

City of St. Petersburg  
**Committee of the Whole**  
Meeting of July 11, 2019 @ 9:25 a.m.  
Sunshine Center - Auditorium

**A. Call to Order – Council Chair Charlie Gerdes**

**B. Discussion Items:**

- a. Recommendation of C. Knox LaSister III to serve on the St. Petersburg Housing Authority Board – Rob Gerdes, Neighborhood Affairs Administrator*
- b. Recommendation of Roxanne Amoroso to serve on the St. Petersburg Housing Authority Board – Rob Gerdes, Neighborhood Affairs Administrator*
- c. Ordinance/Referendum related to Affordable Housing Fund and HCIP – Bradley Tenant, Assistant City Attorney*

**C. Next Meeting – July 25, 2019 @ 2:00 p.m. – Sunshine Center Auditorium  
Coastal High Hazard Areas**

**D. Adjournment**

# C. Knox LaSister III Resume



C. Knox LaSister III with the Royal Presidential Senegalese Army

## Key Information

- Best Contact Number: 727.480.8403
- Office Number: 212.281.3361
- Email Address: [cknox@lasister.com](mailto:cknox@lasister.com)
- Experienced Community Revitalization Planner, Strategist and Implementation Advisor
- Experienced Business and Real Estate Transactional Attorney

## Registrations, Certifications and Professional Memberships

New York State Bar Association

American Bar Association

- Standing Committee on HUD Programs and Procedures- former Chairperson
- Real Estate and Probate Law Section
- Forum on Affordable Housing and Community Development Law

National Bar Association

- former National Chairperson - Real Estate Division
- Board of Governors/Regional Director

Global Advisor - United Nations Development Programme --  
Special Unit for South South Cooperation

Urban Land Institute

- former Inner City Advisor

Corporate Council on Africa

Urban Homesteading Assistance Board

- Board of Directors

Louisiana Technology Council

National Association of Housing and Redevelopment Officials

The Southern Center for International Studies

- World Affairs Council

The World Trade Center of New Orleans

LexNoir International Attorneys

St. Petersburg Preservation Society

Global Green

Leased Housing Association

American Planning Association

Alpha Phi Alpha Fraternity

Sigma Pi Phi Boulé- former Sire Archon

Habitat International

American Red Cross

World Business Council for Sustainable Development

Mayor Mitch Landrieu's Housing Transition Team

Blacks in Government – Special Advisor on International

Housing and Community Development

Greater Harlem Chamber of Commerce

New Heritage Theatre Group – Board of Directors

Manhattan Community Board #10 Member

- Chairman: By Laws Task Force
- Chairman: Historic Preservation and Landmarks Committee
- Land Use Committee
- Housing Committee

National Organization of African Americans in Housing

(NOAAH) – Board Member

## Education

Juris Doctorate, Antioch School of Law

Washington, DC

Bachelor of Science: Communications Science/Urban

Planning, Boston University,

Boston, MA

## Professional Highlights

C. Knox LaSister has managed several large-scale urban revitalization initiatives, involving federal, state and local resources, in collaboration with multiple partners across the United States, Puerto Rico and the U.S Virgin Islands. An Urban Planner and Real Estate Transactions Attorney, Mr. LaSister has specialized in the design and implementation of urban revitalization strategies across the United States and the Caribbean over the past 40 years and has translated those domestic experiences in projects in Africa, Asia, Central and South America. His work has integrated affordable housing development with job creation, education and training, health and nutrition and sustainable environmental live-ability. Mr. LaSister served as Managing Partner of LaSister, Evans and Galloway one of the largest minority-owned Law Firms during the 1980's in New York State. He has developed, rehabilitated and managed single family, multifamily, and commercial properties, simultaneously in several states. He has taught Real Property and Business Law and is considered an expert in limited-equity cooperative affordable housing development. Mr. LaSister served as Chairman of the American Bar Association's HUD Policies and Programs Committee for three years and as Chairman of the Real Estate Division of the National Bar Association for three years. He served as an Advisor to the Urban Land Institute; Chairman of the State of Louisiana's Job Training Coordinating Council; member of the Louisiana Intermodal Transportation Advisory Panel;; and contributing writer on the New York State Telecommunications and Technology Diffusion Task Force. Mr. LaSister is an active Board Member of the Urban Homestead Assistance Board (UHAB) in New York City and the National Organization of African Americans in Housing (NOAAH).

## **Business Development and Management Experience**

### **Founder and Chief Executive Officer Smart, Inc.**

Mr. LaSister founded Smart, Inc. in 1993 to provide design and development services for affordable housing development using state of the art technology. Smart, Inc. has been privileged to serve as a Prime Contractor on multiple engagements for the US Department of Housing and Urban Development ranging from providing state-wide Training and Technical Assistance for the State of Louisiana to assisting the Territorial Government of the Virgin Islands in the development of their first-ever Five-Year Housing, Community Development and Economic Enhancement Plan.

