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COMMISSION MEETING
CITY OF ST. PETE BEACH

155 Corey Avenue

Tuesday, April 14, 2015

6:00 PM

Call to Order

Pledge of Allegiance

Invocation

Roll Call

REGULAR MEETING

1. **Presentations** - Presentations shall be limited to 5 minutes for non-city government related items.
   a. **Recognition of Sergeant Bryan Bingham**
   b. **Presentation of the City of St. Pete Beach audit for Fiscal Year ending September 30, 2014.**
   c. **Arbor Day Proclamation**

2. **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.

3. **Audience Comments** - Comments shall be limited to 3 minutes per person to issues not on the agenda, 21 minutes in total.

4. **Consent**
   a. **Approval of minutes for the City Commission Meetings held on February 10, 2015; February 24, 2015; and**

March 9, 2015; and the Workshop held on March 11, 2015.

   b. **Authorization for the City Manager to enter into an agreement with Burton & Associates to perform a Stormwater Assessment Update in the amount of $14,950**

5. **Action Items**
   a. **City Commission Annual Donations**
   b. **Approval of Ajax Paving Industries of Florida, LLC, Gibbs & Register, Inc., and David Nelson Construction Company as firms prequalified to bid on the Pass-A-Grille Way and Blind Pass Road reconstruction projects**

6. **Ordinances**
   a. **Ordinance 2015-02, First Reading and Public Hearing, Outdoor Dining Areas; Definitions and Use Permissions for Eating and Drinking Establishments**
   b. **Ordinance 2015-03, First Reading and Public Hearing, Off-Site Parking**
   c. **Ordinance 2015-06, First Reading and Public Hearing, Amending Chapter 6, Alcoholic Beverages of the City of St. Pete Beach Code of Ordinances relating to public consumption or possession of alcoholic beverages**
   d. **Ordinance 2015-07, Final Reading and Public Hearing, an ordinance of the City of St. Pete Beach authorizing the issuance of a bond not to exceed $5,500,000 in aggregate principal amount for the wastewater utility system.**
   e. **Ordinance 2015-04, Final Reading and Public Hearing, amending Chapter 46 of the City of St. Pete Beach Code of Ordinances to create Article V - Chronic Nuisance Property Code**

7. **Resolutions**
   a. **Resolution 2015-05 authorizing the issuance of wastewater utility revenue bonds from time to time for principal purposes of financing and refinancing costs of the acquisition, construction and equipping of various capital improvements to the City's wastewater utility system; providing for the payment thereof from the net revenues of the wastewater utility system and certain other moneys; providing for the rights of the**

holders of such bonds; making certain other covenants and agreements in connections with bonds issued hereunder; accepting the proposal of CenterState Bank of Florida, N.A. to provide the City with a loan to finance certain costs relating to the acquisition, construction and equipping of various capital improvements to the City's wastewater utility system; providing for the issuance of not exceeding $5,000,000 principal amount of the City of St. Pete Beach, Florida wastewater utility system revenue bond, series 2015, to CenterState Bank of Florida, N.A. in order to evidence such loan, providing certain terms and details of said bond, including authorizing a negotiated sale of the series 2015 bond to CenterState Bank of Florida, N.A.; delegating certain authority to the City Manager to negotiate and approve the final terms and details of said series 2015 bond in accordance with the terms and agreements in connection with the Series 2015 bond issued hereunder; and providing for an effective date.

8. **Board Appointments**
    a. **Appointments to Advisory Boards and Committees**

9. **Items for Discussion – None for this agenda**

10. **Audience Comments 2** - Comments shall be limited to 3 minutes per person to issues not on the agenda, 21 minutes in total.

11. **City Clerk, City Manager, City Attorney and City Commission Reports**

12. **Adjournment**

APPEAL

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: Presentation of the City of St. Pete Beach, Florida audit for the Fiscal Year ending September 30, 2014

Date: May 13, 2014

Prepared By: Elaine Edmunds, Administrative Services Director

Summary of Issue: The city auditor, Peter Schatzel, will present the audit for the City of St. Pete Beach for the fiscal year ending September 30, 2014. A copy of the audit is on the City website for public review.

Reviewed by
City Manager: WS

Proclamation

City of St Pete Beach, Florida

WHEREAS, *in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and*

WHEREAS, *this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska and is now observed throughout the nation and the world; and*

WHEREAS, *trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and*

WHEREAS, *trees are a renewable resource giving us paper and wood for our community, and wherever they are planted, are a source of joy and spiritual renewal.*

NOW, THEREFORE, I, *the Mayor of the City of St. Pete Beach by the authority vested in me, do hereby proclaim, April 24th, 2015 as the 143rd anniversary celebration of:*

ARBOR DAY

in the City of St. Pete Beach, and urge all citizens to celebrate Arbor Day, to support efforts to protect our trees and woodlands, and to plant trees to gladden the hearts and promote the well-being of this and future generations.

SEAL:

IN WITNESS WHEREOF, *I have hereunto set my hand and caused the Seal of the City of St. Pete Beach, Pinellas County, Florida to be affixed this 14th day of April, 2015.*

____

Mayor

CITY COMMISSION MEETING

MINUTES

FEBRUARY 10, 2015

6:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENT:

Maria Lowe, Mayor
Melinda Pletcher, Vice Mayor
Terri Finnerty, Commissioner
Rick Falkenstein, Commissioner
Gregory Premer, Commissioner

ALSO PRESENT:

Wayne Saunders, City Manager
Andrew Dickman, City Attorney
Rebecca C. Haynes, City Clerk
Elaine Edmunds, Administrative Services Director
Jennifer McMahon, Recreation Director
Stephen Yurcaba, IT Specialist

1. Presentations

There were no presentations for this meeting.

2. Changes to the Agenda

City Manager Saunders requested to move the City Attorney's Report to the immediately following the Consent as the first action item.

3. Audience Comments

Harry Metz, Pass-A-Grille Way, requested information in regard to the installation of a 30' flag pole.

City Manager Saunders will explore and provide an answer to Mr. Metz.

Jan Paalberg, 70th Avenue, discussed the community redevelopment area and monies spent outside the district.

Gerry Brown, Seminole, discussed an organization dedicated to ending world poverty.

Bill Paalberg, 70th Avenue, stated a Neighborhood Watch for District 2 meeting is scheduled on Monday, February 23, at 5:00 p.m. at City Hall. Mr. Paalberg thanked Commissioner Falkenstein for his participation and invited the Commissioners to attend the meeting.

Deborah Schechner, Boca Ciega Isle Drive, reported that a sexual offender has moved into the City and she inquired what the City can do to prevent further offenders from moving within the City limits.

