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COMMISSION MEETING CITY OF ST. PETE BEACH

155 Corey Avenue

Tuesday, September 25, 2012

6:00 PM

Call to Order
Pledge of Allegiance
Invocation
Roll Call

REGULAR MEETING

1. **Changes to the Agenda** - Any agenda items to be added, moved, or deleted will be addressed at this time. Added items will be assigned agenda item numbers and moved items should remain with the same item numbers. Notation will be made that those items will be taken out of order. Consent items may be removed for discussion, changes, and/or anticipation of a non-unanimous vote and considered separately on the request of anyone on the Commission or by a majority vote of the City Commission upon request of an audience member.
2. **Presentations** - Presentations shall be limited to 5 minutes for non-city government related items.
 - a. **Recognition of the Suntan Arts Center award from The Florida Recreation & Park Association.**
3. **Audience Comments** - Comments shall be limited to 3 minutes per person to issues not on the agenda.
4. **Consent – None for this agenda**
5. **Action Items**
 - a. **Request from the Friends of the Gulf Beaches Historical Museum to name the City street end park on 90th Ave after Margaret “Peg” Creed.**

- b. Authorize the City Manager to enter into a one year agreement for Fiscal Year 2012-2013 with PSTA for trolley and DART services with the proposed changes.**
- c. Authorize the City Manager to accept a proposal from L.S. Curb Service, Inc. in the amount of \$25,021.50 to install curb at the 20th Ave street end.**
- d. Authorize the City Manager to waive the bid requirements and contract with Hennessy Construction Services for exterior remediation of Fire Station 22 and Fire Station 23 in the amount of \$329,745.**
- e. City Commission position on November Charter Amendment relating to contracting of Police services.**

6. Ordinances

- a. Ordinance 2012-15, Final Reading and Public Hearing, Providing for amendments to Division 14 of the Land Development Code to allow for outdoor seating as a permitted use in the RFM Zoning District.**
- b. Ordinance 2012-18, Final Reading and Public Hearing, an ordinance of the City of St. Pete Beach, Florida, adopting the millage rate for the fiscal year ending September 30, 2013; providing for an effective date.**
- c. Ordinance 2012-19, Final Reading and Public Hearing, an ordinance of the City of St. Pete Beach, Florida adopting a budget for the fiscal year ending September 30, 2013; providing appropriations; providing for an effective date.**
- d. Ordinance 2012-20, Final Reading and Public Hearing, prohibiting bicycle riding on the city sidewalk that is west of the private properties on Sunset Way between 28th and 30th Avenue.**
- e. Ordinance 2012-17, First Reading and Public Hearing, amending instructor fee section 58-3(F)(5) of the fee ordinance.**
- f. Ordinance 2012-21, First Reading and Public Hearing, Amendment to the Comprehensive Plan, Amending the Bayou Residential Character District to allow for commercial uses to be mixed with temporary lodging uses, removing the two-acre minimum developable site limitation, removing setbacks, removing the temporary lodging unit per-project cap, and removing the minimum commercial floor area ratio.**

- g. Ordinance 2012-22, First Reading and Public Hearing, Amendment to the Land Development Code, Amending the Bayou Residential Character District to allow for commercial uses to be mixed with temporary lodging uses, removing the two-acre minimum developable site limitation, removing the temporary lodging unit per-project cap, and removing the minimum commercial floor area ratio.**
 - h. Ordinance 2012-23, First Reading and Public Hearing, rescinds and repeals all prior ordinances or resolutions assessing or imposing the premium tax authorized by Section 175.101, Florida Statutes and withdrawing from participation under Chapter 175, Florida Statutes**
 - i. Ordinance 2012-24, First Reading and Public Hearing, amending Chapter 66, Pensions and Retirement, Article IV, Firefighters Retirement System; implementing a benefit freeze; providing for modifications of certain benefits for future service; amending certain definitions; revising employee contributions; revising the vesting period; amending benefit amounts and eligibility; and amending the deferred retirement option plan.**
 - j. Ordinance 2012-25, First Reading and Public Hearing, amending Chapter 66, Pensions and Retirement, Article II, General Employees' Retirement System; implementing a benefit freeze; providing for modifications of certain benefits for future service; amending certain definitions; revising employee contributions; revising the vesting period; amending benefit amounts and eligibility; and amending the deferred retirement option plan.**
- 7. Resolutions**
 - a. Resolution 2012-13, authorizes the City Manager to implement the Defined Contribution Retirement Plan for the City Employees**
- 8. Items for Discussion – None for this agenda.**
- 9. City Manager, City Attorney and City Commission Reports**
- 10. Adjournment**

If a person decides to appeal any decision made at this meeting, they will need a record of the proceeding and, for such purpose, may need to ensure that a verbatim record of the meeting is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105) The City does not furnish verbatim transcripts; interested parties should make the necessary arrangements for verbatim transcripts.

AMERICAN DISABILITIES ACT

In Accordance with the American's with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodations to participate in this meeting should contact City Hall at (727) 367-2735 no later than (4) days prior to the meeting for assistance.

The public is cordially invited to attend. All agenda material is available for review at City Hall.

St. Pete Beach City Commission
Agenda Report

Issue Considered: Request from the Friends of the Gulf Beaches Historical Museum to name the City street end park on 90th Ave after Margret "Peg" Creed.

Date: 9/25/12

Prepared By: Steven J. Hallock, Public Services Director

Summary of Issue: The 90th Ave street end park property is owned by FDOT but the City has an agreement to utilize it as a park as long as we maintain it. We have recently added 2 foxtail palms and a canary palm to this park that were removed from Gulf Blvd due to the median landscape improvements currently under way. We also plan to spend approximately \$2,000 to add a shell path, install another bench and perform turf maintenance to make it look better and meet our park standards.

The Friends of the Gulf Beaches Historical Museum are requesting that the City name the 90th Ave street end park after Margret "Peg" Creed. Per the City's naming guidelines these requests must be forwarded to City Commission for consideration. If approved we would need to spend an additional \$400 to purchase one of the signs we put up when a park is dedicated.

Requested Motion: "I move to approve the request from the Friends of the Gulf Beaches Historical Museum to name the City street end park at 90th Ave after Margret "Peg" Creed."

Attachments: Friends of the Gulf Beaches Historical Museum
Naming Guidelines

Reviewed by
City Manager: _____



***Friends of the Gulf Beaches
Historical Museum, Inc.***

***115 Tenth Avenue
St. Pete Beach, Florida 33706
727-552-1610***



August 1, 2012

**St. Pete Beach City Mayor
City Commissioners
City Manager**

Re: A street end dedication for Margaret "Peg" Creed

The Friends of the Gulf Beaches Historical Museum are pleased and honored to present to you a proposal to name the city street end at 90th Avenue and Gulf Boulevard in honor of long time resident and volunteer Peg Creed.

After looking at all the street ends north of 75th Avenue, we selected the 90th Avenue for the following reasons:

It is new and larger than most

It is 4 ½ blocks from her home of over 50 years on 85th Avenue

It is close to McKenney Park, named for her friend

It is on the 90th street end which was her age.

It faces west for the sunsets she loved.

It has some space available for additional beautification.

It already has a bench and picnic table with shade.

Peg's dedication to her community since moving here in 1952 is well known throughout St. Pete Beach. Her concern and caring for her friends and neighbors throughout the years was very heartfelt and special. She managed to raise three boys, owned a business and still be a very active citizen. Some of her awards, citations and honors are as follows:

Received the Pinellas County's 2004 Senior Volunteer Service Award.

Received the City's Volunteer of the Year award eight times.

She volunteered over the past 30 years plus years three times a week to work the city's switchboard; she served on the following committees; city beautification, parks and recreation 1990 Honor Walk, personnel review, volunteer response team and 1940 anniversary.

Friends - Helping to Collect, Preserve & Exhibit the History of the Barrier Islands

Peg Creed was involved in Easter egg hunts, Halloween parties, parades, Beach Goes Pop, Taste of Pass-a-Grille, the Gulf Beaches Historical Museum, Gulf Beaches Elementary School, and she was a County election poll worker for 20 years. She also gave to the Blood Bank on a regular basis, was always baking and cooking for city employees and friends and was active in her church.

It is for the above reasons and for her love of her community and helping nature that we would like to have the park on 90th Avenue dedicated in her honor.

We sincerely hope you consider our request. Looking forward to hearing an affirmative vote to proceed with this project.

Sincerely,

A handwritten signature in cursive script that reads "Spencer Lucas".

Spencer Lucas
President

RESOLUTION 2010-16

A RESOLUTION ADOPTING NAMING GUIDELINES FOR NAMING PUBLIC FACILITIES FOR INDIVIDUALS OR GROUPS BY THE CITY OF ST. PETE BEACH COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of St. Pete Beach has from time to time had requests to name a city property after a civic, charitable or philanthropic individual or group; and

WHEREAS, the City Commission has determined to establish guidelines or procedures for naming these facilities; therefore,

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

I. REQUIREMENTS:

The Commission of the City St. Pete Beach, Florida does hereby approve the following guidelines for naming public facilities:

1. A significant monetary contribution toward acquisition or development of the public facility by an individual, or a civic or charitable group.
2. Specific and major involvement in the acquisition or development of the public facility by an individual.
3. Outstanding accomplishment by an individual for the good of the community. Quality of contribution should be considered along with the length of service by the individual – this to be fully substantiated by the person making the recommendation.
4. Outstanding accomplishments by an individual on a regional or national level that benefited the nation, the region, or the City of St. Pete Beach

II. DEFINITIONS:

1. “civic or charitable group” shall mean a nonprofit entity, family, or group that has made a substantial contribution to the community, either through civic involvement, involvement in historic events relevant to specific City property, or to the geographical location of specific City property; or made a financial and/or real property donation.
2. “individual” shall mean a person who has made a substantial contribution to the community, either through civic involvement, involvement in historical events relevant to the specific City property, or to the geographical location of specific City property.

III. HOW AND WHO MAY APPLY:

1. Any City Commissioner, citizen, group of citizens, entity or organization may submit a proposal to name City property after an individual, civic or charitable group, or other entity or organization.
2. The proposal shall be in writing and shall be reviewed by the City Manager or his/her designee, and if found to be in compliance with applicable City's policies, shall be forwarded to the City Commission for consideration.
3. City facilities named after individuals or groups will only be changed when it is found that the individual's or group's character is or was such that the continued use of their name for a park or facility would not be in the best interest of the City, or after 25 years.

Mike Finnerty

Mike Finnerty, Mayor

ATTEST:

Theresa B. McMaster

Theresa B. McMaster, City Clerk

adopted on 4-27-2010

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

Issue Considered: Authorize the City Manager to enter into a one year agreement for Fiscal Year 2012-2013 with PSTA for trolley and DART services with the proposed changes.

Date: September 25, 2012

Prepared By: Michael P. Bonfield, City Manager

Summary of Issue: This agreement is for a one year contract renewal with PSTA to provide the City with Trolley and DART services. We continue to partner with the City of Treasure Island for these services. The agreement is similar to that used in the past with the following exceptions:

- The cost and billing of Transit Services has been revised. The fixed route amount is \$399,466, but the DART costs will fluctuate and are based on last year usage.
- The contract period has been changed to coincide with the Fiscal Year.

Requested Motion: “I move to authorize the City Manager to sign a one year agreement with PSTA for Trolley Services.”

Attachments: PSTA agreement

AGREEMENT

THIS AGREEMENT made and entered into this ____ of _____ 2012, by and between the PINELLAS SUNCOAST TRANSIT AUTHORITY, an independent special district ~~and public agency~~ of the State of Florida (hereinafter referred to as "PSTA"), the CITY OF ST. PETE BEACH (SPB) and the CITY OF TREASURE ISLAND (TI), both of the latter being incorporated municipalities located in Pinellas County, Florida (hereinafter collectively referred to as "CITIES").

WHEREAS, it is the CITIES' plan to provide trolley bus service to promote and improve public transportation for the benefit of residents, visitors, and employees in said CITIES; and

WHEREAS, PSTA has offered to continue providing such service to the CITIES; and

WHEREAS, the current agreement between the parties is effective January 1, 2012 and is scheduled to expire December 31, 2012, however, the parties desire to terminate their prior agreement as of the effective date of this Agreement and for this Agreement to supersede any prior agreement of the parties and, in light thereof, the parties hereby waive any notice requirements for termination under the prior agreement; and

WHEREAS, by this Agreement the parties desire to agree upon the terms and conditions for providing this transportation service.

NOW, THEREFORE, in consideration of the covenants, conditions, and mutual obligations contained herein, the parties agree as follows:

DEFINITIONS

Passenger who boards the trolley means any person boarding a trolley within the city of SPB or TI, whether the passenger pays a fare at the time of boarding or not, except children under the age of five (5) years.

1. **Service, Schedule, Routes, and Equipment.** PSTA will provide trolley bus service to the CITIES in accordance with the schedules and routes as show in Exhibit 1, which is the service

provided by the Suncoast Beach Trolley and the Central Avenue Trolley (the “Fixed Route Services”). PSTA shall provide the Fixed Route Sservices described herein only with a trolley bus. A different vehicle may be substituted (Substituted Vehicle) for a trolley bus, if suitable for public transportation, only because of a mechanical breakdown of a trolley bus and only when there is no backup trolley bus available for service of the route and schedule. In the event the conditions for vehicle substitution occur, in no event shall the Substituted Vehicle remain in service for more than five (5) consecutive days without prior notification to the CITIES. PSTA shall have the authority to utilize a subcontractor to provide all or part of the service, and in that instance, PSTA shall have the sole and exclusive authority to select the subcontractor. The trolley buses utilized for this system shall be maintained in a clean and operable fashion.

~~2. **CITIES' Cost of PSTA Trolley Service.** The CITIES shall pay PSTA an hourly rate of \$84.35 per vehicle for each vehicle hour of operation. The \$84.35 per vehicle hourly rate includes PSTA's compliance with all federal and state rules and regulations.~~

2. **CITIES' Cost of PSTA Trolley Service.** The CITIES shall pay PSTA annual amounts as set forth in **Exhibit 2** and allocated between the CITIES in the following manner:

a. **Fixed Route** - For the portion of the cost related to Fixed Route Services provided to the CITIES, the CITY OF ST. PETE BEACH shall pay two-thirds (2/3rds) of the total cost and the CITY OF TREASURE ISLAND shall pay one-third (1/3rd) of the total cost.

b. **DART Paratransit** – For the portion of the cost related to DART paratransit services, the apportionment shall be based on the actual allocation of contracted DART expenses within each of the ~~two~~ CITIES ~~cities~~ during the first three quarters of the previous fiscal year. (October through June). PSTA will provide ~~both~~ the CITIES an accounting of- this DART cost allocation by July 30th each year to establish the apportionment of DART costs as shown in **Exhibit 2**.

~~3. **Revenue.** The cost of PSTA trolley service described in paragraph 2 shall be reduced 1) by the total passenger revenue collected from passengers who board the trolley in either of the CITIES, and 2) by any state and/or federal grant directly attributed to this Agreement. Total passenger revenue for the purpose of reducing the CITIES' operating cost shall be calculated~~

~~by a credit to the CITIES from the fares paid to PSTA by each passenger that boards the trolley in the CITIES as follows: a credit in the full amount of PSTA's Full Cash Fare for each boarding passenger paying Full Cash Fare (cash or token) or using the Daily Full Fare Unlimited Ride GO Card, the 7-Day Unlimited Ride GO Card, or the 31-day Full Fare Unlimited Ride GO Card; and a credit in the full amount of PSTA's Special Citizen Reduced Cash Fare for each boarding passenger paying a Special Citizen Reduced Cash Fare, Student Reduced Cash Fare, or using a Daily Reduced Fare Unlimited Ride GO Card, or 31-Day Reduced Fare Unlimited Ride GO Card.~~

4. ~~**Subsidy.** In the event that the revenue credited and collected by and paid to PSTA from all sources described in paragraph 3 are insufficient to pay the operating costs as described in paragraph 2, then the CITIES shall reimburse PSTA the difference (subsidy—as illustrated in Exhibit 3) on a monthly basis. The amount of subsidy shall not exceed \$610,896 in Fiscal Year 2011-12. A monthly invoice, in a form approved by the CITIES, shall be submitted to TI with a copy to SPB. Payment of the monthly invoice shall be made to PSTA by TI with in thirty (30) days of receipt of said invoice. The CITIES shall share the cost of the service billed to the CITIES by PSTA as follows: TI shall pay one third (1/3) of the monthly invoice and SPB shall pay two-thirds (2/3) of the invoice. SPB shall pay its share to TI who shall then pay PSTA the full invoice amount.~~

3. **Billing and Payments.** PSTA shall invoice ~~TREASURE ISLAND and ST. PETE BEACH~~the CITIES separately on the 1st day of each month, for the current month, for their respective funding contributions as shown in **Exhibit 2**. Payment shall be made to PSTA immediately upon receipt of an invoice-, but in no case more than thirty (30) days from the date of the invoice.

- 5.4. **Compliance With Law.** PSTA, while in the performance of its duties under this Agreement, shall comply with all federal, state, and local laws applicable to service provided under this Agreement.

- 6.5. **Amendments to Exhibits.** The schedules and routes illustrated on Exhibit 1 are the approved schedules and routes under this Agreement. Any change to the schedules or routes of

Exhibit 1, as they affect the CITIES, shall require the written consent of the parties and shall become an addendum to this Agreement.

~~7.6.~~ **PSTA Regulations.** All applicable regulations, rules, and laws governing the riders of PSTA's service, including but not limited to PSTA's rules regarding the use of transfers or passes, shall be complied with by all riders of the trolley service and shall and may be enforced by PSTA in its sole discretion.

~~8.7.~~ **Uniform Fare Structure.** The fare structure for the trolley service to be provided under this Agreement shall be the same as the fare structure established by PSTA for the other portion of the beach trolley service. PSTA's fare structure in existence as of the start of this Agreement is shown in Exhibit 2 and is subject to revision as deemed appropriate by PSTA, at PSTA's sole discretion.

~~9.8.~~ **Effective Date.** The effective date of this Agreement shall be ~~January 1, 2012~~ October 1, 2012 and shall ~~be continue~~ for a period of one (1) year. This agreement shall supersede all prior agreements and result in the early termination of the prior agreement between the parties, which was scheduled to expire December 31, 2012.

~~10.9.~~ **Termination Without Cause.** This Agreement may be terminated earlier by the parties without cause by providing the other parties with six (6) months prior written notice of termination.

~~11.10.~~ **Hold Harmless.** The parties agree, to the extend allowed by law, to hold the other harmless for the negligent acts or omissions of their employees and officer, and for any violations of federal or state law or regulation, including but not limited to 42 U.S.C., §1983, Title VII of the Civil Rights Act of 1964, as amended, the Civil Rights Act of 1991, the Americans With Disabilities Act, and Chapter 760, Florida Statutes. Nothing contained herein shall be construed as a waiver of any immunity from or limitation of liability the CITIES or PSTA may be entitled to under the doctrine of sovereign immunity or §768.28, Florida Statutes. The obligations contained in this paragraph shall survive termination of this Agreement. The obligation of the CITIES and PSTA to indemnify, defend, and hold harmless the others under this Agreement is limited to the same extend that the CITIES or PSTA would otherwise be

obligated directly to third persons under existing law or to the extent provided under §768.28, Florida Statutes.

