

City of St. Petersburg
Public Services & Infrastructure Committee
Meeting of October 27, 2016 – 9:15 a.m.
City Hall, Room 100

Members: Chair Steve Kornell, Vice-Chair Ed Montanari, Council Members Jim Kennedy, Jr., Charlie Gerdes

Alternate(s): Council Chair Amy Foster

Support Staff: John C. Norris, primary support staff; Nina Mahmoudi, backup support staff

- 1) Call to Order
- 2) Approval of Agenda
- 3) Approval of Minutes
 - a) October 13, 2016
- 4) New Business –
 - a) Revision to sign ordinance to all advertisement on bus shelters that are constructed with private sector funds.- Legal – Mark Winn
 - b) A Recommendation to Strengthen Wage Theft Ordinance Enforceability. – Human Resources – Eve Epstein
- 5) Upcoming meetings –
 - a) November 10, 2016
 - i) TBD
- 6) Adjournment

Attachments: Minutes of October 13, 2016 Committee Meeting
Backup Material
Pending and Continuing Referral List

City of St. Petersburg
Public Services & Infrastructure Committee
Meeting of October 13, 2016 – 9:15 a.m.
City Hall, Room 100

Members and Alternates: Chair Steve Kornell, Vice-Chair Ed Montanari, Councilmembers Charlie Gerdes, Amy Foster and Jim Kennedy.

Others present: Mayor Rick Kriseman, Support Staff : John C. Norris, Stormwater, Pavement and Traffic Operations Director, Nina Mahmoudi, Manager of Creative Services, Jeannine Williams, Chief Assistant City Attorney, Heather Judd, Assistant City Attorney & Pat Beneby, City Clerk

- 1) Call to Order 9:15 A.M.
- 2) Approval of Agenda
 - a) Motion for approval - Motion for approval by CM Kennedy. Unanimously Passed: 4-0.
- 3) Approval of Minutes
 - a) September 22, 2016 – Motion for approval by CM Gerdes. Unanimously Passed: 4-0
- 4) New Business
 - a) Continue discussion of Vehicle for Hire Ordinance - Legal - Judd
 - i. Heather Judd opened with explaining the change that was made on the proposed ordinance version 21. The change was on page three where there was a strike through of some language about an excess umbrella policy. She also stated that when it goes to first reading that strike through will not be there.
 - ii. Mayor Kriseman explained that we were originally looking at two different versions. One was to take our existing regulations and try to work into it dealing with TNC's. The second option was significant deregulation only focusing on what we thought the public was most concerned with like the driver of the vehicle bring safe with background checks and insurance coverage. Mayor Kriseman referred to the change in the ordinance on page 3 and how it was removed because adding that coverage would be cost prohibitive. The other question that was asked previously was regarding the optional certificate and what we were trying to accomplish there. He explained that it's not something that weather it's TNC or a taxi company that they have to do. It is optional. If you do choose to do it there will be a number of things you are required to do. One of which is to make sure each driver has insurance limits 125/250/50 policy. Under the policy in the main section on page 3 for TNC vehicle they are required to carry the FL state minimum which does not require 125/250/50.

If they decide they want to get the optional certificate they can go ahead and purchase that additional coverage. It does not impact what the corporate entity is required to do under the main section or under the optional. It only impacts the individual driver.

