



CITY COMMISSION MEETING CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

Tuesday, February 8, 2022
6:00 PM

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. Changes to the Agenda -

2. Audience Comments -

Public participation is encouraged. If you wish to address the City Commission, please fill out a speakers card and provide it to the City Clerk. Once you are called, please come to the podium and state your name and address for the record. Comments shall be limited to 3 minutes and shall be limited to non-public hearing items on the current agenda. Public comment on agenda items will be allowed when that item is called.

3. Consent -

a. January 11, 2022 City Commission Minutes

b. Merry Pier Change Order 04

c. Swigwam Event Street Closure

4. Ordinances -

a. Final Read Ordinance 2022-02: Parks and Recreation Impact Fees

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA ; PROVIDING FOR AN AMENDMENT TO APPENDIX A OF THE CODE OF ORDINANCES; IMPLEMENTING A PARKS AND RECREATION IMPACT FEE; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Action Request: Motion to adopt Ordinance 2022-02.

b. First Reading Ordinance 2022-07: Supplemental Budget Appropriations

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR SUPPLEMENTAL BUDGET APPROPRIATIONS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Action Request: Motion to approve the first reading of Ordinance 2022-07.

5. Resolutions -

a. Resolution 2022-05: Business Site Improvement Grant Program Agreement

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER IN AN AGREEMENT WITH THE TAMPA BAY BEACHES CHAMBER OF COMMERCE TO COORDINATE AND OVERSEE THE BUSINESS SITE IMPROVEMENT GRANT PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to adopt Resolution 2022-05 and approve entering into an agreement with the Tampa Bay Beaches Chamber of Commerce on the coordination of the Business Site Improvement program.

6. Items for Discussion -

7. City Clerk, City Manager, City Attorney and City Commission Reports -

8. Adjournment

APPEAL: In accordance with 286.0105, Florida Statute (Notices of meetings and hearings must advise that a record is required to appeal), if a person decides to appeal any decision made by this committee, board, agency, or commission with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMERICANS WITH DISABILITIES ACT (ADA): In accordance with the Americans with Disabilities Act and Florida Statutes, if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact City Hall at (727) 367-2735.

PUBLIC COMMENT INSTRUCTIONS FOR THOSE NOT PHYSICALLY PRESENT:

The City has made accommodations for those who cannot be physically present, or do not feel comfortable appearing in person, due to COVID-19. If a member of the public would like to provide comments for the meetings, they may do so in the following ways:

- Email the City Clerk by 5:00 p.m. on the day of the meeting at cityclerk@stpetebeach.org
- Leave a voicemail message by calling **727.363.9225** by 1:00 p.m. the day of the meeting
- Upload or submit a video or audio file online by 1:00 p.m. the day of the meeting at <https://www.stpetebeach.org/PublicComment>

In your three (3) minute or less comment, please be sure to include your name and address for the record.

The public is cordially invited to attend this meeting.

All agenda material is available for review at City Hall or www.stpetebeach.org.

DRAFT
City Commission Meeting
January 11, 2022
6:00 p.m.

ELECTED OFFICIALS PRESENT:

Alan Johnson, Mayor
Ward Friszolowski, Vice Mayor, Commissioner, District 3
Mark Grill, Commissioner, District 2
Melinda Pletcher, Commissioner, District 4

ELECTED OFFICIALS EXCUSED:

Chris Graus, Commissioner, District 1

STAFF PRESENT:

Alex Rey, City Manager
Andrew Dickman, City Attorney
Amber LaRowe, City Clerk
Jennifer McMahon, Chief Operating Officer
Vince Tenaglia, Assistant City Manager
Wesley Wright, Planning Manager

Mayor Johnson called the meeting to order at 6:00 p.m. followed by the Pledge of Allegiance.

1. CHANGES TO THE AGENDA

No changes.

2. AUDIENCE COMMENTS

The following residents spoke in opposition to the Brass Monkey Restaurant Parklet:

- Christine Jones
- Peggy Wood
- Scott Wagner

Jane Wollowick, Corey Avenue Property Owner, spoke in opposition of the Chill Parklet.

The following residents spoke in regard to Pass-A-Grille District representation and developments:

- Theresa Schefstad
- Bev Jackson
- Danielle Micklitsch

Jim Thull, resident, spoke about the recent Don CeSar Hotel Polo Match.

Stephen Carroll, resident, spoke in regard to bicycles on the beach and how to inform non-residents of the rules for riding bicycles and e-bicycles in the City.

Deb Schechner, resident, spoke in regard to developments in the City, transparency in government, alleyways, and the process for applicant's presentation and public comments after.

3. CONSENT

- a. December Commission Meeting Minutes: December 7th, December 14th Workshop, and December 14th 6:00 p.m. Commission Meeting
- b. Flood Insurance Policy Renewals
- c. Fire Truck 23 Replacement

Motion: Vice Mayor Friszolowski moved, Commissioner Pletcher seconded, and the motion carried 4-0 to approve the January 11, 2022 Consent Agenda as presented by the City Manager.

4. ACTION ITEMS

a. Enterprise Resource Planning (ERP) Software

Vince Tenaglia, Assistant City Manager, discussed the process that staff underwent to find a vendor that could meet the software needs of the City. A request for letters of interest was advertised that outlined the City's expectations and requested vendor demonstrations. Six vendors were reviewed and heavily evaluated with CentralSquare being chosen due to many factors to include security, customer service, and ongoing costs. Mr. Tenaglia discussed how ERP software ties in with the City's strategic plan as well as how this software program touches all departments in the City, and how an upgrade is necessary for successful internal business functions and efficiency. There will be some ongoing costs with current software programs (Incode, TimeClock Plus, and CivicHR) as data is migrated; he estimated that only CentralSquare will be utilized starting in fiscal year 2024.

Motion: Commissioner Grill moved Vice Mayor Friszolowski seconded, and the motion carried 4-0 to authorize the City Manager to enter into an agreement with CentralSquare Technologies for ERP Software.

b. Emergency Pipe and Valve Repairs - Central Avenue Valve Vault

Alex Rey, City Manager, discussed the water main leak last August with a determination that it was caused by a 2-inch stand pipe connected to a sanitary sewer force main pipe that was broken by unknown means. The City of St. Petersburg was able to stop the discharge, but it was later determined that the force main that was broken was owned by the City of St. Pete Beach. Due to the determination, the City authorized an emergency design task order with Kimley-Horn to design a permanent repair. Rowland, Inc. has provided a cost estimate based on the current Civil and Large Pipeline Contract Agreement and the design by Kimley-Horn.

Brett Warner, Assistant Public Works Director, displayed construction plans for the emergency valve replacement. A copy of the plans are made a part of the record.

Motion: Vice Mayor Friszolowski moved, Commissioner Pletcher seconded, and the motion carried 4-0 to approve the cost estimate from Rowland, Inc., under the existing On-Call Civil & Large Pipeline Contractor Services Agreement, for Emergency Pipe and Valve Repairs at the Central Avenue Valve Vault, in the amount of \$437,402.50.

5. ORDINANCES

a. First Reading Ordinance 2022-01: Budget Amendment

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR SUPPLEMENTAL BUDGET APPROPRIATIONS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Mr. Tenaglia gave a presentation to the City Commission on this Ordinance as well as Resolution 2022-01. The presentation included information on:

- The annual budget and finance calendar
- Summary of the re-appropriations identified in the Ordinance
- Fund Balance Policy Recommendations –
 - Target range 42.7-51.7 percent
 - Assigned balance versus unassigned balance
- Current Financial Position
- Proposed New Allocations

A copy of the presentation is made a part of the record.

Commissioner Grill inquired if the proposed new allocations as outlined can be discussed further at a workshop to understand if all of these allocations are necessary or if there are other things that could be added that are more of a need. City Manager Rey suggested that the Commissioners individually make a list of other items that they feel are more valuable than what is proposed and bring back to the second reading; the list can be modified between now and then. Also, the Ordinance can be adopted with the amount of the allocations without specific projects and those projects can be discussed after adoption before purchase. Mr. Tenaglia stated that as long as the “bottom line” doesn’t change, projects can be changed throughout the year.

