resolution No. 2016-13, authorized the Mayor or his designee to credit bid up to the just market value at foreclosure auctions. As the City continued to identify properties that presented a strong possibility of community improvement, the price for some properties at foreclosure auction rose and the City was outbid at a foreclosure auction. As a result, City Council further approved Resolution 2017-512, which permitted administration to credit bid up to the final judgement amount.

The City's goal is always to transfer these properties back into productive use in such a manner as to improve the properties contribution to the revitalization of the surrounding neighborhood. The City also aims to address the growing concern that there are too few opportunities for members of the workforce to acquire affordable housing. The City is also keenly aware that for any program to be successful, it must be open and available to the community with which it aims to serve. Administration believes that the attached policy best achieves the desired goals while minimizing the likely concerns.
PROCEDURES

IDENTIFICATION OF PROPERTY

This procedure shall only apply to residential properties that are in the process of being acquired by the City through the foreclosure process, or have already been acquired by the City through the foreclosure process. For purposes of this procedure, the foreclosure process shall include any property that is acquired by the City, either at public auction or from an owner in response to the instigation or threat of foreclosure litigation. The properties to be included in this program shall be confirmed by City Council.

CRITERIA FOR DEVELOPERS

1. The City shall develop a List of Interested Developers (“LID”) for this program.
   a. The City shall conduct public outreach to attract people/businesses/organizations to take part in this program.
2. In order to be added to the LID, a prospective developer shall be required to submit proof of the following minimum qualifications:
   a. Solvency
   b. Legally entitled to own/operate a business in Florida
   c. Financial ability to build homes
   d. Basic business acumen necessary to successfully manage home construction from start to finish, including but not limited to obtaining the proper permits, hiring appropriate professionals, and managing accompanying liability or willingness to partner with someone who has such acumen.
3. Compliance with these criteria and addition to the LID shall be determined by the Foreclosure Properties Committee (“FPC”).
   a. The FPC shall consist of two administrative employees and a citizen selected by the Mayor or his designee.
   b. FPC meetings shall be conducted quarterly.
   c. All FPC meetings shall be noticed and open to the public.
4. The FPC may also from time to time request other information from an Interested Developer, including but not limited to, information related to the Relevant Criteria, as set forth below.
5. “Interested Developer” shall be defined as any prospective developer who is approved for addition to the LID, as well as any Qualified Homebuyers, as defined below, who express interest in Foreclosure Property and are able to adequately demonstrate to the City their ability to timely construct a compliant structure.

NOTIFICATION OF AVAILABLE PROPERTY

1. Once the City has acquired a property through the foreclosure process and City Council has confirmed its inclusion in this program, all Interested Developers on the LID shall be notified by email that a Foreclosure Property is available.
   a. This notification shall include the address and Parcel Identification Number of the Foreclosure Property.
   b. The notification shall also be posted on the City’s standard real estate disposition page and any other appropriate medium as determined by administration.
2. Administration shall also advertise the disposition of the Foreclosure Properties in compliance with Florida Statutes governing CRA property, if the property is located within a CRA.
SELECTION OF DEVELOPER

3. Any Interested Developer shall have 30 days to respond, in writing, to the notice to be considered for any individual Foreclosure Property.
   a. This "Response" shall affirmatively state the Interested Developer’s interest in acquiring the Foreclosure Property and shall include appropriate information on all Relevant Criteria. Failure to address any Relevant Criteria in the Response shall be interpreted, at the sole discretion of the FPC, as an indication that the Interested Developer does not meet the Relevant Criteria.

4. The FPC shall review each Response submitted for each Foreclosure Property to determine the order of preference among all Interested Developers.

5. The order of preference of Interested Developers shall be determined by a point system, with points assigned by the FPC, with input from City staff, according to the following "Relevant Criteria":
   a. Does the Interested Developer have experience working in the neighborhood of the Foreclosure Property?
   b. Does the Interested Developer have adequate experience and expertise building houses or a verified partner with such experience and expertise?
   c. Can the Interested Developer begin work promptly upon acquiring leasehold?
   d. Will the Interested Developer contribute to the improvement of the surrounding area?
   e. Does the Interested Developer have the capacity to take on the Foreclosure Property without adversely impacting its work on any other Foreclosure Properties?
   f. Is this the first Foreclosure Property on which the Interested Developer would acquire leasehold?
   g. Is the Interested Developer a non-profit?
   h. Is the Interested Developer using local labor employees and contractors?
   i. Is the Interested Developer a Qualified Homebuyer who has adequately demonstrated their ability to construct a compliant structure?
   j. Will the Interested Developer restrict the purchaser to 80% of the area median income?

6. The FPC shall, at its sole discretion, determine compliance with Relevant Criteria and assign points as it sees fit to determine an order of preference.
   a. The FPC may, but is not obligated to, contact any Interested Developer who sent a Response to ask further questions, or seek more information or assurances.
   b. The FPC shall resolve any ties and determine the final order of preference by considering any other relevant factors.

7. The FPC shall notify all Interested Developers who sent a Response of the final order of preference and all assigned points, including notifying the top preference and, if appropriate, the second preference.
   a. Notwithstanding the above, the FPC shall set a minimum number of points for Interested Developers to be considered to be offered a leasehold. This minimum may be amended by the FPC from time to time as appropriate based on experiences within the program.
   b. Additionally, the FPC may, but is not obligated to, request administration to engage with any Interested Developer to assist with their participation in the program.

8. Upon receiving notification from the City that an Interested Developer has preference, the Interested Developer shall respond within seven (7) days of their acceptance of the Foreclosure Property or the FPC, at their sole discretion, may remove the Interested Developer from consideration for the Foreclosure Property.

9. If there is no response from an Interested Developer on a specific property, the City may dispose of the property through the surplus property procedure at appraised value or higher or dispose of the property to a land trust at the same cost it would have been offered to an Interested Developer in this program.
DISPOSITION PROCESS

1. Once an Interested Developer, who was given preference for a Foreclosure Property, accepts the property as outlined above ("Selected Developer") administration shall prepare a Lease with option to purchase ("Lease") which shall be executed by the Selected Developer within 30 days of receiving the Lease from the City.

2. The Lease shall include the following terms:
   a. The Lease shall be for a term of 99 years to allow the Selected Developer to obtain financing to build a house (or renovate an existing house) on the Foreclosure Property.
   b. The Lease shall include a nominal rent of $10 per month for the first 18 months, and beginning on the first day of the 19th month, monthly rent in the amount of $500 shall be due to the City.
   c. The Lease shall include strict restrictions on code compliance and compliance with all laws during the term.
   d. The Lease shall include an option to purchase that is contingent on the following:
      i. A home is constructed or rehabilitated in compliance with the requirements set forth in an exhibit and a certificate of occupancy has been issued.
      ii. The leasehold interest has been transferred at an affordable price to a qualified homebuyer whose income has been verified by the City to be at or below 120% AMI (as defined in City Code Chapter 17.5-97) ("Qualified Homebuyer").
   e. The Lease shall provide for closing as follows:
      i. The Selected Developer shall give to the Qualified Homebuyer all their interests under the Lease, except as may be set forth for payment.
      ii. The Qualified Homebuyer shall exercise the option to purchase the foreclosure property from the City and the City shall transfer to Qualified Homebuyer clear title.
      iii. Qualified Homebuyer and/or Selected Developer shall be responsible for all closing costs as set forth in the Lease.
      iv. From closing funds, City is paid $4,000 $10, and the remainder of the funds are transferred to the Selected Developer. Each year, the FPC will review this amount in relation to costs for the City to acquire property and recommend any necessary changes to City Council.
      v. At closing, the City shall attach a restrictive covenant on the property limiting its resale to income eligible buyers for 7 years, or the current required number of years if homebuyer assistance is provided by the City, whichever is higher. If the property is in the CRA, then other restrictions imposed by law or outlined in the CRA plan may also be attached.
NO. 2019-____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO DISPOSE OF FORECLOSURE PROPERTIES LISTED BELOW THROUGH THE PROCESS SET FORTH IN THE FORECLOSURE PROPERTIES DISPOSITION POLICY AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City Council has previously approved the administration to foreclose on real property with any or all of the following liens: Code Enforcement Board, Special Assessment and Utility; and

WHEREAS, City Council has previously approved the administration to bid up to the City's judgment amount on foreclosed property; and

WHEREAS, the City acquired the following properties at foreclosure auction ("Foreclosure Properties"):  
  • 1231 15th Avenue South  
  • 1108 11th Street South  
  • 835 West Harbor Drive South  
  • 4210 12th Avenue South  
  • 1742 7th Street South  
  • 2133 22nd Avenue South  
  • 4737 Haines Road North  
  • 4445 17th Avenue South

WHEREAS, certain procedures to provide for the disposition of said property to specific purchasers under certain conditions and subject to specific terms ("Foreclosure Properties Disposition Policy"), were approved by the Community Redevelopment Agency of the City of St. Petersburg, Florida and City Council on April 19, 2018; and

WHEREAS, the Foreclosure Properties Disposition Policy allows for the transfer of Foreclosure Properties as rapidly as feasible, as is in the public interest, while still being consistent with the South St. Petersburg Community Redevelopment Plan.

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 dispose of the Foreclosure Properties through the process set forth in the Foreclosure Properties Disposition Policy and execute all documents necessary to effectuate same.

This Resolution becomes effective immediately upon its adoption.

LEGAL:  
City Attorney (Designee)  
00445890 - Final

APPROVED BY:  
Rob Gerdes, Administrator  
Neighborhood Affairs Administration
The following page(s) contain the backup material for Agenda Item: Resolution approving the renaming a portion of 37th Street South, from 38th Avenue South to 54th Avenue South, to Skyway Marina Boulevard. (City File SNC-2019-01)
Please scroll down to view the backup material.
ST. PETERSBURG CITY COUNCIL

Meeting of May 16, 2019

TO: The Honorable Charlie Gerdes, Chair, and Members of City Council

SUBJECT: City File SNC 2019-01: A request to rename a portion of 37th Street South, between 38th Avenue South to 54th Avenue South, “Skyway Marina Blvd.”

REQUEST: A request to rename a portion of 37th Street South, between 38th Avenue South to 54th Avenue South, “Skyway Marina Blvd.” A street renaming necessitates that affected property owners change their mailing address and all associated documentation.

ANALYSIS: Pursuant to Section 16.40.140.2.5, the Urban Planning and Historic Preservation Division evaluated the proposal against eight (8) criteria. The analysis is outlined in the attached staff report.

RECOMMENDATION:

Administration: The Administration recommends AGAINST APPROVAL, particularly considering current efforts to amend the Markers and Monuments program to allow for honorary (non-regulatory) street naming.

Community Planning and Preservation Commission (“CPPC”): On April 9th, 2019, the CPPC voted 6-0 recommending AGAINST APPROVAL. A copy of the meeting minutes is attached.

Citizen Input: According to Section 16.70.050.1.4. of City Code, an application for a street name change may be initiated by property owners representing at least 51 percent of the linear frontage of the street right-of-way proposed for renaming. The City Council may also initiate a street name change on its own initiative and without letters of consent from abutting owners.

The Skyway Marina District conducted outreach in the form of signature cards to the entire District. 227 of the cards have indicated support for the initiative, while seven (7) were opposed. Of these responses, only 22% (of the required 51% in instances of a private-initiated application) of the linear frontage of the street right-of-way was represented by property owner. It is Staff’s opinion that the design of the cards was in favor of a “yes” vote.

Separate from this collection, public comment received by the Planning and
Development Services Department in response to the mailout, neighborhood association notification, and public information meeting (held on March 27th with 21 residents in attendance), has resulted in ten (10) votes of support including from two neighborhood associations, Maximo Moorings Community Association and Broadwater Civic Association, and fourteen (14) in opposition, mostly property owners, but also including Patriot Square Condominium Association, representing two hundred and thirty-two (232) residents. Substantive emails and letters have been included in the Staff Report.

**Recommended City Council Action:**

CONDUCT the Public Hearing and DENY the Resolution.

**Attachments:** Resolution  
CPPC Meeting Minutes  
CPPC Staff Report  
Additional Received Public Comment
RESOLUTION NO.  

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. PETERSBURG, FLORIDA, RENAMING A PORTION OF 37TH STREET SOUTH, BETWEEN 38TH AVENUE SOUTH AND 54TH AVENUE SOUTH, "SKYWAY MARINA BOULEVARD"; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 7, 2019, City Council approved a request from the Skyway Marina District for Council to City-initiate an application to rename a portion of 37th Street South, between 38th Avenue South and 54th Avenue South, "Skyway Marina Boulevard", moving that application forward for further review and consideration;

WHEREAS, on April 9, 2019, the Community Planning and Preservation Commission of the City of St. Petersburg ("CPPC") voted 6-0 recommending that the City Council deny the application to rename a portion of 37th Street South, between 38th Avenue South and 54th Avenue South, "Skyway Marina Boulevard".

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the renaming of that portion of 37th Street South, between 38th Avenue South and 54th Avenue South, as "Skyway Marina Boulevard".

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

[Signature]
Director, Planning and Development Services

[Signature]
City Attorney

5-3-19
Date

5/13/19
Date
MINUTES

Present:                Jeff Rogo, Chair
                       Christopher “Chris” A. Burke, Vice Chair
                       Will Michaels
                       Gwendolyn “Gwen” Reese
                       Jeffery “Jeff” M. Wolf
                       Lisa Wannemacher, Alternate
                       Sharon Winters, Alternate

Commissioners Absent:  Keisha A. Bell
                       Thomas “Tom” Whiteman, Alternate

Staff Present:          Derek Kilborn, Manager, Urban Planning & Historic Preservation
                       Laura Duvekot, Historic Preservationist II, Urban Planning & Historic Preservation
                       Michael Dema, Assistant City Attorney
                       Heather Judd, Assistant City Attorney
                       Katherine Connell, Administrative Assistant, Planning & Development Services
                       Iris Winn, Administrative Assistant, Development Review Commission

The public hearing was called to order at 2:01 p.m., a quorum was present.

I. OPENING REMARKS OF CHAIR

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE AND SWEARING IN OF WITNESSES

IV. MINUTES

The minutes from the March 12, 2019 meeting were approved by a consensus vote.

V. PUBLIC COMMENT – None
VOTE:  
YES – 6  
NO – 0

Motion passed by a vote of 6 to 0.

VII. PUBLIC HEARINGS

A. City File SNC-19-01  
   Contact Person: Laura Duvekot, 892-5255
   
   Request: Rename a portion of 37th Street South, from 38th Avenue South to 54th Avenue South, Skyway Marina Blvd.

Staff Presentation

Robyn Keefe a PowerPoint presentation based on the staff report.

Applicant Presentation

Public Hearing

Maurice O’Connell, 4300 37th St. S., spoke Against the request
Erkki Taada, 3997 45th Ave. S., spoke Against the request
Jack Dougherty, 4601 34th St. S., spoke in Support of the request

Executive Session

Commissioner Wannemacher: Something that just occurred to me is a lot of the street names like Coffee Pot Blvd., Country Way or Shore Acres, they are meandering, circular large places to get lost. 37th Street is North/South it is linear, it seems to me a lot of the cons that have been identified far outweigh the pros, there are pros but I think there are ways around it. I do not think I can support this application.

Commissioner Wolf: I fully support trying to get marketing and the dedication for the Marina District. What various neighbors have done is to take various monuments, specific to their neighborhood, and say the entry to their neighborhood or various streets in their neighborhood there is some sort of monument to say you are now entering into the Granada Terrace District. I think you would get the same or even more recognition from that kind of monument as you enter the street where people can see visual representations of the district.

Commissioner Rogo: I do not mean to cut you short, the district does have monuments. I live in Isla del Sol, there is a monument at the southern end of 54th and 34th Street South and they have another one at 30th, I am sorry I did not mean to cut you off.

Commissioner Wolf: I just think this is going to cause a lot of confusion.

Commissioner Rogo: I agree with Commissioner Wolf, there are ways to build on the identity that those monuments do create, as I mentioned, I live in Isla and I am thrilled with all the work that you are doing to upgrade what I consider to be part of my neighborhood. I certainly do most of my shopping and dining in the district and I know there is more coming. Congratulations on doing all that you are doing, so positively. I think we would join you in fighting the good fight on 34th with co-naming or honorary signs that could be attached to
the 34th Street signs. I do not think I can support 37th as being the entry or gateway to the district. I have some trouble with that street, I have particular trouble with the changing of the grid because it is a straight North/South.

Commissioner Wolf: Besides this street, I really think we need to avoid setting precedent for other people to start con-naming other streets or renaming other streets. I think it is bad policy for the City.

MOTION:  
Commissioner Wannemacher moved on approval of the Staff recommendation  
Commissioner Wolf seconded

VOTE:  
YES – 0  
NO – 6

Motion denied by a vote of 0 to 6.

VIII. CPPC MEMBER/STAFF COMMENTS, ANNOUNCEMENTS

Derek Kilborn: There have been no plans added to the Potentially Eligible List. We will be getting a workshop together to work on the Potentially Eligible List soon.

IX. ADJOURN

With no further items to come before the Commission, the public hearing was adjourned at 8:14 P.M.
COMMUNITY PLANNING AND PRESERVATION COMMISSION

Prepared by the Planning & Development Services Department,
Urban Planning and Historic Preservation Division

For Public Hearing on April 9, 2019
at 2:00 p.m. in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

APPLICATION: SNC 2019-01

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

REQUEST: A request to rename a portion of 37th Street South, between 38th Avenue South and 54th Avenue South, "Skyway Marina Blvd." Property owners along the subject corridor will be required to change their address if the street name change is approved.

AUTHORITY: Pursuant to Section 16.80.020.1 of the City Code of Ordinances, the CPPC is responsible for reviewing and making a recommendation to the City Council on all proposed street change requests.

EVALUATION:

Background:

On February 7, 2019, the City Council considered a request from the Skyway Marina District to rename the subject portion of 37th Street South as part of their efforts to further brand the area as a recognizable place with its own identity. The request was introduced as a new business item and was approved to move forward for further study.

CONSISTENCY REVIEW COMMENTS: The Urban Planning and Historic Preservation Division staff reviewed this application in the context of the following criteria excerpted from the City Code and found that the requested renaming is consistent with criteria: #1, #4, #5, #7 and #8. Outstanding areas of concern have been identified with criteria: #2, #3, and #6.

Criteria #1: Request a person's name who has not been deceased for at least one (1) year. Such person's last name should be used unless additional identification is necessary to prevent duplication.

The application does not recommend use of a person's name.
Criteria #2: Duplicates or is phonetically similar to an existing street name regardless of whether the right-of-way is designated as a street, avenue, drive, place or other designation.

According to a letter submitted by the Skyway Marina District, the name Skyway Marina Boulevard was chosen because of consistency with other gateway signage on the outskirts of the District.

Within the City of St. Petersburg, there are no exact duplicates of the proposed name; however, there are many partial duplicate names, including Marina Drive, Marina Plaza, Marina Terrace, Marina Way, and Sunshine Skyway Lane. Throughout the City of St. Petersburg, there are no phonetically similar variants.

Within Pinellas County, there are no exact duplicates of the proposed name; however, there are many partial duplicate names, including one (1) roadway which includes “Skyway” in the name, “Sunshine Skyway Lane,” and seven (7) roadways with “Marina” including: 1) Marina Plaza, 2) Marina Del Ray Court, 3) Marina Drive, 4) Marina Way, 5) Marina Terrace, 6) Marina Cove Way, and 7) Marina Key Lane. Throughout Pinellas County, there are no phonetically similar variants.

Criteria #3: Is consistent with the established numbered grid system of street names or other existing street naming pattern.

The City of St. Petersburg primarily utilizes numerically-named streets and avenues which help residents, visitors and emergency responders to easily navigate the City’s street grid system.

In recent years, multiple planning efforts effecting City wayfinding have been undertaken and are in-progress, including the Complete Streets Implementation Plan, City of St. Petersburg – Pedestrian Wayfinding Design Development, and expansion of the Markers and Monuments program to include procedures for honorary (non-regulatory) street naming. Historically, the City has been cautious about renaming away from the numbered street grid. Staff has recently strengthened in this position to recommend against further degradation of that system, noting future opportunities through these initiatives to attain the same goals while lessening impact to wayfinding. For example, though it was ultimately approved by City Council, City Staff recommended against the co-naming of a downtown portion of 1st Street/Florida Orchestra Way in 2017. According to the St. Petersburg Police Department, emergency responders experience geographical issues when encountering named streets almost exclusively (vs. numbered).

Named roadways in the City of St. Petersburg typically begin with a letter corresponding to the number that would otherwise have been assigned to it. Along Central Avenue for example, there is a historic pattern of moving away from Central Avenue in alphabetical order such that Burlington Avenue is approximately two (2) blocks away and Dartmouth Avenue is four (4) blocks away from Central Avenue. The distribution pattern for named roadways on a north-south axis is more ambiguous. However, as a separate issue, the Police Department has commented that while there is not an established rule, “Boulevards” in the city typically run East/West or diagonally, while in this case the street runs North/South.

Criteria #4: Reflects a significant event, place, or person in the history of the City, region, state or nation.

Street names are often proposed to memorialize a significant event, place, or person. In this instance, the request is to give notice and bring attention to a developing “place” with its own distinct identity in the city.

Criteria #5: Has significance or value as part of the development, heritage, or cultural characteristics of the City, state, or nation, and contributes to civic pride and wider public knowledge or the appreciation of the heritage and history of the City.
In April 2013, over 240 residents and business owners came together to develop a future vision for the Skyway Marina District located along 34th Street South, between 30th and 54th Avenues.

The City of St. Petersburg, together with the Steering Committee, worked on a planning process that covered eight months and many topics. Participants were presented with information on Transportation, Land Use, Design and Site Development, Economic Development and other topics. Through this process, a new identity and plan was forged. The Skyway Marina District was adopted as the name of this area and a logo was unveiled in October 2013.

The Skyway Marina District Plan represents a collective vision for a south St. Petersburg mixed use center. The community has long desired a destination district in the far southern Pinellas County area as their first option for shopping, dining and employment. A successful district would expand the market from local to regional, improving the business mix and increasing employment opportunities.

The following objectives are core to the success of the Skyway Marina District Plan and are the basis for these strategies:

- Create a place with a recognizable identity
- Increase the population and buying power
- Increase employment
- Create a multimodal environment
- Promote sustainability

Strategies have been defined to accomplish the vision, including Transportation, Streetscape, Land Use & Site Design, Economic Development, Marketing & Promotions and Implementation.

The street renaming has been requested primarily in response to the first objective, “Create a place with a recognizable identity” and correlates with Streetscape strategies promoting unified and themed public signage. According to the Skyway Marina District:

_The opportunity for the District to define itself through a street name is significant to the efforts of the District. The District was named five years ago, [which] has increased awareness of the area via signage, marketing and promotions, events and economic vitality. Having a street name for the District will [better] define the District with a sense of pride for the surrounding homes and businesses. The name change will hold significant value for the community within it._

It should be noted, however, that the Economic and Workforce Development Department has issued comment that placemaking would be better achieved by co-naming or renaming 34th Street South between 30th and 54th Avenues to Skyway Marina Boulevard, since virtually all of the Skyway Marina District businesses are located on that street.

**Criteria #6:** Names or renames all segments of the same street to avoid confusion that may result when just a portion of a street is renamed.

The proposed street renaming impacts a portion of 37th Street South, extending from 38th Avenue South to 54th Avenue South. There are two primary concerns associated with renaming only this portion: 1) the Skyway Marina District excludes much of the subject portion proposed for renaming, and 2) changing a numbered street for only a portion of the road presents more of a challenge for emergency responders than changing the entire street or avenue.

To address Concern #1, Exhibit 4 is an illustration of the subject portion of 37th Street South in relation to the Skyway Marina District boundaries. The subject portion of the street to be renamed is not completely contained within the Skyway Marina District boundaries, with the segments from 54th Avenue South to 50th Avenue South and 46th Avenue South to 38th Avenue South lying just
outside. However, Skyway Marina District signage already exists outside this area and that most of the surrounding neighborhoods consider themselves to be a part of the District. Additionally, there are physical markers present that strengthen the subject portion's candidacy, including the Pinellas Bayway as one defining endpoint and the traffic roundabout at 38th Avenue South as the other.

In reference to Concern #2, the Police Department has commented (not in opposition) that naming only a portion of a street "presents more of a challenge" to emergency responders, forcing them to rely more on electronic resources over memory or skill at using the numbered grid system. The Pinellas County Emergency Communication Center, which includes 9-1-1, has reviewed the request and has no objection.

Criteria #7:  *Is consistent with other relevant information identified in the course of review.*

According to Section 16.70.050.1.4. of City Code, an application for a street name change may be initiated by property owners representing at least 51 percent of the linear frontage of the street right-of-way proposed for renaming. The City Council may also initiate a street name change on its own initiative and without letters of consent from abutting owners. Because this application is City-initiated, it is consistent with this requirement.

The Skyway Marina District has conducted outreach in the form of signature cards to the entire District. 227 of the cards have indicated support for the initiative, while seven (7) were opposed. Of these responses, only 22% (of the required 51% in instances of a private-initiated application) of the linear frontage of the street right-of-way was represented by property owner. The design of the signature cards included the words "Yes, I agree with the renaming of 37th St. to 'Skyway Marina Blvd.,'" followed by a place for resident name, address, and signature. Some residents wrote that they did not support the renaming on their card, but most just signed and returned them. It should be noted that given there was no place on the card to vote "no," the results from this effort may be skewed towards residents supporting the change.

Separate from this collection, public comment received by the Planning and Development Services Department in response to the mailout has resulted in eight (8) votes of support and ten (11) in opposition, mostly property owners. Substantive emails and letters have been included in this Staff Report (see Exhibit 5).

Those in support of the street renaming generally provided the following reasons:
- Renaming the street helps to brand the area, giving it its own unique and recognizable place identity.
- 34th Street South would be difficult to rename based on past research.
- Renaming the street would instill pride in the neighborhoods.

Those opposed to the street renaming generally provided the following reasons:
- The proposed renaming would be inconvenient and costly to residents and business owners to change mailing address.
- 34th Street South would be a better subject for the street renaming due to its prominence and importance as a redevelopment corridor in the District.
- The numbered street grid makes it easier for visitors and emergency responders to navigate the area.
- The street in question is a quiet residential street that does not attract enough outside residents or tourists to achieve the aim of branding the district.
- The subject street portion does not meet their idea of a "boulevard." (Staff notes that there are several comparable examples throughout the city, including Cofeeopot Boulevard, Brightwaters Boulevard, and Snell Isle Boulevard.)
Some property owners opposed to the renaming indicated they would prefer it to be a co-naming if approved, as did many City departments, so that a burden to change address isn't placed on residents.

Criteria #8: **Should be added to all or portions of the street to provide dual name status of the street within local historic districts or other parts of the City.**

A portion of the subject street proposed for renaming is located within the Skyway Marina District, with the segments from 54th Avenue South to 50th Avenue South and 48th Avenue South to 38th Avenue South lying just outside.

Recommendation: Given that outstanding areas of concern have been identified with criteria #2, #3, and #6, staff recommends the CPPC vote AGAINST the proposed street renaming. This position reflects broader concerns the City Administration and City Staff have about street renaming and co-naming as a regulatory tool and is in no way directed towards the Skyway Marina District.

If approved, Staff recommends the following condition: The Skyway Marina District agrees to pay all fees and other costs of sign manufacturing and installation.

Report Prepared By:

[Signature]

ROBYN C. KEEFE, Planner II
Urban Planning and Historic Preservation Division
Planning and Development Services Department

Adoption Schedule

The proposed street renaming requires one (1) public hearing, conducted by the City of St. Petersburg City Council. The City Council shall consider the recommendation of the CPPC and vote to approve, approve with modification or deny the request.

Exhibits

1. New Business Item
2. Aerial
3. Map
4. Proposed Street Renaming in Relation to Skyway Marina District Boundaries
5. Public Comment
Exhibit 1: New Business Item
TO: Members of City Council

DATE: January 31, 2019

COUNCIL DATE: February 7, 2019

RE: Renaming a portion to 37th Street South to Skyway Marina Blvd.

ACTION DESIRED:

Respectfully requesting an ordinance from staff renaming that portion of 37th Street South from 38th Avenue South to 54th Avenue South which lies within the Skyway Marina District to Skyway Marina Boulevard.

RATIONALE:

The opportunity for the District to define itself through a street name is significant to the efforts of the District. The District was named 5 years ago, has increased awareness of the area via signage, marketing and promotions, events and economic vitality. Having a street name for the District will more define the District with a sense of pride for the surrounding homes and businesses. The name change will hold significant value for the community within it.

The name Skyway Marina Blvd. would be different from other named streets with “Marina, or Skyway” in them by matching the District name along with the gateway signage on the outskirts of the District. The name change is significant in history being made, the change of times and a growing District to be remembered for years to come. This assists in the pride of the District and the persons living and working in it, along with more public knowledge of the District and a reminder that we are a community working to increase economic growth for the future residents of the District. Allowing this name change would increase a historical opportunity with positivity and appreciation.

Lisa Wheeler-Bowman
District 7
Exhibit 2: Aerial
Proposed Street Name

Skyway Marina Blvd.
Exhibit 3: Map
Proposed Street Name

Skyway Marina Blvd.
Exhibit 4: Proposed Street Renaming in Relation to Skyway Marina District Boundaries
Exhibit 5: Public Comment
SKYWAY MARINA BLVD. – STREET RENAMING
PUBLIC COMMENT SUMMARY

Skyway Marina District Signature Card Outreach:

Support: 227
Opposed: 7

*22% of the linear frontage on the public right-of-way proposed for renaming was represented by property owner (giving support).

City Outreach (mailout notice to property owners, neighborhood association notification, public information meeting, Pinellas County Emergency Communications Center, Pinellas County, City Police and Fire Department, City Transportation Planning and Parking Management Department, and City Economic and Workforce Development Department):

Support: 8
Opposed: 13

Public Information Meeting Attendance: 21

Attachments
1. Example Skyway Marina District signature card
2. Letter from the Skyway Marina District
3. Received emails and letters with substantive content
4. City department comments
Attachment 1: Example Skyway Marina District Signature Card
Yes! I agree with the renaming of "37th Street" to "SKYWAY MARINA BLVD"

Name: Stephen Hughes - M. Sharp
Street Address: 4500 37th S. South #108
Signature: [Signature]

Thank you for your support.
Attachment 2: Letter from the Skyway Marina District
April 1, 2019

Community Planning and Preservation Commission
City of St. Petersburg
City Hall
175 Fifth Street North
St. Petersburg, FL 33701

With approximately 250 Skyway Marina neighborhood residents expressing support for changing the name of "37th Street South" to "Skyway Marina Blvd" between 38th Ave S and 54th Ave South the Board of Directors submits this letter of support.

One identified area of concern is the change in the established grid pattern within St. Petersburg. While it is an admirable goal to keep patterns it is important to note there are large portions of St. Petersburg that are not using the traditional grid system. These areas include:

A. Lakewood Estate
B. Pink Streets
C. Most of the Old Northeast
D. Snell Isle
E. Shore Acres
F. Venetian Isles
G. Coquina Key
H. Riviera Bay
I. Tanglewood
J. Carillon
2. A number of areas in the City have streets named for the area that have become a source of pride for the area. Consider:

A. Coffee Pot Blvd (19th Ave NE)
B. Snell Isle Blvd (21st AVE NE)
C. Meadowlawn Dr (11th St N)
D. Shore Acres Blvd (25th St NE)
E. Grand Canal Blvd (52nd Ave NE)
F. Country Club Way (15th St S)
G. Pinellas Point Dr (70th Ave S)
H. Riviera Bay Dr (86th Ave NE)
I. Tanglewood Dr (25th Ave NE)
J. Carillon Parkway (119th Ave)

We believe everyone can agree these names help brand the areas and set them apart and are not looked upon as disruptive in any sense. We doubt anyone would advocate to use the names in parenthesis which, using the grid system, would be their assigned names.

Additionally, the following street names were changed for honorary reasons or marketing reasons:

1. Beach Drive NE -- Originally Poinsettia Way NE
2. Dr. ML King Jr. Blvd. -- Originally Euclid Way, later changed to 9th Street
3. Pinellas Bayway -- Originally 54th Ave S.
4. Mirror Lake Drive -- Originally Reservoir Ave.

St. Petersburg stands apart as a beautiful and unique city. The City has invested significant time and money into the Skyway Marina District and it is paying off with a number of new projects coming into the area. Hanging on to a numeric street number (37th Street) that has no cultural or historic significance appears to be simply a "cookie cutter" approach. We need to brand and emphasize some uniqueness like the areas above were originally set up.

While we understand the objections from a minority of the residents and can sympathize with them they summarize as two main concerns:

-- why change the name?
-- it is a bother to change our street name for our mail
A lot of this has to do with an overall dislike for change no matter what the change. We firmly believe the benefits of this name change far outweigh the negatives expressed. Further we highly doubt that after 1 year any resident will still have an objection to “Skyway Marina Blvd” and want to return to the old street number.

Branding an area is vital. The city recognizes that in the monument signs which have been built identifying and setting apart the district. We believe that is an important first step but we must continue to build the brand within the district. In addition to St. Petersburg recognizing the importance of community branding, cities such as Austin, TX, Raleigh NC, Charlotte, NC, New York, NY have all recognized the importance of branding and since of community it provides. Each city has taken major steps and have major initiatives to set apart specific areas of their cities.

Changing “34th Street” to “Skyway Marina Blvd” is not a viable option. Initially time was spent researching the feasibility of this option. Per the attached email realistically we would never be able to get that change approved and our efforts and energy is better spent on a *realistic* outcome.

In regard to funding of the street name change the Skyway Marina District has agreed to bear the costs associated with the change. We have a firm quote from the City detailing the pricing and have voted as a Board to approve the expenditure. (We feel this name change is that important).

We have the support of the neighborhood residents -- both Broadwater and Maximo and the support of the majority of the businesses in the District including the Maximo Marina that recently invested over $25M in their property.

Given all of the above we believe the positives of this change far exceed any perceived negatives and would ask for council approval of the request.

Sincerely,

[Signature]

Jack Dougherty

President

On behalf of the Board of Directors

Skyway Marina District
Good evening, Robyn.

Our Skyway Marina District Director (Misty) shared with me that based on the meeting tonight there was discussion about renaming 34th Street. I wanted to share with you (and whoever else needs to review this) the results of our discussions with FDOT on the extremely remote possibility that 34th Street’s name could ever be changed and what the steps are (and timeline) that would be required.

As the possibility is extremely remote we believe that this is *not* a viable option to pursue.

I wanted to make sure everyone had the facts on this based on my meetings outlined in the email below.

Thanks,
Jack Dougherty

-------- Forwarded message --------
From: Jack <jack@flamingofla.com>
Date: Fri, Sep 7, 2018 at 9:12 AM
Subject: 34th street name change
To: Mike Milvain <mmilvain@gmail.com>, Skyway Marina <director@skywaymarina.com>, Kelly Kirschner <kirschkm@eckerd.edu>, Owner <owner0107@theupsstore.com>, Bozikovich, Frank <fbbozikovich@commercialpartnersrealty.com>, Ellen Capitosti <tostis@tampabay.rr.com>, Simmons, Todd <todd.simmons@ceridian.com>

I have done the following on the potential 34th street name change:

1. I spoke with David Gwynn (District 7 secretary with FDOT). He referred me to FDOT Chief Engineer Kevin Dunn.

2. I spoke with Kevin Dunn. He says Florida Statute 336.05 governs this.

We would have to:

a. Obtain approval from the City of St. Pete for the name change.

b. File a partition with the Pinellas County Commission for approval per part 1 of the statute below.

c. Obtain approval from the Pinellas County Commission. They would need to make sure that the majority of the businesses in the effected area approved of the change which would require several public hearings and Pinellas County council votes.
d. Pay in advance for:
   1. New street signs.
   2. New plastic inserts in the large stop light mast signs

This is Kevin's summary of the meeting:

- The only applicable F.S. 336.05 would require that Pinellas BOCC take the lead in this road renaming action.
- The City of St. Petersburg would also need to support this proposed action by the BOCC, and once approved, would then also need to pass an ordinance in support of the name change.
- Public meetings would then need to be held with stakeholders that would have a change in address, the Post Office, law enforcement, and emergency responders.
- If all of the above steps result in the proposal moving forward, the City of St. Petersburg would be responsible to change all the overhead lighted street name signs at the signalized intersections, and all the local street name signs along this roadway section.
- I mentioned that it would likely take a number of years if it would ever actually receive approval.
- I also commented that from the perspective of guiding visitors, it would be preferred to have the name of a roadway consistent throughout the entire length.
- As a pertinent reference, I shared that the Pinellas MPO and BOCC have in the past discussed in a negative way the fact that Alt U.S. 19 has (5) different names, and that C.R. 296 has (3) different names.

Title XXVI
PUBLIC TRANSPORTATION

Chapter 336
COUNTY ROAD SYSTEM

336.05 Naming of county roads; recording.—

(1) The commissioners are authorized to name and rename streets and roads, except state roads designated by number by the department, lying outside the boundaries of any incorporated municipality.

(2) The commissioners are authorized to refuse to approve for recording in accordance with chapter 177 any map or plat of a subdivision when recording of such plat would result in duplication of names of streets or roads or when such plat, in the opinion of the commissioners, will not provide adequate and safe access or drainage.

History.—s. 45, ch. 29965, 1955; s. 2, ch. 57-776; s. 70, ch. 84-309.
Attachment 3: Received Emails and Letters with Substantive Content
Community Planning and Preservation Commission
City of St. Petersburg
City Hall
175 Fifth Street North
St. Petersburg, FL 33701

March 30, 2019

This letter is written in support of changing 37th Street South to ‘Skyway Marina Blvd’. The Skyway Marina district has made several positive changes to the South Saint Petersburg area, and continues to bring in attractive and viable businesses. The 3 monument signs have branded and outlined the area so we feel that organically, the changing of this street name will help set this district up as another great Saint Petersburg draw.

We at Maximo Marina have invested heavily on our property, thus increasing the appearance and tax base, not only of the marina, but also of the boats we accommodate. Skyway Marina District leadership has been very helpful to our success. We hope to continue improving and investing our little part of the world here and feel; this name change will identify the branding for this district.

Best,

Lee Hicks, Manager
Robyn C. Keefe

From: Daniel J <danielj@name.com>
Sent: Saturday, March 30, 2019 5:21 PM
To: Robyn C. Keefe
Subject: RE: 37th Street to Skyway Marina Blvd

Follow Up Flag: Follow up
Flag Status: Flagged

Robyn,

I am e-mailing you today in complete support of re-naming 37th Street to Skyway Marina Blvd. It will provide an additional step forward for the reclassification of our beautiful Southern community.

• 10 year resident of Maximo Moorings
  o 2nd Vice President, Maximo Moorings Civic Association
  o Skyway Marina District BOD Member

• 20+ year resident of Greater Pinellas Point
  o 70th Ave S -> Pinellas Point Dr.

• 5 year resident near Euclid Way -> Dr. ML King Jr Blvd.

This name change is a critical step in the forward progress of our area.

Sincerely,

Daniel Hager
5095 37th Way South
St. Petersburg, FL 33711
Good morning, Robyn.

As an owner of a business in the Skyway Marina District for over 10 years I would like to express my support for the name change of 37th Street to “Skyway Marina Blvd”.

The city has changed a number of street names downtown lately (Dali Blvd, University Blvd etc). Changing the name of 37th Street would help:

1. Brand the area better.

2. Set the district boundaries along the other North/South district roads.

3. Give neighborhoods a sense of pride. (37th runs through all the neighborhoods in the Skyway Marina District.)

Please consider this email in SUPPORT of the name change.

Thank you,
Jack Dougherty
4601 34th St. S.
St. Petersburg, FL. 33711
March 23, 2019

Development Department
Municipal Services Center,
Eighth Floor, One 4th St. N.
St. Petersburg, FL 33701

Re: City File: SNC-19-01

Gentlemen:

I am a resident on 37th St. S. and rigorously disagree with renaming 37th St. S. to Skyway Marina Blvd. This is basically a residential street where it is showing the name change. There is only one commercial operation there and nothing that could be developed. It is my understanding that the most emphasis would be on 34th St. S. for redevelopment and new construction.

The work that would be entailed for each homeowner to put in address changes for all mail, credit cards, banks,
etc. would be overwhelming in most cases. I certainly would not like to have to do it.

I can see no purpose in a name change. We can support the efforts of the Skyway Marina District by supporting the businesses on 34th St. S. and certainly any new developments without any name change to 37th St. S.

I appreciate your consideration of my comments.

Sincerely,

Barbara L. Danos

3910 37th St. S., #38

Patriot Square Condominiums

St. Petersburg, Fl 33711
Dear Ms. Keefe:

As a homeowner on the affected section of 37th ST S, I strongly object to any renaming of 37th ST S. I don’t believe there is any benefit at all that would come to us from a name change. In fact, I believe that there will be only Inconvenience, confusion and expense that will result.

I’ve heard that this name change has come about because of the Skyway Marina District (SMD) association’s belief that better branding of the area will result in increased business for those businesses located here in the district. However, most of those businesses are on 34th ST, with only one, Maximo Marina, located on 37th ST. So I don’t see how all or even most businesses will benefit.

There are cons to this change for the homeowners on 37th ST. The St. Petersburg grid system is wonderful for making it easy to find a particular address. We would lose that benefit. Those trying to find my house for the first time will find it more difficult. In addition, emergency services could be delayed with our street named in a stand-alone way, which could have life and death consequences.

Also, there would be the trouble, expense and potential confusion to all the 37th ST residents in the affected area having to change their addresses on file everywhere.

So overall, I don’t see any benefit at all and several costs that will be carried by the effected homeowners and the city. I also don’t see where the businesses that are not located on 37th ST have any standing to influence a name change.

Thank you.
Dear Ms. Keefe:

As a homeowner on the affected section of 37th ST S, I strongly object to any renaming of 37th ST S. I don’t believe there is any benefit at all that would come to us from a name change. In fact, I believe that there will be only inconvenience, confusion and expense that will result.

There are cons to this change for the homeowners on 37th ST. The St. Petersburg grid system is wonderful for making it easy to find a particular address. We would lose that benefit. Those trying to find my house for the first time will find it more difficult. In addition, emergency services could be delayed with our street named in a stand-alone way, which could have life and death consequences.

Thank you.

Frank Bozikovich
4485 37th Street South
St Petersburg, FL 33711

Cell:(727) 501-2844
Robyn C. Keefe

From: Milano, Tom <redacted>
Sent: Wednesday, March 27, 2019 8:34 AM
To: Robyn C. Keefe
Subject: 37th Street Name change
Importance: High
Follow Up Flag: Follow up
Flag Status: Flagged

Robyn,

My name is Thomas G Milano (Tom) and I am the homeowner of the property located at 4443 37th Street South, Saint Petersburg, FL 33711 and I am writing to advise you that I STRONGLY OBJECT to the renaming of my street to Skyway Marina Blvd. My understanding is the purpose to change the name is for Branding and to bring increased business into the area. All the business locations are on 34th Street with the exception of Maximo Marina being on 37th Street. This is a RESIDENTIAL area and the traffic on 37th Street South is already ALARMING to the point that we do not let our 9 year old play out front without an adult being present. The traffic now makes it almost impossible to get out of our driveway without just pulling into the street to stop other cars. Speeding is also a major concern that the city seems to not want to address. I have petition for speed bumps on our section of the street and have been told “that will never happen” because of a bus route (same bus goes over speed bumps in front of Maximo Marina) but yet their speed bumps in front of Maximo Marina. I pay significant property taxes and have lived at the location for 3 years now and have been seriously considering moving because of the “traffic” on 37th Street now. I see absolutely NO benefit to any of the home owners or condo owners that this change will affect. Big business will not benefit either since there are no businesses on 37th Street South except Maximo Marina which I strongly suspect is the real catalyst pushing for this change.

For the record I STRONGLY OBJECT TO ANY NAME CHANGE OF 37TH STREET SOUTH.

Also can you help me get some speed bumps put in that will save a child’s life in the future!!!!

Thank you for your consideration of my request.

Thomas G Milano
4443 37th Street South
Saint Petersburg, FL 33711
404-219-4899
Robyn,

My name is Larry (Mike) Rabenau my wife (Maryann Marnell) and I are the homeowners of the property located at 4401 37th Street South, Saint Petersburg, FL 33711 and we are writing to advise you that WE STRONGLY OBJECT to the renaming of our street to Skyway Marina Blvd. My understanding is the purpose to change the name is for Branding and to bring increased business into the area. All the business locations are on 34th Street with the exception of Maximo Marina being on 37th Street.

This is a RESIDENTIAL area and the traffic on 37th Street South is already ALARMING. The traffic now makes it almost impossible to get out of our driveway without just pulling into the street to stop other cars. Speeding is also a major concern that the city seems to not want to address. We have expressed concern for speed bumps on our section of the street and have been told “that will never happen” because of a bus route (same bus goes over speed bumps in front of Maximo Marina) but yet their speed bumps in front of Maximo Marina. We pay significant property taxes and have lived at the location for 3 years now and have been seriously
considering moving because of the "traffic" on 37th Street now.

While it would be cutesy to have the street address be Skyway Marina District we see absolutely NO benefit to any of the home owners or condo owners that this change will affect. This will cause an extremely amount of hours to change all our legal documents; mortgages, banks, investments, credit cards, DMV ...

Big business will not benefit either since there are no businesses on 37th Street South except Maximo Marina which I strongly suspect is the real catalyst pushing for this change.

For the record WE STRONGLY OBJECT TO ANY NAME CHANGE OF 37TH STREET SOUTH.

Thank you for your consideration of my request.

Larry Rabenau

4401 37th Street South

Saint Petersburg, FL 33711
This is a follow up to our mtg last evening and I wish to have this be part of the record for the CPPC consideration.

City File: SNC-19-01

I am a resident / property owner, living at 4300 37th St. South and wish to address, again, the street name change (Skyway Marina Blvd). This is a follow up to our recent public meeting on March 27th @ the SPC Allstate Center. I request that this communication be made part of the information to passed on to the CPPC prior to the planned 09 April, 2:00 pm meeting.

While the name is certainly not unreasonable, or in poor taste, there are few who live on 37th St. South who would have any perceived value gain...except for Maximo Marina and it's related restaurant...in a name change.

The name change would not be consistent with the other surrounding numbered streets / avenues in the area.

The new name would not reflect any significant historical event, place or person in the history of the city, region, state or nation.

The name change would have little significance with the development of the Marina District as it is currently 99% made up of both private, single family residences and condo complexes. The Maximo Marina Complex would be the only direct beneficiary.

I am therefore initially opposed to this, as presented, at this time.

Some suggested reasoning:

1. Currently 37th St S is NOT and would not qualify to be a "Boulevard"....it is simply a two lane St.

2. Residents / property owners would have to Initially go through the many challenges / inconveniences of having to make major changes in all credit cards, bank records, any and all personal legal documents. Possibly, some residents could even incur a personal expense.
3. This could be a mis-statement, however, I believe 37th St. is not actually within the Marina District's boundaries, as I have seen outlined. It is just on the outside of the westerly boundary.

Things / alternatives / suggestions:

1. It would seem easier, and just as effective, to have a co-name designation for the street area in consideration. It would allow private property owners and residents to keep their current active address and allow for necessary regulatory impact.

2. Some attractive, unobtrusive, signage could be in place announcing the "Skyway Marina" District" on 37th St S.

3. Perhaps consider only making the change in the area from 46th Ave S down to the circle @ 50th Ave S...
   In doing so, very few residents, if any, might be effected by the change; certainly it would benefit directly Maximo Marina's business area. Also, it adds to the location relationship to / with Boca Ciega Bay waters.

4. AND a suggested slightly different name suggestion could be "MARINA DISTRICT WAY" or some variation of the above.

These are my thoughts, at this point. I will aggressively follow up by attending the meeting(s) Please feel free to contact me if you wish.

I greatly appreciate your time and serious consideration on any and all of these points. I wish not to be a dissenter or stand in the way of needed progress.

Thank you very much, indeed.

Maurice W. O'Connell
4300 37th St S, Apt #2
St. Petersburg, 33711
Ph; 970 401 3142
I am a resident / property owner, living at 4300 37th St. South and wish to initially address the street name change (Skyway Marina Blvd) notice received today.

While the name is certainly not unreasonable, or in poor taste, there are few who live on 37th St. South who would have any perceived value gain...except for Maximo Marina and it's related restaurant...in a name change. I am therefore initially opposed to this, as presented, at this time.

My reasoning:

1. Currently 37th St S is NOT and would not qualify to be a "Boulevard"...it is simply a two lane St.

2. Residents / property owners would have to initially go through the many challenges / inconveniences of having to make major changes in all credit cards, bank records, any and all legal documents. Possibly, some residents could even incur a personal expense.

3. This could be a mis-statement, however, I believe 37th St. is not actually within the Marina District's boundaries, as I have seen outlined. It is just on the outside of the westerly boundary.

Things / alternatives to suggest:

1. It would seem easier and just as effective, to have a two name designation for the area in consideration. So that either named address would function on any future US mail postings and / or on any legal / other important type documents.

2. Some attractive, unobtrusive, signage could be in place announcing the "Skyway Marina" District" on 37th St S.

3. Perhaps consider only making the change in the area from 46th Ave S down to the circle @ 50th Ave S...In doing so, very few, if any, might be effected by the change; certainly it would benefit: directly Maximo Marina's business area. Also it adds to the relationship to / with Boca Ciega Bay waters.

4. AND a suggested slightly different name suggestion could be "MARINA DISTRICT WAY" or some variation of the above.

These are my thoughts, at this point. I will aggressively follow up by attending the meeting(s) Please feel free to contact me if you wish.

I greatly appreciate your time and serious consideration on any and all of these points. I wish not to a dissenter..!

Thank you very much, indeed.

Maurice W. O'Connell
4300 37th St S, Apt #2
March 8, 2019

Planning and Economic Development Department
Municipal Services Center
8th Floor
One 4th Street North
St. Petersburg, FL 33701

Re: Renaming a portion of 37th St. South to SKYWAY MARINA BLVD.
City File: SNC-19-01

To the City Council:

I am a property owner who lives permanently along the subject corridor and I wish to register my strong opposition to this proposed name change.

- I believe that this request is capricious and benefits no one who lives along this street except the Maximo Marina, a commercial enterprise that can be easily located without having a whole two city blocks named for them for no good reason.
- A street with a three-word name is cumbersome and difficult to relay to others who don’t live here. It is out of synch with the neighborhood of systematically numbered streets.
- For the many private citizens who live along this corridor a name change means that all will have to change their physical address with all personal business relationships, and private relationships including family, friends, lists and virtually anyone with whom they have a contact. For many older citizens who live here it will be quite simply, a nuisance and in some cases difficult.

We appreciate that the Maximo Marina has undergone a substantial upgrade and renovation and I am sure that they will be a player in the new Skyway Marina District without being an overbearing neighbor to the rest of us.

Thank you for your consideration,

[Signature]

Cc: City Councilwoman Lisa Wheeler-Bowman, District 7
Hi Robyn,

Thank you for the meeting last week at the Allstate Center, it was very informative. As a result, we would like you to submit these concerns in OPPOSITION to the renaming of a part of 37th Street South to Skyway Marina Blvd:

In reference to the standard criteria that is reviewed in a street renaming:
#3. SMD Blvd would not be consistent with the current numbered grid system of street names and pattern.

#4. The name change would not be a significant event, place or person in the history of the City, region, state or nation.

#6. Because this potential name change does not rename ALL segments of the same street, it would create confusion.

We would like to make these suggestions, in our order of preference:

1. Create signage, like the Central Avenue District signs, using the SMD logo that is already in place on 34th Street So. This area is already a major thoroughfare and SMD logo signage along this route would be more visible.

2. Rename 50th Avenue So (between 34th Street So and the rotary) as it already meets the definition of a boulevard, OR use the above mentioned signage here. The marina is clearly visible at the rotary on 50th Avenue So. Other than the marina and its associated businesses (yacht sales & restaurant) there are no other businesses and there is no land available for commercial potential along 37th Street So. We see very little reason to attract folks to this particular area (other than the boating community) as this is mostly residential and used by the local residents. 50th Avenue So has only a few business and no residential that would be affected by a name change here.

3. The portion of 37th Street So in question could be an aka (ie: 9th Avenue is also known as MLK).

Thank You,

Claudia Coddings & Lawrence Bartlett
Attachment 4: City Department Comments
Robyn,

Transportation & Parking Management would prefer that if a renaming occurs that it be co-naming. St. Petersburg utilizes primarily numerically-named streets and avenues which assists both locals and visitors easily navigate the City's street grid system. This would be consistent with the recently re-named streets in the downtown area. This also allows property owners to keep their existing mailing address. Such distinction may be particularly important since the normal petition process is not being followed due to City initiation. More specifically, with the application being City initiated, we suggest that the City mail notification to the adjacent property owners about the public meeting and provide education about the process and request as well as establish a methodology to provide comments to the City even if they can't attend the public meeting.