4. Consent

a. Authorization to approve a special event application for Island Festival scheduled for March 7, 2015. The event would require street closures on March 7, 2015

City Manager Saunders reviewed the Consent item and recommended approval as presented.

Vice Mayor Pletcher made a motion to approve Consent Item 4(a) as presented. Commissioner Falkenstein seconded the motion.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

10. Reports – City Attorney

It was previously requested and approved to move the City Attorney's reports to immediately following the Consent as the first action item.

City Attorney Dickman updated the Commission on the DOAH Case, Case #13-003401-GM, brought against the City of St. Pete Beach by Petitioners, James Anderson, Joseph Kody and John Miller. Mr. Dickman explained that the agreement will be brought before the Commission at their February 24th meeting for consideration with the modifications agreed to during negotiations. The agreement also requests payment of attorney fees. Attorney Dickman stated that two items will be presented: one is the resolution requesting approval of the agreement (which contemplates approving comprehensive plan amendments), and the second document is the ordinance that provides for the approval of remedial plan amendments specified by the compliance agreement. Two public hearings will be held and the documents are available in the Office of the City Clerk.

Vice Mayor Pletcher made a motion to recommend that the City Attorney and City Manager enter into an agreement tomorrow, February 11, 2015, for a remediation agreement negotiation on the DOAH Case and allow for minor substance issues to be resolved in order for the agreement to be signed by the litigants, in exchange for compensation in the amount of $35,000 towards the litigants' attorney fees.

The motion died for lack of second.

City Attorney Dickman requested to reword the motion.

Vice Mayor Pletcher made a motion to authorize the City Manager and the City Attorney to negotiate with the petitioners with the authority to commit $35,000 as reimbursement for attorney fees with the understanding that we have the discretion to entertain non-substantial changes to the compliance agreement, and staff must leave the negotiations with signatures. The motion was seconded by Commissioner Falkenstein.

Mayor Lowe called for audience comments.

Deborah Schechner, Boca Ciega Isle Drive, discussed attending the negotiation meetings.

Janet Paalberg, 70th Avenue, expressed her appreciation to all participants.

Joanne Lentino, Boca Ciega Drive, questioned the difficulty in obtaining signatures.

Mayor Lowe requested City Clerk Haynes to read back the motion.

Hearing no further audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

5. Action Items

a. 2015 City Commission Meeting calendar changes

City Manager Saunders reviewed the proposed changes to the Commission meeting calendar during 2015.

Commissioner Premer moved to approve Item 5(a), changes to the City Commission meeting schedule as follows: schedule June 9 and June 10,

2015 instead of June 9 and June 23, 2015 as meeting dates. The motion was seconded by Commissioner Finnerty.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

b. Authorization to approve an event request with various components such as funding, City staff and resources, and street closures for the Bayway Bridge Dedication event scheduled for Saturday, March 28, 2015. Closures would be 15th Avenue and 16th Avenue from 7:00 a.m. – 1:00 p.m., and Pinellas Bayway Road and East Maritana Drive at Barcelona Drive to cross the parade participants from 10:45 a.m. – 11:30 a.m.

Recreation Director McMahon reviewed the special event request dedicating the Bayway Bridge to Command Sergeant Major Gary Littrell, Medal of Honor Recipient, with military demonstrations, a walking parade, and distribution of medals for participants. The Veterans of South Pinellas County will hold their special event immediately following along 9th Avenue in Pass-A-Grille. This will include an antique car show, commando parachute jump landing on the beach south of 9th Avenue, the presentation of the American flag, new recruit ceremony, music by five bands, and food and beverages provided by vendors.

Vice Mayor Pletcher moved to approve Item 5(b), to authorize the approval of the event request that includes various components such as funding, City staff and resources, and street closures for the Bayway Bridge Dedication event scheduled for Saturday, March 28, 2015. Closures would be 15th Avenue and 16th Avenue from 7:00 a.m. to 1:00 p.m. and Pinellas Bayway Road and East Maritana Drive at Barcelona Drive to cross the parade participants from 10:45 a.m. to 11:30 a.m. The motion was seconded by Commissioner Finnerty.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

c. Authorization for the City Manager to execute an agreement with the University of Florida in the amount of $5,000 to assist in preparation of the Beach Ordinance.

City Attorney Dickman recommended utilizing the expertise of the University's professionals, who have experience working with other municipalities, in regard to beach access issues.

> **Commissioner Finnerty moved to approve Item 5(c), to authorize the City Manager to execute the Research Service Agreement with the University of Florida to retain the clinic to assist in the preparation of the beach ordinance in the amount of $5,000. Commissioner Falkenstein seconded the motion.**

Mayor Lowe called for audience comments.

Joanne Lentino, Boca Ciega Drive, spoke in support of using the University's resources and materials and suggested asking for direction from surrounding beach communities.

Hearing no further audience comments, Mayor Lowe called for the vote.

> **The motion was unanimously approved by an individual roll call vote.**

6. Ordinance

a. Ordinance 2015-01, Final Reading and Public Hearing, an ordinance of the City of St. Pete Beach providing a supplemental appropriation and revenue for fiscal year 2015 to the General, Wastewater, Reclaimed Water, Stormwater and Capital Project Funds and providing for funding.

City Manager Saunders reported that the routine budget adjustments include carry-over from the prior budget year and any changes to previously approved items.

The City Commission and City Manager briefly discussed holding a workshop to discuss a five year concept/strategy meeting on projects, budgets, etc.

> **Commissioner Premer moved to approve Item 6(a), Ordinance 2015-01, an ordinance of the City of St. Pete Beach, Florida providing for a supplemental appropriation to the General, Wastewater, Reclaimed, Stormwater and Capital Project Funds for Fiscal Year ending September 30, 2015; providing for funding; providing for an effective date. The motion was seconded by Commissioner Finnerty.**

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

> **The motion was unanimously approved by an individual roll call vote.**

7. Resolutions

There were no resolutions presented for this agenda.

8. Items for Discussion

Commissioner Premer requested to schedule on a future agenda a discussion in regard to publicly-owned community broadband system.

Mayor Lowe recommended looking at different graphics for the City logo.

Vice Mayor Pletcher requested a review on encroachments and performance-based codes.

Commissioner Falkenstein requested to review the City's impact fees, and City Manager Saunders responded that staff is currently moving forward with a review of impact fees.

9. Audience Comments

Joanne Lentino, Boca Ciega Drive, commented on having a business plan.

Bill Paalberg, 70th Avenue, commented positively about the St. Pete Road Runners Program.