As a Contractor to the US Department of Housing and Urban Development, and Advisor to state and local agencies, Mr. LaSister has assembled public/private stakeholder groups, and managed the collaborative process to develop neighborhood revitalization plans, mixed income communities, and knowledge-sharing institutions. He has served as an Administrative Receiver for agencies in danger of collapse and has provided training and technical assistance to program administrators, community participants, and financial stakeholders in "Fly the Plane/While Fixing the Engine" scenarios. Notable among those engagements was serving as General Counsel for the Camden New Jersey Housing Authority while also managing the Modernization and Capital Planning, the Procurement and the Resident Services Departments of that housing agency. His services supported the Agency's recovery from "troubled" status to achieving "High Performer" status.

Mr. LaSister has managed multi-million dollar Real Estate transactions involving layered resources and multiple partners engaged in affordable housing and neighborhood revitalization initiatives. Mr. LaSister has had significant achievements in the implementation of mission-critical deployments by federal, state and local agencies involved in residential and commercial capital projects and community economic development programs that rely upon public /private/community partnerships. Notable among those engagements was serving as Development Advisor for over 250 million in capital improvement projects on behalf of the Virgin Islands Housing Authority.

Mr. LaSister has directed several federal contracts involving assessment and technical assistance to federal grantees and has developed quality control protocols to assure that project milestones, budget goals and performance targets are reached according to agreed client expectations and project requirements. Engagements included managing the overhaul of the Gary Indiana Housing Authority's Finance Division, managing the overhaul of the Procurement Division of the Puerto Rico Housing Authority, and managing annual assessments of the rental housing market in Chicago pursuant to a Judicial Consent Decree.

For then-President of Liberia, H.E. Ellen Johnson Sirleaf, Mr. LaSister proposed re-engineering land registry and title verification laws and the relocation of the nation's capital of Monrovia. He participated in UN Habitat I, the First UN

Conference on Human Settlement held in New Delhi, India and Habitat II, the Second UN Conference on Human Settlement held in Rio de Janeiro, Brazil.

### **Founder and Chief Executive Officer World Urban Incorporated**

World Urban, Inc. is a Real Estate Development and Property Management firm based in New York City that was launched by Mr. LaSister in 2011 to take over the rehabilitation and sale of Brownstone properties and to manage multifamily rental properties in Harlem New York. Mr. LaSister was responsible for the rescue and restructuring of three Real Estate services enterprises, together with the reorganizing and restructuring of those entities under one corporate umbrella. Each of those enterprises were Minority-owned Disadvantaged Business Enterprises.

### **Founder and Chief Executive Officer Knox Gallery Corporation**

Knox Gallery was established in 2011 by Mr. LaSister as an exclusive exhibition space to display the work of emerging fine Artists, and to bring those unique perspectives to the Village of Harlem. Knox Gallery helped support the growth of Art Galleries and Exhibition spaces for the Arts community in Harlem, New York.

### **Founder and Chief Executive Officer World Urban Corporation**

World Urban Corporation is a Not-for-Profit organization based in New Orleans that was launched by Mr. LaSister in 2009 to take over the management of US-1, a SS-GATE Workstation of the United Nations Development Program's Special Unit for South-South Corporation. The US-1 Workstation is the first in the Americas and in a Developed Country and was designed to serve as a Transactional Exchange Platform for Small and Medium Enterprises doing business in international markets.

### **Managing Partner LaSister, Evans and Galloway**

Mr. LaSister launched and managed one of the largest minority-owned Law Firms in New York City during the 1980's. The Law Firm was a full-service firm handling Business, Bankruptcy, Banking, Housing Development, Property Management, Landlord/Tenant, Subsidized Housing, Government Relations, and Real Estate Transactional legal matters. Mr. LaSister specialized primarily in Real Estate Transactions, Housing Development, and Business Law matters. He contributed substantially to the refinement of the Tenant Interim Lease ("TIL") and Housing Development Fund Corporation ("HDFC") Programs that have created over 100,000 homeownership opportunities for low income residents in New York City. He still serves on the Board of Directors of the Urban Homestead Assistance Board which is the premier provider of limited-equity Cooperative Housing and Technical Assistance in New York City. Mr. LaSister served as General Counsel to the Tenant Advisory Council for the New York City Housing Authority and supported that council's negotiations with the U.S.

document reviews; and risk assessment and abatement.

**Virgin Islands Housing Authority  
St. Thomas, U. S. Virgin Islands  
Development Consultant**

Mr. LaSister developed federally funded Revitalization/ Demolition initiatives that involved over 2000 units on three islands that had been compromised as a consequence of Hurricane Marilyn. He coordinated the environmental testing, permitting, demolition, debris removal, scheduling, QA/QC, testing and reporting among multiple contractors on the three main Virgin Islands simultaneously. Mr. LaSister was also responsible for interfacing with and coordinating the processing of documentation with multiple governmental agencies and regulatory authorities. He also designed and managed all operations to ensure cooperation and coordination among community government agencies, neighborhood groups, and affected persons so that the demolition could proceed efficiently.