- iii. CM Kennedy clarified his understanding that under 28-2 it states all public vehicle companies must have the \$1,000,000.00 commercial general liability insurance. Mayor Kriseman responded yes, as well as \$1,000,000.00 in auto or they can carry a livery policy. CM Gerdes then stated that in addition to the requirements of 28-2 if you want to get the optional certificate you would have to have an additional 125/250/50 policy to the \$1,000,000.00 requirement. Mayor Kriseman answered not in addition, but you would have to carry that coverage. If you're an individual driver for Uber you may not have that 125/250/50 coverage, but if you want that optional certificate you would then have to purchase that 125/250/50 policy. Under 28-2 it states each individual driver is required to carry the FL state minimum. The company is required to carry different coverage. The company is providing each driver with 125/250/50.
- iv. Heather Judd responded that each vehicle has that coverage. She added that in the certified section some companies may already have coverage on their cars that meet the limits, but under the main part of the ordinance they are not required to give the VIN number of each car. Under the certified we would have a complete list of every car, because that certification will be tied to one specific vehicle. So that vehicle is guaranteed to have 125/250/50, whether it's a taxi or an individual driver.
- v. CM Kennedy stated that if it's not a commercial policy and it's just a policy that goes with the vehicle what does that provide us? Because they're going to deny coverage due to commercial undertaking. Mayor Kriseman answered that there are policies being specifically written at the TNC level. CM Kennedy said that in order to mean anything it needs to somehow be commercial in nature or something that the insurance can validly object to. When they are selling an individual policy they are specifically excluding commercial ventures, so unless that's addressed he doesn't see what benefit that extra coverage has because it will never fall to the passenger of the vehicle. Mayor Kriseman said that you can buy insurance specifically for TNC drivers. CM Kennedy inquired about the cost of those types of policies, but there isn't any solid information on the cost currently.
- vi. CM Gerdes asked if they have run the traps through the statutes to see if the statutory obligations get you to CM Kennedy's answer. Heather Judd answered that she would assume so. CM Gerdes also mentioned that he had previously asked for some language to be added to the ordinance that says that policy coverage "shall" or "must" begin at the time the ride is accepted until the rider reaches the destination. Judd said she checked to see what was already in there about when it kicks in, lapses, or fails to provide coverage or denied whether the \$1,000,000.00 policy would cover all the time. Some of the TNC policies have different "kick in" points but because not all vehicles have that so as long as we have the general coverage on the company that's overlapped with what they are already required to have. CM Gerdes stated how the

language still needs to be in the ordinance stating when the coverage exactly starts and ends.

- vii. CM Kennedy discussed the requirement for a valid driver license and questioned why not a valid “Florida” driver license, because they work in Florida. Judd responded that she was told to take out Florida license due to the possibility of a military person needing to work and it is already stated in Florida Statutes.
- viii. Mayor Kriseman suggested that on page 8 adding language like “buy an insurance policy compliant with 324-032 or a business ride share policy or endorsement”. CM Kennedy stated that made sense to him.
- ix. Guest speaker, Carol Vallee, representing the taxi industry stated that she has been a Bay area Taxi Service operator for 35 years. The biggest issue they have are the fees. They have been paying the \$65 Business Tax per car and \$200 administration fees annually and TNC has not been paying and should be paying. If you’re going to charge the Taxi Services then charge the TNC as well.
- x. Guest speaker, Cesar Fernandez, representing Uber Technologies. Uber supports the Ordinance. He stated that it provides a level of playing field. He said that any taxi company has the two path option. He addressed the insurance and supported the background check standards. They oppose any per vehicle fee but support an annual flat fee.
- xi. CM Kennedy had a question for legal on the new ordinance and the business tax fee. Judd answered that a new fee is not contemplated. If we want to do any changes on the \$65 per car fee there would have to be an equity study done in order to change the classification. CM Kennedy asked if under the new ordinance would the fees be the same for all public vehicles taxi or TNC and Judd confirmed that was correct.
- xii. Heather Judd stated that if for any reason if the drivers insurance does not work the company insurance has to cover up \$1,000,000.00.
- xiii. CM Kennedy made a motion to move forward to first reading at full Council. CM Gerdes seconded the motion. All were in favor of the motion.

5) Upcoming Meetings

a) October 27, 2016

- i. A revision to the sign ordinance to allow advertisement on bus shelters that are constructed with private sector funds – Legal
- ii. A recommendation to strengthen wage theft ordinance enforceability – Eve Epstein

b) November 10, 2016

i. To Be Determined

6) Adjournment 10:27 A.M.



Pinellas County Office of Human Rights

400 S. Fort Harrison Ave
Fifth Floor
Clearwater, FL 33756
(727) 464-4880
Fax: (727) 464-4157
Text Phone/TDD: (727) 464-4062

To: Board of County Commissioners

Through: Mark Woodard, County Administrator

CC: Pinellas County Human Rights Board
Jim Bennett, County Attorney
Bill Berger, OMB Director
Lori Sullivan, Financial Budget & Management Analyst
Brijesh Patel, Assistant County Attorney
Eve Epstein, Esq., Wage & Hour Compliance Coordinator
City of St. Petersburg

Re: **Wage Theft/Recovery Ordinance: Update & Future**

From: Paul Valenti, Human Rights Director 

Date: October 17, 2016

Background:

Pinellas County's Wage Theft/Recovery Ordinance¹ was adopted by the Board of County Commissioners on November 10, 2015, and became effective on January 1, 2016. While under consideration, the Board of County Commissioners expressed their wish to receive periodic updates on the administration of the ordinance from Pinellas County's Office of Human Rights.