10. City Clerk, City Manager, City Attorney and City Commission Reports

City Manager reported on the following:

- Currently recruiting for a Human Resources Administrator and requested authorization to hire a recruiting firm to assist with hiring a Fire Chief
- The Pinellas County Sheriff's Office will sponsor a meeting in regard to the new re-entry pass program on February 16th

Commissioner Falkenstein reported on the following:

- Subscribe to the City's newsletter at spbinfo@stpetebeach.org
- Current events at the Library
- The Municipal Election is scheduled for March 10th for District 2

Commissioner Premer reported on the following:

- The Compass Grille will host the Suncoast League of Cities conference/lunch on Friday, February 20th
- Gulf Beaches Elementary School will host a Valentine's Day Dance on Friday, February 13th
- Bayway landscape status and completion date
- The Wyndham Grand Resort broke ground in Clearwater Beach on a 480-room resort hotel on three acres of land

Commissioner Finnerty reported on the following:

- Gulf Beaches Elementary School honored Crossing Guard Tempe Eldridge for her service to the school children
- Volunteers packed 30 boxes for Support Our Troops
- Expressed appreciation to Mr. Millard Gamble for his donation
- Sunset Park event and bell ringing on February 14^{th}
- Treasure Island public access channel runs City meetings on a 24-hour cycle
- Met with a representative from Pinellas Suncoast Transit Authority regarding ridership, shelters and benches
- Working with an FDOT representative in regard to signage for Gulf Beaches Elementary School area; will meet with City Manager, the superintendent, the principal, a board member and an FDOT representative to discuss further

Mayor Lowe reported on the following:

- Expressed appreciation to Commissioners Finnerty and Falkenstein in regard to the "Public Stuff" test application
- She attended the opening of the travelling Viet Nam War Memorial Wall at the Florida State Fair
- Requested permission to attend legislative sessions in Tallahassee to meet with representatives and committee members in regard to appropriations for the City of St. Pete Beach
- Extended an invitation to hoteliers to adopt a park
- Explored shopping opportunities at local businesses
- She is celebrating her 4^{th} Wedding Anniversary on February 14^{th}

11. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 9:47 p.m.

Attest:

______________________________	______________________________
Rebecca C. Haynes, City Clerk	Maria Lowe, Mayor

Minutes approved on: ___________

CITY COMMISSION MEETING

MINUTES

FEBRUARY 24, 2015

6:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENT:

Maria Lowe, Mayor
Melinda Pletcher, Vice Mayor
Terri Finnerty, Commissioner
Rick Falkenstein, Commissioner
Gregory Premer, Commissioner

ALSO PRESENT:

Wayne Saunders, City Manager
Andrew Dickman, City Attorney
Rebecca C. Haynes, City Clerk
Elaine Edmunds, Administrative Services Director
Steve Hallock, Public Services Director
Jennifer McMahon, Recreation Director
Ian Wade, Project Manager
Stephen Yurcaba, IT Specialist
Dave Healey, Planning Consultant/Calvin, Giordano and Associates

1. Presentations

a. Barrier Island Re-Entry Program - Lieutenant Dahlstrom

Lieutenant Dahlstrom provided an overview on the re-entry program that utilizes bar codes for residents, property owners and business owners.

2. Changes to the Agenda

Mayor Lowe requested to move Item 6(a) and Item 7(a), to act upon immediately after the Consent portion of the agenda.

Commissioner Falkenstein requested clarification on Items 4 (b), (c), and (d).

3. Audience Comments

Tom Quinn, Sunset Way, commented on the efficiency of the re-entry program procedure to obtain a permit and requested an update on the conversion of public buildings in regard to the library and city hall.

4. Consent

a. Authorization for the City Manager to enter into an agreement with the Florida Department of Law Enforcement accepting an Edward Byrne Memorial - U.S. Department of Justice Assistance Grant of Non-Matching Funds in the amount of $2,810.00.

b. Authorize the City Manager to enter into a purchase agreement with Cribb Philbeck Weaver Group, Inc., (CPWG), for $66,856 for Alley Rehabilitation.

c. Authorize the City Manager to enter into a purchase agreement with Midcoast Construction Enterprises, LLC, for $64,750.00 for Alley Rehabilitation.

d. Authorize the City Manager to enter into a one-year contract extension with Ashbritt, Inc. for Disaster Debris Removal for storm events.

e. Authorize the City Manager to enter into a unit price purchasing agreement with Florida Safety Contractors, Inc. for concrete sidewalk and apron replacement.

f. Authorize the City Manager to enter into a unit price purchasing agreement with MTM Contractors, Inc. for curb replacement.

City Manager Saunders reviewed the items and recommended approval as submitted.

Vice Mayor Pletcher moved to approve Consent Items (a), (b), (c), (d), (e), and (f) as presented. The motion was seconded by Commissioner Premer.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

It was previously requested and approved to act upon Items 6(a) and 7(a) immediately following Item 4.

6. Resolution

a. Resolution No 2015-02, approving a Compliance Agreement, pursuant to Sec. 163.3184(6), between the City of St. Pete Beach and James Anderson, Joseph Kody and John Miller, resolving Case No. 13-003401-GM, Florida Division of Administrative Hearings. This is a companion item with Ordinance No. 2015-05.

City Attorney Dickman reviewed the proposed Compliance Agreement which was reached during negotiations between staff and the petitioners for a settlement of the challenge to the Comprehensive Plan. The resolution approves the Compliance Agreement between the City and the Petitioners, resolving the DOAH case and authorizing the execution of the agreement. Attached to the resolution is the Compliance Agreement; Exhibit "A," the amended petition; and Exhibit "B," the remedial actions.

Mr. Dickman further explained that the remedial actions included in the Compliance Agreement are twofold: the first part is the set of studies that the City has agreed to complete, and the second part includes the amendments to the Comprehensive Plan. The proposed ordinance, Item 7(a), addresses the remedial plan amendments which will become effective 15 days after the final hearing and adoption.

Vice Mayor Pletcher moved to approve Item 6(a), to approve Resolution 2015-02, pursuant to the Compliance Agreement, a resolution of the City of St. Pete Beach, Florida, City Commission, with attachments; approving a Compliance Agreement ("Agreement") between the City of St. Pete Beach and the Petitioners, James Anderson, Joseph Kody and John Miller; resolving Division of Administrative Hearings ("DOAH") Case No. 13-003401-GM; authorizing the Mayor to execute the agreement in substantially the form attached; directing the City Manager to submit and implement remedial action in the manner provided by the agreement. The motion was seconded by Commissioner Finnerty.

Mayor Lowe called for audience comments.

City Attorney Dickman noted that it is permissible to take audience comments on Items 6(a) and 7(a) at the same time.