It was decided that the Commission would bring ideas to the next meeting and that Mr. Tenaglia would email the Commissioners the entire list, to include projects that did not make it.

Motion: Vice Mayor Friszolowski moved, Commissioner Grill seconded, and the motion carried 4-0 to approve the first reading of Ordinance 2022-01.

b. First Reading Ordinance 2022-03: Corey Landings Development Project

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR THE ALLOCATION OF 150 RESIDENTIAL DWELLING UNITS UNDER THE PROVISIONS OF THE GENERAL RESIDENTIAL UNIT "RU" DENSITY POOL RESERVE, AS ESTABLISHED IN THE CITY OF ST. PETE BEACH COMPREHENSIVE PLAN AND IMPLEMENTED THROUGH THE CITY'S LAND DEVELOPMENT CODE, TO THE PROPOSED COREY LANDINGS DEVELOPMENT PROJECT, GENERALLY LOCATED AT 10 COREY AVENUE; PROVIDING FOR CODIFICATION; CONFLICTS, SEVERABILITY, CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

City Clerk LaRowe swore persons in that desired to speak on this item.

Quasi-judicial procedure was discussed with each Commissioner disclosing ex-parte communications that they had with the developer, many residents, and attendance at the community meeting last year. Most of the resident's issues were in regard to parking, traffic, height and scale, and overall look.

Wesley Wright, Planning Manager, presented the item and introduced the developers who were there to give a presentation.

Ram Realty Advisors were in attendance. Their development team consisted of Travis Williams, RAM, Developer; Damon Bridger, LRK, Architect; Attorneys Elise Batsel and Kevin Reali, Stearns, Weaver, Miller; and Engineers Scott Gilner and Hillary Hepp, Kimley-Horn.

Commissioner Pletcher exited the meeting at 7:56 p.m. and returned at 8:00 p.m.

The presentation included information on:

- Hearing Process
- Location of Property –
 - South end of Corey Avenue
 - +/- 3.9 Acres
- TC-2 Zoning
- Vision Plan –
 - Create east side anchor
 - Create public space
 - Create housing to infuse additional life into Corey Avenue
 - Integrate streetscape
 - Encourage pedestrian activity
 - Boardwalk
 - Activate East Corey Avenue
- Conceptualization of layout, parking, and landscape
- Conditional Use Request –
 - Seek approval of 150 units from the City's Residential Density Pool
 - Seek approval for commercial docks (other docks for public use)
 - Seek approval for an eating and drinking establishment to include outdoor dining and live music
- Mixed-Use Redevelopment Project –
 - Area 1
 - +/- 5,000 square feet of waterfront restaurant use
 - Area 2
 - 243 multi-family units
 - +/- 12,000 square feet of retail and commercial spaces
- Pictures of Existing Condition
- Site Plan
 - 243 luxury apartments
 - 5,000 square foot waterfront restaurant
 - 8,264 square feet of retail
 - 3,959 square feet of office space
 - Private boat slips
 - Public boat slips
 - Parking per code
- Various Renderings
- Benefits to Community –
 - .7-acre public park
 - Sidewalk
 - Benches
 - Bike racks
 - Reconstructed public seawall
 - Waterfront overlook
 - Pedestrian access to water
 - Pedestrian connection
 - Enhanced accessibility
 - Additional parking
 - Sidewalks

- Crosswalks
 - Landscape
 - Removal of overhead power lines
 - Replace existing lighting
- Enhanced public access to the water
 - Public docks
- Activate East Corey Avenue
- Stormwater improvements
- Tax revenue
- TC-2 Comprehensive Plan Policies the Development Meets –
 - Policy 1: Architectural design features
 - Policy 2: Parking
 - Policy 3: Retail/Restaurant
 - Policy 4: Privately-owned small-scale marina facilities with transient boat slips
 - Policy 5: Professional landscape and design standards consistent with the standards in the Land Development Code
- Density Pool Allocation Criteria –
 - Section 93.18(c)
 - Case by case
 - Ensure overall cap not exceeded
 - Section 93.18(d)
- Traffic Analysis Notes –
 - Proposed development will generate fewer weekday and weekend trips than Vision Plan alternatives
 - Analysis methodology approved by City staff and follows Forward Pinellas requirements
 - Project trips not anticipated to cause any deficiency to roadway network
 - Project trip assignment determined by Florida Department of Transportation (FDOT) traffic demand model
 - Very low project trip count along Bay Street and Gulf Winds Drive
 - Drawbridge delay
 - City is taking measures to help reduce delay
 - Sunrunner, micromobility, ridesharing, parking reductions
 - Project will help activate the area to promote walkability
 - Charts and comparisons were displayed
 - Project traffic assignment mapping - based on FDOT

A copy of the presentation is made a part of the record.

John Altman, owner of Charlie's Transmission, expressed opinions both in support and against the project.

Deb Schechner, resident, is opposed to the project.

City Manager Rey clarified that the information displayed today in regard to landscaping and overall design will be memorialized in the Conditional Use Permit.

In regard to the connection from the proposed park to Horan Park, Vice Mayor Friszolowski would like something in the Ordinance or the Conditional Use Permit stating that the developer shall work with the City to make that happen.

Discussion ensued regarding the density pool units with Mr. Wright reminding the Commission that these are from the residential density pool, not the commercial/transient density pool. Vice Mayor Friszolowski mentioned that in all the years that the City has had these units available in the pool, RAM is the first development to come forward seeking this many of the units. There have been a few projects here and there that have considered, but not this large of a residential project.

Motion: Vice Mayor Friszolowski moved, Commissioner Pletcher seconded, and the motion carried 4-0 to approve the first reading of Ordinance 2022-03.

Mayor Johnson recessed the meeting at 8:58 p.m.

Mayor Johnson reconvened the meeting at 9:05 p.m.

6. RESOLUTIONS

a. Resolution 2022-01: Fund Balance Policy

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, ADOPTING A FUND BALANCE POLICY; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was discussed by Mr. Tenaglia during his presentation of Ordinance 2022-01.

Motion: Vice Mayor Friszolowski moved, Commissioner Grill seconded, and the motion carried 4-0 to adopt Resolution 2022-01.

b. Resolution 2022-04: Shared Parking Agreement

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, THIS IS AN AGREEMENT (THE "AGREEMENT") ENTERED INTO BY AND BETWEEN THE CITY OF ST. PETE BEACH (HEREINAFTER "CITY") AND BAY DERMATOLOGY REAL ESTATE ST P II, LLC (HEREINAFTER "PROPERTY OWNER") TO SHARE THE USE OF PROPERTY OWNER'S PARKING SPACES. THE CITY AND PROPERTY OWNER TOGETHER SHALL BE REFERRED TO AS THE "PARTIES."; AND PROVIDING FOR AN EFFECTIVE DATE.

Jennifer McMahon, Chief Operating Officer, stated that the City has approached and agreed to partner with Bay Dermatology Real Estate St. P II, LLC, located at 7500 Gulf Boulevard (Bank of America). There are 36 parking spots that have been identified for public parking from 5:30 p.m. to 8:00 p.m. Monday through Friday and Saturdays and Sundays from 8:00 a.m. to 8:00 p.m. The parking rate is \$3.25 per hour with a maximum possible amount of \$17,082 revenue per month. Mrs. McMahon stated that the parking mobile application will be used at this location, not meters.

Attorney Dickman stated that one clarification will be made to the Agreement in regard to the business's hours of operation.

Motion: Commissioner Grill moved, Commissioner Pletcher seconded, and the motion carried 4-0 to adopt Resolution 2022-04.

7. ITEMS FOR DISCUSSION

No discussion items.