This memo contains summary information on our administration of the Wage Theft/Recovery Ordinance through the end of FY '15-'16². In addition, this memo will address insights gleaned by staff since we began administering the ordinance, and discuss future potential developments relating to the ordinance and its administration.

Update on Wage Theft/Recovery Ordinance:

A detailed report of various metrics under Pinellas County's Wage Theft/Recovery Ordinance is attached as Exhibit A. While staff remains available to explain or discuss the attached at any time, we believe the following summary, as compared to the results under the City of St. Petersburg's ordinance, to be of particular note:

¹ Codified in Chapter 70 of the Pinellas County Codes, at §§70-301 through 70-310.

² Though FY '15-'16 began October 1, 2015, as indicated above, the Wage Theft/Recovery Ordinance became operative January 1, 2016. Therefore, the period of review for administration of the Wage Theft/Recovery Ordinance is January 1, 2016, through September 30, 2016.

Metric:	Pinellas County:	St. Petersburg³:
Total # of Inquiries:	201	87
# of Complaints Filed:	77	36
Total Value of Wages Claimed:	\$288,885.55	N/A
# of Complaints Conciliated:	23	23
% of Complaints Conciliated:	30%	64%
Total \$ Value of Conciliations:	\$21,445.78	\$24,110.00
Avg. \$ Value per Conciliation:	\$932.42	\$1,048.26
# of Cases Heard by Magistrate:	26	10
# of Cases Comp. Prevailed:	14	N/A
# of Cases Employer Prevailed:	12	N/A
Total \$ Awarded at Hearing ⁴ :	\$314,847.61	\$106,130.16
Avg. \$ Award per Hearing:	\$26,237.30	N/A
Total \$ Received by Comps. ⁵ :	\$21,859.92	\$36,561.91
Hearing Awards Paid:	\$414.14	\$12,451.91
Hearing Awards not Paid:	\$314,433.47	\$93,678.25
Cost of Administering Ord. ⁶ :	\$31,464.51	N/A
Total Cost of Program ⁷ :	\$47,631.55	N/A

³ While most data and information from Pinellas County's Office of Human Rights is from January 1, 2016, through September 30, 2016, data and information from the City of St. Petersburg's wage theft program, as obtained from staff who administers the same for the city, is from August 2015 through August 2016 (as you recall, the City of St. Petersburg enacted their Wage Theft/Recovery Ordinance prior to Pinellas County, and began their implementation of the same prior to Pinellas County as well).

⁴ Both Pinellas County's ordinance and the City of St. Petersburg's ordinance require an automatic trebling of wages to be awarded upon a finding of "wage theft." Therefore, these numbers represent three times the actual amount of wages found owed.

⁵ This represents the total dollar amount awarded at hearing and paid, as well as the total amount paid pursuant to a conciliated agreement between a Complainant and Employer.

⁶ The "Cost of Administering Ord." for Pinellas County's Office of Human Rights differs from the indicated "Total Cost of Program" as the latter number includes costs prior to the ordinance becoming effective on January 1, 2016. In other words, while the total cost of the program in FY '15-'16 was \$ \$47,631.55, the costs associated with pre-enforcement activities was \$16,167.04. We do not believe these to be recurring costs associated with continued administration of the ordinance, hence the separate line items.

⁷ See footnote 6, above.

Staff believes the comparison of experiences in administration of Wage Theft/Recovery Ordinances between the Pinellas County Office of Human Rights and City of St. Petersburg to be of value as they underscore several shared "lessons learned."

In the first instance, it is clear that Complainants are most likely to actually receive wages claimed but not paid through the conciliation process. Both we and staff at the City of St. Petersburg believe, therefore, future contemplated amendments to our ordinances, if any, should be designed to further incentivize parties resolving their dispute prior to hearing, and ideas in this regard are being considered.