Regards,

Evan

Evan Mory
Transportation & Parking Management Director
City of St. Petersburg
727-551-3322

Good morning,

Does your department have any objection to this proposed street renaming (see attached Notice)? As you may be aware, this request was initiated by the City at the request of Council Member Lisa Wheeler-Bowman (see attached New Business Item). The Skyway Marina District has agreed to pay all costs relating to the replacement of signage. Because this item is City-initiated, property owner consent is not required from those owning property along the linear street frontage.

I can set up a meeting if you think this warrants some discussion.
Hi Robyn,

Please see the below response to your request. Please let me know if you have need of any follow up information. Also, feel free to forward future similar requests to my attention.

Suzanne

Suzanne M. Strocsher
Administrative Assistant to
Chief Anthony Holloway
St. Petersburg Police Department
1300 First Avenue North
St. Petersburg, Florida 33705
Phone: 727.893.7563
Email: suzanne.strocsher@stpete.org
http://www.stpete.org/police

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Please consider the environment before printing this email.

From: Michael L. McDonald
Sent: Wednesday, March 06, 2019 12:05 PM
To: Suzanne M. Strocsher <suzanne.strocsher@stpete.org>
Subject: RE: Request

Suzanne: The following are the comments we would like to share, if only to enhance the understanding of those considering this action:

"It will just be a matter of updating Computer Aided Dispatch system and educating our team on the change. This is certainly possible but there are a few items to consider. Changing a numbered street for only a portion of the road will present more of a challenge than changing an entire street or avenue. Remembering what at what avenue the street changes names will not be something individuals will commit to memory easily, so we will become required to be more reliant on our electronic resources."
In general, named streets are far easier for emergency responders. Within the City, geography issues surround named streets almost exclusively. While there is not a hard rule for BLVD, we typically expect them to run East/West or diagonally and this one will be oriented North/South.

These comments are not to be taken as contrary to the request, but rather, to assist the planners in considering the impact to first responders (both Fire/Rescue and Police) in responding to locations situated on the partially renamed street.

Thank you.

Mike

Michael L. McDonald
Assistant Director - Administrative Services Bureau
St. Petersburg Police Department
1300 First Avenue North
St. Petersburg, FL 33705
O - 727.893.4090 / C - 727.798.2425
michael.mcdonald@stpete.org
http://www.stpete.org/police/

Please note all e-mail and e-mail addresses are subject to Florida public records law under FSS 119.

From: Robyn C. Keefe
Sent: Monday, March 04, 2019 8:18 AM
To: Suzanne M. Strocsh <suzanne.strocsh@stpete.org>
Subject: RE: Request

Hi Suzanne,

Thank you for getting back to me.

The Urban Planning and Historic Preservation Division is processing a City-initiated application proposing to rename a portion of 37th Street South, between 38th Avenue South and 54th Avenue South to “Skyway Marina Blvd” (see attached public notice). Does your department have any comments pertaining to this request? We’d like to hear from you.

Best regards,

Robyn C. Keefe
Planner II
Planning and Development Services
City of St. Petersburg
Robyn.Keefe@stpete.org
(727) 892-5255

From: Suzanne M. Strocsh
Sent: Monday, March 04, 2019 8:15 AM
To: Robyn C. Keefe <Robyn.Keefe@stpete.org>
Subject: Request

Good morning Robyn,
Good Afternoon Robyn,

The Economic and Workforce Development (EWD) Department has not been involved with this effort to rename 37th Street South between 38th Ave and 54th Ave to Skyway Marina Blvd. It is the opinion of EWD that placemaking would be better achieved by co-naming or renaming 34th Street South between 30th and 54th Avenues to Skyway Marina Boulevard since virtually all of the Skyway Marina District businesses are located on this street.

Gary

Gary Jones, AICP
Economic and Workforce Development
City of St. Petersburg
One Fourth Street North, 9th Floor
St. Petersburg, Florida 33701
727.893.7877
gary.jones@stpete.org

Hi Gary,

Our office is seeking comment from Economic and Workforce Development regarding this proposed street renaming in the Skyway Marina District (see attached informational handout and public notice).

Based on our analysis and received feedback from other City departments, it is likely that our Staff recommendation will not support this application due to concerns about degradation to the numbered street grid, lack of documented property owner consent, confusion to emergency responders, and presence of current planning efforts to implement procedures for honorary street naming and develop a citywide wayfinding program, both of which produce options for achieving place identity branding without affecting regulatory signage. However, we are sensitive to the efforts of the district to create a sense of place, including the goals and objectives present in the Plan.

Do you have any additional insights you’d like to share from your department’s perspective?

Thank you,
Robyn

Robyn C. Keefe
Planner II
Planning and Development Services
City of St. Petersburg
To Whom It May Concern,

I am writing in support of the proposed name change for a portion of 37th St South. The pros for changing the name are important for the branding of the Skyway Marina District. This organization, made up of volunteers, has worked hard to try to establish itself as a destination and attract new businesses to this long under-served area. I feel the name change will help attract even greater interest and lead to the ultimate success of the district.

Of course, with any change, there is always objection so understanding those folks is certainly something that should be addressed. As president of the Broadwater Civic Association, I have only received two objections thus far. Those two objections have to do with dealing with mailing address changes which I believe can be mitigated by either co-naming the street or adding the SMD logo to street signs.

While I would not have an issue with these two solutions, I feel that the positives of branding the district by changing the street name will far outweigh the negatives.

For this reason, I am asking the City Council to approve this request from the Skyway marina District.

If you have any questions or concerns, please feel free to contact me at 727-638-1421 or tando1@tampabay.rr.com.

Tom Ando
President
Broadwater Civic Association
tando1@tampabay.rr.com
www.broadwaterfl.org
Good Evening Robyn,

I Jim McBride a resident of Maximo Moorings and also President of the Maximo Moorings Community Association am in favor of the name change of 37th St S. to Skyway Marina Blvd. Please feel to pass this email to anyone you feel needs a show of support.

Thank you,

Jim McBride
MMCA Resident & President
April 10, 2019

City of St. Petersburg
Planning and Economic Development Department
Municipal Services Center, Eighth Floor
One 4th Street North
St. Petersburg, Fl. 33701

Re: City File SNC-19-01
Renaming a portion of 37th Street South, between 38th Ave. S. and 54th Ave. S.,
“Skyway Marina Blvd.”

To whom it may concern,

The Board of Directors of the Patriot Square Condominium Association, Inc., representing two hundred thirty two residential units in the above referenced area, are voicing their objection to the renaming of the described portion of 37th Street to Skyway Marina Blvd.

If the renaming were to be enacted, it would create a tremendous hardship on the senior citizen residents of the community who would have a massive undertaking in notifying all mail contacts of the change. In addition, it would pose a hardship on the business operations on the association itself who would also have to notify all vendors and suppliers of the change.

Patriot Square Condominium Association of St. Petersburg, Inc. sees no advantage in the name change and is placing their objection on file with the City.

Should you have any questions, please do not hesitate to contact me at the Seminole Office indicated below.

ON BEHALF OF THE BOARD OF DIRECTORS

[Signature]

Dot Thomas, CMCA, AMS, PCAM®
President, Chief Administrative Officer
Resource Property Management

/dt

CC: Board of Directors
Patriot Square Condominium Association of St. Petersburg, Inc.
The following page(s) contain the backup material for Agenda Item: Ordinance 369-H amending Chapters 3, 11, 12 and 16, City Code of Ordinances, providing amendments to the code to clarify its application to noise related issues, modify progressive penalties for noncompliance, add certain suspensions for violations, add appeal of certain suspensions for violations, add a fee for appeal of certain suspensions of violations, strengthen noise related standards for non-residential outdoor uses and sidewalk cafes, and providing for the implementation of noise mitigation and monitoring plans. City File: LDR-2019-02
Please scroll down to view the backup material.
TO: The Honorable Charlie Gerdes, Chair, and Members of City Council


REQUEST: Second reading and public hearing of the attached ordinance amending the City Code.

ORDINANCE _____-H amending Chapters 3, 11, 12 and 16 of the City Code of Ordinances (Alcoholic Beverages, Noise Pollution and Land Development Regulations), to update noise regulation standards.

A detailed analysis of the request is provided in the attached staff report and the summary of proposed noise related amendments.

RECOMMENDATION:

Administration: City staff recommends APPROVAL.

PSI Committee

The Public Safety and Infrastructure Committee of City Council (PSI) has conducted numerous meetings to review and discuss options for updating the Noise Ordinance (Chapter 11 of the Code) going back over two years. On January 24, 2019, the PSI approved moving forward with what is referred to as “Option 1.” Option 1 includes amendments to three Code Chapters; Chapter 3, Alcoholic Beverages, Chapter 11, Noise Pollution and Chapter 16, the Land Development Regulations. A summary of all of the Code amendments recommended by the PSI are attached, along with the minutes from the most recent meeting on January 24, 2019. Among the changes are revisions to the penalty section of Noise Pollution Chapter, which includes a formal warning, higher fines and, for multiple repeat offenders, the potential for suspension of extended hours and/or sidewalk café permits. Not included in the summary of the amendments is a change to Chapter 12, Fees, to add a $250 fee for appeal of suspension of an extended hours permit (Section 7 of the proposed ordinance).

Two issues related to the noise monitoring and mitigation plans were discussed at the January 24th PSI meeting. The first related to when a noise mitigation and monitoring plan should be required for a new business replacing an existing business with an existing outdoor area. Direction was provided to staff to more narrowly tailor the applicability to only those that have operating hours past 11:00 p.m. Otherwise the trigger for preparing a plan would related to new or expanded outdoor areas with amplified sound systems, located within 1,000 feet of a residential use. The other recommendation was for staff to determine if the ordinance can be
amended to require a noise mitigation and monitoring plan as one step in the progressive penalty system. Staff has revised the ordinance to incorporate these two changes.

**Development Review Commission ("DRC"):**

The DRC was responsible for making a recommendation related to the Chapter 16 (LDRs) portion of the amendments only. On March 6, 2019 the DRC found the proposed amendments to the LDRs consistent with the Comprehensive Plan. Discussion by the DRC about the amendments included the reasoning behind the revised fine system, the choice of remaining with a plainly audible standard, applicability to residential areas and the opportunity for revisiting the City's noise regulation system in the future. Three members of the public, all downtown residents, after expressing reservations about the amendments, indicated their support.

**Stakeholder Meetings**

Three large stakeholder meetings were held on October 26, 2016, May 29, 2017 and March 6, 2018. There were sixteen additional small stakeholder meetings held during this timeframe.

**Previous City Council Action:**

On May 2, 2019, City Council conducted the first reading of the attached ordinance and set the public hearing for May 16, 2019.

**Recommended City Council Action:**

CONDUCT the second reading and public hearing and APPROVE the proposed ordinance.

Attachments: Proposed Ordinance; Noise Ordinance Update Table dated May 2, 2019; PSI Minutes dated January 24, 2019; DRC Memo dated March 6, 2019
ORDINANCE NO.____

AN ORDINANCE AMENDING CHAPTER 3, SECTION 3-8.; CHAPTER 11, ARTICLE III, SECTIONS 11-47., 11-49., 11-50., 11-53. AND 11-54.; CHAPTER 12, SECTION 12-6.; AND CHAPTER 16, SECTIONS 16.50.310., 16.50.320., 16.50.370.8.19., AND 16.70.030.1.7. OF THE ST. PETERSBURG CITY CODE; PROVIDING FINDINGS; AMENDING PROVISIONS RELATED TO PERMITS FOR EXTENDED HOURS FOR ALCOHOLIC BEVERAGE SERVICE; AMENDING DEFINITIONS; AMENDING EXEMPTIONS RELATED TO THE EMISSION OF SOUND FROM MOTORBOATS; AMENDING PENALTIES FOR NONCOMPLIANCE; PROVIDING FOR SUSPENSION OF PERMITS FOR EXTENDED HOURS FOR ALCOHOLIC BEVERAGE SERVICE AND SIDEWALK CAFÉ PERMITS FOR REPEATED NONCOMPLIANCE; PROVIDING FOR THE CITY’S RIGHT TO SEEK INJUNCTIVE RELIEF; PROVIDING A PROCEDURE FOR APPEALS; ESTABLISHING THE REGULATION OF AMPLIFIED SOUND FROM MOTORBOATS; PROHIBITING OPEN BUILDING DOORS THAT RESULT IN INCREASED EMISSION OF SOUND; AMENDING THE REGULATIONS GOVERNING SIDEWALK CAFÉ SPEAKER ORIENTATION; AMENDING THE OUTDOOR AMPLIFIED SOUND REGULATIONS FOR SIDEWALK CAFES; CLARIFYING THE PURPOSE AND APPLICATION OF THE RECEIVING LAND USE TABLE; PROVIDING A FEE AMOUNT FOR THE APPEAL OF A SUSPENSION OF A PERMIT FOR EXTENDED HOURS FOR ALCOHOLIC BEVERAGE SERVICE; AMENDING THE USE SPECIFIC REGULATIONS AND DESIGN STANDARDS RELATED TO PRIVATELY OWNED NON-RESIDENTIAL OUTDOOR SPACES AND ACCESSORY OUTDOOR AREAS BY REQUIRING THE IMPLEMENTATION OF NOISE MITIGATION AND MONITORING PLANS FOR SIDEWALK CAFES, RESTAURANTS, BARS AND OTHER NON-RESIDENTIAL PRIVATELY OWNED OUTDOOR PLACES AND ACCESSORY OUTDOOR AREAS; PROVIDING FOR INTERNAL CONSISTENCY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, residents of the City of St. Petersburg have a right to express themselves and enjoy the sounds that enhance the quality of their lives; and
WHEREAS, excessive amplified sound can be a serious hazard to the public health, welfare, safety, and the quality of life for City residents; and

WHEREAS, City residents have a right to be free from harmful and disturbing levels of sound; and

WHEREAS, the City has a substantial interest in protecting its residents from harmful and disturbing levels of sound; and

WHEREAS, it is the policy of the City to prevent harmful and disturbing levels of sound that may jeopardize the health, welfare, or safety of its citizens or degrade the quality of life while protecting the rights of citizens to enjoy sounds that are important to their quality of life and necessary for daily work and leisure activities; and

WHEREAS, the City intends to treat the commercial establishments who have helped the City prosper fairly and recognizes the right to free speech enjoyed by those establishments and their need to utilize amplified sound as a means of continuing their successful commercial endeavors; and

WHEREAS, the City's enactment and enforcement of the provisions of this ordinance shall be content neutral with regard to the regulated sound.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Chapter 3, Section 3-8(h) of the St. Petersburg City Code is hereby amended to read as follows:

Section 3-8. - Permits for extended hours for alcoholic beverage establishments.

(h) Suspension and revocation.

(1) Suspension. The Chief of Police may suspend a permit for 30 days if the Chief determines that a permittee has committed any one or more of the following acts and that the permittee has not taken reasonable actions to prevent future occurrences:

a. Two or more convictions for violating the same provision of the City Code relating to the operation of the establishment within two years which violations negatively impact the safety or security of patrons;

b. Engaged in, or allowed, the use of alcoholic beverages at the establishment after closing hours by any person;

c. Refused to allow an inspection of the establishment as authorized by this section;

d. Knowingly permitted the use of controlled substances at the establishment, or should have known of the use of a controlled substance and has not taken the necessary actions to prevent future occurrences;

e. Knowingly permitted gambling by any person at the establishment;
f. Knowingly permitted, or should have known of, the possession or consumption by a minor of an alcoholic beverage at the establishment, or the sale to a minor of an alcoholic beverage at the establishment, or allowed a minor to enter and remain at the establishment;
g. Convicted of violating any condition of a permit;
h. Provided inadequate security on more than two occasions in a year. The Chief shall notify the establishment in writing, by hand delivery to the establishment and first class mail to the permittee, within ten calendar days of each occasion when there has been inadequate security and how the security was inadequate. Inadequate security means, for the purposes of this section, that a violent crime occurred at the establishment or in the right-of-way abutting the establishment, that could have been avoided with the implementation of one or more security measures including but not limited to: the establishment did not provide at least one security officer per each 150 occupants or any portion thereof (bartenders, barbacks and other employees with duties unrelated to security shall not be counted as a security officer), did not wand patrons on entry, or did not have full video surveillance of all public areas at the establishment with signs posted which warn the public.
i. Failure Failed to comply with any condition of an approved security or noise mitigation or monitoring plan in accordance with Section 16.50.310.3.
j. Failed to comply with the requirements of Chapter 11, Article III, Noise Pollution. In the event of any conflict between this Chapter and Chapter 11, Article III, concerning noise issues, the provisions of Chapter 11, Article III shall govern.

(2) Suspensions will continue for the full 30 days and no permit shall be issued during the suspension for the establishment.

(3) Revocation. The Chief may revoke a permit if the permit is suspended twice (not including suspensions for violations related to noise) within any 12-month period or if the Chief determines that a permittee has committed any one or more of the following acts and that the permittee has not taken reasonable actions to prevent future occurrences:

a. The permittee has given false or misleading information in the material submitted during the application process;

b. The permittee has knowingly allowed the sale of controlled substances or any derivative thereof at the establishment;

c. The permittee allowed a member of the public to enter the establishment, and allowed the person to be served or to consume any alcoholic beverage, during a period of time when the permit was suspended.

(4) A revocation is effective for one year. The permittee shall not be issued a permit for the establishment, or any other establishment, for one year from the date the revocation became final. If, subsequent to revocation, the Chief determines that the basis for the
revocation action has been corrected or abated, or determines that the permittee has taken action to ensure that the basis for the revocation will not occur again, which action(s) the Chief reasonably believes will ensure that the basis for the revocation will not occur again, the permittee may be granted a new permit if at least 90 days have elapsed since the date the revocation became final. The permittee shall reapply for a new permit in the same manner as for the initial permit.

(5) Notice of a suspension or revocation shall be made in writing, by hand delivery to the establishment and first class mail to the permittee at the address provided in the application. The notice shall identify the length of the suspension or revocation and the date of the first and last day the suspension or revocation is effective.

(6) For a suspendable offense unrelated to noise, prior to and in lieu of suspension, the permittee may implement a security plan approved by the Chief which the Chief reasonably believes will ensure that the basis for the suspension will not occur again. The security plan shall include specific measures to address any concerns the Chief may have. In addition to the concerns related to the suspendable offense, the Chief may consider any other issues with the establishment in approving a security plan. Other issues may relate to any citizen complaints, city code issues or law enforcement issues or responses to calls. Conditions of the security plan may include, but are not limited to, requirements for the hiring of off duty law enforcement officers, private interior security persons, doormen, wandling of patrons, installation of security cameras, and employee training. Requirements for the hiring of officers or employees may be limited to certain days. The security plan shall be in effect for six months. Payment for the cost of off duty law enforcement officers shall be made in advance or an acceptable plan for payment must be made which must be approved by the Chief. If this option is used by a permittee, it shall still count as a suspension for the purposes of revocation.

(7) The fact that a conviction is being appealed shall have no effect on the suspension or revocation of the permit.

SECTION 2. Chapter 11, Section 11-47 of the St. Petersburg City Code is hereby amended to add a definition of amplification device in the correct alphabetical order and to amend the definition of privately owned outdoor place to read as follows:

*Amplification device* means any device, whether freestanding or an integrated component of a larger device (such as an integrated speaker), which augments sound by electronic or any other means in a manner that increases the sound level or volume.

*Privately owned outdoor place* means any real property and the outside of structures thereon, that is owned or controlled by a private person or other private entity, including any publicly owned outdoor place that is leased to a private person or private entity (or for which they have received a long term permit to use, e.g. sidewalk cafes, sidewalk retail areas, pushcart vending locations) but does not include any publicly owned outdoor place that a private person or private entity has received a temporary permit to use (e.g., park or street closure permit)
SECTION 3. Chapter 11, Section 11-49 of the St. Petersburg City Code is hereby amended to read as follows:

Section 11-49. - Exemptions.

The provisions of this article shall not apply to the following:

(1) The emission of sound for the purpose of alerting persons to the existence of an emergency.

(2) The emission of sound in the performance of emergency work.

(3) The emission of sound in the performance of an activity for which, pursuant to this article, the POD has expressly given a temporary, emergency waiver from this chapter when time would not permit the obtaining of a waiver pursuant to section 11-84.

(4) Aircraft and airport operations.

(5) Motorboats engines, and-marina operations and port operations. This exemption does not apply to amplified sound arising from the use of amplification devices on motorboats.

(6) The unamplified human voice. The use of a megaphone or similar device shall be considered to amplify the human voice.

(7) Railroad operations.

(8) Warning devices required on vehicles by any State or federal laws or regulations.

(9) The emission of sound from the lawful operation of motor vehicles on a right-of-way, except as prohibited in section 11-53 and any State or federal laws.

(10) The emission of sound from lawful and proper activities on school grounds, playgrounds, parks (except as specifically prohibited in section 11-53) or places primarily used for athletic contests.

(11) The emission of sound from the operation of essential service vehicles (e.g., police and fire vehicles, sanitation and stormwater management vehicles).

(12) The emission of sound from the operation of power tools and lawn and garden tools between the hours of 8:00 a.m. and 8:00 p.m. Monday through Saturday and between 11:00 a.m. and 7:00 p.m. on Sundays and national holidays.

(13) Impulsive sound.

(14) Noncommercial unamplified public speaking and public assembly activities conducted on any publicly owned place.

(15) The emission of an unamplified sound from sporting activities on private property.

(16) The emission of sound from construction activities pursuant to a valid construction permit which is in compliance with the days and hours of operation section of chapter 8 (currently section 8-7).
SECTION 4. Chapter 11, Section 11-50 of the St. Petersburg City Code is hereby amended to read as follows:

Section 11-50. - Penalty.

(a) Any person or business violating any of the provisions of this article, or any person at a business allowing a violation of this article shall be prosecuted and upon conviction thereof be punished as provided in section 1-7 and section (b) hereof. Fines shall be as provided in subsection (b) hereof.

(b) The first violation of any provision of this division shall result in a written warning. The first second violation of any provision of this division within 365 days after a written warning is issued is punishable by a fine in the amount of $500.00. Class 1 fine as established by administrative order of the Court. Any subsequent violations of this division which is issued within a one year of another violation resulting in a $500.00 fine, which has been disposed of in any way other than a dismissal or finding of not guilty by a court, shall be punishable by a fine of $350.00-500.00. Any third violation of this division within a one year period, and any additional violations, issued within a calendar year of two previous violations, which have been disposed of in any way other than a dismissal or finding of not guilty by a court, shall be punishable by a fine of $500.00. For any additional violation of this division within 365 days of two violations which resulted in a fine of $500.00 as prescribed herein, and which have been disposed of in any way other than a dismissal or finding of not guilty by a court, the City may impose a thirty (30) day suspension of a City issued extended hours permit for establishments serving alcoholic beverages or a sidewalk café permit, or both. Concurrent with or independent of any sidewalk café or extended hours permit suspension imposed by the City following two violations which resulted in a fine of $500.00 fine within 365 days, the City may also require preparation of a noise mitigation and monitoring plan in accordance with Section 16.50.310.3 within 90 days of the violation.

(c) Notice of a suspension shall be made in writing, by hand delivery to the establishment and by first class mail to the permittee at the address provided in the permit application. The notice shall identify the length of the suspension and the date of the first and last day the suspension is effective.

(d) An appeal of a sidewalk café permit suspension enforced under the terms of this section may be brought pursuant to Chapter 16, Section 16.70.030.1, of the City Code. An appeal of an extended hours permit suspension enforced under the terms of this section may be brought pursuant to Section 3-8(i) of the City Code. This subsection applies only to sidewalk café or extended hour permit suspensions related to violations of this division and is not intended to alter or otherwise affect the codified appeal procedures for permit suspensions imposed on other grounds.
(e) Concurrent with or independent of the suspension of any City issued late night permit or sidewalk café permit, or both, the City may pursue injunctive relief against a violator in order to prevent future violations of this division.

(f) In cases where a violation of the provisions of this division occurs in or upon an establishment owned or controlled by an incorporated entity or limited liability company registered to conduct business in the State of Florida, the warning, monetary citations, permit suspension and/or injunctive relief, as applicable, shall be applied and enforced against such entity, and the registered agent of the entity shall be served by mail with notice of the warning or violation.

SECTION 5. Chapter 11, Section 11-53 of the St. Petersburg City Code is hereby amended to read as follows:

Section 11-53. – Loud and raucous and unneccessary noises enumerated.

The following acts, among others, and the causing thereof, are declared to be loud, raucous, disturbing, and/or excessive noise, posing a threat to the health, safety and welfare of the residents of the City, and therefore unlawful and in violation of this article:

1. Motor vehicles in the vehicular travel portion of a right-of-way or motorboats moored or operating in waters within the City’s jurisdiction

   a. Operating or amplifying the sound produced by a radio, tape or compact disc player, or other mechanical or electronic sound-making device or instrument or amplification device from within a motor vehicle which is located in the paved or vehicular travel portion of a right-of-way, including parking areas in the right-of-way, or a motorboat moored or operating in waters within the City’s jurisdiction, so that the sound is plainly audible at a distance of 50 or more feet from the motor vehicle or motorboat to any person other than the operator and any passengers in the motor vehicle or motorboat between the hours of 8:00 a.m. and 11:00 p.m.

   b. Operating or amplifying the sound produced by a radio, tape or compact disc player, or other mechanical or electronic sound-making device or instrument or amplification device from within a motor vehicle which is located in the paved or vehicular travel portion of a right-of-way, including parking areas in the right-of-way, or motorboat moored or operating in waters within the City’s jurisdiction, so that the sound is plainly audible at a distance of 25 feet or more from the motor vehicle or motorboat to any person other than the operator and any passengers in the motor vehicle or motorboat between the hours of 11:00 p.m. and 8:00 a.m. the following morning.

   c. Operating a motor vehicle not equipped with a muffler, or other sound dissipative device required by any applicable law, in good working condition so as to effectively prevent loud or explosive noise, so that the sound is plainly audible at a distance of 100 feet or more from the motor vehicle to any person other than the operator and any
passengers in the motor vehicle between the hours of 11:00 p.m. and 8:00 a.m. the following morning.

d. The provisions of this section shall not apply to any law enforcement vehicle or motorboat equipped with any communications device necessary in the performance of law enforcement duties or to any emergency vehicle equipped with any communication device necessary in the performance of any emergency procedures.

e. The provisions of this section do not apply to the sounds made by a horn or other warning device required or permitted by any applicable law.

f. The restrictions described herein are greater than those set forth in the following subsection (2), Publicly-owned outdoor places including the right-of-way, and in the event of a conflict concerning a motor vehicle in the paved or vehicular travel portion of a right-of-way including parking areas in the right-of-way, the restrictions set forth herein shall govern.

(2) Publicly-owned outdoor places including right-of-way.

a. Playing, using, operating or permitting to be played, used, or operated any radio, compact disc or tape player, musical instrument, drum, phonograph, sound amplifier or other machine or device that produces, reproduces or amplifies sound in any parks, playgrounds, beaches, recreation areas or any other outdoor publicly owned outdoor place or right-of-way so that the sound is plainly audible to any person at a distance of 50 feet or more from the source of the sound between 11:00 p.m. and 8:00 a.m. the following morning.

b. For activities which have not received a park or street closure permit from the City, playing, using, operating or permitting to be played, used, or operated any radio, compact disc or tape player, musical instrument, drum, phonograph, sound amplifier or other machine or device that produces, reproduces or amplifies sound in any parks, playgrounds, beaches, recreation areas or any other outdoor publicly owned outdoor place or right-of-way so that the sound is plainly audible to any person at a distance of 200 feet or more from the source of the sound between 8:00 a.m. and 11:00 p.m.

c. For activities which have received a park or street closure permit from the City, playing, using, operating or permitting to be played, used, or operated any radio, compact disc or tape player, musical instrument, drum, phonograph, sound amplifier or other machine or device that produces, reproduces or amplifies sound in any parks, playgrounds, beaches, recreation areas or any other outdoor publicly owned outdoor place or right-of-way so that the sound is plainly audible to any person at a distance of 5,000 feet or more from the source of the sound between the hours of 8:00 a.m. and 11:00 p.m. This distance is primarily intended to be utilized for permitted outdoor concerts and other large gatherings, it being understood that because of the unique location of the parks along the waterfront that sound may travel greater distances over the water so that
at times some of the sound may be briefly audible at a distance greater than those set forth herein.

In any park or street closure permit, the POD may reduce the maximum distance from the distance set forth herein, based on the number of the expected participants of the permitted event and the area reserved for the event. The reduced distance shall be specifically identified in the permit.

d. For activities which are sponsored or co-sponsored by the City, playing, using, operating or permitting to be played, used, or operated any radio, compact disc or tape player, musical instrument, drum, phonograph, sound amplifier or other machine or device that produces, reproduces or amplifies sound in any park or right-of-way shall comply with any conditions of the sponsorship or co-sponsorship which place a specific, lesser distance limitation on any amplified sound than is otherwise set forth in subsection e.

e. Sidewalk cafes. Any speakers placed outside a building in or over the right-of-way in a sidewalk cafe, shall be permanently mounted overhead and shall be oriented downward toward the sidewalk. No speaker is allowed in a sidewalk cafe unless such speaker is specifically identified on the approved plan for the sidewalk cafe permit. No sound shall be audible from the speakers when the sidewalk cafe is not open and operating.

(3) Buildings.

a. Playing, using, operating or permitting to be played, used, or operated any radio, compact disc or tape player, musical instrument, drum, phonograph, sound amplifier or other machine or device that produces, reproduces or amplifies sound in any building in a nonresidential zoning district so that the sound is plainly audible to any person at a distance of 100 feet or more from the building between 11:00 p.m. and 8:00 a.m. the following morning.

b. Playing, using, operating or permitting to be played, used, or operated any radio, compact disc or tape player, musical instrument, drum, phonograph, sound amplifier or other machine or device that produces, reproduces or amplifies sound in any building in a residential zoning district so that the sound is plainly audible to any person at a distance of 25 feet or more from the building between 11:00 p.m. and 8:00 a.m. the following morning.

c. Playing, using, operating or permitting to be played, used, or operated any radio, compact disc or tape player, musical instrument, drum, phonograph, sound amplifier or other machine or device that produces, reproduces or amplifies sound in any building in a residential zoning district so that the sound is plainly audible to any person at a distance of 500 feet or more from the building between 8:00 a.m. and 11:00 p.m.
d. Sound which may escape a building during the normal use of doors for ingress and egress shall not be a violation of this section. Doors may not be propped or locked open if the result of the open door is an increased emission of sound from the building.

e. All indoor speakers located within 20 feet of a doorway which opens onto a right-of-way shall be oriented away from the doorway. Such distance shall be measured from the closest part of the door to the closest part of the speaker.

f. No speakers may be placed in or over the right-of-way unless the abutting business has an approved plan in a sidewalk café permit which identifies the speaker locations.

(4) Privately-owned outdoor places.

a. Playing, using, operating or permitting to be played, used, or operated any radio, compact disc or tape player, musical instrument, drum, phonograph, sound amplifier, or other machine or device that produces, reproduces or amplifies sound in any privately-owned outdoor place in a nonresidential zoning district so that the sound is plainly audible to any person at a distance of 100 feet or more from the source of the sound between the hours of 11:00 p.m. and 8:00 a.m. the following morning.

b. Playing, using, operating or permitting to be played, used, or operated any radio, compact disc or tape player, musical instrument, drum, phonograph, sound amplifier, or other machine or device that produces, reproduces or amplifies, when coupled with an integrated or separate amplification device, emits sound in any privately-owned outdoor place at a nonresidential use, when making sound is not the principal use of the property (e.g., the outdoor deck of a restaurant), so that the sound is plainly audible to any person at a distance of 1,000 feet or more from the source of the sound between the hours of 8:00 a.m. and 11:00 p.m. (12:00 midnight on Fridays, Saturdays and the days before a national holiday, this is an exception to subsection (4)a of this section). Wherever possible, outdoor speakers shall be oriented away from residential properties or in the direction that reduces the amount of sound directed at the closest residential properties.

c. Playing, using, operating or permitting to be played, used, or operated any radio, compact disc or tape player, musical instrument, drum, phonograph, sound amplifier, or other machine or device that produces, reproduces or amplifies sound in any privately-owned outdoor place, when making sound is the primary, lawful permitted use of that portion of the property (e.g., a performance venue), so that the sound is plainly audible to any person at a distance of 3,000 feet or more from the source of the sound between the hours of 8:00 a.m. and 11:00 p.m. (12:00 midnight on Fridays, Saturdays and the days before a national holiday, this is an exception to subsection (4)a of this section).

d. Playing, using, operating or permitting to be played, used, or operated any radio, compact disc or tape player, musical instrument, drum, phonograph, sound amplifier, or other machine object or device that produces, reproduces or amplifies, when coupled with an integrated or separate amplification device, emits sound in any privately-owned outdoor place at a residential use, so that the sound is plainly audible to any person at a
distance of 500 feet or more from the source of the sound between the hours of 8:00 a.m. and 11:00 p.m.

e. Playing, using, operating or permitting to be played, used, or operated any radio, compact disc or tape player, musical instrument, drum, phonograph, sound amplifier or other machine or device that produces, reproduces or amplifies sound in any privately owned outdoor place in a residential zoning district so that the sound is plainly audible to any person at a distance of 25 feet or more from the source of the sound between 11:00 p.m. and 8:00 a.m. the following morning.

f. For the purposes of this section, the operation or playing of the above enumerated machines or devices shall be deemed to be outdoors if the musical instrument or speakers are not located within a building or other structure which is fully enclosed by walls and a roof and all doors and windows are closed.

(5) Sidewalk cafés. Any speakers placed outside a building in or over the right-of-way in a "sidewalk café" as that term is defined in Chapter 16 of the City Code shall be permanently mounted overhead (preferably under an awning or other overhang feature) and oriented downward at an angle of 45 degrees or less toward the sidewalk café. No speaker is allowed in a sidewalk café unless such speaker is specifically identified on the approved plan for the sidewalk café permit. Sound shall not be plainly audible from the sidewalk café speakers at a distance greater than 200 feet between 8:00 a.m. and 11:00 p.m., and at a distance greater than 50 feet between 11:00 p.m. and 8:00 a.m. No sound shall be plainly audible from the speakers when the sidewalk café is not open and operating.

(5) (6) Bullhorns and air horns. Directing a bullhorn, or other handheld device used for the amplification of the human voice, or air horn at any person within 25 feet of the person using the device at the time it is used. This section shall not prohibit the use of these devices when directed in another direction (e.g., upward or downward) when a person is within 25 feet.

(6) (7) Street sales. Offering for sale or selling anything by shouting or outcry within any residential zoning district between the hours of 6:00 p.m. and 8:00 a.m. the following morning and at any time within a noise sensitive zone.

(7) (8) Animais and birds. Owning, possessing, or harboring any animal, including birds, which frequently or for continued duration makes sounds, which are of a character, intensity or duration as to be detrimental to the life, health or welfare of any individual of ordinary habits and sensitivities.

(8) (9) Refuse and recyclable materials collection vehicles. Collecting refuse or recyclable materials with a refuse or recyclable materials collection vehicle in a residential zoning district or noise sensitive zone between the hours of 7:00 p.m. and 7:00 a.m. the following morning.

(9) (10) Stationary nonemergency signaling devices. Sounding or permitting the sounding of any signal from any stationary bell, chime, siren, whistle or similar device intended primarily for nonemergency purposes, from any place, for more than ten consecutive seconds or for more than
six such instances within any hourly period or before 7:30 a.m. or after 6:00 p.m., except that soundings on the hour shall be allowed for up to 30 consecutive seconds. When chimes sound the hour, that portion of the sounding that identifies the hour shall be exempt from this time limitation.

(10) (11) Emergency signaling device.

a. The intentional sounding or permitting the sounding outdoors of any fire, burglar or civil defense alarm, siren, whistle or similar stationary emergency signaling devices, except for emergency purposes or for testing, as provided in this section.

b. Testing of a stationary emergency signaling device shall occur at the same time of day each time a test is performed, but not before 10:00 a.m. or after 4:00 p.m. Any testing shall use only the minimum cycle test time. In no case shall the test time exceed 60 seconds.

c. Testing of the complete emergency signaling system, including the functioning of the signaling device and the personnel response to the signaling device, shall not occur more than once in each calendar month. This testing shall not occur before 10:00 a.m. or after 4:00 p.m. There shall be no time limit for a complete system testing.

(11) (12) Emergency generators and other emergency equipment.

a. Generators and other equipment designed to be used during emergency situations shall be exempt from this article during periods of emergency.

b. Testing of generators and other equipment designed to be used during an emergency situation is exempt from this article between the hours of 10:00 a.m. to 4:00 p.m. Any testing shall use the minimum time necessary for the test and shall not occur more than once a week. The time of the testing shall be scheduled to impact the least number of properties possible.

c. Generators and other equipment designed to be used in emergency situations, which are not being tested or being used in a period of emergency, shall comply with section 11-54.

(12) (13) Air conditioning or air-handling equipment. Operating or permitting the operation of any pool equipment, air conditioning or air-handling equipment which is not in good working condition and creates sound that is plainly audible to a person at a distance of 100 feet or more from the equipment.

SECTION 6. Chapter 11, Section 11-54 of the St. Petersburg City Code is hereby amended to read as follows:

Section 11-54. - Sound levels by receiving land use.
No person shall operate or cause to be operated a source of sound in a manner as to create a sound that is plainly audible to a person at the property boundary of a receiving land use and that violates the time or distance requirements set forth in the following table. The sounds regulated in the preceding section (currently section 11-53) are not subject to the restrictions of this section. The purpose of this table is to regulate sounds which are not otherwise regulated or subject to the provisions of the preceding section (currently section 11-53).

<table>
<thead>
<tr>
<th>Location of the Receiving Land Use</th>
<th>Time</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential zoning district</td>
<td>8:00 a.m. — 6:00 p.m.</td>
<td>500 feet or more</td>
</tr>
<tr>
<td>Residential zoning district</td>
<td>6:00 p.m. — 11:00 p.m.*</td>
<td>200 feet or more</td>
</tr>
<tr>
<td>Residential zoning district</td>
<td>11:00 p.m.* — 8:00 a.m.</td>
<td>50 feet or more</td>
</tr>
<tr>
<td>Nonresidential zoning district</td>
<td>7:00 a.m. — 11:00 p.m.*</td>
<td>500 feet or more</td>
</tr>
<tr>
<td>Nonresidential zoning district</td>
<td>11:00 p.m.* — 7:00 a.m.</td>
<td>200 feet or more</td>
</tr>
</tbody>
</table>

*12:00 (midnight) on Fridays, Saturdays, and the days prior to a national holiday.

In the event that a court of competent jurisdiction determines that any distance requirement in this section is unconstitutional or unenforceable, then that distance shall become 50 feet farther than the distance set forth in this section.

SECTION 7. Chapter 12, Section 12-6(1) of the St. Petersburg City Code is hereby amended to read as follows:

(1) Alcoholic beverage applications.

New locations (base fee): see zoning permits

Transfer application (name only) 35.00

Use of the City alcoholic beverage license by for-profit organizations or groups 1,000.00

Extended hours permit:
New application 100.00
Renewal 50.00

Appeal of Suspension of Extended Hours Permit 250.00

SECTION 8. Chapter 16, Section 16.50.310 of the St. Petersburg City Code is hereby amended to read as follows:

SECTION 16.50.310. - RESTAURANTS AND BARS, INDOOR AND OUTDOOR AND PRIVately OWNED OUTDOOR PLACES

16.50.310.1. - Applicability.
This section shall apply to sidewalk cafes, restaurants, and bars, including both indoor and outdoor uses, and other privately owned non-residential outdoor places, as that term is defined in Chapter 11, Article III of the City Code.

16.50.310.2. - Establishment.
Restaurants and bars, indoor and outdoor uses shall be allowed as provided in the Matrix: Use Permissions and Parking Requirements and shall comply with the development standards of the zoning district, the general development standards, and this section.

16.50.310.3. - Special use standards.

16.50.310.3.1. - Design standards.
A. An outdoor eating and drinking area shall be unenclosed by any walls or planters in excess of four feet in height, but may have a roof.

AB. Seating for an outdoor eating and drinking area or any other non-residential privately owned outdoor place shall not be located on any side of a between the building/tenant space and an adjacent residential use or across the alley from residential use that abuts or is across an alley from a single-family residential use, unless a noise mitigation and monitoring plan has been approved by the POD.

BC. All outdoor loudspeakers shall be oriented away from abutting residential uses and all noise is subject to the noise ordinance. A noise mitigation and monitoring plan is required for any outdoor amplified sound system installed, expanded or modified after June 1, 2019 within 1,000 feet of any residential or hotel use, including mixed-use buildings. Any time an outdoor area or sound system is established, expanded or modified or when a new business having operating hours after 11:00 p.m. on weekdays and 12:00 a.m. (midnight) on Fridays, Saturdays, and the days prior to a national holiday is established, a noise mitigation and monitoring plan, properly certified to meet ANSI and ASA standards, shall be provided to the POD to demonstrate how the operation will comply with the noise ordinance and shall, at minimum, include the number and orientation of speakers, noise mitigation methods, operating hours, location of stages and performing areas and monitoring requirements.
CD. Structures associated with an outdoor eating and drinking area shall be compatible with the principal structure for exterior building finishes, colors, roofing, materials and for design and architectural style and theme.

DE. Foundation landscaping shall be provided around the outdoor eating and drinking area as required by the landscaping and irrigation section.

16.50.310.3.2. - Use restrictions.
A. Live outdoor musical performances are allowed and are subject to the noise ordinance.
B. The owner and manager shall be responsible for controlling all sound generated within the outdoor eating and drinking area.

SECTION 9. Chapter 16, Section 16.50.320 of the St. Petersburg City Code is hereby amended to read as follows:

SECTION 16.50.320. - RESTAURANTS AND BARS; ACCESSORY OUTDOOR AREA

16.50.320.1. - Applicability.
Outdoor eating areas for eating, drinking and socializing shall be a permitted accessory use for any restaurant or bar, indoor, hotel or other non-residential uses as allowed in the Matrix: Use Permissions and Parking Requirements. This use differs from the principal use of restaurants or bars, indoor and outdoor. They have dimensional restrictions because they are allowed to be partially exempt from certain regulations.

16.50.320.2. - Design standards.
A. The seating capacity of the accessory outdoor area shall not exceed 24 seats or 25 percent of the licensed indoor seating area, whichever is less.
B. The accessory outdoor area shall not exceed 500 square feet in area.
C. The accessory outdoor area shall be unenclosed by any walls or planters in excess of four feet in height, except where it abuts the principal structure, but may have a roof.
D. The accessory outdoor area with amplified sound shall not be located on any side of a building/tenant space that and an adjacent residential use or abuts or is across an alley from a single-family residential use—unless a noise mitigation and monitoring plan has been approved by the POD.
E. The accessory outdoor area may encroach not more than 75 percent into the front yard setback and street side yard setback.
F. All outdoor loudspeakers shall be oriented away from abutting residential uses and shall be subject to the City noise ordinance.
G. Additional parking shall not be required for an accessory outdoor area if, prior to commencement of use of the accessory outdoor area, the site complies with the parking requirements for the zoning district or has received a variance from the required number of parking spaces.
H. An accessory outdoor area proposing to utilize an existing sidewalk on private property shall comply with the dimensional and clearance requirements of the sidewalk café section.
I. Foundation landscaping shall be provided around the accessory outdoor eating area as required in the landscaping and irrigation section.
J. Any structure associated with an accessory outdoor area shall be compatible with the principal structure for exterior building finishes, colors, roofing, materials and for design and architectural theme.

16.50.320.3. - Use restrictions.
A. Food and drink shall not be sold or served to patrons within an accessory outdoor area between 11:00 p.m. and 8:00 a.m. The use of an accessory outdoor eating area for any purpose shall not extend beyond the hours of operation of the principal use and shall cease before 11:15 p.m. and shall not resume before 7:00 a.m. the following day.
B. Live outdoor musical performances are prohibited.
C. The owner and manager shall be responsible for controlling all sound generated within the accessory outdoor area.

SECTION 10. Chapter 16, Section 16.50.370.8.19. (conditions of sidewalk café permit) of the St. Petersburg City Code is hereby amended to read as follows:

19. All outdoor speakers shall be shown on the plan or permit. All speakers shall be permanently mounted overhead (preferably under an awning or other overhang feature) and oriented downward at an angle of 45 degrees or less toward the sidewalk café. Speakers shall meet all requirements of the noise ordinance (chapter 11).

SECTION 11. Chapter 16, Section 16.70.030.1.7. of the St. Petersburg City Code is hereby amended to read as follows:

E. Suspension and revocation. In addition to the grounds for suspension or revocation of a zoning permit generally, a permit issued under this section may be suspended or revoked by the POD for any of the following reasons:

1. Permits issued under this section may be suspended or revoked by the POD for any reason and without penalty upon the giving of 30 days' written notice.
2. The POD may also deny, revoke or suspend a permit if it is found that:
   a. Any required business or health permit or license for the sidewalk café or the abutting business establishment has expired or been suspended, revoked or canceled;
   b. The permittee does not have insurance in effect which complies with the minimum amounts and requirements required;
   c. Conditions of pedestrian and vehicular traffic have changed, causing congestion. Such decision shall be based upon finding of the POD that the minimum required pedestrian path is insufficient under existing circumstances and represents a danger to the health, safety and general welfare of pedestrians or vehicular traffic;
   d. The permittee has failed to correct a violation of the Code or ordinances or conditions of the permit or other applicable laws or regulations within three days of receipt of the City's notice of violation.
3. Upon denial, suspension or revocation of the permit, the POD shall give notice of such action to the permittee in writing. In the event the denial, suspension or revocation is based on subsection a, b or c of this section, the action shall be effective immediately upon receipt of such notice by the permittee. Otherwise, such notice shall become effective 15 days from the date of such notice. If the revocation or suspension of the permit is caused by the permittee, there shall be no refund of the annual permit fee or any other fees paid to the City for operation of a sidewalk café. Any revocation or suspension without cause shall entitle the permittee to a refund of the annual permit fee prorated on a per month basis from the date of notice of such action.

4. In the event the permittee fails to remove any tables, chairs, canopies, awnings or other fixtures or objects related to the sidewalk café before the date set forth in the City's notice of denial, revocation or suspension, the POD may remove such fixtures or objects. The permittee shall be responsible for all expenses incurred by the City for the removal and storage of such fixtures or objects.

5. Violation of the noise provisions of Chapter 11, with suspensions for repeat noise violations being governed as set forth in the Penalty section, currently section 11-50, of that Chapter. Revocation of a sidewalk café permit is not permitted for a violation of the provisions of Chapter 11 described herein.

F. Variances. Requests for variances shall be reviewed by the commission designated in the Decisions and Appeals Table.

SECTION 12. Coding. As used in this ordinance, language appearing in struck through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise. The City intends that the provisions of this ordinance shall be made a part of the St. Petersburg City Code and that sections and subsections of the City Code may be renumbered or relettered in order to accomplish such intentions.

SECTION 13. Severability. The provisions of this ordinance shall be deemed severable. If any provision of this ordinance is determined to be unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

SECTION 14. Effective Date. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.
Approved as to form and content:

[Signature]

City Attorney or designee
00446421
## Amendments to Chapter 3, Alcoholic Beverages (Extended Hours Permits – midnight to 3:00 a.m.)

<table>
<thead>
<tr>
<th>ITEM #</th>
<th>PROPOSED ORD. SECTION NO.</th>
<th>CODE SECTION NO.</th>
<th>CODE CHAPTER AND SECTION TITLE</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Section 1</td>
<td>3-8(h)(1)(i)</td>
<td>Alcoholic Beverages; Permits for extended hours for alcoholic beverage establishments; <strong>Suspension and revocation</strong></td>
<td>Problem Statement: Current penalties for Noise Ordinance violations are generally not significant enough to motivate individuals/businesses to comply. Requested Action: Add provision to Chapter 3 that allows for 30 day suspension of alcoholic beverage extended hours permits for failure to comply with the conditions of a noise mitigation plan or the requirements of Chapter 11, Article III, Noise Pollution.</td>
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<tr>
<td>2</td>
<td>Section 1</td>
<td>3-8(h)(3)</td>
<td>Alcoholic Beverages; Permits for extended hours for alcoholic beverage establishments; <strong>Suspension and revocation</strong></td>
<td>Problem Statement: Penalties for Noise Ordinance violations should not be overly punitive. Requested Action: Clarify that Noise ordinance violations are not grounds for <strong>revocation</strong> of extended hours permits.</td>
</tr>
<tr>
<td>3</td>
<td>Section 1</td>
<td>3-8(h)(6)</td>
<td>Alcoholic Beverages; Permits for extended hours for alcoholic beverage establishments; <strong>Suspension and revocation</strong></td>
<td>Problem Statement: It must be clear in the Ordinance that security plans that may be implemented in lieu of suspension are unrelated to noise. Requested Action: Add clarifying language.</td>
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<td>CODE CHAPTER AND SECTION TITLE</td>
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<tr>
<td>Noise Ordinance Update Code Amendments to Chapter 11, Article III, Noise Pollution</td>
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<tr>
<td>4</td>
<td>Section 2</td>
<td>Noise Pollution: Definitions.</td>
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<td>Amplification device</td>
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<td>Privately owned outdoor place</td>
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<td></td>
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<td>(eliminate sidewalk cafes)</td>
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<td>5</td>
<td>Section 3</td>
<td>Noise Pollution: Exemptions.</td>
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<td></td>
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<td>Motorboats</td>
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<td>6</td>
<td>Section 4</td>
<td>Noise Pollution:</td>
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<td></td>
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<td>Prosecution of violations</td>
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<tr>
<td>7</td>
<td>Section 4</td>
<td>Noise Pollution:</td>
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<td></td>
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<td>Progressive penalties</td>
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</table>

Problem Statement: The term ‘amplification device’ is used in the proposed Noise Pollution Code amending language and requires defining. Sidewalk cafe is being deleted from the definition of ‘privately owned outdoor place’ and being defined as per Chapter 16 (see Items #13 and 15). Requested Action: Add definition for amplification device and modify definition of ‘privately owned outdoor place’ to eliminate sidewalk cafes.

Problem Statement: Current language does not distinguish between noise made by motorboat engines vs. noise made by amplification device on a motorboat. Requested Action: Clarify that amplification devices are not included in the motorboat engine noise exemption.

Problem Statement: Current language allows persons at a business (e.g., bar tender, water, night manager) to be prosecuted instead of the business. Requested Action: Revise Section to allow the responsible business to be prosecuted for violations.