8. CITY CLERK, CITY MANAGER, CITY ATTORNEY AND CITY COMMISSION REPORTS

Alex Rey, City Manager—stated that the Merry Pier project should be final next week with a reopening ceremony in February.

He stated that the piers on 2nd Avenue and 11th Avenue should be open soon as well.

In regard to the recent Ordinance approving the speed limit changes in residential areas, all signs have been updated to reflect that. If there is a request for more speed limit signs, Mr. Rey asked residents to speak with their district commissioner to relay the request.

Attorney Dickman, City Attorney—commented on Theresa Schefstad’s remark earlier in regard to questions sent via email [and mentioned at the Historic Preservation Board meeting]. He has been having issues with receiving emails sent to his City email account; the City Clerk just forwarded the email to his law firm account. He will work on getting answers back to Ms. Schefstad soon.

He discussed public official conduct, to include both elected and appointed officials. He will be drafting a memo to help educate officials on expectations, ethics, sunshine, and public records.

Attorney Dickman discussed the petitions as mentioned by Bev Jackson during tonight’s public comment. He reminded the Commission and public that a moratorium is not done by petition.

In regard to the recent Memorandum of Understanding with Don CeSar Property Owners Corporation [Blocks M&N], he clarified that the parcel left out of the MOU is also identified as “private beach”, he also clarified that the by-laws for the DCPOC will be modified to ensure the City is informed of all meetings and can coordinate someone to attend; there will not be a “seat” on the Board for a City representative.

Commissioner Pletcher—discussed the disagreements that are occurring around Pass-A-Grille.

Mrs. Pletcher also mentioned the parcel for the “Holloway” project; there is a new contract on half the parcel now.

Commissioner Grill—reminded everyone of the District 2 Town Hall meeting in Chambers on January 19th at 5:30 p.m.

His district won awards for the Holiday decorations; voted the best . There were co-1st place winners in District 2 for best decorated house.

Mr. Grill mentioned two major utility hits this week, one with Frontier and one with Duke Energy.

Mayor Johnson—attended the Mayor’s Council meeting last week where they have solicited sponsors for the luncheon; this will assist with keeping the annual dues the same.

He commented on the stop sign at Boca Ciega Isle.

Mayor Johnson announced that the St. Pete Beach Classic is this Saturday and Sunday from 6:00 a.m. to 10:00 a.m. with some lane closures.

Natalie Connor, resident, gave brief public comment expressing gratitude for the elected officials and their service to the City.

Mayor Johnson adjourned the meeting at 10:20 p.m.

MINUTES APPROVED:

AMBER LAROWE
CITY CLERK

ALAN JOHNSON
MAYOR

CITY COMMISSION MEETING CITY OF ST. PETE BEACH

Agenda Report

Issue Considered: Merry Pier Change Order 04

Date: February 8, 2022

Prepared By: Mike Clarke, Public Works Director

Through: Alex Rey, City Manager

Summary of Issue: Change Order #4 to the Merry Pier Reconstruction project covers seven change order requests, as outlined in the attached Change Order proposal from Kelly Brothers. Additionally, the attached table outlines the seven items and the costs associated with each item.

The attached table summarizes the overall project costs associated with the Merry Pier Reconstruction, including all approved and proposed change orders to date and the updated construction costs.

Funding: CIP - Fishing Piers (301-8000-590-0033)

Requested Motion: I move to retroactively approve change order #4 to the Purchase Agreement with Kelly Brothers, Inc. for Merry Pier Reconstruction in the amount of \$35,366.08, bringing the contract total to \$1,352,780.68.

Attachments:

1. Merry Pier Reconstruction Financial Summary Table
2. Change Order #4

A	B								C
Item No.	DESCRIPTION OF WORK	QTY	UNIT	ORIGINAL CONTRACT UNIT COST	CO #1	CO #2 (Revised Construction Costs)	CO #3	PROPOSED CO #4	UPDATED COST (Including CO's)
	Original Contract								
1	Merry Pier - Base Bid	1	LS	\$ 754,834.87		1,000,900.73	\$ 29,418.53	\$ 12,668.08	\$1,042,987.34
2	11th Avenue Pier Replacement	1	LS	\$ 120,085.74	\$ 11,208.00	\$ 146,026.99	\$ -	\$ -	\$ 146,026.99
3	7th Avenue Pier Repairs	1	LS	\$ 111,219.15		\$ 141,068.35	\$ -	\$ 22,698.00	\$ 163,766.35
4	Contingency	1	LS	\$ 13,860.24					\$ -
GRAND TOTALS				\$1,000,000.00	\$ 11,208.00	\$1,287,996.07	\$ 29,418.53	\$ 35,366.08	\$1,352,780.68

Merry Pier Reconstruction Financial Summary Table



Change Order No. 04

PROJECT IDENTIFICATION:

Merry Pier Restoration, City of St. Pete Beach Services Agreement Dated 4/28/2020. City of St. Pete Beach PO Number: 21-01362

CONTRACTOR: Kelly Brothers Inc.

CONTRACT: The Agreement dated DATE between CONTRACTOR and the City of St. Pete Beach for the above described Project.

The Contract is changed as follows:

1. *Pressure wash IPE decking on Merry Pier Finger Pier.*
2. *Supply and install black cone pile caps on Merry Pier Finger Piers.*
3. *Merry Pier South Finger Piers Fixed Crossover Dock- Remove and dispose of existing decking. Add blocking and one additional stringer to extend decking beyond the face of the piles on the waterward side of the dock. Provide and install new decking so that the decking protrudes slightly past the face of the dock piles. Decking will be installed with 316 stainless steel deck screws; all framing hardware will be 304 stainless steel.*
4. *Supply materials and add 50-amp circuit to Merry Pier electric panel to feed new pier vendor booth.*
5. *Install Fish Cleaning Table Supplied by City of St. Pete. Includes installation hardware and material to provide and install a fish disposal tube and monofilament disposal bin. Price also includes supplying material and installation and tie in of two hose bibs at the fish table.*
6. *Supply and install Denso SeaShield- 400 Series Pile Jackets on six additional piles on the 7th Avenue Pier which were found to have worm bore and or more than 10% section loss. The 400 Series Pile Jackets will be installed on the pile as non-structural pile jackets without the fiberglass reinforcement mesh noted in the product submittals as the project does not currently require structural pile jackets.*
7. *Supply and install two tagged 10lbs. ABC Fire Extinguisher and two Plastic Fire Extinguisher Cabinets on Merry Pier*

Total Addition to Contract Sum

\$35,366.08

Contract Sum with prior approved Change Orders was: \$ 1,317,414.60
The Contract Sum will be increased by this Change Order
for the items described above in the amount of: \$ 35,366.08
The new Contract Sum, including this Change Order, will be: \$ 1,352,780.68

The Contract Time will be changed as follows: + 14 days

Execution of this Change Order shall constitute a final settlement of all matters relating to the change in the Work as described above which is the subject of this Change Order. The change approved by this Change Order shall result in an addition of zero calendar days to the Contract Time.

CHANGE ORDER NO. 04

OWNER/CITY:

CONTRACTOR:

By: _____

By:  _____

Name: Alex Rey

Name: Jake Kinnear

Title: City Manager, St. Pete Beach

Title: Project Manager- Kelly Brothers Inc.