~~42.~~11. **Notices.** All notices, requests, demands, deliveries, and other communications which are required or permitted under this Agreement shall be in writing and shall be deemed to have been duly given when delivered personally, when sent by Telex, telegram, or facsimile, or when mailed, registered or certified first class, postage pre-paid, to the persons and addresses set forth below:

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

~~Executive Director~~ Chief Executive Officer
Pinellas Suncoast Transit Authority
3201 Scherer Drive
St. Petersburg, FL 33716

City Manager
City of Treasure Island
120 108th Avenue
Treasure Island, FL 33706

Alan S. Zimmet, PSTA General Counsel
Zimmet, Unice, & Salzman, P.A.
2570 Coral Landings Boulevard, Suite 201
Palm Harbor, FL 34684

Any of the parties may change the persons and addresses to which notices or other communications are to be sent to it by giving written notice of any such change in the manner provided herein for giving notice.

~~43.~~12. **Entire Agreement.** This Agreement, together with the Exhibits hereto, supersedes any and all prior negotiations, oral agreements, and representations made relating to the subject matter of this Agreement and, except for any written agreement, if any, executed and delivered simultaneously with or subsequent to the date of this Agreement, constitutes the entire Agreement of the parties relating to the subject matter hereof. This Agreement may not be altered or amended except by a writing signed by the parties. No waiver of the terms or conditions of this Agreement shall be effective unless in writing and executed by the party to be charged therewith. The waiver of any condition or of the breach of any term, covenant, representation, warranty, or other provision hereof shall not be deemed nor construed as a further or continuing waiver of any condition or breach or a waiver of any condition or breach or a waiver of any condition or of any breach of any other term, covenant, representation, warranty, or other provision contained in this Agreement.

~~14.~~13. **Assignment.** This Agreement shall be binding upon, and shall inure to the benefit of the parties. This Agreement may not be assigned by a party without the written consent of the other parties.

~~15.~~14. **Third Party Rights.** This Agreement shall create no rights or claims whatsoever in any person other than parties to the Agreement.

~~16.~~15. **Severance.** If any one or more of the provisions of this Agreement shall be held to be invalid, illegal, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions hereof shall not in any way be affected or impaired.

Executed this ____ day of _____, 20124

Pinellas Suncoast Transit Authority

Attest

Brad Miller, Chief Executive Officer

Approved as to Form:

Alan Zimmet, PSTA General Counsel

Executed this ____ day of _____, 20124

City of Treasure Island

Attest

Robert Minning, Mayor

City Clerk

Approved as to Form:

City Attorney

Executed this ____ day of _____, 20124

City of St. Pete Beach

Attest

Steve McFarlin, Mayor

City Clerk

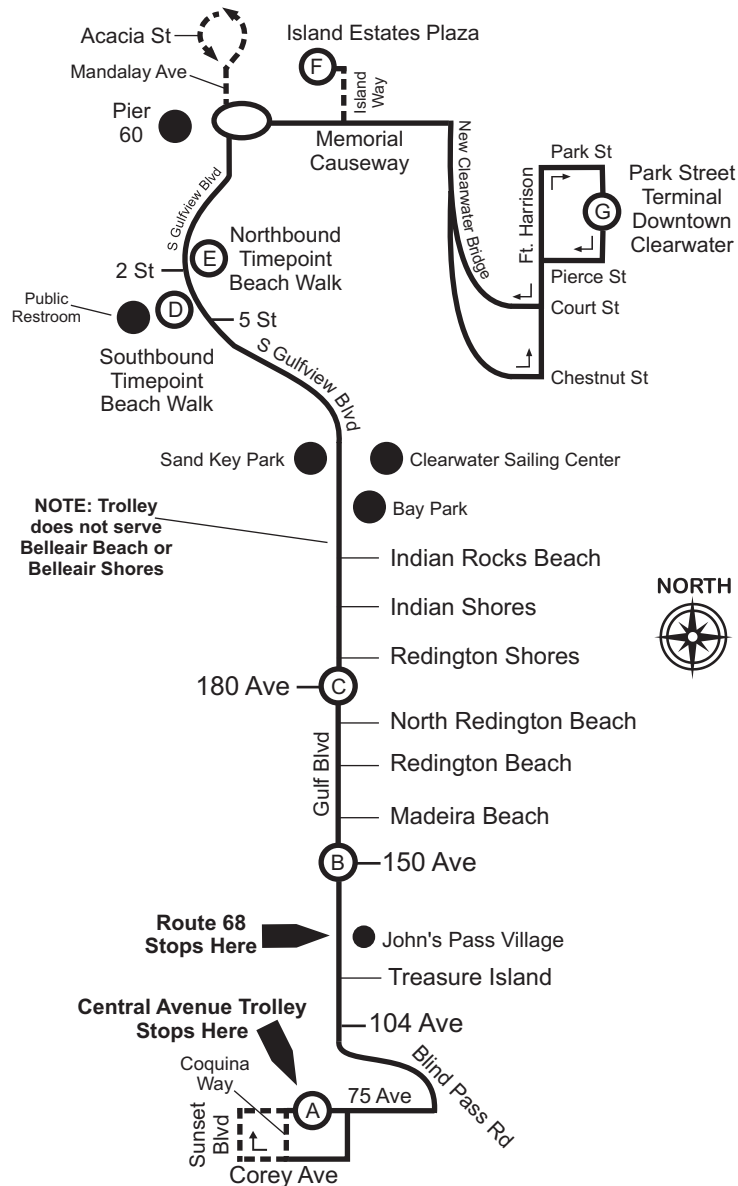
Approved as to Form:

City Attorney

Suncoast Beach TrolleySM

ST. PETE BEACH TO DOWNTOWN CLEARWATER

MONDAY - SUNDAY AND HOLIDAYS



(A) 75 Ave & Gulf Blvd	(B) Gulf Blvd & 150 Ave	(C) Gulf Blvd & 180 Ave	(E) Beach Walk	(F) Island Estates	(G) Park Street Terminal
5:15 % AM	5:28 %	5:32 %	5:55 %	—	6:10 %
5:30 &	5:43 &	5:47 &	6:10 X &	6:18 &	6:35 &
6:00	6:13	6:17	6:40 X	6:48	7:05
6:40	6:53	6:57	7:20 X	7:28	7:45
7:10	7:23	7:27	7:50 X	7:58	8:15
7:30	7:48	7:52	8:20 X	8:28	8:40
8:05	8:23	8:27	8:55 X	9:03	9:15
8:35	8:53	8:57	9:25 X	9:33	9:45
9:15	9:33	9:37	10:05		10:20
9:45	10:03	10:07	10:35		10:55
10:10	10:28	10:32	11:00		11:15
10:45	11:03	11:07	11:35		11:50
11:05	11:23	11:27	11:55		12:10
11:40	11:58	12:02	12:30		12:45
12:10 PM	12:28	12:33	1:00		1:15
12:35	12:53	12:58	1:25		1:40
1:10	1:28	1:33	2:00		2:15
1:30	1:48	1:53	2:20		2:35
2:05	2:23	2:28	2:55		3:10
2:35	2:53	2:58	3:25		3:40
3:00	3:18	3:23	3:50		4:05
3:35	3:53	3:58	4:25		4:40
3:55	4:13	4:18	4:45		5:00
4:35	4:53	4:58	5:25		5:40
5:05	5:23	5:28	5:55		6:10
5:30	5:48	5:53	6:20		6:35
6:05	6:23	6:28	6:55		7:10
6:25	6:43	6:48	7:15		7:30
7:05	7:22	7:27	7:50		8:05
7:30	7:47	7:52	8:15		8:30
7:55	8:12	8:17	8:40		8:55
8:30	8:47	8:52	9:15	—	9:30
8:50	9:07	9:12	9:35	—	9:50
9:25	9:42	9:47	10:10	—	10:25
9:50	10:07	10:11	10:34	—	10:50
10:10 #	10:27 #	10:31 #	10:54 #	—	11:10 #
10:45 #	11:00 #	11:04 #	11:25 #	—	11:40 #
11:05 #	11:20 #	11:24 #	11:45 #	—	12:00 #
11:30 #	11:45 #	11:49 #	12:10 #	—	12:20 #

The Clearwater Jolley Trolley (727) 445-1200 provides circulator service to Clearwater Beach, Island Estates, and Mandalay Ave every day from 10:00 AM to 8:30 PM. Ask your Bus Operator for a transfer or show the Jolley Trolley driver your GO Card and you can ride for free.

- These trips run Friday and Saturday ONLY

Effective 10-7-12

% - This trip runs Monday through Friday ONLY

♿ - Wheelchair Service Provided On All Trips

& - This trip runs Monday through Saturday ONLY

NOTE: Trolley does not serve Belleair Beach or Belleair Shores.

X - Serves Mandalay Ave & Acacia St these trips

TIMES SHOWN ARE SCHEDULED BUT MAY VARY DUE TO TRAFFIC CONDITIONS, WEATHER OR UNFORESEEN EVENTS.

Suncoast Beach TrolleySM

DOWNTOWN CLEARWATER TO ST. PETE BEACH

MONDAY - SUNDAY AND HOLIDAYS

(G) Park Street Terminal	(F) Island Estates	(D) Beach Walk	(C) Gulf Blvd & 180 Ave	(B) Gulf Blvd & 150 Ave	(A) 75 Ave & Gulf Blvd
5:30 AM	—	5:40	5:58	6:04 @	6:30
6:00	—	6:10	6:28	6:34 @	7:00
6:15 X	—	6:30	6:48	6:54 @	7:20
6:45	6:55 X	7:05	7:23	7:29 @	7:55
7:15	7:25 X	7:35	7:53	7:59 @	8:25
7:55	8:05 X	8:15	8:33	8:39 @	9:05
8:25	8:35 X	8:45	9:03	9:11 @	9:35
8:50	9:00 X	9:10	9:28	9:36 @	10:00
9:25	9:35 X	9:45	10:03	10:11	10:35
9:55	The Clearwater Jolley Trolley (727) 445-1200 provides circulator service to Clearwater Beach, Island Estates, and Mandalay Ave every day from 10:00 AM to 8:30 PM. Ask your Bus Operator for a transfer or show the Jolley Trolley driver your GO Card and you can ride for free.	10:05	10:25	10:31	10:55
10:30		10:40	11:00	11:06	11:30
11:00		11:10	11:30	11:36	12:00
11:25		11:35	11:55	12:01	12:25
12:00 PM		12:10	12:30	12:36	1:00
12:20		12:30	12:50	12:56	1:20
12:55		1:05	1:25	1:31	1:55
1:25		1:35	1:55	2:01	2:25
1:50		2:00	2:20	2:26	2:50
2:25		2:35	2:55	3:01	3:25
2:45		2:55	3:15	3:21	3:45
3:20		3:30	3:50	3:56	4:25
3:50		4:00	4:20	4:26	4:55
4:15		4:25	4:45	4:51	5:20
4:50		5:00	5:20	5:26	5:55
5:10		5:20	5:40	5:46	6:15
5:50		6:00	6:20	6:26	6:55
6:20		6:30	6:50	6:56	7:20
6:45		6:55	7:15	7:21	7:45
7:20		7:30	7:50	7:56	8:20
7:40		7:50	8:10	8:16	8:40
8:15		8:25	8:45	8:51	9:15
8:40		8:50	9:10	9:16	9:40
9:05	—	9:15	9:35	9:41	10:05
9:40	—	9:50	10:10	10:18	10:35
10:00	—	10:10	10:30	10:36	11:00
10:35 #	—	10:45 #	11:05 #	11:09 #	11:25 #
11:00 #	—	11:10 #	11:30 #	11:34 #	11:50 #
11:15 #	—	11:25 #	11:45 #	11:49 #	12:05 #
11:40 #	—	11:50 #	12:10 #	12:14 #	12:30 #

- These trips run Friday and Saturday ONLY

X - Serves Mandalay Ave & Acacia St these trips

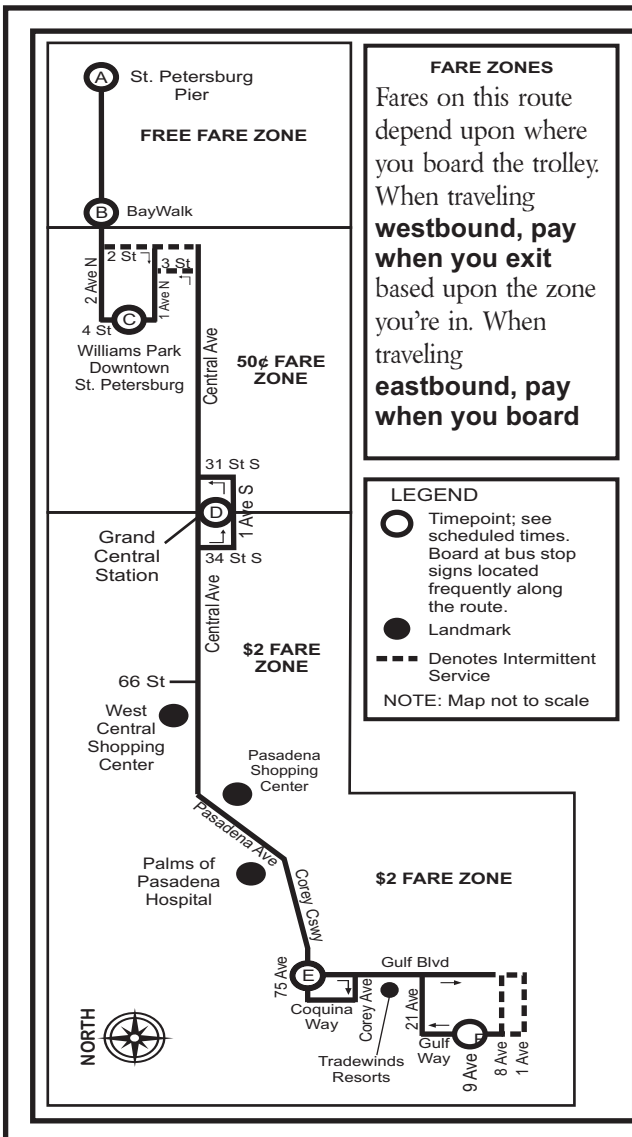
@ - Serves Coquina Way these trips

Effective 10-7-12

♿ - Wheelchair Service Provided On All Trips

NOTE: Trolley does not serve Belleair Beach or Belleair Shores

TIMES SHOWN ARE SCHEDULED BUT MAY VARY DUE TO TRAFFIC CONDITIONS, WEATHER OR UNFORESEEN EVENTS.



Central Avenue Trolley

ST. PETERSBURG PIER
TO ST. PETE BEACH/PASS-A-GRILLE

ST. PETE BEACH/PASS-A-GRILLE TO
ST. PETERSBURG PIER

MONDAY - THURSDAY

(A)	(B)	(C)	(C)	(D)	(E)	(F)	(F)	(E)	(D)	(C)	(B)	(A)
Depart The Pier	BayWalk	Arrive Williams Park	Depart Williams Park	Grand Central Station	75 Ave & Gulf Blvd	9 Ave & Gulf Way	9 Ave & Gulf Way	75 Ave & Gulf Blvd	Grand Central Station	Williams Park	BayWalk	Arrive The Pier
—	—	—	—	6:10	6:30	6:45	6:50	7:10	6:55	7:10	—	—
—	—	—	6:20	6:35	7:00	7:15	7:15	7:30	7:55	8:10	—	—
—	—	—	6:35	6:50	7:10	7:25	7:30	7:50	8:15	8:30	—	—
—	—	—	6:50	7:05	7:25	7:40	7:45	8:05	8:30	8:45	—	—
—	—	—	7:05	7:20	7:40 X	7:55	8:00	8:20	8:45	9:00	—	—
—	—	—	7:20	7:35	7:55	8:10	8:15	8:35	9:00	9:15	—	—
—	—	—	7:35	7:50	8:10	8:25	8:30	8:50	9:15	9:30	—	—
—	—	—	8:00	8:15	8:35 X	8:50	9:00	9:20	9:45	10:00	10:01	10:05
—	—	—	8:25	8:40	9:00 X	9:15	9:25	9:45	10:10	10:25	10:26	10:30
—	—	—	8:55	9:10	9:30 X	9:45	9:50	10:10	10:35	10:55	10:56	11:00
—	—	—	9:25	9:40	10:00	10:15	10:25	10:45	11:10	11:25	11:26	11:30
—	—	—	—	—	—	—	—	—	—	11:40	11:41	11:45
—	—	—	9:55	10:10	10:30 X	10:45	11:00	11:15	11:40	11:55	11:56	12:00
—	—	—	—	—	—	—	—	11:30	11:55	12:10	12:11	12:15
10:05AM	10:08	10:20	10:25	10:40	11:00	11:15	11:25	11:45	12:10	12:25	12:26	12:30
—	—	—	—	—	—	—	—	—	—	12:40	12:41	12:45
10:30	10:33	10:45	10:55	11:10	11:30 X	11:45	11:55	12:15	12:40	12:55	12:56	1:00
11:00	11:03	11:15	11:25	11:40	12:00 X	12:20	12:30	12:50	1:15	1:30	1:31	1:35
11:30	11:33	11:45	11:55	12:10	12:30	12:50	1:00	1:20	1:45	2:00	2:01	2:05
11:45	11:48	12:05	12:15	12:30	12:50	1:10	1:20	1:40	2:05	2:20	—	—
12:00PM	12:03	12:15	12:25	12:40	1:00	1:20	1:30	1:50	2:15	2:30	2:31	2:35
12:15	12:18	12:30	12:40	12:55	1:15 X	1:35	1:50	2:10	2:35	2:50	—	—
12:30	12:33	12:45	12:55	1:10	1:30	1:50	2:00	2:20	2:45	3:00	3:01	3:05
12:45	12:48	1:00	1:10	1:25	1:45	2:05	2:15	2:35	3:00	3:15	3:16	3:20
1:00	1:03	1:15	1:25	1:40	2:00 X	2:20	2:30	2:50	3:15	3:30	3:31	3:35
—	—	—	—	—	—	—	—	—	—	3:45	3:46	3:50
1:35	1:38	1:50	2:00	2:15	2:35	2:55	3:05	3:25	3:50	4:05	4:06	4:10
—	—	—	—	—	—	—	—	—	—	4:20	4:21	4:25
2:05	2:08	2:20	2:30	2:45	3:05 X	3:25	3:35	3:55	4:20	4:35	4:36	4:40
2:35	2:38	2:50	3:00	3:15	3:35	3:55	4:00	4:20	4:45	5:00	5:01	5:05
3:05	3:08	3:20	3:25	3:40	4:00 X	4:20	4:25	4:45	5:10	5:30	—	—
3:20	3:23	3:35	3:45	4:00	4:20	4:40	4:50	5:10	5:35	5:50	—	—
3:35	3:38	3:50	4:00	4:15	4:35	4:55	5:05	5:20	5:45	6:00	—	—
3:50	3:53	4:05	4:15	4:30	4:50 X	5:10	5:20	5:40	6:05	6:20	—	—
4:10	4:13	4:25	4:35	4:50	5:10	5:30	5:40	6:00	6:25	6:40	—	—
4:25	4:28	4:40	4:50	5:05	5:25	5:45	5:55	6:10	6:35	6:50	—	—
4:40	4:43	4:55	5:05	5:20	5:40 X	6:00	6:10	6:30	6:55	7:15	—	—
5:05	5:08	5:20	5:30	5:45	6:05	6:25	6:35	6:55	7:20	7:35	—	—
—	—	5:50	6:00	6:15	6:35	6:50	7:00	7:15	7:35	7:50	—	—
—	—	6:00	6:10	6:25	6:45	7:05	7:15	7:35	8:00	8:15	—	—
—	—	6:20	6:30	6:45	7:05	7:25	7:35	7:55	8:20	8:35	—	—
—	—	7:15	7:25	7:40	8:00	8:15	8:25	8:45	9:05	9:20	—	—
—	—	7:35	7:45	8:00	8:20	8:40	8:50	9:10	9:30	9:45	—	—
—	—	7:50	8:05	8:20	8:40	9:00	9:05	9:25	9:45	10:00	—	—
—	—	8:35	8:45	9:00	9:20	9:40	9:50	10:10	10:30	10:45	—	—
—	—	9:20	9:25	9:40	10:05	10:25	10:25	10:45	11:05	11:20	—	—
—	—	9:45	9:45	10:00	10:35	10:50	10:50	11:05	11:25	—	—	—
—	—	10:05	10:10	10:25	11:00	—	—	—	—	—	—	—