Problem Statement: Penalties in current ordinance have a one-step penalty increase for multiple offenses ($350 to $1,000 fine for all additional violations within one year) and can be considered a cost of doing business, thus reducing their effectiveness as a compliance motivational tool. Requested Action: Revise Section to multiple steps; warning, $500 fine within one year of warning, second offense $500 within one year of the first fine, and any violations thereafter $1,000 fine. Followed by extended hours and a sidewalk cafe permit suspension plan for violations that occur within one year of two previous $500 penalty violations.
## Amendments to Chapter 11, Article III, Noise Pollution

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<tr>
<td>8</td>
<td>Section 4</td>
<td>11-50(c)</td>
<td>Noise Pollution; Penalty; <em>Notice of suspension</em></td>
<td>Problem Statement: Due process requires appropriate notification prior to suspending a previously approved permit. Requested Action: Create Section to ensure appropriate notification process and language occurs; in writing, hand delivered to the establishment and by certified first class mail. Notice identifies length, and first and last date of suspension.</td>
</tr>
<tr>
<td>9</td>
<td>Section 4</td>
<td>11-50(d)</td>
<td>Noise Pollution; Penalty; <em>Appeal of suspension</em></td>
<td>Problem Statement: A process must be provided for appeal of government actions to suspend a previously approved permit. Requested Action: Create Section to ensure appropriate appeal processes for suspension of sidewalk café permits (as identified in Chapter 16) and extended hours permit (as identified in Chapter 3).</td>
</tr>
<tr>
<td>10</td>
<td>Section 4</td>
<td>11-50(e)</td>
<td>Noise Pollution; Penalty; <em>Injunctive relief</em></td>
<td>Problem Statement: In cases of aggressive violators of the ordinance, the City may need additional tools to promote compliance to protect the public health, safety and general welfare. Requested Action: Include Injunctive relief as a penalty option.</td>
</tr>
<tr>
<td>11</td>
<td>Section 4</td>
<td>11-50(f)</td>
<td>Noise Pollution; Penalty; <em>Responsibility of business entities for penalties</em></td>
<td>Problem Statement: Penalty Section must be clear about responsibility for the penalty process when a business entity is found in violation. Requested Action: Include language that provides specificity about penalties and business entities.</td>
</tr>
<tr>
<td>ITEM #</td>
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<tr>
<td>12</td>
<td>Section 5 11-53 11-53(1) 11-53(1)a 11-53(1)b 11-53(1)d</td>
<td>Noise Pollution; Loud and Raucous Noises; <strong>Section Title and reference to public health safety and welfare and Amplification Devices on Motorboats</strong></td>
<td>Problem Statement: Noise coming from a motorboat, other than the exempted engine noise, is not addressed in the Code. Of concern is the noise emanating from amplification devices on motorboats, moored or cruising in the waters of the City of St. Petersburg.</td>
<td>Requested Action: Include language that provides the same standards for amplification devices on motorboats as currently exists for motor vehicles operating within the City. There are also minor changes to the Section Title and a reference to the health, safety and welfare of the citizens of St. Petersburg.</td>
</tr>
<tr>
<td>13</td>
<td>Section 5 11-53(2)d 11-53(2)e</td>
<td>Noise Pollution; Loud and Raucous Noises; <strong>Publicly owned outdoor places including right-of-way</strong></td>
<td>Problem Statement: Subsection d. repeats the noise standards for activities with park permits found in subsection c. Subsection e, dealing with sidewalk cafés, is being reworded and relocated (see Item #15).</td>
<td>Requested Action: Delete the repetitive sub-section dealing with sponsored or cosponsored events [11-53(2)(d)] and delete the sidewalk café sub-section that is to be reworded and relocated [11-53(2)(e)].</td>
</tr>
<tr>
<td>14</td>
<td>Section 5 11-53(3)(d)</td>
<td>Noise Pollution; Loud and Raucous Noises; <strong>Buildings – sound escaping through doors</strong></td>
<td>Problem Statement: Noise from propped open doors can be significant sources of loud and raucous noise.</td>
<td>Requested Action: Clarifying language that prohibits propping open doors that increase the emission of noise.</td>
</tr>
<tr>
<td>15</td>
<td>Section 5 11-53(5)</td>
<td>Noise Pollution; Loud and Raucous Noises; <strong>Sidewalk cafés (new subsection)</strong></td>
<td>Problem Statement: 1) current language is ambiguous about how “downward oriented” speakers is to be defined, and 2) the actual plainly audible distance standard is difficult to find.</td>
<td>Requested Action: Create a new subsection specifically for sidewalk cafés, with reference to the Chapter 16 definition, that clarifies what “downward oriented” speakers means (45 degrees or less toward the sidewalk café) and includes the plainly audible distance standard in the subsection (not changed from currently adopted standard).</td>
</tr>
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</table>
## Amendments to Chapter 11, Article III, Noise Pollution

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<thead>
<tr>
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<tbody>
<tr>
<td>16</td>
<td>Section 6</td>
<td>11-54</td>
<td>Noise Pollution; Sound Levels by Receiving Land Uses; <em>Purpose of “receiving land use table”</em></td>
<td>Problem Statement: Some clarity about the purpose of the Sound Levels by Receiving Land Use Table is needed.</td>
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<td>Requested Action: Add clarifying purpose sentence added to the paragraph above the Table.</td>
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<td>ITEM #</td>
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<td>17</td>
<td>Section 8</td>
<td>16.50.310</td>
<td>Land Development Regulations. Use Specific Development Standards; <strong>Privately owned non-residential outdoor places</strong></td>
<td>Problem Statement: Privately owned non-residential outdoor places, not associated with a restaurant or bar, can be sources for excessive noise if not properly managed. Requested Action: Include &quot;privately owned non-residential outdoor places&quot; in the use specific development standards by adding them to the restaurant and bar, indoor and outdoor subsection and clarify that this includes sidewalk cafes and privately owned &quot;non-residential&quot; outdoor places.</td>
</tr>
<tr>
<td>18</td>
<td>Section 8</td>
<td>16.50.310.3.1.A</td>
<td>Land Development Regulations. Use Specific Development Standards; <strong>Privately owned non-residential outdoor places - enclosure standard</strong></td>
<td>Problem Statement: Section has a seemingly arbitrary requirement for the maximum height of wall enclosures for privately owned outdoor places. Such requirements should be based on the need to mitigate noise and other impacts. Requested Action: Delete this Section to allow flexibility for the type, location and height of privately owned outdoor place enclosures based on specific impact mitigation needs.</td>
</tr>
<tr>
<td>19</td>
<td>Section 8</td>
<td>16.50.310.3.1.A</td>
<td>Land Development Regulations. Use Specific Development Standards; <strong>Privately owned non-residential outdoor places - location</strong></td>
<td>Problem Statement: Privately owned non-residential outdoor places can cause negative noise impacts on adjacent residential uses if not properly located. Requested Action: Clarify that privately owned non-residential outdoor places must not be located between the building/tenant space and an adjacent residential use unless a noise mitigation and monitoring plan is approved.</td>
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<td>ITEM #</td>
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<td>20</td>
<td>Section 8</td>
<td>16.50.310.3.1.B</td>
<td>Land Development Regulations. Use Specific Development Standards; <strong>Privately owned non-residential outdoor places with an amplified sound system</strong></td>
<td>Problem Statement: Privately owned non-residential outdoor places with an amplified sound system can result in a higher noise impact on residential, hotel or mixed-uses, if not properly designed and monitored. In addition the noise impact of these uses can be increased when sound systems are added, expanded or modified. Requested Action: Require a properly certified noise mitigation and monitoring plan for any new privately owned non-residential outdoor place with an amplified sound system that is located within 1,000 feet of a residential or hotel use, including mixed-use buildings. This requirement would also apply to existing privately owned non-residential outdoor use areas that install, modify or expand an amplified sound system or for a new business which operates past 11PM on weekdays, and 12 midnight on Fridays, Saturdays and the days prior to national holidays. This requirement would become effective on June 1, 2019.</td>
</tr>
<tr>
<td>21</td>
<td>Section 8</td>
<td>16.50.310.3.2.B</td>
<td>Land Development Regulations. Use Specific Development Standards; <strong>Privately owned outdoor places use restrictions - compliance responsibility</strong></td>
<td>Problem Statement: Noise Pollution Code language (Chapter 11) specifies responsible entities for violations of the noise ordinance. Current Chapter 16 language is inconsistent with proposed Chapter 11 language (Items #6 &amp; 11). Requested Action: Delete the inconsistent language.</td>
</tr>
<tr>
<td>22</td>
<td>Section 9</td>
<td>16.50.320</td>
<td>Land Development Regulations. Use Specific Development Standards; <strong>Accessory outdoor areas - applicability</strong></td>
<td>Problem Statement: Current standards for accessory outdoor areas are limited to those associated with restaurants and bars. Hotels and other non-residential uses can also have accessory outdoor areas. Requested Action: Include hotels and non-residential uses as uses that may have accessory outdoor use areas that should be subject to this Section.</td>
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<tr>
<td>23</td>
<td>Section 9</td>
<td>16.50.320.2.D</td>
<td>Land Development Regulations. Use Specific Development Standards; <strong>Accessory outdoor areas design standards - location</strong></td>
<td>Problem Statement: Accessory outdoor areas can cause negative noise impacts on adjacent residential uses if not properly located.</td>
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<td>Requested Action: Clarify that accessory outdoor areas must not be located between the building/tenant space and an adjacent residential use unless a noise mitigation and monitoring plan is approved by the POD.</td>
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<tr>
<td>24</td>
<td>Section 9</td>
<td>16.50.320.3.C</td>
<td>Land Development Regulations. Use Specific Development Standards; <strong>Accessory outdoor areas use restrictions – compliance responsibility</strong></td>
<td>Problem Statement: Noise Pollution Code language (Chapter 11) specifies responsible entities for violations of the noise ordinance. Current Chapter 16 language is inconsistent with the proposed Chapter 11 language (Items #6 &amp; 11).</td>
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<td>Requested Action: Delete the inconsistent language.</td>
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<tr>
<td>25</td>
<td>Section 10</td>
<td>16.50.370.8.19</td>
<td>Land Development Regulations. Use Specific Development Standards; <strong>Sidewalk café speaker angle</strong></td>
<td>Problem Statement: Chapter 11 language proposed in this ordinance changes the speaker angle for sidewalk cafés (Item #15). Chapter 16 language addressing the same subject must be made consistent.</td>
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<td>Requested Action: Change the Chapter 16 language to mirror the Chapter 11 language (Item # 15) for sidewalk café speaker angle.</td>
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<tr>
<td>26</td>
<td>Section 11</td>
<td>16.70.030.1.7.E(5)</td>
<td>Land Development Regulations. Applications and Procedures; <strong>Zoning permits for Sidewalk Cafés - suspension and revocation</strong></td>
<td>Problem Statement: Chapter 11 noise violation penalty language proposed in this ordinance allows for suspension of sidewalk café permits. Revocation is not an allowed penalty for noise violations. This must be made clear in Chapter 16 as well.</td>
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<td>Requested: Add a new subsection that is consistent with Chapter 11 penalties for noise related violations at sidewalk cafés; permit suspension is allowed, permit revocation is not an allowed penalty.</td>
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DEVELOPMENT REVIEW COMMISSION

Prepared by the Planning & Development Services Department

For Public Hearing Review on Wednesday, March 6, 2019
at 2:00 p.m. in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

| City File: LDR 2019-02 |
| Text Amendment: Noise Related Code Amendments |

This is a City-initiated application for review by the Development Review Commission ("DRC") in its capacity as the Land Development Regulation Commission ("LDRC"). Staff requests that the LDRC make a finding of consistency with the Comprehensive Plan and recommend to City Council APPROVAL of the following text amendments to the City Code, Chapter 16, Land Development Regulations ("LDRs").

The purpose of this text amendment application is to strengthen noise related standards for outdoor uses and sidewalk cafés.

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<tr>
<th>APPLICANT INFORMATION</th>
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<td>APPLICANT:</td>
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| CONTACT: | Elizabeth Abernethy, Director  |
| Planning and Development Services Department  |
| One – 4th Street North  |
| St. Petersburg, Florida 33711  |
| Elizabeth.Abernethy@stpete.org  |
| (727) 893-7868  |

<table>
<thead>
<tr>
<th>COMMISSION AUTHORITY</th>
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<tbody>
<tr>
<td>Pursuant to Section 16.80.020.1 of the City Code of Ordinances, the DRC, acting as the LDRC, is responsible for reviewing and making a recommendation to the City Council on all proposed amendments to the LDRs.</td>
</tr>
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</table>
The Public Safety and Infrastructure Committee of City Council (PSI) has conducted numerous meetings to review and discuss options for updating the Noise Ordinance (Chapter 11 of the Code) going back over two years. On January 20, 2019, the PSI approved moving forward with what is referred to as “Option 1.” Option 1 includes amendments to three Code Chapters; Chapter 3, Alcoholic Beverages, Chapter 11, Noise Pollution and Chapter 16, the Land Development Regulations. A summary of all of the Code amendments recommended by the PSI are attached, along with the minutes from the most recent meeting on January 24, 2019. The most significant change is to the penalty section of Noise Pollution Chapter, which includes a formal warning and higher fines and, for multiple repeat offenders, the potential for suspension of extended hours and/or sidewalk café permits. The DRC is responsible for making a recommendation related to the LDR portion of the amendments only, which are described below. All of the noise ordinance update related amendments are provided as context.

Two issues related to the noise monitoring and mitigation plans were discussed at the January 24th PSI meeting. The first related to when a noise mitigation and monitoring plan should be required for a new business replacing an existing business with an existing outdoor area. Direction was provided to staff to more narrowly tailor the applicability to only those that have operating hours past 11:00 p.m. Otherwise the trigger for preparing a plan would related to new or expanded outdoor areas with amplified sound systems, located within 1,000 feet of a residential use. The other recommendation was for staff to determine if the ordinance can be amended to require a noise mitigation and monitoring plan as one step in the progressive penalty system. Staff has revised the ordinance to incorporate these two changes, and the revised ordinance is attached.

A workshop was held before the Development Review Commission on February 6, 2019.

Current noise related standards for outdoor uses are found in the Use Specific Development Standards Code Section (16.50.310, 16.50.320 and 16.50.370) and are limited to outdoor areas associated with restaurants and bars, and sidewalk cafés.

Amendments to the standards for Restaurants and Bars, Indoor and Outdoor (Section 16.50.310), would broaden the category to include all privately owned outdoor places, not just those at restaurants and bars. Privately owned outdoor places would be as defined in the Noise Ordinance (Chapter 11). In addition, the design standards for outdoor places is clarified to ensure they are located away from residential uses, unless a properly certified noise mitigation and monitoring plan is approved by the POD that demonstrate compliance with the noise ordinance. Finally, the use restrictions are modified to eliminate language that is potentially in conflict with the Noise Ordinance related to responsibility for controlling noise levels.

Similar amendments are recommended for Restaurants and Bars, Accessory Outdoor Areas (16.50.320). The Section title is changed to Accessory Outdoor Area to include all accessory outdoor area for restaurants and bars, hotels or other non-residential uses. Again, the design standards are modified to clarify that these areas
will be located away from residential uses unless a properly certified noise mitigation and monitoring plan is approved by the POD and the potentially conflicting noise control responsibility language is deleted.

Amendments to the sidewalk café permit conditions (16.50.370.8.19) are proposed to be revised to clarify what “downward orientation” of outdoor café speakers means (45 degree angle or less). This level of specificity eliminates the currently vague standard and allows for café operators and code enforcement personnel to understand what is required. Finally, Section 16.70.030.1.7.E, Applications and Procedures, Sidewalk Café, is amended to add a new subsection “5” that identifies repeat violations of the Noise Ordinance as a grounds for suspension, but not revocation, of a sidewalk café permit.

Lastly, appeals under Section 11-50 to suspension of a sidewalk café permit will be heard by the DRC.

**Consistency and Compatibility (with Comprehensive Plan)**

The following objective and policy from the City's Comprehensive Plan are applicable to the attached proposal:

**OBJECTIVE LU21:**
The City shall, on an ongoing basis, review and consider for adoption, amendments to existing or new innovative land development regulations that can provide additional incentives for the achievement of Comprehensive Plan Objectives.

Policy:

**LU21.1**
The City shall continue to utilize its innovative development regulations and staff shall continue to examine new innovative techniques by working with the private sector, neighborhood groups, special interest groups and by monitoring regulatory innovations to identify potential solutions to development issues that provide incentives for the achievement of the goals, objectives and policies of the Comprehensive Plan.

**PROPOSED TEXT AMENDMENTS**

The Draft ordinance is attached. The Chapter 16 changes are the subject of the DRCs Comprehensive Plan consistency review, and are shown in strike-through and underline format.

Attached:
- Noise Ordinance Update Code Amendments Summary Tables
- Proposed amendments to Chapters 3, 11 and 16
- PSI Meeting Minutes – January 24, 2019
Each year, the City of St. Petersburg receives approximately $2 million in State Housing Initiative Partnership (SHIP) funds for its affordable housing programs. To receive these funds, the City is required to maintain an ongoing process for review of local policies, ordinances, resolutions, and plan provisions that increase the cost of housing construction, or of housing redevelopment, and to establish a tracking system to estimate the cumulative cost per housing unit from these actions for the period July 1 – June 30 annually. This form should be attached to all policies, ordinances, resolutions, and plan provisions which increase housing costs, and a copy of the completed form should be provided to the City’s Housing and Community Development Department.

I. Initiating Department: Planning & Development Services Development

II. Policy, Procedure, Regulation, or Comprehensive Plan Amendment Under Consideration for adoption by Ordinance or Resolution:

See attached proposed amendments to Chapter 16, City Code of Ordinances (City File LDR 2018-02).

III. Impact Analysis:

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

No ☒ (No further explanation required.)
Yes ___ Explanation:

If Yes, the per unit cost increase associated with this proposed policy change is estimated to be: $______________.

B. Will the proposed policy, procedure, regulation, plan amendment, etc. increase the time needed for housing development approvals?

No ☒ (No further explanation required)
Yes ___ Explanation:
IV: Certification

It is important that new local laws which could counteract or negate local, state and federal reforms and incentives created for the housing construction industry receive due consideration. If the adoption of the proposed regulation is imperative to protect the public health, safety and welfare, and therefore its public purpose outweighs the need to continue the community’s ability to provide affordable housing, please explain below:

CHECK ONE:

☑ The proposed regulation, policy, procedure, or comprehensive plan amendment will not result in an increase to the cost of housing development or redevelopment in the City of St. Petersburg and no further action is required. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

Elizabeth Abernethy, AICP
Director, Planning & Development Services

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

Director, Planning & Development Services (signature)

Copies to: City Clerk
Joshua A. Johnson, Director, Housing and Community Development
City of St. Petersburg
Public Services & Infrastructure Committee
January 24, 2019 Meeting Minutes
City Hall - Room 100

Present: Committee Members – Committee Chair Steve Kornell, Committee Vice-Chair Ed Montanari, Council Chair Charlie Gerdes, and Council Member Amy Foster

Absent: Council Member Lisa Wheeler-Bowman (Alternate)

Also Present: Council Member Gina Driscoll, Deputy Mayor/City Administrator Dr. Kanika Tomalin, City Attorney Jackie Kovaritch, and Assistant City Attorney Derrill Mcateer

Support Staff: Jayne Ohlman - City Council Legislative Aide

1. Call to Order – 9:35 AM
2. Approval of Agenda – CM Foster moved approval, all members voted in favor.
3. Approval of January 10, 2019 Minutes – CM Gerdes moved approval, all members voted in favor.

New Business for January 24, 2019

a) Proposal to Amend the Noise Ordinance – Liz Abernethy

Planning and Development Services Director Liz Abernethy began the presentation by reminding the committee of the motion made at the September 20th PS&I committee meeting. At that meeting, CM Gerdes made a motion to move forward with Option #1, with an additional request to maximize penalties to the extent allowed by state law and for administration to return with a presentation on personnel changes to assist with enforcement.

Option #1 - Minor Modifications to Existing Ordinance

- Maintain Plainly Audible System and Distances
  - Distances ranging from 50’-5000’
- Progressive penalties
  - Warning
  - Class 1 fine ($218.00)
  - Class 2 fine ($436.00)
  - 30 day suspension of late night permit/sidewalk café permit, or City shall seek injunctive relief from courts.
  - Clarification on who receives citation and possible integration of PD and Business Tax databases

In addition, City Administrator/Deputy Mayor, Dr. Tomalin addressed a question raised by CM Driscoll at the September 20th meeting regarding additional resources for enforcement. Dr. Tomalin stated that based on the increased penalties and the committee’s decision to continue
the use of a plainly audible enforcement system, it was determined that no additional resources were needed at this time.

Ms. Abernethy then explained that option #1 would require amendments to Chapter 3 - Alcoholic Beverages, Chapter 11 - Noise Pollution, and Chapter 16 - Land Development Regulations. The committee was provided with a table summarizing all of the proposed amendments. A majority of the proposed amendments are in the Penalty Section of Chapter 11 and the Use Specific Development Standards of Chapter 16. The changes to Chapter 11 include a formal warning, higher fines, and in cases of multiple repeat offenders; the potential for suspension of extended hours and/or sidewalk café permits. Ms. Abernethy explained that the changes to Chapter 16 would focus on amending language relating to restaurants and bars, sidewalk cafés, outdoor venues with amplified sound, and a proposed requirement for a noise mitigation plan.

CM Driscoll inquired if the changes to the penalties were still progressive. City Attorney Jackie Kovilaritch explained they are progressive and that the two successive fine amounts are maximized at $500, with the addition of suspension and/or injunction options if there is an additional violation within the 365 day time period. Assistant City Attorney Derrill McAteer noted that there was a new provision requiring a written warning before any fine was assessed.

Ms. Abernethy then asked for the committee’s input on what conditions they believed should trigger the requirement for a noise mitigation plan. CM Gerdes asked for clarification as to who would be affected by the proposed requirement. Ms. Abernethy explained that any privately owned outdoor place with an amplified sound system that is located within 1,000 feet of residential use, would require a properly certified noise mitigation and monitoring plan. Ms. Abernethy explained that current businesses will essentially be “grandfathered in” but the amended code could require any new business with plans to use amplified sound outdoors to submit a noise mitigation plan.

CM Montanari inquired what the protocol would be if a restaurant closed down and a new restaurant replaced it, would this require a noise mitigation plan? Ms. Abernethy responded that depending on the type of venue and the hours of operation, a noise mitigation plan may not be necessary but if the new restaurant planned to have after-dinner events such as outdoor amplified music, then a plan would be required. Ms. Abernethy stated that the triggers for a noise mitigation plan could be more narrowly tailored to factor in circumstances such as hours of operation. CM Montanari then asked what the typical cost is for a business owner to obtain a certified noise mitigation plan. Ms. Abernethy responded that cost is dependent on the scale of the location and she would inquire with the city’s noise consultant to get some cost-estimates to share. Ms. Abernethy noted that the requirement for a noise mitigation plan would not be triggered for accessory outdoor areas that are less than 500 square feet.

CM Kornell inquired what the protocol would be if a restaurant has been operating for a period of time and then a residential area is built next to it, would the restaurant be required to acquire a noise mitigation plan? Ms. Abernethy explained that the restaurant would be “grandfathered in” and would not need a noise mitigation plan, unless the restaurant wanted to make changes, such as an expansion to their outdoor patio or the addition of new outdoor speakers, then a noise mitigation plan would most likely be necessary.

CM Kornell asked for clarification on a proposed amendment to Chapter 11 regarding penalties for noise pollution titled “Injunctive Relief.” Assistant City Attorney Derrill McAteer
explained that revocation of sidewalk café and extended hour permits was not included as a penalty in the draft due to 8th Amendment excessive punishment concerns. Legal thought it better to include the injunctive relief provision in the proposed changes to section 11-50 so that if a complete cease of operations due to the inability to utilize a sidewalk café or extended hours permit was to occur, it occurred via an injunctive order from a judge rather than a revocation from the City. The City retains the option to suspend either sidewalk café or extended hour permits under the proposed ordinance, but revocation is not a proposed penalty option for noise violations.

Ms. Abernethy then gave the committee a tentative timeline for the noise ordinance going forward:

- DRC LDR Amendment Review for Consistency with the Comp Plan
- Workshop - February 6
- Public Hearing - March 6
- City Council First Reading - April 4
- City Council Second Reading and Public Hearing - April 18

CM Gerdes made a motion for staff to move forward with option #1 as presented and in coordination with the timeline presented by Ms. Abernethy. All members voted in favor.

The meeting adjourned at 10:30
The following page(s) contain the backup material for Agenda Item: Rehearing on Ordinance 114-HL approving the designation of the Driftwood Local Historic District, generally encompassing the area between 24th avenue south, Driftwood Road South (that portion formerly known as Ward Avenue South), and Tampa Bay as a Local Historic District and adding the property to the St. Petersburg register of Historic Places pursuant to section 16.30.070, city code, and providing for an effective date. (City File 17-90300006)
Please scroll down to view the backup material.
ST. PETERSBURG CITY COUNCIL

Meeting of May 16, 2019

TO: The Honorable Charlie Gerdes, Chair, and Members of City Council

SUBJECT: [Quasi-Judicial Item] Rehearing of Ordinance 114-HL.

REQUEST: Rehearing of Ordinance 114-HL.

BACKGROUND: On March 7, 2019, City Council approved the above referenced ordinance, establishing the Driftwood Local Historic District. During the hearing, new evidence was presented by the registered opponent. Considering the new evidence presented, City staff’s review thereof following the hearing, and a potentially substantial change of circumstances, in accordance with Section 16.70.010.5.B of the City’s Land Development Regulations, City staff requested consideration of a rehearing.

On April 4, 2019, City Council approved the request for rehearing and set the rehearing date for May 16, 2019.

The purpose of this rehearing is to review new evidence only.

Note: This is an ongoing quasi-judicial proceeding.

RECOMMENDATION:

Recommended City Council Action: 1) CONDUCT the rehearing to review new evidence.

Attachments: Staff Attachments
EXHIBIT A

EMAIL CORRESPONDENCE DATED JULY 17, 2018
Good morning —

Attached is the list of responses our office has received as of this morning. One outstanding question we are clarifying with legal involves the question of whether ballots must be received from both trustees and the trust itself in order to count the parcel as having completely responded before the end of the 60-day window to return ballots. It would seem that this is appropriate but are seeking input from the City Attorney. Because of this, the remaining McMullen ballot that hasn’t been received (sent to the trust, though we have received responses from both trustees), is coded yellow. If it is decided that we do not need to wait for a response from the trust, then the number of positive responses will go up to 18.

Best regards,

Laura Duvekot
Historic Preservationist II
Urban Planning & Historic Preservation Division
City of St. Petersburg, Florida

laura.duvekot@stpete.org
727.821.5431

From: BJ - Empyrean (empyrean@stpete.net)
Sent: Thursday, July 12, 2018 9:45 PM
To: Derek Kilborn <Derek.kilborn@stpete.org>; Laura Duvekot <Laura.Duvekot@stpete.org>
Cc: Laurie Macdonald <lauriewood@gmail.com>; Bonita Agan <bonita@bonanessett.com>; Pamela McMullen <pmcmullen6@gmail.com>; Moore Trish <Trishwoodmoore@gmail.com>
Subject: Driftwood Historic District

Dear Laura and Derek,

At your earliest convenience, before then end of next week, would you please send us the list of people who have responded positively through their ballot in favor of the Driftwood historic district and our current count. We would like to know the level of interest on this second go around. You may or may not know that we have had significant housing turnover in the past 2 months and new neighbors need extra information in order to make an informed decision.

Thank you for your prompt attention to this request.

Sincerely,
Laura,
Thank you for the update and we will follow up.
BJ
727-460-8141

From: Laura Duvekot [mailto:Laura.Duvekot@stpete.org]
Sent: Tuesday, July 17, 2018 9:44 AM
To: BJ - Empyean <bj@empyean.net>; Derek Kilborn <Derek.Kilborn@stpete.org>
Cc: 'Laurie Macdonald' <lauriewildwood@gmail.com>; 'Bonita Agan' <bonnie@bonnieagan.com>; 'Pamela McMullen' <pcmcmullen6@gmail.com>; 'Moore Trish' <trishloweymoore@gmail.com>
Subject: RE: Driftwood Historic District

Good morning BJ –

Attached is the list of responses our office has received as of this morning. One outstanding question we are clarifying with legal involves the question of whether ballots must be received from both trustees and the trust itself in order to count the parcel as having completely responded before the end of the 60-day window to return ballots. It would seem that this is appropriate but are seeking input from the City Attorney. Because of this, the remaining McMullen ballot that hasn’t been received (sent to the trust, though we have received responses from both trustees), is coded yellow. If it is decided that we do not need to wait for a response from the trust, then the number of positive responses will go up to 18.

Best regards,

Laura Duvekot
Historic Preservationist II
Urban Planning & Historic Preservation Division
City of St. Petersburg, Florida

laura.duvekot@stpete.org
727.892.5451
At your earliest convenience, before then end of next week, would you please send us the list of people who have responded positively through their ballot in favor of the Driftwood historic district and our current count. We would like to know the level of interest on this second go around. You may or may not know that we have had significant housing turnover in the past 2 months and new neighbors need extra information in order to make an informed decision.

Thank you for your prompt attention to this request.
Sincerely,

BJ Sheffield
Driftwood Historic District Initiative
727-460-8141c

Your Sunshine City
I apologize; I misinterpreted Vicky’s notes. With the McMullen property there would be 16 positive votes to total representation of 18 properties.

Best regards,

Laura Duvekot  
Historic Preservationist II  
Urban Planning & Historic Preservation Division  
City of St. Petersburg, Florida  
laura.duvekot@stpete.org  
727.892.5451

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Laura Duvekot  
Historic Preservationist II  
Urban Planning & Historic Preservation Division  
City of St. Petersburg, Florida  
laura.duvekot@stpete.org  
727.892.5451

From: BJ - Empyrean (mailto:bj@empyrean.net)  
Sent: Thursday, July 12, 2018 9:49 PM
To: Derek Kilborn <Derek.Kilburn@stpete.org>; Laura Duvekot <Laura.Duvekot@stpete.org>
Cc: 'Laurie Macdonald' <lauriewildwood@gmail.com>; 'Bonita Agan' <bonnie@bonnieagan.com>; 'Pamela McMullen' <pcmcmullen6@gmail.com>; 'Moore Trish' <trishsloweymoore@gmail.com>
Subject: Driftwood Historic District

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Thank you for your prompt attention to this request.
Sincerely,

BJ Sheffield
Driftwood Historic District Initiative
727-460-8141c
EXHIBIT B

BALLOT TRACKING LOG ATTACHED TO EMAIL CORRESPONDENCE DATED JULY 17, 2018

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<tr>
<td>190 Driftwood Rd SE</td>
<td>9</td>
<td>Driftwood Rd SE</td>
<td>Over</td>
<td>No longer the</td>
<td>Seattle</td>
<td>98102</td>
<td>King</td>
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<th>Zip Code</th>
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<tr>
<td>241 Driftwood Rd SE</td>
<td>241 Driftwood Rd SE</td>
<td>St Petersburg FL</td>
<td>33705</td>
</tr>
<tr>
<td>241 Driftwood Rd SE</td>
<td>241 Driftwood Rd SE</td>
<td>St Petersburg FL</td>
<td>33705</td>
</tr>
<tr>
<td>145 Wildwood Ln SE</td>
<td>145 Wildwood Ln SE</td>
<td>Pottsville WI</td>
<td>53956-9647</td>
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<td>Driftwood Rd SE - VACANT</td>
<td></td>
<td>Safety Harbor FL</td>
<td>34695</td>
</tr>
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*Ballot Responses - Driftwood*
EXHIBIT C

SUBJECT BALLOTS
RECEIVED ON OR BEFORE
JULY 17, 2018
I,  

Bonita W. Agan  

owner of the property located at  

251 Driftwood Rd SE  

St. Petersburg, Florida 33705,  

SUPPORT  

[ ] DO NOT SUPPORT  

the initiation of an application for designation of the **Driftwood Local Historic District** in the St. Petersburg Register of Historic Places. The proposed district boundary includes the forty-seven (47) parcels roughly bounded by 24th Avenue Southeast, Tampa Bay, the rear parcel line of properties along the 2700 block of Driftwood Road South (Ward Avenue South), and Beach Drive Southeast. 

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]  

6-30-2018  

(Date)  

---  

I,  

Richard P. Agan  

owner of the property located at  

251 Driftwood Rd SE  

St. Petersburg, Florida 33705,  

SUPPORT  

[ ] DO NOT SUPPORT  

the initiation of an application for designation of the **Driftwood Local Historic District** in the St. Petersburg Register of Historic Places. The proposed district boundary includes the forty-seven (47) parcels roughly bounded by 24th Avenue Southeast, Tampa Bay, the rear parcel line of properties along the 2700 block of Driftwood Road South (Ward Avenue South), and Beach Drive Southeast. 

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[Signature]  

7/12/18  

(Date)
I, Robert Pastore, owner of the property located at 2605 Driftwood Rd. S 33705, St. Petersburg, Florida 33705,

☑ SUPPORT
☐ DO NOT SUPPORT

the initiation of an application for designation of the Driftwood Local Historic District in the St. Petersburg Register of Historic Places. The proposed district boundary includes the forty-seven (47) parcels roughly bounded by 24th Avenue Southeast, Tampa Bay, the rear parcel line of properties along the 2700 block of Driftwood Road South (Ward Avenue South), and Beach Drive Southeast.

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(Signature)  

7/3/2018  
(Date)
1. V. Gail Halsey Collins, owner of the property located at 262 Driftwood Rd., S.E., St. Petersburg, Florida 33705.

☑ SUPPORT
☐ DO NOT SUPPORT

The initiation of an application for designation of the Driftwood Local Historic District in the St. Petersburg Register of Historic Places. The proposed district boundary includes the forty-seven (47) parcels roughly bounded by 24th Avenue Southeast, Tampa Bay, the rear parcel line of properties along the 2700 block of Driftwood Road South (Ward Avenue South), and Beach Drive Southeast.

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V. Gail Collins (Signature) 07/13/2018 (Date)
Winton T. Morrison, owner of the property located at 277 Driftwood Rd SE, St. Pete, St. Petersburg, Florida 33705,

☑ SUPPORT
☐ DO NOT SUPPORT

the initiation of an application for designation of the Driftwood Local Historic District in the St. Petersburg Register of Historic Places. The proposed district boundary includes the forty-seven (47) parcels roughly bounded by 24th Avenue Southeast, Tampa Bay, the rear parcel line of properties along the 2700 block of Driftwood Road South (Ward Avenue South), and Beach Drive Southeast.

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[Signature]
7/6/18
(Date)

Jodie J. Morrison, owner of the property located at 277 Driftwood Rd SE, St. Petersburg, Florida 33705,

☑ SUPPORT
☐ DO NOT SUPPORT

the initiation of an application for designation of the Driftwood Local Historic District in the St. Petersburg Register of Historic Places. The proposed district boundary includes the forty-seven (47) parcels roughly bounded by 24th Avenue Southeast, Tampa Bay, the rear parcel line of properties along the 2700 block of Driftwood Road South (Ward Avenue South), and Beach Drive Southeast.

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]
July 6, 2018
(Date)
EXHIBIT D

SUBJECT BALLOTS RECEIVED AFTER JULY 17, 2018
OFFICIAL BALLOT
Must be returned or postmarked on or before August 27, 2018.

1. **KELLY LINBERGER**, owner of the property located at 1st St. S., St. Petersburg, Florida 33705,

SUPPORT

☐ DO NOT SUPPORT

the initiation of an application for designation of the Driftwood Local Historic District in the St. Petersburg Register of Historic Places. The proposed district boundary includes the forty-seven (47) parcels roughly bounded by 24th Avenue Southeast, Tampa Bay, the rear parcel line of properties along the 2700 block of Driftwood Road South (Ward Avenue South), and Beach Drive Southeast.

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) 07/01/18

OFFICIAL BALLOT
Must be returned or postmarked on or before August 27, 2018.

1. **L. A. LINBERGER**, owner of the property located at 1st St. S., St. Petersburg, Florida 33705,

☑ SUPPORT

☐ DO NOT SUPPORT

the initiation of an application for designation of the Driftwood Local Historic District in the St. Petersburg Register of Historic Places. The proposed district boundary includes the forty-seven (47) parcels roughly bounded by 24th Avenue Southeast, Tampa Bay, the rear parcel line of properties along the 2700 block of Driftwood Road South (Ward Avenue South), and Beach Drive Southeast.

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) 7-1-18
I, PATRICIA DE LA VEGA, owner of the property located at
2600 FLORIDA AV. SOUTH, St. Petersburg, Florida 33705,

☐ SUPPORT

☐ DO NOT SUPPORT

the initiation of an application for designation of the Driftwood Local Historic District in the St. Petersburg Register of Historic Places. The proposed district boundary includes the forty-seven (47) parcels roughly bounded by 24th Avenue Southeast, Tampa Bay, the rear parcel line of properties along the 2700 block of Driftwood Road South (Ward Avenue South), and Beach Drive Southeast.

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)                    July - 30 - 2018
(Date)
I, LUKE LANE, owner of the property located at 2505 DRIFTWOOD RD SE, St. Petersburg, Florida 33710,

SUPPORT

the initiation of an application for designation of the Driftwood Local Historic District in the St. Petersburg Register of Historic Places. The proposed district boundary includes the forty-seven (47) parcels roughly bounded by 24th Avenue Southeast, Tampa Bay, the rear parcel line of properties along the 2700 block of Driftwood Road South (Ward Avenue South), and Beach Drive Southeast.

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)

I, KELLI LANE, owner of the property located at 2505 DRIFTWOOD RD S.E., St. Petersburg, Florida 33705,

SUPPORT

the initiation of an application for designation of the Driftwood Local Historic District in the St. Petersburg Register of Historic Places. The proposed district boundary includes the forty-seven (47) parcels roughly bounded by 24th Avenue Southeast, Tampa Bay, the rear parcel line of properties along the 2700 block of Driftwood Road South (Ward Avenue South), and Beach Drive Southeast.

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)
The following page(s) contain the backup material for Agenda Item: A Resolution by the St. Petersburg Community Redevelopment Agency recommending that the St. Petersburg City Council approve an amendment to the FY2018/19 Project Plan for the South St. Petersburg Community Redevelopment Area to reallocate $125,000 in funding from the Commercial Revitalization Program to the Commercial Matching Grant Program in the Business and Commercial Development Budget. Please scroll down to view the backup material.
I. Request and Impact

Community Redevelopment Agency recommendation that City Council APPROVE reallocation of $125,000 in funding from the Commercial Revitalization Program (CRP) to the Commercial Matching Grant Program in the “Business and Commercial Development” budget to increase the number of applicants awarded funding through the Commercial Matching Grant program (see Exhibit 1 of attached resolution). The reallocation will increase the balance in the Commercial Matching Grant Program from $405,000 to $530,000 and reduce the balance in the CRP from $1,039,493 to $914,493.

If approved this reallocation request will allow the City to fully fund twenty-eight (28) applications out of the 38 that were in the Commercial Matching Grant review pool. Under the original budgeted amount of $405,000, twenty-four applications would be funded with six of them receiving only partial funding because of tied scores. In addition, the proposed increased funding level for this round is nearly identical to the approximately $524,000 allocated to the program by City Council for the FY2017 Commercial Matching Grant cycle. Thirty-two applications received full or partial funding in that cycle.

Finally, the reallocation from the CRP will still allow the City to fully fund all six applications to this program in 2019. The six applications are requesting a combined $450,000 in grant funding which would leave $464,493 remaining in the CRP line item if the amendment is approved.

II. Overview

On December 6, 2018, City Council approved Resolution #2018-615 adopting the FY2018/2019 budget for the South St. Petersburg CRA Redevelopment Trust Fund. This budget provided approximately $1.749 million in funding to the CRA’s Business and Commercial Development Budget (see Exhibit 1 in attached resolution). A majority of the funding was allocated to provide funding for the 2019 commercial grant application cycle. The Commercial Matching Grant Program was allocated $405,000 for the 2019 grant cycle while the Commercial Revitalization Program (CRP) was allocated
$1,039,493. (For a more comprehensive discussion on each program and the selection and evaluation of the applications to them, please see the two companion staff reports).

To solicit applications for both grant programs the City of St. Petersburg conducted extensive outreach prior to the application deadline of February 11, 2019, notifying the public, property owners and business owners of the funding opportunity. By the February 11th deadline, the City received six CRP applications requesting a total of $450,000 in grant funding. All six applications have been recommended for full funding by City Administration, leaving a surplus of $589,493 in the CRP line item.

A total of 46 Commercial Matching Grant applications were received by the City with funding requests exceeding $850,000. (The number of eligible applications and funding requests would ultimately drop to 38 applications and approximately $666,000.) As mentioned, the originally approved budget for this program was $405,000, which leaves a deficit of more than $260,000 of requested versus available grant funds.

To prioritize grant applications when funding requests exceed available funds, applications to the South St. Petersburg CRA Matching Grant Program are reviewed by the South St. Petersburg CRA Committee using the CRA Grant Scoring and Evaluation System. At its April 5, 2019, meeting the Committee scored the applications. The highest score was “120” while the lowest was “-5” (see Exhibit 2 in attached resolution for a list of all scores).

Twenty-four applications, with a median score of “45” or higher qualify for Commercial Matching Grant funding under the current budget. The total eligible grant award for these applications is $445,200, but with a budget of $405,000 for the program, the six applications below that tied with a score of “45” will see their awards reduced by approximately one-third of the eligible award. These are:

<table>
<thead>
<tr>
<th>File #</th>
<th>Project Name</th>
<th>Project Address</th>
<th>Eligible Award</th>
<th>Reduced Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Central Plaza SDC</td>
<td>3201-3365 Central Ave</td>
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<td>$13,357</td>
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<td>Collectors Exchange</td>
<td>2935-39 Central Ave</td>
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<td>$15,689</td>
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<tr>
<td>15</td>
<td>Mari Jean Hotel</td>
<td>2349 Central Ave</td>
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<td>$26,714</td>
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<td>31</td>
<td>St. Pete Fitness</td>
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<td>$20,000</td>
<td>$13,357</td>
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<td>St. Petersburg Travel Ctr.</td>
<td>4400 Central Ave</td>
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<td>$3,604</td>
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<td>38</td>
<td>Warehouse Creative</td>
<td>2338 Emerson Ave S</td>
<td>$12,203</td>
<td>$8,150</td>
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</tbody>
</table>

If City Council approved the reallocation of $125,000 to the Commercial Matching Grant line item, the above applications would receive the full award for which they are eligible. In addition, another four currently unfunded applications would receive full funding. These are:
The funding increase to $525,000 is nearly equivalent to the amount approved by City Council for the FY2017 grant cycle, which was $524,220 (a total that included appropriations made for bonus awards.) In addition, the proposal would fund 28 applications, which is also similar in number to the 32 applications funded in 2017.

Finally, the reallocation from the CRP will still allow the City to fully fund all six applications to this program in 2019. The six applications are requesting a combined $450,000 in grant funding which would leave $464,493 remaining in the CRP line item if the amendment were approved.

III. Recommendation

Administration recommends the Community Redevelopment Agency approve the attached Resolution.

Attachments: CRA Resolution with Exhibits 1 and 2
A RESOLUTION BY THE ST. PETERSBURG COMMUNITY REDEVELOPMENT AGENCY RECOMMENDING THAT THE ST. PETERSBURG CITY COUNCIL APPROVE AN AMENDMENT TO THE FY2018/19 PROJECT PLAN FOR THE SOUTH ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA (CRA) TO REALLOCATE $125,000 IN FUNDING FROM THE COMMERCIAL REVITALIZATION PROGRAM TO THE COMMERCIAL MATCHING GRANT PROGRAM IN THE BUSINESS AND COMMERCIAL DEVELOPMENT BUDGET; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg City Council approved a Community Redevelopment Plan (Plan) for the South St. Petersburg CRA on May 21, 2015 (Ord. #169-H), which included establishment of a tax increment financing district and redevelopment trust fund for the entire 7.4-sq.mi. South St. Petersburg CRA;

WHEREAS, on December 6, 2018, City Council approved Resolution #2018-615 adopting the consolidated FY2018/2019 budget of $5.486 million for the South St. Petersburg CRA Redevelopment Trust Fund;

WHEREAS, the FY2018/2019 budget provided approximately $1.749 million in funding to the CRA’s Business and Commercial Development Budget (see Exhibit 1), a majority of which included allocations of $405,000 for the Commercial Matching Grant Program and $1,039,493 for the Commercial Revitalization Program;

WHEREAS, because obtaining funding through these two programs is done through a competitive application process, the City of St. Petersburg conducted extensive outreach prior to the application deadline of February 11, 2019, notifying the public, property owners and business owners of the funding opportunity;

WHEREAS, by the February 11, 2019, deadline the City received six (6) Commercial Revitalization Program applications requesting a total of $450,000 in grant funding and forty-six (46) Commercial Matching Grant applications with funding request exceeding $850,000;

WHEREAS, the number of eligible application and funding requests for the Commercial Matching Grant program would ultimately drop to thirty-eight applications and $666,904 respectively;

WHEREAS, to prioritize grant applications when funding requests exceed available funds, applications to the South St. Petersburg CRA Matching Grant Program are
reviewed by the South St. Petersburg CRA Committee (Committee) using the CRA Grant Scoring and Evaluation System;

WHEREAS, at its April 5, 2019, meeting the Committee scored the 38 eligible applications with twenty-four (24) applications receiving a score of "45" or higher enabling them to qualify for full or partial funding;

WHEREAS, the Mayor’s Office is recommending that City Council approve the full grant funding request of $450,000 for the six (6) applicants to the Commercial Revitalization Program, which would leave a surplus of $589,493 in that program allocation, a surplus that could be used to supplement the budget for the Commercial Matching Grant program;

WHEREAS, reallocating $125,000 from the Commercial Revitalization Program to the Commercial Matching Grant Program would increase the latter’s allocation to $525,000 and would allow the City to fully fund twenty-eight (28) Commercial Matching Grant applications, a number and funding level equivalent to the 32 applications approved for $524,220 by City Council in the 2017 grant cycle; and

WHEREAS, the reallocation of funding from the Commercial Revitalization Program budget will allow the City to fully fund all six applications to this program in 2019, while still leaving a surplus of $464,493 remaining in the budget.

NOW, THEREFORE, BE IT RESOLVED, that the St. Petersburg Community Redevelopment Agency recommends City Council amend the FY2018/2019 budget for the Redevelopment Trust Fund of the South St. Petersburg Community Redevelopment Area to reallocate $125,000 in funding from the Commercial Revitalization Program to the Commercial Matching Grant Program in the Business and Commercial Development Budget.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:  

APPROVED BY:

City Attorney (Designee)  
Alan Delisle, Administrator  
City Development Administration
Table 4. Business and Commercial Development Budget

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<thead>
<tr>
<th>Sources</th>
<th>CSP</th>
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<td>FY18 South St. Petersburg TIF Revenue</td>
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<td>FY17 Carryover Sources</td>
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<td>Redevopment Loan Program</td>
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<td>Emergency Grant Program</td>
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<td>Unexpended FY17 Grant Awards</td>
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<td>63,946</td>
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<td>FY17 CRA Grant Bonuses</td>
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<td>South St. Petersburg CRA Loan Consortium</td>
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<td>2017 Redevelopment Micro Loan Program</td>
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<td>Emergency Grant</td>
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<td>Environmental Cleanup of 22rd Street South lots</td>
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<tr>
<td>Commercial Revitalization Program</td>
<td>793,593</td>
<td>245,900</td>
<td>1,039,493</td>
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1 The exact funding amounts and sources for the Commercial Matching Grant Program is an estimate because the program is administered through a competitive application process.
### Exhibit 2
Final Results from South St. Petersburg CRA Grant Review Committee
April 5, 2019

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<tr>
<th>File #</th>
<th>Project Name</th>
<th>Project Address</th>
<th>Award</th>
<th>Revised Award</th>
<th>Median GRC Score</th>
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<td>2184-9th Ave S</td>
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<td>6</td>
<td>Newkirk Building</td>
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<td>17</td>
<td>Tennis Foundation of St Petersburg</td>
<td>650 18th Ave S</td>
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<td>$1,053</td>
<td>60.0</td>
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<tr>
<td>37</td>
<td>Stirling School and Day Care Center Inc</td>
<td>615 28th St S</td>
<td>$8,097</td>
<td>$8,097</td>
<td>60.0</td>
</tr>
<tr>
<td>11</td>
<td>St Petersburg Travel Center Inc</td>
<td>4400 Central Ave</td>
<td>$15,400</td>
<td>$15,400</td>
<td>60.0</td>
</tr>
<tr>
<td>27</td>
<td>DHM Real Estate Group LLC</td>
<td>3451 Central Ave</td>
<td>$20,000</td>
<td>$20,000</td>
<td>55.0</td>
</tr>
<tr>
<td>36</td>
<td>Stirling School and Day Care Center Inc</td>
<td>615 28th St S</td>
<td>$12,918</td>
<td>$12,918</td>
<td>50.0</td>
</tr>
<tr>
<td>9</td>
<td>Legget Building</td>
<td>2154-9th Ave S</td>
<td>$20,000</td>
<td>$20,000</td>
<td>50.0</td>
</tr>
<tr>
<td>3</td>
<td>Central Plaza SDC, LLC</td>
<td>3201-3365 Central Ave</td>
<td>$20,000</td>
<td>$13,357</td>
<td>45.0</td>
</tr>
<tr>
<td>15</td>
<td>Mari Jean Hotel LLC</td>
<td>2349 Central Ave</td>
<td>$40,000</td>
<td>$26,714</td>
<td>45.0</td>
</tr>
<tr>
<td>29</td>
<td>Collectors Exchange</td>
<td>2935-39 Central Ave</td>
<td>$23,492</td>
<td>$15,689</td>
<td>45.0</td>
</tr>
<tr>
<td>31</td>
<td>St Pete Fitness LLC</td>
<td>2727 6th Ave S</td>
<td>$20,000</td>
<td>$13,357</td>
<td>45.0</td>
</tr>
<tr>
<td>38</td>
<td>Warehouse Creative LLC</td>
<td>2338 Emerson Ave S</td>
<td>$12,203</td>
<td>$8,150</td>
<td>45.0</td>
</tr>
<tr>
<td>10</td>
<td>St Petersburg Travel Center Inc</td>
<td>4400 Central Ave</td>
<td>$5,397</td>
<td>$3,604</td>
<td>45.0</td>
</tr>
</tbody>
</table>

#### Total Grant Fund Request

|                  | $666,904 |

#### Funding Limit of Original Budget of $405,000

|                  | $445,220 | $405,000 |

#### Funding Limit with $125,000 Budget Increase

|                  | $524,933 |

|                  | $20,000  |
|                  | $20,000  |
|                  | $30,000  |
|                  | $87,833  |
|                  | $30,000  |
|                  | $87,833  |
The following page(s) contain the backup material for Agenda Item: A Resolution of the St. Petersburg Community Redevelopment Agency recommending that the St. Petersburg City Council approve the priority list for applications to the FY2018/2019 South St. Petersburg Community Redevelopment Area Commercial Matching Grant Program.
Please scroll down to view the backup material.
COMMUNITY REDEVELOPMENT AGENCY AGENDA ITEMS CHECKLIST
(Non-Consent Agenda)

Meeting of May 16, 2019

Submitting Department: Economic and Workforce Development

Department Contact: Rick D. Smith (#7106)

Agenda Category: Community Redevelopment Agency Meeting

Agenda Subject Matter: A Resolution by the St. Petersburg Community Redevelopment Agency recommending that City Council approve the priority ranking of FY2018/19 applications to the South St. Petersburg Community Redevelopment Area Commercial Matching Grant Program.

APPROVALS:

Administrative: [Signature]

Budget: [Signature]

Legal: [Signature]

Is attached back-up material complete? Yes
I. Request

Community Redevelopment Agency recommendation that City Council APPROVE the following action regarding the FY2018/19 applications to the South St. Petersburg Community Redevelopment Area (CRA) matching grant program:

- Prioritize funding for applications to the South St. Petersburg CRA Commercial Matching Grants in the order recommended by the South St. Petersburg CRA Grant Review Committee with applications scoring “35” points or greater receiving full or partial funding (see Exhibit A of attached resolution).

II. Overview of the Grant Review Process

On April 5, 2019, the South St. Petersburg CRA Grant Review Committee (Committee) held a public meeting to evaluate and make recommendations to City Council on the FY2018/19 Commercial Matching Grant Program applications that would be funded with tax increment revenue from the South St. Petersburg CRA Redevelopment Trust Fund. This review process and structure was first approved by City Council on May 18, 2017 (see Resolution 2017-316) to increase transparency in the CRA grant process and later refinements were made to the review process on December 6, 2019, regarding the scoring criteria (see Resolution 2018-614). The Committee is comprised of three City Council members from District 5, District 6 and District 7 as well as four members of the Citizen Advisory Committee of the South St. Petersburg CRA.

The Committee reviewed applications for funding through the Commercial Site Improvement grant program and the Commercial Building Interior and Tenant Improvement program (collectively known as the CRA Commercial Matching Grant program).

The City of St. Petersburg conducted extensive outreach prior to the application deadline of February 11, 2019, notifying the public, property owners and business owners of the availability of the Commercial Matching Grant program. Between late November 2018 and February 6, 2019, Economic and Workforce Development (EWD) staff held thirteen mandatory workshops dedicated to educating the public on the
application requirements. They were held at both the Enoch Davis Recreation Center and the Greenhouse, and over 180 individuals attended. Another 20 participants accessed a webinar to ensure they would be able to apply for the grants.

EWD staff also held 32 satellite office hours at the Enoch Davis Recreation Center and the Tampa Bay Black Business Investment Corporation. These were held in the last five weeks of the grant cycle and were designed to provide one-on-one counseling for potential applicants.

Greenhouse and Marketing staff also walked five commercial corridors during the final weeks of the cycle. These corridors were 16th Street South, 18th Avenue South, 28th Street South, Dr. Martin Luther King, Jr. Street South, and 22nd Street South. Finally, the Marketing Department sent 21 social media related posts and as well as other media coverage.

III. Overview of the 2019 CRA Matching Grant Applications

Forty-six (46) applications to the CRA Commercial Matching Grant program were submitted by the February 11, 2019, deadline. Of the 46 applications, 26 sought funding through the Commercial Site Improvement Grant (CSI) program, while 20 applications sought funding through the Commercial Building Interior and Tenant Improvement Grant (CBTI) program.

Both grant programs call for a matching grant award of up to $20,000, or $40,000 if the project is for a local historic landmark. Of these two programs, only the Commercial Site Improvement Grant program is funded from TIF contributions from both City and Pinellas County sources. This is due to requirements set forth in Pinellas County’s June 2014 policy governing use of its tax increment financing revenue. There are also bonuses of up to $5,000 provided to applicants that utilize certified Small Business Enterprise contractors for their work and house tenants that are in the City’s “Grow Smarter” industries. (These industries are Financial Services, Specialized Manufacturing, Marine and Life Sciences, Data Analytics, and Creative Arts and Design.)