Date: _____

Date: 1/20/22



CGC1519780

KELLY BROTHERS, INC. COMMERCIAL MARINE CONTRACTOR

Change Order Proposal 04: Pressure Washing, Extend Decking, 50Amp. Circuit, Fish Table Installation, Additional Pile Jackets, Fire Extinguishers

Date: 01/20/22

CUSTOMER	SERVICE PROVIDER
Brett Warner City of St. Pete Beach 155 Corey Ave. St. Pete Beach, FL 33706 Phone: 727-363-9254 Mobile: 727-599-1750 Email: bwarners@stpetebeach.org	Jake Kinnear Kelly Brothers, Inc. 15775 Pine Ridge Road Fort Myers, FL 33908 Phone: 239-482-7300 Fax: 239-482-8014 Email: jakek@kellybros.net

Project Name:	Merry Pier Improvements	Project Location:	801 Pass A Grille Way, St. Pete Beach
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Change Order Scope of Work:

- I.** Pressure wash IPE decking on Merry Pier Finger Piers
- II.** Supply and install black cone pile caps on Merry Pier Finger Piers.
- III.** Merry Pier South Finger Piers Fixed Crossover Dock- Remove and dispose of existing decking. Add blocking and one additional stringer to extend decking beyond the face of the piles on the waterward side of the dock. Provide and install new decking so that the decking protrudes slightly past the face of the dock piles. Decking will be installed with 316 stainless steel deck screws, all framing hardware will be 304 stainless steel.
- IV.** Supply materials and add 50 amp circuit to Merry Pier electric panel to feed new pier vendor booth.
- V.** Install Fish Cleaning Table Supplied By City of St. Pete. Includes installation hardware and material to provide and install a fish disposal tube and monofilament disposal bin. Price also includes supplying material and installation and tie in of two hose bibs at the fish table.
- VI.** Supply and install Denso SeaShield- 400 Series Pile Jackets on six additional piles on the 7th Avenue Pier which were found to have worm bore and or more than 10% section loss. The 400 Series Pile Jackets will be installed on the pile as non-structural pile jackets without the fiberglass reinforcement mesh noted in the product submittals as the project does not currently require structural pile jackets.
- VII.** Supply and install two tagged 10lbs. ABC Fire Extinguisher and two Plastic Fire Extinguisher Cabinets on Merry Pier

ID	Description	Unit	U/M	\$ Per Unit	Total
I.	Pressure Wash Finger Piers, Merry Pier	1	LS	\$ 698.00	\$ 698.00
II.	Install Pile Caps on Finger Piers, Merry Pier	1	LS	\$ 1,088.00	\$ 1,088.00
III.	Extend Decking on Crossover Dock, Merry Pier	1	LS	\$ 3,803.00	\$ 3,803.00
IV.	50 Amp Circuit for Booth, Merry Pier	1	LS	\$ 461.00	\$ 461.00
V.	Install Fish Cleaning Table and Components, Merry Pier	1	LS	\$ 5,489.00	\$ 5,489.00
VI.	Additional Pile Jackets, 7th Ave. Pier	6	EA	\$ 3,783.00	\$ 22,698.00
VII.	Fire Extinguishers & Cabinets	2	EA	\$ 342.00	\$ 684.00
PPB	Payment & Performance Bond	1	LS	\$ 445.08	\$ 445.08
Total					\$ 35,366.08

Additional Calendar Days: 14

Items Excluded or by others:

Engineering and or Drawings
 Local, State & Federal Permits
 Boat Shack Electric or Electrical Maintenance
 Items Not Specified in the Proposal

Notes/Comments:

The Denso 400 Series Pile Jackets will not aesthetically match the SnapJacket Pile Jackets provided for the other 7th Ave. Pier Piles.
 This work must be approved and addressed while KBI crew is onsite finishing Merry Pier, 11th Ave. Pier and 7th Ave. Pier. or a return trip charge may apply. Estimated completion of current scope of work is 1/27/22.

*Kelly Brothers, Inc. may withdraw this proposal if not accepted within three (3) days.
 If you have any questions, please contact us at 239-482-7300.*

CITY COMMISSION MEETING CITY OF ST. PETE BEACH

Agenda Report

Issue Considered: Swigwam Event Street Closure

Date: February 8, 2022

Prepared By: Jennifer McMahon, Chief Operating Officer

Through: Alex Rey, City Manager

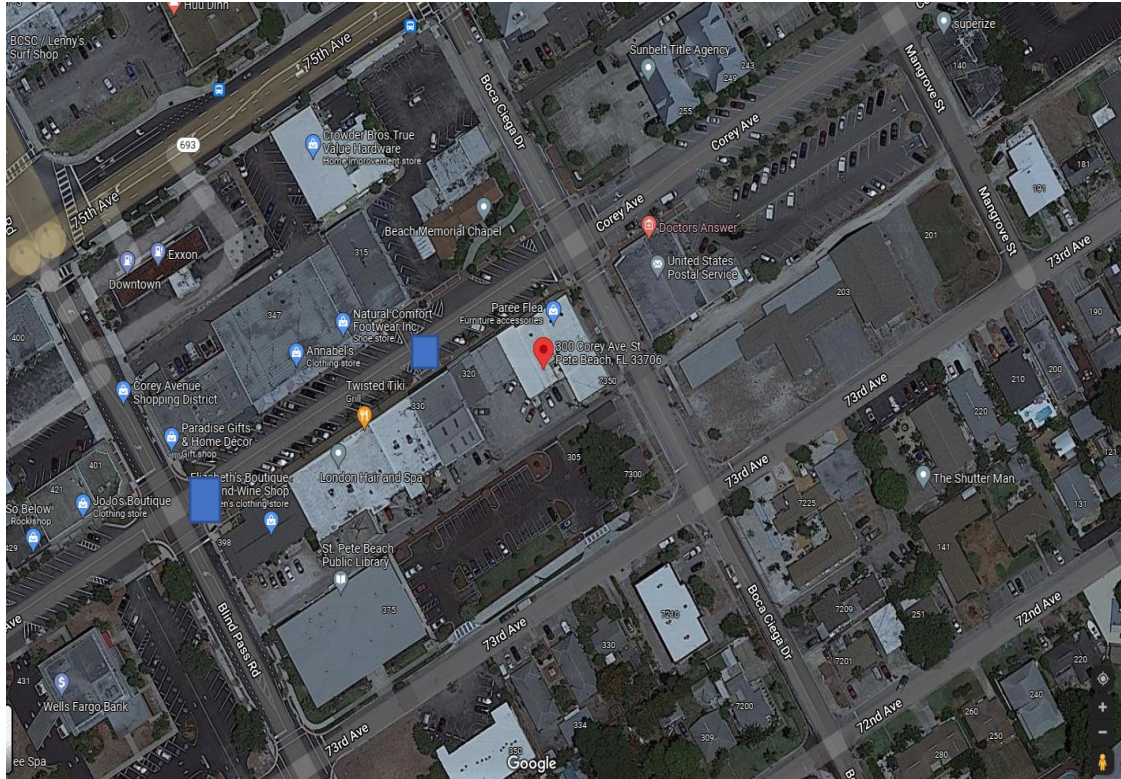
Summary of Issue: Rob Williams, owner of Swigwam Beach Bar located at 336 Corey Ave is requesting to close Corey Avenue from Blind Pass Road to the brick walkway in front of the Beach Theater for a St Patrick's Day and 12-year anniversary event on Thursday, March 17, 2022. The street closure would be from 6 am - midnight and include a wet zone. The event does not start until 10am. All street closures and wet zones need Commission approval. City staff will work with Rob on permitting the event and meeting police and fire department requirements and staffing after review of his event application. This event was approved by vote of CABA members on January 20, 2022 and the member meeting.

Funding: N/A

Requested Motion: I move to approve street closure for March 17, 2022.

Attachments: 1. Swigwam St Patrick's Day Street Closure 3-17-22

Swigwam's St. Patrick's Day Event – Thursday, March 17, 2022 from 6am to midnight



 = barricades located at Blind Pass and brick walkway in front of the theater.

Street closure would be the 300 block of Corey Avenue from Blind Pass to brick walkway in front of the beach theater.

St. Pete Beach City Commission Agenda Report

Issue Considered: Ordinance 2022-02: Establishing Parks and Recreation Impact Fees

Date: February 8, 2022

Prepared By: Vince Tenaglia, Assistant City Manager

Through: Alex Rey, City Manager

Summary of Issue: An initial study completed in 2017 indicated three possible general government impact fees that could be established to help recover the cost of service level expansion: parks and recreation, fire rescue, and library fees. At the time, the City had few anticipated capital projects that would be eligible for general government impact fees, and the fees were therefore not implemented.