Additionally, it seems clear that measures can be considered to close the gap between amounts awarded at hearing versus amounts actually paid upon an award ordered at hearing⁸.

Moreover, continued efforts at publicity, education and outreach relating to the existence of these ordinances is warranted.

Staff in Pinellas County also believes eligibility for participation in the wage theft ordinance/program might be subject to reconsideration. Specifically, one of our wage theft cases presented both issues of wage theft and possible breach of contract in the sale of a medical practice. While this case clearly fell within the jurisdictional requirements for the filing of a wage theft complaint, it also presented circumstances outside the considerations discussed when the ordinance was initially considered and adopted⁹.

⁸ At the City of St. Petersburg's City Council's Public Services & Infrastructure Sub-Committee meeting on August 25, 2016, staff which administers the wage theft ordinance for the City of St. Petersburg made several recommendations in this regard. These recommendations included: Possible suspension/denial of issuance of business tax receipts (an option we believe **unavailable** to Pinellas County); Requiring employers to provide pay and contact information at the inception of the employment relationship (an option we believe **is available** to Pinellas County); and Mandating employers post information on the wage theft ordinance in a place where it is **accessible/made known** to employees (which we also believe to be an option which is **available** to Pinellas County).

The City of St. Petersburg is also considering funding an outside group to assist claimants successful at hearing in obtaining the amount awarded. The Pinellas County Office of Human Rights has a similar process in place in housing discrimination cases upon entering a "reasonable cause" determination of discrimination with the concurrence of the County Attorney's Office. In these cases, after a last effort at mediation/conciliation is attempted and unsuccessful, cases are referred to Gulf Coast Legal Services or Bay Area Legal Services for legal representation in a judicial or administrative (State of Florida Department of Administrative Hearings) forum.

⁹ This case (which accounts for over \$200,000.00 of the amount awarded at hearing) presented both wage theft claims as well as a potential contractual dispute between parties which both appeared to have the resources/capacity to litigate the matter in a judicial forum. Additionally, the inter-related issues of wage theft and contractual obligations presented complicated legal issues not found in many of the cases the ordinance was primarily designed to address.

Future of Wage Theft/Recovery Ordinance:

Staff believes our experience to date in administering the Wage Theft/Recovery Ordinance demonstrates wage theft to be a prevalent problem in Pinellas County. This is consistent with the academic research on this topic, as well as the experience of other jurisdictions which have enacted local wage theft ordinances.

Staff is also cognizant of the fact that at the time the Board of County Commissioners adopted our ordinance, it was done with an eye towards the possible merger of the wage theft efforts currently underway by Pinellas County and the City of St. Petersburg.

Staff believes that while efforts toward merger may pose challenges - including those relating to current staffing and resources devoted to our collective efforts, as well as potential amendment to our ordinance to address the common shared experiences of both jurisdictions (as noted above) - it remains possible to explore the merger of these efforts into one unified, county-wide approach should the Board of County Commissioners (and the City of St. Petersburg) direct us to do so. Towards this possible end, I have already scheduled a meeting with our liaison to the Office of Management and Budget to explore various scenarios which may be considered going forward.

I remain available at 4-4880 to discuss these issues with each member of the Board of County Commissioners, and others, as appropriate.

Exhibit

A

Wage Theft/Recovery - PCOHR FY '15-'16

	<u>Q1*</u>	<u>Q2</u>	<u>Q3</u>	<u>Q4</u>	<u>Total</u>
Number of Inquiries	N/A	51	70	80	201
Number of Inquires Non-Jurisdictional	N/A	7	5	7	19
Number of Jurisdictional Complaints Filed	N/A	16	26	35	77
Total Value of Complaints Filed	N/A	\$57,993.51	\$180,748.80	\$ 50,143.24	\$288,885.55
Number of Complaints Conciliated	N/A	1	5	17	23
Total Value of Complaints Conciliated	N/A	\$1,106.45	\$3,855.26	\$16,484.07	\$21,445.78
Number of Complaints Awaiting Answer	N/A	0	0	11	N/A
Number of Complaints Withdrawn	N/A	0	1	2	3
Number of Complaints w/ Ineffective Service	N/A	0	0	1	1
Number of Complaints Closed - Bankruptcy	N/A	0	0	2	2
Number of Complaints Awaiting Conciliation	N/A	0	0	4	N/A
Number of Complaints Awaiting Magistrate	N/A	0	0	7	N/A
Number of Hearings Before Magistrate	N/A	0	9	17	26
Number of Magistrate Awards for Complainant	N/A	0	5	9	14
Number of Magistrate Awards for Respondent (Including dismissals)	N/A	0	4	8	12
Dollar Value of Magistrate Awards - Wages	N/A	0	\$62,850.43	\$251,997.18	\$314,847.61
Number of Awards at Hearing Paid	N/A	0	0	1	1

