

**ST PETERSBURG CITY COUNCIL  
ENERGY, NATURAL RESOURCES & SUSTAINABILITY COMMITTEE**

**AGENDA**

**Meeting of January 19, 2016  
1:00 p.m. – 2 p.m. – City Hall Room 100**

**Members & Alternate:**      **Chair, Darden Rice; Vice- Chair Karl Nurse;  
Steve Kornell, Ed Montanari, Lisa Wheeler-Bowman (Alternate)**

**Support Staff:**              **Sharon Wright**

**A. Call to Order**

**B. Approval of Agenda**

**C. Approval of Minutes (attached)**

**1. December 15, 2016**

**D. New/Deferred Business**

- 1. Emergency Management/Disaster Operations Procedure Briefing**
- 2. Vaping ban/limitation options**
- 3. 2017 Energy, Natural Resources, & Sustainability Outlook**

**E. Continued Business**

**F. Upcoming Meeting Agenda Tentative Issues**

**1. February 9, 2017; 10:30 a.m. and April 13, 2017 10:30 a.m.**

**G. New Business Item Referrals (attached)**

**H. Adjournment**

**CITY OF ST. PETERSBURG**

**ENERGY, NATURAL RESOURCES AND SUSTAINABILITY COMMITTEE MEETING**

December 15, 2016

**PRESENT:** Committee Chair Darden Rice; Vice-Chair Karl Nurse; Steve Kornell, Ed Montanari, Lisa Wheeler-Bowman (Alternate)

**ALSO PRESENT:** Public Works Administrator Claude Tankersley, Interim Engineering Director Rajesh Prayman, Senior Energy Efficiency Engineer Lisa Glover-Henderson, Assistant City Attorney Michael Dema, Assistant City Attorney Heather Judd, Sustainability Manager Sharon Wright and Office Systems Specialist Paul Traci

**ABSENT:** None.

Committee Chair Rice called the meeting to order at 1:00 p.m. and then undertook a roll call to establish the presence of a quorum. The meeting commenced with the following members present: Ed Montanari, Karl Nurse, Lisa Wheeler-Bowman and Darden Rice. Chair Rice moved for approval of the agenda. All were in favor of the motion. Chair Rice moved for approval of the November 21, 2016 Committee minutes. All were in favor of the motion.

Kevin O’Flaherty, Director of Knock It Out of the Park!, discussed the proposed ordinance prohibiting smokeless tobacco at all organized athletic events in St. Petersburg. Mr. O’Flaherty gave a presentation to the Committee. The presentation included information on the damage and diseases caused by smokeless tobacco. Other information included in the presentation was: 60% of high school athletes who play multiple sports are more likely to use smokeless tobacco, and the negative impact smokeless tobacco has on children when they see sports stars using the product. Boston, Los Angeles and other cities with Major League Baseball teams have already passed an ordinance prohibiting smokeless tobacco. Committee member Kornell entered the meeting at 1:08 p.m.

Committee member Montanari asked how the proposed Ordinance would be enforced on private property and if smokeless tobacco could be banned citywide. Mr. O’Flaherty answered this inquiry by stating that a kid does not look up to someone on the street as a role model who is chewing tobacco compared to an athlete.

Committee member moved for approval of the proposed Ordinance prohibiting the use of smokeless tobacco products at athletic facilities and organized sporting events. The motion passed unanimously.

Interim Engineering Director Rajesh Prayman gave an overview of the Preliminary District Cooler Plant Analysis. Mr. Prayman reported that a task order was issued in July 2016 to process a district cooler analysis. Senior Energy Efficiency Engineer Lisa Glover-Henderson explained that a district cooler system distributes chilled water to buildings for cooling. The buildings included in

this analysis were government owned located in downtown. Joseph Griner, Griner Engineering, explained what factors are needed for the production of a quality energy analysis. These factors include: the creation of a load model for each building which calculates the HVAC requirements hourly for 8,760 hours/year; taking the load model and combining it with information on each building's HVAC system to calculate the energy use; system modeling using Carrier Hourly Analysis Program (HAP) to size the Plant and calculate the total energy usage; and ensuring HAP complies with the requirements of the USGBC and ASHRAE 90.1, which is the benchmark for commercial energy use for 35 years. Mr. Griner also explained that a district cooling system is composed for three elements. These three elements are: a cooling plant center, a distribution network and a transfer facility. It was reported during this presentation that district cooling plant systems work better when they are bigger.