It remains accurate that the City has few anticipated expansion projects for fire or library services. The recently completed library reconstruction project was a rebuild of the existing footprint and did not add capacity. The same is anticipated for the future replacement of Fire Station 22. However, based on projected growth levels, property acquisition may be required to maintain parks and recreation service levels and such costs are eligible for impact fees.

Using the capital buy-in method, Stantec consultants calculated eligible impact fees of \$1,187.81 per dwelling unit for parks and recreation purposes. The City may elect to recover less than 100% of the eligible fee, but staff's recommendation is to capture full value to help ensure future development pays for itself. The fee will be assessed for residential expansion projects upon issuance of a building permit and would go into effect 90 days after second and final hearing.

Funding: Total estimated impact fee revenue under the maximum buildout scenario is approximately \$750,000, which would be restricted for capital expansion.

Requested Motion: "I move to adopt Ordinance 2022-02."

Attachments: Ordinance 2022-02
Stantec presentation

Reviewed by the

City Manager: _____

City of St Pete Beach, FL

Parks & Recreation Impact Fee



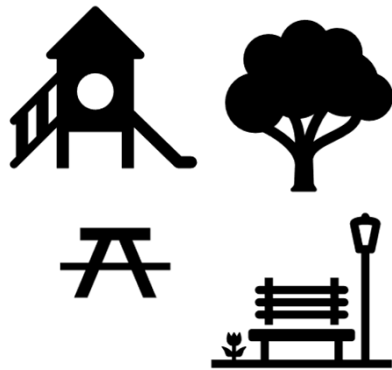


Background

- Impact fees allow new development to “*pay its own way*”
 - Only available for expansion related capital costs
- **Fire/Rescue & Library** services do not have significant needs for capital expansion
- Therefore, **Parks & Recreation** Impact Fee is only fee recommended at this time
- Parks & Recreation facilities predominantly benefit **Residential** properties
 - Impact fee would not apply to Non-Residential land uses

Calculation - Costs

- The **buy-in approach** was used to calculate the parks & rec impact fee
 - The calculation utilizes existing costs and existing units served
 - Excludes any grant funded assets



\$ 8,323,973
Net Book Value of
Existing Assets

Divided by Existing Units



\$1,187.81 per
Equivalent
Dwelling Unit (EDU)



Existing Asset Summary

Asset Category	Description ¹	Cost
Land	Net Value	\$ 2,836,259
Buildings and Improvements	Net Value	\$ 4,987,910
Fleet and Equipment	Net Value	\$ 548,029
Infrastructure	Net Value	\$ 1,923,979
Total Existing Cost		\$ 10,296,177
Less: Grant Funded Assets ²		\$ (1,972,204)
Total Asset Cost for Fee Calculation		\$ 8,323,973

¹ Net Value represents the assets' original cost adjusted for depreciation

² Grant funded assets were identified by Staff



Calculation - Functional Population

- Basis for the proportional benefit between property types (Rational Nexus Requirement)
- Calculated using household size and occupancy factor (67%) from the US Census
- Creates **EDUs per (Dwelling) Unit** shown below

Single Family

Average HH Size: 2.20



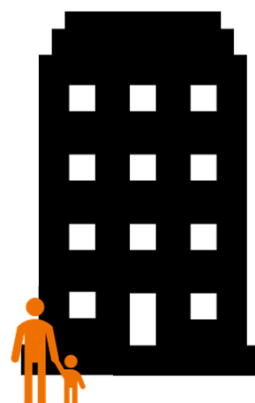
of Units: 4,412

EDUs/Unit: 1.0

Total EDUs: 4,412

Multi Family

Average HH Size: 1.57



of Units: 3,360

EDUs/Unit: 0.71

Total EDUs: 2,386



Results - Fee Schedule

100% Cost Recovery

Land Use	Parks & Recreation Impact Fee per EDU	EDUs/Unit Factor	Parks & Recreation Impact Fee Per Unit	Unit
Single Family	\$1,187.81	1.000	\$1,187.81	Dwelling Unit
Multi-Family	\$1,187.81	0.710	\$843.35	Dwelling Unit



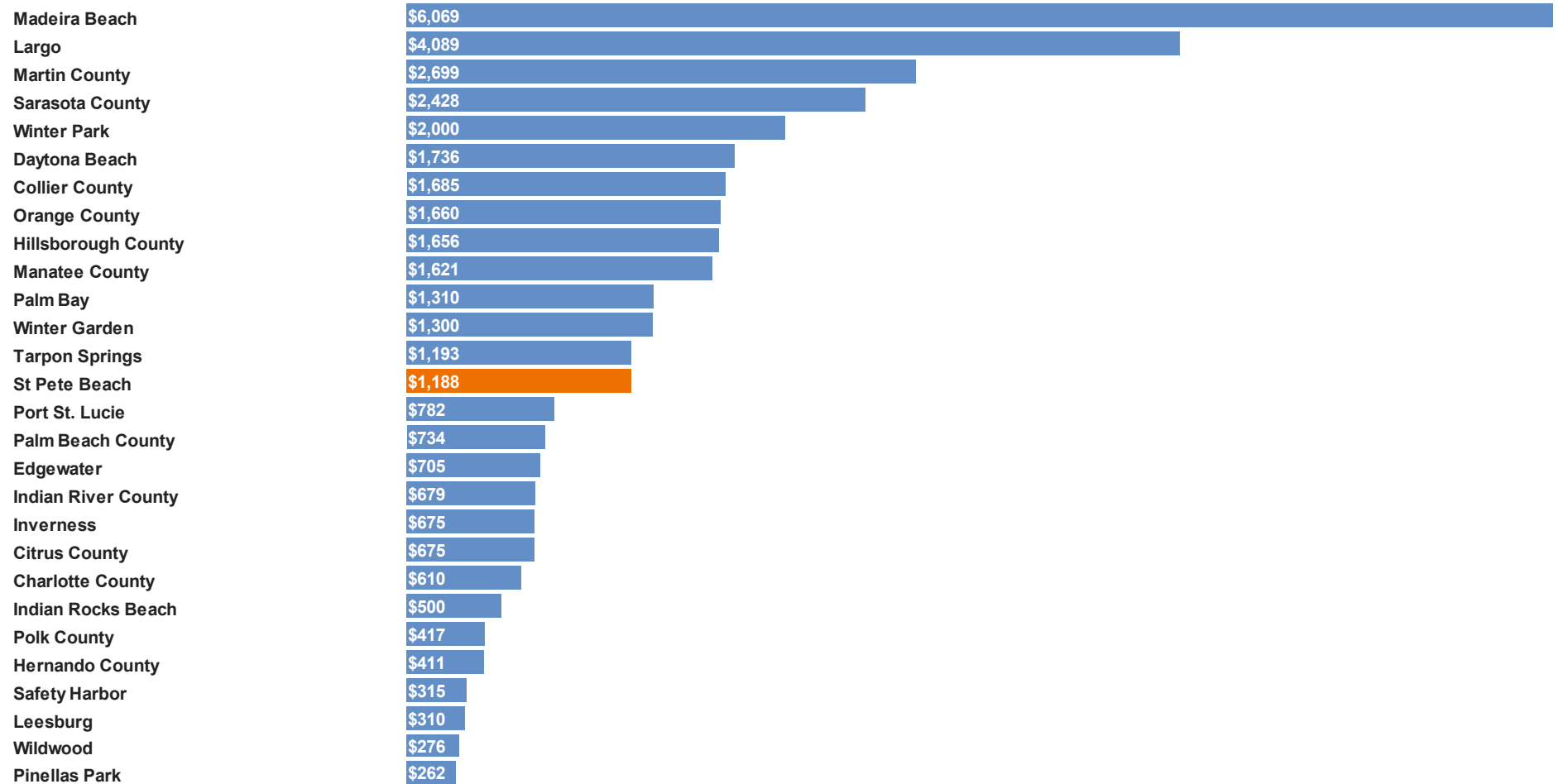
Results – Total Estimated Revenue

Residential Buildout EDU Increase ⁽¹⁾	Parks & Recreation Impact Fee per EDU	Total Estimated Impact Fee Revenue
638.7	\$1,187.81	\$758,654.2

⁽¹⁾ According to the Density Study performed by Kimley-Horn



Parks & Recreation Impact Fee Survey – Single Family





Recommendations

- Adopt up to 100% of the calculated impact fees as shown below:

Parks & Recreation		
Land Use	Impact Fee Per Unit	Unit
Single Family	\$1,187.81	Dwelling Unit
Multi-Family	\$843.35	Dwelling Unit

- Set **public hearing** date for adoption
- Notice required **90 days** before the effective date
- New Impact Fee Legislation (HB 337) limits future increases



Questions?