* Wage Theft Enforcement commenced Jan.1, 2016

	<u>Q1*</u>	<u>Q2</u>	<u>Q3</u>	<u>Q4</u>	<u>Total</u>
Dollar Value of Awards at Hearing Paid	N/A	0	0	\$414.14	\$414.14
Dollar Value of Magistrate Awards - Costs	N/A	0	\$542.18	\$1,784.75	\$2,326.93
Number of Costs Awarded at Hearing Paid	N/A	0	0	1	1
Dollar Value of Costs Awarded at Hearing Paid	N/A	0	0	\$98.83	\$98.83
Dollar Value of Total Wages Paid to Compl. (Through conciliation or award)	N/A	\$1,106.45	\$3,855.26	\$16,898.21	\$21,859.92
Number of Persons Who Recovered Wages (whether by conciliation or paid award)	N/A	1	5	18	24
Average Recovery Per Complainant	N/A	\$1,016.45	\$771.05	\$938.79	\$910.79
Staff	Administrator	Director	Support	Mediation/Conc.	
Staffing Costs: Pre-Enforcement	\$3,634.62	\$9,326.86	\$3,205.56	0	\$16,167.04
Staffing Costs: Post-Enforcement	\$14,538.52	\$12,307.47	\$1,068.52	\$3,000.00	\$30,914.51
Total Staff Costs for Admin./Enforcement	\$18,173.14	\$21,634.33	\$4,274.08	\$3,000.00	\$47,081.55
Total Non-Staff Cost for Admin./Enforcement				Mail	\$550.00

AN ORDINANCE AMENDING CHAPTER 15, ARTICLE III OF THE ST. PETERSBURG CITY CODE; MODIFYING THE DEFINITIONS OF EMPLOYER AND INDEPENDENT CONTRACTOR; ADDING A NEW SECTION TO REQUIRE THAT EMPLOYERS PROVIDE EMPLOYEES WRITTEN NOTICE OF CERTAIN JOB-RELATED INFORMATION UPON HIRE; PROVIDING FOR A PRESUMPTION OF RETALIATION UNDER CERTAIN CIRCUMSTANCES AND INCREASING THE SCOPE OF ACTIVITIES DEEMED RETALIATORY; REVISING THE SCOPE OF CITY-FUNDED CONTRACTED SERVICES; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section one. The definitions of ‘employee or complainant employee’ and ‘independent contractor’ in Section 15-41 of the St. Petersburg City Code are hereby amended to read as follows:

Sec. 15-41. – Definitions

Employee or complainant employee shall mean a natural person who, ~~while being employed by an employer, performs work within the geographic boundaries of the City while being employed by an employer, that benefits an employer located within the City even though the employee may have performed work outside the geographic boundaries of the City,~~ but shall not include any bona fide independent contractor. ‘Employee’ may also include a person who performs work that benefits an employer located within the City even though the employee may have performed work outside of the City.

Independent contractor shall have the same meaning as in the Internal Revenue Code, Fair Labor Standards Act, and implementing federal regulations, administrative interpretations and guidance.

Section two. The St. Petersburg City Code is hereby amended by adding a new section 15-44 to read as follows. The existing Sections 15-44, 15-45 and 15-46 shall be re-numbered to follow sequentially.

Sec. 15-44. – Written notice provided to employees at time of hiring; contents; notification of changes to information.