<u>Deborah Nicklaus, Sirata Beach Resort</u>, stated that the Nicklaus family submitted earlier correspondence for the record and commended City staff on quickly familiarizing themselves on the Comprehensive Plan issues. Ms. Nicklaus commented that the vision of the Comp Plan has changed with the recent revisions to the conditional use process.

<u>Timothy Weber, attorney representing the petitioners</u>, expressed his appreciation to the parties involved in the negotiation process for their commitment in reaching a resolution

in the dispute. Mr. Weber noted the quasi-judicial proceedings are an integral part of the agreement.

City Attorney Dickman noted the amendments will be incorporated into the Comprehensive Plan, and the Land Development Code will be modified to mirror and clarify the amendments.

Tim Bogott, CEO/The Tradewinds Island Resorts, noted his concern with the process for minor permits and an easement along the water's edge. Mr. Bogott stated that he preferred an ordinance as opposed to an easement for title purposes.

City Attorney Dickman recommended replacing the word "may" for the word "shall" which is the same language currently contained in the Comprehensive Plan.

Mr. Weber stated his clients will concur with the recommended word change.

Mr. Bogott stated the word "may" was contained in the original document.

Bill Pyle, Sunset Way, complimented the parties involved in negotiations on their unified action and expressed his appreciation.

Harry Metz, Pass-A-Grille Way, expressed his appreciation in bringing the Comprehensive Plan issues to a conclusion.

> **Commissioner Pletcher moved to amend her motion: Exhibit "B," Remedial Action, Page 15, Policy 5, to change the word "shall" to "may" as in: "All large-scale development and redevelopment projects approved under Scenario 2 as defined under Permitted Uses & Standards for this Large Resort character district category *may* be required to provide an easement to the City for unimproved public access landward of the mean high water line to provide a continuous, uninterrupted pedestrian beach system along the Gulf of Mexico prior to any building permit being issued." Commissioner Finnerty seconded the amended motion.**

Hearing no further discussion, the Mayor called for the vote.

> **The motion, as amended, was unanimously approved by an individual roll call vote.**

7. Ordinance

a. Ordinance No 2015-05, First Reading and Public Hearing, amending Part I, Citizen Input on Community Redevelopment, and Part II, Future Land Use Element of the City of St. Pete Beach Comprehensive Plan pursuant to the Compliance Agreement, resolving Division of Administrative Hearings Case No. 13-003401-GM

City Attorney Dickman explained that the proposed ordinance incorporates the language contained in the Compliance Agreement that will be included in the Comprehensive Plan in its entirety. Mr. Dickman noted that the ordinance has been duly advertised and recommended approval.

City Manager Saunders noted the following adjustment, as in Item 6(a), as follows: Exhibit “A,” Page 57, Policy 5, change the word “shall” to “may” as in the resolution.

> **Commissioner Premer moved to approve Item 7(a), Ordinance 2015-05, on first reading, pursuant to the Compliance Agreement, an ordinance of the City of St. Pete Beach, Florida, City Commission, amending the text of the Comprehensive Plan by amending Part I, Citizen Input on the Community Redevelopment, and Part II, Future Land Use Element, pursuant to the remedial action specified in the Compliance Agreement (“Agreement”) resolving Division of Administrative Hearings (“DOAH”) Case No. 13-003401-GM; providing for publication in accordance with the requirements of law; and providing for an effective date, with the amendment on Page 57, Policy 5, changed from: “All large scale development and redevelopment projects approved under Scenario 2, as defined under Permitted Uses & Standards for this Large Resort character district category, *may* be required…” The motion was seconded by Commissioner Falkenstein.**

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

> **The motion was unanimously approved by an individual roll call vote.**

Mayor Lowe requested Mr. Harry Metz and Mr. Brooks Cavender, representatives from the Veterans of South Pinellas organization, to the podium for a presentation.

Mr. Metz and Mr. Cavender presented a Certificate of Appreciation to the City Clerk, Rebecca Haynes, honoring her volunteer services during the “Salute to the Military and First Responders” event held in Pass-A-Grille for the past three years.

Commissioner Premer was excused from the meeting due to illness.

5. Action Items

a. Update on capital and enterprise fund projects and authorization to proceed with a Request for Proposals for a bank note to be funded through the Stormwater Fund

Jeff Larson, Financial Planner, explained that project estimates have been received from the Pass-A-Grille Way Reconstruction Project and the Blind Pass Road

Reconstruction Project. Mr. Larson noted that the $3 million bank note will be paid through the Stormwater Utility Fund.

Commissioner Finnerty moved to approve Item 5(a), to authorize the City Manager to proceed with a request for proposal for a Stormwater Utility bank note of up to $3,000,000 to be paid by the Stormwater Fund. The motion was seconded by Commissioner Falkenstein.

Mayor Lowe called for audience comments.

Michael Lehman, 80th Avenue, spoke in support of establishing a financial strategy and discussed water quality in conjunction with improvements.

Hearing no further audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

b. Approval of Nabors, Giblin & Nickerson, P. A. as Bond Counsel for a capital financing bank note and bond debt issues

Mr. Larson clarified that the bond counsel's responsibility is to (1) ensure the debt is legal, valid and binding and (2) provide a tax opinion.

Commissioner Finnerty moved to approve Item 5(b), to authorize the City Manager to enter into an agreement with Nabors, Giblin & Nickerson, P.A., as bond counsel for the City of St. Pete Beach, subject to review and approval of the City Attorney. The motion was seconded by Commissioner Falkenstein.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

c. Approval of Akerman, LLC as Disclosure Counsel for the proposed Capital Improvement Revenue Bonds, Series 2015

Mr. Larson noted the proposed disclosure counsel oversees the underwriters' counsel and prepares the offering document.
Mr. Saunders noted that he preferred utilizing two separate firms as a check and balance system.

Commissioner Finnerty moved to approve Item 5(c), to authorize the City Manager to enter into an agreement with Akerman, LLC as Disclosure

Counsel for the City of St. Pete Beach upon review and approval of the City Manager. The motion was seconded by Commissioner Falkenstein.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

d. Confirmation of Stifel, Nicolaus & Company, Inc. and RBC Capital Markets as Underwriters to the City of St. Pete Beach for its proposed up to $13,000,000 Capital Improvement Revenue Bond, Series 2015

Mr. Larson explained the third item of the bond issues is the underwriting of the bonds. There is no engagement letter and the fee is paid once the bonds are successfully priced and sold.