**Development Counsel, West 141st Street  
Properties Residential Renovation, New York,  
NY**

Mr. LaSister successfully served as Development Counsel for the gut restoration of 5 multifamily structures containing 268 residential apartment units on West 141<sup>st</sup> Street in New York City. The renovation project involved the relocation of tenants, the gut renovation of 5 multifamily buildings, managing the review and approval process with the US Department of Housing and Urban Development, the City of New York Housing Preservation and Development Department and Limited Partners represented by the Local Initiative Support Corporation. The project was required to comply with Low Income Housing Tax Credit and HOME Program guidelines, as well as very stringent New York City Codes that regulate construction activity in Manhattan.

**Operations Manager and Project Director,  
Housing Authority of Camden, Camden, New  
Jersey**

Mr. LaSister was responsible for the design, operations management and close-out of capital improvement projects of over \$250 million dollars involving 2,000 residential units in Camden, New Jersey. The several projects were at varying stages of completion, with some in litigation. Within months, controversies were settled, and projects were realigned to satisfy performance goals. Mr. LaSister served in that professional services contract position for 2 years.

**General Counsel  
Housing Authority of the City of Camden,  
Public Housing Recovery Operations,  
Camden, New Jersey**

During an Administrative Receivership of the Camden Public Housing Authority, Mr. LaSister was appointed to serve as Co-General Counsel with the Pepper Hamilton Law firm to take over the operations of the legal department of the

Agency. Mr. LaSister was responsible for the day-to-day operations of the Legal Division with specific responsibility for managing legal affairs of the corporate entity, construction contracting, union negotiations, and risk management.

**Project Manager, State of New York  
Department of Housing and Community  
Renewal, Albany, New York**

Mr. LaSister was responsible for development of the state plan for compliance with Employment and Training requirements imposed by Section 3 of the federal Community Development Law and Presidential Executive Orders. He developed training manuals and a state-wide training program which was then launched as the centerpiece of the State Government's new Employment and Training and Welfare-to-Work Initiatives.

**City of New Orleans  
Development Consultant, New Orleans East,  
Louisiana, Multifamily Revitalization**

Mr. LaSister served as the Development Consultant to the Mayor's Office for the City of New Orleans in connection with its efforts to reclaim owner-abandoned multifamily properties in Eastern New Orleans. He was responsible for developing the acquisition, demolition and new construction plan involving over 1,500 multifamily residential units through the US Department of Housing and Urban Development's Multifamily Property Disposition Program.

**Mayor's Special Housing Counsel  
City of New Orleans, Public Housing Recovery  
Operations**

Mr. LaSister served as Special Counsel for Mayor's Office of the City of New Orleans in connection with the US Department of Housing and Urban Development's Administrative Receivership of the Housing Authority of New Orleans. Mr. LaSister designed a Cooperative Endeavor Agreement between US Department of Housing and Urban Development and the City of New Orleans which began the comprehensive revitalization of the nearly 15,000 public housing unit inventory. In addition, the Cooperative Endeavor Agreement served as a model for HUD Administrative Receiverships nationwide.

**Project Director, State of Louisiana, HUD  
HOME, CDBG and Supportive Housing  
Technical Assistance**

Mr. LaSister served as the Project Director of a 4-year state-wide training and technical assistance initiative funded by the U.S. Department of Housing and Urban Development for the State of Louisiana. Mr. LaSister was responsible for designing and writing training manuals for the Community Development Block Grant Program, the HOME Program, the Emergency Shelter Program and HIV Homeless Program. He also created customized training and technical assistance programs for each major municipality in Louisiana based on each jurisdiction's use of federal funds.



# ROXANNE AMOROSO

**Principal**

**Development and Finance Strategies**

Roxanne Amoroso is the lead Principal of Mosaic Development, LLC, a St. Petersburg based, State of Florida multifamily and master development company. Roxanne is responsible for strategic planning, financing, project delivery and general management for all of Mosaic's activity in the State of Florida. Roxanne is a nationally recognized expert in real estate development and her expertise in advancing complex real estate development spans almost 30 years.

Mosaic Development is a multifamily and master development company with construction projects ongoing in St. Petersburg, Kissimmee and Bonita Springs totaling more than 800 units representing a financial investment of \$160 million. Kissimmee is an urban, transit-oriented master development comprised of a 120-key hotel, 304 apartments, 10,000 of retail and a 393-unit parking garage located on Lake Toho valued at more than \$65 million. Mosaic Development is actively working on an additional pipeline of projects in Pinellas Park, Clearwater and Orlando.