FRIDAY

(A)	(B)	(C)	(C)	(D)	(E)	(F)	(F)	(E)	(D)	(C)	(B)	(A)
Depart The Pier	BayWalk	Arrive Williams Park	Depart Williams Park	Grand Central Station	75 Ave & Gulf Blvd	9 Ave & Gulf Way	9 Ave & Gulf Way	75 Ave & Gulf Blvd	Grand Central Station	Williams Park	BayWalk	Arrive The Pier
—	—	—	—	6:10	6:30	6:45	6:50	7:10	6:55	7:10	—	—
—	—	—	6:20	6:35	7:00	7:15	7:15	7:30	7:55	8:10	—	—
—	—	—	6:35	6:50	7:10	7:25	7:30	7:50	8:15	8:30	—	—
—	—	—	6:50	7:05	7:25	7:40	7:45	8:05	8:30	8:45	—	—
—	—	—	7:05	7:20	7:40 X	7:55	8:00	8:20	8:45	9:00	—	—
—	—	—	7:20	7:35	7:55	8:10	8:15	8:35	9:00	9:15	—	—
—	—	—	7:35	7:50	8:10	8:25	8:30	8:50	9:15	9:30	—	—
—	—	—	8:00	8:15	8:35 X	8:50	9:00	9:20	9:45	10:00	10:01	10:05
—	—	—	8:25	8:40	9:00 X	9:15	9:25	9:45	10:10	10:25	10:26	10:30
—	—	—	8:55	9:10	9:30 X	9:45	9:50	10:10	10:35	10:55	10:56	11:00
—	—	—	9:25	9:40	10:00	10:15	10:25	10:45	11:10	11:25	11:26	11:30
—	—	—	—	—	—	—	—	—	—	11:40	11:41	11:45
—	—	—	9:55	10:10	10:30 X	10:45	10:55	11:15	11:40	11:55	11:56	12:00
—	—	—	—	—	—	—	—	11:30	11:55	12:10	12:11	12:15
10:05AM	10:08	10:20	10:25	10:40	11:00	11:15	11:25	11:45	12:10	12:25	12:26	12:30
—	—	—	—	—	—	—	—	—	—	12:40	12:41	12:45
10:30	10:33	10:45	10:55	11:10	11:30 X	11:45	11:55	12:15	12:40	12:55	12:56	1:00
11:00	11:03	11:15	11:25	11:40	12:00 X	12:20	12:30	12:50	1:15	1:30	1:31	1:35
11:30	11:33	11:45	11:55	12:10	12:30	12:50	1:00	1:20	1:45	2:00	2:01	2:05
11:45	11:48	12:05	12:15	12:30	12:50	1:10	1:20	1:40	2:05	2:20	—	—
12:00PM	12:03	12:15	12:25	12:40	1:00	1:20	1:30	1:50	2:15	2:30	2:31	2:35
12:15	12:18	12:30	12:40	12:55	1:15 X	1:35	1:50	2:10	2:35	2:50	—	—
12:30	12:33	12:45	12:55	1:10	1:30	1:50	2:00	2:20	2:45	3:00	3:01	3:05
12:45	12:48	1:00	1:10	1:25	1:45	2:05	2:15	2:35	3:00	3:15	3:16	3:20
1:00	1:03	1:15	1:25	1:40	2:00 X	2:20	2:30	2:50	3:15	3:30	3:31	3:35
—	—	—	—	—	—	—	—	—	—	3:45	3:46	3:50
1:35	1:38	1:50	2:00	2:15	2:35	2:55	3:05	3:25	3:50	4:05	4:06	4:10
—	—	—	—	—	—	—	—	—	—	4:20	4:21	4:25
2:05	2:08	2:20	2:30	2:45	3:05 X	3:25	3:35	3:55	4:20	4:35	4:36	4:40
2:35	2:38	2:50	3:00	3:15	3:35	3:55	4:00	4:20	4:45	5:00	5:01	5:05
3:05	3:08	3:20	3:25	3:40	4:00 X	4:20	4:25	4:45	5:10	5:30	5:31	5:35
3:20	3:23	3:35	3:45	4:00	4:20	4:40	4:50	5:10	5:35	5:50	—	—
3:35	3:38	3:50	4:00	4:15	4:35	4:55	5:05	5:20	5:45	6:00	6:01	6:05
3:50	3:53	4:05	4:15	4:30	4:50 X	5:10	5:20	5:40	6:05	6:20	—	—
4:10	4:13	4:25	4:35	4:50	5:10	5:30	5:40	6:00	6:25	6:40	—	—
4:25	4:28	4:40	4:50	5:05	5:25	5:45	5:55	6:10	6:35	6:50	6:51	6:55
4:40	4:43	4:55	5:05	5:20	5:40 X	6:00	6:10	6:30	6:55	7:15	7:16	7:20
5:05	5:08	5:20	5:30	5:45	6:05	6:25	6:35	6:55	7:20	7:35	—	—
5:35	5:38	5:50	6:00	6:15	6:35	6:50	7:00	7:15	7:35	7:50	7:51	7:55
—	—	6:00	6:10	6:25	6:45	7:05	7:15	7:35	8:00	8:15	8:16	8:20
6:05	6:08	6:20	6:30	6:45	7:05	7:25	7:35	7:55	8:20	8:35	8:36	8:40
6:55	6:58	7:10	7:20	7:35	7:55	8:15	8:25	8:45	9:05	9:20	9:21	9:25
7:20	7:23	7:35	7:45	8:00	8:20	8:40	8:50	9:10	9:30	9:45	9:46	9:50
7:55	7:58	8:10	8:15	8:30	8:50	9:10	9:10	9:25	9:45	10:05	10:06	10:10
8:20	8:23	8:35	8:45	9:00	9:20	9:40	9:50	10:10	10:30	10:45	10:46	10:50
8:40	8:43	8:55	9:05	9:20	9:40	10:00	10:10	10:30	10:50	11:05	11:06	11:10
9:25	9:28	9:40	9:45	10:00	10:25	10:45	10:45	11:05	11:25	—	—	—
9:50	9:53	10:05	10:10	10:25	10:45	11:00	11:00	11:15	11:35	—	—	—
10:10	10:13	10:25	10:30	10:45	11:05	11:20	11:20	11:35	11:55	—	—	—
10:50	10:53	11:05	11:10	11:25	—	—	—	—	—	—	—	—
11:10	11:13	11:25	11:40	—	—	—	—	—	—	—	—	—

♿ - Wheelchair Access Provided On All Trips

Central Avenue Trolley

ST. PETERSBURG PIER
TO ST. PETE BEACH/PASS-A-GRILLE

ST. PETE BEACH/PASS-A-GRILLE TO
ST. PETERSBURG PIER

SATURDAY

(A)	(B)	(C)	(C)	(D)	(E)	(F)	(G)	(G)	(F)	(E)	(D)	(C)	(B)	(A)
Depart The Pier	BayWalk	Arrive Williams Park	Depart Williams Park	Grand Central Station	Central & 66 St	75 Ave & Gulf Blvd	9 Ave & Gulf Way	9 Ave & Gulf Way	75 Ave & Gulf Blvd	Central Ave & 66 St	Grand Central Station	Williams Park	BayWalk	Arrive The Pier
—	—	—	—	—	—	—	—	—	6:30	6:38	6:55	7:10	—	—
—	—	—	—	6:10	6:19	6:30	6:45	6:50	7:10	7:18	7:35	7:50	—	—
—	—	—	6:20	6:35	6:44	7:00	7:15	7:15	7:30	7:38	7:55	8:10	—	—
—	—	—	6:50	7:05	7:14	7:25X	7:40	7:45	8:05	8:13	8:30	8:45	—	—
—	—	—	7:20	7:35	7:44	7:55	8:10	8:15	8:35	8:43	9:00	9:15	—	—
—	—	—	8:00	8:15	8:24	8:35X	8:50	9:00	9:20	9:28	9:45	10:00	10:01	10:05
—	—	—	8:25	8:40	8:49	9:00	9:15	9:25	9:45	9:53	10:10	10:25	10:26	10:30
—	—	—	8:55	9:10	9:19	9:30X	9:45	9:50	10:10	10:19	10:35	10:55	10:56	11:00
—	—	—	9:25	9:40	9:49	10:00	10:15	10:25	10:45	10:54	11:10	11:25	11:26	11:30
—	—	—	9:55	10:10	10:19	10:30X	10:50	10:55	11:10	11:19	11:35	11:55	11:56	12:00
10:05AM	10:08	10:20	10:25	10:40	10:49	11:00	11:15	11:25	11:45	11:54	12:10	12:30	12:31	12:35
10:30	10:33	10:45	10:55	11:10	11:19	11:30X	11:45	11:55	12:15	12:24	12:40	12:55	12:56	1:00
11:00	11:03	11:15	11:25	11:40	11:49	12:00	12:20	12:30	12:50	12:59	1:15	1:30	1:31	1:35
11:30	11:33	11:45	11:55	12:10	12:19	12:30X	12:50	1:00	1:20	1:29	1:45	2:00	2:01	2:05
12:00PM	12:03	12:15	12:25	12:40	12:49	1:00	1:20	1:30	1:50	1:59	2:15	2:30	2:31	2:35
12:35	12:38	12:50	1:00	1:15	1:24	1:35X	1:55	2:05	2:25	2:34	2:50	3:05	3:06	3:10
1:00	1:03	1:15	1:25	1:40	1:49	2:00	2:20	2:30	2:50	2:59	3:15	3:30	3:31	3:35
1:35	1:38	1:50	2:00	2:15	2:24	2:35X	2:55	3:05	3:25	3:34	3:50	4:05	4:06	4:10
2:05	2:08	2:20	2:30	2:45	2:54	3:05	3:25	3:35	3:55	4:04	4:20	4:35	4:36	4:40
2:35	2:38	2:50	3:00	3:15	3:24	3:35X	3:55	4:00	4:20	4:29	4:45	5:00	5:01	5:05
3:10	3:13	3:25	3:30	3:35	3:54	4:05	4:25	4:30	4:50	4:59	5:15	5:30	5:31	5:35
3:35	3:38	3:50	4:00	4:15	4:24	4:35X	4:55	5:05	5:20	5:29	5:45	6:00	6:01	6:05
4:10	4:13	4:25	4:35	4:50	4:59	5:10	5:30	5:40	6:00	6:09	6:25	6:40	6:41	6:45
4:40	4:43	4:55	5:05	5:20	5:29	5:40X	6:00	6:10	6:30	6:39	6:55	7:15	7:16	7:20
5:05	5:08	5:20	5:30	5:45	5:54	6:05	6:25	6:35	6:55	7:04	7:20	7:35	—	—
5:35	5:38	5:50	6:00	6:15	6:24	6:35X	6:50	7:00	7:15	7:22	7:35	7:50	7:51	7:55
—	—	6:00	6:10	6:25	6:34	6:45	7:05	7:15	7:35	7:42	8:00	8:15	8:16	8:20
6:05	6:08	6:20	6:30	6:45	6:54	7:05	7:25	7:35	7:55	8:02	8:20	8:35	8:36	8:40
6:45	6:48	7:00	7:10	7:25	7:32	7:45	8:05	8:15	8:35	8:42	8:55	9:10	9:11	9:15
7:20	7:23	7:35	7:45	8:00	8:07	8:20	8:40	8:50	9:10	9:17	9:30	9:45	9:46	9:50
7:55	7:58	8:10	8:15	8:30	8:37	8:50	9:05	9:10	9:25	9:32	9:45	10:05	10:06	10:10
8:20	8:23	8:35	8:45	9:00	9:07	9:20	9:40	9:50	10:10	10:17	10:30	10:45	10:46	10:50
8:40	8:43	8:55	9:05	9:20	9:27	9:40	10:00	10:10	10:30	10:37	10:50	11:05	11:06	11:10
9:15	9:18	9:30	9:35	9:50	9:57	10:15	10:35	10:35	10:55	11:02	11:15	11:30	—	—
9:50	9:53	10:05	10:10	10:25	10:32	10:45	11:00	11:00	11:15	11:22	11:35	—	—	—
10:10	10:13	10:25	10:30	10:45	10:52	11:05	11:20	11:20	11:35	11:42	11:55	—	—	—
10:50	10:53	11:05	11:10	11:25	—	—	—	—	—	—	—	—	—	—
11:10	11:13	11:25	11:25	11:40	—	—	—	—	—	—	—	—	—	—

SUNDAY

(A)	(B)	(C)	(C)	(D)	(E)	(F)	(G)	(G)	(F)	(E)	(D)	(C)	(B)	(A)
Depart The Pier	BayWalk	Arrive Williams Park	Depart Williams Park	Grand Central Station	Central & 66 St	75 Ave & Gulf Blvd	9 Ave & Gulf Way	9 Ave & Gulf Way	75 Ave & Gulf Blvd	Central Ave & 66 St	Grand Central Station	Williams Park	BayWalk	Arrive The Pier
—	—	—	—	6:10	6:19	6:30	6:45	6:50	7:10	7:18	7:35	7:50	—	—
—	—	—	6:20	6:35	6:44	7:00	7:15	7:15	7:30	7:38	7:55	8:10	—	—
—	—	—	6:50	7:05	7:14	7:25	7:40	7:45	8:05	8:13	8:30	8:45	—	—
—	—	—	7:20	7:35	7:44	7:55	8:10	8:15	8:35	8:43	9:00	9:15	—	—
—	—	—	8:00	8:15	8:24	8:35X	8:50	9:00	9:20	9:28	9:45	10:00	10:01	10:05
—	—	—	8:25	8:40	8:49	9:00	9:15	9:25	9:45	9:53	10:10	10:25	10:26	10:30
—	—	—	8:55	9:10	9:19	9:30X	9:45	9:50	10:10	10:19	10:35	10:55	10:56	11:00
—	—	—	9:25	9:40	9:49	10:00	10:15	10:25	10:45	10:54	11:10	11:25	11:26	11:30
—	—	—	9:55	10:10	10:19	10:30X	10:50	10:55	11:10	11:19	11:35	11:55	11:56	12:00
10:05AM	10:08	10:20	10:25	10:40	10:49	11:00	11:15	11:25	11:45	11:54	12:10	12:30	12:31	12:35
10:30	10:33	10:45	10:55	11:10	11:19	11:30X	11:45	11:55	12:15	12:24	12:40	12:55	12:56	1:00
11:00	11:03	11:15	11:25	11:40	11:49	12:00	12:20	12:30	12:50	12:59	1:15	1:30	1:31	1:35
11:30	11:33	11:45	11:55	12:10	12:19	12:30X	12:50	1:00	1:20	1:29	1:45	2:00	2:01	2:05
12:00PM	12:03	12:15	12:25	12:40	12:49	1:00	1:20	1:30	1:50	1:59	2:15	2:30	2:31	2:35
12:35	12:38	12:50	1:00	1:15	1:24	1:35X	1:55	2:05	2:25	2:34	2:50	3:05	3:06	3:10
1:00	1:03	1:15	1:25	1:40	1:49	2:00	2:20	2:30	2:50	2:59	3:15	3:30	3:31	3:35
1:35	1:38	1:50	2:00	2:15	2:24	2:35X	2:55	3:05	3:25	3:34	3:50	4:05	4:06	4:10
2:05	2:08	2:20	2:30	2:45	2:54	3:05	3:25	3:35	3:55	4:04	4:20	4:35	4:36	4:40
2:35	2:38	2:50	3:00	3:15	3:24	3:35X	3:55	4:00	4:20	4:29	4:45	5:00	5:01	5:05
3:10	3:13	3:25	3:30	3:45	3:54	4:05	4:25	4:30	4:50	4:59	5:15	5:30	—	—
3:35	3:38	3:50	4:00	4:15	4:24	4:35X	4:55	5:05	5:20	5:29	5:45	6:00	—	—
4:10	4:13	4:25	4:35	4:50	4:59	5:10	5:30	5:40	6:00	6:09	6:25	6:40	—	—
4:40	4:43	4:55	5:05	5:20	5:29	5:40X	6:00	6:10	6:30	6:39	6:55	7:15	—	—
5:05	5:08	5:20	5:30	5:45	5:54	6:05	6:25	6:35	6:55	7:04	7:20	7:35	—	—
—	—	6:00	6:10	6:25	6:34	6:45X	7:05	7:15	7:35	7:42	8:00	8:15	—	—
—	—	6:40	6:50	7:05	7:14	7:25	7:45	7:55	8:15	8:22	8:40	8:55	—	—
—	—	7:15	7:25	7:40	7:47	8:00	8:20	8:30	8:50	8:57	9:10	9:25	—	—
—	—	7:35	7:45	8:00	8:07	8:20	8:40	8:50	9:10	9:17	9:30	9:45	—	—
—	—	8:15	8:25	8:40	8:47	9:00	9:15	9:20	9:35	9:42	9:55	10:10	—	—
—	—	8:55	9:05	9:20	9:27	9:40	10:00	10:05	10:20	10:27	10:40	10:55	—	—
—	—	9:25	9:35	9:50	9:57	10:10	10:30	10:35	10:50	10:57	11:10	11:25	—	—
—	—	9:45	9:50	10:05	10:12	10:30	10:50	10:50	11:10	11:17	11:30	11:45	—	—
—	—	10:10	10:15	10:30	10:37	10:50	11:05	11:05	11:20	11:27	11:40	—	—	—

♿ - Wheelchair Service Provided On All Trips

X - These trips serve 1 Ave

EXHIBIT 2

FY2013 COST OF TRANSIT SERVICES & CITY ALLOCATION OCTOBER 1, 2012 – SEPTEMBER 30, 2013

Cost Item	Treasure Island		St. Pete Beach		Total
	Allocation	Amount	Allocation	Amount	
Fixed Route	33%	\$199,733	66%	\$399,466	\$599,199
DART Paratransit	60%	\$17,461	40%	\$11,640	\$29,101
TOTAL		\$217,194		\$411,106	\$628,300

St. Pete Beach City Commission
Agenda Report

Issue Considered: Authorize the City Manager to accept a proposal from L.S. Curb Service, Inc. in the amount of \$25,021.50 to install curb at the 20th Ave street end.