Committee member Nurse asked if the economics work building one piece of a district cooling system plant at a time. Mr. Griner responded to this inquiry by stating that expandable plants are the norm and not the exception. Mr. Prayman stated that administration is recommending moving to the next phase of the project. Committee member Montanari asked if there were any other funding sources for a district cooling plant system. Ms. Glover-Henderson stated that rebates and tax incentives are available, and other resources will be investigated.

Committee member Nurse motioned to request staff to complete a scope of work to perform a cost analysis and to report the findings back to the Committee. The motion passed unanimously.

In connection with the Continued Business portion of the agenda, Sharon Wright stated that a Canopy analysis will not be completed; and that she will work with the community and others before purchasing and planting trees.

In connection with the Upcoming Agenda / Tentative Issues portion of the agenda, it was reported that the Emergency Management briefing will be moved to January. Committee Chair Rice stated that ways are being examined so that the Committee can meet less frequently.

There being no further business, Chair Rice adjourned the meeting at 11:56 a.m.

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA CREATING A NEW SECTION 20-125, REGULATION OF E-CIGARETTES; PROHIBITING THE SALE OF NICOTINE PRODUCTS AND ELECTRONIC CIGARETTES TO MINORS; PROHIBITING SELF-SERVICE MERCHANDISING OF LIQUID NICOTINE, TOBACCO PRODUCTS AND ELECTRONIC CIGARETTES; PROHIBITING THE USE OF E- CIGARETTES WITHIN AN ENCLOSED INDOOR WORKPLACE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section 1: The St. Petersburg City Code is hereby amended by adding a new Section 20-125 to read as follows:

Sec. 20-125. Electronic cigarettes

(a) Purpose and Intent

It is the intent of this section to promote, protect, and improve the health, safety, and general welfare of the citizens of the City of St. Petersburg by discouraging the unhealthy practice of using tobacco and related products and to help prevent the addiction to nicotine, especially by young people, through regulation of the sale, merchandising, and use of certain tobacco, nicotine, and related products. It is not the intent of this section to prohibit the sale or delivery of tobacco products which are otherwise lawful or regulated pursuant to Fla. Stat. chapter 569, and this section shall not be interpreted or construed to do so.

(b) Definitions

- (1) *Business* as defined in Chapter 17 of this Code.
- (2) *Electronic cigarette and e-cigarette* means any product that employs an electronic, chemical, or mechanical means that provides, or is manufactured to provide, a vapor of liquid nicotine or other substances mixed with propylene glycol or other substances delivered or deliverable to the user that he or she can inhale in simulation of smoking, vaping, or other inhalation mechanism. This term shall include every version and type of such devices whether they are manufactured or marketed as e-cigarettes, e-cigars, e-pipes, or under any other product name or description.

- (3) *Liquid nicotine* means any liquid product composed either in whole or in part of pure nicotine and propylene glycol, chemicals, or other substances and manufactured for use with e-cigarettes.
- (4) *Self-service merchandising* means the open display of tobacco products, e-cigarettes, or liquid nicotine whether packaged or otherwise, to which the public has access without the intervention of the vendor, store owner, or other employee. Self-service merchandising also includes open display units, which are in a case, rack, shelf, counter, table, desk, kiosk, booth, stand, or other surface which allows direct public access to the product placed therein.