- (a) At the time of hiring, an employer shall provide to each employee a written notice, to be signed and dated by the employer and employee, containing the following information:

- (1) The rate or rates of pay and basis thereof, whether paid by the hour, shift, day, week, salary, piece, commission, or otherwise, including any rates for overtime, as applicable;
 - (2) Allowances, if any, claimed as part of the minimum wage, including meal or lodging allowances;
 - (3) The regular payday designated by the employer;
 - (4) The name of the employer, including any “doing business as” names used by the employer;
 - (5) The physical address of the employer’s main office or principal place of business, and a mailing address, if different;
 - (6) The employer’s telephone number; and
 - (7) A template summary, available from the City, summarizing the protections and rights of employees pursuant to this article.
- (b) An employer must retain, for a period of three years following an employee’s date of hire, a copy of the signed and dated written notice required by subsection (a).
- (c) In addition to providing the written notice required by subsection (a), employers must place in a location accessible to all employees a poster, available from the City, summarizing the protections and rights of employees pursuant to this article.
- (d) An employer shall notify his or her employees in writing of any changes to the information set forth in the notice required by subsection (a) within seven (7) calendar days after the time of the changes.
- (e) An employer’s failure to adhere to any part of this section shall be a municipal ordinance violation not to exceed \$500.00 per violation.

Section three. The re-numbered Section 15-46 of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 15-46. – Retaliation Prohibited

- (a) Employers are prohibited from threatening, intimidating, or taking other adverse action against ~~employees in retaliation for asserting any claim to wages pursuant to this article, and any such actions are violations of this article.~~ any employee or person because the employee or person has:
- (1) Made a complaint to his or her employer that the employer has engaged in conduct that the employee, reasonably and in good faith, believes violates any provision of this article;
 - (2) Initiated a proceeding under this article;
 - (3) Provided information to the POD or any other person regarding a violation, investigation, or proceeding under this article;
 - (4) Testified in an investigation or proceeding under this article; or
 - (5) Otherwise exercised rights protected under this article.

Adverse actions include, but are not limited to, communicating to the employee, whether directly or indirectly, explicitly or implicitly, the willingness to inform a government employee that the employee is not lawfully in the United States.

(b) Where such retaliation resulted in any loss of the employee's wages, upon a finding by a hearing officer that an employer retaliated against an employee in violation of this article, the employee is entitled to receive quantifiable wages and liquidated damages.

(c) An employee complaint or other communication need not make explicit reference to this article or to any other provision of law to trigger the protections of this article. The employer, or any person acting on behalf of the employer, taking adverse action against an employee within ninety (90) days of an employee or other person's engagement in the activities set forth in subsection (a) of this section shall raise a presumption that such action is retaliation, which may be rebutted by clear and convincing evidence that such action was taken for other permissible reasons.

(d) Violations of the retaliation prohibition shall be determined under the same procedures as wage theft complaints, and in the same proceeding as any related wage theft complaint. The City shall order any employer who has been found to have violated the retaliation prohibition to pay to the City the actual administrative processing costs and costs of the hearing, regardless of the findings on any related wage theft claim.

Section four. The re-numbered section 15-47(a) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 15-47 Community engagement and proactive investigation.

(a) It is the policy of the City to engage community-based organizations to implement the purposes of this article. The POD may coordinate implementation of City-funded community outreach efforts, including developing appropriate guidelines or rules, and contracting with community-based organizations to provide such services. Contracted services may include, but are not limited to, educating employers regarding their obligations under this article, assisting employers with compliance, educating employees on their rights, assisting employees who wish to file complaints, and assisting employees who wish to record as a lien or otherwise pursue enforcement of any order issued by a hearing officer.

Section five. As used in this ordinance, language appearing in struck-through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise. Sections of this ordinance that amend the City Code to add new sections or subsections are generally not underlined.

Section six. The provisions of this Ordinance shall be deemed severable. The unconstitutionality or invalidity of any word, sentence or portion of this ordinance shall not affect the validity of the remaining portions.