Vice Mayor Pletcher moved to approve Item 6(d), to confirm the unanimous recommendation of the Selection Committee of Stifel, Nicolaus & Company, Inc. as Senior Underwriter and RBC Capital Markets as Co-Managing Underwriter for the Series 2015 Bond issue. The motion was seconded by Commissioner Finnerty.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

e. Approval of a scope modification from Land & Water Engineering Science (LWES) in the amount of $2,420 for the Egan Park Project

City Manager Saunders explained the modification incorporates the rain garden as the first phase of the environmental portion of the project.

Commissioner Finnerty moved to approve Item 5(e), to ratify the City Manager's decision to accept a scope modification from Land & Water Engineering Science in the amount of $2,420 for the Egan Park Project. The motion was seconded by Commissioner Falkenstein.

Mayor Lowe called for audience comments.

Michael Lehman, 80th Avenue, spoke in support of fees and a survey to determine resident use of the boat launch.
Hearing no further audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

f. Authorize the City Manager to sign an Individual Project Order (IPO) with Kimley-Horn and Associates, Inc. for $116,580 to perform general engineering and consulting services for a city-wide wastewater Inflow & Infiltration (I&I) Study.

City Manager Saunders requested approval to conduct the first step in the I&I Study to compile the specifications to clean and photograph the pipe system, conduct a capacity study, prioritize a future work schedule and provide recommendations on the type of work to complete.

Vice Mayor Pletcher moved to approve Item 5(f), to authorize the City Manager to sign an Individual Project Order (IPO) with Kimley-Horn and Associates, Inc. for $116,580 to perform general engineering and consulting services for a city-wide wastewater Inflow & Infiltration (I&I) Study. The motion was seconded by Mayor Lowe.

Mayor Lowe called for audience comments.

Hearing no further audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

g. Authorize the City Manager to sign a proposal from Play Space Services, Inc. in the amount of $48,880 to resurface the McKenney Park playground.

Mr. Saunders noted the proposed re-surfacing is included in this year's budget and requested approval to move forward with the project.

Commissioner Finnerty moved to approve Item 5(g), to authorize the City Manager to sign a proposal from Play Space Services, Inc. in the amount of $48,880 to resurface the McKenney Park playground. The motion was seconded by Commissioner Falkenstein.

Mayor Lowe called for audience comments.

Hearing no further audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

8. Items for Discussion

Mayor Lowe requested to add a discussion in regard to meeting procedures to a future agenda.

9. Audience Comments

There were no audience comments.

10. City Clerk, City Manager, City Attorney and City Commission Reports

City Clerk Haynes reported on the following items:

- Expressed appreciation for the recognition by Mayor Lowe and the Veterans of South Pinellas for volunteer services
- Provided an update on the luncheon to be sponsored by the City of St. Pete through the Suncoast League of Cities at the Sirata Beach Resort's Compass Grille
- Continuing to work with the Florida League of Cities to schedule a date for an elected officials training session on ethics, public records and the Sunshine Laws

City Attorney Dickman reported on the following items:

- Meeting with the City's various special counsel: labor attorney, special magistrate and insurance carrier

Vice Mayor Pletcher reported on the following items:

- Presented a proclamation to visitors from Isle of Wight with a presentation by Pass-A-Grille resident, Spencer Lucas
- Pass-A-Grille Women's Tour is scheduled for Saturday, February 28th
- Vina del Mar Island Association is sponsoring a school fundraiser at the Community Center on March 6th

Commissioner Falkenstein reported on the following items:

- Observed the clean-out procedure of a Stormwater drain
- Encouraged people to attend the Honor Walk located at Upham Beach and discussed replacing the flags displayed in the Honor Walk area
- Discussed trash cans moved on the beach for easier access by visitors
- Discussed an inoperable parking meter and parking meter with graffiti
- The "Public Stuff" application will be available soon which will allow the public to electronically report problems to the City, such as damaged traffic signs, clogged storm drains, etc.
- The Municipal Election will be held Tuesday, March 10, 2015 from 7:00 a.m. to 7:00 p.m.

Commissioner Finnerty reported on the following:

- The Sunset Park Festival on February 14th was very successful and the March 14th Sunset Park Festival will be from 6:00 p.m. to 8:00 p.m.
- Continuing to work on Gulf Beaches Elementary School signage and lighting on Blind Pass Road and Boca Ciega Drive

- Expressed appreciation for crosswalk installation on 85th Avenue and 87th Avenue
- Distributed PSTA bus stop-district maps to Commissioners
- Obtained an updated address list for Support Our Troops mailings from the Pinellas County Supervisor of Elections Office
- Attended the Suncoast League of Cities luncheon and volunteered to serve as an alternate representative

Mayor Lowe reported on the following:

- Showed an aerial photo of the Bayway Bridge area
- Provided an update on the activities for the Bayway Bridge dedication in honor of Command Sergeant Major Gary Littrell on March 28th
- The Pass-A-Grille Women's Home Tour is Saturday, March 28th and tickets are still available through local merchants

11. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 10:33 p.m.

Attest:

______________________________ ______________________________
Rebecca C. Haynes, City Clerk Maria Lowe, Mayor

Minutes approved on: ___________

CITY COMMISSION MEETING

MINUTES

MARCH 9, 2015

6:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENT:

Maria Lowe, Mayor
Melinda Pletcher, Vice Mayor
Terri Finnerty, Commissioner
Rick Falkenstein, Commissioner
Gregory Premer, Commissioner

ALSO PRESENT:

Wayne Saunders, City Manager
Andrew Dickman, City Attorney
Rebecca C. Haynes, City Clerk
Steve Hallock, Public Services Director
Matt McLaughlin, Planning Consultant
Stephen Yurcaba, IT Specialist

1. Presentations

a. Proclamation – Achievement in Academic Excellence

Escorted by T.C. Kirkpatrick, the following students, Ms. Keeley Hemmel, Ms. Maddy Kilpatrick, Ms. Siena London, Ms. Abby Wilson and Ms. Maddie Zavac each received a proclamation read by Mayor Lowe recognizing their achievements as students accepted in the St. Petersburg High School International Baccalaureate Program.

2. Changes to the Agenda

City Manager Wayne Saunders requested to pull Item 5(a) and bring back at a future meeting.

3. Audience Comments

Mecca Bellmore, Treasure Island, commented that she is a student in the Public Policy and Administration Program at St. Petersburg College. Ms. Bellmore reported on a school safety zone for the students at Gulf Beaches Elementary School as her project required for graduation.

Tom Quinn, Sunset Way, requested a trash barrel on 64th Avenue at a previous meeting and thanked the Public Services Department for providing the barrel in an expeditious manner. Mr. Quinn requested the status of transferring the Library services to City Hall.