In addition, fourteen applicants submitted both CSI and CBTI applications for the same property. Another four applicants to the CRA grant cycle received funding in prior CRA grant cycles for the same property but for different improvement projects. These are

<table>
<thead>
<tr>
<th>File #</th>
<th>Project Name</th>
<th>Project Address</th>
<th>Prior Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>28</td>
<td>Craftsman House (2017)</td>
<td>2901 Central Avenue</td>
<td>$1,002</td>
</tr>
<tr>
<td>34</td>
<td>Boys and Girls Club (2017)</td>
<td>1011 22nd Street South</td>
<td>$40,000</td>
</tr>
<tr>
<td>25</td>
<td>KumJo Lee Office Building (2016)</td>
<td>3535 Central Avenue</td>
<td>$7,851</td>
</tr>
<tr>
<td>46</td>
<td>Delores Smith Academy (2016)</td>
<td>1766 49th Street South</td>
<td>$15,732</td>
</tr>
<tr>
<td>46</td>
<td>Delores Smith Academy (2017)</td>
<td>1766 49th Street South</td>
<td>$13,022</td>
</tr>
</tbody>
</table>
Below is a summary of the funded improvements:

- The Craftsman House was provided funding for a Commercial Site Improvement grant to remove and replace fencing.

- The Boys and Girls Club at the historic Royal Theater received Commercial Site Improvement grant funding for outdoor recreational equipment including a basketball court and playground with a total eligible cost of $116,350.

- The KumJo Lee Office Building received Commercial Site Improvement grant funding for landscaping, windows, re-stuccoing and repainting the exterior.

- In 2016, The Delores Smith Academy received funding for both a Commercial Site Improvement Grant and Commercial Building Interior and Tenant Improvement Grant for a security camera, signage, HVAC, electrical panel and replacing a fire panel.

- In 2017, The Delores Smith Academy received funding for both a Commercial Site Improvement Grant and Commercial Building Interior and Tenant Improvement Grant to replace a fire sprinkler system, attic closure, new doors, landscaping and lawn sprinkler system, repaved parking lot, and sidewalk.

Before the Committee officially convened on April 5, 2019, six applications were removed from the original pool of 46. One applicant submitted four applications - two Commercial Matching Grant applications each - for her properties located 1240 49th Street South (#45 and #46) and 1766 49th Street South (#20 and #21). In addition, she also submitted a Commercial Revitalization Program application. With the applicant’s consent, staff removed her Commercial Match Grant applications from the pool and reviewed and processed only the Commercial Revitalization Program applications. A final application, located at 2517 1st Avenue South (#35), was submitted for work already completed in 2018, and was seeking reimbursement. This is not permitted under the CRA Commercial Matching Grant Program.

At the review meeting, the Committee also deemed ineligible another two applications, located at 1400 18th Avenue South (#22 and #23), because they were substantially incomplete. Finally, an application for fencing and playground equipment for a family day care center located at 624 13th Avenue South was tabled by the Committee. Staff recommended that the project be deemed ineligible because the applicant is not licensed by the Florida Department of Children and Families as a licensed day care center. The applicant argued that the lack of fencing was the reason she could not get her license but offered no information. The Committee tabled consideration of this application until May 2nd when she could present evidence supporting her arguments.
IV. Committee Scoring of the CRA Matching Grant Applications

Applications to the South St. Petersburg CRA Grant Program are funded by tax increment financing revenue and reviewed by the South St. Petersburg CRA Committee using the CRA Grant Scoring and Evaluation System. The structure was first approved by City Council on May 18, 2017, through Resolution 2017-316, and refined later on December 6, 2019, regarding the scoring criteria (see Resolution 2018-614). At its April 5, 2019, meeting the Committee reviewed the submitted applications, each of which were assigned a preliminary score from staff. The Committee scored each remaining eligible application individually and submitted their scores to staff for entry and tallying. The median value for the collective scores of the seven members was used to arrive at the final Committee-recommended score for each application. The top ten scores for the applications as well as their eligible awards are as follows:

<table>
<thead>
<tr>
<th>File #</th>
<th>Project Name</th>
<th>Project Address</th>
<th>Eligible Award</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Primal Performance Spine</td>
<td>4401 Central Ave</td>
<td>$7,883</td>
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</tr>
<tr>
<td>7</td>
<td>Newkirk Building</td>
<td>2184 9th Ave S</td>
<td>$20,000</td>
<td>112</td>
</tr>
<tr>
<td>34</td>
<td>Boys and Girls Club</td>
<td>1011 22nd St S</td>
<td>$40,000</td>
<td>110</td>
</tr>
<tr>
<td>18</td>
<td>PERC Tenant Space</td>
<td>1523 16th St S</td>
<td>$25,000</td>
<td>100</td>
</tr>
<tr>
<td>40</td>
<td>Tampa Bay BBIC</td>
<td>1123 22nd St S</td>
<td>$8,461</td>
<td>100</td>
</tr>
<tr>
<td>28</td>
<td>Craftsman House</td>
<td>2955 Central Ave</td>
<td>$30,302</td>
<td>90</td>
</tr>
<tr>
<td>39</td>
<td>Warehouse Creative LLC</td>
<td>2338 Emerson Ave</td>
<td>$25,000</td>
<td>90</td>
</tr>
<tr>
<td>8</td>
<td>Leggett Building</td>
<td>2154 9th Ave S</td>
<td>$20,000</td>
<td>88</td>
</tr>
<tr>
<td>4</td>
<td>Latimer &amp; Sons</td>
<td>2400 Dr. MLK Jr. S</td>
<td>$19,706</td>
<td>75</td>
</tr>
</tbody>
</table>

Twenty-four applications, with a median score of “45” or higher qualify for commercial matching grant funding under the originally budgeted amount of $405,000. This represents about 63 percent of the qualified applications submitted. The total eligible grant award for these applications is $445,200. However, retaining the original budgeted amount for the program means that some applications will receive reduced awards to ensure that the grant program stays within the budget. The six lowest scoring applications of the 24 eligible for funding all tied with scores of “45” and will have their awards reduced by approximately one-third of the eligible award. These are:

<table>
<thead>
<tr>
<th>File #</th>
<th>Project Name</th>
<th>Project Address</th>
<th>Eligible Award</th>
<th>Reduced Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Central Plaza SDC</td>
<td>3201-3365 Central</td>
<td>$20,000</td>
<td>$13,357</td>
</tr>
<tr>
<td>29</td>
<td>Collectors Exchange</td>
<td>2935-39 Central Ave</td>
<td>$23,492</td>
<td>$15,689</td>
</tr>
<tr>
<td>15</td>
<td>Mari Jean Hotel</td>
<td>2349 Central Ave</td>
<td>$40,000</td>
<td>$26,714</td>
</tr>
<tr>
<td>31</td>
<td>St. Pete Fitness</td>
<td>2727 6th Ave S</td>
<td>$20,000</td>
<td>$13,357</td>
</tr>
<tr>
<td>10</td>
<td>St. Petersburg Travel Ctr.</td>
<td>4400 Central Ave</td>
<td>$5,397</td>
<td>$3,604</td>
</tr>
<tr>
<td>38</td>
<td>Warehouse Creative</td>
<td>2338 Emerson Ave S</td>
<td>$12,203</td>
<td>$8,150</td>
</tr>
</tbody>
</table>
City Administration is recommending through a companion resolution that City Council increase the budget by $125,000 for the Commercial Matching Grant Program from $405,000 to $530,000. This increase would come from reallocating funding from the Commercial Revitalization Program (CRP) budget, which will have $589,393 surplus even if City Council approves full funding for all six applications to the program. If the reallocation request then the City would be able to fully fund the six applications above as well as award full funding to the following four.

<table>
<thead>
<tr>
<th>File #</th>
<th>Project Name</th>
<th>Project Address</th>
<th>Eligible Award</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>Pregnancy Treasures</td>
<td>4601 Central Ave</td>
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<td>40</td>
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<tr>
<td>42</td>
<td>Classic Architectural</td>
<td>2063 1st Ave S</td>
<td>$25,000</td>
<td>40</td>
</tr>
<tr>
<td>32</td>
<td>GLS Construction</td>
<td>350 49th St S</td>
<td>$14,713</td>
<td>35</td>
</tr>
<tr>
<td>33</td>
<td>3 United LLC</td>
<td>2600-14 Central Ave</td>
<td>$20,000</td>
<td>35</td>
</tr>
</tbody>
</table>

Ultimately, twenty-eight (28) of the thirty-eight (38) Commercial Matching Grant applications would be funded if City Council approves the increase to $530,000. The proposed increased funding level for this round is nearly identical to the approximately $524,000 allocated to the program by City Council for the FY2017 Commercial Matching Grant cycle. In that cycle, thirty-two applications received funding.

The entire application list is included in Exhibit A of the attached resolution, which lists the score for each application from highest to lowest and includes the grant award for which it is eligible. In addition, a summary of each application submitted and scored is included.

For more details on each application including the preliminary score, view the [2019 Map of CRA Commercial Matching Grant Applications](https://tinyurl.com/y2qvyxba). To retrieve application information, click on the number and then the link to “More Information” in the pop-up box. The map also provides information on building permits issued since December 2017. This is one of the review criteria that the GRC and staff use to score applications. To access the building permit layer, click on the down button and select the box next to “Permit Value Greater or Equal to $10,000.” The individual applications can also be viewed at [https://tinyurl.com/y2qvyxba](https://tinyurl.com/y2qvyxba)

**V. Recommendation**

Administration recommends the Community Redevelopment Agency approve the attached Resolution.

Attachments: CRA Resolution and Exhibit A Summary sheet for each grant application
A RESOLUTION OF THE ST. PETERSBURG COMMUNITY REDEVELOPMENT AGENCY RECOMMENDING THAT THE ST. PETERSBURG CITY COUNCIL APPROVE THE PRIORITY LIST IN EXHIBIT A FOR APPLICATIONS TO THE FY2018/19 SOUTH ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA COMMERCIAL MATCHING GRANT PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg City Council approved a Community Redevelopment Plan (Plan) for the South St. Petersburg Community Redevelopment Area (CRA) on May 21, 2015 (Ord. #169-H), which included establishment of a tax increment financing district and redevelopment trust fund for the entire 7.4-sq.mi. South St. Petersburg CRA;

WHEREAS, the Pinellas County Board of County Commissioners approved the Plan on June 2, 2015 (Res. #15-48), delegated authority to the City of St. Petersburg to establish a redevelopment trust fund for the entire CRA, and approved on June 23, 2015, Ord. #15-27 establishing a redevelopment trust fund for the entire South St. Petersburg CRA and establishing FY2014 as the base year on which future increments in property values in the CRA will be based;

WHEREAS, on February 4, 2016, City Council adopted Resolution 2016-47 approving inter alia the Commercial Site Improvement Grant program and the Commercial Building Interior and Tenant Improvement Grant program (collectively known as the “CRA Commercial Matching Grant Program”) to be funded with tax increment financing from the South St. Petersburg Community Redevelopment Trust Fund in order to revitalize commercial corridors and provide access to capital for business and property owners;

WHEREAS, on May 18, 2017, the St. Petersburg City Council adopted Resolution 2017-316, which approved the establishment of the Grant Review Committee for the South St. Petersburg Community Redevelopment Area as well as a scoring and evaluation system for reviewing CRA Commercial Matching Grant Program applications;

WHEREAS, on December 6, 2018, the St. Petersburg City Council adopted Resolution 2018-614, which refined the scoring and evaluation system for reviewing CRA grant requests;

WHEREAS, on December 6, 2018, City Council adopted Resolution 2018-615 approving the FY2018/19 budget for the South St. Petersburg CRA Redevelopment Trust Fund, which identified $405,000 for the Commercial Matching Grant program;
WHEREAS, City Administration issued a Notice of Funding Availability in November 2019 to the CRA community announcing that the City would accept CRA Commercial Matching Grant applications until February 11, 2019, and would continue to provide notice during the open grant period;

WHEREAS, during the open grant period the City of St. Petersburg conducted extensive outreach prior to the application deadline to notify the public, property owners and business owners of the availability of the program;

WHEREAS, between late November 2018 and February 6, 2019, Economic and Workforce Development staff held thirteen mandatory workshops dedicated to educating the public on the application requirements with more than 180 individuals attending and another 20 viewing a grant application training webinar;

WHEREAS, Economic and Workforce Development staff also held 32 satellite office hours at the Enoch Davis Recreation Center and the Tampa Bay Black Business Investment Corporation, which were held in the last five weeks of the grant cycle and designed to provide one-on-one counseling for potential applicants;

WHEREAS, forty-six (46) applications to the CRA Commercial Matching Grant Program were submitted by the February 11, 2019, deadline. Of the 46 applications, 26 sought funding through the Commercial Site Improvement Grant program, while 20 applications sought funding through the Commercial Building Interior and Tenant Improvement Grant program;

WHEREAS, before the South St. Petersburg CRA Grant Review Committee officially convened to review applications, six applications were removed from the original pool of 46 due to participation in the Commercial Revitalization Program (a different grant opportunity under the South St. Petersburg CRA), submission of an application for work that had already been completed and withdrawal by the applicant;

WHEREAS, on April 5, 2019, the South St. Petersburg CRA Grant Review Committee met to evaluate the CRA grant application requests and deemed two applications substantially incomplete and ineligible for funding and tabled another application due to the need for additional documentation;

WHEREAS, the South St. Petersburg CRA Grant Review Committee scored the remaining 37 eligible CRA Commercial Matching Grant applications in accordance with the adopted scoring and evaluation system, and produced a final recommended priority list for funding; and
WHEREAS, on May 16, 2019, City Council took action on a City Administration recommendation to increase funding by $125,000 to $530,000 for the Commercial Matching Grant Program budget to be funded by a surplus in the Commercial Revitalization Program.

NOW, THEREFORE, BE IT RESOLVED, that the St. Petersburg Community Redevelopment Agency recommends City Council prioritizes funding for the South St. Petersburg CRA Commercial Matching Grants concurrent with the recommendation of the South St. Petersburg CRA Grant Review Committee in the order identified in Exhibit A.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:  

APPROVED BY:

City Attorney (Designee)

Alan DeLisle, Administrator  
City Development Administration
Exhibit A

Priority Order for FY2018/19 CRA Commercial Matching Grant Applications

South St. Petersburg CRA
<table>
<thead>
<tr>
<th>Eligible Project</th>
<th>Award Amount</th>
<th>Medium Grant Type</th>
<th>Award Score</th>
<th>Score</th>
<th>Maximum Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>2Primal Performance Spine &amp; Sport</td>
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<td>33.33%</td>
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<tr>
<td>37Starling School and Day Care Center Inc</td>
<td>$60,100</td>
<td>COMM. SITE</td>
<td>33.33%</td>
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<td>3Central Plaza SDC LLC</td>
<td>$125,461</td>
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<td>100</td>
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<tr>
<td>38Warehouse Creative LLC</td>
<td>$24,206</td>
<td>COMM. SITE</td>
<td>33.33%</td>
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**South St. Petersburg CRA Grant Review Committee of April 5, 2019**
<table>
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<tr>
<th>Eligible Project Name</th>
<th>Project Address</th>
<th>Grant Type</th>
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</tbody>
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File #02 (CBIT)
4401 Central Ave
Primal Performance Spine & Sport

- **Request:** Energy Efficient Windows, Air Ducts and Insulation
- **Total Eligible Project Costs:** $15,766
- **Total Eligible Grant Award:** $7,883
- **Grant Review Committee Score:** 120

File #07 (CBIT)
2184 9th Avenue South
Newkirk Building

- **Request:** General Demolition, Asbestos, Carpentry, Concrete, Roofing, HVAC, Electrical
- **Total Eligible Project Costs:** $92,100
- **Total Eligible Grant Award:** $20,000
- **Grant Review Committee Score:** 112
File #34 (CBIT)
1011 22nd St South
Boys and Girls Club of the Suncoast

- Request: Applicant is seeking CRA Funding to repair/replace roof of its Royal Theater facility located on the Deuces Live Main Street.
- Total Eligible Project Costs: $85,000
- Total Eligible Grant Award: $40,000
- Grant Review Committee Score: 110

File #18 (CSI)
1523 16th St South
PERC Facility

- Request: Applicant proposes to renovate the vacant structure to create office space for G2 Design LLC (3 jobs) and the corporate office of the Second Chance Tiny Home Manufacturing office (4 full time and 45 PT jobs annually.)
- Total Eligible Project Costs: $57,480
- Total Eligible Grant Award: $25,000
- Grant Review Committee Score: 100
File #19 (CBIT)
1523 16th St South
PERC Facility

- Request: Applicant proposes to renovate the vacant structure to create office space by replacing interior windows, doors, lighting fixtures, dry wall, ductwork, plumbing and metal framing.
- Total Eligible Project Costs: $76,109
- Total Eligible Grant Award: $25,000
- Grant Review Committee Score: 100

File #40 (CSI)
1123 22nd St South
Tampa Bay Black Business Initiative Fund

- Request: Repave the asphalt, minor roof repair, update the electrical fuse panel, install fence, exterior lighting, painting exterior building, and landscaping.
- Total Eligible Project Costs: $16,922
- Total Eligible Grant Award: $8,461
- Grant Review Committee Score: 100
File #28 (CBIT)  
2955 Central Ave  
Craftsman House

- Request: Applicant is installing new roof, replacing HVAC, repair water damaged ceiling.
- Total Eligible Project Costs: $ 60,603
- Total Eligible Grant Award: $ 30,302
- Grant Review Committee Score: 90

File #39 (CBIT)  
2338 Emerson Ave South  
Warehouse Creative LLC

- Request: Renovate interior by testing for Asbestos, HVAC/insulation installation adding a reception desk, baseboards/countertops. There will be selective demolition, drywall framing, Tile work and installation dishwasher.
- Total Eligible Project Costs: $ 60,778
- Total Eligible Grant Award: $ 25,000
- Grant Review Committee Score: 90
File #08 (CBIT)
2154 9th Ave South
Leggett Building

- **Request:** General Demolition, Asbestos, Carpentry, Concrete, Roofing, HVAC, Electrical.
- **Total Eligible Project Costs:** $80,000
- **Total Eligible Grant Award:** $20,000
- **Grant Review Committee Score:** 88

File #04 (CBIT)
2400 Dr. M.L. King, Jr. St. S
Latimer & Son's Family Hair Care

- **Request:** Demolition, Bathroom facilities, Barber counters and pantry
- **Total Eligible Project Costs:** $39,412
- **Total Eligible Grant Award:** $19,706
- **Grant Review Committee Score:** 75
File #06 (CSI)  
2184 9th Avenue South  
Newkirk Building

- **Request:** General Demolition, Asbestos, Carpentry, Concrete, Exterior doors
- **Total Eligible Project Costs:** $60,100
- **Total Eligible Grant Award:** $20,000
- **Grant Review Committee Score:** 72

File #05 (CSI)  
1735 Dr. M.L. King, Jr. St S  
Westcare Florida Gulf Coast

- **Request:** Exterior lighting, addition of a double driveway gate to be installed in place of a recently removed security guard booth.
- **Total Eligible Project Costs:** $10,615
- **Total Eligible Grant Award:** $5,308
- **Grant Review Committee Score:** 60
File #11 (CBIT)
4400 Central Ave
St Pete Travel Center

- **Request:** Creating new office space by dividing the existing building into two separate suites.
- **Total Eligible Project Costs:** $30,800
- **Total Eligible Grant Award:** $15,400
- **Grant Review Committee Score:** 60

File #17 (CSI)
650 18th Ave South
Tennis Foundation of St Petersburg

- **Request:** Applicant is requesting funding to repair and replace portions of galvanized chain link fencing at the St. Petersburg Tennis Center located at Bartlett Park.
- **Total Eligible Project Costs:** $2,106
- **Total Eligible Grant Award:** $1,053
- **Grant Review Committee Score:** 60
File #37 (CBIT)
615 28th St South
Starling School & Day Care Center

- Request: Applicant is seeking CRA Funding to replace roofing and plumbing
- Total Eligible Project Costs: $16,194
- Total Eligible Grant Award: $8,097
- Grant Review Committee Score: 60

File #27 (CBIT)
3551 Central Ave
DHM Real Estate

- Request: Applicant is constructing partitions for new space with drywall and new space, and adding trim. The reroofing project was moved by staff from the Commercial Site Improvement budget, where it is not an eligible cost.
- Total Eligible Project Costs: $69,300
- Total Eligible Grant Award: $20,000
- Grant Review Committee Score: 55
File #09 (CSI)
2154 9th Ave South
Leggett Building

- **Request:** General Demolition, Asbestos, Carpentry, Concrete, Exterior doors.
- **Total Eligible Project Costs:** $76,000
- **Total Eligible Grant Award:** $20,000
- **Grant Review Committee Score:** 50

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File #36 (CSI)
615 28th St South
Starling School & Day Care Center

- **Request:** Applicant is seeking CRA Funding to replace existing soffits with vinyl, install recess lighting in soffits, exterior painting and window replacement.
- **Total Eligible Project Costs:** $25,836
- **Total Eligible Grant Award:** $12,918
- **Grant Review Committee Score:** 50
File #03 (CSI)
3201-3365 Central Avenue
Central Plaza SDC, LLC

- Request: Replace existing awning
- Total Eligible Project Costs: $125,461
- Total Eligible Grant Award: $20,000
- Grant Review Committee Score: 45

File #15 (CSI)
2349 Central Avenue
Mari-Jean Hotel

- Request: The work includes repainting the building exterior, installing new storefront and other windows on the façade as well as new awnings.
- Total Eligible Project Costs: $82,367
- Total Eligible Grant Award: $40,000
- Grant Review Committee Score: 45
File #29 (CSI)
2935-2939 Central Ave
Collectors Exchange

- Request: Applicant will demolish and replace the front façade of the building. This will involve new masonry on the front, three new impact windows, one new door and lighting for signs.
- Total Eligible Project Costs: $46,986
- Total Eligible Grant Award: $23,492
- Grant Review Committee Score: 45

File #31 (CBIT)
2727 6th Ave South
St Pete Fitness LLC

- Request: Applicant will renovate warehouse into a Gym which includes roof replacement, 5-ton HVAC and spray insulation.
- Total Eligible Project Costs: $61,180
- Total Eligible Grant Award: $20,000
- Grant Review Committee Score: 45
File #38 (CSI)
2338 Emerson Ave South
Warehouse Creative LLC

- Request: Renovate exterior of the property which consists of painting, siding, fencing, landscape removal.
- Total Eligible Project Costs: $24,206
- Total Eligible Grant Award: $12,203
- Grant Review Committee Score: 45

File #10 (CSI)
4400 Central Ave
St Pete Travel Center

- Request: Paving, Signage, Landscaping Exterior painting of building
- Total Eligible Project Costs: $10,793
- Total Eligible Grant Award: $5,397
- Grant Review Committee Score: 45
File #14 (CBIT)
4601 Central Avenue
Pregnancy Treasures

• Request: The work includes removing walls to create reception and waiting area, dividing rooms into three separate massage rooms, waiting area, creating closet and storage space.
• Total Eligible Project Costs: $44,717
• Total Eligible Grant Award: $20,000
• Grant Review Committee Score: 40

File #42 (CBIT)
2063 1st Ave South
Classic Architectural Inc

• Request: Major interior renovation including two bathrooms, drywall ceiling of storage area, repairing fire sprinkler heads, repairing electric and panel replacement and add new lighting and fans.
• Total Eligible Project Costs: $114,755
• Total Eligible Grant Award: $25,000
• Grant Review Committee Score: 40
File #32 (CSI)
350 49th St South
GLS Construction Services Inc.

- Request: Exterior improvements such as: Exterior Painting, replace wood ramp, install new Fencing/lighted signage and irrigation repairs with landscaping.
- Total Eligible Project Costs: $ 29,425
- Total Eligible Grant Award: $ 14,713
- Grant Review Committee Score: 35

File #33 (CSI)
2600-2614 Central Ave
3 United LLC

- Request: Renovate exterior a 2-story retail structure. Making repairs to the Masonry, pressure wash, paint building, install new awnings, add signage/lighting and replace storefront windows and doors
- Total Eligible Project Costs: $ 184,500
- Total Eligible Grant Award: $ 20,000
- Grant Review Committee Score: 35
File #30 (CSI)
2727 6th Ave South
St Pete Fitness LLC

- Request: Renovate warehouse into a Gym which includes lighted signage, new impact energy windows and LED lighting package. The windows were moved from the applicants Commercial Building Interior grant, proposed reroofing project was moved to the Commercial Interior grant.
- Total Eligible Project Costs: $40,990
- Total Eligible Grant Award: $20,000
- Grant Review Committee Score: 30

File #25 (CBIT)
3535 Central Ave
KumJo Lee

- Request: Applicant is requesting funding renovate their building by replacing their roof, replacing HVAC, replacing Orangeburg pipe with PVC and add interior lighting
- Total Eligible Project Costs: $31,891
- Total Eligible Grant Award: $15,946
- Grant Review Committee Score: 25
File #12 (CSI)
3510-30 1st Ave North
Annam Investments LLC

- **Request**: Façade renovations by replacing doors with impact glass and replacing awnings in the main/middle and side of building
- **Total Eligible Project Costs**: $46,173
- **Total Eligible Grant Award**: $20,000
- **Grant Review Committee Score**: 20

File #13 (CSI)
3021-23 Central Avenue
Out of the Ordinary, LLC

- **Request**: Work will consist of repairing the asphalt and concrete apron surrounding the building and adding landscaping
- **Total Eligible Project Costs**: $11,914
- **Total Eligible Grant Award**: $5,957
- **Grant Review Committee Score**: 20
File #26 (CSI)
3551 Central Ave
DHM Real Estate

- **Request:** Applicant is reconstructing the façade for 3451 Central Avenue to reflect the design for the adjoining tenant space at 3457 Central Avenue.
- **Total Eligible Project Costs:** $44,460
- **Total Eligible Grant Award:** $20,000
- **Grant Review Committee Score:** 20

File #41 (CSI)
2063 1st Ave South
Classic Architectural Inc

- **Request:** Window repairs, storefront glazing, exterior painting, refurbishing the sliding “barn” door, replacing front entry door, adding signage, providing exterior lighting, and fence replacement.
- **Total Eligible Project Costs:** $42,790
- **Total Eligible Grant Award:** $20,000
- **Grant Review Committee Score:** 10
File #44 (CBIT)
655 31st St South
The Body Electric Yoga Co

- Request: Remove existing mechanical equipment, electrical fixtures, insulation and partitions in warehouse space, New Roofing/Insulation and Siding repair.

- Total Eligible Project Costs: $ 181,500
- Total Eligible Grant Award: $ 20,000
- Grant Review Committee Score :  5

File #43 (CSI)
655 31st St South
The Body Electric Yoga Co

- Request: Applicant is requesting demolition of Fence, Loading Dock & Trees, Cut/ Fill/ Grade/ Compact Dirt/Paving and restriping, and landscaping

- Total Eligible Project Costs: $ 30,855
- Total Eligible Grant Award: $ 15,428
- Grant Review Committee Score :  0
File #24 (CSI)  
3535 Central Ave  
KumJo Lee

- **Request:** Repave their parking area, reconstructing entry features such as concrete steps and railings
- **Total Eligible Project Costs:** $9,279
- **Total Eligible Grant Award:** $4,640
- **Grant Review Committee Score:** -5

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File #16 (CBIT) **WITHDRAWN BY APPLICANT**  
1700 34th St South  
Second Chance Life Skills

- **Request:** Constructing a 1,000-SF addition on the east side of the property to expand the usable space while also expanding restrooms to make them handicapped accessible.
- **Total Eligible Project Costs:** $64,919
- **Total Eligible Grant Award:** $20,000
- **Preliminary Staff Score:** 20
File #22 (CSI) DETERMINED INELIGIBLE BY GRC
1400 18th Ave South
Food Max

- Request: Applicant is requesting for exterior improvements such as replacing doors and windows, repaint the building, replace exterior lights to LED, repave entire parking lot and install new sign.
- Total Eligible Project Costs: $46,000
- Total Eligible Grant Award: $20,000
- Preliminary Staff Score: 30

File #23 (CBIT) DETERMINED INELIGIBLE BY GRC
1400 18th Ave South
Food Max

- Request: Applicant is requesting funding for a new refrigerator for meat storage
- Total Eligible Project Costs: $42,000
- Total Eligible Grant Award: $20,000
- Preliminary Staff Score: 20
• Request: Vinyl Fencing, Outdoor Furniture and Playsets
• Total Eligible Project Costs: $ None
• Total Eligible Grant Award: $ None
• Preliminary Staff Score: 30
The following page(s) contain the backup material for Agenda Item: A Resolution of the St. Petersburg Community Redevelopment Agency recommending that the St. Petersburg City Council approve grants in the amount of $450,000 for six applications to the South St. Petersburg Community Redevelopment Area Commercial Revitalization Program. Please scroll down to view the backup material.
Request

City Council APPROVE $450,000 in funding for the following six FY2018/19 applications to the South St. Petersburg Community Redevelopment Area (CRA) Commercial Revitalization Program:

- Steep Station 2901 Central Avenue $50,000
- St. Petersburg Arts Alliance 2622-30 Fairfield Avenue S $100,000
- Brewery Collective 800 28th Street S $100,000
- Fairgrounds 2610 Fairfield Avenue S $100,000
- Delores Smith Academy I 1766 49th Street S $50,000
- Delores Smith Academy II 1240 49th Street S $50,000

Funding is available to award in full the requested amounts for each application. On December 6, 2018, City Council approved Resolution #2018-615 adopting the FY2018/2019 budget for the South St. Petersburg CRA Redevelopment Trust Fund. This budget provided approximately $1.749 million in funding to the CRA’s Business and Commercial Development Budget. Of this amount, over $1.039 million was allocated to provide funding for the Commercial Revitalization Program (CRP). If the six CRP applications are approved for funding by City Council the remaining surplus in the CRP would total $589,493.

Overview of the CRP Grant Review Process

The CRP supports projects in the South St. Petersburg CRA that provide visible improvements to a building or site, decrease CRA vacancy rates, provide missing retail or service opportunities, retain or create jobs, and/or create new commercial space. The CRP is one of three commercial grant funding opportunities currently available in the South St. Petersburg CRA – the others being the “Commercial Site Improvement” and “Commercial Building Interior and Tenant Improvement” grant programs. The CRP combines into one grant program the intent of these two existing CRA programs but is designed to support larger economic development projects in South St. Petersburg, i.e., those which are investing $100,000 or more in capital improvement costs. The CRP also provides incentives for new commercial construction, which the other two do not.
CRP applicants may receive up to $100,000 as a grant award for an approved project. City Council must approve a funding award under this program predicated upon the recommendation provided by the Mayor, if the economic impact of the project warrants an increased investment. City of St. Petersburg TIF contributions to the CRA Redevelopment Trust Fund are used to fund the Commercial Revitalization Program. In addition, Pinellas County contributions can be utilized if the project components are used in compliance with its February 6, 2017, policy governing their use.

Application packages are reviewed by an internal review committee that will evaluate the strengths and weaknesses of the applications relative to

- the location of the project on a priority commercial corridor identified by the Citizen Advisory Committee of the South St. Petersburg CRA,
- creation of new commercial space through new construction or renovation of a previously vacant and blighted building,
- the number of jobs to be created and/or retained by the proposal,
- the number of CRA residents employed by the applicant at the time of application submittal,
- the capital investment by the applicant and the leverage provided by the City funding, and
- the use of environmentally sustainable materials and practices recommended by the City’s Office of Sustainability and Resiliency.

After receiving the evaluation from the review committee, a recommendation will be made by the Mayor to the St. Petersburg City Council.

Pre-Deadline Marketing of the Commercial Revitalization Program

The City of St. Petersburg conducted extensive outreach prior to the CRP application deadline of February 11, 2019, notifying the public, property owners and business owners of the availability of the CRP grant award. Between late November 2018 and February 6, 2019, Economic and Workforce Development (EWD) staff held thirteen mandatory workshops dedicated to educating the public on the application requirements. They were held at both the Enoch Davis Recreation Center and the Greenhouse, and over 180 individuals attended. Another 20 participants accessed a webinar to ensure they would be able to apply for the grants.

EWD staff also held 32 satellite office hours at the Enoch Davis Recreation Center and the Tampa Bay Black Business Investment Corporation. These were held in the last five weeks of the grant cycle and were designed to provide one-on-one counseling for potential applicants.
Greenhouse and Marketing staff also walked five commercial corridors during the final weeks of the cycle. These corridors were 16th Street South, 18th Avenue South, 28th Street South, Dr. Martin Luther King, Jr. Street South, and 22nd Street South. Finally, the Marketing Department sent 21 social media related posts and provided content for other media.

Overview and Evaluation of the 2019 CRP Applications

Six applications to the CRA Commercial Revitalization Program were submitted by the February 11, 2019, deadline. The applications are summarized below, while Exhibit 1 of the companion City Council resolution contains the staff evaluation and essential parts of the application.

<table>
<thead>
<tr>
<th>Project</th>
<th>Address</th>
<th>Project Costs</th>
<th>Grant Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steep Station</td>
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<td>St. Pete Arts Alliance</td>
<td>2622-30 Fairfield Ave S</td>
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<tr>
<td>Brewery Collective</td>
<td>800 28th Street S</td>
<td>$1,667,002</td>
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</tr>
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<td>Fairgrounds</td>
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<tr>
<td>Delores Smith Academy I</td>
<td>1766 49th Street S</td>
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<td>$50,000</td>
</tr>
<tr>
<td>Delores Smith Academy II</td>
<td>1240 49th Street S</td>
<td>$153,994</td>
<td>$50,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$5,560,993</strong></td>
<td><strong>$450,000</strong></td>
<td></td>
</tr>
</tbody>
</table>

Funding the six applications will provide significant economic and community impacts. First, with total project costs for the six applications exceeding $5.56 million, the City will leverage approximately $11.36 in private investment for each $1.00 in public investment. In addition, four of the six applications with a total grant funding request of $350,000 will be creating new commercial space, which will require each to create at least ten jobs, with five to be occupied by residents of the CRA. This works out to approximately $8,750 per job created if only the minimum job creation of 40 is met. (The other two applications can meet their job requirements by retaining their existing employees.) Furthermore, three applications located along Fairfield Avenue South and 28th Street South will provide destinations along the Pinellas Trail where no activity currently exists. Finally, two applications located on 49th Street will increase child care options in the CRA, which is a priority for the South St. Petersburg CRA.

**Steep Station**
2901 Central Avenue

The applicant is requesting funding to build café/restaurant space to replace an existing Airstream trailer that currently serves in that use. The proposal will require construction of entirely new mechanical, plumbing, and electrical systems as well as roofing, windows and foundations. Applicant will utilize shipping containers as the primary structure for the use. The total square footage of the project upon completion will be 960 SF of new structure, which includes 480 SF of air-conditioned space on the first floor with an equal amount of open-air space on the second floor for rooftop seating. (The Airstream will be removed from the property.)
The proposal will add capital investment in a section of the Grand Central District that has seen less investment than the area east of 28th Street. The project will retain the nine jobs currently on site.

**APPLICATION STRENGTHS**

- Reuses shipping containers and reduce use of virgin building material that would otherwise occur with more conventional construction methods and materials.
- Improves the urban design of the business by orienting the building to Central Avenue and making it more pedestrian scaled.
- One of the first commercial buildings constructed in City with these materials.
- Investment in a portion of the Grand Central District that has not seen the business activity that parts of Central Avenue to the east have had.
- The Project will help maintain an existing business on the property that has nine employees.

**APPLICATION WEAKNESSES**

- The Project will result in a ~200 SF loss in conditioned space.
- The sketch plan for the Project shows the building with 10-ft. setbacks from Central Avenue. This would require a variance from the design requirements for CCT-2.

**St. Petersburg Arts Alliance**

2622-30 Fairfield Avenue South

The applicant proposes to renovate two former industrial now vacant warehouses into the new headquarters of the St. Petersburg Arts Alliance (SPAA), including office and classroom space, along with space for theater and dance classes, rehearsals and production. The applicant has provided a letter of commitment from SPAA indicating its intent to lease space in the Project once completed. SPAA is a non-profit umbrella organization and their new space will include headquarters for the SHINE Mural Festival and Keep St. Pete Lit, which currently serves 130 students per week, mostly at Fairmount Park and Campbell Park elementary school, and space for Second Saturday Artwalk, "Funding for Futures" Grant Program for student artists with financial needs, and Arts for a Complete Education (ACE) Pinellas

The Project is comprised of two attached buildings that are perpendicular to one another (see aerial photograph). Building 1 (2630 Fairfield Avenue South) is two stories and approximately 19,000 SF. The first floor will house offices, class rooms, storage and restrooms for the users described below. The second floor is expected to house office space for a new division of Sebsen Electric, with whom the applicant is in negotiations. Building 2 will house approximately 6,000 SF of space for theater and dance classes, rehearsals and production.

Total number of jobs created are estimated between 10 and 18 while 7 to 10 jobs are expected to be retained. Half of those created would need to be filled by CRA residents.
APPLICATION STRENGTHS

- Project reinforces the vision of the Warehouse Arts District.
- Proposes mixed use to support several different organizations.
- Applicant has background in this type of work.
- Propose renovation will improve the aesthetic of the industrial district as well as the Pinellas Trail.
- Provides a use that will activate the Pinellas Trail in a location with little activity.
- Programming proposed to expand into South St. Petersburg. Keep St. Pete Lit already serves children at Fairmount and Campbell Park elementary schools.
- Significant capital investment in a currently vacant building.

APPLICATION WEAKNESSES

- This is one of three proposals on property owned by Guru and Gaia. One of two proposals by the same applicant.
- Applicant does not yet have a lease agreement with electrical contractor proposed to occupy the second floor space.
- Countywide rules will restrict the certain uses that are not IT oriented as accessory. This could include the electrical contractor office where only 25% of total area can be used as accessory. City will need to monitor for compliance during construction, before award and during the five-year compliance period.
- The City must ensure that space is not converted into a performing arts space. "Rehearsal space" is allowed as indoor recreational use. Performing art venue space is not allowed. Episodic (irregular) events are allowed by code.
- Parking could potentially be an issue when rehearsals and classes overlap.

Brewery Collective
800 28th Street South

The Project will convert the former vehicle inspection station and warehouse into a craft beer manufacturing plant and a tasting room. The Project site has been underutilized for more than a decade. Renovation work will include constructing demising walls to separate the brewing room from the rest of the operation as well as constructing office space, cooler room, bathrooms and tasting room.

This is a new venture for the Casoria Beverages which is behind Rock Brothers Brewery in Ybor. The Project will serve as a collective where locals can launch small breweries and craft beers as well as enjoy a tasting room near the Pinellas Trail. They are looking to hire 12-15 people of whom at least five would need to be CRA residents. This is one of three proposals on property under the same ownership.
APPLICATION STRENGTHS

- The concept of an incubator space for startups is a plus given that the microbrewery business is capital intensive for both equipment and real estate.
- Applicant has experience in the brewery business and will be a benefit to the startups who utilize the facility.
- Nice gateway for the Pinellas Trail at that location. Mirrors what is going on in north Pinellas County along the Pinellas Trail near Ozona and Palm Harbor.
- Activates the Pinellas Trail along a stretch with little to attract riders.
- Adaptively reuses a vacant and/or underutilized space along the 28th Street South commercial corridor. Industrial Traditional is the only zoning category allowing breweries as a permitted use.

APPLICATION WEAKNESSES

- One of three grant applications associated with the property owner Guru & Gaia
- As an accessory use in Tasting room cannot occupy more than 25% of the site. As currently drawn, it would occupy approximately 37 percent of the building.
- Outdoor areas would be counted against their accessory space requirements.
- Parking could be an issue considering the amount of outdoor gathering space.
- Site plan provided is inadequate to analyze parking at this stage

Fairgrounds
2610 Fairfield Avenue South

The Project proposes renovation of a former warehouse site into the “Fairgrounds” which is a cooperative of artists and curators coming together to create an interactive experience that invites visitors to explore studios and interact with artists in their creative environments. Approximately 2/3 of the Fairgrounds 9,400 SF within the Factory in St. Petersburg’s Warehouse Arts District will consist of a labyrinth of artist studios, each installed by an artist to create a unique experience reflective of the artist’s work. Every two years Fairgrounds will select a cohort of artists who will participate in residencies. Each artist within a class will be given a studio and $10,000 to design and install their studio. The remainder of the Fairgrounds facility will house offices, ticketing and information booths and flex space able to host temporary exhibition.

Fairgrounds will hire local artists and makers from within the CRA to operate and maintain its facility and to engage with the public. The Fairgrounds proposes 12 to 17 new jobs and will target 6 to 12 CRA residents to expand their career in the arts. They intend to reach out to Gibbs School to engage in educational and career training. This is one of three proposals on property under the same ownership. One of two proposals by the same applicant.

APPLICATION STRENGTHS

- Project reinforces the vision of the Warehouse Arts District.
- Propose renovation will improve the aesthetic of the industrial district as well as the Pinellas Trail.
Provides a use that will activate the Pinellas Trail in a location with little activity.
Business model, with the sharing of proceeds from entry fees, will help grow local artists.
Significant capital improvement investment in a currently vacant building.

APPLICATION WEAKNESSES

- One of three grant applications associated with the same property owner (Guru and Gaia)
- Applicant is also co-applicant affiliated with the SPAA's CRP application at 2622-30 Fairfield Avenue S.
- The Project will convert existing manufacturing building within an industrial district.
- Countywide rules will restrict the certain uses that are not IT oriented as accessory, such as sales and events. City will need to monitor for compliance during construction, before award and during the five-year compliance period.

Delores Smith Academy I
17664 49th Street South

Applicant proposes to expand her preschool and daycare operation by constructing an 800 SF addition. She is also proposing infant care at the facility. The applicant has received funding in prior rounds under the City's Commercial Matching Grant program, mainly for site improvements and interior security and fire safety features. The project will help retain 5 employees, four of whom live in the CRA. Proposal expands a day care center which is a CRA priority.

APPLICATION STRENGTHS

- The Project will add ~860 SF of commercial space in CRA.
- The Project will add ~$136,000 in capital investment along the 49th Street corridor which has not seen as much activity as other corridors in CRA.
- The Project will retain 4 jobs for employees that are resident in the CRA.
- The Project will expand day care opportunities for families in the CRA.

APPLICATION WEAKNESSES

- New handicapped ramp may not be needed. Applicant will need to get an evaluation prior to undertaking the building permit process.
- Addition of 800 SF may create additional parking needs which are not accounted for in the application.
- Estimates vary between $100,000 and $136,000. In addition, only one provides specific line-item details that allow staff to determine eligible costs and portions of the project that can be funded with County TIF. This can be mitigated by requiring the applicant's selected contractor to provide the final estimate in line item form prior to the execution of the grant agreement.
Uncertain if the maximum number of children will be exceeded by the addition. Applicant will need to first get preliminary approval by ELC and/or Pinellas County Licensing Board before undertaking the building permit process.

Applicant has received funding from the City through the CRA Matching Grant program in both 2016 and 2017. (Note: proposal does not involve work on project elements from these earlier awards.)

Delores Smith Academy II
1240 49th Street South

Applicant is renovating a vacant and boarded home on 49th Street South into an infant care facility. As a new facility, the applicant is required to create five new jobs of whom half must be CRA residents. The applicant has received funding in prior rounds under the City’s Commercial Matching Grant program, mainly for site improvements and interior security and fire safety features.

APPLICATION STRENGTHS
- The Project will re-occupy a vacant and boarded building on the 49th Street South commercial corridor.
- The Project will add ~1,650 SF of commercial space to the CRA.
- The Project will add ~$150,000 in capital investment along the 49th Street corridor which has not seen as much activity as other corridors in the CRA.
- The Project will create 8 jobs in the South St. Petersburg CRA.
- The Project will expand day care opportunities for families in the CRA.

APPLICATION WEAKNESSES
- The applicant did not provide a site plan to identify important activities such as fencing, location of parking, and outdoor playground equipment. These will need to be identified as part of building permit approval.
- Conversion from a residential use to a day care center may involve more extensive code upgrades than anticipated by the estimates provided.

Recommendation

The Community Redevelopment Agency recommends St. Petersburg City Council approve the attached Resolution.

Attachments: Resolution
WHEREAS, the City of St. Petersburg City Council approved a Community Redevelopment Plan (Plan) for the South St. Petersburg Community Redevelopment Area (CRA) on May 21, 2015 (Ord. #169-H), which included establishment of a tax increment financing (TIF) district and redevelopment trust fund for the entire 7.4-sq.mi. South St. Petersburg CRA;

WHEREAS, the Pinellas County Board of County Commissioners approved the Plan on June 2, 2015 (Res. #15-48), delegated authority to the City of St. Petersburg to establish a redevelopment trust fund for the entire CRA, and approved on June 23, 2015, Ord. #15-27 establishing a redevelopment trust fund for the entire South St. Petersburg CRA and establishing FY2014 as the base year on which future increments in property values in the CRA will be based;

WHEREAS, on February 4, 2016, City Council adopted Resolution 2016-47 approving inter alia the Commercial Revitalization Program to be funded with TIF from the South St. Petersburg Community Redevelopment Trust Fund to revitalize commercial corridors, retain and/or create jobs, provide missing retail or service opportunities, create new commercial space, and provide access to capital for business and property owners;

WHEREAS, on December 6, 2018, the St. Petersburg City Council adopted Resolution 2018-614, which refined the evaluation system and process for reviewing and approving CRA Commercial Revitalization Program grant applications to focus on their respective strengths and weaknesses regarding the following criteria:

- the location of the project on a priority commercial corridor identified by the Citizen Advisory Committee of the South St. Petersburg CRA,
- creation of new commercial space through new construction or renovation of a previously vacant and blighted building,
- the number of jobs to be created and/or retained by the proposal,
- the number of CRA residents employed by the applicant at the time of application submittal,
- the capital investment by the applicant and the leverage provided by the City funding, and
• the use of environmentally sustainable materials and practices recommended by the City’s Office of Sustainability and Resiliency (OSR).

WHEREAS, on December 6, 2018, City Council adopted Resolution 2018-615 approving the FY2018/19 budget for the South St. Petersburg CRA Redevelopment Trust Fund, which identified $1,039,493 for the Commercial Revitalization Program;

WHEREAS, City Administration issued a Notice of Funding Availability in November 2019 to the CRA community announcing that the City would accept CRA Commercial Revitalization Program applications until February 11, 2019, and would continue to provide notice during the open grant period;

WHEREAS, during the open grant period the City of St. Petersburg conducted extensive outreach prior to the application deadline to notify the public, property owners and business owners of the availability of the program;

WHEREAS, between late November 2018 and February 6, 2019, Economic and Workforce Development staff held thirteen mandatory workshops dedicated to educating the public on the application requirements with more than 180 individuals attending and another 20 viewing a grant application training webinar;

WHEREAS, Economic and Workforce Development staff also held 32 satellite office hours at the Enoch Davis Recreation Center and the Tampa Bay Black Business Investment Corporation, which were held in the last five weeks of the grant cycle and designed to provide one-on-one counseling for potential applicants;

WHEREAS, the following six (6) applications to the CRA Commercial Revitalization Program were submitted by the February 11, 2019, deadline, requesting a total of $450,000 in grant funding (note: see project applications and pertinent information in Exhibit 1 of the resolution to the companion City Council report):

<table>
<thead>
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<th>Project Costs</th>
<th>Grant Amount</th>
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<td>Steep Station</td>
<td>2901 Central Ave</td>
<td>$110,000</td>
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<td>St. Pete Arts Alliance</td>
<td>2622-30 Fairfield Ave S</td>
<td>$1,700,000</td>
<td>$100,000</td>
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<tr>
<td>Casoria Brewery</td>
<td>800 28th Street S</td>
<td>$1,700,000</td>
<td>$100,000</td>
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<td>Fairgrounds</td>
<td>2610 Fairfield Ave S</td>
<td>$1,000,000</td>
<td>$100,000</td>
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<tr>
<td>Delores Smith Academy I</td>
<td>1766 49th Street S</td>
<td>$145,000</td>
<td>$50,000</td>
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<tr>
<td>Delores Smith Academy II</td>
<td>1240 49th Street S</td>
<td>$150,000</td>
<td>$50,000</td>
</tr>
</tbody>
</table>

WHEREAS, an internal review committee comprised of members of the Economic and Workforce Development and Planning and Development Services departments evaluated the strengths and weaknesses of the applications and provided their findings to the Mayor’s Office; and
WHEREAS, the Mayor’s Office recommended approval of all six applications at the requested funding levels for each.

NOW, THEREFORE, BE IT RESOLVED, that the St. Petersburg City Council approves the following funding grant awards for the six applications to the Commercial Revitalization Program during the FY2018/2019 grant cycle:

- Steep Station 2901 Central Ave $50,000
- St. Pete Arts Alliance 2622-30 Fairfield Ave S $100,000
- Casoria Brewery 800 28th Street S $100,000
- Fairgrounds 2610 Fairfield Ave S $100,000
- Delores Smith Academy I 1766 49th Street S $50,000
- Delores Smith Academy II 1240 49th Street S $50,000

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:  

APPROVED BY:

City Attorney (Designee)  

Alan DeLisle, Administrator  
City Development Administration
The following page(s) contain the backup material for Agenda Item: Affordable Housing Lot Disposition Program
Please scroll down to view the backup material.
Community Redevelopment Agency of the City of St. Petersburg

Meeting of May 16, 2019

TO: The Community Redevelopment Agency of the City of St. Petersburg

SUBJECT: Reduction of Lot Disposition fee and disposal of foreclosure properties as set forth in the Foreclosure Properties Disposition Policy

RECOMMENDATION: The Administration recommends that the Community Redevelopment Agency conduct a public hearing and approve the attached resolutions.

BACKGROUND

In April 2018, the Community Redevelopment Agency approved a resolution to dispose of foreclosure properties through the process set forth in the Foreclosure Properties Disposition Policy. A component of the disposition policy was to offer lots to approved developers at a cost of $4,000 to be paid at the closing of the sale at an affordable price to a qualified homebuyer whose income has been verified by the City to be at or below 120% AMI (as defined in City Code Chapter 17.5-97) (“Qualified Homebuyer”).

PROPOSED CHANGES

Based on a review of the initial Lot Disposition process, Staff is recommending modifying the Lot Disposition policy to remove the requirement of payment to the City in the amount of $4,000 at closing and make the lots available through the Lot Disposition Program for a nominal cost of $10. Reducing this cost will better align policy with the goal of the program to make developing affordable housing more feasible by reducing the cost to acquire land.

This proposed process was reviewed and recommend for approval by the South St. Petersburg CRA Citizen Advisory Committee on March 5, 2019. In addition, staff has attached a resolution authorizing that the seven (7) properties acquired in the CRA since the last approval on April 19, 2018 be approved for this process.

Attachments: Resolution modifying lot disposition fee Resolution authorizing eight (7) properties be approved for the process Policy
A RESOLUTION APPROVING AND ADOPTING CHANGES TO THE POLICIES AND PROCEDURES THAT PROVIDE FOR DISPOSITION OF FORECLOSED REAL PROPERTY AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City Council has previously approved the administration to foreclose on real property with any or all of the following liens: Code Enforcement Board, Special Assessment and Utility; and

WHEREAS, on April 19, 2018, City Council approved (via Resolution 2018-211 and 2018-212) certain procedures, as described on the attachment hereto, to provide for the disposition of said property to specific purchasers under certain conditions and subject to specific terms with the goal of removing blight, and to place such property back into productive use and onto the tax rolls of Pinellas County; and

WHEREAS, Administration has determined that the program would benefit by reducing the cost paid for the properties by the developer at closing from four thousand dollars ($4,000) to ten dollars ($10); and

WHEREAS, by lowering the cost, Administration hopes to increase participation in the program by reducing the costs involved, which in turn will facilitate the construction of new homes in a more timely manner.

NOW THEREFORE, BE IT RESOLVED that the attached changes to the policies and procedures for disposition of foreclosed real property (with additions indicated by underlining and deletions indicated by strike-through) are hereby approved and adopted.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)

APPROVED BY:

Rob Gerdes, Administrator
Neighborhood Affairs Administration
PROCEDURE FOR DISPOSITION OF FORECLOSURE PROPERTIES POLICY:

BACKGROUND

As one element of the City's plan to reduce blight, the City has been addressing several abandoned, vacant and blighted properties through the foreclosure process. City Council, through Resolution No. 2016-13, authorized the Mayor or his designee to credit bid up to the just market value at foreclosure auctions. As the City continued to identify properties that presented a strong possibility of community improvement, the price for some properties at foreclosure auction rose and the City was outbid at a foreclosure auction. As a result, City Council further approved Resolution 2017-512, which permitted administration to credit bid up to the final judgement amount.