Date: September 25, 2012

Prepared By: Renee Cooper, CIP Construction Manager

Through: Steven J. Hallock, Public Services Director

Summary of Issue: Following the completion of two CIP projects at the 20th Ave street end, the City needs to complete the overall site restoration. Lift Station 4 rehabilitation was completed in February 2012. The new seawall at the 20th Ave street end was completed in July 2012. As a part of the Lift Station rehabilitation project, the City demolished the old lift station control building, but left the concrete deck to be incorporated into site improvements. Site improvements will include an asphalt paved driveway, landscaped islands, and parking spaces. These street end improvements will provide usable public space within a City ROW that was once only used as access to the lift station.

The City has unit price contracts in place for concrete and asphalt work. City Staff will complete the landscaping and irrigation portion of the project. Concrete work, including curbed islands and retaining walls, cost \$25,021.50 from L.S. Curb Service. The ramp and hand rail included in the proposal will not be done at this time, but could be added in the future. An additional \$20,000 will be needed for paving and landscape materials bringing the total project budget to \$45,000. Funding for the project is available and coming from the Wastewater Fund since the wastewater lift station rehabilitation was the cause for the needed restoration. There is also a chance some FEMA funds can be secured as well for mitigation after Tropical Storm Debby.

Requested Motion: "I move to authorize the City Manager to accept a proposal from L.S. Curb Service, Inc. in the amount of \$25,021.50 to install curb at the 20th Ave street end."

Attachments: Concept Drawing
Concrete Curb Proposal

Reviewed by
City Manager: _____

Architectural site plan of a waterfront development. The plan shows a 'MARINA BUILDING' on the left with a 'DOOR' and 'EXISTING SIDEWALK'. To the right is a 'WHARF' area with 'WHARF PARKING', 'WHARF DECK', and 'EXISTING CONCRETE DECK'. A 'LIFT STATION' is located near the building. The plan includes various landscaping elements like trees and shrubs, and labels for 'OVERHEAD ELECTRIC' and 'EXISTING SIDEWALK'. A north arrow is present in the upper right corner.

L.S CURB SERVICE, INC.
ST Pete Beach Proposal Continued
Various Locations 8/13/12

20th Avenue Lift Station Parking Lot

Lift Station Driveway Installation

1	Remove and Replace Type "D" Curb	510	LF	\$18.50	\$9,435.00
2	Excavation and Compaction of Shell Base. Base to Be Spread Over Existing Road. Installation of proposed 6" Thick Concrete Pavement. Reinforced	288	SF	\$5.75	\$1,656.00
3	Demolition, Disposal and Reinstallation of 4" Thick Sidewalk	807	SF	\$4.50	\$3,631.50
4	Installation of HDC Ramps	2	EA	\$825.00	\$1,650.00
5	Installation of 4' Tall Type D Curb Retaining Wall with (2) #3 Rebar Continuous. Including Excavation and Compaction	68	LF	\$48.00	\$3,264.00
	Installation of Concrete Flumes Thru D Curb Island	30	SF	\$8.50	\$255.00
	Installation of Concrete Ramp Over New Retaining Wall and Bay to Concrete Deck 4k PSI with #5 Rebar at 12" OC EW	300	SF	\$55.50	\$16,650.00
	2 Rail Aluminum Handrail Per FDOT SPEC "Pedestrian"	120	LF	\$75.00	\$9,000.00
6	Import Fill and Compaction	190	CY	\$17.00	\$3,230.00
7	Final Grading	1	LS	\$1,900.00	\$1,900.00
8	Sod, Landscaping, Irrigation.	1	LS		
				By	Others
				Estimated Total	\$50,671.50

St. Pete Beach City Commission
Agenda Report

Issue Considered: Authorize the City Manager to waive the bid requirements and contract with Hennessy Construction Services for exterior remediation of Fire Station 22 and Fire Station 23 in the amount of \$329,745.

Date: September 25, 2012

Prepared By: Steven J. Hallock, Public Services Director

Summary of Issue: Within the last year the City has had Preliminary Structural Evaluations and Certified Roofing Inspections completed on the two fire stations. Both pointed to the ever increasing need to perform some major maintenance to the buildings with the goal of sealing them from water leaks in the roofs and walls. Tropical Storm Debby certainly highlighted how bad the water intrusion is and during the damage assessment in addition to drywall, ceiling and carpet damage, mold was discovered in both fire stations. The mold has been removed but will simply return if the water leaks are not stopped, and it's evident now that the roofs, caulking, and wall gaskets have all come to the end of their useful lifespan. As a result, we face the development of significant and expensive structural issues brought on by ongoing water infiltration if we do not address the problem.

Based on all of this information we think the time is now to perform the badly needed major maintenance including roofing, caulking, and painting/sealing at both buildings, removing the old hose tower at Station 22, and removing the hose tower louvers at Station 23. This will seal up the buildings and stop the water infiltration. Because of the urgency to get this work completed City staff worked with Hennessy Construction to develop the project scopes, based upon each building's known deficiencies, and Hennessy Construction formally bid each scope of work as required by the City's purchasing policy.

The fire station major maintenance project is not in the current budget. However, during a review of the Capital Improvement Plan we project a \$345,000 ending fund balance. This is due to several factors with the major ones being receipt of HUD and FRDAP grant monies from previous fiscal years; deferring the Corey Ave Streetscape project, and accounting for receipt of the Infrastructure Sales Surtax from the County. As a result the funding is available within the Capital Improvement Plan to perform the fire station major maintenance project and still remain within the Capital Improvement Plan budget this year.

Another important thing to note is that in the proposed FY 2013 budget we have \$3.0M for Fire Station 22 (FY 2016) and \$2.0M for Fire Station 23 (FY 2017) budgeted for major renovations. Performing the fire station major maintenance project now will extend the lifespan of the buildings and allow the \$5.0M in major renovations to be pushed back to a later date.

Requested Motion: "I move to authorize the City Manager to waive the bid requirements and contract with Hennessy Construction Services for exterior remediation of Fire Station 22 and Fire Station 23 in the amount of \$329,745."

Attachments: Hennessy Proposal Summary

Reviewed by
City Manager: _____

Executive Summary

08/30/2012

St. Pete Beach Fire Stations 22 & 23 Renovations

Hennessy Construction has performed a thorough cost analysis of the scope of work. Below is a summary of the costs.

Station #22 at Pass-A-Grille Way

Soft costs:

Builders Fee	<u>\$6,113.00</u>
Liability Insurance	<u>\$446.00</u>
Permits	<u>\$0.00</u>
Total of soft costs	<u>\$6,559.00</u>

Construction Cost:

Total probable cost of the construction which includes \$10,015.00 contingency is **\$103,611.00**.

Station #22 Grand Total Probable Cost \$110,170.00

Scope of work includes:

- general conditions for six (6) week duration
- asbestos survey
- demolition of existing hose tower
- temporary building protections
- roof perimeter blocking
- 10-year warranty at south low roof and hose tower roof infill
- new through-wall scupper systems
- hose tower sidewall metal panel system
- painting of exterior stucco, sealing of brick, caulking of stucco-to-brick joint, and pressure cleaning
- wall and roof framing, sheathing and steel deck systems, including engineering at tower removal area
- tower endwall louver coping
- plumbing piping relocations at interior tower location due to wall demolition

- electrical demolition at interior tower locations due to wall demolition
- three (3) new fluorescent lights at new roof structure infill area

Station #23 at Gulf Boulevard

Soft costs:

Builders Fee	<u>\$12,183.00</u>
Liability Insurance	<u>\$889.00</u>
Permits	<u>\$0.00</u>
Total of soft costs	<u>\$13,072.00</u>

Construction Cost:

Total probable cost of the construction which includes \$19,961.00 contingency is **\$206,503.00**.

Station #23 Grand Total Probable Cost **\$219,575.00**

Scope of work includes:

- general conditions for eight (8) week duration
- asbestos survey
- demolition of hose tower louvers
- masonry infill of hose tower louver openings
- existing roofing removal and installation of new modified bitumen roof system with 20-year no-dollar-limit warranty
- new perimeter roof blocking lumber
- caulking, painting, sealants, paint covers and stainless steel window fasteners per scope provided in Wilson Kehoe Miller proposal
- removal and replacement of ten (10) soffit vents at under-building parking
- stucco masonry infills at hose tower
- pick up and reset two (2) equipment bay fans to facilitate roofing
- disconnect and reconnect roof fans
- remove and reinstall lightning protection systems to facilitate roofing installation (excludes re-certification of system)

Qualifications

- Permit and impact fees are not included

- Performance & Payment Bond is not included
- Construction power and start-up power costs are not included
- Utility Connection fees are not included
- Hazardous material/asbestos abatement is not included
- Architectural and engineering design fees are not included, except for the exterior wall and roof framing system at Station 22
- Work at both stations is to run concurrently
- Deduct <\$2,330.00> for a 10-year roof warranty in lieu of a 20-year no-dollar-limit warranty roof system at Station 23

Thank you for the opportunity to present our statement of probable costs for this project.

Prepared by:

A handwritten signature in blue ink, appearing to read "Bronson Alexander", is positioned above a horizontal line.

Bronson Alexander, President
Hennessy Construction Services

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

Issue Considered: City Commission position on November Charter amendment

Date: September 25, 2012

Prepared By: Michael P. Bonfield, City Manager

Summary of Issue: The City Commission agreed at the August 28th meeting to consider taking a formal position on the November Charter Amendment.

Requested Motion: N/A

Attachments: N/A

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

Issue Considered: Final Reading for Ordinance 2012-15, providing for amendments to Division 14 of the Land Development Code to allow for outdoor seating as a permitted use in the RFM zoning district.

Date: September 25, 2012

Prepared By: Catherine M. Hartley, AICP, Senior Planner

Summary of Issue: The purpose for this ordinance is to allow the RFM district to have outdoor seating for an eating and drinking establishment as a permitted as many of the nearby character districts do. See table below.

	Restaurant Outdoor Seating		
Zoning	Permitted Use	Conditional Use	Prohibited Use
RFM			
AC			
CC-1			
CC-2			
Large Resort			
TC-1 Corey			
TC-2 - East/West Corey			
BHC			
DCR			
UPV			
BR			

The City Commission approved this ordinance on 1st reading on August 28, 2012.

Requested Motion: “I move to approve Ordinance 2012-15 (read title)”

Attachments: Copy of Ordinance 2012-15

Reviewed by City Manager: _____

CITY OF ST. PETE BEACH

ORDINANCE NO. 2012-15

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENTS TO THE LAND DEVELOPMENT CODE AS IT RELATES TO OUTDOOR SEATING IN THE RFM ZONING DISTRICT; AMENDING DIVISION 14 TO PERMIT OUTDOOR SEATING FOR EATING AND DRINKING ESTABLISHMENTS IN THE RFM ZONING DISTRICT; PROVIDING FOR THE REPEAL OF ORDINANCES, OR PARTS OF ORDINANCES, IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of St. Pete Beach has adopted policies in its Comprehensive Plan encouraging pedestrian friendly and human scale design; and

WHEREAS, the City allows outdoor seating in many of its mixed use districts within the Community Redevelopment Districts; and

WHEREAS, much of the property zoned RFM within the City is proximate to the Community Redevelopment District and consists of similar permitted uses; and

WHEREAS, The Planning Board, acting as the Local Planning Agency, conducted a public hearing regarding these changes on July 31, 2012, noticed pursuant to Florida Statute and Division 3 of the Land Development Code, and unanimously recommended approval of the proposed changes; and

WHEREAS, The City Commission of the City of St. Pete Beach conducted public hearings on August 28, 2012 and September 25, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach; and

WHEREAS, the City Commission finds these text amendments to the Land Development Code promote, protect and improve the health, safety and welfare of the citizens of the City; and

WHEREAS, the City Commission finds these text amendments to the Code of Ordinances 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. The Land Development Code is hereby amended as illustrated in “Exhibit A”.

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 3. If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 4. This Ordinance shall become immediately upon adoption.

STEVE MCFARLIN, MAYOR

FIRST READING: 8/28/2012

PUBLISHED: 8/12/2012

SECOND/FINAL READING 9/25/2012

PUBLISHED:

I, Rebecca Haynes, 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 12th day of September 2012.

Rebecca Haynes, City Clerk

“Exhibit A”

Sec. 14.2. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RFM Resort Facilities Medium District are as follows:

- (a) Clinics.
- (b) Clubs, community service.
- (c) Clubs, private.
- (d) Eating and drinking establishments—Bar (cocktail lounge, saloon) or sit-down restaurant.
- (e) Financial institutions without drive-through service.
- (f) Kennels without outdoor runs.
- (g) Laundries, self-service.
- (h) Offices.
- (i) Printing and copying services.
- (j) Residential dwellings—Multifamily only.
- (k) Retail sales.
- (l) Services, personal/business.
- (m) Social service agencies.
- (n) Transient accommodations—Bed and breakfast inn, hotel or motel, or resort condominium.
- (o) Veterinarians.

(p) Eating and drinking establishment – Sit down restaurant, with or without outdoor seating, outdoor restaurant.

Sec. 14.4. - Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the RFM Resort Facilities Medium District are as follows:

- (a) Assisted living facilities.
- (b) Places of worship.
- (c) Commercial water sports, non-motorized vessels of 16 feet or less in length only.
- (d) Communications facilities.
- (e) Daycare centers/kindergartens.
- (f) Docks, commercial—Classes A, B and C.
- (g) Eating and drinking establishment—Fast food or, beach bar ~~and outdoor restaurant~~.
- (h) Financial institutions with drive-through service.
- (i) Laundry, dry cleaning.

- (j) Parking lots, commercial and/or off-premise.
- (k) Recreational—Commercial recreation; public parks and/or recreational facilities.
- (l) Recycling centers.
- (m) Schools—Public, private and/or commercial.
- (n) Utility substations and/or rights-of-way.
- (o) Vessel for hire businesses.

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

Issue Considered: Final Reading Ordinance 2012-18 setting the millage Rate for Fiscal Year 2013

Date: September 12, 2012

Prepared By: Elaine Edmunds, Finance Director

Summary of Issue: The proposed 3.2819 operating millage (\$3.2819 per \$1,000 of taxable valuation) is .425 mills higher than the current year millage rate and .4286 higher than the rolled-back rate. The proposed millage rate will generate approximately \$6,290,454 in ad valorem taxes which \$833,932 higher than the previous year's tax revenue. The proposed debt service millage is decreased from .0895 to .0878 mills.

The above millage rate will fund the proposed expenditures for fiscal year 2013 with no additional monies going toward reserves. This millage is 15.02% higher than the rolled-back of 2.8533 and will result in an overall increase of tax revenue to the City.

Requested Motion: "I move that Ordinance No. 2012-18 an ordinance of the City of St. Pete Beach, Florida; establishing the ad valorem tax levy of 3.2819 mills and a debt service levy of .0878 mills for the general fund for the fiscal year beginning October 1, 2012 and ending September 30, 2013; providing for an effective date be approved on final reading."

Attachment: Ordinance 2012-18

**Reviewed by
City Manager:**

ORDINANCE NO. 2012-18

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA; ADOPTING A FINAL MILLAGE RATE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013; PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETE BEACH, FLORIDA, DOES ORDAIN:

Section 1. That a millage levy of 3.2819 general and operative levy and 0.0878 debt service levy is hereby fixed and adopted for the fiscal year of the City ending on September 30, 2013 and shall be placed upon the total taxable assessed valuation of property of any kind liable for and subject to taxation by the City of St. Pete Beach, Florida, including real and personal property, lying within the City of St. Pete Beach, Florida.

Section 2. Said monies as raised by the levy of 3.2819 mills, estimated at \$6,290,454 shall be used for the general operation of the City of St. Pete Beach including, but not limited to, salaries, insurance and energy costs and transfers for capital projects for the afore-mentioned fiscal period.

Section 3. Said monies as raised by the levy of 0.0878 mills, estimated at \$168,400, shall be used to pay debt service on the general obligation bonds issued by the City for the Police Building.

Section 4. The fiscal year 2013 operating millage rate of 3.2819 mills is greater than the rolled-back rate of 2.8533 mills by 15.02%.

Section 5. That a certified copy of this ordinance shall be forwarded to the Tax Assessor of Pinellas County, Florida, together with a request that the aforementioned levies be made by his/her office on behalf of the City of St. Pete Beach for the Fiscal Year 2012-2013.

Section 6. This ordinance shall become effective immediately upon its final passage.

Steve McFarlin, Mayor

FIRST READING: _____
PUBLISHED _____
FINAL READING: _____
PUBLIC HEARING: _____

I, Rebecca Haynes, 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 _____, 2012.

Rebecca Haynes, City Clerk

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

Issue Considered: Final Reading – Ordinance 2012-19 Budget Ordinance for FY 2013

Date: September 25, 2012

Prepared By: Elaine Edmunds, Finance Director

Summary of Issue: The FY 2012/13 Budget total for all funds is \$23,540,489. The following is a brief summary by fund.

General Fund The overall General Fund expenditures are expected to increase from \$14,712,754 to \$15,719,188 or approximately 6.8%. This figure includes a transfer to the Capital Projects Fund of \$925,000. The operating millage rate of 3.2819 mills is .425 mills higher than the current year's millage rate and .4286 higher than the rolled-back rate. Therefore there is an increase in property tax revenue of approximately \$833,932.

Wastewater Fund The budget reflects no increase in wastewater fees in FY 2013.

Reclaimed Water The budget reflects no increase in reclaimed water fees in FY 2013.

Stormwater Fund A Stormwater Fund was been established for FY 2011 with a second tier instituted in FY 2012. The revenue for this fund will come from two separate non-ad valorem assessments on all properties in the City.

Capital Improvement Program (CIP) - The CIP includes a variety of improvement projects throughout the City plus the loan payment on the community center. The total amount budgeted for FY 2013 is \$1,747,850.

Requested Motion: "I move that Ordinance No. 2012-19, an ordinance of the City of St. Pete Beach, Pinellas County, Florida; adopting a budget for the fiscal year beginning October 1, 2012 and ending September 30, 2013; providing appropriations; and providing an effective date be approved on final reading."

Attachment: Ordinance No 2012-19

**Reviewed by
City Manager:**

ORDINANCE NO. 2012-19

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA; ADOPTING A BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013; PROVIDING APPROPRIATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 166.241 Florida Statute requires each municipality to adopt a budget and make appropriations for each fiscal year; and

WHEREAS, Section 2.218(b) City Charter provides that the appropriation ordinance shall state in clear and precise terms that the budget is adopted by reference and is made a part of the ordinance and that the amounts therein are appropriated for the purposes and for the accounts indicated; and

WHEREAS, the City Manager has submitted a proposed annual budget to the City Commission as required by Section 4.04(e) of the City Charter; and

WHEREAS, the City Commission deems the proposed expenditures necessary and proper for the operation of the City Government and to provide for the health, safety, and welfare of its citizens.