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

Approved as to form and content:

City Attorney or designee

PUBLIC SERVICES & INFRASTRUCTURE COMMITTEE					October 27, 2016	
PENDING/CONTINUING REFERRALS						
Topic	Return Date	Date of Referral	Prior Meeting Dates	Referred by	Staff	Notes
Mechanical Noise/Downtown Noise		6/16/16	7/28/16	Kornell	Dave Goodwin	Direct request to CM Kornell Dave Goodwin
Continue discussion of Vehicle for Hire Ordinance		4/21/16	8/25/2016 9/22/16 10/13/16	Kennedy	Legal - Judd	Discussion of Vehicle for Hire Ordinance with focus on Transportation Network Companies, including background checks, insurance and handicap accessibility requirements; 5/26/16 - Mayor's office is working with legal on draft ordinance, expect something within next month.
Urban Construction (Mechanical Noise Concerns)		10/13/15	11/19/2015 6/16/2016	Nurse		6/16/16 Urban Construction Task Force report by Co Chair Tami Sims. Claude Tankersly to return with a report on cooling systems; Rick Dunn to return with a report on how other cities handle noise/recommended changes
Revision to sign ordinance to all advertisement on bus shelters that are constructed with private sector funds	10/27/16	4/21/16	5/26/16		Legal	Discussion on revising sign ordinance to allow advertisement on bus shelters constructed with private sector funds 5/5/16 - legal is ready to proceed 5/26/16 - Gerdes made motion for legal to meet with LEMA Construction for the purpose of putting together a document that would comply with the written authorization requirement in the Florida Statutes including discussions with PSTA. Legal said, on 6/16/16, they will bring back to PSI in July. 10/03/16 - Mark Winn is still waiting to hear back from PSTA.

PUBLIC SERVICES & INFRASTRUCTURE COMMITTEE

October 27, 2016

PENDING/CONTINUING REFERRALS

Topic	Return Date	Date of Referral	Prior Meeting Dates	Referred by	Staff	Notes
St. Petersburg Downtown Partnership Looper Funding and Possible Expansion		3/10/16		Kennedy Nurse	Parking & Transportation Evan Mory	discussion on Looper funding and possible expansion 5/05/16 - waiting on PSTA for a downtown circulation study 5/25/16 - PSTA is doing a study for the downtown transportation now that the grid system is in place. Report due by <u>before end of year - November</u>
Potential for expanding reclaimed water system		5/12/16		Gerdes	Water Resources Steve Leavitt	Report from staff regarding reclaimed water system
Enhancing the SPPD Enforcement Traffic Unit		5/19/16		Foster	Police Chief Holloway	Increasing Police budget to have more traffic enforcement 5/26/16 - CM Nurse requested what the fiscal impact of enforcement is.
Green Cart Initiative Amendment to Regulations for Pushcart Vending		6/16/16		Rice		
A Recommendation to Strengthen Wage Theft Ordinance Enforceability	10/27/16	7/14/16	8/25/2016 9/8/16	Rice	Eve Epstein	9/8/16 - CM Gerdes – A motion for Legal to draft an Ordinance to bring back and include Proposed Modifications with the addition of outreach providing protection to potential victims of wage theft and the business's. 9/14/16 - The draft ordinance will be ready in about a week (Kyle Lindskog).
Discussion of Brownfields & the incentives for developers		8/4/16		Kornell	Legal - Kovilartich	legal to provide a report regarding fl statues and how to app the state reg brownfield area
Report on Propesed South St. Petersburg Master Plan with a Potential 20/50 plan		8/4/16		Kornell	Cornwell	

PUBLIC SERVICES & INFRASTRUCTURE COMMITTEE	October 27, 2016
PENDING/CONTINUING REFERRALS	

Topic	Return Date	Date of Referral	Prior Meeting Dates	Referred by	Staff	Notes
A presentation in regard to the Best Management Practices (BMP) concerning reduction of nitrogen loading to Tampa Bay from community gardening activities.		9/8/16		Kornell	Pinellas County Cooperative Extension	
A discussion of the first quarterly report in regard to the diversion program for several misdemeanor crimes which is being implemented by the Sheriff's department.		9/8/16		Kornell	Sheriff's Department	
A presentation implementation and installation of a proposed Brittany Gordon Veterans Memorial at Dell Holmes Park		9/8/16		Gerdes	Claybaker Foundation and the Parks and Recreation Department	
A report on flooding in specified areas and along Dr. M.L. King, Jr. Street S. near Lake Maggiore		9/22/16		Kornell		
A report on utilization of the Hard-to-Hire and Apprenticeship Ordinance.		9/22/16		Foster		
To discuss establishing annual reviews on the City's hurricane and tropical storm preparedness and maintenance of our infrastructure.		9/22/16		Kennedy		