The City's goal is always to transfer these properties back into productive use in such a manner as to improve the properties contribution to the revitalization of the surrounding neighborhood. The City also aims to address the growing concern that there are too few opportunities for members of the workforce to acquire affordable housing. The City is also keenly aware that for any program to be successful, it must be open and available to the community with which it aims to serve. Administration believes that the attached policy best achieves the desired goals while minimizing the likely concerns.
PROCEDURES

IDENTIFICATION OF PROPERTY

This procedure shall only apply to residential properties that are in the process of being acquired by the City through the foreclosure process, or have already been acquired by the City through the foreclosure process. For purposes of this procedure, the foreclosure process shall include any property that is acquired by the City, either at public auction or from an owner in response to the instigation or threat of foreclosure litigation. The properties to be included in this program shall be confirmed by City Council.

CRITERIA FOR DEVELOPERS

1. The City shall develop a List of Interested Developers ("LID") for this program.
   a. The City shall conduct public outreach to attract people/businesses/organizations to take part in this program.
2. In order to be added to the LID, a prospective developer shall be required to submit proof of the following minimum qualifications:
   a. Solvency
   b. Legally entitled to own/operate a business in Florida
   c. Financial ability to build homes
   d. Basic business acumen necessary to successfully manage home construction from start to finish, including but not limited to obtaining the proper permits, hiring appropriate professionals, and managing accompanying liability or willingness to partner with someone who has such acumen.
3. Compliance with these criteria and addition to the LID shall be determined by the Foreclosure Properties Committee ("FPC").
   a. The FPC shall consist of two administrative employees and a citizen selected by the Mayor or his designee.
   b. FPC meetings shall be conducted quarterly.
   c. All FPC meetings shall be noticed and open to the public.
4. The FPC may also from time to time request other information from an Interested Developer, including but not limited to, information related to the Relevant Criteria, as set forth below.
5. "Interested Developer" shall be defined as any prospective developer who is approved for addition to the LID, as well as any Qualified Homebuyers, as defined below, who express interest in Foreclosure Property and are able to adequately demonstrate to the City their ability to timely construct a compliant structure.

NOTIFICATION OF AVAILABLE PROPERTY

1. Once the City has acquired a property through the foreclosure process and City Council has confirmed its inclusion in this program, all Interested Developers on the LID shall be notified by email that a Foreclosure Property is available.
   a. This notification shall include the address and Parcel Identification Number of the Foreclosure Property.
   b. The notification shall also be posted on the City's standard real estate disposition page and any other appropriate medium as determined by administration.
2. Administration shall also advertise the disposition of the Foreclosure Properties in compliance with Florida Statutes governing CRA property, if the property is located within a CRA.
SELECTION OF DEVELOPER

3. Any Interested Developer shall have 30 days to respond, in writing, to the notice to be considered for any individual Foreclosure Property.
   a. This "Response" shall affirmatively state the Interested Developer's interest in acquiring the Foreclosure Property and shall include appropriate information on all Relevant Criteria. Failure to address any Relevant Criteria in the Response shall be interpreted, at the sole discretion of the FPC, as an indication that the Interested Developer does not meet the Relevant Criteria.
4. The FPC shall review each Response submitted for each Foreclosure Property to determine the order of preference among all Interested Developers.
5. The order of preference of Interested Developers shall be determined by a point system, with points assigned by the FPC, with input from City staff, according to the following "Relevant Criteria":
   a. Does the Interested Developer have experience working in the neighborhood of the Foreclosure Property?
   b. Does the Interested Developer have adequate experience and expertise building houses or a verified partner with such experience and expertise?
   c. Can the Interested Developer begin work promptly upon acquiring leasehold?
   d. Will the Interested Developer contribute to the improvement of the surrounding area?
   e. Does the Interested Developer have the capacity to take on the Foreclosure Property without adversely impacting its work on any other Foreclosure Properties?
   f. Is this the first Foreclosure Property on which the Interested Developer would acquire leasehold?
   g. Is the Interested Developer a non-profit?
   h. Is the Interested Developer using local labor employees and contractors?
   i. Is the Interested Developer a Qualified Homebuyer who has adequately demonstrated their ability to construct a compliant structure?
   j. Will the Interested Developer restrict the purchaser to 80% of the area median income?
6. The FPC shall, at its sole discretion, determine compliance with Relevant Criteria and assign points as it sees fit to determine an order of preference.
   a. The FPC may, but is not obligated to, contact any Interested Developer who sent a Response to ask further questions, or seek more information or assurances.
   b. The FPC shall resolve any ties and determine the final order of preference by considering any other relevant factors.
7. The FPC shall notify all Interested Developers who sent a Response of the final order of preference and all assigned points, including notifying the top preference and, if appropriate, the second preference.
   a. Notwithstanding the above, the FPC shall set a minimum number of points for Interested Developers to be considered to be offered a leasehold. This minimum may be amended by the FPC from time to time as appropriate based on experiences within the program.
   b. Additionally, the FPC may, but is not obligated to, request administration to engage with any Interested Developer to assist with their participation in the program.
8. Upon receiving notification from the City that an Interested Developer has preference, the Interested Developer shall respond within seven (7) days of their acceptance of the Foreclosure Property or the FPC, at their sole discretion, may remove the Interested Developer from consideration for the Foreclosure Property.
9. If there is no response from an Interested Developer on a specific property, the City may dispose of the property through the surplus property procedure at appraised value or higher or dispose of the property to a land trust at the same cost it would have been offered to an Interested Developer in this program.
DISPOSITION PROCESS

1. Once an Interested Developer, who was given preference for a Foreclosure Property, accepts the property as outlined above ("Selected Developer") administration shall prepare a Lease with option to purchase ("Lease") which shall be executed by the Selected Developer within 30 days of receiving the Lease from the City.

2. The Lease shall include the following terms:
   a. The Lease shall be for a term of 99 years to allow the Selected Developer to obtain financing to build a house (or renovate an existing house) on the Foreclosure Property.
   b. The Lease shall include a nominal rent of $10 per month for the first 18 months, and beginning on the first day of the 19th month, monthly rent in the amount of $500 shall be due to the City.
   c. The Lease shall include strict restrictions on code compliance and compliance with all laws during the term.
   d. The Lease shall include an option to purchase that is contingent on the following:
      i. A home is constructed or rehabilitated in compliance with the requirements set forth in an exhibit and a certificate of occupancy has been issued.
      ii. The leasehold interest has been transferred at an affordable price to a qualified homebuyer whose income has been verified by the City to be at or below 120% AMI (as defined in City Code Chapter 17.5-97) ("Qualified Homebuyer").
   e. The Lease shall provide for closing as follows:
      i. The Selected Developer shall give to the Qualified Homebuyer all their interests under the Lease, except as may be set forth for payment.
      ii. The Qualified Homebuyer shall exercise the option to purchase the foreclosure property from the City and the City shall transfer to Qualified Homebuyer clear title.
      iii. Qualified Homebuyer and/or Selected Developer shall be responsible for all closing costs as set forth in the Lease.
      iv. From closing funds, City is paid $4,000 $10, and the remainder of the funds are transferred to the Selected Developer. Each year, the FPC will review this amount in relation to costs for the City to acquire property and recommend any necessary changes to City Council.
      v. At closing, the City shall attach a restrictive covenant on the property limiting its resale to income eligible buyers for 7 years, or the current required number of years if homebuyer assistance is provided by the City, whichever is higher. If the property is in the CRA, then other restrictions imposed by law or outlined in the CRA plan may also be attached.
A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF ST. PETERSBURG, FLORIDA FINDING 1) THAT THE DISPOSITION OF THE FORECLOSURE PROPERTIES LISTED BELOW THROUGH THE DISPOSITION POLICY IS CONSISTENT WITH THE SOUTH ST. PETERSBURG COMMUNITY REDEVELOPMENT PLAN AND FLORIDA STATUTES; 2) THAT THE DISPOSITION OF FORECLOSURE PROPERTIES AT THE AMOUNTS AND TERMS SET FORTH IN THE FORECLOSURE PROPERTIES DISPOSITION POLICY IS AT A VALUE THAT IS IN THE PUBLIC INTEREST; AND 3) RECOMMENDING APPROVAL OF THE DISPOSITION OF THE FORECLOSURE PROPERTIES LISTED BELOW TO THE CITY COUNCIL OF THE CITY OF ST. PETERSBURG, FLORIDA; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE DISPOSITIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the South St. Petersburg Community Redevelopment Area ("CRA") was first established on June 20, 2013, when the City of St. Petersburg City Council approved Resolution No. 2013-247 finding blight in South St. Petersburg pursuant to Florida’s Community Redevelopment Act of 1969 (Chapter 163, Part III)(“Act”); and

WHEREAS, on October 8, 2013, the Pinellas County Board of County Commissioners ("BCC") approved the City’s findings of blight and directed its staff to collaborate with the City to develop an interlocal agreement defining the framework for the community redevelopment agency (Resolution No. 13-186), and on May 15, 2014, City Council approved the interlocal agreement (Resolution No. 2014-207) and the BCC followed suit on May 20, 2014; and

WHEREAS, at its June 3, 2014 meeting, the BCC delegated certain redevelopment authority to the City, thereby enabling the City to begin preparing the plan (Resolution No. 14-43); and

WHEREAS, the Community Redevelopment Agency of the City of St. Petersburg, Florida ("Agency") assisted in the creation of the South St. Petersburg Community Redevelopment Plan ("Plan"), a multifaceted revitalization effort that embraces both traditional "place-based" economic development strategies customary to redevelopment plans as well as "people-based" strategies that seek to improve the education, workforce readiness and workforce
training opportunities for the residents of South St. Petersburg; and

WHEREAS, certain procedures to provide for the disposition of said property to specific purchasers under certain conditions and subject to specific terms ("Foreclosure Properties Disposition Policy"), was approved by the Agency and City Council on April 19, 2018; and

WHEREAS, the City acquired the following properties at foreclosure auction ("Foreclosure Properties"):  
• 1231 15th Avenue South  
• 1108 11th Street South  
• 835 West Harbor Drive South  
• 4210 12th Avenue South  
• 1742 7th Street South  
• 2133 22nd Avenue South  
• 4445 17th Avenue South

WHEREAS, the Foreclosure Properties Disposition Policy allows for the transfer of Foreclosure Properties as rapidly as feasible, as is in the public interest, while still being consistent with the South St. Petersburg Community Redevelopment Plan; and

WHEREAS, the long-term benefits to be achieved for the CRA outweigh any short-term losses or costs for the disposal of the Foreclosure Properties through the Foreclosure Properties Disposition Policy; and

WHEREAS, the uses related to the Foreclosure Properties provided in the Foreclosure Properties Disposition Policy are consistent with the Plan; and

WHEREAS, the conditions of sale, covenants and restrictions to be recorded, and obligations to be assumed by the purchaser and/or lessee will further the goals of the Plan; and

WHEREAS, the disposition of the Foreclosure Properties through the Foreclosure Properties Disposition Policy will aid in the elimination of and prevention of the recurrence of slum or blighted areas; and

WHEREAS, the Foreclosure Properties Disposition Policy created a sufficient process for considering all specific proposals for Foreclosure Property disposition and the entities or individuals making such proposals; and

WHEREAS, the disposition of the Foreclosure Properties listed above is consistent with the Plan objectives, as it enables the ongoing implementation of the Plan by increasing the supply of affordable housing within the CRA, which in turn benefits the residents of the CRA; and

WHEREAS, the disposition of the Foreclosure Properties listed above is consistent with the Act including, but not limited to Florida Statutes §163.370, §163.380, and §163.387, including the notice provisions set forth therein, insofar as it is intended that this dispositions effectuated under this policy are authorized by the Act, will prevent the creation or spread of
future slums or blighted areas, and will carry out the purposes of the Act; and.

WHEREAS, a public hearing, in compliance with relevant Florida Statutes, was held on May 16, 2019, at which time the Agency approved the disposition of the Foreclosure Properties listed above as being consistent with the Plan.

NOW THEREFORE, BE IT RESOLVED by The Community Redevelopment Agency of the City of St. Petersburg, Florida ("Agency"), that the CRA 1) finds that the Disposition of the Foreclosure Properties is consistent with the South St. Petersburg Community Redevelopment Plan and Florida Statutes; 2) finds that the disposition of the Foreclosure Properties at the amounts and terms set forth in the Foreclosure Properties Disposition Policy is at a value that is in the public interest; and 3) recommends approval of the disposition of the Foreclosure Properties to the City Council of the City of St. Petersburg, Florida; and

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

This Resolution becomes effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)

APPROVED BY:

Rob Cerdes, Administrator
Neighborhood Affairs Administration
The following page(s) contain the backup material for Agenda Item: Approving a three-year blanket purchase agreement with Palmdale Oil Company, Inc., for marine grade gasoline, diesel fuel and motor oil for the St. Petersburg Marina, for total contract amount of $1,950,000. Please scroll down to view the backup material.
To: The Honorable Charlie Gerdes, Chair, and Members of City Council

Subject: Approving a three-year blanket purchase agreement with Palmdale Oil Company, Inc., for marine grade gasoline, diesel fuel and motor oil for the St. Petersburg Marina, for total contract amount of $1,950,000.

Explanation: The Procurement Department received four bids for marine grade gasoline, diesel fuel and motor oil.

The vendor will furnish and deliver motor oil, marine fuel additives, unleaded 90 octane gasoline without ethanol and 45 octane ultra low sulfur diesel No.2 off-road red-dyed in tankwagon loads (4,400 gallons or less). This fuel is used for resale to the general boating public at the St. Petersburg Marina and to the Marine Unit of the Police Department.

The price per gallon is based on Port of Tampa average terminal rack prices published daily in Oil Price Information Service, United Publications (OPIS) the day the order is placed, plus a fixed fee for delivery and applicable taxes.

The Procurement and Supply Management Department, in cooperation with the St. Petersburg Marina, recommends award:

Palmdale Oil Company Inc, (Fort Pierce FL)..........................$1,950,000
(Three years @ $650,000 per year)

<table>
<thead>
<tr>
<th>Product</th>
<th>Quantity</th>
<th>Price</th>
<th>Fixed Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gasoline, 90 Octane fixed fee</td>
<td>115,000 GA</td>
<td>@ 2.014</td>
<td>239,119</td>
</tr>
<tr>
<td>Diesel, No. 2 fixed fee</td>
<td>115,000 GA</td>
<td>@ 2.092</td>
<td>250,079</td>
</tr>
<tr>
<td>Motor oil, Engine</td>
<td>50 QT</td>
<td>@ 3.87</td>
<td>190</td>
</tr>
<tr>
<td>Additive, Fuel, Marine</td>
<td>230,000 GA</td>
<td>@ 0.04</td>
<td>9,200</td>
</tr>
</tbody>
</table>

Palmdale Oil Company Inc., the lowest responsible and responsive bidder, has met the requirements of IFB No. 7199, dated February 28, 2019. The company is head quartered in Fort Pierce, FL and has been in business since 1995. It has satisfactorily provided these services for the City of St Petersburg in the past. This agreement will be effective through June 30, 2022. A Blanket purchase agreement will be issued and will be binding only for actual fuel received.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Marina Operating Fund (4041), Enterprise Facilities Department, Marina division (2821885); and the General Fund (0001), Police Department, Traffic & Marine division (1401477).

Attachments: Bid Tabulation
Price History
Resolution

Approvals: 

[Signatures]
Administrative
Budget
# City of St. Petersburg

## Bid Tabulation

**Procurement and Supply Management**

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Qty.</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Fuel, Marine, Gasoline, Unleaded, 90 Octane without ethanol. Fixed Fee per gallon tankwagon charge</td>
<td>115,000 Gallon</td>
<td>$0.12</td>
<td>$13,800.00</td>
</tr>
<tr>
<td>2</td>
<td>Fuel, Marine, Diesel, No. 2, 45 Octane, Off-Road, Rec-Dyed. Fixed Fee per gallon tankwagon charge</td>
<td>115,000 Gallon</td>
<td>$0.0653</td>
<td>$7,509.50</td>
</tr>
<tr>
<td>3</td>
<td>Fuel, Additive, Fixed Fee Per Gallon</td>
<td>115,000 Gallon</td>
<td>0.12</td>
<td>$13,800.00</td>
</tr>
<tr>
<td>4</td>
<td>Motor Oil, Engine, TC-W3 2 cycle, Citgo Petroleum</td>
<td>1 Qt</td>
<td>3.73</td>
<td>$39,103.73</td>
</tr>
</tbody>
</table>

**Connor's Jet Age Fuel**

*dba Jet Age Fuel*

Clearwater, FL

Terms: Net 30

Delivery: 24 Hours

**Palmdale Oil, Inc.**

*dba Jet Age Fuel*

Clearwater, FL

Terms: Net 30

Delivery: 24 Hours

**Petroleum Traders Corporation**

Fort Wayne, IN

Terms: Net 30

Delivery: 24 Hours

**Port Consolidated, Inc.**

Tampa, FL

Terms: Net 30

Delivery: 24 Hours

<table>
<thead>
<tr>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0.12</td>
<td>$13,800.00</td>
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<tr>
<td>$0.0653</td>
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<tr>
<td>0.12</td>
<td>13,800.00</td>
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<td>7,509.50</td>
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<td>3.73</td>
</tr>
<tr>
<td>$0.078</td>
<td>$8,970.00</td>
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</tr>
<tr>
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<td>8,970.00</td>
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<tr>
<td>0.078</td>
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<tr>
<td>5.0016</td>
<td>5.0016</td>
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<tr>
<td>$0.0750</td>
<td>$8,625.00</td>
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<td>8,625.00</td>
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<td>8,625.00</td>
</tr>
<tr>
<td>5.0016</td>
<td>5.0016</td>
</tr>
</tbody>
</table>

**Subtotal:**

<table>
<thead>
<tr>
<th>$39,103.73</th>
<th>$26,212.37</th>
</tr>
</thead>
</table>

**Total:**

| $39,103.73 | $26,212.37 |

Award Pending
## Price History

**405-21 Fuel, Marine Grade**

<table>
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<tr>
<th>Item</th>
<th>Description</th>
<th>Oct-18</th>
<th>Dec-19</th>
<th>Feb-19</th>
<th>Current</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Gasoline, 90 Octane</td>
<td>$2.55</td>
<td>$1.81</td>
<td>$1.79</td>
<td>$2.014</td>
<td>1.7%</td>
</tr>
<tr>
<td>2</td>
<td>Diesel, No. 2</td>
<td>$2.51</td>
<td>$1.91</td>
<td>$2.03</td>
<td>$2.092</td>
<td>2.3%</td>
</tr>
<tr>
<td>3</td>
<td>Motor Oil</td>
<td>$3.73</td>
<td>$3.87</td>
<td>$3.87</td>
<td>$3.87</td>
<td>1.3%</td>
</tr>
</tbody>
</table>
A RESOLUTION APPROVING THE AWARD OF THREE-YEAR BLANKET PURCHASE AGREEMENT WITH A TWO-YEAR RENEWAL OPTION TO PALMDALE OIL COMPANY, INC., FOR MARINE GRADE GASOLINE, DIESEL FUEL AND MOTOR OIL FOR A TOTAL CONTRACT AMOUNT NOT EXCEED $1,950,000 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 (4) four bids for marine grade gasoline, diesel fuel and motor oil for the St. Petersburg Marina pursuant to IFB No. 7199 dated February 28, 2019; and

WHEREAS, Palmdale Oil Company, Inc. has met the terms and conditions of IFB No. 7199; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the St. Petersburg Marina recommends approval of this award.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the award of three-year blanket purchase agreement with a two-year renewal option to Palmdale Oil Company, Inc. for marine grade gasoline, diesel fuel and motor oil for a total contract amount not to exceed $1,950,000 for the initial term is hereby approved.

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

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

[Signature]
City Attorney (Designee)
00445652
The following page(s) contain the backup material for Agenda Item: Approving a three-year blanket purchase agreements with Bayside Building Services, Inc., and Grosz Construction Company, Inc., for building maintenance and repairs in an amount not to exceed $1,485,000. Please scroll down to view the backup material.
To: The Honorable Charlie Gerdes, Chair, and Members of City Council

Subject: Approving a three-year blanket purchase agreements with Bayside Building Services, Inc., and Grosz Construction Company, Inc., for building maintenance and repairs in an amount not to exceed $1,485,000.

Explanation: The Procurement and Supply Management Department received two bids for building repairs and maintenance.

The contractors will perform minor building maintenance and repairs, such as fabricating wood cabinets, constructing concrete platforms and steps, repairing and replacing windows and doors, repairing flooring, painting of metal, wood or concrete facility surfaces, constructing walls, and other minor maintenance and repairs.

Due to the volume and variety of work required to maintain and repair buildings, and the time-critical nature of emergency repair services, a multiple source award is recommended. Bidders were asked to provide labor rates on a time and materials basis. The labor rates include labor, travel, tools, equipment and overhead.

The primary users are the Engineering & Capital Improvements Department, Water Resources Department and the Parks and Recreation Department.

The Procurement and Supply Management Department, in cooperation with the Engineering and Capital Improvements Department, recommends for award:

Building Maintenance and Repairs……………… $1,485,000
(Three-Years @ $495,000 annually)

Bayside Building Services, Inc., Clearwater, FL (SBE)

Grosz Construction Company, Inc., Tampa, FL (SBE)

Contractors have met the requirements of the IFB No. 7177, dated February 5, 2019. Contractors have satisfactorily performed these services for the City in the past. Blanket purchase agreements will be issued and will only be binding for actual services rendered. The award will be effective from June 1, 2019, through May 31, 2022, with one, two-year renewal option. Amounts paid to awardees pursuant to the agreement will not exceed a combined total of $1,485,000 during the agreement term. It was determined that there were sufficient SBEs to afford effective competition on this project, therefore, this solicitation was sheltered under section 2-272 (d) of the City Code.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Water Resources Operating Fund (4001); General Fund (0001), Parks and Recreation Department (190) various divisions; and various capital improvement projects in the Recreation & Culture Capital Improvement Fund (3029) and City Facilities Capital Improvement Fund (3031).

Attachments: Bid Tabulation
                Resolution

Approvals:

[Administrative]

[Signature]

[Budget]

[Signature]
## City of St. Petersburg

### Bid Tabulation

**Procurement and Supply Management**

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Description</th>
<th>EAU</th>
<th>UOM</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Superintendent/Foreman, 8:00 a.m. - 5:00 p.m. Monday through Friday</td>
<td>400</td>
<td>HR</td>
<td>$35.00</td>
<td>$14,000.00</td>
</tr>
<tr>
<td>2</td>
<td>Superintendent/Foreman, 5:00 p.m. through 8:00 a.m., Monday through Friday (Emergencies)</td>
<td>50</td>
<td>HR</td>
<td>48.00</td>
<td>2,400.00</td>
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<tr>
<td>3</td>
<td>Superintendent/Foreman, City Recognized Holidays, Saturday and Sundays</td>
<td>50</td>
<td>HR</td>
<td>50.00</td>
<td>2,500.00</td>
</tr>
<tr>
<td>4</td>
<td>Skilled Laborer, 8:00 a.m. - 5:00 p.m., Monday through Friday</td>
<td>800</td>
<td>HR</td>
<td>22.00</td>
<td>17,600.00</td>
</tr>
<tr>
<td>5</td>
<td>Skilled Laborer, 5:00 p.m. through 8:00 a.m., Monday through Friday (Emergencies)</td>
<td>200</td>
<td>HR</td>
<td>22.00</td>
<td>4,400.00</td>
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<tr>
<td>6</td>
<td>Skilled Laborer, City Recognized Holidays, Saturday and Sundays</td>
<td>200</td>
<td>HR</td>
<td>22.00</td>
<td>4,400.00</td>
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<tr>
<td>7</td>
<td>Laborer, 8:00 a.m. - 5:00 p.m., Monday through Friday</td>
<td>800</td>
<td>HR</td>
<td>18.00</td>
<td>14,400.00</td>
</tr>
<tr>
<td>8</td>
<td>Laborer, 5:00 p.m. through 8:00 a.m., Monday through Friday (Emergencies)</td>
<td>200</td>
<td>HR</td>
<td>18.00</td>
<td>3,600.00</td>
</tr>
<tr>
<td>9</td>
<td>Laborer, City Recognized Holidays, Saturday and Sundays</td>
<td>200</td>
<td>HR</td>
<td>18.00</td>
<td>3,600.00</td>
</tr>
</tbody>
</table>

**SubTotal:** $66,900.00  
2%/10, Net 30 Discount: $1,338.00  
SBE Discount: $1,338.00  
Grand Total: $64,224.00

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Description</th>
<th>EAU</th>
<th>UOM</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Bayside Building Services, Inc.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Clearwater, FL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Terms:** 2%/10, Net 30  
**Delivery:** 72 Hours

---

Award Pending
A RESOLUTION APPROVING THE AWARD OF THREE-YEAR BLANKET PURCHASE AGREEMENTS WITH A TWO-YEAR RENEWAL OPTION TO BAYSIDE BUILDING SERVICES, INC., AND GROSZ CONSTRUCTION COMPANY, INC. FOR BUILDING MAINTENANCE AND REPAIRS; PROVIDING THAT THE TOTAL CONTRACT AMOUNT FOR THE ABOVE REFERENCE AGREEMENTS SHALL NOT EXCEED $1,485,000 FOR THE INITIAL TERM; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received (2) two bids for building maintenance and repairs for the Engineering & Capital Improvements, Water Resources and Parks and Recreation Departments pursuant to IFB No. 7177 dated February 5, 2019; and

WHEREAS, Bayside Building Services, Inc. and Grosz Construction Company, Inc. have met the terms and conditions of IFB No. 7177; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Engineering & Capital Improvements, Water Resources and Parks and Recreation Departments recommends approval of this award.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the award of three-year blanket purchase agreements with a two-year renewal option to Bayside Building Services, Inc. and Grosz Construction Company, Inc. for building maintenance and repairs is hereby approved.

BE IT FURTHER RESOLVED that the total contract amount for the above referenced agreements shall not to exceed $1,485,000 for the initial term.

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

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

[Signature]
City Attorney (Designee)
00445650
The following page(s) contain the backup material for Agenda Item: Approving an increase in allocation for plumbing repair services with Apollo Construction & Engineering Services, Inc., and Ross Plumbing & Heating, Inc., in the amount of $70,000, for a total agreed amount of $515,000. Please scroll down to view the backup material.
To: The Honorable Charlie Gerdes, Chair, and Members of City Council

Subject: Approving an increase in allocation for plumbing repair services with Apollo Construction & Engineering Services, Inc., and Ross Plumbing & Heating, Inc., in the amount of $70,000, for a total agreed amount of $515,000.

Explanation: On October 20, 2016, City Council approved three-year blanket purchase agreements for plumbing repair services. Change order no. 1 was administratively approved on February 11, 2019, in the amount of $25,000. The agreements have one, two-year renewal option.

The vendors provide services such as new installations, repair and replacement of valves, seals and washers, drains, waste and water pipes, fire sprinkler lines, water heaters, toilets, faucets, sinks and opening stopped drains at facilities leased and owned by the City. The primary users are Engineering and Capital Improvements, Water Resources, Enterprise Facilities, Parks and Recreation, Police and Fire departments. Repair requirements have increased significantly since the inception of the agreements due to upgrades and repairs of aging plumbing systems throughout City facilities. Therefore, an increase in allocation is requested.

The Procurement and Supply Management Department recommends approval:

<table>
<thead>
<tr>
<th>Plumbing Services and Repairs</th>
<th>$70,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original agreement amount</td>
<td>$420,000</td>
</tr>
<tr>
<td>Administrative Increase</td>
<td>25,000</td>
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<tr>
<td>Allocation increase</td>
<td>70,000</td>
</tr>
<tr>
<td>Total contract amount</td>
<td>$515,000</td>
</tr>
</tbody>
</table>

Cost/Funding/Assessment Information: Funds have been previously appropriated in the General Fund (0001), Fire Department, Fire Administration (1501485) and Parks and Recreation Department (190) various divisions; Water Resources Operating Fund (4001), Water Resources Department (420), various divisions; Jamestown Complex Fund (4081); and Municipal Office Building Fund (5005); City Hall & Annex (3602613) and Municipal Services Center (3602617).

Attachments: Bid Tabulation
Resolution

Approvals:
### RFQ 6181 Plumbing Repair Services, Doug Hanks

**City of St. Petersburg**

**Bid Tabulation**

Procurement and Supply Management

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Title</th>
<th>Days</th>
<th>Hours</th>
<th>EAU UOM</th>
<th>Labor Rate per Hour</th>
<th>Extended Price</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Licensed Master Plumber</td>
<td>Monday - Friday</td>
<td>3:00 AM - 5:00 PM</td>
<td>400 HRS</td>
<td>$20.00</td>
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<td></td>
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<td>Monday - Friday</td>
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<td>2,000.00</td>
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<tr>
<td></td>
<td></td>
<td>Weekends &amp; Holidays</td>
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<td>2,000.00</td>
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<td></td>
<td>Weekends &amp; Holidays</td>
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<td>20.00</td>
<td>1,000.00</td>
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<td>2</td>
<td>Licensed Journeyman Plumber</td>
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<td>3:00 AM - 5:00 PM</td>
<td>200 HRS</td>
<td>71.22</td>
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<td></td>
<td></td>
<td>Monday - Friday</td>
<td>5:01 PM - 7:59 AM</td>
<td>50 HRS</td>
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### Cost Breakdown:

- **Option 1**: Equipment, Drain Clearing
  - $60/hour
  - SubTotal: $60/hour
  - Total: $60,827.70

- **Option 2**: Plumbing Repair Services
  - $45/hour
  - SubTotal: $45/hour
  - Total: $79,250.00

**Total**: $140,077.70
A RESOLUTION APPROVING THE INCREASE IN THE AMOUNT OF $70,000 TO THE ALLOCATION FOR THE BLANKET PURCHASE AGREEMENTS WITH APOLLO CONSTRUCTION & ENGINEERING SERVICES, INC. AND ROSS PLUMBING & HEATING, INC. FOR PLUMBING REPAIRS, UPGRADES AND INSTALLATION SERVICES AT CITY FACILITIES; PROVIDING THAT THE TOTAL CONTRACT AMOUNT FOR THE ABOVE-REFERENCED AGREEMENTS SHALL NOT EXCEED $515,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 20, 2016, City Council approved three-year blanket purchase agreements ("Agreements") with a two-year renewal option with Apollo Construction & Engineering Services, Inc. and Ross Plumbing & Heating, Inc. for plumbing services through October 31, 2019 at a total amount of $420,000; and

WHEREAS, on February 11, 2019, Administration approved a Change Order No.1 increase to the amount for the Agreements in the amount of $25,000; and

WHEREAS, an increase in the amount of $70,000 to the allocation for the Agreements is necessary for plumbing repairs, upgrades and installation services due to the aging plumbing system at City facilities; and

WHEREAS, the Procurement & Supply Management Department recommends approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the increase in the amount of $70,000 to the allocation for the Blanket Purchase Agreements with Apollo Construction & Engineering Services, Inc. and Ross Plumbing & Heating, Inc. for plumbing repairs, upgrades and installation services at City facilities is hereby approved.

BE IT FURTHER RESOLVED that the total contract amount for the above-referenced Agreements shall not exceed $515,000.

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 by:

City Attorney (Designee)
00446192
The following page(s) contain the backup material for Agenda Item: Accepting a proposal of a blanket purchase agreement with Pinellas County School Board, Food & Nutrition Department, for the summer food service program, for a total contract amount of $503,614. Please scroll down to view the backup material.
Item CA-4 backup will be made available at a later date.

Accepting a proposal of a blanket purchase agreement with Pinellas County School Board, Food & Nutrition Department, for the summer food service program, for a total contract amount of $503,614.
To: The Honorable Charlie Gerdes, Chair, and Members of City Council

Subject: Requesting a waiver of the St. Petersburg City Code Section 2-246 and accepting the proposal from Pinellas County School Board, for the summer food service program, for a total contract amount of $476,202; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

Explanation: The school district provides breakfast and/or lunch for children 18 years and under at 18 Leisure Services locations, five days per week, from June 3, 2019, through August 9, 2019. The program is funded by the Florida Department of Agriculture and Consumer Services, Food and Nutrition Management, through a grant from the U.S. Department of Agriculture.

The current provider, G.A. Food Services of Pinellas County, Inc., no longer provides this service. As a result, this service is available via the Pinellas County School Board. To be a participant in the program with the Pinellas County School Board, the City needed to provide intent to participate by April 1, 2019.

The Procurement and Supply Management Department, in cooperation with the Parks and Recreation Department, recommends for approval:

Pinellas County School Board ............................................................. $476,202

92,267 Lunches @ $3.80 $350,615
58,506 Breakfasts @ $1.95 114,087
Truck rental for breakfast delivery not to exceed 11,500

City Administration requests a waiver of the St. Petersburg City Code Section 2-246 to allow the City to enter into a noncompetitive agreement with the Pinellas County School Board.

In accordance with Title 7, Code of Federal Regulations Section 225.15, if sponsors choose not to prepare meals for sites, they may enter into a noncompetitive agreement to purchase meals from a school food service facility. The agreement will be effective from the date of approval through December 31, 2019. Amounts paid to the vendor under this term shall not exceed a combined total of $476,202.

Cost/Funding/Assessment Information: Funds will be appropriated in the General Fund (0001), Parks and Recreation Administration (1901573), on receipt of a grant from the U.S. Department of Agriculture, provided by the Florida Department of Agriculture and Consumer Services, Division of Food, Nutrition and Wellness.

Attachments: Schedule A - Site List FY19 (3 Pages)
Summer 2019 Menu (2 pages)
Resolution

Approvals:

[Signature]
Administrative

[Signature]
Budget
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<th>Site Information</th>
<th>Begin Date</th>
<th>End Date</th>
<th>Days Oper.</th>
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<th>Average Meals/Day</th>
<th>Maximum Meals/Day</th>
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<td>6/3/19</td>
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<td>Barbie Van Camp</td>
<td>6/3/19</td>
<td>8/2/19</td>
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<td>Brian Simonson</td>
<td>6/3/19</td>
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<td>Tim Bodkin</td>
<td>6/3/19</td>
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<td>Billy Hazellef</td>
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<td>Andy Chee</td>
<td>6/3/19</td>
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<td></td>
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</tr>
<tr>
<td>13 - TASCO Office</td>
<td>13</td>
<td>26</td>
<td>637</td>
<td>08:00</td>
<td>09:30</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>14 - Boyd Hill Nature Preserve</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>15 - Main Library</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16 - Dell Holmes Park</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
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<td></td>
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<tr>
<td>17 - Johnson Branch Library</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
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<td>18 - South Branch Library</td>
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</table>

### Summary

<table>
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<tr>
<th></th>
<th>Breakfast</th>
<th>A.M. Supplement</th>
<th>Lunch</th>
<th>P.M. Supplement</th>
<th>Supper</th>
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<tr>
<td><strong>Average Daily Service</strong></td>
<td>1,194</td>
<td>0</td>
<td>1,883</td>
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<tr>
<td><strong>Est. Total Meals to be Served</strong></td>
<td>58,411</td>
<td>0</td>
<td>92,087</td>
<td>0</td>
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</table>
### SUMMER BREAKFAST MENU 2019 Community Sites

#### Week 1

<table>
<thead>
<tr>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chocolate Choc Chip Muffin 1B #990</td>
<td>Nutri Grain Bar 1B (Strawberry or Blueberry)</td>
<td>Bowl-Pak Cereal (variety) #1117</td>
<td>Pop Tart single (variety) 1B</td>
<td>Super Bakery Goody Ring 2B #494</td>
</tr>
<tr>
<td>100% Fruit Juice - OJ</td>
<td>Fresh Fruit</td>
<td>Pre-Cupped Fruit</td>
<td>Fresh Fruit</td>
<td>100% Fruit Juice - OJ</td>
</tr>
<tr>
<td>Choice of Milk</td>
<td>Choice of Milk</td>
<td>Choice of Milk</td>
<td>Choice of Milk</td>
<td>Choice of Milk</td>
</tr>
</tbody>
</table>

#### Week 2

<table>
<thead>
<tr>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chocolate Choc Chip Muffin 1B #990</td>
<td>Zee Zee Smore Bar 1B #883</td>
<td>Bowl-Pak Cereal (variety) #1117</td>
<td>Pop Tart single (variety) 1B</td>
<td>Sky Blue Dunkin Stick 2B</td>
</tr>
<tr>
<td>100% Fruit Juice - OJ</td>
<td>Fresh Fruit</td>
<td>Pre-Cupped Fruit</td>
<td>Fresh Fruit</td>
<td>100% Fruit Juice - OJ</td>
</tr>
<tr>
<td>Choice of Milk</td>
<td>Choice of Milk</td>
<td>Choice of Milk</td>
<td>Choice of Milk</td>
<td>Choice of Milk</td>
</tr>
</tbody>
</table>

Pre-Cupped Fruit is the frozen cups or applesauce (plain or flavored)
RESOLUTION NO. 2019--

A RESOLUTION WAIVING ST. PETERSBURG CITY CODE
SECTION 2-246; ACCEPTING THE PROPOSAL AND
APPROVING THE AWARD OF AN AGREEMENT WITH THE
PINELLAS COUNTY SCHOOL BOARD ("SCHOOL BOARD")
FOR THE SCHOOL BOARD TO PROVIDE MEALS TO THE
CITY FOR THE CITY'S SUMMER FOOD SERVICE
PROGRAM ("PROGRAM") AT A TOTAL CONTRACT
AMOUNT NOT TO EXCEED $476,202; AUTHORIZING THE
MAYOR OR HIS DESIGNEE TO EXECUTE ALL
DOCUMENTS NECESSARY TO EFFECTUATE THIS
TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City's Summer Food Service Program is funded by a grant from the
U.S. Department of Agriculture; and

WHEREAS, pursuant to federal regulations governing the administration of the
City's Summer Food Service Program, the City is encouraged, to the maximum extent feasible,
to either utilize its own food service facilities or obtain meals for the program from a school food
service facility; and

WHEREAS, the applicable federal regulations provide that, if the City obtains meals
from a school service facility, such as the School Board, the City is not required to comply with
the competitive bid procedures outlined in the regulations; and

WHEREAS, Section 2-259 of the St. Petersburg City Code provides that City
Council may waive any provision of the procurement code by a resolution receiving at least five
(5) affirmative votes; and

WHEREAS, the Procurement & Supply Management Department, in conjunction
with the Parks & Recreation Department, recommends that the City Council waive St.
Petersburg Code Section 2-246 and allow the City to enter into a noncompetitive agreement with
the School Board at a total contract amount not to exceed $476,202 (consistent with the federal
regulations governing implementation of the Program) for the purchase of meals for the program.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St.
Petersburg, Florida, that St. Petersburg City Code Section 2-246 is hereby waived to allow the
City of St. Petersburg, Florida ("City") to enter into a noncompetitive agreement with the
Pinellas County School Board ("School Board") for the purchase of meals for the City's summer
food program.

BE IT FURTHER RESOLVED that the proposal is accepted and the award of an
agreement with the School Board for the School Board to provide meals to the City for the City's
Summer Food Service Program at a total contract amount not to exceed $476,202 is hereby approved.

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

This resolution shall become effective immediately upon its adoption.

Approved by:

[Signature]
Legal Department
By: (City Attorney or Designee)
00447545
The following page(s) contain the backup material for Agenda Item: Approving the renewal of a blanket purchase agreement with Municipal Emergency Services, Inc., for bunker gear for the Fire and Rescue Department, for a total contract amount of $365,000. This blanket purchase agreement was created from a cooperative agreement with Lake County, Florida, Contract No. 17-0606G. Please scroll down to view the backup material.
To: The Honorable Charlie Gerdes, Chair, and Members of City Council

Subject: Approving the renewal of a blanket purchase agreement with Municipal Emergency Services, Inc., for bunker gear for the Fire and Rescue Department, for a total contract amount of $365,000. This blanket purchase agreement was created from a cooperative agreement with Lake County, Florida, Contract No. 17-0606G.

Explanation: On June 15, 2017, City Council approved a one-year agreement for bunker gear through June 30, 2018. On June 6, 2018 City Council approved the first renewal. This agreement has four, one-year renewal options. This is the second renewal.

The vendor furnishes and delivers protective gear for firefighters, which includes bunker pants and coats. The manufacturer, Veridian Fire Protective Gear, was recommended pursuant to extensive bunker gear wear testing performed by St. Petersburg Fire Rescue personnel. Municipal Emergency Services, Inc. has been the exclusive, authorized representative for Veridian for sales, warranty repairs, and distribution for the state of Florida since 2012.

The Procurement and Supply Management Department, in cooperation with the Fire Rescue Department, recommends renewal utilizing Lake County, Florida, Contract No. 17-0606G:

Municipal Emergency Services, Inc., (Pinellas Park, FL)..............$365,000

<table>
<thead>
<tr>
<th>Original agreement amount</th>
<th>$150,000</th>
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<tr>
<td>1st renewal</td>
<td>215,000</td>
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<td>2nd renewal</td>
<td>0</td>
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<tr>
<td>Total agreement amount</td>
<td>$365,000</td>
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</table>

Municipal Emergency Services, Inc. has agreed to hold the pricing, specifications, terms and conditions of Lake County Florida, ITB No. 17-0606, dated December 13, 2016. Administration recommends renewal of the agreement based on the vendor’s past satisfactory performance, and demonstrated ability to comply with the terms and conditions of the agreement. The renewal will be effective from the date of approval through June 30, 2020.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the General Fund (0001), Fire Rescue Department (150), various divisions; and Emergency Medical Services Fund (1009), Fire Rescue Department, EMS division (150.1513).

Attachments: Price History

Resolution

Approvals:

[Signature] Administrative

[Signature] Budget
# Price History

## 340-34 Bunker Gear, Pant and Coats

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
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<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>Percent Change</th>
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<tr>
<td>1</td>
<td>Bunker Gear, Pants</td>
<td>948.00</td>
<td>1,020.00</td>
<td>1,020.00</td>
<td>1,020.00</td>
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<tr>
<td>2</td>
<td>Bunker Gear, Coats</td>
<td>855.00</td>
<td>905.00</td>
<td>905.00</td>
<td>905.00</td>
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</tr>
</tbody>
</table>
A RESOLUTION APPROVING THE SECOND RENEWAL TO THE BLANKET PURCHASE AGREEMENT, AS RENEWED, WITH MUNICIPAL EMERGENCY SERVICES, INC. FOR BUNKER GEAR TO EXTEND THE TERM; PROVIDING THAT THE TOTAL CONTRACT AMOUNT SHALL NOT EXCEED $365,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 15, 2017, City Council approved the award of one-year blanket purchase agreement ("Agreement") with four one-year renewal options to Municipal Emergency Services, Inc. for bunker gear for the Fire and Rescue Department pursuant to ITB No. 0606; and

WHEREAS, on June 6, 2018, City Council approved the first one-year renewal option to extend the term and increase the contract amount in the amount of $215,000 for this renewal term; and

WHEREAS, Administration desires to exercise the second renewal option to extend the term; and

WHEREAS, Municipal Emergency Services, Inc. has agreed to hold prices firm under the terms and conditions of ITB No. 17-0606; and

WHEREAS, the Procurement & Supply Management Department in cooperation with the Fire and Rescue Department recommends approval of this resolution.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the second renewal to the blanket purchase agreement, as renewed, with Municipal Emergency Services, Inc. for bunker gear to extend the term is hereby approved.

BE IT FURTHER RESOLVED that the total contract amount shall not exceed $365,000.

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

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)
00446227
The following page(s) contain the backup material for Agenda Item: Approving a three-year blanket purchase agreement with ORBIS Corporation, for the purchase of at-home composting bins, for a total contract amount of $244,650 and approving a supplemental appropriation in the amount of $48,714 from the increase in the unappropriated balance of the Sanitation Operating Fund (4021), resulting from a rebate from the Natural Gas Rebate Program, to the Sanitation Department, Residential Curbside Recycling Division (450-2275). Please scroll down to view the backup material.
To: The Honorable Charlie Gerdes, Chair, and Members of City Council

Subject: Approving a three-year blanket purchase agreement with ORBIS Corporation, for the purchase of at-home composting bins, for a total contract amount of $244,650, and approving a supplemental appropriation in the amount of $48,714 from the increase in the unappropriated balance of the Sanitation Operating Fund (4021), resulting from a rebate from the Natural Gas Rebate Program, to the Sanitation Department, Residential Curbside Recycling Division (450-2275).

Explanation: The Procurement and Supply Management Department received one bid for the purchase of at-home composting bins. The vendor will provide at-home composting bins to the residents of the City. This will allow residents to create high-quality compost to be used in personal gardens, or community gardens, while removing compostable materials from the solid-waste stream. An estimated 7,000 units will be purchased and distributed over the three-year contract term.

The Procurement and Supply Management Department recommends for award:

ORBIS Corporation (Ontario, Canada) $244,650

ORBIS Corporation has met the terms and conditions of Quote No. 7196, dated February 19, 2019. The company is headquartered in Ontario, Canada and has been in business for 25 years. This agreement will be effective from June 1, 2019, through May 31, 2022, with one, two-year renewal option. A blanket purchase agreement will be issued and will be binding only for actual services rendered.

Cost/Funding/Assessment Information: A rebate in the amount of $48,714 was received from the Natural Gas Rebate Program for the purchase of a CNG truck and deposited into the Sanitation Operating Fund (4021). Funding for the purchase of at-home composting bins will be available after a supplemental appropriation in the amount of $48,714 from the increase in the unappropriated balance of the Sanitation Operating Fund (4021), resulting from the rebate, to the Sanitation Department, Residential Curbside Recycling Division (450-2275).

Attachments: Bid Tabulation
Resolution

Approvals: [Signatures]

Administrative  Budget
City of St. Petersburg

Bid Tabulation

Procurement and Supply Management

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Qty.</th>
<th>UOM</th>
<th>Extended Price</th>
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<tr>
<td>1</td>
<td>Compost Bins (Quantity 500), including shipping</td>
<td>1</td>
<td>LS</td>
<td>$17,475.00</td>
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</tbody>
</table>

SubTotal: $17,475.00

Total: $17,475.00

Award Pending
WHEREAS, on September 13, 2018, City Administration presented to the Health Energy Resiliency and Sustainability ("HERS") Committee regarding the local government benefits of composting and the implementation of a City-wide voluntary residential composting program ("Composting Program"); and

WHEREAS, as discussed during the HERS Committee meeting, there are many environmental and economic benefits of implementing the Composting Program, which include diverting materials from landfills and incinerators, helping the City meet its goals for recycling and waste reduction, reducing waste management costs, and extending the life of regional landfills (avoiding the cost and negative environmental impact of new disposal facilities); and

WHEREAS, to begin implementation of the Composting Program, it is necessary for the City to purchase composting bins for residential use; and

WHEREAS, the purchased composting bins will be delivered by the Sanitation Department free of charge to City residents interested in participating in the Composting Program; and

WHEREAS, participation in the Composting Program will allow residents to create high-quality compost that may be used in personal and community gardens and will result in the removal of compostable materials from the solid waste stream; and

WHEREAS, the Procurement & Supply Management Department received one (1) quote for the purchase of at-home composting bins pursuant to Quote No. 7196 dated February 19, 2019; and

WHEREAS, ORBIS Corporation has met the specifications, terms and conditions of Quote No. 7196; and

WHEREAS, if the award to ORBIS Corporation is approved, an estimated 7,000 composting bins will be purchased and distributed as part of the Composting Program to City residents over the initial term of the agreement; and
WHEREAS, funding for this purchase will be available after a supplemental appropriation from the increase in the unappropriated balance of the Sanitation Operating Fund (4021), resulting from a rebate in the amount of $48,714 received from the Natural Gas Rebate Program, to the Sanitation Department, Residential Curbside Recycling Division (450-2275); and

WHEREAS, the Procurement & Supply Management Department recommends approval of this award.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the quote is hereby accepted and the award of a three-year agreement with a two-year renewal option to ORBIS Corporation to provide at-home composting bins for the City’s voluntary residential composting program at a total contract amount not to exceed $244,650 for the initial term is hereby approved.

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

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the Sanitation Operating Fund (4021) resulting from a rebate received from the Natural Gas Rebate Program the following supplemental appropriation for fiscal year 2019:

Sanitation Operating Fund (4021)
Sanitation Department,
Residential Curbside Recycling Division (450-2275) $48,714

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)  
Budget

00446282
The following page(s) contain the backup material for Agenda Item: Approving a three-year blanket purchase agreement with GSA Security Inc for security camera installation, maintenance and repair for the Department of Technology Services, at a total contract amount of $167,000. Please scroll down to view the backup material.
To: The Honorable Charlie Gerdes, Chair, and Members of City Council

Subject: Approving a three-year blanket purchase agreement with GSA Security Inc for security camera installation, maintenance and repair for the Department of Technology Services, at a total contract amount of $167,000.

Explanation: The City received two proposals for RFP No.7222: Security Camera, Installation, Maintenance & Repair. The two proposals were received from:

<table>
<thead>
<tr>
<th>#</th>
<th>Offerors</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>AVI Integrators, Inc., dba Security 101</td>
<td>$75,795</td>
</tr>
<tr>
<td>2</td>
<td>GSA Security Inc</td>
<td>55,352</td>
</tr>
</tbody>
</table>

The proposals were evaluated by a cross-functional team from Technology Services and Police departments. They include:

- Brett Fravel, Manager, Technology Services
- Wilson Badillo, Senior Network Systems Analyst, Technology Services
- Mary Watkins, Manager, Police Department, Computer Resources

The proposals were evaluated based on the following criteria:

- Experience and qualifications
- Technical competence
- Capacity to accomplish the work
- Past performance on similar contracts
- Certifications
- Cost

The vendor will provide configuration, installation, maintenance and repair of Internet Protocol (IP) video surveillance systems, surge suppression equipment and wireless bridge hardware. Services will also include low voltage wiring and electrical work.

The Procurement and Supply Management Department, in cooperation with Department of Technology Services, recommends for award:

GSA Security Inc. (Tampa, FL)........................................................................................................ $167,000
(Three-years @ $55,352 per year)

GSA Security Inc. has met the requirements of RFP No. 7222, dated February 17, 2019. The company is headquartered in Tampa and has been in business since 2005. This agreement will be effective through May 31, 2022. A blanket purchase agreement will be issued and will be binding only for actual services rendered.

Continued on Page 2
Cost/Funding/Assessment Information: Funds have been previously appropriated in the Technology Services (5011), Recreation & Culture Capital (3029), General Capital Improvements (3001), General Fund (0001), Marina Operating (4041), and Water Resources (4001) funds.

Attachments: Technical Evaluation (2 pages)
Resolution

Approvals:

[Signatures]

Administrative  Budget
Summary Work Statement

The City received two proposals for RFP No. 7222: Security Camera, Installation, Maintenance & Repairs. The offeror will provide configuration, installation, maintenance and repair of Internet Protocol (IP) video surveillance systems. The proposals were received from:

1. AVI Integrators, Inc., dba Security 101
2. GSA Security Inc

Evaluation Committee

Evaluations of two proposals was conducted by:

Brett Fravel, Manager, Technology Services
Wilson Badillo, Senior Network Systems Analyst, Technology Services
Mary Watkins, Manager, Police Department, Computer Resources

Evaluation Criteria

The proposals were evaluated based on the following criteria:

- Experience & qualifications
- Technical competence
- Capacity to accomplish the work
- Past performance on similar contracts
- Certifications
- 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.

**AVI Integrators, Inc., dba Security 101**, is headquarteried in Tampa and was incorporated in 2005. The firm has been providing this service for 14 years and employs over 500 people.

Strengths include: Sufficient previous government work; local presence; and small business entity.

Weaknesses include: High cost.

The proposal meets the City's requirements.

**GSA Security Inc** is headquarteried in Tampa and was founded as an S Corporation in 2005. The firm has been providing this service for 14 years and employs 14 people.
Its strengths include: certified small business enterprise; previous government experience; low cost.

Weaknesses include: No discernable weaknesses.

The proposal meets the City's requirements.

Shortlisting and Recommendation for Award

On March 29, 2019, the proposals were evaluated by the evaluation committee, based on the evaluation criteria established in the RFP. The evaluation committee recommended GSA Security Inc for configuration, installation, maintenance and repair of Internet Protocol (IP) video surveillance systems. The company has met the requirements of RFP No. 7222 and the offer was determined to be the most advantageous to the City, taking into consideration the cost and the evaluation criteria set forth in the RFP.