Prior to forming Mosaic Development, Roxanne served as a Senior Vice President for Bank of America Merrill Lynch Community Development for more than 12 years where she was responsible for multifamily and master estate development activities in the State of Florida and the southeast United States with a notable lead position in the Encore project which is a \$450 million multifamily project located in downtown Tampa. The Encore is a gold LEED certified neighborhood including a chilled water plant, solar pocket park and reclaimed and recycled storm water system. Her team won the first infrastructure grant in the United States utilizing federal funding with a \$38 million grant utilizing the Neighborhood Stabilization Program 2.

Ms. Amoroso has extensive experience in executing real estate deals using conventional and highly complex funding and financing sources. She is not only astute at creating projects that attract conventional debt and equity, but she has successfully led the pursuit of federal, state, city and county grant pursuit and compliance and debt negotiation from multiple funding sources and multidiscipline internal and external team creation and collaboration.

Two of Ms. Amoroso's recent master development projects, the Encore in downtown Tampa and Creative Village in downtown Orlando, have earned national attention and recognition for master planning and financing. These project values were \$120 million in infrastructure, and ranged from \$425 million–\$1 billion in economic development.

Ms. Amoroso continues to devote her time and expertise to numerous organizations and is currently the Chairwomen of Bright Community Trust and a member of the Neighborhood Lending Partners Executive Board, as well as a Community Real Estate Development (CRED) Program faculty member of the University of South Florida, Florida Institute of Government. She served on the boards of Urban Land Institute-Tampa Bay and Commercial Real Estate Women (CREW) Tampa Bay, and was also a member of the board of the State of Florida Brownfield Association. Ms. Amoroso is a sought-after speaker on the topics of economic development financing, Brownfields, and multifamily and mixed- use developments.

Resolution No. 2019 \_\_\_\_\_

A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF C. KNOX LASISTER AND ROXANNE AMOROSO TO THE OFFICE OF COMMISSIONER OF THE ST. PETERSBURG HOUSING AUTHORITY TO FILL THE UNEXPIRED TERMS OF HARRY L. HARVEY, WHICH ENDS ON NOVEMBER 30, 2020, AND ANNE SHERMAN-WHITE, WHICH ENDS ON NOVEMBER 30, 2019, RESPECTIVELY; REQUESTING (I) THAT THE APPOINTMENT APPROVED BY THIS RESOLUTION BE DOCUMENTED IN A CERTIFICATE OF APPOINTMENT AND FILED WITH THE CITY CLERK PURSUANT TO FLORIDA STATUTES SECTION 425.01(1) AND (II) THAT A COPY OF THAT CERTIFICATE OF APPOINTMENT BE PROVIDED TO THE SECRETARY AND EXECUTIVE DIRECTOR OF THE AUTHORITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, 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 "Housing Authority") to transact business and exercise its powers within the City of St. Petersburg, Florida; and

WHEREAS, the Housing Authority is governed by a board of commissioners (each a "Commissioner") appointed by the Mayor and approved by the City Council in accordance with Florida Statutes section 421.05(1); and

WHEREAS, the U.S. Department of Housing and Urban Development has indicated that the housing philosophies of Commissioners should be compatible with the housing philosophies of the City of St. Petersburg; and

WHEREAS, City Council deems it appropriate to meet with the Mayor's candidates for Commissioner prior to approving any appointment or reappointment of those candidates; and

WHEREAS, though the Council's Housing, Land Use and Transportation Committee generally meets with candidates and makes recommendations as to City Council's approval of the appointment or reappointment of those candidates, it has been determined the Committee of the Whole, on which all members of the Housing, Land Use and Transportation Committee serve, would be an appropriate body to meet with the candidate at this time for such purpose; and

WHEREAS, on May 16, 2019, and as documented in City Council resolution 2019-248, three vacancies on the Housing Authority board were created when City Council concurred in the removal of Delphinia N. Davis, Harry L. Harvey, and Ann Sherman-White from the office of Commissioner in accordance with Florida Statutes section 421.07; and

WHEREAS, one of the vacancies was filled by Commissioner James Dates, which leaves two vacancies to be filled; and

WHEREAS, in order to fill those vacancies, the Mayor has submitted to City Council for its approval the following candidates for appointment to the office of Commissioner:

- Mr. C. Knox LaSister, to fill the unexpired term of Harry L. Harvey, which ends on November 30, 2020
- Ms. Roxanne Amoroso to fill the unexpired term of Anne Sherman-White, which ends on November 30, 2019

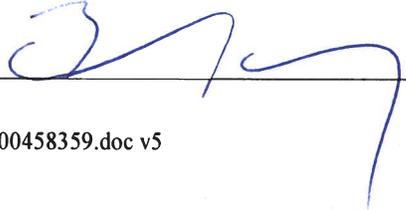
WHEREAS, the Committee of the Whole has interviewed the candidates and recommends approval of their appointment to the office of Commissioner.