THE CITY OF ST. PETE BEACH, FLORIDA, DOES ORDAIN:

Section 1. The annual budget for the Fiscal Year beginning October 1, 2012 and ending September 30, 2013, as attached hereto as Exhibit "A" ("the Budget") is adopted by reference and is made a part of this ordinance and the amounts thereon are appropriated for the purposes and for the accounts thereon indicated. The Budget adopts and appropriates the sums of money appropriated for expenditures within each fund as indicated below and as further described in as Exhibit A for the Fiscal Year ending on September 30, 2013:

General Fund	\$15,719,188
Wastewater Fund	\$ 4,277,258
Reclaimed Water	\$ 1,190,817
Stormwater Fund	\$ 605,376
Capital Improvement	\$ 1,747,850

Section 2. That for the period of October 1, 2012 through September 30, 2013 all monies of the City shall be expended as appropriated herein and in accordance with the City Charter and ordinances of the City.

Section 3. This ordinance shall become effective immediately upon its final passage.

Steve McFarlin, Mayor

FIRST READING: _____
PUBLISHED _____
FINAL READING: _____
PUBLIC HEARING: _____

I, Rebecca Haynes, 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 _____, 2012.

Rebecca Haynes, City Clerk

St. Pete Beach City Commission
Agenda Report

Issue Considered: Ordinance 2012-20, Final Reading and Public Hearing, prohibiting bicycle riding on the city sidewalk that is west of the private properties on Sunset Way between 28th and 30th Avenue.

Date: 9/25/12

Prepared By: Steven J. Hallock, Public Services Director

Summary of Issue: The City Commission decided not to remove the sidewalk west of the private properties on Sunset Way between 28th and 30th Avenue at the June 26, 2012 meeting. City staff was asked to make any minor sidewalk repairs needed and install no bicycle riding signs. The repairs have been made and the signage erected. Ordinance 2012-20 simply allows the police to enforce the no bicycle riding if needed.

Requested Motion: "I move to approve Ordinance 2012 -20... (read title.)"

Attachments: Ordinance 2012-20

Reviewed by
City Manager: _____

CITY OF ST. PETE BEACH, FLORIDA
ORDINANCE 2012-20

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENT OF CHAPTER 74 – STREETS AND SIDEWALKS, ARTICLE I – IN GENERAL, SECTION 74-2 OF THE CODE OF ORDINANCES OF THE CITY, PROHIBITING BICYCLE RIDING ON THE CITY SIDEWALK THAT IS WEST OF THE PRIVATE PROPERTIES ON SUNSET WAY BETWEEN 28TH AVENUE AND 30TH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES, IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, notice of this Ordinance has been provided in accordance with applicable law; and

WHEREAS, the city desires to prohibit bicycle riding on the city sidewalk that is west of the private properties on Sunset Way between 28th Avenue and 30th Avenue. Specifically, the city sidewalk located between 27°42'07.96"N 82°44'13.77"W and 27°42'17.64"N 82°44'14.14"W; and

WHEREAS, the City Commission has found this Ordinance to be in the best interest of the health, safety and welfare of the citizens of the City;

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

Section 1. Section 74-2 of the Code of Ordinances of the City of St. Pete Beach, Florida, is hereby amended as follows:

Section 74-2 – ~~Reserved~~ Bicycle riding is prohibited on the city sidewalk west of the private properties on Sunset Way between 28th Avenue and 30th Avenue.

Section 2. If any portion, part or section of the Ordinance is declared invalid, the valid remainder hereof shall remain in full force and effect.

Section 3. All ordinances or parts of Ordinances, in conflict herewith, are hereby repealed, to the extent of such conflict.

Section 4. This Ordinance shall become effective upon passage.

Steve
McFarlin, MAYOR

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

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

Issue Considered: Ordinance 2012-17, First Reading and Public Hearing, providing for amendment to instructor fees section 58-3(F)(5) of the fee ordinance.

Date: September 12, 2012

Prepared By: Jennifer McMahon, Recreation Director

Summary of Issue: Currently, the instructors collect fees for program and classes at the St Pete Beach Community Center and pay the city 10-30% of the fees collected. To be more fiscally responsible and connected to the users, the staff at the St Pete Beach Community Center wish to collect the program or class fees and pay the instructors monthly 10-30%.

Requested Motion: "I move to approve ordinance 2012-17 to amend instructor fees section 58-3(F)(5) of the fee ordinance"

Attachments: Ordinance 2012-17

**Reviewed by
City Manager** ----

ORDINANCE NO. 2012-__

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENT OF SECTION 58-3 OF ARTICLE I OF CHAPTER 58 OF THE CODE OF ORDINANCES, PERTAINING TO PARKS AND RECREATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE ~~ADOPTION~~REPEAL OF ALL ORDINANCES IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission has found this ordinance to be in the best interest of the health, safety and welfare of the citizens of the city;

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

SECTION 1. Section 58-3, of the Code of the City of St. Pete Beach, Florida is amended to read as follows:

Sec. 58-3. – Fees and memberships.

- (a) Tax is included in all recreation fees; excluding rentals and memberships.
- (b) Two proofs of residency are required for the purchase of a pool pass and it shall be valid for one year from the date of purchase.
- (c) A fee shall be assessed on each returned check, regardless of the reason for the return and all related memberships and rights and privileges thereto shall be suspended until reimbursement is received. Reimbursement for returned checks and fees shall be made with cash or money order. Return of a second check shall result in a "cash only" status on all related memberships for a period of one year.
- (d) All daily visitors shall sign in at the front desk and pay a visitors' fee in addition to any other program cost or fee for the use of facilities or attendance of classes.
- (e) Fees charged for classes offered by contract instructors are refundable on a prorated basis when requested in writing during the time period the class is offered.
- (f) Fees shall be charged for the following:
 - (1) Non resident pool card fee.
 - (2) Pool pass.
 - a. Youth/senior.

- b. Adult.
 - c. Family (four members).
 - d. Per additional family members.
- (3) Daily pool admission fee without pool pass.
- (4) Camp programs. Children who attend or have completed kindergarten through completed 5th grade are eligible, for a minimum eight-hour per day, per person.
- The city manager or his/her designee shall adjust the fees for resident parents or guardians of the child participating, who prove financial hardship in accordance with the criteria established by the commission for granting such adjustments.
- (5) Instructor's fees. ~~Each instructor shall~~The City will collect the agreed upon fees from participants. The City will provide the ~~city~~with instructor a percentage of fees collected ~~from their students~~ within a range agreed upon at the signing of their individual contracts. The percentage ranges will vary between ten and 30 percent. This payment ~~must will~~ be paid ~~per month~~ on the first ~~workday of the~~ following month.
- (6) Reserved.
- (7) Sports leagues.
- a. Adult sport leagues, per team, per season.
 - b. Children's sport leagues, per person, per season.
- (8) Reserved.
- (9) Staff programs. Fees shall be established for programs conducted by city recreation staff to cover the costs associated with the program.

SECTION 2. If any portion, part or section of this Ordinance is declared invalid, the valid remainder hereof shall remain in full force and effect.

SECTION 3. All ordinances or parts of ordinances, in conflict herewith, are hereby repealed, to the extent of such conflict.

SECTION 4. This Ordinance shall become effective immediately upon final passage as provided by law.

Steve McFarlin, MAYOR

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

I, Rebecca Haynes, 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 _____, 2012.

Rebecca Haynes City Clerk

Input:	
Document 1 ID	file:///J:/WDOX/DOCS/CLIENTS/25313/001/ORDRES/~VER/1/00694339.DOC
Description	00694339
Document 2 ID	file:///J:/WDOX/DOCS/CLIENTS/25313/001/ORDRES/00694339.DOC
Description	00694339
Rendering set	Standard

Legend:	
<u>Insertion</u>	
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Style change	
Format change	
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Inserted cell	
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Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	7
Deletions	10
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	17

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

Issue Considered: Final Reading – Ordinance 2012-19 Budget Ordinance for FY 2013

Date: September 25, 2012

Prepared By: Elaine Edmunds, Finance Director

Summary of Issue: The FY 2012/13 Budget total for all funds is \$23,540,489. The following is a brief summary by fund.

General Fund The overall General Fund expenditures are expected to increase from \$14,712,754 to \$15,719,188 or approximately 6.8%. This figure includes a transfer to the Capital Projects Fund of \$925,000. The operating millage rate of 3.2819 mills is .425 mills higher than the current year's millage rate and .4286 higher than the rolled-back rate. Therefore there is an increase in property tax revenue of approximately \$833,932.

Wastewater Fund The budget reflects no increase in wastewater fees in FY 2013.

Reclaimed Water The budget reflects no increase in reclaimed water fees in FY 2013.

Stormwater Fund A Stormwater Fund was been established for FY 2011 with a second tier instituted in FY 2012. The revenue for this fund will come from two separate non-ad valorem assessments on all properties in the City.

Capital Improvement Program (CIP) - The CIP includes a variety of improvement projects throughout the City plus the loan payment on the community center. The total amount budgeted for FY 2013 is \$1,747,850.

Requested Motion: "I move that Ordinance No. 2012-19, an ordinance of the City of St. Pete Beach, Pinellas County, Florida; adopting a budget for the fiscal year beginning October 1, 2012 and ending September 30, 2013; providing appropriations; and providing an effective date be approved on final reading."

Attachment: Ordinance No 2012-19

**Reviewed by
City Manager:**

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

Issue Considered: First Reading and Public Hearing of Ordinance 2012-21

Date: September 25, 2012

Prepared By: Catherine Hartley, AICP, CNU-A, Senior Planner

Summary of Issue: In 2011, the City amended the comprehensive plan to allow both the Activity Center and Bayou Residential Districts to allow said districts to pull from the temporary lodging density pools if the density is awarded by the City Commission. The current plan language limits residential and temporary lodging projects over 15 units per acre to have a minimum of a 2 acre site. After further review of the land use maps, it appears that no address is more than 2 acres in size. The “Hotel Zamora”, an unfinished hotel project at 3701 Gulf Boulevard, has been abandoned for many months. The most recent building permit was issued in 2008 and because the permits were not kept active and construction has been halted for some time, the change in land use and zoning has rendered this property a non-conforming use and is considered abandoned. The project was initially approved as a 36 unit hotel with a restaurant. The site is 1.26 acres MOL. As such, the existing structure cannot be used as was initially approved. The City is now proposing amendments to the Comprehensive Plan and LDC to make this and other projects feasible.

The Planning Board reviewed the proposed ordinance at their regular meeting on August 21, 2012. The Board unanimously recommended approval of the ordinance.

Requested Motion: “I move to approve Ordinance 2012-21 (read title)”

Attachments: Ordinance 2012-21.

Reviewed by City Manager: _____

CITY OF ST. PETE BEACH

ORDINANCE NO. 2012-21

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENTS TO THE COMPREHENSIVE PLAN AS THEY RELATE TO THE COMMUNITY REDEVELOPMENT DISTRICT; AMENDING THE BAYOU RESIDENTIAL SUB-DISTRICT REGARDING THE ALLOCATION OF TEMPORARY LODGING UNITS FROM THE DENSITY POOL AND THE REGULATION AND SITE REQUIREMENTS OF TEMPORARY LODGING AND MIXED USES, FURTHER ILLUSTRATED IN EXHIBIT “A”; PROVIDING FOR THE REPEAL OF ORDINANCES, OR PARTS OF ORDINANCES, IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City St. Pete Beach adopted a large scale comprehensive plan amendment, establishing what is known as the Community Redevelopment District via Ordinance 2011-19; and

WHEREAS, changes in the economy and existing uses and parcel sizes in the Bayou Residential District have encouraged the City to re-evaluate and adjust policies in the Comprehensive Plan to allow for more flexibility in the allocation and regulation of temporary lodging units and their accessory commercial uses; and

WHEREAS, the Planning Board of the City of St. Pete Beach conducted a public hearing on August 21, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and found these changes to the Comprehensive Plan to be in the best interest of the citizens of the City of St. Pete Beach; and

WHEREAS, City Commission of the City of St. Pete Beach conducted public hearings on September 25, 2012 and _____, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach; and

WHEREAS, the City Commission finds these text amendments to the Comprehensive Plan to be Consistent with the Goals, Objectives, and Policies of the Comprehensive Plan; and

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

Section 1. The Comprehensive Plan is hereby amended as shown in “Exhibit A”.

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 3. If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 4. This Ordinance shall become effective 30 days from the date of adoption.

STEVE MCFARLIN, MAYOR

LPA NOTICE PUBLISHED: 8/11/2012

LPA PUBLIC HEARING: 8/21/2012

FIRST READING: 9/25/2012

PUBLISHED: 9/16/2012

SECOND READING/ADOPTION HEARING:

PUBLISHED:

I, Rebecca Haynes, 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 _____, 2012

Rebecca Haynes, City Clerk

“Exhibit A”

Proposed text amendments to the Comprehensive Plan

Bayou Residential

Permitted Uses and Standards

- (a) Primary uses – Residential and Temporary Lodging Uses.
- (b) Secondary uses -Commercial ~~uses and office~~ only as a component of a mixed use residential or temporary lodging development.
- (c) Density/Intensity and Height Standards.

1. Residential and ~~Temporary Tourist~~ Lodging use – shall not exceed:

a. 15 dwelling units per acre for an exclusively residential use. ~~_on a buildable site less than two acres; or~~

~~b. 18 dwelling units per acre for an exclusively residential use on a minimum parcel buildable site of two acres; or~~

be. 18 dwelling units per acre for multifamily residential ~~mixed with a commercial use. The maximum floor area ratio for the commercial portion of the mixed use project is 0.3; or~~

c. 40 temporary lodging units per acre not to exceed the density pool allocated,. The temporary lodging use can be mixed with a commercial use. The maximum floor area ratio for the commercial portion of a mixed use project is 0.3

~~or 40 temporary lodging units per acre not to exceed a total of 50 units per project nor the density pool allocated, plus an additional bonus of no less than 0.2 and no more than 0.3 floor area ratio, for the development of a primary residential or tourist lodging project mixed with a secondary retail commercial on a minimum buildable site of two acres; and~~

~~ed.~~ Variances to exceed the maximum density or intensity above as established in this Future Land Use Plan shall be prohibited.

2. Height shall not exceed, and shall be permitted up to the following, subject to any height limitations contained in the City’s LDC:

a. Thirty-five (35) feet above base flood elevation for an exclusively residential use. ~~15 dwelling units per acre or less located on less than a two acre buildable site with a minimum setback of twenty (20) feet from Gulf Boulevard; or~~

~~b. Forty-five (45) feet above base flood elevation for an exclusively residential use exceeding 15 dwelling units per acre located on a minimum two (2) acre buildable site with a minimum setback of thirty (30) feet from Gulf Boulevard; or~~

c. Fifty-four (54) feet above base flood elevation for all other uses. ~~a mixed-use residential, or temporary lodging project with a secondary retail component exceeding 15 residential dwelling units or 20 temporary lodging units per acre located on a minimum parcel size of two acres with a minimum setback of forty (40) feet from Gulf Boulevard; and~~

~~d. Any increases to, including variances to increase, any of the maximum heights set forth above for this Bayou Residential character district shall be prohibited. unless approved by voter referendum, if required by the City Charter.~~

3. The maximum impervious surface ratio shall not exceed:

a. 0.70 for all development; and

b. Variances to exceed the maximum impervious surface ratio above are prohibited.

4. Temporary Lodging Unit Density Pool ("TLU Density Pool") -The City shall establish a TLU Density Pool not to exceed a total of 325 units for the entire TC-2, Bayou Residential, and Activity Center districts and the following shall govern the allocation of density from the TLU Density Pool:

a. The TLU Density Pool shall be allocated to individual projects by ordinance of the City Commission upon request of an individual property owner; and

~~b. Such allocation may be up to but shall not exceed twenty (40) temporary lodging units per acre and further, the cumulative allocation shall not exceed sixty (50) units per development project; and~~

be. The number of available temporary lodging units remaining after such project allocation shall be specified in each City Commission ordinance allocating such units and each such ordinance shall provide that no units beyond those TLU Density Pool units remaining. ~~available to the TC-2 and Activity Center districts shall be allocated to any subsequent temporary lodging use project; and~~

~~d. This limitation shall be absolute and shall apply regardless of the proposed size or density of the project requesting such allocation. Such units shall be established exclusive of any other use provided for in the District.~~

|

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

Issue Considered: First Reading and Public Hearing of Ordinance 2012-22

Date: September 25, 2012

Prepared By: Catherine Hartley, AICP, CNU-A, Senior Planner

Summary of Issue: In 2011, the City amended the comprehensive plan to allow both the Activity Center and Bayou Residential Districts to allow said districts to pull from the temporary lodging density pools if the density is awarded by the City Commission. The current plan language limits residential and temporary lodging projects over 15 units per acre to have a minimum of a 2 acre site. After further review of the land use maps, it appears that no address is more than 2 acres in size. The “Hotel Zamora”, an unfinished hotel project at 3701 Gulf Boulevard, has been abandoned for many months. The most recent building permit was issued in 2008 and because the permits were not kept active and construction has been halted for some time, the change in land use and zoning has rendered this property a non-conforming use and is considered abandoned. The project was initially approved as a 36 unit hotel with a restaurant. The site is 1.26 acres MOL. As such, the existing structure cannot be used as was initially approved. The City is now proposing amendments to the Comprehensive Plan and LDC to make this and other projects feasible.

The Planning Board reviewed the proposed ordinance at their regular meeting on August 21, 2012. The Board unanimously recommended approval of the ordinance.

Requested Motion: “I move to approve Ordinance 2012-22 (read title)”

Attachments: Ordinance 2012-22.

Reviewed by City Manager: _____

CITY OF ST. PETE BEACH

ORDINANCE NO. 2012-22

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENTS TO THE LAND DEVELOPMENT CODE AS THEY RELATE TO THE COMMUNITY REDEVELOPMENT DISTRICT; AMENDING THE BAYOU RESIDENTIAL ZONING DISTRICT REGARDING THE ALLOCATION OF TEMPORARY LODGING UNITS FROM THE DENSITY POOL AND THE REGULATION AND SITE REQUIREMENTS OF TEMPORARY LODGING AND MIXED USES, FURTHER ILLUSTRATED IN EXHIBIT “A”; PROVIDING FOR THE REPEAL OF ORDINANCES, OR PARTS OF ORDINANCES, IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City St. Pete Beach adopted a large scale comprehensive plan amendment, establishing what is known as the Community Redevelopment District via Ordinance 2011-19; and

WHEREAS, 163.3202 Florida Statutes, requires local governments to adopt land development regulations consistent with its adopted comprehensive plan; and

WHEREAS, changes in the economy and existing uses and parcel sizes in the Bayou Residential District have encouraged the City to re-evaluate and adjust regulations in the Comprehensive Plan and Land Development Code to allow for more flexibility in the allocation and regulation of temporary lodging units and their accessory commercial uses; and

WHEREAS, the Planning Board of the City of St. Pete Beach conducted a public hearing on August 21, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and found these changes to the Comprehensive Plan to be in the best interest of the citizens of the City of St. Pete Beach; and

WHEREAS, City Commission of the City of St. Pete Beach conducted public hearings on and noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, the City Commission finds this text amendment to the Land Development Code to be Consistent with the Goals, Objectives, and Policies of the Comprehensive Plan; and

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

Section 1. The Land Development Regulations are hereby amended as shown in “Exhibit A”.