GSA Security Inc. was selected for the following reasons:

- Lowest cost
- Previous experience

Brett Fravel
Chair

Wislon Badillo
Committee Member

Mary Watkins
Committee Member
A RESOLUTION APPROVING THE AWARD OF THREE-YEAR BLANKET PURCHASE AGREEMENT WITH A TWO-YEAR RENEWAL OPTION TO GSA SECURITY, INC. FOR SECURITY CAMERA INSTALLATION, MAINTENANCE AND REPAIR FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $167,000 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 (2) two proposals for security camera installation, maintenance & repair for the Department of Technology Services pursuant to RFP No. 7222 dated February 17, 2019; and

WHEREAS, GSA Security, Inc. has met the terms and conditions of RFP No. 7222; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Department of Technology Services recommends approval of this award.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the award of three-year blanket purchase agreement with a two-year renewal option to GSA Security, Inc. for security camera installation, maintenance & repair for a total contract amount not to exceed $167,000 for the initial term is hereby approved.

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

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)
00445651
The following page(s) contain the backup material for Agenda Item: Approving a job order to Gibraltar Construction Company, Inc., in the amount of $83,379.46, for construction services to furnish and install a prefabricated concrete modular restroom building at Boyd Hill Nature Park. (Engineering/CID Project No. 17221-017; Oracle Project Nos. 15657 and 16733). Please scroll down to view the backup material.
To: The Honorable Charlie Gerdes, Chair, and Members of City Council

Subject: Approving a job order to Gibraltar Construction Company, Inc., in the amount of $83,379.46, for construction services to furnish and install a prefabricated concrete modular restroom building at Boyd Hill Nature Park. (Engineering/CID Project No. 17221-017; Oracle Project Nos. 15657 and 16733).

Explanation: Gibraltar Construction Company Inc. ("Gibraltar") was one of five job order contractors approved by City Council on March 15, 2018, to perform Job Order Contracting (JOCs) Services for the City. These services include minor construction, facilities maintenance, and repairs. Gibraltar has executed an agreement with the City to perform Job Order Contracting Services and has provided appropriate licensing, bonding and insurance.

The job order will provide for the delivery, offloading with a crane, and installation of a concrete modular restroom building fabricated offsite for use as a trail restroom at the Boyd Hill Nature Park, at the Lake Maggiore Park Complex, in the general area of the old City Nursery. The 8'-by-16' building will have an ADA accessible unisex restroom and an adjacent storage room, as well as an adjacent concrete slab for tables.

The work consists of clearing, grubbing, and grading to build a concrete footing to which the building will be attached. Utility connections will be made by others to the contractor-provided stub outs. The footing will be designed by the modular building engineer.

Job order contracting allows the City to issue a job order to the contractor for a definite scope of work as compiled in the Construction Task Catalog developed by The Gordian Group, Inc. The Construction Task Catalog includes pricing of materials, labor, and equipment for performing the items of work. The Task Catalog price does not include overhead and profit. Overhead and profit are included in the contractors' competitively bid adjustment factor.

The cost of the services to be provided by Gibraltar includes the general conditions, mobilization, and typical construction trades included in the attached contractor price proposal.

The Procurement and Supply Management Department, in cooperation with the Engineering & Capital Improvements Department, recommends:

Gibraltar Construction Company, Inc. (Annapolis, MD) ..................... $83,379.46

This job order is permitted under Section 2-251 (f), Job Order Contracts, of the Procurement Code. All job orders over $50,000 require City Council approval.

City Code 2-269 - 2-274, Small Business Enterprise Assistance Program, requires a goal to be assigned to all construction projects of over $50,000. Gibraltar has agreed to a 5% SBE goal on this project.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Recreation and Culture Capital Improvement Fund (3029); Park Restroom Renovation/Improvements FY17 and FY19 Projects (Oracle Project Nos. 15657 and 16733; Engineering Project No. 17221-017).

Attachments: Price Proposal (8 pages)  Resolution

Approvals:   

Administrative  

Budget
Job Order Contract
Proposal Review Summary - CSI

Date: March 29, 2019
Work Order #: ECI-GB-0003.00
Title: Restroom Building - City Nursery
Contractor: 167-0421-CP (DF) - St. Petersburg - Gibraltar Construction Company
Proposal Value: $0.00
Proposal Name: Restroom Building - City Nursery
Proposal Submitted: 03/29/2019

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<td>03 - Concrete:</td>
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<td>31 - Earthwork:</td>
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<td>32 - Exterior Improvements:</td>
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<tr>
<td>33 - Utilities:</td>
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<tr>
<td><strong>Proposal Total</strong></td>
<td><strong>$83,379.46</strong></td>
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</table>

This proposal total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the overall total is due to rounding of the line totals and sub-totals.

The Percent of NPP on this Proposal: 0.00%
Job Order Contract
Proposal Review Detail - CSI

Date: March 29, 2019
Work Order #: ECI-GB-0003.00
Title: Restroom Building - City Nursery
Contractor: 167-0421-CP (DF) - St. Petersburg - Gibraltar Construction Company
Proposal Value: $0.00
Proposal Name: Restroom Building - City Nursery
Proposal Submitted: 03/29/2019

<table>
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<tr>
<th>Rec#</th>
<th>CSI Number</th>
<th>Mod.</th>
<th>UOM</th>
<th>Description</th>
<th>Line Total</th>
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<tr>
<td>01 - General Requirements</td>
<td></td>
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<td></td>
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<tr>
<td>1</td>
<td>01 00 00 00-0003</td>
<td>ea</td>
<td>City of St. Contingency</td>
<td>$3,416.70</td>
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<td></td>
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<td>Installation</td>
<td>1.00 x 3,000.00 x 1.0000 = $3,416.70</td>
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<tr>
<td>Contractors Note: City of St. Pete Pete Contingency: ($1,500.00 allocated to Contractor to utilize for building tie-down strap design that is to be determined)</td>
<td></td>
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<tr>
<td>2</td>
<td>01 22 16 00-0002</td>
<td>EA</td>
<td>Reimbursable Fees</td>
<td>$1,500.00</td>
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<td>Installation</td>
<td>1,500.00 x 1.00 x 1.0000 = $1,500.00</td>
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<tr>
<td>Contractors Note: Reimbursable Fees Reimbursable Fees will be paid to the contractor for eligible costs. The base cost of the Reimbursable Fee is $1.00. Insert the appropriate quantity to adjust the base cost to the actual Reimbursable Fee (e.g., quantity of 125 = $125.00 Reimbursable Fee). If there are multiple Reimbursable Fees, list each one separately and add a comment in the &quot;note&quot; block to identify the Reimbursable Fee (e.g., sidewalk closure, road cut, various permits, extended warranty, expedited shipping costs, etc.). A copy of each receipt shall be submitted with the Price Proposal.</td>
<td></td>
<td></td>
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<tr>
<td>3</td>
<td>01 22 20 00-0005</td>
<td>HR</td>
<td>Carpenter For tasks not included in the Construction Task Catalog® and as directed by owner only.</td>
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<td></td>
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<td>24.00 x 33.30 x 1.0000 = $910.21</td>
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<td>Contractors Note: Permits</td>
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<td>4</td>
<td>01 22 20 00-0005</td>
<td>0004</td>
<td>For Foreman, Add</td>
<td>$76.08</td>
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<td>Installation</td>
<td>40.00 x 1.67 x 1.0000 = $76.08</td>
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<tr>
<td>Contractors Note: Form work for foundation</td>
<td></td>
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<td></td>
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<td>5</td>
<td>01 22 20 00-0009</td>
<td>HR</td>
<td>Electrician For tasks not included in the Construction Task Catalog® and as directed by owner only.</td>
<td>$334.75</td>
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<td></td>
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<td>Installation</td>
<td>8.00 x 36.74 x 1.0000 = $334.75</td>
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<tr>
<td>Contractors Note: Understory electrical small task</td>
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<td></td>
<td></td>
<td></td>
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<td>6</td>
<td>01 22 20 00-0012</td>
<td>HR</td>
<td>Equipment Operator, Light (Backhoe, Skid-Steer Loader) For tasks not included in the Construction Task Catalog® and as directed by owner only.</td>
<td>$1,537.97</td>
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<td></td>
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<td>40.00 x 33.76 x 1.0000 = $1,537.97</td>
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<td>7</td>
<td>01 22 20 00-0014</td>
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<td>Laborer For tasks not included in the Construction Task Catalog® and as directed by owner only.</td>
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<td></td>
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<td>Installation</td>
<td>80.00 x 25.31 x 1.0000 = $2,306.04</td>
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<tr>
<td>Contractors Note: General labor carpenter helper and clean-up</td>
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## Proposal Review Detail - CSI Continued.

Date: March 29, 2019  
Work Order #: ECI-GB-0003.00  
Title: Restroom Building - City Nursery

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<th>Description</th>
<th>Line Total</th>
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<tbody>
<tr>
<td>8</td>
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<td>General Requirements</td>
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**Contractors Note:** Plumbers for tasks not included in the Construction Task Catalog® and as directed by owner only.

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<thead>
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<tr>
<td>9</td>
<td>01 22 20 00-0044</td>
<td>DAY</td>
<td></td>
<td>Investigating Engineer Or Specialty Consultant</td>
<td>$663.34</td>
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**Contractors Note:** Under lab plumbing sewer and water small task.

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<thead>
<tr>
<th>Res#</th>
<th>CSI Number</th>
<th>Mod.</th>
<th>UOM</th>
<th>Description</th>
<th>Line Total</th>
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<tbody>
<tr>
<td>10</td>
<td>01 22 23 00-0183</td>
<td>WK</td>
<td></td>
<td>2,400 LB Capacity, 72&quot; Wide, Skid-Steer Loader (Bobcat) With Full-Time Operator</td>
<td>$4,938.41</td>
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<td>Installation</td>
<td>2.00</td>
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<td>Total</td>
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**Contractors Note:** as needed for site.

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<thead>
<tr>
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<th>CSI Number</th>
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<th>UOM</th>
<th>Description</th>
<th>Line Total</th>
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<tbody>
<tr>
<td>11</td>
<td>01 22 23 00-0273</td>
<td>MO</td>
<td></td>
<td>36&quot; Compaction Wheel Attachment For Hydraulic Excavators</td>
<td>$961.05</td>
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**Contractors Note:** as needed for the prep.

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<tr>
<td>12</td>
<td>01 22 23 00-0455</td>
<td>WK</td>
<td></td>
<td>3.6 KW, 8 HP Gas Powered Generator Set</td>
<td>$197.77</td>
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<td>1.00</td>
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<table>
<thead>
<tr>
<th>Res#</th>
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<tr>
<td>13</td>
<td>01 45 25 00-0005</td>
<td>EA</td>
<td></td>
<td>Compaction Curves Soils Test, ASTM D-1557, Field Soils Test</td>
<td>$345.79</td>
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<td>Installation</td>
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<thead>
<tr>
<th>Res#</th>
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<th>Description</th>
<th>Line Total</th>
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<tbody>
<tr>
<td>14</td>
<td>01 45 25 00-0013</td>
<td>EA</td>
<td></td>
<td>Density And Classification Test, Field Soils Test</td>
<td>$497.61</td>
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<td>Installation</td>
<td>6.00</td>
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**Contractors Note:** compaction as needed.

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<th>Res#</th>
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<tbody>
<tr>
<td>15</td>
<td>01 52 19 00-0003</td>
<td>MO</td>
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<td>Portable Toilets, Chemical</td>
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<td>Installation</td>
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<td>Total</td>
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<table>
<thead>
<tr>
<th>Res#</th>
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<th>Mod.</th>
<th>UOM</th>
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<tr>
<td>16</td>
<td>01 71 13 00-0002</td>
<td>EA</td>
<td></td>
<td>Equipment Delivery, Pickup, Mobilization And Demobilization Using A Rollback Flatbed Truck includes delivery of equipment, off loading on site, rigging, dismantling, loading and transporting away. For equipment such as trenchers, skid-steer loaders (bobcats), industrial warehouse forklifts, sweepers, scissor platform lifts, telescoping and articulating boom manlifts with up to 40' boom lengths, etc.</td>
<td>$245.32</td>
</tr>
<tr>
<td></td>
<td>Installation</td>
<td>1.00</td>
<td>x</td>
<td></td>
<td>Total</td>
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</table>

<table>
<thead>
<tr>
<th>Res#</th>
<th>CSI Number</th>
<th>Mod.</th>
<th>UOM</th>
<th>Description</th>
<th>Line Total</th>
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<tbody>
<tr>
<td>17</td>
<td>01 71 13 00-0002</td>
<td>EA</td>
<td></td>
<td>Equipment Delivery, Pickup, Mobilization And Demobilization Using A Rollback Flatbed Truck includes delivery of equipment, off loading on site, rigging, dismantling, loading and transporting away. For equipment such as trenchers, skid-steer loaders (bobcats), industrial warehouse forklifts, sweepers, scissor platform lifts, telescoping and articulating boom manlifts with up to 40' boom lengths, etc.</td>
<td>$490.64</td>
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### 01 - General Requirements

<table>
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<th>Rec#</th>
<th>CSI Number</th>
<th>Mod.</th>
<th>UOM</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Factor</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
<td>01 11 13 00-0007</td>
<td>EA</td>
<td>171</td>
<td>40 To 50 Ton Lift Move On/Off Cost, Hydraulic Crane Includes delivery and pickup.</td>
<td>1.00</td>
<td>607.01</td>
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<td>$609.32</td>
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### 03 - Concrete

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<tr>
<th>Rec#</th>
<th>CSI Number</th>
<th>Mod.</th>
<th>UOM</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit Price</th>
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<th>Total</th>
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<tbody>
<tr>
<td>20</td>
<td>03 11 13 00-0005</td>
<td>SF</td>
<td>311</td>
<td>Mat Foundation Wood Formwork</td>
<td>226.00</td>
<td>4.05</td>
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<td>$1,042.44</td>
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<tr>
<td>21</td>
<td>03 11 13 00-0007</td>
<td>SF</td>
<td>311</td>
<td>Below Grade Walls Foundation Wood Formwork Excludes footing</td>
<td>226.00</td>
<td>5.05</td>
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<td>$1,299.83</td>
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<tr>
<td>22</td>
<td>03 11 13 00-0010</td>
<td>LF</td>
<td>111</td>
<td>&gt;6' To 12' High Slab Edge and Block-Out Wood Formwork</td>
<td>180.00</td>
<td>3.59</td>
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<td>$683.34</td>
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<tr>
<td>23</td>
<td>03 31 13 00-0103</td>
<td>CY</td>
<td>313</td>
<td>Delivery Fee For Concrete Purchases Less Than 4 CY</td>
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### 13 - Special Construction

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<tr>
<td>25</td>
<td>19000001.01</td>
<td>ea</td>
<td>Prefabricated Precast Restroom Building</td>
<td>1.00</td>
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### 31 - Earthwork

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<th>CSI Number</th>
<th>Mod.</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Factor</th>
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<tbody>
<tr>
<td>26</td>
<td>31 11 00 00-0015</td>
<td>CY</td>
<td>Machine Loading Of Cleared And Grubbed Material</td>
<td>40.00</td>
<td>4.68</td>
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<td>$212.29</td>
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<tr>
<td>27</td>
<td>31 11 00 00-0017</td>
<td>CY</td>
<td>Hand Loading Of Cleared And Grubbed Material</td>
<td>5.00</td>
<td>11.65</td>
<td></td>
<td>$68.34</td>
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<tr>
<td>28</td>
<td>31 23 16 36-0003</td>
<td>CY</td>
<td>Excavation For Building Foundations And Other Structures By Skid-Steer Loader In Soil</td>
<td>25.00</td>
<td>3.49</td>
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<td>$99.37</td>
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Subtotal for 01 - General Requirements: **$20,552.26**

Subtotal for 03 - Concrete: **$7,797.47**

Subtotal for 13 - Special Construction: **$49,271.62**

Subtotal for 31 - Earthwork: **$49,271.62**
**Proposal Review Detail - CSI Continued..**

**Date:** March 29, 2019  
**Work Order #:** ECI-GB-000300  
**Title:** Restroom Building - City Nursery

<table>
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<td>For Up To 20, Add</td>
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<tr>
<td>30</td>
<td>31 23 16 36-0009</td>
<td>CY</td>
<td></td>
<td>Excavation For Building Foundations And Other Structures By Hand in Soil</td>
<td>$437.57</td>
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<td>$437.57</td>
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<td>31</td>
<td>31 23 16 36-0014</td>
<td>CY</td>
<td></td>
<td>Relocating On Site Excavated Material From Excavation For Building Foundations and Other Structures &gt;500' to 1,000'</td>
<td>$222.31</td>
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<td>Installation</td>
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**Contractors Note:**

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<th>Description</th>
<th>Line Total</th>
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<tbody>
<tr>
<td>32</td>
<td>31 23 16 36-0017</td>
<td>CY</td>
<td></td>
<td>Backfilling Around Building Foundations And Other Structures By Skid-Steer Loader</td>
<td>$29.04</td>
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<td>$29.04</td>
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**Contractors Note:** fill as needed for site.

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<th>Rec#</th>
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## Proposal Review Detail - CSI Continued

### Summary
- **Date:** March 29, 2019
- **Work Order #:** ECI-GB-0003.00
- **Title:** Restroom Building - City Nursery

### Description

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### Contractors Note:
- Installation of Wye at unit room side A and B
- Each riser at premade room

### Subtotal for 33 - Utilities:
- **$1,120.38**

### Proposal Total:
- **$83,379.46**

This proposal total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals, and the removal total is due to rounding of the line totals and sub-totals.

The Percent of NPP on this Proposal: **0.00%**
### Job Order Contract

**Proposal Review Summary - Category**

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This proposal total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding of the line totals and sub-totals.

The Percent of NPP on this Proposal: 0.00%
RESOLUTION NO. 2019-___

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE JOB ORDER NO. ECI-GB-0003.00 TO THE AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND GIBRALTER CONSTRUCTION COMPANY, INC. ("CONTRACTOR") DATED APRIL 25, 2018 FOR CONTRACTOR TO FURNISH AND INSTALL A PREFABRICATED CONCRETE MODULAR RESTROOM BUILDING AT BOYD HILL NATURE PARK IN AN AMOUNT NOT TO EXCEED $83,379.46; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida and Gibraltar Construction Company, Inc. ("Contractor") entered into an agreement on April 25, 2018, for Contractor to provide job order contracting and other services for the City; and

WHEREAS, Administration desires to issue Job Order No. ECI-GB-0003.00 for Contractor to furnish and install a prefabricated concrete modular restroom building at Boyd Hill Nature Park in an amount not to exceed $83,379.46.

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 Job Order No. ECI-GB-0003.00 to the Agreement between the City of St. Petersburg, Florida and Gibraltar Construction Company, Inc. ("Contractor") dated April 25, 2018 for Contractor to furnish and install a prefabricated concrete modular restroom building at Boyd Hill Nature Park in an amount not to exceed $83,379.46.

This resolution shall become effective immediately upon its adoption.

Approved by:

[Signature]
City Attorney (Designee)
00445786
The following page(s) contain the backup material for Agenda Item: Approving a three-year blanket purchase agreement with Recycling Services of Florida, Inc., for the recycling and sale of cardboard, mixed paper and sorted glass for the Sanitation Department, at an estimated annual sales revenue of $51,368.
Please scroll down to view the backup material.
To: The Honorable Charlie Gerdes, Chair, and Members of City Council

Subject: Approving a three-year blanket purchase agreement with Recycling Services of Florida, Inc., for the recycling and sale of cardboard, mixed paper and sorted glass for the Sanitation Department, at an estimated annual sales revenue of $51,368.

Explanation: The Procurement Department received one bid for the recycling and sale of cardboard, mixed paper and sorted glass. The vendor will purchase old corrugated cardboard, mixed paper, mixed containers, and sorted glass. The material will be collected by the City's Sanitation Department from citywide recycling centers and transported to a third-party facility for sorting and recycling. Bid prices were based on a fixed percentage of the Secondary Materials Pricing (SMP) Index published prices for February 13, 2019. Actual sale prices will be based on the percentage of the daily published SMP price at the time of sale for mixed containers and sorted glass, and on the first business day of the month for cardboard and mixed paper.

The Procurement and Supply Management Department recommends for award:

Recycling Services of Florida, Inc. (Clearwater, FL) ...........................................$51,368

Recycling Services of Florida, Inc., has met the terms and conditions of IFB No. 7229, dated February 28, 2019. The company is headquartered in Clearwater, FL, and has been in business for 14 years. It has satisfactorily provided these services for the City of St. Petersburg in the past. This agreement will be effective from June 1, 2019, through May 31, 2022, with one, two-year renewal option. A blanket purchase agreement will be issued and will be binding only for actual services rendered.

Cost/Funding/Assessment Information: Upon receipt, revenues will be deposited into the Sanitation Operating Fund (4021), Sanitation Department (450).

Attachments: Price History
Bid Tabulation
Resolution

Approvals:

[Signatures for Administrative and Budget]
# Price History

**Recycling**

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</tr>
<tr>
<td>3</td>
<td>Sale of Mixed Containers (MC)</td>
<td>Southeast</td>
<td>Tons</td>
<td>(3.00)</td>
<td>(3.00)</td>
<td>(3.00)</td>
<td>(3.00)</td>
<td>0%</td>
<td>200</td>
<td>(600.00)</td>
</tr>
<tr>
<td>4</td>
<td>Sale of Sorted Atlanta / Glass</td>
<td>Southeast</td>
<td>Tons</td>
<td>(24.75)</td>
<td>(24.75)</td>
<td>(24.75)</td>
<td>(24.75)</td>
<td>0%</td>
<td>129</td>
<td>(3,192.75)</td>
</tr>
</tbody>
</table>

Unit Price for Recyclable Materials Delivered by Sanitation to Vendor's collection facility (pricing for these commodities fluctuates greatly and changes monthly):

Total Projected Revenues: $83,608.25
**Recycling Services of Florida, Inc.**  
Clearwater, FL  

**Terms:** Net 30  
**Delivery:** 30 Days  

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Est. Annual Qty</th>
<th>UOM</th>
<th>Current Index Price as of February 13, 2019</th>
<th>Contractor's Unit Price Paid to City</th>
<th>Total Paid to City (Est Qty x Unit Price Paid to City)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sale of Recycled Cardboard (OCC) Southeast Index (detail the calculation in your proposal)</td>
<td>1,796 Tons</td>
<td>Tons</td>
<td>$72.50</td>
<td>$41.00</td>
<td>$73,636.00</td>
</tr>
<tr>
<td>2</td>
<td>Sale of Mixed Paper (MP) Southeast Index (detail the calculation in your proposal)</td>
<td>430 Tons</td>
<td>Tons</td>
<td>($2.50)</td>
<td>($22.50)</td>
<td>(9,675.00)</td>
</tr>
<tr>
<td>3</td>
<td>Sale of Mixed Containers (MC) Secondary Materials Atlanta/Southeast Index (detail the calculation in your proposal)</td>
<td>130 Tons</td>
<td>Tons</td>
<td>$40.00</td>
<td>($49.00)</td>
<td>(6,370.00)</td>
</tr>
<tr>
<td>4</td>
<td>Sale of Sorted Glass Secondary Materials Atlanta/Southeast Index (detail the calculation in your proposal)</td>
<td>127 Tons</td>
<td>Tons</td>
<td>($22.50)</td>
<td>($49.00)</td>
<td>(6,223.00)</td>
</tr>
</tbody>
</table>

**SubTotal:** $51,368.00  
**Total:** $51,368.00

5 Other payments / discounts  
(specify in your proposal)  

Minimum 5% moisture deduction on all OCC  

*Pending Award
A RESOLUTION APPROVING THE AWARD OF A THREE-YEAR BLANKET PURCHASE AGREEMENT WITH A TWO-YEAR RENEWAL OPTION TO RECYCLING SERVICES OF FLORIDA, INC. FOR THE RECYCLING AND SALE OF CARDBOARD, MIXED PAPER, AND SORTED GLASS FOR THE SANITATION DEPARTMENT; 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 recycling and sale of cardboard, mixed paper and sorted glass for the Sanitation Department in response to IFB No. 7229 dated February 28, 2019; and

WHEREAS, Recycling Services of Florida, Inc. has met the terms and conditions of IFB No. 7229; and

WHEREAS, the annual sales revenue is approximately $51,368; 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 award of a three-year blanket purchase agreement with a two-year renewal option to Recycling Services of Florida, Inc. for the recycling and sale of cardboard mixed paper and sorted glass for the Sanitation Department 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)

00446079
Please scroll down to view the backup material.
To: The Honorable Charlie Gerdes, Chair, and Members of City Council


Explanation: On August 20, 2018, the City issued a Request for Qualifications, RFQ 7004, for Consulting Services for Stormwater Management Services. On September 13, 2018, the City received 12 Statements of Qualifications (SOQs) from the following firms:

1. Advanced Engineering & Design, Inc.
3. Atkins North America, Inc.
4. Carollo Engineers, Inc.
5. Compass Engineering & Surveying, Inc., dba Deuel & Associates
7. Geosyntec Consultants, Inc.
8. Grissom Smith, LLC
10. Land & Water Engineering Science, Inc.
12. Watermark Engineering Group, Inc.

An evaluation committee comprised of City staff met on November 16, 2018, to discuss the SOQs. The evaluation committee members were:

Brejesh Prayman, Director, Engineering & Capital Improvements
Carlos Frey, Engineering Design Manager, Engineering Department
Dan Saunders, Senior Professional Engineer, Engineering Department
Paul Booth, Pavement & Traffic Operations Manager, Stormwater, Pavement & Traffic Operations
Sharon Wright, Sustainability and Resiliency Director, Mayor's Office

Ten firms were invited to make oral presentations before the evaluation committee.

The firms were:

1. Advanced Engineering & Design, Inc.
3. Atkins North America, Inc.
4. Carollo Engineers, Inc.
5. Environmental Consulting & Technology, Inc.
10. Watermark Engineering Group, Inc.

On February 5 and February 6, 2019, the evaluation committee considered the oral presentations, interviewed the 10 firms. Applied Sciences Consulting, Inc., Carollo Engineers, Inc., Geosyntec
Consulting Services for Utility Information Systems
May 16, 2019
Page 2

Consultants, Inc., Jones Edmunds & Associates, Inc., Land & Water Engineering Science, Inc., Pennoni Associates, Inc., and Watermark Engineering Group, Inc. were recommended for award. Multiple awards are recommended to ensure availability and capacity, as well as access to the specific skillset of each of the firms.

The consultants' services under this agreement will be described in task orders. Each task order, after City Council approval and execution, shall become a supplement to and a part of the agreement. The initial term of this agreement shall commence on the execution date and remain in effect for one year. The agreement shall automatically renew for successful one (1) year periods, unless either party sends the other a notice of non-renewal at least 30 days prior to the expiration of the current term.

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

1. Applied Sciences Consulting, Inc
2. Carollo Engineers, Inc.
3. Geosyntec Consultants, Inc.
5. Land & Water Engineering Science, Inc.
7. Watermark Engineering Group, Inc.

Applied Sciences Consulting, Inc. is headquartered in Pinellas Park, employs 10 people and was established in 1998. Carollo Engineers, Inc. is headquartered in Phoenix, Arizona, employs 1,080 people and was established in 1933. Geosyntec Consultants, Inc. is headquartered in Kennesaw, Georgia, employs 1,200 people and was established in 1983. Jones Edmunds & Associates, Inc. is headquartered in Gainesville, employs 129 people and was established in 1974. Land & Water Engineering Science, Inc. is headquartered in Tampa, employs seven people and was established in 2006. Pennoni Associates, Inc. is headquartered in Clearwater, employs 1,200 people and was established in 1975. Watermark Engineering Group, Inc. is headquartered in Sun City Center, employs eight people and was established in 2004. All consultants have provided these services satisfactorily in the past.

Cost/Funding/Assessment Information: Funds have been previously appropriated in projects and programs and user agencies, or will be appropriated at the time a task order is approved by City Council.

Attachments: Technical Evaluation (6 pages)
Meeting Minutes (4 pages)
Resolution

Approvals:

[Signature]
Administrative

[Signature]
Budget
Summary Work Statement

The City received 12 Statements of Qualifications (SOQs) for RFQ No. 7004 Consulting Services for Stormwater Management. The successful firms will provide consulting services for stormwater management projects. The 12 qualification statements were received from:

1. Advanced Engineering & Design, Inc.
3. Atkins North America, Inc.
4. Carollo Engineers, Inc.
5. Compass Engineering & Surveying, Inc., dba Deuel & Associates
7. Geosyntec Consultants, Inc.
8. Grissom Smith, LLC
10. Land & Water Engineering Science, Inc.
12. Watermark Engineering Group, Inc.

Evaluation Committee

Evaluations of the 12 qualification statements were conducted by:

Brejesh Prayman, Director, Engineering & Capital Improvements
Paul Booth, Acting Director, Stormwater, Pavement & Traffic Operations
Carlos Frey, Engineering Design Manager, Engineering Department
Dan Saunders, Senior Professional Engineer, Engineering Department
Sharon Wright, Sustainability and Resiliency Director, Mayor's Office

Evaluation Criteria

The SOQs were evaluated based on the following criteria:

- Team Background and Experience
- Project Approach
- Relevant Project Examples
- Small, Minority, Woman and Disadvantaged Business Enterprise

Offerors' Profiles

Below is a profile of each firm and a summary of the strengths and weaknesses of each as reported after the initial independent review.
Advanced Engineering & Design, Inc. maintains its company headquarters in Pinellas Park. They have approximately 10 employees designated to serve the City. The firm was established in Florida in 1998.

Strengths include: They provided a strong quality control project approach in their proposal; their subconsultants are DBE or WBE certified; they would be effective for smaller-sized projects and some medium sized projects; and they are SBE-certified with the City of St. Petersburg.

Weaknesses include: They cannot provide all services needed in-house; they worked with smaller cities to develop master plans; and their relevant project examples showed limited computer modeling.

The proposal meets the City's requirements.

Applied Sciences Consulting, Inc. maintains its company headquarters in Tampa. They have approximately 14 employees designated to serve the City. The firm was established in Florida in 2005.

Strengths include: They provided a comprehensive project approach to meet all requirements; their subconsultants are WBE-certified; their project examples provided ample peer review experience; representative on the Committee for the American Society for Civil Engineers Low Impact Design; Strong approach to sustainable stormwater design; they have good experience with stormwater design and modeling; and they are SBE-certified with the City of St. Petersburg.

Weaknesses include: Their subconsultants lack experience in master planning; and they had few drainage projects for project examples.

The proposal meets the City's requirements.

Atkins North America, Inc. maintains its company headquarters in Tampa. They have approximately 2,503 employees designated to serve the City. The firm was established in Florida in 1972.

Strengths include: Their subconsultants are DBE, MBE or WBE certified; they provided relevant project examples of watershed management projects; they are multi-disciplined and addressed project concerns; and they provided lifecycle analysis of the LIDAR surveying method in their project approach.

Weaknesses include: Their identification and project approach examples lacked clarity and did not offer con; they are a large firm and communication may be difficult; and they are not SBE-certified.

The proposal meets the City's requirements.

Carollo Engineers, Inc. maintains its company headquarters in Phoenix, Arizona, with an office in Tampa. They have approximately 1,080 employees designated to serve the City. The firm was established in Arizona in 1933.
Strengths include: They provided sub-consultants that are SBE, MBE or WBE certified; they provided relevant project examples that are applicable to the City's needs; they have good experience in watershed analysis; and they provided a good project approach for all services required by the City.

Weaknesses include: They didn't provide many Pinellas County or large design projects in their proposal; and they are not SBE-certified with the City of St. Petersburg.

The proposal meets the City's requirements.

Compass Engineering & Surveying, Inc. dba Deuel & Associates maintains its company headquarters in Clearwater. They have approximately 19 employees designated to serve the City. The firm was established in Florida in 2003.

Strengths include: They have a diverse background in various engineering fields with a strong survey background; they provided a simple, straightforward project approach; and they have local project experience for the City of Clearwater.

Weaknesses include: Their focus is on smaller turnkey type projects; their project approach had limited narrative for multiple disciplines; they provided very few large drainage project examples; they have limited experience in stormwater and master planning projects; and they are not SBE-certified with the City of St. Petersburg.

The proposal did not meet the City's requirements.

Environmental Consulting & Technology, Inc. maintains its company headquarters in Gainesville, with a Tampa office. They have approximately 210 employees designated to serve the City. The firm was established in Florida in 1988.

Strengths include: They provided subconsultants that are WBE, DBE, or MBE certified; they have strong environmental testing and analysis capabilities; they provided a broad project approach for effective project management; and they provided good water testing examples.

Weaknesses include: They rely on their subconsultants to meet areas they can't provide; their large drainage projects were not local; they listed only one CAD technician and staffing availability was a concern; and they are not SBE-certified with the City of St. Petersburg.

The proposal marginally meets the City's requirements.

Geosyntec Consultants, Inc. maintains its company headquarters in Kennesaw, Georgia, with a Tampa office. They have approximately 1,200 employees designated to serve the City. The firm was established in Florida in 1983.

Strengths include: They provided subconsultants that are SBE, WBE or DBE certified; they provided a strong team background covering all aspects of the request for qualifications; they are a large multi-disciplined firm; they provided a sound, and descriptive project approach covering all project components; and they provided good project examples relevant to the City's needs.
Weaknesses include: They listed few large drainage projects for their project examples; they lacked depth on sea level rise and sustainable initiatives; and they are not SBE-certified with the City of St. Petersburg.

The proposal meets the City's requirements.

Grisson Smith, Inc. maintains its company headquarters in Tampa. They have approximately 4 employees designated to serve the City. The firm was established in Florida in 2016.

Strengths include: They provided a good team background and experience with a focus on smaller projects; they provided a balanced project approach addressing the master plan, including sea level rise; and they are SBE and WBE certified.

Weaknesses include: They provided a limited number of disciplines that are in-house; they have limited experience with large projects; and they didn't provide any large drainage projects for their relevant project examples; and staffing availability was a concern.

The proposal meets the City's requirements.

Jones Edmunds & Associates, Inc. maintains its company headquarters in Gainesville, with a Tampa office. They have approximately 129 employees designated to serve the City. The firm was established in Florida in 1974.

Strengths include: They provided subconsultants that are WBE, DBE or MBE certified; they provided relevant project examples for master planning; they are a large multi-disciplined firm with good background and experience for the services needed by the City; and they provided a good project approach for watershed planning and management; and they provided a strong approach on resilient and sustainable design.

Weaknesses include: They didn't provide many drainage construction project examples; and they are not SBE-certified with the City of St. Petersburg.

The proposal meets the City's requirements.

Land & Water Engineering Science, Inc. maintains its company headquarters in Tampa. They have approximately 7 employees designated to serve the City. The firm was established in Florida in 2006.

Strengths include: They provided subconsultants that are SBE, WBE or DBE certified; they provided watershed master plans in their project examples; they provided a strong project approach to reduce localized flooding; they have a strong background in stormwater planning and water quality issues; and they are SBE-certified with the City of St. Petersburg.

Weaknesses include: They provided large, fast scheduled project examples; and they seem to have a current heavy workload.

The proposal meets the City's requirements.
Pennoni Associates, Inc. maintains its company headquarters in Clearwater. They have approximately 1,200 employees designated to serve the City. The firm was established under Envisors, Inc. in 1975, McCarthy & Associates, Inc. in 1985, and EPN Group, LLC in 2014.

Strengths include: They provided subconsultants that are SBE, WBE or DBE certified; they provided multiple relevant project examples to include projects using Envision; they provided a comprehensive and systematic project approach following a defined plan and schedule; and the principal of the firm was involved in prior St. Petersburg drainage projects.

Weaknesses include: Their project approach seemed to not take into consideration emergency or disruption situations; and they are not SBE-certified with the City of St. Petersburg.

The proposal meets the City’s requirements.

Watermark Engineering Group, Inc. maintains its company headquarters in Sun City Center. They have approximately 8 employees designated to serve the City. The firm was established in Florida in 2004.

Strengths include: Their project approach showed an expertise in watershed planning; they have a strong background and experience in water quality projects, particularly in Hillsborough County; they provided subconsultants that are MBE or WBE certified; and they are SBE-certified by the City of St. Petersburg.

Weaknesses include: Their prior large drainage projects were completed by their subconsultant; and their proposal provides a significant role for their subconsultant.

The proposal meets the City’s requirements.

Shortlisting and Oral Presentations

The SOQs were initially evaluated solely on the evaluation criteria established in the RFQ. A shortlist meeting was held on November 16, 2018, to identify no less than three firms in accordance with Florida’s Consultants Competitive Negotiations Act, Chapter 287, Florida Statutes.

Ten firms were invited to attend presentations and interviews. They were:

1. Advanced Engineering & Design, Inc.
3. Atkins North America, Inc.
4. Carollo, Inc.
5. Environmental Consulting & Technology, Inc.
9. Pennoni, Inc.
10. Watermark Engineering Group, Inc.

Oral presentations and interviews took place before the evaluation committee on February 5, 2019, and February 6, 2019, for the purpose of clarifications and to ensure full understanding of
the City's requirements. The presentations also enabled the committee to have a full understanding of the offerors' proposals and responses.

Recommendation for Award

On February 6, 2019, Applied Sciences Consulting, Inc., Carollo, Inc., Geosyntec Consultants, Inc., Jones Edmunds & Associates, Inc., Land & Water Engineering Science, Inc., Pennoni, Inc. and Watermark Engineering Group, Inc. were recommended for award. The firms have met the requirements of RFQ No. 7004 and have been determined to be the most advantageous to the City, taking into consideration their years of providing these services, strategic use of sub-consultants, and the evaluation criteria set forth in the RFP. Multiple firms are recommended to ensure availability and capacity for the City's requirements.

The firms were selected for the following reasons:

- Years of experience in providing these services
- They included SBE/MBE/DBE certified firms and sub-consultants
- They provided relevant past and present project examples

Attached are the minutes of the two evaluation committee meetings.

Brijesh Rayment, Chair
Carlos Frey, Committee Member
Dan Saunders, Committee Member

Paul Booth, Committee Member
Sharon Wright, Committee Member
Title: RFQ No. 7004: Consulting Services for Stormwater Management
Meeting Date: Wednesday, November 16, 2018
Time: 8:00 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>
</table>
| 1. Introductions | Committee Members in Attendance: Brejesh Prayman, Carlos Frey, Dan Saunders, Paul Booth, Sharon Wright  
     a. Public Comments  
     b. Florida's Open Meeting Law – FS 286.011 [NJ]  
     c. Prohibited Communication - AP #050100 [NJ]  
     d. Identify Chairperson (Brejesh Prayman)  
     Staff: Neal Jones  
     Public: Multiple members of public present, no one spoke when given the opportunity. |
| 2. Evaluations of Proposals (Strengths and Weaknesses) | Chairman opened the floor up for discussion on the SOQ's received.  
     a. Advanced Engineering & Design, Inc.  
     b. Applied Sciences Consulting, Inc.  
     c. Atkins North America, Inc.  
     d. Carollo Engineers, Inc.  
     e. Compass Engineering & Surveying, Inc., dba Deuel & Associates  
     f. Environmental Consulting & Technology, Inc.  
     g. Geosyntec Consultants, Inc.  
     h. Grissom Smith, LLC  
     j. Land & Water Engineering Science, Inc.  
     k. Pennoni Associates, Inc.  
     l. Watermark Engineering Group, Inc. |
3. Shortlist for Presentations

Motion by: Carlos to short-list
Advanced Engineering & Design, Inc.,
Applied Sciences Consulting, Inc.,
Atkins North America, Inc. and Carollo
Engineers,Inc. for
presentations/interviews
Seconded by: Sharon Wright
Votes: Affirmative (5)

Motion by: Carlos to short-list Jones
Edmunds & Associates, Inc., Land &
Water Engineering Science, Inc. and
Pennoni Associates for
presentations/interviews
Seconded by: Paul Booth
Votes: Affirmative (5)

Motion by: Carlos to short-list
Environmental Consulting &
Technology, Inc., Geosyntec
Consultants, Inc. and Watermark
Engineering, Inc. for
presentations/interviews
Seconded by: Sharon Wright
Votes: Affirmative (5)

4. Adjournment

Meeting Adjourned at 9:00
Title: RFQ No. 7004: Consulting Services for Stormwater Management  
Meeting Date: Wednesday, February 6, 2019  
Time: 4:25 p.m.  
Place: Municipal Services Center, One 4th Street North, CR500, St. Petersburg, FL

<table>
<thead>
<tr>
<th>Agenda Item</th>
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</tr>
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<tbody>
<tr>
<td>1. Introductions</td>
<td>Committee Members in Attendance: Brejesh Prayman, Sharon Wright, Carlos Frey, Paul Booth, Dan Saunders</td>
</tr>
</tbody>
</table>
| a. Public Comments                              | Staff: Tara Brees  
| b. Florida’s Open Meeting Law – FS 286.011 [NJ] | Public:  
|                                                 | Chairman opened the floor up for discussion on the presentations.                      |
| 2. Evaluations of Presentations (Strengths and Weaknesses) |  
| a. Advanced Engineering & Design, Inc.   |  
| b. Applied Sciences Consulting, Inc.       |  
| c. Atkins North America, Inc.              |  
| d. Carollo Engineers, Inc.                 |  
| e. Environmental Consulting & Technology, Inc. |  
| f. Geosyntec Consultants, Inc.             |  
| g. Jones Edmunds & Associates, Inc.        |  
| h. Land & Water Engineering Science, Inc.  |  
| i. Pennoni Associates, Inc.                |  
| j. Watermark Engineering Group, Inc.       |  
|                                                 |  

Rev (8/16)
3. Recommendation for Award
   Applied Science
   Carollo
   Land & Water
   Water Mark

   Pennoni
   Geosyntec
   JonesEdmunds

   Motion by: Carlos Frey
   Seconded by: Sharon Wright
   Votes: Affirmative (5)

   Motion by: Carlos Frey
   Seconded by: Dan Saunders
   Votes: Affirmative (5)

4. Adjournment

   Meeting Adjourned at 5:17 pm
RESOLUTION NO. 2019--

A RESOLUTION ACKNOWLEDGING THE SELECTION OF APPLIED SCIENCES CONSULTING, INC., CAROLLO ENGINEERS, INC., GEOSYNTEC CONSULTANTS, INC., JONES EDMUNDS & ASSOCIATES, INC., LAND & WATER ENGINEERING SCIENCE, INC., PENNONI ASSOCIATES, INC., AND WATERMARK ENGINEERING GROUP, INC. TO PROVIDE MISCELLANEOUS PROFESSIONAL SERVICES FOR STORMWATER MANAGEMENT SERVICES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE CITY'S STANDARD FORM ARCHITECT/ENGINEERING AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 20, 2018, the Procurement & Supply Management Department issued a request for qualifications ("RFQ") No. 7004 in accordance with the requirements set forth in Florida Statute §287.055 (the Consultant's Competitive Negotiation Act) to engage the most qualified firm(s) to provide miscellaneous professional services for Stormwater Management Services; and

WHEREAS, on September 13, 2018, the Procurement & Supply Management Department received twelve (12) statement of qualifications in response to the RFQ; and

WHEREAS, on November 16, 2018, the selection committee (Birejesh Prayman, Carlos Frey, Dan Saunders, Paul Booth, and Sharon Wright) met to discuss the statement of qualifications and shortlisted to ten (10) firms; and


WHEREAS, on February 5 and February 6, 2019, the ten (10) shortlisted firms made presentations to the selection committee; and

WHEREAS, on February 6, 2019, the selection committee ranked Applied Sciences, Carollo, Geosyntec, Jones Edmunds, Land & Water, Pennoni, and Watermark as the most qualified firms to provide miscellaneous professional services for Stormwater Management Services; and

WHEREAS, the firms are required to execute the City's form architect/engineering agreement ("A/E Agreement"); and
WHEREAS, the firms have agreed to the terms and conditions set forth in the A/E Agreement; and

WHEREAS, from time to time the City issues task orders to such firms in order for the firm to provide professional services in accordance with the A/E Agreement.


BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the City's form architect/engineering agreement.

This resolution shall become effective immediately upon its adoption.

Approved by:

[Signature]

Legal Department
By: (City Attorney or Designee)
00445971
The following page(s) contain the backup material for Agenda Item: Authorizing the Mayor, or his designee, to execute a License Agreement with Burg Baseball Inc., a Florida non-profit corporation, for the use of a concession stand/restroom building located within a portion of City-owned Lake Vista Park for a period of thirty-six (36) months at an aggregate fee of $36.00; and waiving the reserve for replacement requirement for City Council Resolution No. 79-740A. (Requires affirmative vote of at least six (6) members of City Council.)
Please scroll down to view the backup material.
ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of May 16, 2019

TO: The Honorable Charles W. Gerdes, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his designee, to execute a License Agreement with Burg Baseball Inc., a Florida non-profit corporation, for the use of a concession stand/restroom building located within a portion of City-owned Lake Vista Park for a period of thirty-six (36) months at an aggregate fee of $36.00; and to execute all documents necessary to effectuate same; waiving the reserve for replacement requirement for City Council Resolution No. 79-740A; and providing an effective date. (Requires affirmative vote of at least six (6) members of City Council.)

EXPLANATION: The Real Estate and Property Management Department ("REPM") Burg Baseball Inc. ("Licensee") to renew its license agreement for the use of the concession stand/restroom building located within a portion of City-owned Lake Vista Park ("Premises"). The Licensee, a youth baseball organization, has utilized the Premises since June 1, 2016.

The Licensee has executed a new License Agreement ("License") for a term of thirty-six (36) months, subject to City Council approval, with the terms and conditions providing it with the same basic rights and privileges it has enjoyed during the preceding term. The fee is one dollar ($1.00) per month or thirty-six dollars ($36.00) for the entire term. The Licensee is responsible for all interior and exterior maintenance of the building and utilities including, but not limited to, water, electric, telephone, internet, cable/satellite television, sewer, gas, trash collection and stormwater fees, in addition to any applicable taxes, with the exception of the maintenance and cleaning of the restrooms which is performed by the City due to the need to have the restrooms available to the general public in addition to the use by the Licensee. Additionally, the Licensee will maintain a commercial general liability insurance policy in the amount of $1,000,000 per occurrence and $2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Licensee’s use of the Premises. The License may be terminated without cause by either party with ninety (90) days written notice prior to the scheduled date of termination.

City Council Resolution No. 79-740A, dated October 4, 1979, establishes policies for the sale and leasing of City-owned park and waterfront property. This resolution requires that when leasing City property to a non-profit, private organization “…the organization pays operating costs plus a reserve for replacement.” Due to the limited financial resources of the organization, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived in an effort to minimize operating costs. These terms and conditions are consistent with
prior leases with this and other non-profit organizations. Under the terms of the License, the City is under no obligation to provide a replacement facility under any circumstances.

Section 1.02 (c)(2) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property for three (3) years or less on residentially-zoned property with approval by an affirmative vote of at least six (6) members of City Council. The subject property is zoned (NS-E) Neighborhood Suburban Estate.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute a License Agreement with Burg Baseball Inc., a Florida non-profit corporation, for the use of a concession stand/restroom building located within a portion of City-owned Lake Vista Park for a period of thirty-six (36) months at an aggregate fee of $36.00; and to execute all documents necessary to effectuate same; waiving the reserve for replacement requirement for City Council Resolution No. 79-740A; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

APPROVALS: Administration: [Signature]

Budget: N/A

Legal: [Signature] (As to consistency w/attached legal documents)
Resolution No. 2019 - ______

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH BURG BASEBALL INC., A FLORIDA NON-PROFIT CORPORATION, FOR THE USE OF A CONCESSION STAND/RESTROOM BUILDING LOCATED WITHIN A PORTION OF CITY-OWNED LAKE VISTA PARK FOR A PERIOD OF THIRTY-SIX (36) MONTHS AT AN AGGREGATE FEE OF $36.00; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; WAIVING THE RESERVE FOR REPLACEMENT REQUIREMENT FOR CITY COUNCIL RESOLUTION NO. 79-740A; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Burg Baseball Inc. ("Licensee") desires to continue to license certain City-owned property within Lake Vista Park, which is classified as Park Property on the City Park and Waterfront map, for the use of a concession stand/restroom building; and

WHEREAS, the proposed License Agreement ("License") will be for a term of thirty-six (36) months for a fee of $36.00, to be paid at the commencement of the License; and

WHEREAS, the Licensee is responsible for all interior and exterior maintenance of the building and utilities including, but not limited to, water, electric, telephone, internet, cable/satellite television, sewer, gas, trash collection and stormwater fees, in addition to any applicable taxes, with the exception of the maintenance and cleaning of the restrooms which is performed by the City due to the need to have the restrooms available to the general public in addition to the use by the Licensee; and

WHEREAS, the Licensee will maintain a commercial general liability insurance policy in the amount of $1,000,000 per occurrence and $2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Licensee’s use of the Premises; and

WHEREAS, the License may be terminated without cause by either party by providing written notice no less than ninety (90) days prior to the scheduled date of termination; and

WHEREAS, due to the limited financial resources of the organization, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived in an effort to minimize operating costs; and
WHEREAS, the License is in accordance with the policies established in Resolution No. 79-740A with the exception that the reserve for replacement requirement is being waived to reduce the organization's operating costs; and

WHEREAS, these terms and conditions are consistent with prior leases with this and other non-profit organizations; and

WHEREAS, under the terms of the License, the City is under no obligation to provide a replacement facility under any circumstances; and

WHEREAS, Section 1.02 (c)(2) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property for three (3) years or less on residentially-zoned property with approval by an affirmative vote of at least six (6) members of City Council.

NOW THEREFORE, BE IT RESOLVED BY the City Council of the City of St. Petersburg, Florida, that the Mayor, or his designee, is authorized to execute a License Agreement with Burg Baseball Inc., a Florida non-profit corporation, for the use of a concession stand/restroom building located within a portion of City-owned Lake Vista Park for a period of thirty-six (36) months at an aggregate fee of $36.00; and to execute all documents necessary to effectuate same; and

BE IT FURTHER RESOLVED that the reserve for replacement requirement pursuant to Resolution No. 79-740A is hereby waived.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)

00445325.doc v1

APPROVED BY:

Michael J. Jefferis, Administrator
Leisure Services Administration

APPROVED BY:

Alfred G. Wendler, Director
Real Estate and Property Management
The following page(s) contain the backup material for Agenda Item: Authorizing the Mayor, or his
designee, to execute a License Agreement with Palmetto Park Crime Watch and Neighborhood
Association, Inc., a Florida not-for-profit corporation, for the use of a surplus, unimproved City-
owned parcel located at 2519 – 3rd Avenue South, St. Petersburg, as a community garden for a
period of thirty-six (36) months for an aggregate fee of $36.00.
Please scroll down to view the backup material.
ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of May 16, 2019

TO: The Honorable Charles W. Gerdes, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his designee, to execute a License Agreement with Palmetto Park Crime Watch and Neighborhood Association, Inc., a Florida not-for-profit corporation, for the use of a surplus, unimproved City-owned parcel located at 2519 – 3rd Avenue South, St. Petersburg, as a community garden for a period of thirty-six (36) months for an aggregate fee of $36.00; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Real Estate and Property Management received a request from Palmetto Park Crime Watch and Neighborhood Association, Inc. ("Licensee") to renew the License Agreement for the use of a surplus, unimproved City-owned parcel located at 2519 – 3rd Avenue South, St. Petersburg, as a community garden to grow vegetables that will be distributed to the residents within the Palmetto Park neighborhood, that it has utilized since June 2001.