4. Consent

a. Authorize the City Manager to enter into a purchase agreement with Alan Jay Automotive Network in the amount of $41,610.50 for the purchase of a stake body truck

City Manager Saunders explained the agenda item and recommended approval as presented.

Vice Mayor Pletcher moved to approve Consent Item 4(a) as presented. The motion was seconded by Commissioner Premer.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

5. Action Items

a. Update on Waste Water Bank RFP, authorization to proceed with selecting the Bank and related Term Option recommended by the City Selection Committee and the City's Financial Advisor

This item was removed from the agenda.

b. Authorization for the City Manager to enter into an agreement with Public Stuff to provide a one-year subscription to the Public Stuff Pro Application in the amount of $5,000

City Manager Saunders explained the proposed application is a program that will allow residents to report any problems they encounter in the City such as a missing sign, water leak, etc. The program also allows the City to notify residents of inclement weather or other emergencies. Mr. Saunders noted that future training will be provided to residents on how to use the application.

Commissioner Finnerty moved to approve Item 5(b), to authorize the City Manager to enter into an agreement with Public Stuff to provide a one-year subscription to the Public Stuff Pro Application in the amount of $5,000. The motion was seconded by Commissioner Falkenstein.

Mayor Lowe called for audience comments.

Deborah Schechner, Boca Ciega Isle Drive, spoke in support of the application and voiced concern in regard to personal information.

Hearing no further audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

c. Authorize the City Manager to sign a scope and fee proposal from Michael Baker Jr., Inc. in the amount of $125,000 to perform re-design engineering services for the Blind Pass Road Reconstruction Project

Mr. Saunders explained the re-design includes underground utilities, right-of-way use and two additional blocks (73^{rd} Avenue to 75^{th} Avenue) of improvements.

Commissioner Finnerty moved to approve Item 5(c), to authorize the City Manager to sign a scope and fee proposal from Michael Baker Jr., Inc. in the amount of $125,000 to perform re-design engineering services for the Blind Pass Road Reconstruction Project. The motion was seconded by Commissioner Falkenstein.

Mayor Lowe called for audience comments.

Joanne Lentino, Boca Ciega Drive, inquired if weekly updates will be provided to area residents.

Mr. Saunders explained that the construction manager and City staff will hold meetings to provide updates.

Hearing no further audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

d. Authorize the City Manager to accept a proposal from Cribb Philbeck Weaver Group, Inc. (CPWG) in the amount of $54,355 for Pass-A-Grille Way Utility Undergrounding Coordination, Design, and Permitting

City Manager Saunders noted that the proposal provides for assistance from CPWG for the design and implementation of undergrounding overhead utility lines as part of the Pass-A-Grille Way Reconstruction project, Phase I.

Vice Mayor Pletcher made a motion to approve Item 5(d), to authorize the City Manager to accept a proposal from Cribb Philbeck Weaver Group, Inc., (CPWG), in the amount of $54,355 for Pass-A-Grille Way Utility Undergrounding Coordination, Design and Permitting. The motion was seconded by Commissioner Premer.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

e. City Commission Annual Donations

City Manager Saunders noted the Neighborly Care Network and Gulf Beaches Historical Museum have been appropriated during this budget cycle. Additional non-profit organizations have submitted their requests for consideration.

City Clerk Haynes stated that she will forward the request form to Commissioners so they may submit other organizations for additional consideration.

Commissioner Premer moved to continue Item 5(e) to date certain, April 14, 2015, meeting for further consideration. The motion was seconded by Commissioner Finnerty.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

6. Resolutions

There were no resolutions presented for this agenda.

7. Ordinance

a. Ordinance No 2015-05, Final Reading and Public Hearing, amending Part I, Citizen Input on Community Redevelopment and Part II, Future Land Use Element of the City of St. Pete Beach Comprehensive Plan pursuant to Compliance Agreement, resolving Division of Administrative Hearings (DOAH), Case No. 13-003401-GM

City Manager Saunders noted the ordinance amends the Comprehensive Plan pursuant to the Compliance Agreement and resolves the DOAH Case No.13-00340-GM.

City Attorney Dickman explained that the Compliance Agreement was approved and filed with the Division of Administrative Hearings. The Administrative Law Judge has stayed the case while the City proceeds through the remedial plan process.

> **Vice Mayor Pletcher moved to approve Item 7(a), Ordinance No. 2015-05 on second reading pursuant to the Compliance Agreement, an ordinance of the City of St. Pete Beach, Florida, City Commission, amending the text of the Comprehensive Plan by amending Part I, Citizen Input on Community Redevelopment, and Part II, Future Land Use Element, pursuant to the remedial action specified in the Compliance Agreement ("Agreement") resolving Division of Administrative Hearings ("DOAH") Case No. 13-003401-GM; providing for publication in accordance with the requirements of law; and providing for an effective date. The motion was seconded by Commissioner Premer.**

Mayor Lowe called for audience comments.

Deborah Schechner, Boca Ciega Isle Drive, spoke about a luxury hotel recently built in Treasure Island and the development of St. Pete Beach.

Gregory Wilson, 70th Avenue, commended the participants involved in reaching a resolution to the lawsuit.

Frank (last name inaudible), Regency II, complimented the participants on resolving the issues related to the Comprehensive Plan.

Lorraine Huhn, Blind Pass Road, congratulated everyone and stated that development and re-development need to take place, keeping in mind that St. Pete Beach is a 'jewel' destination.

Bill Pyle, Sunset Way, offered his congratulations on accomplishing the recent task of settling negotiations.

Hearing no further audience comments, Mayor Lowe called for the vote.

> **The motion was unanimously approved by an individual roll call vote.**

8. Items for Discussion

There were no items presented for discussion.

9. Audience Comments 2

Deborah Schechner, Boca Ciega Isle Drive, congratulated participants in the negotiation process of the DOAH Case and discussed design guidelines and public input.