Andrew Burnham
Vice President
Andrew.Burnham@stantec.com

Ordinance 2022-02

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENTS TO APPENDIX A OF THE CODE OF ORDINANCES; ESTABLISHING A PARKS AND RECREATION IMPACT FEE; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Pete Beach desires to update the schedule of fees and charges outlined in Appendix A of the Code of Ordinances.

WHEREAS, the City Commission desires to establish additional fees and charges to be included in Appendix A.

WHEREAS, the impact fee described herein is recommended based on a 2021 report conducted by Stantec consultants.

WHEREAS, the City Commission finds this addition to be in the best interest of the citizens of the City of St. Pete Beach.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals ("Whereas" clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. Appendix A of the Code of Ordinances is hereby amended as illustrated in "Exhibit A," which is attached and made a part of this Ordinance.

SECTION 3. Codification. This Ordinance shall be codified in the Code of Ordinances of the City of St. Pete Beach.

SECTION 4. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. Scrivener's Error. The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This ordinance shall take effect immediately upon adoption.

FIRST READING: _____
PUBLISHED: _____
SECOND READING: _____
PUBLIC HEARING: _____

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.

Alan Johnson, Mayor

I, Amber LaRowe, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2022.

Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Andrew Dickman, City Attorney

Words ~~stricken~~ through shall be deleted. Words underscored constitute the amendment proposed. The symbol *** constitutes code sections not shown for purposes of brevity. Remaining provisions are now in effect and remain unchanged.

Exhibit A

Appendix A

Chapter 118. Planning and Development

Service Classification	Parks and Recreation Impact Fee Per Equivalent Residential Unit (ERU)	ERUs/Unit Factor	Parks and Recreation Impact Fee Per Unit	Unit
<u>Single family</u>	\$ 1,187.81	<u>1.00</u>	\$ 1,187.81	<u>Dwelling Unit</u>
Multi-family	\$ 1,187.81	0.710	\$ 843.35	Dwelling Unit

Words ~~stricken~~ through shall be deleted. Words underscored constitute the amendment proposed. The symbol *** constitutes code sections not shown for purposes of brevity. Remaining provisions are now in effect and remain unchanged.

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: Ordinance 2022-07: An Ordinance of the City of St. Pete Beach, Florida Providing for Supplemental Budget Appropriations.

Date: February 8, 2022

Prepared By: Vince Tenaglia, Assistant City Manager

Through: Alex Rey, City Manager

Summary of Issue: This item is a correction to the budget amendment ordinance approved on January 25, 2022. Wastewater Fund retained balance was omitted from the re-appropriation request. These are funds that remain available from the prior year via previously authorized budget appropriations but have yet to be expended or encumbered. In this case, the retained balances associated with the sanitary sewer expansion project are recommended to be re-appropriated for the purposes of contingency expenses that may arise between now and project completion.

Funding: \$348,477 is requested to be re-appropriated from retained account balances in the Wastewater Fund. The net effect of this change is that Wastewater Fund balance, while still favorable versus originally budgeted forecasts, will increase by only \$295,073 as opposed to the \$643,550 incorrectly illustrated on Ordinance 2022-01. In percentage terms, the Wastewater Fund balance / operating expenditure ratio will be 5.1% versus the 10.7% incorrectly illustrated on Ordinance 2022-01.

Requested Motion: “I move to approve Ordinance 2022-07 on first reading.”

Attachments: Ordinance 2022-07
Exhibit A

Ordinance 2022-07

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR SUPPLEMENTAL BUDGET APPROPRIATIONS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

WHEREAS, the fiscal year 2022 budget includes revenue and expenditures as adopted by Ordinance 2021-21 on September 27, 2021 and Ordinance 2022-01 on January 25, 2022.

WHEREAS, the City Commission of the City of St. Pete Beach desires to amend the fiscal year 2022 budget.

WHEREAS, Article III, Section 3.13(a) of the City Charter provides authority for appropriation amendments.

WHEREAS, the City Commission of the City of St. Pete Beach desires to appropriate expenditures derived from fiscal year 2021 available balances.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals ("Whereas" clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. The City of St. Pete Beach fiscal year 2022 budget shall be amended per Exhibit A, attached and made part of this Ordinance.

SECTION 3. Codification. This Ordinance shall be codified in the Code of Ordinance of the City of St. Pete Beach.

SECTION 4. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. Scrivener's Error. The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This ordinance shall take effect immediately upon adoption.

FIRST READING: _____
PUBLISHED: _____
SECOND READING: _____
PUBLIC HEARING: _____

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.

Alan Johnson, Mayor

I, Amber LaRowe, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2022.

Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Andrew Dickman, City Attorney

Ordinance 2022-07: Exhibit A

	Original	Corrected
	Ordinance 2022-01	Ordinance 2022-07
	Wastewater Fund	Wastewater Fund
Estimated FY22 beginning fund balance	24,000	24,000
December 2021 fund balance	270,000	270,000
Reconciliation:		
<u>Revenue re-appropriations:</u>		
Sanitary sewer expansion - revolving loan	4,271,636	4,271,636
Revenue re-appropriations total	\$ 4,271,636	\$ 4,271,636
<u>Adopted re-appropriations:</u>		
Sanitary sewer expansion	(1,000,000)	(1,000,000)
Adopted re-appropriations total	\$ (1,000,000)	\$ (1,000,000)
<u>Open encumbrances:</u>		
Operating expenditures	(30,314)	(30,314)
Lift station R&R	(406,181)	(406,181)
Sanitary sewer I&I	(23,327)	(23,327)
Force mains	(548,275)	(548,275)
Asset management	(24,054)	(24,054)
Sanitary sewer expansion	(1,341,935)	(1,341,935)
<u>Retained account balances:</u>		
Sanitary sewer expansion	-	(348,477)
Pending re-appropriations total	\$ (2,374,086)	\$ (2,722,563)
Adjusted balance	1,167,550	819,073
Net budgetary gain (loss)	1,143,550	795,073
Available	\$ 1,143,550	\$ 795,073
<u>FY22 allocation requests:</u>		
Sanitary sewer repairs	500,000	500,000
FY22 allocation request total	\$ 500,000	\$ 500,000
<u>ARPA revenue re-allocations:</u>		
Inflow and infiltration	\$ 1,001,684	\$ 1,001,684
Pump Station 1	\$ 2,000,000	\$ 2,000,000
ARPA revenue re-allocations total	\$ 3,001,684	\$ 3,001,684
<u>ARPA expenditure re-allocations:</u>		
Premium pay	-	-
Inflow and infiltration	\$ (1,001,684)	\$ (1,001,684)
Pump Station 1	\$ (2,000,000)	\$ (2,000,000)
ARPA expenditure re-allocations total	\$ (3,001,684)	\$ (3,001,684)
Net to (from) fund balance	\$ 643,550	\$ 295,073
Restated FY22 beginning fund balance	\$ 667,550	\$ 319,073
FY22 adopted operating expenditures	\$ 6,224,854	\$ 6,224,854
FY22 revised operating expenditures	\$ 6,255,168	\$ 6,255,168
Fund balance / operating expenditures	10.7%	5.1%

CITY COMMISSION MEETING CITY OF ST. PETE BEACH

Agenda Report

Issue Considered: Resolution 2022-05: Business Site Improvement Grant Program Agreement

Date: February 8, 2022

Prepared By: Jennifer McMahon, Chief Operating Officer

Through: Alex Rey, City Manager

Summary of Issue: Strong local businesses help create a strong local community. With its new Business Site Improvement Program, the City of St. Pete Beach will encourage private investment in local businesses to improve commercial areas. This program will help local businesses meet and exceed local codes. Local businesses may apply for the new Business Site Improvement Program beginning in February 2022. The City will provide \$50,000 to the Tampa Bay Beaches Chamber of Commerce to oversee the grant program. The grant program will have a review committee, which will include a City staff member. A set of guidelines has been prepared by City staff for the program. In the FY2022 budget, the city set aside \$50,000 for incentives for this program.