The subject parcel has dimensions of 50 ft. x 127 ft. and is zoned NT-2 (Neighborhood Traditional Single-Family-2). The subject parcel is legally described as follows:

Lot 14, Block 6, COLONIAL PLACE REVISED
Pinellas County Parcel I.D. No.: 23/31/16/17442/006/0140
Street Address: 2519 – 3rd Avenue South, St. Petersburg

The Licensee has executed a License Agreement ("Agreement") for a term of thirty-six (36) months ("Term"), subject to City Council approval, with the terms and conditions providing the Licensee with the same basic rights and privileges it has enjoyed during the preceding term. The fee is one dollar ($1.00) per month or thirty-six dollars ($36.00) for the entire term. The Agreement provides that the Licensee shall be responsible for all applicable costs (including installation, deposits, and usage) for utilities associated with the Licensee’s use of the subject parcel. Additionally, the Licensee shall maintain a $1,000,000 Commercial General Liability policy protecting the City against all claims which may arise or be claimed on account of the Licensee’s use of the subject parcel in accordance with the State of Florida Statutory requirements. The Agreement may be terminated without cause by either party with thirty (30) days written notice prior to the scheduled date of termination. Under the terms of the Agreement, "the City is under no obligation to locate or provide a replacement facility under any circumstances."
RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute a License Agreement with Palmetto Park Crime Watch and Neighborhood Association, Inc., a Florida not-for-profit corporation, for the use of a surplus, unimproved City-owned parcel located at 2519 – 3rd Avenue South, St. Petersburg, as a community garden for a period of thirty-six (36) months for an aggregate fee of $36.00; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration, Resolution

APPROVALS: Administration: ____________________________

Budget: ____________________________

Legal: ____________________________

(As to consistency w/attached legal documents)
Lot 14, Block 6, COLONIAL PLACE REVISED
Pinellas County Parcel I.D. No.: 23/31/16/17442/006/0140
Street Address: 2519 – 3rd Avenue South, St. Petersburg
Resolution No. 2019 - ______

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH PALMETTO PARK CRIME WATCH AND NEIGHBORHOOD ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE USE OF A SURPLUS, UNIMPROVED CITY-OWNED PARCEL LOCATED AT 2519 – 3RD AVENUE SOUTH, ST. PETERSBURG, AS A COMMUNITY GARDEN FOR A PERIOD OF THIRTY-SIX (36) MONTHS FOR AN AGGREGATE FEE OF $36.00; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management received a request from Palmetto Park Crime Watch and Neighborhood Association, Inc. ("Licensee") to renew the License Agreement for the use of a surplus, unimproved City-owned parcel located at 2519 – 3rd Avenue South, St. Petersburg, as a community garden to grow vegetables that will be distributed to the residents within the Palmetto Park neighborhood, that it has utilized since 2001; and

WHEREAS, the subject parcel has dimensions of 50 ft. x 127 ft. and is zoned NT-2 (Neighborhood Traditional Single-Family-2); and

WHEREAS, the subject parcel is legally described as follows:

Lot 14, Block 6, COLONIAL PLACE REVISED
Pinellas County Parcel I.D. No.: 23/31/16/17442/006/0140
Street Address: 2519 – 3rd Avenue South, St. Petersburg; and

WHEREAS, the Licensee has executed a License Agreement ("Agreement") for a term of thirty-six (36) months, subject to City Council approval, with the terms and conditions providing Licensee with the same basic rights and privileges it has enjoyed during the preceding term; and

WHEREAS, the fee is one dollar ($1.00) per month or thirty-six dollars ($36.00) for the entire term; and

WHEREAS, the Licensee shall be responsible for all applicable costs (including installation, deposits, and usage) for utilities associated with the Licensee's use of the subject parcel; and
WHEREAS, the Licensee shall maintain a $1,000,000 Commercial General Liability policy protecting the City against all claims which may arise or be claimed on account of the Licensee's use of the subject parcel in accordance with the State of Florida Statutory requirements; and

WHEREAS, the Agreement may be terminated without cause by either party with thirty (30) days written notice prior to the scheduled date of termination; and

WHEREAS, under the terms of the Agreement, "the City is under no obligation to locate or provide a replacement facility under any circumstances."

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor, or his designee, is authorized to execute a License Agreement with Palmetto Park Crime Watch and Neighborhood Association, Inc., a Florida not-for-profit corporation, for the use of a surplus, unimproved City-owned parcel located at 2519 – 3rd Avenue South, St. Petersburg, as a community garden for a period of thirty-six (36) months for an aggregate fee of $36.00; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

[Signature]
City Attorney (Designee)

APPROVED BY:

[Signature]
Robert M. Gerdes, Administrator
Neighborhood Affairs

APPROVED BY:

[Signature]
Alfred G. Wendler, Director
Real Estate and Property Management
The following page(s) contain the backup material for Agenda Item: Authorizing the Mayor or his designee to accept a Flood Mitigation Assistance Grant from the Federal Emergency Management Agency (“FEMA”), through the pass-through entity, the Florida Division of Emergency Management, at a maximum reimbursement amount of $75,000, and to execute all documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $75,000 from the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013) resulting from these additional revenues to the Infrastructure/Neighborhood RP Project (16187); and providing an effective date.

Please scroll down to view the backup material.
ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of May 16, 2019

TO: The Honorable Charles Gerdes, Chair and Members of City Council

SUBJECT: A Resolution authorizing the Mayor or his designee to accept a Flood Mitigation Assistance Grant from the Federal Emergency Management Agency ("FEMA"), through the pass-through entity, the Florida Division of Emergency Management, at a maximum reimbursement amount of $75,000, and to execute all documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $75,000 from the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013) resulting from these additional revenues to the Infrastructure/Neighborhood RP Project (16187); and providing an effective date.

EXPLANATION: This grant, offered through Florida's Flood Mitigation Assistance Program, is to fund necessary feasibility studies for the design of a community flood hazard mitigation project that will reduce vulnerability to flooding within the City of St. Petersburg, Florida.

The feasibility studies will evaluate developing a system of stormwater pump stations to mitigate flood risks within the City, which is vulnerable to flooding, coastal storms or surge and hurricanes.

As part of the City's Stormwater Master Plan and other resiliency projects, the City will identify locations which are susceptible to flooding. Potential project(s) will be identified and provided to City Council for approval for authorization of planning services consistent with the requirements of this Grant.

This Grant's funding summary includes a $75,000 federal share and a $25,000 local share, for a total project cost of $100,000.

RECOMMENDATION: Administration recommends authorizing the Mayor or his designee to accept the Flood Mitigation Assistance Grant from FEMA, through the pass-through entity, the Florida Division of Emergency Management, at a maximum reimbursement amount of $75,000, and to execute all documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $75,000 from the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013) resulting from these additional revenues to the Infrastructure/Neighborhood RP Project (16187); and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: The local share portion has been previously appropriated in the Stormwater Drainage Capital Improvement Fund (4013), Infrastructure/Neighborhood Resiliency Plan Project (16187). Additional funding will be available after approval of a supplemental appropriation in the amount of $75,000 from the increase in the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013), resulting from these additional revenues, to the Infrastructure/Neighborhood Resiliency Plan Project (16187).

ATTACHMENTS: Resolution
Federally-Funded Subaward and Grant Agreement
RESOLUTION NO. 2019 -

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT A FLOOD MITIGATION ASSISTANCE GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY ("FEMA"), THROUGH THE PASS-THROUGH ENTITY, THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT, AT A MAXIMUM REIMBURSEMENT AMOUNT OF $75,000, AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $75,000 FROM THE UNAPPROPRIATED BALANCE OF THE STORMWATER DRAINAGE CAPITAL PROJECTS FUND (4013) RESULTING FROM THESE ADDITIONAL REVENUES TO THE INFRASTRUCTURE/NEIGHBORHOOD RESILIENCY PLAN PROJECT (16187); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") wishes to accept a Flood Mitigation Assistant Grant ("Grant") from FEMA, through the pass-through entity, the Florida Division of Emergency Management, in the amount of $75,000 to be used to fund necessary feasibility studies for the design of a community flood hazard mitigation project that will reduce vulnerability to flooding within the City; and

WHEREAS, in order to receive such funding, the City must execute a Federally Funded Subaward and Grant Agreement ("Agreement") with the Florida Division of Emergency Management, which sets forth the obligations of the parties; and

WHEREAS, the Agreement provides for reimbursement for project costs in an amount up to $75,000, which is 75% of the total project cost of $100,000; and

WHEREAS, the project consists of evaluating the development of a system of stormwater pump stations to mitigate flood risks within the City, which is vulnerable to flooding, coastal storms or surge and hurricanes.

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 accept the Grant from FEMA, through the pass-through entity, the Florida Division of Emergency Management, at a maximum reimbursement amount of $75,000, for the specific purpose of evaluating the development of a system of stormwater pump stations to mitigate flood risks within the City, and to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that there is hereby approved the following supplemental appropriation from the unappropriated balance of the Stormwater Drainage Capital Projects Fund FY19:
Stormwater Drainage Capital Projects (4013)  
Infrastructure/Neighborhood Resiliency Plan Project (16187)  

$75,000

This resolution shall become effective immediately upon its adoption.

Approved by:

[Signature]

Legal Department
By: (City Attorney or Designee)

Approved by:

[Signature]

Brajesh Prayman, P.E.
Engineering & Capital Improvements Director

[Signature]

Elizabeth Makofske
Budget Director
FEDERALLY-FUNDED SUBAWARD AND GRANT AGREEMENT

2 C.F.R. §200.92 states that a “subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.”

As defined by 2 C.F.R. §200.74, “pass-through entity” means “a non-Federal entity that provides a subaward to a Sub-Recipient to carry out part of a Federal program.”

As defined by 2 C.F.R. §200.93, “Sub-Recipient” means “a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program.”

As defined by 2 C.F.R. §200.38, “Federal award” means “Federal financial assistance that a non-Federal entity receives directly from a Federal awarding agency or indirectly from a pass-through entity.”

As defined by 2 C.F.R. §200.92, “subaward” means “an award provided by a pass-through entity to a Sub-Recipient for the Sub-Recipient to carry out part of a Federal award received by the pass-through entity.”

The following information is provided pursuant to 2 C.F.R. §200.331(a)(1):

Sub-Recipient’s name: City of St. Petersburg
Sub-Recipient’s unique entity identifier: 59-6000424
Federal Award Identification Number (FAIN): EMA-2018-FM-E001
Federal Award Date: JULY 19, 2018
Subaward Period of Performance Start and End Date: Upon Execution thru March 22, 2021
Amount of Federal Funds Obligated by this Agreement: $75,000.00
Total Amount of Federal Funds Obligated to the Sub-Recipient by the pass-through entity to include this Agreement: $75,000.00
Total Amount of the Federal Award committed to the Sub-Recipient by the pass-through entity: $75,000.00
Federal award project description (see FFATA): St. Petersburg-Flood Mitigation Assistance Grant
Name of Federal awarding agency: Federal Emergency Management Agency
Name of pass-through entity: FL Division Of Emergency Management
Contact information for the pass-through entity: Susan.Harris-Council@em.myflorida.com
Catalog of Federal Domestic Assistance (CFDA) Number and Name: 97.029 Flood Mitigation Assistance
Whether the award is R&D: N/A
Indirect cost rate for the Federal award: N/A
THIS AGREEMENT is entered into by the State of Florida, Division of Emergency Management, with headquarters in Tallahassee, Florida (hereinafter referred to as the "Division"), and City of St. Petersburg, (hereinafter referred to as the "Sub-Recipient").

For the purposes of this Agreement, the Division serves as the pass-through entity for a Federal award, and the Sub-Recipient serves as the recipient of a subaward.

THIS AGREEMENT IS ENTERED INTO BASED ON THE FOLLOWING REPRESENTATIONS:

A. The Sub-Recipient represents that it is fully qualified and eligible to receive these grant funds to provide the services identified herein;

B. The State of Florida received these grant funds from the Federal government, and the Division has the authority to subgrant these funds to the Sub-Recipient upon the terms and conditions outlined below; and,

C. The Division has statutory authority to disburse the funds under this Agreement.

THEREFORE, the Division and the Sub-Recipient agree to the following:

(1) APPLICATION OF STATE LAW TO THIS AGREEMENT

2 C.F.R. §200.302 provides: “Each state must expend and account for the Federal award in accordance with state laws and procedures for expending and accounting for the state's own funds.” Therefore, section 215.971, Florida Statutes, entitled “Agreements funded with federal or state assistance”, applies to this Agreement.

(2) LAWS, RULES, REGULATIONS AND POLICIES

a. The Sub-Recipient's performance under this Agreement is subject to 2 C.F.R. Part 200, entitled “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.”

b. As required by Section 215.971(1), Florida Statutes, this Agreement includes:

   i. A provision specifying a scope of work that clearly establishes the tasks that the Sub-Recipient is required to perform.
   
   ii. A provision dividing the agreement into quantifiable units of deliverables that must be received and accepted in writing by the Division before payment. Each deliverable must be directly related to the scope of work and specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable.
   
   iii. A provision specifying the financial consequences that apply if the Sub-Recipient fails to perform the minimum level of service required by the agreement.

   iv. A provision specifying that the Sub-Recipient may expend funds only for allowable costs resulting from obligations incurred during the specified agreement period.

   v. A provision specifying that any balance of unobligated funds which has been advanced or paid must be refunded to the Division.
vi. A provision specifying that any funds paid in excess of the amount to which the Sub-Recipient is entitled under the terms and conditions of the agreement must be refunded to the Division.

c. In addition to the foregoing, the Sub-Recipient and the Division shall be governed by all applicable State and Federal laws, rules and regulations, including those identified in Attachment B. Any express reference in this Agreement to a particular statute, rule, or regulation in no way implies that no other statute, rule, or regulation applies.

(3) CONTACT

a. In accordance with section 215.971(2), Florida Statutes, the Division’s Grant Manager shall be responsible for enforcing performance of this Agreement’s terms and conditions and shall serve as the Division’s liaison with the Sub-Recipient. As part of his/her duties, the Grant Manager for the Division shall:

   i. Monitor and document Sub-Recipient performance; and,
   ii. Review and document all deliverables for which the Sub-Recipient requests payment.

b. The Division’s Grant Manager for this Agreement is:
   Susan Harris-Council, Project Manager
   Fl Division of Emergency Management
   2555 Shumard Oak Boulevard
   Tallahassee, Florida 32399
   Telephone: 850-815-4532
   Email: Susan.Harris-Council@em.myflorida.com

c. The name and address of the Representative of the Sub-Recipient responsible for the administration of this Agreement is:

   Noah Taylor, Floodplain Coordinator
   City of St. Petersburg
   P.O. BOX 2842
   St. Petersburg, Florida 33373
   Telephone: 727-893-7283
   Email: noah.taylor@stpete.org

d. In the event that different representatives or addresses are designated by either party after execution of this Agreement, notice of the name, title and address of the new representative will be provided to the other party.
(4) TERMS AND CONDITIONS
This Agreement contains all the terms and conditions agreed upon by the parties.

(5) EXECUTION
This Agreement may be executed in any number of counterparts, any one of which may be taken as an original.

(6) MODIFICATION
Either party may request modification of the provisions of this Agreement. Changes which are agreed upon shall be valid only when in writing, signed by each of the parties, and attached to the original of this Agreement.

(7) SCOPE OF WORK.
The Sub-Recipient shall perform the work in accordance with the Budget and Scope of Work, Attachment A of this Agreement.

(8) PERIOD OF AGREEMENT.
This Agreement shall begin upon execution by both parties and shall end on March 22, 2021, unless terminated earlier in accordance with the provisions of Paragraph (17) of this Agreement. Consistent with the definition of “period of performance” contained in 2 C.F.R. §200.77, the term “period of agreement” refers to the time during which the Sub-Recipient “may incur new obligations to carry out the work authorized under” this Agreement. In accordance with 2 C.F.R. §200.309, the Sub-Recipient may receive reimbursement under this Agreement only for “allowable costs incurred during the period of performance.” In accordance with section 215.971(1)(d), Florida Statutes, the Sub-Recipient may expend funds authorized by this Agreement “only for allowable costs resulting from obligations incurred during” the period of agreement.

(9) FUNDING
a. This is a cost-reimbursement Agreement, subject to the availability of funds.

b. The State of Florida’s performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature, and subject to any modification in accordance with either Chapter 216, Florida Statutes, or the Florida Constitution.

c. The Division will reimburse the Sub-Recipient only for allowable costs incurred by the Sub-Recipient in the successful completion of each deliverable. The maximum reimbursement amount for each deliverable is outlined in Attachment A of this Agreement (“Budget and Scope of Work”). The maximum reimbursement amount for the entirety of this Agreement is $75,000.00

d. As required by 2 C.F.R. §200.415(a), any request for payment under this Agreement must include a certification, signed by an official who is authorized to legally bind the Sub-Recipient, which reads as follows: “By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any
false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812).

e. The Division will review any request for reimbursement by comparing the documentation provided by the Sub-Recipient against a performance measure, outlined in Attachment A, that clearly delineates:
   i. The required minimum acceptable level of service to be performed; and,
   ii. The criteria for evaluating the successful completion of each deliverable.

f. The performance measure required by section 215.971(1)(b), Florida Statutes, remains consistent with the requirement for a “performance goal”, which is defined in 2 C.F.R. §200.76 as “a target level of performance expressed as a tangible, measurable objective, against which actual achievement can be compared.” It also remains consistent with the requirement, contained in 2 C.F.R. §200.301, that the Division and the Sub-Recipient “relate financial data to performance accomplishments of the Federal award.”

g. If authorized by the Federal Awarding Agency, then the Division will reimburse the Sub-Recipient for overtime expenses in accordance with 2 C.F.R. §200.430 (“Compensation—personal services”) and 2 C.F.R. §200.431 (“Compensation—fringe benefits”). If the Sub-Recipient seeks reimbursement for overtime expenses for periods when no work is performed due to vacation, holiday, illness, failure of the employer to provide sufficient work, or other similar cause (see 29 U.S.C. §207(e)(2)), then the Division will treat the expense as a fringe benefit. 2 C.F.R. §200.431(a) defines fringe benefits as “allowances and services provided by employers to their employees as compensation in addition to regular salaries and wages.” Fringe benefits are allowable under this Agreement as long as the benefits are reasonable and are required by law, Sub-Recipient-employee agreement, or an established policy of the Sub-Recipient. 2 C.F.R. §200.431(b) provides that the cost of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, family-related leave, sick leave, holidays, court leave, military leave, administrative leave, and other similar benefits, are allowable if all of the following criteria are met:
   i. They are provided under established written leave policies;
   ii. The costs are equitably allocated to all related activities, including Federal awards; and,
   iii. The accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the non-Federal entity or specified grouping of employees.

h. If authorized by the Federal Awarding Agency, then the Division will reimburse the Sub-Recipient for travel expenses in accordance with 2 C.F.R. §200.474. As required by the Reference Guide for State Expenditures, reimbursement for travel must be in accordance with section 112.061, Florida Statutes, which includes submission of the claim on the approved state travel voucher. If the Sub-Recipient seeks reimbursement for travel costs that exceed the amounts stated in section 112.061(6)(b),
Florida Statutes ($6 for breakfast, $11 for lunch, and $19 for dinner), then the Sub-Recipient must provide documentation that:

i. The costs are reasonable and do not exceed charges normally allowed by the Sub-Recipient in its regular operations as a result of the Sub-Recipient’s written travel policy; and,

ii. Participation of the individual in the travel is necessary to the Federal award.

i. The Division’s grant manager, as required by section 215.971(2)(c), Florida Statutes, shall reconcile and verify all funds received against all funds expended during the grant agreement period and produce a final reconciliation report. The final report must identify any funds paid in excess of the expenditures incurred by the Sub-Recipient.

j. As defined by 2 C.F.R. §200.53, the term “improper payment” means or includes:

i. Any payment that should not have been made or that was made in an incorrect amount (including overpayments and underpayments) under statutory, contractual, administrative, or other legally applicable requirements; and,

ii. Any payment to an ineligible party, any payment for an ineligible good or service, any duplicate payment, any payment for a good or service not received (except for such payments where authorized by law), any payment that does not account for credit for applicable discounts, and any payment where insufficient or lack of documentation prevents a reviewer from discerning whether a payment was proper.

(10) RECORDS

a. As required by 2 C.F.R. §200.336, the Federal awarding agency, Inspectors General, the Comptroller General of the United States, and the Division, or any of their authorized representatives, shall enjoy the right of access to any documents, papers, or other records of the Sub-Recipient which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right of access also includes timely and reasonable access to the Sub-Recipient’s personnel for the purpose of interview and discussion related to such documents. Finally, the right of access is not limited to the required retention period but lasts as long as the records are retained.

b. As required by 2 C.F.R. §200.331(a)(5), the Division, the Chief Inspector General of the State of Florida, the Florida Auditor General, or any of their authorized representatives, shall enjoy the right of access to any documents, financial statements, papers, or other records of the Sub-Recipient which are pertinent to this Agreement, in order to make audits, examinations, excerpts, and transcripts. The right of access also includes timely and reasonable access to the Sub-Recipient’s personnel for the purpose of interview and discussion related to such documents.

c. As required by Florida Department of State’s record retention requirements (Chapter 119, Florida Statutes) and by 2 C.F.R. §200.333, the Sub-Recipient shall retain sufficient records to show its compliance with the terms of this Agreement, as well as the compliance of all subcontractors or consultants paid from funds under this Agreement, for a period of five (5) fiscal years from the date of
completion of grant cycle or project. The following are the only exceptions to the five (5) year requirement:

i. If any litigation, claim, or audit is started before the expiration of the 5-year period, then the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.

ii. When the Division or the Sub-Recipient is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.

iii. Records for real property and equipment acquired with Federal funds must be retained for 5 years after final disposition.

iv. When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 5-year retention requirement is not applicable to the Sub-Recipient.

v. Records for program income transactions after the period of performance. In some cases recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned.

vi. Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).

d. In accordance with 2 C.F.R. §200.334, the Federal awarding agency must request transfer of certain records to its custody from the Division or the Sub-Recipient when it determines that the records possess long-term retention value.

e. In accordance with 2 C.F.R. §200.335, the Division must always provide or accept paper versions of Agreement information to and from the Sub-Recipient upon request. If paper copies are submitted, then the Division must not require more than an original and two copies. When original records are electronic and cannot be altered, there is no need to create and retain paper copies. When original records are paper, electronic versions may be substituted through the use of duplication or other forms of electronic media provided that they are subject to periodic quality control reviews, provide reasonable safeguards against alteration, and remain readable.

f. As required by 2 C.F.R. §200.303, the Sub-Recipient shall take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or the Division designates as sensitive or the Sub-Recipient considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

g. Florida’s Government in the Sunshine Law (Section 286.011, Florida Statutes) provides the citizens of Florida with a right of access to governmental proceedings and mandates three,
basic requirements: (1) meetings of public boards or commissions must be open to the public; (2) reasonable notice of such meetings must be given; and, (3) minutes of the meetings must be taken and promptly recorded. The mere receipt of public funds by a private entity, standing alone, is insufficient to bring that entity within the ambit of the open government requirements. However, the Government in the Sunshine Law applies to private entities that provide services to governmental agencies and that act on behalf of those agencies in the agencies’ performance of their public duties. If a public agency delegates the performance of its public purpose to a private entity, then, to the extent that private entity is performing that public purpose, the Government in the Sunshine Law applies. For example, if a volunteer fire department provides firefighting services to a governmental entity and uses facilities and equipment purchased with public funds, then the Government in the Sunshine Law applies to board of directors for that volunteer fire department. Thus, to the extent that the Government in the Sunshine Law applies to the Sub-Recipient based upon the funds provided under this Agreement, the meetings of the Sub-Recipient’s governing board or the meetings of any subcommittee making recommendations to the governing board may be subject to open government requirements. These meetings shall be publicly noticed, open to the public, and the minutes of all the meetings shall be public records, available to the public in accordance with Chapter 119, Florida Statutes.

h. Florida’s Public Records Law provides a right of access to the records of the state and local governments as well as to private entities acting on their behalf. Unless specifically exempted from disclosure by the Legislature, all materials made or received by a governmental agency (or a private entity acting on behalf of such an agency) in conjunction with official business which are used to perpetuate, communicate, or formalize knowledge qualify as public records subject to public inspection. The mere receipt of public funds by a private entity, standing alone, is insufficient to bring that entity within the ambit of the public record requirements. However, when a public entity delegates a public function to a private entity, the records generated by the private entity’s performance of that duty become public records. Thus, the nature and scope of the services provided by a private entity determine whether that entity is acting on behalf of a public agency and is therefore subject to the requirements of Florida’s Public Records Law.

i. The Sub-Recipient shall maintain all records for the Sub-Recipient and for all subcontractors or consultants to be paid from funds provided under this Agreement, including documentation of all program costs, in a form sufficient to determine compliance with the requirements and objectives of the Budget and Scope of Work - Attachment A - and all other applicable laws and regulations.

(11) AUDITS

a. The Sub-Recipient shall comply with the audit requirements contained in 2 C.F.R. Part 200, Subpart F.

b. In accounting for the receipt and expenditure of funds under this Agreement, the Sub-Recipient shall follow Generally Accepted Accounting Principles (“GAAP”). As defined by 2 C.F.R.
§200.49, GAAP “has the meaning specified in accounting standards issued by the Government Accounting Standards Board (GASB) and the Financial Accounting Standards Board (FASB).”

c. When conducting an audit of the Sub-Recipient’s performance under this Agreement, the Division shall use Generally Accepted Government Auditing Standards (“GAGAS”). As defined by 2 C.F.R. §200.50, GAGAS, “also known as the Yellow Book, means generally accepted government auditing standards issued by the Comptroller General of the United States, which are applicable to financial audits.”

d. If an audit shows that all or any portion of the funds disbursed were not spent in accordance with the conditions of this Agreement, the Sub-Recipient shall be held liable for reimbursement to the Division of all funds not spent in accordance with these applicable regulations and Agreement provisions within thirty days after the Division has notified the Sub-Recipient of such non-compliance.

e. The Sub-Recipient shall have all audits completed by an independent auditor, which is defined in section 215.97(2)(h), Florida Statutes, as “an independent certified public accountant licensed under chapter 473.” The independent auditor shall state that the audit complied with the applicable provisions noted above. The audit must be received by the Division no later than nine months from the end of the Sub-Recipient’s fiscal year.

f. The Sub-Recipient shall send copies of reporting packages for audits conducted in accordance with 2 C.F.R. Part 200, by or on behalf of the Sub-Recipient, to the Division at the following address:

DEMSingle_Audit@em.myflorida.com
OR
Office of the Inspector General
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

g. The Sub-Recipient shall send the Single Audit reporting package and Form SF-SAC to the Federal Audit Clearinghouse by submission online at:

http://harvester.census.gov/fac/collect/ddeindex.html

h. The Sub-Recipient shall send any management letter issued by the auditor to the Division at the following address:

DEMSingle_Audit@em.myflorida.com
OR
Office of the Inspector General
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100
(12) REPORTS

a. Consistent with 2 C.F.R. §200.328, the Sub-Recipient shall provide the Division with quarterly reports and a close-out report. These reports shall include the current status and progress by the Sub-Recipient and all subcontractors in completing the work described in the Scope of Work and the expenditure of funds under this Agreement, in addition to any other information requested by the Division.

b. Quarterly reports are due to the Division no later than 15 days after the end of each quarter of the program year and shall be sent each quarter until submission of the administrative close-out report. The ending dates for each quarter of the program year are March 31, June 30, September 30 and December 31.

c. The close-out report is due 60 days after termination of this Agreement or 60 days after completion of the activities contained in this Agreement, whichever first occurs.

d. If all required reports and copies are not sent to the Division or are not completed in a manner acceptable to the Division, then the Division may withhold further payments until they are completed or may take other action as stated in Paragraph (16) REMEDIES. “Acceptable to the Division” means that the work product was completed in accordance with the Budget and Scope of Work.

e. The Sub-Recipient shall provide additional program updates or information that may be required by the Division.

f. The Sub-Recipient shall provide additional reports and information identified in Attachment F.

(13) MONITORING.

a. The Sub-Recipient shall monitor its performance under this Agreement, as well as that of its subcontractors and/or consultants who are paid from funds provided under this Agreement, to ensure that time schedules are being met, the Schedule of Deliverables and Scope of Work are being accomplished within the specified time periods, and other performance goals are being achieved. A review shall be done for each function or activity in Attachment A to this Agreement, and reported in the quarterly report.

b. In addition to reviews of audits, monitoring procedures may include, but not be limited to, on-site visits by Division staff, limited scope audits, and/or other procedures. The Sub-Recipient agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the Division. In the event that the Division determines that a limited scope audit of the Sub-Recipient is appropriate, the Sub-Recipient agrees to comply with any additional instructions provided by the Division to the Sub-Recipient regarding such audit. The Sub-Recipient further agrees to comply and cooperate with any inspections, reviews, investigations or audits deemed necessary by the Florida Chief Financial Officer or Auditor General. In addition, the Division will monitor the performance and financial management by the Sub-Recipient throughout the contract term to ensure timely completion of all tasks.
(14) LIABILITY

a. Unless Sub-Recipient is a State agency or subdivision, as defined in section 768.28(2), Florida Statutes, the Sub-Recipient is solely responsible to parties it deals with in carrying out the terms of this Agreement; as authorized by section 768.28(19), Florida Statutes, Sub-Recipient shall hold the Division harmless against all claims of whatever nature by third parties arising from the work performance under this Agreement. For purposes of this Agreement, Sub-Recipient agrees that it is not an employee or agent of the Division, but is an independent contractor.

b. As required by section 768.28(19), Florida Statutes, any Sub-Recipient which is a state agency or subdivision, as defined in section 768.28(2), Florida Statutes, agrees to be fully responsible for its negligent or tortious acts or omissions which result in claims or suits against the Division, and agrees to be liable for any damages proximately caused by the acts or omissions to the extent set forth in Section 768.28, Florida Statutes. Nothing herein is intended to serve as a waiver of sovereign immunity by any Sub-Recipient to which sovereign immunity applies. Nothing herein shall be construed as consent by a state agency or subdivision of the State of Florida to be sued by third parties in any matter arising out of any contract.

(15) DEFAULT.

If any of the following events occur ("Events of Default"), all obligations on the part of the Division to make further payment of funds shall terminate and the Division has the option to exercise any of its remedies set forth in Paragraph (16); however, the Division may make payments or partial payments after any Events of Default without waiving the right to exercise such remedies, and without becoming liable to make any further payment if:

a. Any warranty or representation made by the Sub-Recipient in this Agreement or any previous agreement with the Division is or becomes false or misleading in any respect, or if the Sub-Recipient fails to keep or perform any of the obligations, terms or covenants in this Agreement or any previous agreement with the Division and has not cured them in timely fashion, or is unable or unwilling to meet its obligations under this Agreement;

b. Material adverse changes occur in the financial condition of the Sub-Recipient at any time during the term of this Agreement, and the Sub-Recipient fails to cure this adverse change within thirty days from the date written notice is sent by the Division;

c. Any reports required by this Agreement have not been submitted to the Division or have been submitted with incorrect, incomplete or insufficient information; or,

d. The Sub-Recipient has failed to perform and complete on time any of its obligations under this Agreement.

(16) REMEDIES.

If an Event of Default occurs, then the Division shall, after thirty calendar days written notice to the Sub-Recipient and upon the Sub-Recipient's failure to cure within those thirty days, exercise any one or more of the following remedies, either concurrently or consecutively:
a. Terminate this Agreement, provided that the Sub-Recipient is given at least thirty days prior written notice of the termination. The notice shall be effective when placed in the United States, first class mail, postage prepaid, by registered or certified mail-return receipt requested, to the address in paragraph (3) herein;

b. Begin an appropriate legal or equitable action to enforce performance of this Agreement;

c. Withhold or suspend payment of all or any part of a request for payment;

d. Require that the Sub-Recipient refund to the Division any monies used for ineligible purposes under the laws, rules and regulations governing the use of these funds.

e. Exercise any corrective or remedial actions, to include but not be limited to:

   i. Request additional information from the Sub-Recipient to determine the reasons for or the extent of non-compliance or lack of performance,

   ii. Issue a written warning to advise that more serious measures may be taken if the situation is not corrected,

   iii. Advise the Sub-Recipient to suspend, discontinue or refrain from incurring costs for any activities in question or

   iv. Require the Sub-Recipient to reimburse the Division for the amount of costs incurred for any items determined to be ineligible;

f. Exercise any other rights or remedies which may be available under law.

Pursuing any of the above remedies will not stop the Division from pursuing any other remedies in this Agreement or provided at law or in equity. If the Division waives any right or remedy in this Agreement or fails to insist on strict performance by the Sub-Recipient, it will not affect, extend or waive any other right or remedy of the Division, or affect the later exercise of the same right or remedy by the Division for any other default by the Sub-Recipient.

(17) **TERMINATION.**

a. The Division may terminate this Agreement for cause after thirty days written notice. Cause can include misuse of funds, fraud, lack of compliance with applicable rules, laws and regulations, failure to perform on time, and refusal by the Sub-Recipient to permit public access to any document, paper, letter, or other material subject to disclosure under Chapter 119, Florida Statutes, as amended.

b. The Division may terminate this Agreement for convenience or when it determines, in its sole discretion that continuing the Agreement would not produce beneficial results in line with the further expenditure of funds, by providing the Sub-Recipient with thirty calendar day’s prior written notice.

c. The parties may agree to terminate this Agreement for their mutual convenience through a written amendment of this Agreement. The amendment will state the effective date of the termination and the procedures for proper closeout of the Agreement.

d. In the event that this Agreement is terminated, the Sub-Recipient will not incur new obligations for the terminated portion of the Agreement after the Sub-Recipient has received the
notification of termination. The Sub-Recipient will cancel as many outstanding obligations as possible. Costs incurred after receipt of the termination notice will be disallowed. The Sub-Recipient shall not be relieved of liability to the Division because of any breach of Agreement by the Sub-Recipient. The Division may, to the extent authorized by law, withhold payments to the Sub-Recipient for the purpose of set-off until the exact amount of damages due the Division from the Sub-Recipient is determined.

(18) PROCUREMENT

a. The Sub-Recipient shall ensure that any procurement involving funds authorized by the Agreement complies with all applicable federal and state laws and regulations, to include 2 C.F.R. §§200.318 through 200.326 as well as Appendix II to 2 C.F.R. Part 200 (entitled “Contract Provisions for Non-Federal Entity Contracts Under Federal Awards”).

b. As required by 2 C.F.R. §200.318(b), the Sub-Recipient shall “maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.”

c. As required by 2 C.F.R. §200.318(i), the Sub-Recipient shall “maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.” In order to demonstrate compliance with this requirement, the Sub-Recipient shall document, in its quarterly report to the Division, the progress of any and all subcontractors performing work under this Agreement.

d. Except for procurements by micro-purchases pursuant to 2 C.F.R. §200.320(a) or procurements by small purchase procedures pursuant to 2 C.F.R. §200.320(b), if the Sub-Recipient chooses to subcontract any of the work required under this Agreement, then the Sub-Recipient shall forward to the Division a copy of any solicitation (whether competitive or non-competitive) at least fifteen (15) days prior to the publication or communication of the solicitation. The Division shall review the solicitation and provide comments, if any, to the Sub-Recipient within three (3) business days. Consistent with 2 C.F.R. §200.324, the Division will review the solicitation for compliance with the procurement standards outlined in 2 C.F.R. §§200.318 through 200.326 as well as Appendix II to 2 C.F.R. Part 200. Consistent with 2 C.F.R. §200.318(k), the Division will not substitute its judgment for that of the Sub-Recipient. While the Sub-Recipient does not need the approval of the Division in order to publish a competitive solicitation, this review may allow the Division to identify deficiencies in the vendor requirements or in the commodity or service specifications. The Division’s review and comments shall not constitute an approval of the solicitation. Regardless of the Division’s review, the Sub-Recipient remains bound by all applicable laws, regulations, and agreement terms. If during its review the Division identifies any deficiencies, then the Division shall communicate those deficiencies to the Sub-Recipient as quickly as possible within the three (3) business day window outlined above. If the Sub-Recipient publishes a competitive solicitation after receiving comments from the Division that the solicitation is deficient, then the Division may:
i. Terminate this Agreement in accordance with the provisions outlined in paragraph (17) above; and,
   ii. Refuse to reimburse the Sub-Recipient for any costs associated with that solicitation.

e. Except for procurements by micro-purchases pursuant to 2 C.F.R. §200.320(a) or procurements by small purchase procedures pursuant to 2 C.F.R. §200.320(b), if the Sub-Recipient chooses to subcontract any of the work required under this Agreement, then the Sub-Recipient shall forward to the Division a copy of any contemplated contract prior to contract execution. The Division shall review the unexecuted contract and provide comments, if any, to the Sub-Recipient within three (3) business days. Consistent with 2 C.F.R. §200.324, the Division will review the unexecuted contract for compliance with the procurement standards outlined in 2 C.F.R. §§200.318 through 200.326 as well as Appendix II to 2 C.F.R. Part 200. Consistent with 2 C.F.R. §200.318(k), the Division will not substitute its judgment for that of the Sub-Recipient. While the Sub-Recipient does not need the approval of the Division in order to execute a subcontract, this review may allow the Division to identify deficiencies in the terms and conditions of the subcontract as well as deficiencies in the procurement process that led to the subcontract. The Division’s review and comments shall not constitute an approval of the subcontract. Regardless of the Division’s review, the Sub-Recipient remains bound by all applicable laws, regulations, and agreement terms. If during its review the Division identifies any deficiencies, then the Division shall communicate those deficiencies to the Sub-Recipient as quickly as possible within the three (3) business day window outlined above. If the Sub-Recipient executes a subcontract after receiving a communication from the Division that the subcontract is non-compliant, then the Division may:
   i. Terminate this Agreement in accordance with the provisions outlined in paragraph (17) above; and,
   ii. Refuse to reimburse the Sub-Recipient for any costs associated with that subcontract.

f. The Sub-Recipient agrees to include in the subcontract that (i) the subcontractor is bound by the terms of this Agreement, (ii) the subcontractor is bound by all applicable state and federal laws and regulations, and (iii) the subcontractor shall hold the Division and Sub-Recipient harmless against all claims of whatever nature arising out of the subcontractor's performance of work under this Agreement, to the extent allowed and required by law.

g. As required by 2 C.F.R. §200.318(c)(1), the Sub-Recipient shall “maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.”

h. As required by 2 C.F.R. §200.319(a), the Sub-Recipient shall conduct any procurement under this agreement “in a manner providing full and open competition.” Accordingly, the Sub-Recipient shall not:
i. Place unreasonable requirements on firms in order for them to qualify to do business;

ii. Require unnecessary experience or excessive bonding;

iii. Use noncompetitive pricing practices between firms or between affiliated companies;

iv. Execute noncompetitive contracts to consultants that are on retainer contracts;

v. Authorize, condone, or ignore organizational conflicts of interest;

vi. Specify only a brand name product without allowing vendors to offer an equivalent;

vii. Specify a brand name product instead of describing the performance, specifications, or other relevant requirements that pertain to the commodity or service solicited by the procurement;

viii. Engage in any arbitrary action during the procurement process; or,

ix. Allow a vendor to bid on a contract if that bidder was involved with developing or drafting the specifications, requirements, statement of work, invitation to bid, or request for proposals.

i. “Except in those cases where applicable Federal statutes expressly mandate or encourage” otherwise, the Sub-Recipient, as required by 2 C.F.R. §200.319(b), shall not use a geographic preference when procuring commodities or services under this Agreement.

j. The Sub-Recipient shall conduct any procurement involving invitations to bid (i.e. sealed bids) in accordance with 2 C.F.R. §200.320(c) as well as section 287.057(1)(a), Florida Statutes.

k. The Sub-Recipient shall conduct any procurement involving requests for proposals (i.e. competitive proposals) in accordance with 2 C.F.R. §200.320(d) as well as section 287.057(1)(b), Florida Statutes.

l. For each subcontract, the Sub-Recipient shall provide a written statement to the Division as to whether that subcontractor is a minority business enterprise, as defined in Section 288.703, Florida Statutes. Additionally, the Sub-Recipient shall comply with the requirements of 2 C.F.R. §200.321 (“Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms”).

(19) ATTACHMENTS

a. All attachments to this Agreement are incorporated as if set out fully.

b. In the event of any inconsistencies or conflict between the language of this Agreement and the attachments, the language of the attachments shall control, but only to the extent of the conflict or inconsistency.
(20) PAYMENTS

a. Any advance payment under this Agreement is subject to 2 C.F.R. §200.305 and, as applicable, section 216.181(16), Florida Statutes. All advances are required to be held in an interest-bearing account. If an advance payment is requested, the budget data on which the request is based and a justification statement shall be included in this Agreement as Attachment E. Attachment E will specify the amount of advance payment needed and provide an explanation of the necessity for and proposed use of these funds. No advance shall be accepted for processing if a reimbursement has been paid prior to the submittal of a request for advanced payment. After the initial advance, if any, payment shall be made on a reimbursement basis as needed.

b. Invoices shall be submitted at least quarterly and shall include the supporting documentation for all costs of the project or services. The final invoice shall be submitted within sixty (60) days after the expiration date of the agreement. An explanation of any circumstances prohibiting the submittal of quarterly invoices shall be submitted to the Division grant manager as part of the Sub-Recipient’s quarterly reporting as referenced in Paragraph (12) of this Agreement.

c. If the necessary funds are not available to fund this Agreement as a result of action by the United States Congress, the federal Office of Management and Budgeting, the State Chief Financial Officer or under subparagraph (9)b. of this Agreement, all obligations on the part of the Division to make any further payment of funds shall terminate, and the Sub-Recipient shall submit its closeout report within thirty days of receiving notice from the Division.
(21) REPAYMENTS

a. All refunds or repayments due to the Division under this Agreement are to be made payable to the order of “Division of Emergency Management”, and mailed directly to the following address:

Division of Emergency Management
Cashier
2555 Shumard Oak Boulevard
Tallahassee FL 32399-2100

b. In accordance with Section 215.34(2), Florida Statutes, if a check or other draft is returned to the Division for collection, Sub-Recipient shall pay the Division a service fee of $15.00 or 5% of the face amount of the returned check or draft, whichever is greater.

(22) MANDATED CONDITIONS

a. The validity of this Agreement is subject to the truth and accuracy of all the information, representations, and materials submitted or provided by the Sub-Recipient in this Agreement, in any later submission or response to a Division request, or in any submission or response to fulfill the requirements of this Agreement. All of said information, representations, and materials are incorporated by reference. The inaccuracy of the submissions or any material changes shall, at the option of the Division and with thirty days written notice to the Sub-Recipient, cause the termination of this Agreement and the release of the Division from all its obligations to the Sub-Recipient.

b. This Agreement shall be construed under the laws of the State of Florida, and venue for any actions arising out of this Agreement shall be in the Circuit Court of Leon County. If any provision of this Agreement is in conflict with any applicable statute or rule, or is unenforceable, then the provision shall be null and void to the extent of the conflict, and shall be severable, but shall not invalidate any other provision of this Agreement.

c. Any power of approval or disapproval granted to the Division under the terms of this Agreement shall survive the term of this Agreement.

d. The Sub-Recipient agrees to comply with the Americans With Disabilities Act (Public Law 101-336, 42 U.S.C. Section 12101 et seq.), which prohibits discrimination by public and private entities on the basis of disability in employment, public accommodations, transportation, State and local government services, and telecommunications.

e. Those who have been placed on the convicted vendor list following a conviction for a public entity crime or on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with a public entity, and may not transact business with any public entity in
excess of $25,000.00 for a period of 36 months from the date of being placed on the convicted vendor list or on the discriminatory vendor list.

f. Any Sub-Recipient which is not a local government or state agency, and which receives funds under this Agreement from the federal government, certifies, to the best of its knowledge and belief, that it and its principals:
   i. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a federal department or agency;
   ii. Have not, within a five-year period preceding this proposal been convicted of or had a civil judgment rendered against them for fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
   iii. Are not presently indicted or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any offenses enumerated in paragraph (22) f. ii. of this certification; and,
   iv. Have not within a five-year period preceding this Agreement had one or more public transactions (federal, state or local) terminated for cause or default.

g. If the Sub-Recipient is unable to certify to any of the statements in this certification, then the Sub-Recipient shall attach an explanation to this Agreement.

h. In addition, the Sub-Recipient shall send to the Division (by email or by facsimile transmission) the completed “Certification Regarding Debarment, Suspension, Ineligibility And Voluntary Exclusion” (Attachment H) for each intended subcontractor which Sub-Recipient plans to fund under this Agreement. The form must be received by the Division before the Sub-Recipient enters into a contract with any subcontractor.
   i. The Division reserves the right to unilaterally cancel this Agreement if the Sub-Recipient refuses to allow public access to all documents, papers, letters or other material subject to the provisions of Chapter 119, Florida Statutes, which the Sub-Recipient created or received under this Agreement.
   j. If the Sub-Recipient is allowed to temporarily invest any advances of funds under this Agreement, any interest income shall either be returned to the Division or be applied against the Division’s obligation to pay the contract amount.
   k. The State of Florida will not intentionally award publicly-funded contracts to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324a(e) [Section 274A(e) of the Immigration and Nationality Act ("INA")]. The Division shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the INA. Such violation by the Sub-Recipient of the employment provisions
contained in Section 274A(e) of the INA shall be grounds for unilateral cancellation of this Agreement by
the Division.

I. All unmanufactured and manufactured articles, materials and supplies which are
acquired for public use under this Agreement must have been produced in the United States as required
under 41 U.S.C. 10a, unless it would not be in the public interest or unreasonable in cost.

(23) LOBBYING PROHIBITION

a. 2 C.F.R. §200.450 prohibits reimbursement for costs associated with certain lobbying
activities.

b. Section 216.347, Florida Statutes, prohibits “any disbursement of grants and aids
appropriations pursuant to a contract or grant to any person or organization unless the terms of the grant
or contract prohibit the expenditure of funds for the purpose of lobbying the Legislature, the judicial
branch, or a state agency.”

c. No funds or other resources received from the Division under this Agreement may be
used directly or indirectly to influence legislation or any other official action by the Florida Legislature or
any state agency.

d. The Sub-Recipient certifies, by its signature to this Agreement, that to the best of his
or her knowledge and belief:

i. No Federal appropriated funds have been paid or will be paid, by or on
behalf of the Sub-Recipient, to any person for influencing or attempting to influence an officer or
employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of
a Member of Congress in connection with the awarding of any Federal contract, the making of any
Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the
extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or
cooperative agreement.

ii. If any funds other than Federal appropriated funds have been paid or will be
paid to any person for influencing or attempting to influence an officer or employee of any agency, a
Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in
connection with this Federal contract, grant, loan or cooperative agreement, the Sub-Recipient shall
complete and submit Standard Form-LLL, “Disclosure of Lobbying Activities.”

iii. The Sub-Recipient shall require that this certification be included in the
award documents for all subawards (including subcontracts, subgrants, and contracts under grants,
loans, and cooperative agreements) and that all Sub-Recipient shall certify and disclose.

iv. This certification is a material representation of fact upon which reliance was
placed when this transaction was made or entered into. Submission of this certification is a prerequisite
for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person
who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not
more than $100,000 for each such failure.
(24) COPYRIGHT, PATENT AND TRADEMARK

EXCEPT AS PROVIDED BELOW, ANY AND ALL PATENT RIGHTS ACCRUING
UNDER OR IN CONNECTION WITH THE PERFORMANCE OF THIS AGREEMENT ARE HEREBY
RESERVED TO THE STATE OF FLORIDA; AND, ANY AND ALL COPYRIGHTS ACCRUING UNDER
OR IN CONNECTION WITH THE PERFORMANCE OF THIS AGREEMENT ARE HEREBY
TRANSFERRED BY THE SUB-RECIPIENT TO THE STATE OF FLORIDA.

a. If the Sub-Recipient has a pre-existing patent or copyright, the Sub-Recipient shall
retain all rights and entitlements to that pre-existing patent or copyright unless the Agreement provides
otherwise.

b. If any discovery or invention is developed in the course of or as a result of work or
services performed under this Agreement, or in any way connected with it, the Sub-Recipient shall refer
the discovery or invention to the Division for a determination whether the State of Florida will seek patent
protection in its name. Any patent rights accruing under or in connection with the performance of this
Agreement are reserved to the State of Florida. If any books, manuals, films, or other copyrightable
material are produced, the Sub-Recipient shall notify the Division. Any copyrights accruing under or in
connection with the performance under this Agreement are transferred by the Sub-Recipient to the State
of Florida.

c. Within thirty days of execution of this Agreement, the Sub-Recipient shall disclose all
intellectual properties relating to the performance of this Agreement which he or she knows or should
know could give rise to a patent or copyright. The Sub-Recipient shall retain all rights and entitlements to
any pre-existing intellectual property which is disclosed. Failure to disclose will indicate that no such
property exists. The Division shall then, under Paragraph (24) b., have the right to all patents and
copyrights which accrue during performance of the Agreement.

d. If the Sub-Recipient qualifies as a state university under Florida law, then, pursuant
to section 1004.23, Florida Statutes, any invention conceived exclusively by the employees of the Sub-
Recipient shall become the sole property of the Sub-Recipient. In the case of joint inventions, that is
inventions made jointly by one or more employees of both parties hereto, each party shall have an equal,
undivided interest in and to such joint inventions. The Division shall retain a perpetual, irrevocable, fully-
paid, nonexclusive license, for its use and the use of its contractors of any resulting patented, copyrighted
or trademarked work products, developed solely by the Sub-Recipient, under this Agreement, for Florida
government purposes.

(25) LEGAL AUTHORIZATION.

The Sub-Recipient certifies that it has the legal authority to receive the funds under this
Agreement and that its governing body has authorized the execution and acceptance of this Agreement.
The Sub-Recipient also certifies that the undersigned person has the authority to legally execute and bind
Sub-Recipient to the terms of this Agreement.
a. In accordance with 41 C.F.R. §60-1.4(b), the Sub-Recipient hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the following equal opportunity clause:

During the performance of this contract, the contractor agrees as follows:

i. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

ii. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, or national origin.

iii. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers’ representatives of the contractor’s commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

iv. The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

v. The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

vi. In the event of the contractor’s noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared
ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

vii. The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency the contractor may request the United States to enter into such litigation to protect the interests of the United States.

b. The Sub-Recipient further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: provided, that if the applicant so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

c. The Sub-Recipient agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency’s primary responsibility for securing compliance.

d. The Sub-Recipient further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive order. In addition, the Sub-Recipient agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the Sub-Recipient under the program with respect to which the failure or refund occurred until satisfactory
assurance of future compliance has been received from such Sub-Recipient; and refer the case to the Department of Justice for appropriate legal proceedings.

(27) COPELAND ANTI-KICKBACK ACT

The Sub-Recipient hereby agrees that, unless exempt under Federal law, it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, the following clause:

i. Contractor. The contractor shall comply with 18 U.S.C. § 874, 40 U.S.C. § 3145, and the requirements of 29 C.F.R. pt. 3 as may be applicable, which are incorporated by reference into this contract.

ii. Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clause above and such other clauses as the FEMA may by appropriate instructions require, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all of these contract clauses.

iii. Breach. A breach of the contract clauses above may be grounds for termination of the contract, and for debarment as a contractor and subcontractor as provided in 29 C.F.R. § 5.12.

(28) CONTRACT WORK HOURS AND SAFETY STANDARDS

If the Sub-Recipient, with the funds authorized by this Agreement, enters into a contract that exceeds $100,000 and involves the employment of mechanics or laborers, then any such contract must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation.

(29) CLEAN AIR ACT AND THE FEDERAL WATER POLLUTION CONTROL ACT

If the Sub-Recipient, with the funds authorized by this Agreement, enters into a contract that exceeds $150,000, then any such contract must include the following provision:

Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387), and will report violations to FEMA and the Regional Office of the Environmental Protection Agency (EPA).
(30) SUSPENSION AND DEBARMENT

If the Sub-Recipient, with the funds authorized by this Agreement, enters into a contract, then any such contract must include the following provisions:

i. This contract is a covered transaction for purposes of 2 C.F.R. pt. 180 and 2 C.F.R. pt. 3000. As such the contractor is required to verify that none of the contractor, its principals (defined at 2 C.F.R. § 180.995), or its affiliates (defined at 2 C.F.R. § 180.905) are excluded (defined at 2 C.F.R. § 180.940) or disqualified (defined at 2 C.F.R. § 180.935).

ii. The contractor must comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C and must include a requirement to comply with these regulations in any lower tier covered transaction it enters into.

iii. This certification is a material representation of fact relied upon by the Division. If it is later determined that the contractor did not comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C, in addition to remedies available to the Division, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment.

iv. The bidder or proposer agrees to comply with the requirements of 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The bidder or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions.

(31) BYRD ANTI-LOBBYING AMENDMENT

If the Sub-Recipient, with the funds authorized by this Agreement, enters into a contract, then any such contract must include the following clause:

CONTRACTING WITH SMALL AND MINORITY BUSINESSES, WOMEN'S BUSINESS ENTERPRISES, AND LABOR SURPLUS AREA FIRMS

a. If the Sub-Recipient, with the funds authorized by this Agreement, seeks to procure goods or services, then, in accordance with 2 C.F.R. §200.321, the Sub-Recipient shall take the following affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used whenever possible:

   i. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

   ii. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

   iii. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

   iv. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;

   v. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

   vi. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs i. through v. of this subparagraph.

b. The requirement outlined in subparagraph a. above, sometimes referred to as “socioeconomic contracting,” does not impose an obligation to set aside either the solicitation or award of a contract to these types of firms. Rather, the requirement only imposes an obligation to carry out and document the six affirmative steps identified above.

c. The “socioeconomic contracting” requirement outlines the affirmative steps that the Sub-Recipient must take; the requirements do not preclude the Sub-Recipient from undertaking additional steps to involve small and minority businesses and women's business enterprises.

d. The requirement to divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women’s business enterprises, does not authorize the Sub-Recipient to break a single project down into smaller components in order to circumvent the micro-purchase or small purchase thresholds so as to utilize streamlined acquisition procedures (e.g. “project splitting”).

ASSURANCES.