10. <u>City Clerk, City Manager, City Attorney and City Commission Reports</u>

City Clerk Haynes reported on the following item:

- The Municipal Election is tomorrow, March 10, 2015 and everything is running smoothly; updates throughout the day will be forwarded to Commissioners

City Manager Saunders reported on the following items:

- City Commission Workshop is Wednesday, March 11, 2015 at 1:00 p.m. in the Raymund Room at the Community Center
- The new Community Development Director, Jennifer Bryla, begins her position with the City on Wednesday, March 11, 2015

City Attorney Dickman reported on the following items:

- Provided an update on cases and proposed ordinances
- Meeting with special counsel retained by the City

Commissioner Finnerty reported on the following items:

- Met with staff and a resident in regard to Egan Park issues
- Resident D.J. Everett passed away and deepest condolences were sent to the family
- The Swigwam Bar is hosting a St. Patrick's Day celebration and their 5^{th} Anniversary on March 17, 2015
- Meeting with FDOT, Gulf Beaches Elementary School representatives, Deputy Mancusi and City Staff in regard to school signage and traffic signals
- The Sunday Market is going strong and is better each week
- Sunset Park Fest is scheduled for March 14^{th} with restaurants, bell ringing, and a future bagpipe player
- St. Pete Beach Support Our Troops has two new volunteers to help pack boxes for the men and women who serve our country
- Read a letter from Commanding Officer T.A. Montplaisir, USS Sirocco, Department of the Navy, in regard to receiving boxes sent by Support Our Troops

Commissioner Falkenstein reported on the following items:

- Provided an update on items he forwarded to the City Manager to address
- Reminded District 2 to vote on March 10^{th}

Commissioner Premer reported on the following items:

- Expressed appreciation for the patience and understanding of residents during the water main break near the Don Cesar Hotel and to City staff for their quick response in repairing the break
- Provided an update on the water issue below Lazarillo Park
- Parking along the road next to Village Inn is encouraging pedestrians to walk across Gulf Boulevard to access the beach
- Provided an update on meeting with residents to discuss broadband in the City

- Commended the young ladies who received proclamations earlier in the meeting and noted there are many who still need to be recognized
- Commended 8th Graders who passed the auditions to be a part of the PCCA Program at Gibbs High School
- Contact Clothes to Kids (CTK) at 3251 3rd Avenue North or at (727) 327-7100 with any clothing donations

Vice Mayor Pletcher reported on the following items:

- Praised the young ladies who received the proclamations earlier and the leadership of the current Commission

Mayor Lowe reported on the following items:

- Discussed using proclamations to celebrate the accomplishments of community members
- Gulf Beaches Historical Museum sponsored a fund-raising event in Pass-A-Grille
- The Community Center held a Beer Festival fund-raising event sponsored by a local organization
- Attended the Vina del Mar Community Homeowners Association meeting and welcomed HOAs to contact the Commissioners to attend their meetings
- Tampa Bay Regional Planning Council held a meeting in regard to hand-held applications for rideshares and disruptive technology & regulations
- Pinellas Mayors' Council requested the City consider hosting a soccer team for Spring training
- Discussed a drainage issue she witnessed near 55th Avenue and requested community members report unsafe conditions
- Call the Pinellas County Sheriff's Office in regard to dogs on the beach until an ordinance change is enacted
- Bridge Dedication in honor of Command Sergeant Major Gary Littrell is scheduled for Saturday, March 28th, followed by the Veterans of South Pinellas Event in Pass-A-Grille
- Expressed appreciation to fellow Commissioners for working together

11. <u>Adjournment</u>

There being no further business to come before the Commission, the meeting was adjourned at 8:00 p.m.

Attest:

______________________________	______________________________
Rebecca C. Haynes, City Clerk	Maria Lowe, Mayor

Minutes approved on: ___________

CITY COMMISSION MEETING - WORKSHOP

MINUTES

MARCH 11, 2015

1:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENT:

Maria Lowe, Mayor
Melinda Pletcher, Vice Mayor
Terri Finnerty, Commissioner
Rick Falkenstein, Commissioner
Gregory Premer, Commissioner

ALSO PRESENT:

Wayne Saunders, City Manager
Andrew Dickman, City Attorney
Rebecca C. Haynes, City Clerk
Jennifer Bryla, Community Development Director
Elaine Edmunds, Administrative Services Director
Dan Graves, Fire Chief
Steve Hallock, Public Services Director
Jennifer McMahon, Recreation Director

1. Operating Budget

a. Year-To-Date Update

City Manager Wayne Saunders congratulated Commissioner Rick Falkenstein on his election victory and introduced the new Community Development Director, Jennifer (Jenni) Bryla.

Mr. Saunders proceeded to provide an update for Fiscal Year 2015 as follows:

General Fund Revenues

- All revenues on track
- Building permit revenue is 10% higher than anticipated

- Parking revenue is $43,000 higher than same period last year

<u>General Fund Expenditures</u>

- City Attorney included undetermined amount in regard to the Anderson case
- Community Development Department includes additional costs for planning consultants

<u>General Fund Summary</u>

- Increase of $662,650 in FY 2014
- FY 2015 uses $195,425 of reserve funds to balance budget
- FY 2015 anticipated reserves of $4,551,707

<u>Wastewater Expenditures and Summary</u>

- Loan in process for $5,000,000
- Loan proceeds to be used to partially fund Pass-A-Grille Way and Blind Pass Road Reconstruction Projects, Pump Station 3 and Force Main 3
- Anticipated reserve fund depleted by the end of FY 2015

<u>Reclaimed Water Fund Summary</u>

- Revenue and expenditures on track
- Estimated reserve fund balance of $695,949 at the end of FY 2015

<u>Stormwater Fund</u>

- Stormwater revenue on track
- Loan in process for $3,000,000
- Loan proceeds to be used to partially fund Pass-A-Grille Way and Blind Pass Road Reconstruction Projects
- Estimated reserve fund balance of $742,503 at the end of FY 2015

<u>Capital Improvement Revenues</u>

- Penny for Pinellas revenues on track
- CIP Bond for $12,000,000 in process
- CIP Bond monies currently include $2 million for library building/renovation and Pass-A-Grille Way Reconstruction Project, Phase I
- Additional monies are being transferred to the CIP fund from the Wastewater and Stormwater Funds for the road reconstruction projects

<u>Capital Improvement Expenditures</u>

- The Blind Pass Road Reconstruction Project budget has increased by $1,975,856
- The Pass-A-Grille Way Reconstruction Project budget has increased by $1,087,350
- SWFWMD grant increased by $81,900

- First bond payment will be made in FY 2016
- Estimated fund balance at year end is $1,386,674

b. Outlook for Current Year
c. Challenges
d. Future Priorities

Fire Chief Dan Graves reported staffing is at an acceptable level, several rooms in the fire station need renovation, and the department needs a good water rescue program.

Public Services Director Hallock reported a staff member is needed to patch potholes, install and/or repair signage and maintain facilities.

Discussion was held in regard to leases at Paradise Grille and Upham Beach concession stands; Community Center dock and marina plans; grant writing; ADA compliant beach parking, beach access points, restrooms and sidewalks.

Commissioner Falkenstein departed the meeting at 3:00 p.m.