Funding: 01-5401-515-5499

Requested Motion: I move to adopt Resolution 2022-05 and approve entering into an agreement with the Tampa Bay Beaches Chamber of Commerce to coordinate and oversee the Business Site Improvement Grant program.

Attachments:

1. Resolution 2022-05 - Business Site Improvement Grant Agreement
2. Business Site Improvement Plan Agreement - Exhibit B Guidelines
3. TBBCoC Grant Agreement - Business Site Improvement Grant Coordination Agreement

RESOLUTION 2022-05

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TAMPA BAY BEACHES CHAMBER OF COMMERCE TO COORDINATE AND OVERSEE THE BUSINESS SITE IMPROVEMENT GRANT PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City desires to utilize funds to assist local businesses meet and exceed compliance with City codes.

WHEREAS, the Tampa Bay Beaches Chamber of Commerce is a non-profit that serves the business community within St. Pete Beach.

WHEREAS, the Tampa Bay Beaches Chamber of Commerce shall distribute such funds to eligible business as selected by the review committee to accomplish the City's goals.

NOW THEREFORE, upon the mutual covenants contained herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties hereby agree to the following:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, THAT:

SECTION 1. Recitals. The above recitals ("Whereas" clauses) are true and correct and adopted hereby as findings, purpose and intent of the City Commission.

SECTION 2. The City Commission hereby authorizes the City Manager to execute the Business Site Improvement Grant Program Agreement with the Tampa Bay Beaches Chamber of Commerce.

SECTION 3. Effective Date. This resolution shall take effect immediately upon adoption.

PASSED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, THIS _____ DAY OF _____, 2022.

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.

Alan Johnson, Mayor

ATTEST:

Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Andrew Dickman, City Attorney



St. Pete Beach Business Site Improvement Program

Strong local businesses help create a strong local community. With this new Business Site Improvement Program, the City of St. Pete Beach will encourage private investment in local businesses to improve commercial areas. This program will help local businesses meet and exceed local codes. Local businesses may apply for the new Business Site Improvement Program beginning in February 2022. The City will provide \$50,000 to the Tampa Bay Beaches Chamber of Commerce to oversee the grant program. The grant program will have a review committee, which will include a City staff member. Below is the program guidelines and eligibility requirements recommended by the City.

Site Improvement Loans

Businesses seeking to make site improvements to meet code requirements may apply to receive an interest free loan for up to 50% of the total project cost up to \$7,500 for up to four years.

Site Improvement Grants

Businesses seeking to make site improvements in excess of code requirements that improve the surrounding area may apply to receive a grant for up to 50% of the total project cost up to \$7,500.

Eligible Projects

Eligible projects include, but are not limited to, fat, oil and grease traps, accessibility improvements, outdoor beautification, parking improvements, fencing, public art, historic preservation compliance, garbage screening, façade improvements, awnings, and painting and signage.

Eligibility

- Businesses must be physically located within a commercial zone within the City of St. Pete Beach.
- Businesses must be current with their St. Pete Beach Business Tax Receipt and State of Florida Annual Report.
- Businesses must be current with their property taxes.
- Loans: Businesses must allow the City to perform a credit check and provide additional financial information upon request.
- Grants: Businesses must have no outstanding code citations.
- Businesses may submit one application per year. The City will not consider applications from businesses in the repayment process of a previous award and will give preference to businesses who have not received prior awards.

- If the business rents its physical location, the business must submit in writing the property owner's approval and provide a copy of a valid lease with at least three years remaining.
- Eligible businesses must have less than 50 employees.

Program guidelines

- Businesses should apply through the City's website.
- The City will consider applications on a rolling basis beginning February 15, 2022.
- Businesses will agree to allow the City to use descriptions and photos of their projects in promotional materials.
- Businesses will bear all tax implications of the receiving the award.
- Businesses should be able to complete the project within six months of notification of selection for the award or, in extenuating circumstances, apply to the City for a six-month extension.
- Businesses will commit to maintaining the improvement for at least three years.
- Loans: The City will fund selected projects after completion of all required documentation including the establishment of the repayment schedule, credit checks and additional financial information, if deemed necessary.
- Grants: The City will fund selected projects on a reimbursement basis upon completion of the project and submission of receipts and other appropriate documentation.
- The City will not fund expenditures for either loans or grants incurred before the approval date of the award.

Tampa Bay Beaches Chamber of Commerce – City of St Pete Beach Business Site Improvement Program Application

Applicant Information

Applicant Name _____	Email Address _____
Mobile Phone _____	Mailing Address _____
City _____	State _____ Zip _____
Name of Business _____	FEI/EIN Number _____
City of St Pete Beach Business Tax Receipt Number _____	
Description of Business and Site _____	

Project Information

Property Address _____	
Property Owner Name (as it appears on deed and/or title documents) _____	
*Property owner approval is required	
Project Description _____	

Anticipated Start Date _____	Anticipated Completion Date _____
Total Project Cost _____	Total Amount Requested _____
Check One:	
☐ Site Improvement Loan (to meet code) ☐ Site Improvement Grant (to exceed code)	

Upload any plans, designs or estimates for work or materials for the proposed project and include photos of the existing site which show the area for improvement.

I certify that:

- ☐ I have the authority to submit this application on behalf of this business and this property owner.
- ☐ I understand submitting this application does not guarantee funding of any amount.
- ☐ Loans: I consent to the City conducting a credit check and understand the City may require additional financial information during the review process.
- ☐ Grants: I understand this is a reimbursement grant and that the City will fund the grant (if awarded) after completion of the project and submission of acceptable receipts and other appropriate documentation.
- ☐ I understand that the business is liable for any tax implications of receiving this award.
- ☐ I will allow the City to use descriptions and photographs of this project, if funded, in promotional materials.
- ☐ I understand this is a 50% match loan/grant up to \$7,500 and the business must fund at least 50% of project costs.

Print Name _____	Signature _____
Title _____	Date _____

CITY OF ST. PETE BEACH, FLORIDA

Business Site Improvement Grant Coordination Agreement

This is an Agreement (the “Agreement”) entered into by and between the CITY OF ST. PETE BEACH (hereinafter “City”) and TAMPA BAY BEACHES CHAMBER OF COMMERCE (hereinafter “Chamber”) to coordinate and oversee the Business Site Improvement Grant Program. The City and the Chamber together shall be referred to as the “Parties.”

WHEREAS, the City wishes to utilize funds to assist local businesses to meet and exceed compliance with City codes.

WHEREAS, the Chamber is a non-profit organization that serves the business community within the City.

WHEREAS, the Chamber shall distribute such funds to eligible local businesses, as selected by the review committee, to accomplish the City’s goal of code compliance.