NOW, THEREFORE, BE IT RESOLVED that City Council hereby approves the Mayor's appointment of C. Knox LaSister and Roxanne Amoroso to the office of Commissioner of the Housing Authority to fill the unexpired terms of Harry L. Harvey, which ends on November 30, 2020, and Anne Sherman-White, which ends on November 30, 2019, respectively.

BE IT FURTHER RESOLVED that City Council hereby requests (i) that the appointments approved by this resolution be documented in a certificate of appointment and filed with the City Clerk pursuant to Florida Statutes section 425.01(1) and (ii) that a copy of that certificate of appointment be provided to the secretary and executive director of the Authority.

This resolution shall become effective immediately upon its adoption.

Approvals:

Legal:  Administration: 

Legal: 00458359.doc v5

BOARD: Housing Authority

TERM: Four Years

P - Partial

1 - First full term

2 – Second full term

NAME, ADDRESS, PHONE	ORIGINAL APPOINTMENT	CURRENT TERM FROM TO	TERM	CATEGORY	Telephone
Dr. Delphinia N. Davis 3301 49 <sup>th</sup> Terr. S St. Petersburg, FL 33712	12/17/09	12/1/17 11/30/21	3	R	727-320-6431 Home
Dr. Basha P. Jordan Jr. 2225A Corrine Ct. South St. Petersburg, FL 33712	2/5/15	2/5/15 12/31/18	1	P	727-866-2101 Home 443-250-9635 Cell
Ms. Sharlene Gambrell- Davis 2335 10 <sup>th</sup> Ave. S St. Petersburg, FL 33712	12/7/17	12/7/17 12/31/20	1	P	
Mr. Harry L. Harvey 943 26th Ave. S St. Petersburg, FL 33705	12/1/96	12/1/16 11/30/20	6	R	727-896-4290 Hp 727-385-3364 Cp
Ms. Ann Sherman-White 2195 Desoto Way S St. Petersburg, FL 33712	6/1/17	6/1/17 12/31/19	1	P	727-893-2500 Work
Ms. Terry Lipsey Scott 2139 Almeria Way S St. Petersburg, FL 33712	8-2018	08-2018 12/21/21	I	P	727-323-1104 Work
Jo Ann Nesbitt 4526 Yarmouth Ave. S St. Petersburg, FL 33711	2/5/15	2/5/15 12/31/18	1	P	727-418-1554 Home
Stephanie A. Owens 824 Gasparilla Drive, NE St. Petersburg, FL 33702	4/4/2019	4/4/2019 12/31/22	I	P	(727) 639-1243

Jerrilyn Evans 3254 23 <sup>rd</sup> St. North St. Petersburg, FL 33713	4/4/2019	4/4/2019 12/31/22	I	P	(727) 822-2254 727-403-7696 Cp
James A. Dates	6-6-2019	6-6-2019 11-30-21	I	P	727-459-6868 727-580-5014
C. Knox LaSister 630 14 <sup>th</sup> Ave South St. Petersburg, FL 33701		7-19-2019 11-30-20	1	P	727-480-8403
Roxanne Amoroso 1763 First Avenue North St. Petersburg, Florida 33713		7-19-2019 12-31-2019	I	P	Ph:239-603-8596 F:727-623-9943

Persons highlighted in Yellow are former members.



***Dedicated Funding  
Restrictions for  
Affordable Housing***



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[www.stpete.org](http://www.stpete.org)

# Focus of July 11 C.O.W.

- **Distinguish between terminology expressing Council direction and terminology used for accounting per GASB**
- **Update Housing ordinance to reflect feedback from June 13 C.O.W.**
- **Discuss initial draft of Charter amendment referendum ordinance to prevent raids of City housing funding**



# “Designated Funding”



# Terminology

- For purposes of finance and accounting, the ordinance and referendum will “designate funding”
- Once Council designates certain funding or money, it will always be so designated – no matter which “fund” or “safe” that money is actually kept in
  - i.e., once a dollar is marked, it can only be spent on affordable housing, regardless of where that dollar sits prior to being spent
  - Changes to designated funding limited by manner enacted
    - referendum required to un-designated funds if passed by referendum

# HCIP Replacement Ordinance



- **Changes**
  - Incorporates language to designate funding instead of creating “fund”
  - Money can only be used to support housing for those making 120% AMI or below
  - Name changed to “St. Petersburg Attainable Housing Funding”



# HCIP Replacement Ordinance

- **Also**
  - Designates HCIP fund as St. Petersburg Attainable Housing Funding
  - Automatically applies referendum language, if passed
  - Other Housing Department “housekeeping”
    - Clarifies varieties of programs and uses of funds
    - General statements of purpose



# Charter Amendment Referendum

- The Charter is a **framework for governance** that grants and limits authority of the municipal government.
- Rather than providing a specific “lockbox,” the proposed Charter amendment provides Council with **authority to “lock”** revenue so that it may be spent only as provided in the Charter.
- This would be effectuated through an ordinance designating a particular form of revenue as “**Charter-Protected Attainable Housing Funding**” subject to the new Charter provision.