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 3. If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 4. This Ordinance shall become effective 30 days from the date of adoption.

STEVE MCFARLIN, MAYOR

LPA NOTICE PUBLISHED: 8/11/2012

LPA PUBLIC HEARING: 8/21/2012

FIRST READING: 9/25/2012

PUBLISHED: 9/16/2012

SECOND READING/ADOPTION HEARING:

PUBLISHED:

I, Rebecca Haynes, 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 _____, 2012.

Rebecca Haynes, City Clerk

“Exhibit A”

Text amendments to the Land Development Code

Sec. 42.1. - Purpose and intent.

The BR Bayou Residential District is intended to support multi-family residential or temporary lodging projects with limited non-residential uses mixed with the residential uses.

Sec. 42.2. - Permitted primary and secondary uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted primary and secondary uses and structures in the Bayou Residential District are as follows:

Primary Uses:

- (a) Residential uses - Attached single family, two family, and multi-family.

Secondary Uses:

- (a) Commercial ~~or retail~~ uses as a mixed-use component with multi-family residential. ~~(minimum 2 acre site).~~

Sec. 42.3. - Permitted accessory uses and structures.

- (a) Uses and structures, as regulated in sections 6.12 and 6.13, which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures and are not of a nature prohibited. ~~under section 42.5~~

- (b) Home occupations, subject to the conditions set forth in section 6.5 of this Code;

- (c) Temporary structures under the provisions of section 6.11 of this Code;

- (d) Electric vehicle charging stations.

Sec. 42.4. - Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this code, allowable conditional uses in the Bayou Residential District are as follows.

- (a) Residential docks

~~(b) (a)~~ Docks, commercial—Class A
~~(a)(c)~~ Docks, commercial: Class B

~~(c)~~ Temporary Lodging with or without a commercial component, awarded on a first come, first serve basis, to come from the density pool established in the Comprehensive Plan (325 available units for potential use in the Town Center Core Corey Circle, Coquina West, Activity Center, and Bayou Residential Districts).

Sec. 42.5. - Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Bayou Residential District.

Sec. 42.6. - Density and intensity.

- (a) Exclusive rResidential uses shall not exceed 15 units per acre. ~~on a site less than two (2) acres.~~
- ~~(b) Residential uses shall not exceed 18 units per acre on a buildable site two (2) acres or more.~~
- (c) Residential density of up to 18 units per acre ~~on a buildable site of two (2) acres or more only~~ mixed with a commercial non-residential mixed use component with a ~~minimum of 0.2 FAR and~~ a maximum Floor Area Ratio of 0.3. ~~FAR.~~
- (d) 40 temporary lodging units per acre not to exceed ~~a total of 50 units per project nor the~~ density pool allocated. The temporary lodging use can be mixed with a commercial use. The maximum floor area ratio for the commercial portion of a mixed use project is 0.3.

Sec. 42.7. - Height and setbacks.

For the Bayou Residential District, height and setbacks are regulated as follows: ~~front yard setbacks for exclusively residential and temporary loading uses are based on height per the Comprehensive Plan and as follows:~~

Use	Height and Front Yard Setbacks
<u>Exclusive</u> Residential on less than 2 acres	35 feet with a minimum setback of 20 feet from Gulf Blvd.

Residential uses mixed with commercial uses Residential on 2 acres or greater	5445 feet with a minimum setback of 30 feet from Gulf Blvd.
Tourist Lodging <u>with or without a mixed use commercial component</u>	54 feet with a minimum setback of 40 feet from Gulf Blvd.

Other Setback Requirements:

Front Yard for Commercial Mixed with Residential	The Commercial portion of a mixed use development shall be set back a minimum of 15 feet.
Secondary Front:	20 Feet
Side yard:	10 percent of lot width per side; 10 foot minimum setback required.
Rear yard	20 feet. No setback shall be required for any structural pedestrian facilities adjacent to any body of water. Outdoor seating areas for permitted commercial uses may be placed within the required rear yard setback.

Section 42.8. Maximum impervious surface ratio.

Maximum impervious surface ratio (ISR) for all uses: 0.70

Section 42.9. Minimum Off-Street Parking Requirements

Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading.

Section 42.10 Landscaping

Shall be in accordance with the requirements of Division 22 of the Land Development Code, Landscaping and Tree Protection.

Section 42.11 Design Standards

Design standards shall be in accordance with Division 39.

Section 42.12 Signs

Shall be in accordance with Division 26.

ORDINANCE NO. 2012-__

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENT OF SECTION 58-3 OF ARTICLE I OF CHAPTER 58 OF THE CODE OF ORDINANCES PERTAINING TO PARKS AND RECREATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission has found this ordinance to be in the best interest of the health, safety and welfare of the citizens of the city;

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

SECTION 1. Section 58-3, of the Code of the City of St. Pete Beach, Florida is amended to read as follows:

Sec. 58-3. – Fees and memberships.

- (a) Tax is included in all recreation fees; excluding rentals and memberships.
- (b) Two proofs of residency are required for the purchase of a pool pass and it shall be valid for one year from the date of purchase.
- (c) A fee shall be assessed on each returned check, regardless of the reason for the return and all related memberships and rights and privileges thereto shall be suspended until reimbursement is received. Reimbursement for returned checks and fees shall be made with cash or money order. Return of a second check shall result in a "cash only" status on all related memberships for a period of one year.
- (d) All daily visitors shall sign in at the front desk and pay a visitors' fee in addition to any other program cost or fee for the use of facilities or attendance of classes.
- (e) Fees charged for classes offered by contract instructors are refundable on a prorated basis when requested in writing during the time period the class is offered.
- (f) Fees shall be charged for the following:
 - (1) Non resident pool card fee.
 - (2) Pool pass.
 - a. Youth/senior.

- b. Adult.
- c. Family (four members).
- d. Per additional family members.
- (3) Daily pool admission fee without pool pass.
- (4) Camp programs. Children who attend or have completed kindergarten through completed 5th grade are eligible, for a minimum eight-hour per day, per person.

The city manager or his/her designee shall adjust the fees for resident parents or guardians of the child participating, who prove financial hardship in accordance with the criteria established by the commission for granting such adjustments.
- (5) Instructor's fees. The City will collect the agreed upon fees from participants. The City will provide the instructor a percentage of fees collected within a range agreed upon at the signing of their individual contracts. The percentage ranges will vary between ten and 30 percent. This payment will be paid on the first of the following month.
- (6) Reserved.
- (7) Sports leagues.
 - a. Adult sport leagues, per team, per season.
 - b. Children's sport leagues, per person, per season.
- (8) Reserved.
- (9) Staff programs. Fees shall be established for programs conducted by city recreation staff to cover the costs associated with the program.

SECTION 2. If any portion, part or section of this Ordinance is declared invalid, the valid remainder hereof shall remain in full force and effect.

SECTION 3. All ordinances or parts of ordinances, in conflict herewith, are hereby repealed, to the extent of such conflict.

SECTION 4. This Ordinance shall become effective immediately upon final passage as provided by law.

Steve McFarlin, MAYOR

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

Ordinance re: Section 58-3

I, Rebecca Haynes, 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 _____, 2012.

Rebecca Haynes City Clerk

ORDINANCE NO. 2012-23

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, RESCINDING AND REPEALING ALL PRIOR ORDINANCES OR RESOLUTIONS ASSESSING OR IMPOSING THE PREMIUM TAX AUTHORIZED BY SECTION 175.101, FLORIDA STATUTES; WITHDRAWING FROM PARTICIPATION UNDER CHAPTER 175, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Pete Beach, Florida has determined that it is in the best interest of the City, its residents and employees to withdraw from participation in the premium tax revenue sharing program established by Chapters 175, Florida Statutes; and

WHEREAS, sections 175.411, Florida Statutes permits the City to withdraw from participation in Chapters 175, Florida Statutes;

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA AS FOLLOWS:

SECTION 1: Any and all previously adopted ordinances and resolutions imposing the premium tax authorized by sections 175.101, Florida Statutes, or otherwise providing for participation under Chapters 175, Florida Statutes, are hereby rescinded and repealed.

SECTION 2: Notwithstanding any provision of Code of Ordinances to the contrary, the City of St. Pete Beach hereby withdraws from participation under Chapters 175, Florida Statutes, pursuant to section 175.411, Florida Statutes.

SECTION 3: Severability.

If any provision of this Ordinance or the application thereof is held invalid such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications and to this end the provisions of this Ordinance are hereby declared severable.

SECTION 4: Repeal of Ordinances in Conflict.

All other ordinances of the City or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

SECTION 5: Effective Date.

This Ordinance shall take effect on the date of passage upon second and final reading.

Steve McFarlin, Mayor

FIRST READING: _____
PUBLISHED _____
FINAL READING: _____
PUBLIC HEARING: _____

I, Rebecca Haynes, 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 _____, 2012.

Rebecca Haynes, City Clerk

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

Issue Considered: Ordinance 2012-24, amends Chapter 66, Pensions and Retirement, Article IV, Firefighters Retirement System; implementing a benefit freeze; providing for modifications of certain benefits for future service; amending certain definitions; revising employee contributions; revising the vesting period; amending benefit amounts and eligibility; and amending the deferred retirement option plan.

Date: September 25, 2012

Prepared By: Michael P. Bonfield, City Manager

Summary of Issue: This ordinance provides for the changes to the Firefighters' Retirement System the City Commission voted to implement at the August 14th Impasse Hearing.

Requested Motion: "I move to approve Ordinance 2012-24 . . . read title"

Attachments: Ordinance 2012-24

ORDINANCE NO. 2012-24

AN ORDINANCE OF THE CITY OF ST. PETE BEACH,
AMENDING CHAPTER 66, PENSIONS AND
RETIREMENT, ARTICLE IV, FIREFIGHTERS
RETIREMENT SYSTEM; IMPLEMENTING A BENEFIT
FREEZE; PROVIDING FOR MODIFICATIONS OF
CERTAIN BENEFITS FOR FUTURE SERVICE;
AMENDING CERTAIN DEFINITIONS; REVISING
EMPLOYEE CONTRIBUTIONS; REVISING THE
VESTING PERIOD; AMENDING BENEFIT AMOUNTS
AND ELIGIBILITY; AMENDING THE DEFERRED
RETIREMENT OPTION PLAN; PROVIDING FOR
APPLICABILITY; PROVIDING FOR CODIFICATION;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
REPEAL OF ORDINANCES IN CONFLICT; PROVIDING
AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA:

SECTION 1: Section 66-251 of Chapter 66, Article IV, of the City Code of the City of St. Pete Beach is hereby amended to read as follows:

Sec. 66-251. - Definitions.

(a) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

* * *

Salary means for credited service prior to October 1, 2012 shall mean the total compensation for services rendered to the city as a firefighter reportable on the member's W-2 form, excluding single sum payments of accrued sick leave and vacation pay, plus all tax deferred, tax sheltered or tax exempt items of income derived from elective employee payroll deductions or salary reductions. Compensation in excess of the limitations set forth in Section 401(a)(17) of the Code as of the first day of the plan year shall be disregarded for any purpose, including employee contributions or any benefit calculations. The annual compensation of each member taken into account in determining benefits or employee contributions for any plan year beginning on or after January 1, 2002, may not exceed \$200,000.00, as adjusted for cost-of-living increases in accordance with Code Section 401(a)(17)(B). Compensation means compensation during the fiscal year. The cost-of-living adjustment in effect for a calendar year applies to annual compensation for the determination period that begins with or within such calendar year. If the determination period consists of fewer than 12 months, the annual compensation limit is an

amount equal to the otherwise applicable annual compensation limit multiplied by a fraction, the numerator of which is the number of months in the short determination period, and the denominator of which is 12. If the compensation for any prior determination period is taken into account in determining a member's contributions or benefits for the current plan year, the compensation for such prior determination period is subject to the applicable annual compensation limit in effect for that prior period. The limitation on compensation for an "eligible employee" shall not be less than the amount which was allowed to be taken into account hereunder as in effect on July 1, 1993. "Eligible employee" is an individual who was a member before the first plan year beginning after December 31, 1995. Effective October 1, 2012 salary shall be defined in accordance with the provisions of section 66-339.

SECTION 2: A new Section 66-252, of Chapter 66, Article IV of the City Code of the City of St. Pete Beach is created to read as follows:

Sec. 66-252. – Benefit freeze and maximum benefit.

(a) Except as specifically provided in subsection (3) below, and notwithstanding any other provision of the system, the accrued benefits of all active members shall be frozen on September 30, 2012, and such members shall thereafter accrue benefits in accordance with section 66-339. Such members shall be eligible to receive their frozen accrued benefit with no reduction upon termination of employment and attaining age 55 or upon completion of 25 years of credited service. Such members who attain age 50 with 10 years of credited service, or 20 years of credited service regardless of age, shall be eligible to receive their frozen accrued benefit reduced by 3% for each year prior to the member's earliest applicable normal retirement date.

(b) The benefits of members who are employed and not participating in the DROP on September 30, 2012 shall be payable in two parts:

(1) the frozen accrued benefit based credited service, average final compensation and the provisions of the system in effect on September 30, 2012; and

(2) the benefit based on credited service, average final compensation and the provisions of the system in effect on and after October 1, 2012.

(c) Effective October 1, 2012, the maximum combined benefit under the system shall be 75% of average final compensation. Provided, if a member's accrued benefit as of October 1, 2012 is 75% or more of average final compensation, the benefit percentage may not be reduced.

(d) Notwithstanding any other provision of the system, the benefits of members who have attained age 55 or 25 years of credited service as of September 30, 2012 shall not be frozen, and such members shall continue to accrue benefits in accordance with the provisions of the system in effect on September 30, 2012 for as long as they are employed in a position covered by the system.

SECTION 3: Section 66-254 of Chapter 66, Article IV, of the City Code of the City of St. Pete Beach is hereby amended to read as follows:

Sec. 66-254. - Contributions.

(a) *Member contributions.* Contributions to the system shall be subject to the following:

(1) *Amount.* Each member of the system who has attained age 55 or 25 years of credited service on September 30, 2012 shall be required to make regular contributions to the fund in the amount of 10.3 percent of his salary. Members who are employed on September 30, 2012 but have not attained age 55 or 25 years of credited service on that date, and members hired on or after October 1, 2012, shall be required to make contributions to the fund in accordance with section 66-339.

* * *

SECTION 4: Section 66-262 of Chapter 66, Article IV, of the City Code of the City of St. Pete Beach is hereby amended to read as follows:

Sec. 66-262. - Vesting.

* * *

(4) Notwithstanding any other provision of this section 66-262, the provisions of this section shall apply to benefits accruing prior to October 1, 2012. Effective October 1, 2012, for benefits accruing on and after that date, vesting rights shall be as provided in section 66-339; provided, members who are employed on September 30, 2012 and have attained age 55 or 25 years of credited service on that date shall be entitled to a vested benefit in accordance with this section 66-262.

SECTION 5: Section 66-326 of Chapter 66, Article IV, of the City Code of the City of St. Pete Beach is hereby amended to read as follows:

Sec. 66-326. - Benefit amounts and eligibility.

(a) *Normal retirement date.* ~~A member's~~ The normal retirement date for members who retired, entered the DROP or terminated employment with the right to a deferred vested benefit prior to October 1, 2012; and members who are employed on September 30, 2012 and have attained age 55 or 25 years of credited service on that date shall be the first day of the month coincident with or next following the earlier of the attainment of age 55, regardless of years of credited service or the completion of 25 years of credited service, regardless of age. A member may retire on his

normal retirement date or on the first day of any month thereafter, and each member shall become 100 percent vested in his accrued benefit on the member's normal retirement date. Normal retirement under the system is retirement from employment with the city on or after the normal retirement date. The normal retirement date for members who are employed on September 30, 2012 but have not attained age 55 or 25 years of credited service on that date, and members hired on or after October 1, 2012, shall be as provided in section 66-339; provided, members who are employed on September 30, 2012 but have not attained age 55 or 25 years of credited service on that date shall be eligible to receive their frozen accrued benefit through September 30, 2012 upon attaining age 55 or 25 years of credited service, and terminating city employment.

(b) *Normal retirement benefit.* A member retiring hereunder on or after his normal retirement date shall receive a monthly benefit which shall commence on the first day of the month coincident with or next following his retirement and which shall be continued thereafter during the member's lifetime, ceasing upon death, but with 120 monthly payments guaranteed in any event. The monthly retirement benefit for credited service earned prior to October 1, 2012 shall equal 3.4 percent of average final compensation, for each year of credited service. The normal retirement benefit for credited service on and after October 1, 2012 shall be as provided in section 66-339. Notwithstanding any other provision of this subsection, the normal retirement benefit of a member who is employed on September 30, 2012 and has attained age 55 or 25 years of credited service on that date shall equal 3.4 percent of average final compensation for all years of credited service.

(c) *Early retirement date.* A member may retire on his early retirement date which shall be the first day of any month coincident with or next following the attainment of age 50 and the completion of ten years of credited service or the completion of 20 years of credited service regardless of age. Early retirement under the plan is retirement from employment with the city on or after the early retirement date and prior to the normal retirement date. Effective October 1, 2012, there shall be no early retirement date or early retirement benefit; provided, members who are employed on September 30, 2012 but have not attained age 55 or 25 years of credited service on that date shall be eligible to receive their frozen accrued benefit through September 30, 2012 with the 3% reduction provided in subsection (d)(2) below, upon attaining age 50 with 10 years of credited service or 20 years of credited service regardless of age, and terminating city employment.

(d) *Early retirement benefit.* A member retiring hereunder on his early date may receive either a deferred or an immediate monthly retirement benefit payable for life as follows:

(1) A deferred monthly retirement benefit which shall commence on what would have been his normal retirement date had he remained a firefighter and shall be continued on the first day of each month thereafter. The amount of each such deferred monthly retirement benefit shall be determined in the same manner as for retirement as his normal retirement date except that credited service and average final compensation shall be determined as of his early retirement date; or

(2) An immediate monthly retirement benefit which shall commence on his early retirement date and shall be continued on the first day of each month thereafter. The benefit payable shall be as determined in subsection (d)(1) of this section, reduced by three percent

for each year by which the commencement of benefits precedes the date which would have been the member's normal retirement date had he continued employment as a firefighter.

(e) *Cost-of-living adjustment.* The monthly amount payable based on credited service prior to October 1, 2012 to any retiree, including current retirees, and his joint pensioner or beneficiary, if applicable, who retires on or after such member's normal or early retirement date, not including terminated vested persons or disability retirees, shall be subject to an annual cost-of-living adjustment commencing on the first October 1 following seven complete years of receiving retirement income payments. The cost-of-living adjustment shall be three percent of the previous years' benefit amount. There shall be no cost of living adjustment applied to benefits based on credited service on or after October 1, 2012; provided, members who are employed on September 30, 2012 and have attained age 55 or 25 years of credited service on that date shall continue to be eligible for the cost of living adjustment provided in this subsection applied to benefits based on all periods of credited service.

(f) *Required distribution date.* The member's benefit under this section must begin to be distributed to the member no later than April 1 of the calendar year following the later of the calendar year in which the member attains age 70½ or the calendar year in which the member terminates employment with the city.