NOW THEREFORE, upon the mutual covenants contained herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties hereby agree to the following:

1. Recitals: The foregoing recitals are true and correct and incorporated herein by reference.
2. Purpose: The purpose of this Agreement is to aid local businesses in meeting and exceeding compliance with City codes. The City will encourage private investment in local businesses to improve commercial areas. Such improvements include, but are not limited to, outdoor beautification, parking improvements, and signage.
3. Selection of Businesses: The review committee shall select local businesses to receive such funds that meet the eligibility requirements described in Exhibit B.
4. Funding: The City shall provide a total of \$50,000.00 to the Chamber to accomplish the City’s goals. The review committee shall then transfer such funds to local businesses that were selected to receive such funds.
5. Amount of Funds Per Business: The City shall allow and instruct the Chamber to distribute a maximum amount of \$7500.00 to each selected local business until the funds are exhausted.
6. Limited Authority: The Chamber shall use such funds only in the manner described herein.
7. Fiscal Non-funding: If funds for the Business Site Improvement Grant are not appropriated via the annual budget adoption process, the City reserves the right to cancel this agreement

immediately upon written notice to the Chamber.

8. Term: This Agreement shall remain in effect for a period of one (1) year from the Effective Date. If the Parties wish to renew this Agreement, then such party shall notify the other party in writing of its desire to renew this Agreement no later than sixty (60) days prior to the date of termination. Both Parties must agree in writing to renew the Agreement through an addendum.
9. Records: The Chamber shall keep accurate records of the transactions under this Agreement. These records are subject to the Public Records Laws as set forth in Florida Statutes and the City may inspect these records at any time. The Chamber shall use a separate account for the designated funds under this Agreement.
10. Fee: The Chamber will collect a one-time five percent (5%) fee of the designated amount provided by the City for the administration of this program under this Agreement.
11. Review Committee: The review committee has the authority to make changes to this program as it deems appropriate, with City Manager approval.
12. Public Records: The Chamber shall abide by the legal requirements set forth in Florida Statutes, Section 119.0701 and incorporated herein as Exhibit A. **IF THE CHAMBER HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CHAMBER'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (City Clerk, City of St. Pete Beach, Florida, 727-363-9220, cityclerk@stpetebeach.org, 155 Corey Avenue, St. Pete Beach, Florida 33706).**
13. Indemnification: In consideration of the payment of ten dollars as part of the compensation described herein, the Chamber shall indemnify, defend and hold the City harmless for itself, its employees, agents and assigns, from and against any and all losses, claims, damages, suits, actions, or demands, including attorneys' fees and costs of litigation through all appellate proceedings, arising from the performance or non-performance of this Agreement, whether caused in part by the City or not. Nothing herein shall be construed to modify or waive the effect of Section 768.28, Florida Statute, as amended, or the doctrine of sovereign immunity.
14. Exhibits. The following Exhibits shall be attached, incorporated, and made a part of this Agreement:
 - a. Florida public records law (Exhibit "A");
 - b. Business Site Improvement Program Guidelines (Exhibit "B"). These guidelines may be modified as needed with City Manager approval.

15. Notices. All notices sent pursuant to this Agreement shall be given in writing via certified mail or overnight courier and shall be delivered to the following addresses:

As to Chamber:

Tampa Bay Beaches Chamber of Commerce
6990 Gulf Blvd.
St. Pete Beach, FL 33706

As to City:

City Manager
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, FL 33706

With Copy To:

robin@tampabaybeaches.com

With Copy To:

cityattorney@stpetebeach.org

16. Entire Agreement: This document and exhibits embody the entire Agreement of the Parties. There are no promises, terms, conditions, or representations binding on either party hereto, other than those contained herein; and this document shall supersede all previous communications, representations, and/or agreements between the Parties hereto, whether written or oral.
17. Conflicts and Severability: To the extent that any terms in the attached guidelines conflict with the terms of this Agreement, the terms of this Agreement shall control and supersede such conflicting terms in the attached guidelines, to the extent of such conflict. If any section, part of section, paragraph, clause, phrase, or word of this Agreement is declared invalid, the remaining provisions of this Agreement shall not be affected.
18. Jurisdiction, Venue, Attorney Fees: This Agreement shall be governed and construed according to the laws of Florida, and venue for any action arising herefrom shall be in Pinellas County, Florida. The prevailing party in any action to enforce or interpret this Agreement shall be entitled to reasonable attorney's fees incurred through all appellate proceedings.
19. Assignment: This Agreement shall be binding upon the Parties, their successors, assigns, and legal representatives. Neither party shall assign or otherwise transfer any of the rights or duties under this Agreement, without the express written consent of the Parties.
20. Counterparts: This Agreement may be executed and delivered in any number of counterparts, each of which so executed and delivered shall be deemed to be an original and all of which shall constitute one and the same instrument. Facsimile, documents executed, scanned and transmitted electronically and electronic signatures shall be deemed original signatures for purposes of this Agreement and all matters related thereto, with such facsimile, scanned and electronic signatures having the same legal effect as original signatures.
21. Amendment: This document and exhibits embody the entire Agreement of the Parties. There are no promises, terms, conditions, or representations binding on either party hereto,

other than those contained herein; and this document shall supersede all previous communications, representations, and/or agreements between the Parties hereto, whether written or oral. This Agreement shall not be modified by any oral statement, communication, agreement, course of conduct, or by anything other than a writing signed by the Parties. This Agreement may be amended or modified only in writing signed by all Parties hereto.

22. Third Party Rights: No person or entity, who or which is not a party to this Agreement, will have any right of action under this Agreement.
23. Termination: The City may terminate this Agreement at any time and for any reason, upon giving thirty (30) days written notice to the other party.
24. Authority: The Chamber hereby acknowledges that the person executing this Agreement on behalf of the Chamber has the full authority to do so and to bind the Chamber to the terms hereof.
25. Compliance with Laws: The Chamber shall at all times during the Term, comply (and shall cause its members, employees, agents, visitors, and licensee, to comply) with all laws, codes, statutes, ordinance and regulations applicable to this Agreement, including but not limited to the City's Code of Ordinances and Land Development Code, as amended.

[Signature page to follow]

IN WITNESS WHEREOF, the Parties have executed this Agreement on the day and year set forth below.

Tampa Bay Beaches Chamber of Commerce:

City of St. Pete Beach:

Signature: _____

Signature: _____

By: Robin Miller

By: _____

Its: President

Its: _____

Date: _____

Date: _____

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ATTEST:

Andrew Dickman
City Attorney

Amber LaRowe
City Clerk

EXHIBIT “A”

Florida Public Records Law

119.0701 Contracts; public records; request for contractor records; civil action.

(1) DEFINITIONS. —For purposes of this section, the term:

(a) “Contractor” means an individual, partnership, corporation, or business entity that enters into a contract for services with a public agency and is acting on behalf of the public agency as provided under s. 119.011(2).

(b) “Public agency” means a state, county, district, authority, or municipal officer, or department, division, board, bureau, commission, or other separate unit of government created or established by law.

(2) CONTRACT REQUIREMENTS. —In addition to other contract requirements provided by law, each public agency contract for services entered into or amended on or after July 1, 2016, must include:

(a) The following statement, in substantially the following form, identifying the contact information of the public agency’s custodian of public records in at least 14-point boldfaced type:

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR’S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (telephone number, e-mail address, and mailing address).

(b) A provision that requires the contractor to comply with public records laws, specifically to:

1. Keep and maintain public records required by the public agency to perform the service.
2. Upon request from the public agency’s custodian of public records, provide the public agency with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
3. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the public agency.
4. Upon completion of the contract, transfer, at no cost, to the public agency all public records in possession of the contractor or keep and maintain public records required by the public agency to perform the service. If the contractor transfers all public records to the public agency upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the contractor keeps and maintains public records upon completion of the contract, the contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the public agency, upon request from the public agency’s custodian of public records, in a format that is compatible with the information technology systems of the public agency.

EXHIBIT “B”

Business Site Improvement Program Guidelines