The Sub-Recipient shall comply with any Statement of Assurances incorporated as Attachment C.
IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

SUB-RECIPIENT: City of St. Petersburg

By: 
Name and Title: 
Date: 
FID#: 59-6000424

STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT

By: 
Name and Title: Michael Kennett, Deputy Director
Date: 
EXHIBIT – 1

THE FOLLOWING FEDERAL RESOURCES ARE AWARDED TO THE SUB-RECIPIENT UNDER THIS AGREEMENT:

NOTE: If the resources awarded to the Sub-Recipient are from more than one Federal program, provide the same information shown below for each Federal program and show total Federal resources awarded. Delete text before finalizing agreement.

Federal Program
Federal agency: Federal Emergency Management Agency: Flood Mitigation Assistance Grant
Catalog of Federal Domestic Assistance title and number: 97.029
Award amount: $ 75,000.00

THE FOLLOWING COMPLIANCE REQUIREMENTS APPLY TO THE FEDERAL RESOURCES AWARDED UNDER THIS AGREEMENT:

- 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 31 CFR Part 205 Rules and Procedures for Funds Transfers

Federal Program:
1. Sub-Recipient is to use funding to perform the following eligible activities:
   - Acquisition of hazard prone properties
   - Retrofitting of existing buildings and facilities
   - Elevation of flood prone structures
   - Retrofitting of existing buildings and facilities for shelters
   - Mitigation Planning Project
   - Localized Minor Drainage Improvement
   - Intermediate Stormwater Drainage System
   - Major Flood Control Drainage System
   - Other projects that reduce future disaster losses
   (NOTE – Technical Staff will need to DELETE ANY ELIGIBLE ACTIVITIES that do not apply to this agreement)

2. Sub-Recipient is subject to all administrative and financial requirements as set forth in this Agreement, or will be in violation of the terms of the Agreement.

NOTE: Section 200.331(a)(1) of 2 C.F.R., as revised, and Section 215.97(5)(a), Florida Statutes, require that the information about Federal Programs and State Projects be included on pg. 1 of this sub-grant agreement and in Exhibit 1 be provided to the Sub-Recipient.
The purpose of this advanced assistance project is to fund the necessary feasibility studies for the design of a community flood hazard mitigation project that will reduce vulnerability to flooding within the City of St. Petersburg, Florida. The feasibility studies will evaluate developing a system of stormwater pump stations to mitigate flood risks within the City, which is vulnerable to flooding, coastal storms and hurricanes. The feasibility studies will allow the City to obtain necessary data to prioritize strategies, analyze alternative projects, determine feasibility and to develop preliminary project designs, a scope of work and cost estimate for application development.

Once completed, a comprehensive final report will be submitted to the Florida Division of Emergency Management (FDEM). In addition, the final report will be submitted to the Pinellas County Local Mitigation Strategy (LMS) Work Group for approval and incorporation into the Pinellas County LMS.

Tasks

1. **Collection of Data Relative to Conditions** – The City of St. Petersburg’s staff with the support of external consultants; as necessary, will gather data to implement this activity. A preliminary screening level analysis will be conducted to identify the most vulnerable areas to flooding, coastal storms and hurricanes and evaluate the impacts of these natural hazards to the City.

   The City of St. Petersburg will be reimbursed only for budgeted costs incurred during the agreement time period that are directly related to the collection data relative to conditions, per the approved scope of work. Project activities will be supported by status reports submitted to FDEM at least quarterly describing the nature, timing, and extent of data reviewed, the percentage complete, and an invoice for services provided. Staff project activities will be supported by Labor Summary Records that show the date, description of work performed, hours worked, and the rate of pay including fringe benefits.

2. **Compilation of Data and Identification of Key Findings** - The City of St. Petersburg’s staff with the support of external consultants; as necessary, will compile all relevant data in support of the design of future community flood hazard mitigation projects and the development of a system of stormwater pump stations to mitigate flood risks within the City. The data will be summarized into a comprehensive report that includes a general description of any changes along with the source of the data and the methodology used.

   The City of St. Petersburg will be reimbursed only for budgeted costs incurred during the agreement time period that are directly related to the compilation of data and identification of key findings, per the approved scope of work. Project activities will be supported by status reports submitted to FDEM at least quarterly describing the nature, timing, and extent of data reviewed, the percentage complete, and an invoice for services provided. Staff project activities will be supported by Labor Summary Records that show the date, description of work performed, hours worked, and the rate of pay including fringe benefits.

3. **Completion of Comprehensive Final Report** - The City of St. Petersburg will submit data and key findings from the studies in the form of a report to FDEM and the Pinellas County Local Mitigation Strategy Work Group for approval and incorporation into the LMS.

   The City of St. Petersburg will be reimbursed only for budgeted costs incurred during the agreement time period that are directly related to the completion of the comprehensive final report as a result of the completion of Tasks 1 and 2. Project activities will be supported by status reports submitted to FDEM at least quarterly describing the nature, timing, and extent of data reviewed, the percentage complete, and an invoice for services provided. Staff project activities
will be supported by Labor Summary Records that show the date, description of work performed, hours worked, and the rate of pay including fringe benefits.

4. **Development of Subapplication** - The City of St. Petersburg will develop, complete and submit to FDEM a community flood hazard project application resulting from the completion of Tasks 1, 2 and 3. The project application must be developed and completed prior to the final reimbursement under this agreement. The project application must be submitted during an open Flood Mitigation Assistance (FMA) application period and must meet all FMA eligibility criteria.

The City of St. Petersburg will be reimbursed only for budgeted costs incurred during the agreement time period that are directly related to the development and completion of an eligible FMA subapplication as a result of the completion of Tasks 1, 2 and 3. Project activities will be supported by status reports submitted to FDEM at least quarterly describing the nature, timing, and extent of data reviewed, the percentage complete, and an invoice for services provided. Staff project activities will be supported by Labor Summary Records that show the date, description of work performed, hours worked, and the rate of pay including fringe benefits.

**Deliverables**

1. **Collection of Data Relative to Conditions:**

   Provided the Recipient performs in accordance with the Scope of Work outlined in this Agreement, the Division will reimburse the Recipient for the actual costs incurred in completing Task #1; however, the reimbursement amount for completing Task #1 shall not exceed $18,750.00.

2. **Compilation of Data and Identification of Key Findings:**

   Provided the Recipient performs in accordance with the Scope of Work outlined in this Agreement, the Division will reimburse the Recipient for the actual costs incurred in completing Task #2; however, the reimbursement amount for completing Task #2 shall not exceed $18,750.00.

3. **Completion of Comprehensive Final Report:**

   Provided the Recipient performs in accordance with the Scope of Work outlined in this Agreement, the Division will reimburse the Recipient for the actual costs incurred in completing Task #3; however, the reimbursement amount for completing Task #3 shall not exceed $18,750.00.

4. **Development of Subapplication:**

   Provided the Recipient performs in accordance with the Scope of Work outlined in this Agreement, the Division will reimburse the Recipient for the actual costs incurred in completing Task #4; however, the reimbursement amount for completing Task #4 shall not exceed $18,750.00.

**Financial Consequences**

If the recipient fails to comply with any term of the award, the Division shall take one or more of the following actions, as appropriate in the circumstances:

1) Temporarily withhold cash payments pending correction of the deficiency by the recipient;
2) Disallow all or part of the cost of the activity or action not in compliance;
3) Wholly or partly suspend or terminate the current award for the recipient’s program;
4) Withhold further awards for the program; or
5) Take other remedies that may be legally available.

Programmatic Requirements:
Quarterly financial and programmatic progress reports to the State using Attachment F are required. The programmatic progress report will include sufficient narrative to determine the degree to which the project has been implemented and the estimated time to completion.
The Recipient must notify the State as soon as significant developments become known, such as delays or adverse conditions that might raise costs or delay completion, or favorable conditions allowing lower cost or earlier completion.

Eligible Expenditures:
The categories outlined below are generally considered eligible for reimbursement under the Flood Mitigation Assistance Program. Only reasonable eligible expenses may be reimbursed. The Recipient will provide the FDEM with a detailed listing of project expenditures, classified according to the listed categories as part of any request for payment. Any expenditure that does not clearly fall under the specified categories will be submitted to the FDEM for review and determination of funding eligibility under the Flood Mitigation Assistance Program prior to inclusion on any reimbursement request.
Preliminary cost estimates for this project have been provided to the FDEM, and those costs that are eligible have been incorporated into the categories outlined below.
Any line item eligible cost may be increased or decreased by 10% or less without an amendment to this Agreement being required, as long as the overall amount of the funds obligated under this Agreement does not exceed the $75,000.00 (federal share).

Budget

Funding Summary:
Federal Share: $75,000.00 (75.00%)
Local Share: $25,000.00 (25.00%)
Project Cost: $100,000.00

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<th>Eligible Cost Item</th>
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<th>Local</th>
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Totals | $100,000.00 | $75,000.00 | $25,000.00 |
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<th>Unit Of Time</th>
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<td>Collection of Data Relative to Conditions</td>
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<tr>
<td>Compilation of Data and Identification of Key Findings</td>
<td>13</td>
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<td>Completion of Comprehensive Final Report/LMS Incorporation</td>
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<td>Development of Subapplication</td>
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<tr>
<td>State Closeout Process</td>
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**Total Period of Performance**

31 MONTHS

This is FEMA project number **FMA-PJ-04-FL-2017-019**. The Period of Performance (POP) for this project shall end on **March 22, 2021**.
The parties to this Agreement and the Hazard Mitigation Grant Program (HMGP) are generally governed by the following statutes and regulations:

1. The Robert T. Stafford Disaster Relief and Emergency Assistance Act;
2. 44 CFR Parts 7, 9, 10, 13, 14, 17, 18, 25, 206, 220, and 221, and any other applicable FEMA policy memoranda and guidance documents;
3. State of Florida Administrative Plan for the Hazard Mitigation Grant Program;
4. Hazard Mitigation Assistance Guidance - February 27, 2015 Update; and
5. All applicable laws and regulations delineated in Attachment C of this Agreement.

In addition to the above statutes and regulations, the Sub-recipient must comply with the following:

The Sub-recipient shall fully perform the approved hazard mitigation project, as described in the Application and Attachment A (Budget and Scope of Work) attached to this Agreement, in accordance with the approved scope of work indicated therein, the estimate of costs indicated therein, the allocation of funds indicated therein, and the terms and conditions of this Agreement. The Sub-recipient shall not deviate from the approved project and the terms and conditions of this Agreement. The Sub-recipient shall comply with any and all applicable codes and standards in performing work funded under this Agreement, and shall provide any appropriate maintenance and security for the project.

Any development permit issued by, or development activity undertaken by, the Sub-recipient and any land use permitted by or engaged in by the Sub-recipient, shall be consistent with the local comprehensive plan and land development regulations prepared and adopted pursuant to Chapter 163, Part II, Florida Statutes. Funds shall be expended for, and development activities and land uses authorized for, only those uses which are permitted under the comprehensive plan and land development regulations. The Sub-recipient shall be responsible for ensuring that any development permit issued and any development activity or land use undertaken is, where applicable, also authorized by the Water Management District, the Florida Department of Environmental Protection, the Florida Department of Health, the Florida Game and Fish Commission, and any Federal, State, or local environmental or land use permitting authority, where required. The Sub-recipient agrees that any repair or construction shall be in accordance with applicable standards of safety, decency, and sanitation, and in conformity with applicable codes, specifications and standards.

The Sub-recipient will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the completed work conforms with the approved plans and specifications and will furnish progress reports and such other information to HMGP as may be required.

If the hazard mitigation project described in Attachment A includes an acquisition or relocation project, then the Sub-recipient shall ensure that, as a condition of funding under this Agreement, the owner of the affected real property shall record in the public records of the county where it is located the following covenants and restrictions, which shall run with and apply to any property acquired, accepted, or from which a structure will be removed pursuant to the project.

1. The property will be dedicated and maintained in perpetuity for a use that is compatible with open space, recreational, or wetlands management practices;
(2) No new structure will be erected on property other than:
   a. a public facility that is open on all sides and functionally related to a designed open space;
   b. a restroom; or

(3) A structure that the Director of the Federal Emergency Management Agency approves in writing before the commencement of the construction of the structure;

(4) After the date of the acquisition or relocation no application for disaster assistance for any purpose will be made to any Federal entity and no disaster assistance will be provided for the property by any Federal source; and

(5) If any of these covenants and restrictions is violated by the owner or by some third party with the knowledge of the owner, fee simple title to the Property described herein shall be conveyed to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida without further notice to the owner, its successors and assigns, and the owner, its successors and assigns shall forfeit all right, title and interest in and to the property.

HMGP Contract Manager will evaluate requests for cost overruns and submit to the regional Director written determination of cost overrun eligibility. Cost overruns shall meet Federal regulations set forth in 44 CFR 206.438(b).

The National Environmental Policy Act (NEPA) stipulates that additions or amendments to a HMGP Sub-Recipient Scope of Work (SOW) shall be reviewed by all State and Federal agencies participating in the NEPA process.

As a reminder, the Sub-recipient must obtain prior approval from the State, before implementing changes to the approved project Scope of Work (SOW). Per the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments:

(1) For Construction projects, the grantee must “obtain prior written approval for any budget revision which result in a need for additional funds” (44 CFR 13(c));

(2) A change in the Scope of Work must be approved by FEMA in advance regardless of the budget implications; and

(3) The Sub-recipient must notify the State as soon as significant developments become known, such as delays or adverse conditions that might raise costs or delay completion, or favorable conditions allowing lower cost or earlier completion. Any extensions of the period of performance must be submitted to FEMA sixty days prior to the project expiration date.

The Sub-recipient assures that it will comply with the following statutes and regulations to the extent applicable:

(1) 53 Federal Register 8034
(2) Federal Acquisition Regulations 31.2
(3) Section 1352, Title 31, US Code
(4) Chapter 473, Florida Statutes
(5) Chapter 215, Florida Statutes
(6) Section 768.28, Florida Statutes
(7) Chapter 119, Florida Statutes
(8) Section 216.181(6), Florida Statutes
(9) Cash Management Improvement Act of 1990
(10) American with Disabilities Act
(11) Section 112.061, Florida Statutes
(12) Immigration and Nationality Act
(13) Section 286.011, Florida Statutes
(14) 2 CFR, Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
(15) Uniform Relocation Assistance and Real Property Acquisitions Act of 1970
(16) Title I of the Omnibus Crime Control and Safe Streets Act of 1968
(17) Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act
(18) Omnibus Crime Control and Safe Streets Act of 1968, as amended
(19) Victims of Crime Act (as appropriate)
(20) Section 504 of the Rehabilitation Act of 1973, as amended
(21) Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990)
(22) Department of Justice regulations on disability discrimination, 28 CFR, Part 35 and Part 39
(23) 42 U.S.C. 5154a
Attachment C

Statement of Assurances

To the extent the following provisions apply to this Agreement, the Sub-recipient certifies that:

(a) It possesses legal authority to enter into this Agreement and to carry out the proposed program;

(b) Its governing body has duly adopted or passed as an official act of resolution, motion or similar action authorizing the execution of the hazard mitigation agreement with the Division of Emergency Management (DEM), including all understandings and assurances contained in it, and directing and authorizing the Sub-recipient’s chief administrative officer or designee to act in connection with the application and to provide such additional information as may be required;

(c) No member of or delegate to the Congress of the United States, and no Resident Commissioner, shall receive any share or part of this Agreement or any benefit. No member, officer, or employee of the Sub-recipient or its designees or agents, no member of the governing body of the locality in which this program is situated, and no other public official of the locality or localities who exercises any functions or responsibilities with respect to the program during his tenure or for one year after, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds, for work be performed in connection with the program assisted under this Agreement. The Sub-recipient shall incorporate, in all contracts or subcontracts a provision prohibiting any interest pursuant to the purpose stated above;

(d) All Sub-recipient contracts for which the State Legislature is in any part a funding source, shall contain language to provide for termination with reasonable costs to be paid by the Sub-recipient for eligible contract work completed prior to the date the notice of suspension of funding was received by the Sub-recipient. Any cost incurred after a notice of suspension or termination is received by the Sub-recipient may not be funded with funds provided under this Agreement unless previously approved in writing by the Division. All Sub-recipient contracts shall contain provisions for termination for cause or convenience and shall provide for the method of payment in such event;

(e) It will comply with:
   (1) Contract Work Hours and Safety Standards Act of 1962, 40 U.S.C. 327 et seq., requiring that mechanics and laborers (including watchmen and guards) employed on federally assisted contracts be paid wages of not less than one and one-half times their basic wage rates for all hours worked in excess of forty hours in a work week; and
   (2) Federal Fair Labor Standards Act, 29 U.S.C. Section 201 et seq., requiring that covered employees be paid at least minimum prescribed wage, and also that they be paid one and one-half times their basic wage rates for all hours worked in excess of the prescribed work-week.

(f) It will comply with
   (1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352), and the regulations issued pursuant thereto, which provides that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Sub-recipient received Federal financial assistance and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Sub-recipient, this assurance shall obligate the Sub-recipient, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is
used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits;

(2) Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107) which prohibits discrimination on the basis of age or with respect to otherwise qualifies handicapped individuals as provided in Section 504 of the Rehabilitation Act of 1973;

(3) Executive Order 11246, as amended by Executive Orders 11375 and 12086, and the regulations issued pursuant thereto, which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of federal or federally assisted construction contracts; affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff/termination, rates of pay or other forms of compensation; and election for training and apprenticeship;

(g) It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties pursuant to Section 112.313 and Section 112.3135, Florida Statutes;

(h) It will comply with the Anti-Kickback Act of 1986, 41 U.S.C. Section 51 which outlaws and prescribes penalties for "kickbacks" of wages in federally financed or assisted construction activities;

(i) It will comply with the provisions of 18 U.S.C. 594, 598, 600-605 (further known as the Hatch Act) which limits the political activities of employees;

(j) It will comply with the flood insurance purchase and other requirements of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4002-4107, including requirements regarding the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area having special flood hazards. The phrase “Federal financial assistance” includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance;

For sites located within Special Flood Hazard Areas (SFHA), the Sub-recipient must include a FEMA Model Acknowledgement of Conditions of Mitigation of Property in a Special Flood Hazard Area with FEMA Grant Funds executed by the title holder with the closeout request verifying that certain SFHA requirements were satisfied on each of the properties. The Model Acknowledgement can be found at www.fema.gov/governmenta/grant/sfha_conditions.shtm

(k) It will require every building or facility (other than a privately owned residential structure) designed, constructed, or altered with funds provided under this Agreement to comply with the "Uniform Federal Accessibility Standards," (AS) which is Appendix A to 41 CFR Section 101-19.6 for general type buildings and Appendix A to 24 CFR, Part 40 for residential structures. The Sub-recipient will be responsible for conducting inspections to ensure compliance with these specifications by the contractor;


(1) Consulting with the State Historic Preservation Office to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR, Section 800.8) by the proposed activity; and
Complying with all requirements established by the State to avoid or mitigate adverse effects upon such properties.

Abiding by the terms and conditions of the “Programmatic Agreement Among the Federal Emergency Management Agency, the Florida State Historic Preservation Office, the Florida Division of Emergency Management and the Advisory Council on Historic Preservation, (PA)” which addresses roles and responsibilities of Federal and State entities in implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470(f), and implementing regulations in 36 CFR, Part 800.

When any of the Sub-recipient’s projects funded under this Agreement may affect a historic property, as defined in 36 CFR, Part 800 (2)(e), the Federal Emergency Management Agency (FEMA) may require the Sub-recipient to review the eligible scope of work in consultation with the State Historic Preservation Office (SHPO) and suggest methods of repair or construction that will conform with the recommended approaches set out in the Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings 1992 (Standards), the Secretary of the Interior’s Guidelines for Archeological Documentation (Guidelines) (48 Federal Register 44734-37), or any other applicable Secretary of Interior standards. If FEMA determines that the eligible scope of work will not conform with the Standards, the Sub-recipient agrees to participate in consultations to develop, and after execution by all parties, to abide by, a written agreement that establishes mitigation and recondition measures, including but not limited to, impacts to archeological sites, and the salvage, storage, and reuse of any significant architectural features that may otherwise be demolished.

The Sub-recipient agrees to notify FEMA and the Division if any project funded under this Agreement will involve ground disturbing activities, including, but not limited to: subsurface disturbance; removal of trees; excavation of footings and foundations, and installation of utilities (such as water, sewer, storm drains, electrical, gas, leach lines and septic tanks) except where these activities are restricted solely to areas previously disturbed by the installation, replacement or maintenance of such utilities. FEMA will request the SHPO’s opinion on the potential that archeological properties may be present and be affected by such activities. The SHPO will advise the Sub-recipient on any feasible steps to be accomplished to avoid any National Register eligible archeological property or will make recommendations for the development of a treatment plan for the recovery or archeological data from the property.

If the Sub-recipient is unable to avoid the archeological property, develop, in consultation with SHPO, a treatment plan consistent with the Guidelines and take into account the Advisory Council on Historic Preservation (Council) publication “Treatment of Archeological Properties”. The Sub-recipient shall forward information regarding the treatment plan to FEMA, the SHPO and the Council for review. If the SHPO and the Council do not object within 15 calendar days of receipt of the treatment plan, FEMA may direct the Sub-recipient to implement the treatment plan. If either the Council or the SHPO object, Sub-recipient shall not proceed with the project until the objection is resolved.

The Sub-recipient shall notify the Division and FEMA as soon as practicable: (a) of any changes in the approved scope of work for a National Register eligible or listed property; (b) of all changes to a project that may result in a supplemental DSR or modify a HMGP project for a National Register eligible or listed property; (c) if it appears that a project funded under this Agreement will affect a previously unidentified property that may be eligible for inclusion in the National Register or affect a known historic property in an unanticipated manner. The Sub-recipient acknowledges that FEMA may require the Sub-recipient to stop construction in the vicinity of the discovery of a previously unidentified property that may be eligible for inclusion in the National Register or upon learning that construction may affect a known historic property in an unanticipated manner. The Sub-recipient further acknowledges that FEMA may require the Sub-recipient to take all
reasonable measures to avoid or minimize harm to such property until FEMA concludes consultation with the SHPO. The Sub-recipient also acknowledges that FEMA will require, and the Sub-recipient shall comply with, modifications to the project scope of work necessary to implement recommendations to address the project and the property.

(7) The Sub-recipient acknowledges that, unless FEMA specifically stipulates otherwise, it shall not receive funding for projects when, with intent to avoid the requirements of the PA or the NHPA, the Sub-recipient intentionally and significantly adversely affects a historic property, or having the legal power to prevent it, allowed such significant adverse effect to occur.

(m) It will comply with Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686) which prohibits discrimination on the basis of sex;

(n) It will comply with the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, (42 U.S.C. 4521-45-94) relating to nondiscrimination on the basis of alcohol abuse or alcoholism;

(o) It will comply with 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;

(p) It will comply with Lead-Based Paint Poison Prevention Act (42 U.S.C. 4821 et seq.) which prohibits the use of lead based paint in construction of rehabilitation or residential structures;

(q) It will comply with the Energy Policy and Conservation Act (P.L. 94-163; 42 U.S.C. 6201-6422), and the provisions of the State Energy Conservation Plan adopted pursuant thereto;

(r) It will comply with the Laboratory Animal Welfare Act of 1966, (7 U.S.C. 2131-2159), pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by an award of assistance under this Agreement;

(s) It will comply with Title VIII of the Civil Rights Act of 1968, (42 U.S.C 2000c and 42 U.S.C. 3601-3619), as amended, relating to non-discrimination in the sale, rental, or financing of housing, and Title VI of the Civil Rights Act of 1964 (P.L. 88-352), which prohibits discrimination on the basis of race, color or national origin;

(t) It will comply with the Clean Air Act of 1955, as amended, 42 U.S.C. 7401-7642;

(u) It will comply with the Clean Water Act of 1977, as amended, 42 U.S.C. 7419-7626

(v) It will comply with the endangered Species Act of 1973, 16 U.S.C. 1531-1544;

(w) It will comply with the Intergovernmental Personnel Act of 1970, 42 U.S.C. 4728-4763;

(x) It will assist the awarding agency in assuring compliance with the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 270;

(y) It will comply with environmental standards which may be prescribed pursuant to the National Environmental Policy Act of 1969, 42 U.S.C. 4321-4347;

(z) It will assist the awarding agency in assuring compliance with the Preservation of Archeological and Historical Preservation Act of 1966, 16 U.S.C. 469a, et seq.;

(aa) It will comply with the Rehabilitation Act of 1973, Section 504, 29 U.S.C. 794, regarding non-discrimination;
(bb) It will comply with the environmental standards which may be prescribed pursuant to the Safe Drinking Water Act of 1974, 42 U.S.C. 300f-300j, regarding the protection of underground water sources;

(cc) It will comply with the requirements of Titles II and III of the Uniform Relocation Assistance and Property Acquisition Policies Act of 1970, 42 U.S.C. 4621-4638, which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs;

(dd) It will comply with the Wild and Scenic Rivers Act of 1968, 16 U.S.C. 1271-1287, related to protecting components or potential components of the national wild and scenic rivers system;

(ee) It will comply with the following Executive Orders: EO 11514 (NEPA); EO 11738 (violating facilities); EO 11988 (Floodplain Management); EO 11990 (Wetlands); and EO 12898 (Environmental Justice);

(ff) It will comply with the Coastal Barrier Resources Act of 1977, 16 U.S.C. 3510;

(gg) It will assure project consistency with the approved State program developed under the Coastal Zone Management Act of 1972, 16 U.S.C. 1451-1464; and

(hh) It will comply with the Fish and Wildlife Coordination Act of 1958, 16 U.S.C. 661-666.

(ii) With respect to demolition activities, it will:

1. Create and make available documentation sufficient to demonstrate that the Sub-recipient and its demolition contractor have sufficient manpower and equipment to comply with the obligations as outlined in this Agreement.

2. Return the property to its natural state as though no improvements had ever been contained thereon.

3. Furnish documentation of all qualified personnel, licenses and all equipment necessary to inspect buildings located in the Sub-recipient’s jurisdiction to detect the presence of asbestos and lead in accordance with requirements of the U.S. Environmental Protection Agency, the Florida Department of Environmental Protection and the County Health Department.

4. Provide documentation of the inspection results for each structure to indicate:
   a. Safety Hazard Present
   b. Health Hazards Present
   c. Hazardous Materials Present

5. Provide supervision over contractors or employees employed by the Sub-recipient to remove asbestos and lead from demolished or otherwise applicable structures.

6. Leave the demolished site clean, level and free of debris.

7. Notify the Division promptly of any unusual existing condition which hampers the contractor’s work.

8. Obtain all required permits.

9. Provide addresses and marked maps for each site where water wells and septic tanks are to be closed along with the number of wells and septic tanks located on each site. Provide documentation of closures.

10. Comply with mandatory standards and policies relating to energy efficiency which are contained in the State Energy Conservation Plan issued in compliance with the Energy Policy and Conservation Act (Public Law 94-163).
(11) Comply with all applicable standards, orders, or requirements issued under Section 112 and 306 of the Clean Air Act (42 U.S.C. 1857h), Section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and the U.S. Environmental Protection Agency regulations (40 CFR, Part 15 and 61). This clause shall be added to any subcontracts.

(12) Provide documentation of public notices for demolition activities.
DIVISION OF EMERGENCY MANAGEMENT

REQUEST FOR ADVANCE OR REIMBURSEMENT OF HAZARD MITIGATION ASSISTANCE PROGRAM FUNDS

SUB-RECIPIENT: City of St Petersburg

REMIT ADDRESS: One Fourth Street North

CITY: St Petersburg STATE: Florida ZIP CODE: 33701

PROJECT TYPE: __________________________ PROJECT #: FMA-PJ-04-FL-2017-019

PROGRAM: FMA CONTRACT #: B0013

APPROVED BUDGET: ___________ FEDERAL SHARE: 75,000.00 MATCH: ___________

ADVANCED RECEIVED: __ N/A __ AMOUNT: ___________ SETTLED? ___________

Invoice Period: ___________ To ___________ Payment #: ___________

<table>
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<tr>
<th>Eligible Amount 100% (Current Request)</th>
<th>Obligated Federal Amount ___%</th>
<th>Obligated Non-Federal ___%</th>
<th>Division Use Only</th>
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<td>Approved</td>
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<td>Comments</td>
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TOTAL CURRENT REQUEST: $ ___________

By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812.

SUB-RECIPIENT SIGNATURE: __________________________

NAME / TITLE: ___________________________ DATE: ___________

TO BE COMPLETED BY THE DIVISION

APPROVED PROJECT TOTAL $ ___________

ADMINISTRATIVE COST $ ___________ GOVERNOR’S AUTHORIZED REPRESENTATIVE

APPROVED FOR PAYMENT $ ___________ DATE
### SUMMARY OF DOCUMENTATION IN SUPPORT OF AMOUNT CLAIMED FOR ELIGIBLE DISASTER WORK UNDER THE HAZARD MITIGATION ASSISTANCE PROGRAM

**SUB-RECIPIENT:** City of St Petersburg  
**PAYMENT #:**  
**PROJECT TYPE:**  
**PROJECT #:** FMA-PJ-04-FL-2017-019  
**PROGRAM:** FMA  
**CONTRACT #:** B0013

<table>
<thead>
<tr>
<th>REF NO</th>
<th>DATE</th>
<th>DOCUMENTATION</th>
<th>AMOUNT</th>
<th>ELIGIBLE COSTS (100%)</th>
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<tr>
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This payment represents % completion of the project.

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2 **Recipient's internal reference number (e.g., Invoice, Receipt, Warrant, Voucher, Claim Check, or Schedule #)**  
3 **Date of delivery of articles, completion of work or performance services. (per document)**  
4 **List Documentation (Recipient's payroll, material out of recipient's stock, recipient owned equipment and name of vendor or contractor) by category (Materials, Labor, Fees) and line item in the approved project line item budget. Provide a brief description of the articles or services. List service dates per each invoice.**
Attachment E
JUSTIFICATION OF ADVANCE PAYMENT

SUB-RECIPIENT: City of St Petersburg

If you are requesting an advance, indicate same by checking the box below.

[ ] ADVANCE REQUESTED

Advance payment of $___________ is requested. Balance of payments will be made on a reimbursement basis. These funds are needed to pay staff, award benefits to clients, duplicate forms and purchase start-up supplies and equipment. We would not be able to operate the program without this advance.

If you are requesting an advance, complete the following chart and line item justification below.

PLEASE NOTE: Calculate your estimated expenses at 100% of your expected needs for 90 days. Submit Attachment D with the cost share breakdown along with Attachment E and all supporting documentation.

ESTIMATED EXPENSES

<table>
<thead>
<tr>
<th>BUDGET CATEGORY/LINE ITEMS (list applicable line items)</th>
<th>20___-20___ Anticipated Expenditures for First Three Months of Contract</th>
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<tbody>
<tr>
<td>For example ADMINISTRATIVE COSTS (Include Secondary Administration.)</td>
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<tr>
<td>For example PROGRAM EXPENSES</td>
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<tr>
<td>TOTAL EXPENSES</td>
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LINE ITEM JUSTIFICATION  (For each line item, provide a detailed justification explaining the need for the cash advance. The justification must include supporting documentation that clearly shows the advance will be expended within the first ninety (90) days of the contract term. Support documentation should include quotes for purchases, delivery timelines, salary and expense projections, etc. to provide the Division reasonable and necessary support that the advance will be expended within the first ninety (90) days of the contract term. Any advance funds not expended within the first ninety (90) days of the contract term as evidenced by copies of invoices and cancelled checks as required by the Budget and Scope of work showing 100% of expenditures for the 90 day period shall be returned to the Division Cashier, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, within thirty (30) days of receipt, along with any interest earned on the advance.)
Attachment F

DIVISION OF EMERGENCY MANAGEMENT
HAZARD MITIGATION GRANT PROGRAM
QUARTERLY REPORT FORM

Instructions: Complete and submit this form to the appropriate Project Manager within 15 days of each quarter’s end date.

SUB-RECIPIENT: City of St Petersburg
PROJECT #: FMA-PJ-04-FL-2017-019
PROJECT TYPE: 
CONTRACT #: B0013
PROGRAM: FMA
QUARTER ENDING:

Advance Payment Information:
Advance Received ☐ N/A ☐ Amount: $ ______________ Advance Settled? Yes ☐ No ☐

Provide reimbursement Projections for this project (projections may change):
Jul-Sep 20__ $ __________ Oct-Dec 20__ $ __________ Jan-Mar 20__ $ __________ Apr-Jun 20__ $ __________

Target Dates:
Contract Initiation Date: ______________ Contract Expiration Date: ______________
Estimated Project Completion Date: ______________

Project Proceeding on Schedule? ☐ Yes ☐ No (If No, please describe under Issues below)

Percentage of Work Completed (may be confirmed by state inspectors): ______%

Describe Milestones achieved during this quarter:

Provide a Schedule for the remainder of work to project completion: (Milestones from Contract with estimated dates)

<table>
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<tr>
<th>Milestone</th>
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Describe Issues or circumstances affecting completion date, milestones, scope of work, and/or cost:

Cost Status: ☐ Cost Unchanged ☐ Under Budget ☐ Over Budget

Additional Comments/Elaboration:

NOTE: Division of Emergency Management (DEM) staff may perform interim inspections and/or audits at any time. Events may occur between quarterly reports, which have significant impact upon your project(s), such as anticipated overruns, changes in scope of work, etc. Please contact the Division as soon as these conditions become known, otherwise you may be found non-compliant with your sub grant award.

Person Completing Form: 
Phone: 

Date Reviewed: 
Reviewer: 
Actions: 

~ To be completed by Division staff ~
Financial Management
The Sub-Recipient’s financial management system must comply with 2 C.F.R. §200.302.

Procurements
Any procurement undertaken with funds authorized by this Agreement must comply with the requirements of 2 C.F.R. §200, Part D—Post Federal Award Requirements—Procurement Standards (2 C.F.R. §§200.317 through 200.326).

Business Hours
The Sub-Recipient shall have its offices open for business, with the entrance door open to the public, and at least one employee on site, from: 8:00 AM - 5:00 PM, Monday Thru Friday, as applicable.

Licensing and Permitting
All subcontractors or employees hired by the Sub-Recipient shall have all current licenses and permits required for all of the particular work for which they are hired by the Sub-Recipient.
Certification Regarding Debarment, Suspension, Ineligibility And Voluntary Exclusion

**Subcontractor Covered Transactions**

(1) The prospective subcontractor, ____________________________, of the Sub-Recipient certifies, by submission of this document, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the Sub-Recipient’s subcontractor is unable to certify to the above statement, the prospective subcontractor shall attach an explanation to this form.

**SUBCONTRACTOR**

By: ____________________________  City of St Petersburg
   Signature  Sub-Recipient’s Name
   ____________________________  B0013
   Name and Title  DEM Contract Number
   ____________________________  FMA-PJ-04-FL-2017-019
   Street Address  FEMA Project Number
   ____________________________
   City, State, Zip
   ____________________________
   Date
PURPOSE: The Federal Funding Accountability and Transparency Act (FFATA) was signed on September 26, 2006. The intent of this legislation is to empower every American with the ability to hold the government accountable for each spending decision. The FFATA legislation requires information on federal awards (federal assistance and expenditures) be made available to the public via a single, searchable website, which is http://www.usaspending.gov/.

The FFATA Sub-award Reporting System (FSRS) is the reporting tool the Florida Division of Emergency Management (“FDEM” or “Division”) must use to capture and report sub-award and executive compensation data regarding first-tier sub-awards that obligate $25,000 or more in Federal funds (excluding Recovery funds as defined in section 1512(a) (2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5).

Note: This “Instructions and Worksheet” is meant to explain the requirements of the FFATA and give clarity to the FFATA Form distributed to sub-awardees for completion. All pertinent information below should be filled out, signed, and returned to the project manager.

ORGANIZATION AND PROJECT INFORMATION

The following information must be provided to the FDEM prior to the FDEM’s issuance of a sub-award (Agreement) that obligates $25,000 or more in federal funds as described above. Please provide the following information and return the signed form to the Division as requested.

PROJECT #: FMA-PJ-04-FL-2017-019
FUNDING AGENCY: Federal Emergency Management Agency
AWARD AMOUNT: $75,000.00
OBLIGATION/ACTION DATE: July 2, 2018
SUBAWARD DATE (if applicable): 
DUNS#: 073194920
DUNS# +4: 

47
*If your company or organization does not have a DUNS number, you will need to obtain one from Dun & Bradstreet at 866-705-5711 or use the web form (http://fedgov.dnb.com/webform). The process to request a DUNS number takes about ten minutes and is free of charge.

BUSINESS NAME: ____________________________________________

DBA NAME (IF APPLICABLE): ________________________________

PRINCIPAL PLACE OF BUSINESS ADDRESS:

ADDRESS LINE 1: _______________________________________

ADDRESS LINE 2: _______________________________________

ADDRESS LINE 3: _______________________________________

CITY ___________________ STATE _______ ZIP CODE+4** ________

PARENT COMPANY DUNS# (if applicable): __________________________

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA#): __________________________

DESCRIPTION OF PROJECT (Up to 4000 Characters)

The Project Scope of Work goes here __________________________

Verify the approved project description above, if there is any discrepancy, please contact the project manager.

PRINCIPAL PLACE OF PROJECT PERFORMANCE (IF DIFFERENT THAN PRINCIPAL PLACE OF BUSINESS):

ADDRESS LINE 1: _______________________________________

ADDRESS LINE 2: _______________________________________

ADDRESS LINE 3: _______________________________________

CITY ___________________ STATE _______ ZIP CODE+4** ________

CONGRESSIONAL DISTRICT FOR PRINCIPAL PLACE OF PROJECT PERFORMANCE:

**Providing the Zip+4 ensures that the correct Congressional District is reported.

EXECUTIVE COMPENSATION INFORMATION:

1. In your business or organization’s previous fiscal year, did your business or organization (including parent organization, all branches, and all affiliates worldwide) receive (a) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance (e.g. loans, grants, subgrants, and/or cooperative agreements, etc.) subject to the Transparency Act, as defined at 2 CFR 170.320; , (b) $25,000,000 or more in annual gross revenues from U.S. Federal procurement contracts (and subcontracts) and Federal financial assistance (e.g. loans, grants, subgrants, and/or cooperative agreements, etc.) subject to the Transparency Act?
   Yes ☐ No ☐

If the answer to Question 1 is “Yes,” continue to Question 2. If the answer to Question 1 is “No”, move to the signature block below to complete the certification and submittal process.
2. Does the public have access to information about the compensation of the executives in your business or organization (including parent organization, all branches, and all affiliates worldwide) through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) Section 6104 of the Internal Revenue Code of 1986?

Yes ☐ No ☐

If the answer to Question 2 is “Yes,” move to the signature block below to complete the certification and submittal process. [Note: Securities Exchange Commission information should be accessible at http//www.sec.gov/answers/execomp.htm. Requests for Internal Revenue Service (IRS) information should be directed to the local IRS for further assistance.]

If the answer to Question 2 is “No” FFATA reporting is required. Provide the information required in the “TOTAL COMPENSATION CHART FOR MOST RECENTLY COMPLETED FISCAL YEAR” appearing below to report the “Total Compensation” for the five (5) most highly compensated “Executives”, in rank order, in your organization. For purposes of this request, the following terms apply as defined in 2 CFR Ch. 1 Part 170 Appendix A:

“Executive” is defined as “officers, managing partners, or other employees in management positions”.

“Total Compensation” is defined as the cash and noncash dollar value earned by the executive during the most recently completed fiscal year and includes the following:

i. Salary and bonus.

ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.

v. Above-market earnings on deferred compensation which is not tax-qualified.

vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds $10,000.
## TOTAL COMPENSATION CHART FOR MOST RECENTLY COMPLETED FISCAL YEAR

(Date of Fiscal Year Completion ________________)

<table>
<thead>
<tr>
<th>Rank (Highest to Lowest)</th>
<th>Name (Last, First, MI)</th>
<th>Title</th>
<th>Total Compensation for Most Recently Completed Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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<td>5</td>
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</tbody>
</table>

THE UNDERSIGNED CERTIFIES THAT ON THE DATE WRITTEN BELOW, THE INFORMATION PROVIDED HEREIN IS ACCURATE.

SIGNATURE: ____________________________________________

NAME AND TITLE: _________________________________________

DATE: ______________________

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Provisions:
Any contract or subcontract funded by this Agreement must contain the applicable provisions outlined in Appendix II to 2 C.F.R. Part 200. It is the responsibility of the sub-recipient to include the required provisions. The Division provides the following list of sample provisions that may be required:
OMB Guidance
Pt. 200, App. II

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3168). When required by Federal program legislation, all prime construction contracts in excess of $5,000 awarded to non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3168) as supplemented by Department of Labor regulations (29 CFR Part 4), "Labor Standards, Procurements Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wage determined by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 2514), as supplemented by Department of Labor regulations (29 CFR Part 4, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subcontractor must be prohibited from inducing, by bribery or otherwise, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of $10,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3704 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and one-half times the basic rate of pay for all hours worked in excess of 40 hours to the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in unsanitary, hazardous or dangerous conditions. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 49 U.S.C. §40122(a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 35 CFR Part 99, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts, and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671p) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1367), as amended—Contracts and subcontracts of amounts in excess of $100,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671p) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1367). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Mandated standards and policies relating to energy efficiency which are contained in the standards and orders issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. 6801).

(I) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 200.220) must not be made to parties listed on the governmentwide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidance in 2 CFR 199 that implements Executive Orders 12549 (3 CFR, Part 1986 Comp., p. 180) and 12689 (Comp., p. 250), "Debarment and Suspension." The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(J) Byrd Anti-Lobbying Amendment (31 U.S.C. 1312). Contractors that expressly or implied for an award of $10,000 or more must file the required certification. Each offeror to the offer above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or representative of Congress, an employee of a member of Congress in connection with obtaining any Federal contract, grant or any

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Pl. 200, App. III


APPENDIX III TO PART 200—INDIRECT (F&A) COSTS IDENTIFICATION AND ASSIGNMENT, AND RATE DETERMINATION FOR INSTITUTIONS OF HIGHER EDUCATION (IIHE)

A. GENERAL

This appendix provides criteria for identifying and computing indirect (or indirect (F&A)) rates at IIHEs (institutions). Indirect (F&A) costs are those that are incurred for common or joint objectives and therefore cannot be identified readily and specifically with a particular sponsored project, an instructional activity, or any other institutional activity. See subsection III.I, Definition of Facilities and Administration, for a description of the components of indirect (F&A) costs.

1. Major Functions of an Institution

Refers to instruction, organized research, other sponsored activities and other institutional activities as defined in this section:

a. Instruction means the teaching and training activities of an institution. Except for research training as provided in subsection b, this term includes all teaching and training activities, whether they are offered for credit toward a degree or certificate or on a non-credit basis, and whether they are offered through regular academic departments or separate divisions, such as a summer school division or an extension division. Also considered part of this major function are departmental research and, where agreed to, university research.

1. Sponsored Instruction and training means specific instructional or training activity established by grant, contract, or cooperative agreement. For purposes of the cost principles, this activity may be considered a major function even though an institution's accounting treatment may include it in the instruction function.

2. Departmental research means research, development, and scholarly activities that are not organized research and, consequently, are not separately budgeted and accounted for. Departmental research, for purposes of this document, is not considered as a major function, but as a part of the institutional function of the institution.

b. Organized research means all research and development activities of an institution that are separately budgeted and accounted for. It includes:

1. Sponsored research means all research and development activities that are sponsored by Federal and non-Federal agencies and organizations. This term includes activities involving the training of individuals in research techniques (commonly called research training) where such activities utilize the same facilities as other research and development activities and where such activities are not included in the instruction function.

2. University research means all research and development activities that are separately budgeted and accounted for by the institution under an internal application of institutional funds. University research, for purposes of this document, must be combined with sponsored research under the function of organized research.

3. Other sponsored activities means programs and projects financed by Federal and non-Federal agencies and organizations which involve the performance of work other than instruction and organized research. Examples of such programs and projects are health service projects and community service programs. However, when any of these activities are undertaken by the institution without outside support, they may be classified as other institutional activities.

4. Other institutional activities means all activities of an institution except for instruction, departmental research, sponsored research, and other sponsored activities, as defined in this section: indirect (F&A) cost activities identified in this Appendix Part B, Identification and assignment of indirect (F&A) costs; and specialized services facilities described in §200.306 Specialized service facilities of this Part.

Examples of other institutional activities include operation of student housing facilities, dining halls, hospitals and clinics, student unions, intramural athletic activities, bookstores, faculty housing, student apartments, guest houses, chapels, theaters, public museums, and other similar auxiliary enterprises. This definition also includes any other categories of activities, costs of which are "unallowable" to Federal awards, unless otherwise indicated in an award.

2. Criteria for Distribution

a. Base period. A base period for distribution of indirect (F&A) costs is the period during which the costs are incurred. The base period normally should coincide with the fiscal year established by the institution, but in any event the base period should be so selected as to avoid inequities in the distribution of costs.

b. Need for cost groupings. The overall objective of the indirect (F&A) cost allocation process is to distribute the indirect (F&A) costs described in Section B, Identification and assignment of indirect (F&A) costs, to
The following page(s) contain the backup material for Agenda Item: Approving a supplemental appropriation in the amount of $60,000 from the unappropriated balance of the Stormwater Utility Operating Fund (4011) to the Stormwater, Pavement and Traffic Operations Department, Streetscape Maintenance Division (400-2343); and providing an effective date. Please scroll down to view the backup material.
To: The Honorable Charles Gerdes, Chair, and Members of City Council

Subject: A resolution approving a supplemental appropriation in the amount of $60,000 from the unappropriated balance of the Stormwater Utility Operating Fund (4011) to the Stormwater, Pavement and Traffic Operations Department, Streetscape Maintenance Division (400-2343); and providing an effective date.

Explanation: In 2016, the Streetscape Maintenance division was transferred into the Stormwater, Pavement and Traffic Operations Department (SPTO) from the Parks and Recreation Department. This division is directly responsible for maintaining City owned medians, right of ways, plants, and other landscaping areas around the City of St. Petersburg. This division also supports ongoing projects for planting, plants, and landscaping for the Grand Central District, Edge District, Snell Isle, Shore Acres, and other neighborhood city owned medians. As development and projects continue throughout the City, the Streetscape Maintenance Division does not currently have the necessary funds within the department’s FY19 Adopted Budget to support additional maintenance and material purchases to meet this demand. This includes additional support for planting materials, landscaping materials, trees, and plants. In order to support this function, the SPTO Department is requesting $60,000 for the maintenance of the city-wide streetscape operations.

Recommendation: Administration recommends City Council to approve a supplemental appropriation in the amount of $60,000 from the unappropriated balance of the Stormwater Utility Operating Fund (4011) to the Stormwater, Pavement and Traffic Operations Department, Streetscape Maintenance Division (400-2343); and providing an effective date.

Cost/Funding/Assessment Information: Funds will be available after the approval of a supplemental appropriation in the amount of $60,000 from the unappropriated balance of the Stormwater Utility Operating Fund (4011) to the Stormwater, Pavement and Traffic Operations Department, Streetscape Maintenance Division (400-2343).

Attachments: Resolution

Approvals:

[Signatures]
RESOLUTION NO.___

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $60,000 FROM THE UNAPPROPRIATED BALANCE OF THE STORMWATER UTILITY OPERATING FUND (4011) TO THE STORMWATER, PAVEMENT AND TRAFFIC OPERATIONS DEPARTMENT, STREETSCAPE MAINTENANCE DIVISION (400-2343); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, additional funding is needed for the Stormwater, Pavement and Traffic Operations Department Streetscape Maintenance Division; and

WHEREAS, the Stormwater, Pavement and Traffic Operations Department Streetscape Maintenance Division has experienced a significant increase of work requests that require additional road materials and supplies; and

WHEREAS, this is attributed to increased expectation in level of service, ease of reporting through the See, Click, Fix App and ongoing work related to Grand Central District, Edge District, Snell Isle, Shore Acres, and other city owned medians; and

WHEREAS, due to this increase in requests supported by need and demand, the Stormwater, Pavement and Traffic Operations Department has depleted this account earlier than usual for FY19; and

WHEREAS, the Stormwater, Pavement and Traffic Operations Department wishes to continue the operations for the Streetscape Maintenance Division by providing a high level of service through the end of the fiscal year.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the City Council hereby approves from the unappropriated balance of the Stormwater Utility Operating Fund (4011) the following supplemental appropriation for FY19:

<table>
<thead>
<tr>
<th>Stormwater Utility Operating Fund (4011)</th>
<th>Stormwater, Pavement and Traffic Operations Department Streetscape Maintenance Division (400-2343)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$60,000</td>
</tr>
</tbody>
</table>

This Resolution shall become effective immediately upon its adoption.

Approvals:

[Signature]
Legal Department
By: City Attorney or Designee

[Signature]
Elizabeth Makofsky
Budget Director

Paul Booth
Interim-Director Stormwater, Pavement and Traffic Operations

Claude Tankersley
Public Works Administrator
The following page(s) contain the backup material for Agenda Item: Authorizing the Mayor or his designee to accept a grant from the State of Florida Department of Agriculture and Consumer Services ("Department") in the amount not to exceed $496,486 for the City's summer food program and to execute a grant agreement and all other documents necessary to effectuate this transaction with the Department; approving a supplemental appropriation in the amount of $496,486 from the increase in the unappropriated balance of the General Fund (0001), resulting from these additional revenues, to the Parks & Recreation Department.

Please scroll down to view the backup material.
SAINT PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of May 16, 2019

TO: City Council Chair & Members of City Council

SUBJECT:
Authorizing the Mayor or his designee to accept a grant from the State of Florida Department of Agriculture and Consumer Services (“Department”) in the amount not to exceed $496,486 for the City’s summer food program and to execute a grant agreement and all other documents necessary to effectuate this transaction with the Department; approving a supplemental appropriation in the amount of $496,486 from the increase in the unappropriated balance of the General Fund (0001), resulting from these additional revenues, to the Parks & Recreation Department; and providing an effective date.

EXPLANATION:
The State of Florida Department of Agriculture and Consumer Services, Division of Food, Nutrition and Wellness will award the City of St. Petersburg funding to provide breakfast and lunch for any child age 18 or under at 18 recreation sites during the summer - five days a week from June 3 until August 9. This program is funded by the US Department of Agriculture through the state and is accessible by anyone age 18 or under. A child need not be registered in a City program. The times that the meals are available are posted at each site and any child can receive breakfast and/or lunch. The grant pays for the meals and provides for an administrative cost to run the program. The payments under the grant are made on a reimbursement basis based on how many meals are provided.

RECOMMENDATION:
The Administration recommends that the City Council adopt the attached resolution authorizing the Mayor or his designee to accept a grant from the State of Florida Department of Agriculture and Consumer Services (“Department”) in the amount not to exceed $496,486 for the City’s summer food program and to execute a grant agreement and all other documents necessary to effectuate this transaction with the Department; approving a supplemental appropriation in the amount of $496,486 from the increase in the unappropriated balance of the General Fund (0001), resulting from these additional revenues, to the Parks & Recreation Department; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION:
Revenues of approximately $496,486 will be received from the State of Florida Department of Agriculture. A supplemental appropriation in the amount of $496,486 from the increase in the unappropriated balance of the General Fund (0001), resulting from these additional revenues, to the Parks & Recreation Department, Parks & Recreation Administration (190-1573) is required.

ATTACHMENTS: Resolution

APPROVALS:
Administration: [Signature] Budget: [Signature]
RESOLUTION NO. 2019-_____  

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT A GRANT FROM THE STATE OF FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES ("DEPARTMENT") IN THE AMOUNT NOT TO EXCEED $496,486 FOR THE CITY'S SUMMER FOOD PROGRAM AND TO EXECUTE A GRANT AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION WITH THE DEPARTMENT; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $496,486 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND (0001), RESULTING FROM THESE ADDITIONAL REVENUES, TO THE PARKS & RECREATION DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE  

WHEREAS, the City of St. Petersburg's youth are an important and valuable resource; and  

WHEREAS, the City of St. Petersburg Parks & Recreation Department applied for and was awarded a grant from the State of Florida Department of Agriculture and Consumer Services in the amount not to exceed $496,486 to provide funding for the City's Summer Food Program, which provides breakfast and lunch for any child age 18 or under.  

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to accept a grant from the State of Florida Department of Agriculture and Consumer Services ("Department") in an amount not to exceed $496,486 for the City's Summer Food Program and to execute a grant agreement and all other documents necessary to effectuate this transaction with the Department.  

BE IT FURTHER RESOLVED, that there is hereby approved from the increase in the unappropriated balance of the General Fund (0001), resulting from these additional revenues, the following supplemental appropriation for fiscal year 2019:  

General Fund (0001)  
Parks & Recreation Department, Parks & Recreation Administration (190-1573) $496,486  

This resolution shall become effective immediately upon its adoption.