SECTION 6: Section 66-262 of Chapter 66, Article IV, of the City Code of the City of St. Pete Beach is hereby amended to read as follows:

Sec. 66-335. - Deferred retirement option plan.

(a) *Definitions.* As used in this section 66-335, the following definitions apply:

(1) *DROP* means the City of St. Pete Beach Firefighters' Deferred Retirement Option Plan.

(2) *DROP account* means the account established for each DROP participant under subsection (c).

(b) *Participation.*

(1) *Eligibility to participate.* In lieu of terminating his employment as a firefighter, any member who is eligible for normal retirement under subsection 66-326(a), of the system may, prior to October 1, 2012, elect to defer receipt of such service retirement pension and to participate in the DROP. Notwithstanding any other provision of this section, the DROP shall be closed to new participants effective October 1, 2012, and no member may enter the DROP on or after that date; provided, a member who is employed on September 30, 2012 and has attained age 55 or 25 years of credited service on that date may enter and participate in the DROP on or after October 1, 2012 in accordance with the provisions of this section.

* * *

SECTION 7: A new Section 66-339 of Chapter 66, Article IV of the City Code of the City of St. Pete Beach is created to read as follows:

Sec. 66-339. Benefits Effective October 1, 2012.

(a) Effective October 1, 2012 all members employed on that date who have not attained age 55 or 25 years of credited service, and all members hired on or after that date, shall accrue benefits as provided in this section 66-339. The provision of this section shall not apply to members who have retired, separated from service with the City with the right to a deferred vested benefit, entered DROP or attained normal retirement eligibility prior to October 1, 2012.

(b) Benefit Amounts and Eligibility:

(1) *Normal retirement date.* A member's normal retirement date shall be the first day of the month coincident with or next following the earlier of the attainment of age 60 and completion of 10 years of credited service, or 30 years of credited service regardless of age. Provided, a member with 10 or more years of credited service on September 30, 2012 shall be eligible for normal retirement at age 55 or upon completion of 25 years of credited service, regardless of age. A member may retire on his normal retirement date or on the first day of any month thereafter, and each member shall become 100 percent vested in his accrued benefit on the member's normal retirement date. Normal retirement under the system is retirement from employment with the city on or after the normal retirement date.

(2) *Normal retirement benefit.* A member retiring on or after the normal retirement date shall receive a monthly benefit which shall commence on the first day of the month coincident with or next following his retirement and which shall be continued thereafter during the member's lifetime, ceasing upon death, but with 120 monthly payments guaranteed in any event. The monthly retirement benefit shall equal 1.25 percent of average final compensation for each year of credited service earned on or after October 1, 2012, up to a maximum of 75% of average final compensation. Provided, if a member's accrued benefit as of October 1, 2012 is 75% or more of average final compensation, the benefit percentage may not be reduced.

(3) *No Early retirement.* A member may not receive an immediate or deferred retirement benefit under this section, prior to attaining his or her normal retirement date as defined in this section.

(c) *COLA.* Members accruing benefits under this section shall not be entitled to a cost of living adjustment.

(d) *Vesting.* If a member terminates employment, either voluntarily or by lawful discharge, the member shall be entitled to the following:

(1) With less than 10 years of credited service (including credited service earned prior to October 1, 2012), a member is entitled to a refund of member contributions without interest.

(2) With 10 or more years of credited service (including credited service earned prior to

October 1, 2012) a member is entitled to either:

- a. The pension benefit accrued to the member's date of termination, based on the terms of the plan in effect on such date of termination, payable commencing at the member's otherwise normal retirement date, provided the member does not elect to withdraw his or her member contributions; or
- b. Refund of member contributions without interest.

(e) *Employee contribution.* Effective October 1, 2012 each member of the system shall be required to make regular contributions to the fund in the amount of 3 percent of salary; provided, members who are employed on September 30, 2012 and have attained age 55 or 25 years of credited service on that date shall be required to make regular contributions to the fund in the amount of 10.3 percent of salary.

(f) *DROP.* No member may enter the DROP on or after October 1, 2012. Members already participating in DROP on October 1, 2012 may complete their DROP participation. Provided, members who are employed on September 30, 2012 and have attained age 55 or 25 years of credited service on that date shall be eligible to enter and participate in the DROP on or after October 1, 2012.

SECTION 8: Severability.

If any provision of this Ordinance or the application thereof is held invalid such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications and to this end the provisions of this Ordinance are hereby declared severable.

SECTION 9: Repeal of Ordinances in Conflict.

All other ordinances of the City of St. Pete Beach Florida or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

SECTION 10: Effective Date.

This Ordinance shall take effect on the date of passage upon second and final reading.

Steve McFarlin, Mayor

FIRST READING: _____

PUBLISHED _____

FINAL READING: _____

PUBLIC HEARING: _____

I, Rebecca Haynes, 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 _____, 2012.

Rebecca Haynes, City Clerk

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

Issue Considered: Ordinance 2012-25, amending Chapter 66, Pensions and Retirement, Article II, General Employees' Retirement System; implementing a benefit freeze; providing for modifications of certain benefits for future service; amending certain definitions; revising employee contributions; revising the vesting period; amending benefit amounts and eligibility; and amending the deferred retirement option plan.

Date: September 25, 2012

Prepared By: Michael P. Bonfield, City Manager

Summary of Issue: This ordinance provides for the changes to the General Employees' Retirement System the City Commission voted to implement at the August 14th Impasse Hearing.

Requested Motion: "I move to approve Ordinance 2012-25 . . . read title"

Attachments: Ordinance 2012-25

ORDINANCE NO. 2012-25

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, AMENDING CHAPTER 66, PENSIONS AND RETIREMENT, ARTICLE II, GENERAL EMPLOYEES' RETIREMENT SYSTEM; IMPLEMENTING A BENEFIT FREEZE; PROVIDING FOR MODIFICATIONS OF CERTAIN BENEFITS FOR FUTURE SERVICE; AMENDING CERTAIN DEFINITIONS; REVISING EMPLOYEE CONTRIBUTIONS; REVISING THE VESTING PERIOD; AMENDING BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING THE DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR APPLICABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA:

SECTION 1: Section 66-26 of Chapter 66, Article II, of the City Code of the City of St. Pete Beach is hereby amended to read as follows:

Sec. 66-26. - Definitions.

(a) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

* * *

Salary means for credited service prior to October 1, 2012 shall mean basic earnings received by an employee as compensation for services to the city as a general employee, excluding overtime, standby time, call-back bonus pay, accrued sick leave, sick leave award time, holiday bonus pay, accrued vacation pay and other bonuses and including tax deferred, tax sheltered and tax exempt items of income derived from elective employee payroll deductions or salary reductions. Salary shall also include bonus or premium pay received by a member when working temporarily in a higher pay grade. Compensation in excess of limitations set forth in Section 401(a)(17) of the Code as of the first day of the plan year shall be disregarded for any purpose, including employee contributions or any benefit calculations. The annual compensation of each member taken into account in determining benefits or employee contributions for any plan year beginning on or after January 1, 2002, may not exceed \$200,000.00, as adjusted for cost-of-living increases in accordance with Code Section 401(a)(17)(B). Compensation means compensation during the fiscal year. The cost-of-living adjustment in effect for a calendar year applies to annual

compensation for the determination period that begins with or within such calendar year. If the determination period consists of fewer than 12 months, the annual compensation limit is an amount equal to the otherwise applicable annual compensation limit multiplied by a fraction, the numerator of which is the number of months in the short determination period, and the denominator of which is 12. If the compensation for any prior determination period is taken into account in determining a member's contributions or benefits for the current plan year, the compensation for such prior determination period is subject to the applicable annual compensation limit in effect for that prior period. The limitation on compensation for an "eligible employee" shall not be less than the amount which was allowed to be taken into account under this article as in effect on July 1, 1993. "Eligible employee" is an individual who was a member before the first plan year beginning after December 31, 1995. Effective October 1, 2012 salary shall be defined in accordance with the provisions of section 66-116.

SECTION 2: A new Section 66-34, of Chapter 66, Article II of the City Code of the City of St. Pete Beach is created to read as follows:

Sec. 66-34. – Benefit freeze and maximum benefit.

(a) Except as specifically provided in subsection (d) below, and notwithstanding any other provision of the system, the accrued benefits of all active members shall be frozen on September 30, 2012, and such members shall thereafter accrue benefits in accordance with section 66-116. Such members shall be eligible to receive their frozen accrued benefit with no reduction upon termination of employment and attaining age 55 or upon completion of 25 years of credited service. Such members who attain age 50 with 10 years of credited service shall be eligible to receive their frozen accrued benefit reduced by 3% for each year prior to the member's earliest applicable normal retirement date.

(b) The benefits of members who are employed and not participating in the DROP on September 30, 2012 shall be payable in two parts:

(1) the frozen accrued benefit based credited service, average final compensation and the provisions of the system in effect on September 30, 2012; and

(2) the benefit based on credited service, average final compensation and the provisions of the system in effect on and after October 1, 2012.

(c) Effective October 1, 2012, the maximum combined benefit under the system shall be 75% of average final compensation. Provided, if a member's accrued benefit as of October 1, 2012 is 75% or more of average final compensation, the benefit percentage may not be reduced.

(d) Notwithstanding any other provision of the system, the benefits of members who have attained age 55 or 25 years of credited service as of September 30, 2012 shall not be frozen, and such members shall continue to accrue benefits in accordance with the provisions of the system in effect on September 30, 2012 for as long as they are employed in a position covered by the system.

SECTION 3: Section 66-69 of Chapter 66, Article II, of the City Code of the City of St. Pete Beach is hereby amended to read as follows:

Sec. 66-69. - Contributions.

(a) *Member contributions.* Contributions by members of the general employees' retirement system shall be made as follows:

(1) *Amount.* Every member of the system who has attained age 55 or 25 years of credited service on September 30, 2012 shall be required to make regular contributions to the fund in the amount of seven and six-tenths percent of his salary. Members who are employed on September 30, 2012 but have not attained age 55 or 25 years of credited service on that date, and members hired on or after October 1, 2012, shall be required to make contributions to the fund in accordance with section 66-116. Member contributions withheld by the city on behalf of the member shall be deposited with the board at least monthly. The contributions made by each member to the fund shall be designated as employer contributions pursuant to Section 414(h) of the Code. Such designation is contingent upon the contributions being excluded from the member's gross income for federal income tax purposes. For all other purposes of the system, such contributions shall be considered to be member contributions.

* * *

SECTION 4: Section 66-101 of Chapter 66, Article II, of the City Code of the City of St. Pete Beach is hereby amended to read as follows:

Sec. 66-326. - Benefit amounts and eligibility.

(a) *Normal retirement date.* Under this article, a member's the normal retirement date for members who retired, entered the DROP or terminated employment with the right to a deferred vested benefit prior to October 1, 2012; and members who are employed on September 30, 2012 and have attained age 55 or 25 years of credited service on that date shall be the first day of the month coincident with or next following the earlier of the attainment of age 55 years, regardless of years of credited service, or the completion of 25 years of credited service, regardless of age. A member may retire on his normal retirement date or on the first day of any month thereafter, and each member shall become 100 percent vested in his accrued benefit on the member's normal retirement date. Normal retirement under the system is retirement from employment with the city on or after the normal retirement date. The normal retirement date for members who are employed on September 30, 2012 but have not attained age 55 or 25 years of credited service on that date, and members hired on or after October 1, 2012, shall be as provided in section 66-116; provided, members who are employed on September 30, 2012 but have not attained age 55 or 25 years of credited service on that date shall be eligible to receive their frozen accrued benefit through September 30, 2012 upon attaining age 55 or 25 years of credited service, and terminating city employment.

(b) *Normal retirement benefit.* A member retiring under this article on or after his normal

retirement date shall receive a monthly benefit which shall commence on the first day of the month coincident with or next following his retirement date and be continued thereafter during member's lifetime, ceasing upon death, but with 120 monthly payments guaranteed in any event. The monthly retirement benefit for credited service earned prior to October 1, 2012 shall equal two and one-quarter percent of average final compensation for each year of credited service. In addition, all members retiring at early or normal retirement shall receive an additional \$75.00 per month, unreduced for early retirement. The normal retirement benefit for credited service on and after October 1, 2012 shall be as provided in section 66-116. Notwithstanding any other provision of this subsection, the normal retirement benefit of a member who is employed on September 30, 2012 and has attained age 55 or 25 years of credited service on that date shall equal 2.25 percent of average final compensation for all years of credited service.

(c) *Early retirement date.* A member may retire on his early retirement date, which shall be the first day of any month coincident with or next following the attainment of age 50 and the completion of ten years of credited service. Early retirement under the system is retirement from employment with the city on or after the early retirement date and prior to the normal retirement date. Effective October 1, 2012, there shall be no early retirement date or early retirement benefit; provided, members who are employed on September 30, 2012 but have not attained age 55 or 25 years of credited service on that date shall be eligible to receive their frozen accrued benefit through September 30, 2012 with the reduction provided in subsection (d)(2) below, upon attaining age 50 with 10 years of credited service and terminating city employment.

(d) *Early retirement benefit.* A member retiring under this article on his early retirement date may receive either a deferred or an immediate monthly retirement benefit payable in the same form as for normal retirement as follows:

(1) A deferred monthly retirement benefit which shall commence on what would have been his normal retirement date had he remained a general employee and shall be continued on the first day of each month thereafter. The amount of each such deferred monthly retirement benefit shall be determined in the same manner as for retirement on his normal retirement date except that credited service and average final compensation shall be determined as of his early retirement date; or

(2) An immediate monthly retirement benefit which shall commence on his early retirement date and shall be continued on the first day of each month thereafter. The benefit payable shall be as determined in subsection (d)(1) of this section, reduced by 1/15 for each year by which the commencement of benefits precedes the member's normal retirement date.

(e) *Cost-of-living adjustment.* The monthly amount payable based on credited service prior to October 1, 2012 to a member and his joint pensioner or beneficiary, if applicable, who retires on or after such member's normal or early retirement date, not including terminated vested persons or disability retirees, shall be subject to an annual cost-of-living adjustment commencing on the first October 1 following ten complete years of receiving retirement income payments. The cost-of-living adjustment shall be three percent of the previous years' benefit amount. There shall be no cost of living adjustment applied to benefits based on credited service on or after October 1, 2012; provided, members who are employed on September 30, 2012 and have attained age 55 or

25 years of credited service on that date shall continue to be eligible for the cost of living adjustment provided in this subsection applied to benefits based on all periods of credited service.

(f) *Required distribution date.* The member's benefit under this section must begin to be distributed to the member no later than April 1 of the calendar year following the later of the calendar year in which the member attains age 70½ or the calendar year in which the member terminates employment with the city.

SECTION 5: Section 66-104 of Chapter 66, Article II, of the City Code of the City of St. Pete Beach is hereby amended to read as follows:

Sec. 66-104. - Vesting.

* * *

(e) Notwithstanding any other provision of this section 66-104, the provisions of this section shall apply to benefits accruing prior to October 1, 2012. Effective October 1, 2012, for benefits accruing on and after that date, vesting rights shall be as provided in section 66-116; provided, members who are employed on September 30, 2012 and have attained age 55 or 25 years of credited service on that date shall be entitled to a vested benefit in accordance with this section 66-104.

SECTION 6: Section 66-113 of Chapter 66, Article II, of the City Code of the City of St. Pete Beach is hereby amended to read as follows:

Sec. 66-113. - Deferred retirement option plan.

(a) *Definitions.* As used in this section 66-113, the following definitions apply:

- (1) *DROP* means the City of St. Pete Beach General Employees' Deferred Retirement Option Plan.
- (2) *DROP account* means the account established for each DROP participant under subsection (c).

(b) *Participation.*

- (1) *Eligibility to participate.* In lieu of terminating his employment as a general employee, any member who is eligible for normal retirement under subsection 66-101(a), of the system may , prior to October 1, 2012, elect to defer receipt of such service retirement pension and to participate in the DROP. Notwithstanding any other provision of this section, the DROP shall be closed to new participants effective October 1, 2012, and no

member may enter the DROP on or after that date; provided, a member who is employed on September 30, 2012 and has attained age 55 or 25 years of credited service on that date may enter and participate in the DROP on or after October 1, 2012 in accordance with the provisions of this section.

* * *

SECTION 7: A new Section 66-116 of Chapter 66, Article II of the City Code of the City of St. Pete Beach is created to read as follows:

Sec. 66-116. Benefits Effective October 1, 2012.

(a) Effective October 1, 2012 all members employed on that date who have not attained age 55 or 25 years of credited service, and all members hired on or after that date, shall accrue benefits as provided in this section 66-116. The provision of this section shall not apply to members who have retired, separated from service with the City with the right to a deferred vested benefit, entered DROP or attained normal retirement eligibility prior to October 1, 2012.

(b) Benefit Amounts and Eligibility:

(1) *Normal retirement date.* A member's normal retirement date shall be the first day of the month coincident with or next following the earlier of the attainment of age 60 and completion of 10 years of credited service, or 30 years of credited service regardless of age. Provided, a member with 10 or more years of credited service on September 30, 2012 shall be eligible for normal retirement at age 55 or upon completion of 25 years of credited service, regardless of age. A member may retire on his normal retirement date or on the first day of any month thereafter, and each member shall become 100 percent vested in his accrued benefit on the member's normal retirement date. Normal retirement under the system is retirement from employment with the city on or after the normal retirement date.

(2) *Normal retirement benefit.* A member retiring on or after the normal retirement date shall receive a monthly benefit which shall commence on the first day of the month coincident with or next following his retirement and which shall be continued thereafter during the member's lifetime, ceasing upon death, but with 120 monthly payments guaranteed in any event. The monthly retirement benefit shall equal 1.0 percent of average final compensation for each year of credited service earned on or after October 1, 2012, up to a maximum of 75% of average final compensation. Provided, if a member's accrued benefit as of October 1, 2012 is 75% or more of average final compensation, the benefit percentage may not be reduced.

(3) *No Early retirement.* A member may not receive an immediate or deferred retirement benefit under this section, prior to attaining his or her normal retirement date as defined in this section.

(c) COLA. Members accruing benefits under this section shall not be entitled to a cost of living adjustment.

(d) Vesting. If a member terminates employment, either voluntarily or by lawful discharge, the member shall be entitled to the following:

(1) With less than 10 years of credited service (including credited service earned prior to October 1, 2012), a member is entitled to a refund of member contributions without interest.

(2) With 10 or more years of credited service (including credited service earned prior to October 1, 2012) a member is entitled to either:

a. The pension benefit accrued to the member's date of termination, based on the terms of the plan in effect on such date of termination, payable commencing at the member's otherwise normal retirement date, provided the member does not elect to withdraw his or her member contributions; or

b. Refund of member contributions without interest.

(e) Employee contribution. Effective October 1, 2012 each member of the system shall be required to make regular contributions to the fund in the amount of 3 percent of salary; provided, members who are employed on September 30, 2012 and have attained age 55 or 25 years of credited service on that date shall be required to make regular contributions to the fund in the amount of 7.6 percent of salary.

(f) DROP. No member may enter the DROP on or after October 1, 2012. Members already participating in DROP on October 1, 2012 may complete their DROP participation. Provided, members who are employed on September 30, 2012 and have attained age 55 or 25 years of credited service on that date shall be eligible to enter and participate in the DROP on or after October 1, 2012.