**Conditions via  
Charter-Protected Affordable  
Housing Funding**

**Conditions via  
Ordinance**

# Implications of this Designation

- Council may impose conditions that are **more restrictive** than those in Charter. But even if a subsequent Council **expands or revokes** those conditions, the overriding Charter conditions prevent a Sadowski-style “raid” of previously designated revenue.
- Subsequent Council may also **revoke the designation**. But because the Charter prohibits retroactive revocation, **existing funds** remain subject to Charter protection.

# Questions?

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE SUPPLEMENTING ORDINANCE 2127-F FOR THE PURPOSE OF CLARIFYING THE ADMINISTRATION OF THE HOUSING DEPARTMENT AND AMENDING CITY CODE TO ADD A NEW PROVISION FOR THE DESIGNATION OF FUNDING FOR USE BY THE HOUSING DEPARTMENT SUBJECT TO CONDITIONS SET FORTH IN CITY CODE; RE-DESIGNATING EXISTING HOUSING CAPITAL IMPROVEMENT PROGRAM PURSUANT TO THE NEW PROVISION OF CITY CODE; PROVIDING FOR INTERPRETATION AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 1991, the City Council passed Ordinance 2127-F, which (1) made findings related to the need for affordable housing; (2) created a housing program to implement the housing element of the St. Petersburg Comprehensive Plan, (3) sought to create a program to eliminate substandard housing in the City, (4) provided safe housing for persons of Very Low, Low, Moderate and Middle Income levels, and (5) set up a fund to support City efforts in this regard, among other actions; and

WHEREAS, the City Housing and Community Development Department ("Housing Department"), as it is currently known, has continued to work toward these goals, using the established fund and other funding mechanisms, since inception; and

WHEREAS, the need for safe and affordable housing remains throughout much of the City; and

WHEREAS, the City now seeks to supplement the existing ordinance to better reflect the breadth of services provided by the Housing and Community Development Department and to amend City Code to provide for the designation of funds to be used by the Department.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. The recitals to this ordinance are expressly made a part of this ordinance.

Section 2. Findings of fact:

a. The City finds that the foregoing recitals are true and correct and that it is necessary and in fulfillment of a

paramount public purpose for the City to continue to undertake the activities authorized by this ordinance in order to improve the condition of housing, to improve neighborhoods, increase the property values in neighborhoods, and provide housing which persons and families can afford within the City.

b. The City finds that there is an ongoing need to continue to identify and develop other local sources of funding to assist with the development of newly constructed affordable housing, and the preservation of affordable housing, as well as allocate no more than 10% of these revenues for legal and administrative costs.

c. The City finds there is a need to continue to retain sufficient legal and actual control over the use of all funds distributed by the Housing Department to ensure that its funding shall be used by extremely low, very low, low, moderate or middle-income households.

d. The City finds there is a need to affirm the scope of operation of the Housing Department.

Section 3. This ordinance is intended to supplement ordinance 2127-F to explicitly affirm the existing uses of City funds and services provided by the Housing Department, which are created administratively or by City Council. Accordingly, the Housing Department is authorized to undertake the actions that include but are not limited to:

a. Administrating of State and Federally established programs related to housing and homelessness.

b. Creating, administering and maintaining programs for facilitating the construction of new units and preserving existing units.

c. Creating, administering and maintaining programs that provide incentives to developers of affordable housing.

d. Working with and supporting non-profit organizations that focus on housing and homelessness concerns.

e. Any other activities related to providing housing and improving housing conditions in the City of St. Petersburg and for its citizens.

Section 4. The St. Petersburg City Code is hereby amend to add the following provisions to Chapter 17.5, Article I, as new Section 17.5.10, with all other section numbers previously reserved in Article I remaining reserved:

Section 17.5.10 - St. Petersburg Attainable Housing Funding.

a. *Intent and name.* The intent of this section is to provide dedicated funding for use by the City's Housing and Community Development Department to assist in its core missions. All funds designated for this purpose pursuant to this section may be collectively referred to as "St. Petersburg Attainable Housing Funding" regardless of how those funds are accounted for.

b. *Designation.* City Council may designate one or more forms of revenue to be subject to this section, and once designated by the City, such revenue may be used only as authorized by this section.

c. *Authorized uses.* Unless a waiver is approved in accordance with subsection d., St. Petersburg Attainable Housing Funding may be used only if all of the following conditions are met:

- (1) The funding is used by the Housing Department to further housing programs/strategies as approved by the Mayor and/or City Council.
- (2) The funding is used to support housing for households making at or below 120% of the then-current area median income, adjusted for household size.

d. *Waiver.* An ordinance of Council approved by a unanimous vote, of at least six (6) Council members, may waive any condition set forth in subsection c. with respect to a particular expenditure of St. Petersburg Attainable Housing Funding.

e. *Implementation.* Implementation of this section is not limited to any particular form of revenue or any particular accounting mechanism.