(c) Prohibition of Sale to Minors and Purchase by minors

- (1) No person under the age of 18 years shall knowingly purchase or possess an electronic cigarette, liquid nicotine, or other similar product.
- (2) No person, business, or other establishment shall sell, permit to be sold, or offer for sale any e-cigarette, liquid nicotine, or similar product to (1) any person under 18 years of age or to a person who appears to be under the age of 27 years without first examining identification to confirm that the recipient is at least 18 years of age.
- (3) Each person, business, or other establishment dealing in e-cigarettes, liquid nicotine, or similar products shall have located on the interior portion of the building a sign which can be readily seen and read by customers which is at least one foot by two feet containing substantially the following information:

The sale of e-cigarettes, liquid nicotine, or tobacco products to a person under the age of 18 years of age is prohibited

(d) Prohibition of Self-Service Merchandising

- (1) No person, business, or other establishment engaged in the retail sale of e-cigarettes, liquid nicotine, or similar products shall sell, permit to be sold, offer for sell or display for sale e-cigarettes, liquid nicotine, or similar products by means of self-service merchandising.
- (2) No person, business, or other establishment engaged in the retail sale of e-cigarettes, liquid nicotine, or similar products shall place e-cigarettes, liquid nicotine, or similar products in an open display unit unless the same is located in an area that is inaccessible to customers, unless access to the premises by persons under the age of 18 is prohibited by the person, business, or other establishment or prohibited by law.

(e) Prohibition of Use where smoking is prohibited

- (1) A person may not use, consume, employ, or otherwise operate any e-cigarette, liquid nicotine, or similar products in any enclosed indoor workplace wherein smoking is prohibited pursuant to the Florida Clean Indoor Air Act, as defined in Chapter 386.203(5), Florida Statutes, except for tobacco retailers and those

places listed in Florida Statute 386.2045, “Enclosed indoor workplaces; specific exemptions.”

- (2) The use of any e-cigarette, liquid nicotine, or similar product is prohibited in all parks, baseball fields, or other athletic facility, as defined in this chapter, which is owned or controlled by the City.

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

Section 3. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the mayor notifies the City Council through written notice filed with the City Clerk that the mayor will not veto this Ordinance, in which case this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

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City Attorney (Designee)

**ENERGY, NATURAL RESOURCES & SUSTAINABILITY  
PENDING / CONTINUING REFERRALS**

1-19-2017

<b>TOPIC</b>	<b>DATE REFERRED</b>	<b>REFERRED BY</b>	<b>RETURN DATE</b>	<b>STAFF RESPONSIBLE</b>	<b>SPECIAL NOTES</b>
Consider what action the City can take to limit the use of vaping in public buildings and space.	11/2/2016	Nurse	2/2017	Sharon Wright Planning/Legal staff	Most FL bans ban all enclosed workplaces, including restaurants, exempting bars; brief internet research show that states that do not allow smoking in bars also do not allow vaping; City attorney pulling together material.
(No motion, but request). Receive briefing(s) for the recent emergency management plan.	7/21/2016	Montanari	12/15/2016	Sharon Wright & Chief Dean Adamides	Currently at print shop. January 2017
City-wide Green Fleets Initiative & Ordinance or Policy	4/7/2016	Rice	12/15/2016	Sharon Wright & Joe Krizen	Internal work in progress.
Staff set up a mechanism to capture energy savings to be re-invested in additional energy efficiency projects. Review Green Bond option.	9/15/2016 – updated 11/3/2016	Nurse	2/2017	Sharon Wright Claude Tankersley	Mechanisms will be researched, partly through energy analysis, if approved.
Staff to set up a presentation by local scientists for update on climate change information and efforts	9/4/2016	Kornell	1/19/2017	Sharon Wright	Initiated – contacts and coordination  Part of ULI Report Out 2017; Part of Earth Day outreach (April)

Evaluation of the merits and budget considerations of utilizing an ICLEI Membership	5/7/15	Rice	2017	Sharon Wright	ICLEI pending Integrated Sustainability Action Plan (ISAP) moving forward; will determine at time of scoping or data gathering as it makes sense.
Change city purchasing policy to require the use of renewable/recyclable products at city facilities and events.	3/17/2016	Nurse	12/15/2016	Sharon Wright & Louis Moore	Administrative policy revised; additional related policies will be reviewed/revised as part of comprehensive ongoing review.