SECTION 8: Severability.

If any provision of this Ordinance or the application thereof is held invalid such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications and to this end the provisions of this Ordinance are hereby declared severable.

SECTION 9: Repeal of Ordinances in Conflict.

All other ordinances of the City of St. Pete Beach Florida or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

SECTION 10: Effective Date.

This Ordinance shall take effect on the date of passage upon second and final reading.

PASSED AND ADOPTED in a regular session for first reading this ____th day of _____, 2012
and for a second and final reading on this ____th day of _____, 2012

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

Issue Considered: Resolution 2012-13, authorizes the City Manager to implement the Defined Contribution Retirement Plan for the City Employees

Date: September 25, 2012

Prepared By: Michael P. Bonfield, City Manager

Summary of Issue: This resolution gives the City Manager the authority to put into effect the defined contribution plan for the City Employees the City Commission voted to implement at the August Impasse Hearings.

Requested Motion: “I move to approve Resolution 2012-13 . . . read title”

Attachments: Resolution 2012-13
Adoption Agreement

RESOLUTION 2012- 13

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, RELATING TO THE ADOPTION OF A DEFINED CONTRIBUTION RETIREMENT PLAN FOR CITY EMPLOYEES; PROVIDING FOR THE SELECTION OF ICMA RETIREMENT CORPORATION AS PLAN ADMINISTRATOR; ADOPTING THE ICMA 401 GOVERNMENTAL MONEY PURCHASE PLAN AND TRUST; PROVIDING FOR EXECUTION OF TRUST AGREEMENT AND ALL OTHER NECESSARY DOCUMENTS INCIDENTAL TO ADMINISTRATION OF THE DEFINED CONTRIBUTION PLAN; PROVIDING FOR ACKNOWLEDGEMENT REGARDING ASSETS; PROVIDING FOR ADMINISTRATION OF THE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR FULL FORCE AND EFFECTIVENESS; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Pete Beach has determined that it is advisable and appropriate to create a Defined Contribution Retirement Plan for its employees; and

WHEREAS, the City is authorized by law to adopt and desires to adopt a money purchase plan pursuant to the provisions of Section 401(a) of the Internal Revenue Code of 1986, as amended, for its employees; and

WHEREAS, the City desires that its money purchase plan be administered by ICMA Retirement Corporation, with administrative support and coordination to be provided by the Board of Trustees of the City of St. Pete Beach Retirement System, and the funds held under such plan be invested in the ICMA RC 401 Governmental Money Purchase Plan and Trust, a trust established for the investment of funds held under the City of St. Pete Beach Defined Contribution Retirement Plan.

NOW THEREFORE, the City Commission of the City of St. Pete Beach, Florida hereby resolves:

Section 1. Adoption of Plan. The City hereby establishes the City of St. Pete Beach Defined Contribution Retirement Plan (the "Plan") in the form of the ICMA RC 401 Governmental Money Purchase Plan and Trust, pursuant to the specific provisions of the Adoption Agreement attached hereto as Exhibit "A".

A. The Plan shall be maintained for the exclusive benefit of eligible City employees and their beneficiaries.

B. The Plan shall be administered by the ICMA Retirement Corporation.

C. The City Commission hereby authorizes the City Manager to serve as a trustee under the Plan and execute all necessary agreements with ICMA incidental to the administration of the Plan.

Section 2. Plan Coordinator. The Human Resources Director shall be the coordinator for the Plan; shall receive reports, notices, etc. from the administrator of the Trust; shall cast, on behalf of the City, any required votes under the Trust; may delegate any administrative duties relating to the Plan to appropriate personnel; and is authorized to execute all necessary documents incidental to the administration of the Plan.

Section 3. If any section, sentence, clause or phrase of this resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this resolution.

Section 4. This Resolution shall remain in full force and effect until supplemented, amended, repealed or otherwise altered. The City reserves the right to terminate the Plan at any time.

Section 5. This Resolution hereby repeals all resolutions in conflict herewith.

Section 6. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED in a regular, adjourned session of the City Commission of the City of St. Pete Beach assembled this _____ day of _____, 2012.

Mayor

Commissioner

Commissioner

Commissioner

Commissioner

ATTEST:

City Clerk

**ICMA RETIREMENT CORPORATION
GOVERNMENTAL MONEY PURCHASE PLAN & TRUST
ADOPTION AGREEMENT**

PLAN NUMBER 10-_____

The Employer hereby establishes a Money Purchase Plan and Trust to be known as _____
_____ (the "Plan") in the form of the ICMA Retirement Corporation Governmental Money Purchase
Plan and Trust (MPP 01/01/06).

This Plan is an amendment and restatement of an existing defined contribution money purchase plan.

☐ Yes ☐ No

If yes, please specify the name of the defined contribution money purchase plan which this Plan hereby amends and restates:

I. Employer: _____ [902]

II. The Effective Date of the Plan shall be the first day of the Plan Year during which the Employer adopts the Plan, unless an alternate Effective Date is hereby specified: _____ (e.g., January 1, 2006 for the MPP 01/01/06 Plan)

III. Plan Year will mean:

- ☐ The twelve (12) consecutive month period which coincides with the limitation year. (See Section 5.03(f) of the Plan.)
- ☐ The twelve (12) consecutive month period commencing on _____ and each anniversary thereof.

IV. Normal Retirement Age shall be age _____ (not to exceed age 65). [288]

V. ELIGIBILITY REQUIREMENTS:

1. The following group or groups of Employees are eligible to participate in the Plan:

- _____ All Employees
- _____ All Full Time Employees
- _____ Salaried Employees
- _____ Non union Employees
- _____ Management Employees
- _____ Public Safety Employees
- _____ General Employees
- _____ Other Employees (specify describe the group(s) of eligible employees below)

The group specified must correspond to a group of the same designation that is defined in the statutes, ordinances, rules, regulations, personnel manuals or other material in effect in the state or locality of the Employer. Also, the eligibility requirements for participation in the Plan cannot be such that Employees become Participants only in the Plan Year in which the Employees terminate employment (i.e., stand-alone final pay plans).

2. The Employer hereby waives or reduces the requirement of a twelve (12) month Period of Service for participation. The required Period of Service shall be (write N/A if an Employee is eligible to participate upon employment) _____.

If this waiver or reduction is elected, it shall apply to all Employees within the Covered Employment Classification.

3. A minimum age requirement is hereby specified for eligibility to participate. The minimum age requirement is _____ (not to exceed age 21. Write N/A if no minimum age is declared.)

VI. CONTRIBUTION PROVISIONS

1. **The Employer shall contribute as follows:** (Choose all that apply, but at least one of Options A, B or C. If Option A is not selected, Employer must pick up Participant Contributions under Option B or Option C.)

Fixed Employer Contributions With or Without Mandatory Participant Contributions. (If Option B or C is chosen, please complete section D.)

- ☐ A. Employer Contributions. The Employer shall contribute on behalf of each Participant _____% of Earnings or \$_____ for the Plan Year (subject to the limitations of Article V of the Plan).

Mandatory Participant Contributions

☐ are required ☐ are not required

to be eligible for this Employer Contribution.

- ☐ B. Mandatory Participant Contributions for Plan Participation. A Participant is required to contribute (subject to the limitations of Article V of the Plan)

- (i) _____% of Earnings,
(ii) \$_____, or
(iii) a whole percentage of Earnings between the range of _____ (insert range of percentages between 0% and 20% (e.g., 3%, 6%, or 20%; 5% to 7%)), as designated by the Employee in accordance with guidelines and procedures established by the Employer

for the Plan Year as a condition of participation in the Plan. A Participant shall not have the right to discontinue or vary the rate of such contributions after becoming a Plan Participant.

The Employer hereby elects to "pick up" the Mandatory Participant Contributions ¹(pick up is required if neither Option A nor Option C is selected).

☐ Yes ☐ No

[621]

- ☐ C. Mandatory Participant Contributions for this Portion of the Plan. Each Employee eligible to participate in the Plan shall be given the opportunity to irrevocably elect to participate in the Mandatory Participant Contribution portion of the Plan by electing to contribute _____ (insert range of percentages between 0% and 20% (e.g., 3%, 6%, or 20%; 5% to 7%)) of the Employee's Earnings to the Plan for each Plan Year (subject to the limitations of Article V of the Plan).

¹ Neither an IRS advisory letter nor a determination letter issued to an adopting Employer is a ruling by the Internal Revenue Service that Participant contributions that are picked up by the Employer are not includable in the Participant's gross income for federal income tax purposes. Pick-up contributions are not mandated to receive private letter rulings; however, if an adopting employer wishes to receive a ruling on pick-up contributions they may request one in accordance with Revenue Procedure 2011-4 (or subsequent guidance).

A Participant shall not have the right to discontinue or vary the rate of such contributions after becoming a Participant in this portion of the Plan.

The Employer hereby elects to "pick up" the Mandatory Participant Contributions (pick up is required if neither Option A nor Option B is selected).²

[621]

☐ Yes ☐ No

D. Election Window (Complete if Option B or Option C is selected):

Newly eligible Employees shall be provided an election window of _____ days (no more than 60 calendar days) from the date of initial eligibility during which they may make the election to participate in the Mandatory Participant Contribution portion of the Plan. Participation in the Mandatory Participant Contribution portion of the Plan shall begin the first of the month following the end of the election window.

An Employee's election is irrevocable and shall remain in force until the Employee terminates employment or ceases to be eligible to participate in the Plan. In the event of re-employment to an eligible position, the Employee's original election will resume. In no event does the Employee have the option of receiving the pick-up contribution amount directly.

2. The Employee may also elect to contribute as follows:

- ☐ A. Fixed Employer Match of Voluntary Participant Contributions. The Employer shall contribute on behalf of each Participant ____% of Earnings for the Plan Year (subject to the limitations of Article V of the Plan) for each Plan Year that such Participant has contributed ____% of Earnings or \$_____. Under this option, there is a single, fixed rate of Employer contributions, but a Participant may decline to make the required Participant contributions in any Plan Year, in which case no Employer contribution will be made on the Participant's behalf in that Plan Year.
- ☐ B. Variable Employer Match of Voluntary Participant Contributions. The Employer shall contribute on behalf of each Participant an amount determined as follows (subject to the limitations of Article V of the Plan):

_____% of the Voluntary Participant Contributions made by the Participant for the Plan Year (not including Participant contributions exceeding ____% of Earnings or \$_____);

PLUS ____% of the contributions made by the Participant for the Plan Year in excess of those included in the above paragraph (but not including Voluntary Participant Contributions exceeding in the aggregate ____% of Earnings or \$_____).

Employer Matching Contributions on behalf of a Participant for a Plan Year shall not exceed \$_____ or ____% of Earnings, whichever is ____ more or ____ less.

3. Each Participant may make a voluntary (unmatched), after tax contribution, subject to the limitations of Section 4.05 and Article V of the Plan.

☐ Yes ☐ No

4. Employer contributions for a Plan Year shall be contributed to the Trust in accordance with the following payment schedule (no later than the 15th day of the tenth calendar month following the end of the calendar year or fiscal year (as applicable depending on the basis on which the Employer keeps its books) with or within which the particular Limitation year ends, or in accordance with applicable law):

² See footnote 1 on the previous page.

5. Participant contributions for a Plan Year shall be contributed to the Trust in accordance with the following payment schedule (no later than the 15th day of the tenth calendar month following the end of the calendar year or fiscal year (as applicable depending on the basis on which the Employer keeps its books) with or within which the particular Limitation year ends, or in accordance with applicable law):
-

VII. EARNINGS

Earnings, as defined under Section 2.09 of the Plan, shall include:

- (a) Overtime

☐ Yes ☐ No

- (b) Bonuses

☐ Yes ☐ No

- (c) Other Pay (specifically describe any other types of pay to be included below)
-
-

VIII. The Employer will permit rollover contributions in accordance with Section 4.11 of the Plan.

☐ Yes ☐ No

IX. LIMITATION ON ALLOCATIONS

If the Employer maintains or ever maintained another qualified plan in which any Participant in this Plan is (or was) a participant or could possibly become a participant, the Employer hereby agrees to limit contributions to all such plans as provided herein, if necessary in order to avoid excess contributions (as described in Sections 5.02 of the Plan).

1. If the Participant is covered under another qualified defined contribution plan maintained by the Employer, the provisions of Section 5.02(a) through (f) of the Plan will apply unless another method has been indicated below.

- ☐ Other Method. (Provide the method under which the plans will limit total Annual Additions to the Maximum Permissible Amount, and will properly reduce any excess amounts, in a manner that precludes Employer discretion.)

2. The limitation year is the following 12 consecutive month period:

X. VESTING PROVISIONS

The Employer hereby specifies the following vesting schedule, subject to (1) the minimum vesting requirements and (2) the concurrence of the Plan Administrator. (For the blanks below, enter the applicable percent – from 0 to 100 (with no entry after the year in which 100% is entered), in ascending order.)

Period of Service Completed	Percent Vested
Zero	_____ %
One	_____ %
Two	_____ %
Three	_____ %
Four	_____ %
Five	_____ %
Six	_____ %
Seven	_____ %
Eight	_____ %
Nine	_____ %
Ten	_____ %

XI. Loans are permitted under the Plan, as provided in Article XIII of the Plan:

☐ Yes ☐ No

[751]

XII.

1. In-service distributions are permitted under the Plan after a participant attains (select one of the below options):

[646:8]

- ☐ Normal Retirement Age
☐ Age 70½
☐ Not permitted at any age

2. Tax-free distributions of up to \$3,000 for the payment of qualifying insurance premiums for eligible retired public safety officers are available under the Plan.

☐ Yes ☐ No (Default)

[646:3]

XIII. In-service distributions of the Rollover Account are permitted under the Plan as provided in Section 9.07.

☐ Yes ☐ No (Default)

[646:7]

XIV. SPOUSAL PROTECTION

The Plan will provide the following level of spousal protection (select one):

- A. ☐ Participant Directed Election. The normal form of payment of benefits under the Plan is a lump sum. The Participant can name any person(s) as the Beneficiary of the Plan, with no spousal consent required.

[646:6]

- B. ☐ Beneficiary Spousal Consent Election (Article XII). The normal form of payment of benefits under the Plan is a lump sum. Upon death, the surviving spouse is the Beneficiary, unless he or she consents to the Participant's naming another Beneficiary. (This is the default provision under the Plan if no selection is made.)

[646:6]

- C. ☐ QJSA Election (Article XVII). The normal form of payment of benefits under the Plan is a 50% qualified joint and survivor annuity with the spouse (or life annuity, if single). In the event of the Participant's death prior to commencing payments, the spouse will receive an annuity for his or her lifetime.

[642:8]

[646:6]

XV. FINAL PAY CONTRIBUTIONS

The Plan will provide for Final Pay Contributions if either 1 or 2 below is selected.

Final Pay shall be defined as (select one):

- A. ☐ Accrued unpaid vacation
- B. ☐ Accrued unpaid sick leave
- C. ☐ Accrued unpaid vacation and sick leave
- D. ☐ Other (insert definition of final pay): _____

that would otherwise be payable to the Employee in cash upon termination.

- 1. ☐ **Employer Final Pay Contribution.** The Employer shall contribute on behalf of each Participant _____% of Final Pay to the Plan (subject to the limitations of Article V of the Plan).
- 2. ☐ **Employee Designated Final Pay Contribution.** Each Employee eligible to participate in the Plan shall be given the opportunity at enrollment to irrevocably elect to contribute _____% (insert fixed percentage of final pay to be contributed) or up to _____% (insert maximum percentage of final pay to be contributed) of Final Pay to the Plan (subject to the limitations of Article V of the Plan).

Once elected, an Employee's election shall remain in force and may not be revised or revoked. If the employer elects to "pick up" these amounts, in no event does the Employee have the option of receiving the pick-up contribution amount directly.

The Employer hereby elects to "pick up" the Employee Designated Final Pay Contribution thereby treating such contributions as Employer-made contributions for federal income tax purposes.

☐ Yes ☐ No

[621]

XVI. ACCRUED LEAVE CONTRIBUTIONS

The Plan will provide for accrued unpaid leave contributions if either 1 or 2 is selected below.

Accrued Leave shall be defined as (select one):

- A. ☐ Accrued unpaid vacation
- B. ☐ Accrued unpaid sick leave
- C. ☐ Accrued unpaid vacation and sick leave
- D. ☐ Other (insert definition of final pay): _____
that would otherwise be payable to the Employee in cash.

- 1. ☐ **Employer Accrued Leave Contribution.** The Employer shall contribute as follows (choose one of the following options):

☐ For each Plan Year, the Employer shall contribute on behalf of each Eligible Participant the unused Accrued Leave in excess of _____ (insert number of hours/days/weeks) to the Plan (subject to the limitations of Article V of the Plan).

☐ For each Plan Year, the Employer shall contribute on behalf of each Eligible Participant _____ % of unused Accrued Leave to the Plan (subject to the limitations of Article V of the Plan).

☐ 2. **Employee Designated Accrued Leave Contribution.**

Each eligible Participant shall be given the opportunity at enrollment to irrevocably elect to contribute _____% (insert fixed percentage of accrued unpaid leave to be contributed) or up to _____% (insert maximum percentage of accrued unpaid leave to be contributed) of Accrued Leave to the Plan (subject to the limitations of Article V of the Plan).

Once elected, an Employee's election shall remain in force and may not be revised or revoked. If the employer elects to "pick up" these amounts, in no event does the Employee have the option of receiving the pick-up contribution amount directly.

The Employer hereby elects to "pick up" the Employee Designated Final Pay Contribution thereby treating such contributions as Employer-made contributions for federal income tax purposes.

☐ Yes ☐ No

[621]

In order to allow for Final Pay Contributions and/or Accrued Leave Contributions, as defined in sections XV and XVI above, the Plan must also include additional sources of ongoing contributions, such as Fixed Employer Contributions or Mandatory Participant Contributions. In accordance with IRS Guidance, ICMA-RC will not process Final Pay Contribution or Accrued Leave Contribution Features as part of a "Stand Alone" Final Pay Plan.

XVII. The Employer hereby attests that it is a unit of state or local government or an agency or instrumentality of one or more units of state or local government.

XVIII. The Plan Administrator hereby agrees to inform the Employer of any amendments to the Plan made pursuant to Section 14.05 of the Plan or of the discontinuance or abandonment of the Plan.

XIX. The Employer hereby appoints the ICMA Retirement Corporation as the Plan Administrator pursuant to the terms and conditions of the ICMA RETIREMENT CORPORATION GOVERNMENTAL MONEY PURCHASE PLAN & TRUST.

The Employer hereby agrees to the provisions of the Plan and Trust.

XX. The Employer hereby acknowledges it understands that failure to properly fill out this Adoption Agreement may result in disqualification of the Plan.

XXI. An adopting Employer may rely on an advisory letter issued by the Internal Revenue Service as evidence that the Plan is qualified under section 401 of the Internal Revenue Code to the extent provided in applicable IRS revenue procedures and other official guidance.

In Witness Whereof, the Employer hereby causes this Agreement to be executed on this _____ day of _____, 20_____.

EMPLOYER

ICMA RETIREMENT CORPORATION
777 North Capitol St., NE
Washington, DC 20002-4240
202-962-8096

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Attest: _____

Attest: _____