Section 5. All funding previously falling under the Housing Capital Improvement Program fund established by Ordinance 2127-F is hereby re-designated as St. Petersburg Attainable Housing Funding pursuant to City Code Section 17.5.10.

Section 6. The provisions of this ordinance are supplemental and in addition to other housing programs or efforts of the City of St. Petersburg.

Section 7. The provisions of this ordinance shall only supersede City Codes or ordinances in effect on its effective date to the extent deemed necessary to avoid conflict. In the event of conflict, this ordinance shall govern.

Section 8. The provisions of this ordinance shall be deemed to be severable and the invalidity of any provision shall not affect the remaining provisions.

Section 9. Coding: 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 10. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto this Ordinance, in which case this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

LEGAL:

ADMINISTRATION:

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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE CONCERNING CITY COUNCIL'S AUTHORITY TO MAKE A DESIGNATION OF REVENUE THAT SUBJECTS SUCH REVENUE, ONCE RECEIVED, TO CONDITIONS IN THE CITY CHARTER REQUIRING IT TO BE USED FOR THE SUPPORT OF AFFORDABLE HOUSING AS DESCRIBED IN THE CHARTER AND NOT FOR ANY OTHER PURPOSE; MAKING FINDINGS REGARDING THE NEED FOR CITY COUNCIL TO POSSESS SUCH AUTHORITY; CALLING A REFERENDUM TO AMEND THE CITY CHARTER TO PROVIDE CITY COUNCIL WITH SUCH AUTHORITY; PROVIDING THE TEXT OF THE CHARTER AMENDMENT THAT WOULD BE ADOPTED IF SUCH REFERENDUM WERE SUCCESSFUL; PROVIDING A BALLOT TITLE AND SUMMARY FOR THE REFERENDUM; AND PROVIDING AN EFFECTIVE DATE.**

**THE CITY OF ST. PETERSBURG ORDAINS THE FOLLOWING:**

**SECTION 1—FINDINGS:** The City Council of the City of St. Petersburg, Florida, hereby makes the following findings:

- (a) City Council is currently considering a variety of methods to help expand access to affordable housing in the City of St. Petersburg, including adoption of an ordinance concerning City funding for the support of affordable housing.
- (b) In 1992, the Florida Legislature passed the William E. Sadowski Act, which required that a portion of documentary stamp taxes on the transfer of Florida real estate be placed into a fund dedicated to support of affordable housing. But for the last decade, the Florida Legislature has transferred billions of dollars out of the Sadowski fund and used that money for

programs unrelated to affordable housing. These raids of the Sadowski fund have reduced the support available for affordable housing throughout the state and have thwarted the original intent of the Sadowski Act.

- (c) A City Charter provision authorizing the designation of revenue received by the City as “**Charter-Protected Attainable Housing Funding**” would allow City Council to prevent such raids from occurring with respect to City funds designated for the support of affordable housing. Specifically, this designation would subject the received revenue to conditions set forth in the City Charter so that it could be used only for the support of affordable housing as described in the Charter and not for any other purpose.
- (d) City Council would impose such designation by ordinance in a form similar to the following “the following revenue \_\_\_\_\_ is hereby designated as Charter-Protected Attainable Housing Funding pursuant to City Charter section 4.06: \_\_\_\_\_.” From that point forward, all applicable revenue would be subject to the conditions set forth in the Charter.
- (e) Designation of revenue as Charter-Protected Attainable Housing Funding would not prevent City Council from imposing more restrictive conditions on the revenue through an ordinance or other mechanism. But in the event those non-Charter conditions were later revoked or amended, the Charter-Protected Attainable Housing Funding designation would continue to apply, and the revenue would remain subject to the conditions set forth in the Charter.
- (f) Similarly, in the event a subsequent ordinance revoked designation of a certain form of revenue as Charter-Protected Attainable Housing Funding, that revocation would apply only to revenue received after the revocation. As a result, any revenue received prior to the revocation would remain Charter-Protected Attainable Housing Funding subject to the conditions set forth in the Charter.
- (g) This approach would help ensure that revenue received as Charter-Protected Attainable Housing Funding could never be diverted to a purpose other than the one set forth in the Charter—even if underlying restrictions or the designation itself were later amended or revoked. This would protect City funding from Sadowski-style raids while maintaining the ability of future City Councils to adopt and amend funding ordinances to respond to changing conditions and unforeseen circumstances.
- (h) Because the Charter is a document of broad applicability that provides a framework for governance and because the Charter-Protected Attainable Housing Funding would serve as an outer limit for use of revenue received subject to that designation, the conditions imposed on Charter-Protected Attainable Housing Funding would be relatively broad in

nature. Specifically, City Council believes that it would be appropriate to require that Charter-Protected Attainable Housing Funding be used only for the support of housing for households making at or below 120% of the then-current area median income, adjusted for household size.

- (i) In view of the finding set forth above, Council believes that a Charter amendment referendum should be held to authorize City Council to designate received revenue as Charter-Protected Attainable Housing Funding as generally described in these findings and as specifically set forth in the Charter amendment set forth in section 3.
- (j) Pursuant to Florida Statutes section 166.031, the Charter may be amended pursuant to a referendum put to a vote of the electors at a general election held within the municipality, and a referendum to amend the Charter as described in this section should be held as a part of the municipal general election scheduled for November 5, 2019.

**SECTION 2—DATE OF REFERENDUM:** The City Council hereby calls the Charter amendment referendum described in this ordinance (the “**Referendum**”) to be placed on the ballot of the municipal general election scheduled for November 5, 2019.

**SECTION 3—CHARTER AMENDMENT:** If the Referendum is approved by a majority vote, the City shall file a revised version of the St. Petersburg City Charter with the Department of State. That revised version of the City Charter will be effective upon filing with the Department of State and will reflect the addition of new section 4.06 to article IV of the City Charter, as set forth below.

**Sec. 4.06. – Charter-Protected Attainable Housing Funding.**

- (a) *Imposition of designation.* City Council may, by ordinance, designate one or more forms of revenue to be subject to this section, and any revenue received by the City while that designation is in effect is considered “Charter-Protected Attainable Housing Funding” that may be used only as authorized by this section.
- (b) *Authorized uses.* Charter-Protected Attainable Housing Funding may be used only to support housing for households making at or below 120% of the then-current area median income, adjusted for household size.

- (c) *More restrictive conditions allowed.* This section does not prohibit the imposition of any condition on Charter-Protected Attainable Housing Funding that is more restrictive than the conditions set forth in this section.
- (d) *Revocation is not retroactive.* Although City Council may, by ordinance, revoke any existing designation of revenue pursuant to this section, such revocation is not retroactive and applies only to revenue received after the revocation goes into effect. Accordingly, any revenue received prior to such revocation remains Charter-Protected Attainable Housing Funding subject to this section.
- (e) *Implementation.* Implementation of this section is not limited to any particular form of revenue or any particular accounting mechanism.

**SECTION 4—BALLOT TITLE:** The City shall use the following caption as the ballot title for the Referendum:

Authorizing City Council to designate certain received revenue as  
Charter-Protected Attainable Housing Funding

**SECTION 5—BALLOT SUMMARY:** The City shall use the following explanatory statement as the ballot summary for the Referendum:

Shall the City Charter be amended as shown in ordinance \_\_\_\_ to authorize designation of revenue as “Charter-Protected Attainable Housing Funding” that, once received, must be used to support housing for households making at or below 120% of the then-current area median income? Such Charter-based designation would not prohibit imposition of more restrictive conditions on such revenue but would continue to apply even if those conditions were later amended or revoked.

YES            NO

**SECTION 6—SEVERABILITY:** The provisions of this ordinance are intended to be severable, and a determination that any portion of this ordinance is invalid should not affect the validity of the remaining portions of this ordinance.

**SECTION 7—EFFECTIVE DATE:** In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it will 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 will 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 will not become effective unless the City Council overrides the veto in accordance with the City Charter, in which case it will become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

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City Attorney (Designee)

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Administration

# Committee of the Whole Referrals

July 11, 2019

Item	Topic	Meeting Date	Meeting Time	Referral or Prior Dates	Referred By	Staff	Notes
1	Updated HCIP Fund Continued	7/11/19	9:25 AM	6/13/19 COW	All Council	Gerdes Tennant	
2	Coastal High Hazard Area	7/25/19	2:00 PM	1/24/19 COW	Staff	Abernethy Britton	
3	Joint Council and CPPC Workshop	8/8/19	9:00 AM	5/16/19 Ref.	Foster	Abernethy Kilborn	Regarding historic designation process and potentially eligible list
4	Residential LDR Update	8/22/19	2:30 PM	Annual	Annual	Abernethy Bryla	
5	Tropicana Field	TBD	TBD	2/7/19 Ref.	Montanari	DeLisle	Still needed?
6	Vision 2050	TBD	TBD	6/7/18 Ref. 5/9/19 PSI	Foster	Abernethy	At PSI Council agreed to leave on the referral list until a COW is scheduled
7	Storefront Conservation Corridor	TBD	TBD	6/13/19 CC	All Council	Abernethy Kilborn	Council asked staff to return in November 2019
8	Facilities Maintenance Plan	TBD	TBD	5/9/19 PSI	Foster	Glover- Henderson Wendler	At PSI, staff indicated they'd be ready to return for a COW in December 2019/January 2020
9	2020 Calendar Setting	12/12/19	1:30 PM	Annual	Annual	Sheppard	Selection of 2020 Chair and Vice Chair

Dates Held for COWs:

- 9/26 at 3 PM
- 10/24 at 2 PM