2. <u>Capital Projects (CIP)</u>

a. Update on Current Projects Underway

Mr. Saunders provided an update on current projects that include: Lift Stations 5, 6, 9 and 12; street rehabilitation; seawall repairs; Pass-A-Grille Way Reconstruction Project; Bayway landscaping; Blind Pass Road Reconstruction Project; Egan Park; playground resurfacing; beach dune walkovers; Pump Station #2; wastewater inflow & infiltration (I&I Study); Pump Station #3 reconstruction and Force Main #3 replacement.

b. Priorities and Scheduling of Other Budgeted Projects

Mr. Saunders provided an update on pending projects that include: Americans with Disabilities Act (ADA) study and costs, FDOT landscaping along Gulf Boulevard and Blind Pass Road, Community Center docks, City Hall renovation, Library expansion and wastewater crossovers.

c. Update on Financing Plan for Major Projects

d. New Projects to Consider

The City Manager offered a list of new projects for consideration as follows:

- Gulf Way Sand Wall: $ 57,500
- Upham Beach Concession Stand: $ 90,000
- 1st Avenue Jetty: $125,000

- Hurley Park Field Renovation: $177,500
- Lift Station Repair and Replacement: $100,000
- Wastewater I&I Repairs: $750,000 per year (FY 2016-2020)
- Reclaimed Water Improvements: $200,000 per year (FY 2016-2020)
- Stormwater Improvements: $600,000 per year (FY 2016-2020)
- Warren Webster Building: $ 86,020
- Police Station demolition: $ 75,000
- Egan Park Improvements: $318,000
- ADA Plan (self-evaluation and transition): $100,000
- Gulf Boulevard Undergrounding: $100,000 in FY 2016
$1,000,000 in FY 2017
$4,250,000 in FY 2018
- Wastewater Telemetry: $25,000
- Joint Valve Vault Repair: $42,000

Mr. Saunders continued with an update on the Capital Improvement Projects and proposed additions for FY 2017-2020 and the funding challenges.

3. Library

a. City Hall Conversion Assessment Review
b. Police Building Conversion Assessment Review
c. Alternatives for the Library

The City Manager stated that the City Hall Conversion Assessment Review showed the renovation of City Hall into a library facility was feasible but the Police Building Conversion Assessment Review revealed that the existing police station is not suitable for occupancy and recommended demolishing the building. Alternatives for the library include: remodel the existing building, relocate the Library to City Hall and relocate City Hall to a new building at the current police station site, or tear down the existing police station and build a library facility. The latter option would allow for all leisure services to be located in one area. Parking was listed as a top priority.

4. Employee Medical Insurance

a. City Contribution

This item was not addressed due to time constraints.

5. Fire Chief – Fire Marshal Position(s)

a. Discussion of combined versus separate positions

This item was not addressed due to time constraints.

6. State of the City

a. Plan for Presentation

This item was not addressed due to time constraints.

7. Commission Meetings

a. Discussion on Possible Improvements to Agendas and Meetings

This item was not addressed due to time constraints.

8. Other

There were no other items presented for discussion.

9. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 4:35 p.m.

Attest:

______________________________	______________________________
Rebecca C. Haynes, City Clerk	Maria Lowe, Mayor

Minutes approved on: ___________

St. Pete Beach City Commission
Agenda Report

Issue Considered:	Authorization for the City Manager to enter into an agreement with Burton & Associates to perform a Stormwater Assessment Update in the amount of $14,950
Date:	April 14, 2015
Prepared By:	Elaine Edmunds – Administrative Services Director
Summary of Issue	The City of St. Pete Beach currently has a two tier stormwater assessment that was implemented in fiscal years 2011 and 2012. The City is requesting a re-evaluation of the level of the assessments based upon the current and projected needs of the stormwater fund, including capital project funding requirements and associated debt service expenses. There are strict statutory requirements for adjusting assessments and a very short timeline to adopt any changes for fiscal year 2016. The city received cost estimates from three firms. The cost estimates are as follows: Woopert, Inc. $13,000 Burton & Associates $14,950 PRMG, Inc. $16,014 Although Burton & Associates was not the lowest, they did certify that they would complete the scope of work in the prescribed timeframe. Therefore, staff recommends Burton & Associates for this project.
Funding:	A/C # .103.6108.537.5310 – Professional/Contractual
Requested Motion:	"I move that the City Manager be authorized to enter into an agreement with Burton & Associates to perform a stormwater assessment update in the amount of $14,950."
Attachment:	Burton & Associates Proposal & Cost Estimate
Reviewed by the City Manager	WS

St. Pete Beach, Florida

Stormwater Assessment Update

Proposal & Cost Estimate

Submitted by:

BURTON & ASSOCIATES

TRANSMITTAL LETTER

BURTON & ASSOCIATES

April 1, 2015

Ms. Elaine Edmunds
Administrative Services Director
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, FL 33706

Re: Stormwater Assessment Update

Dear Ms. Edmunds:

Burton & Associates is pleased to present this proposal to perform a Stormwater Assessment Update for the City of St. Pete Beach. Burton & Associates **specializes in providing financial forecasting, rate making, and cost allocation services for local government utilities in various parts of the country, with an emphasis in Florida.**

Firm Profile – Burton & Associates, Inc. is a Florida Corporation headquartered in St. Augustine, Florida with branch offices in Tampa, Florida, Alpharetta, Georgia, and Jackson, Michigan. Founded by Mr. Michael Burton in April of 1988, the firm has provided outstanding financial management consulting services to local government for over 26 years.

Industry Leader and Authority – **Burton & Associates is and has been the industry leader in providing independent and objective financial management services to local governments throughout the country culminating in over 1,000 separate analyses**. We provide the most comprehensive and efficient approach to the development of multi-year financial management plans, cost allocations, rate/assessment structures, benchmarking, and financial feasibility analyses necessary to ensure the long-term sustainability of local government services.

Burton & Associates is recognized as an industry expert in all types of utility ratemaking, with a particularly strong background in water resources (i.e. water, wastewater, reclaimed water, and stormwater). We have a tremendous amount of experience with and knowledge of a variety of accepted ratemaking and cost of service methodologies including practices and approaches identified in American Water Works Association and **Water Environment Federation Manuals,** other industry publications, as well as accepted industry practices in various parts of the country.

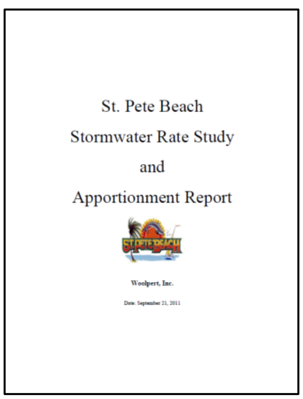
Burton & Associates
1000 North Ashley Drive, Suite 513 • Tampa, Florida 33602 • Phone (813) 443-5138• Fax (813) 443-8289
E-mail: aburnham@burtonandassociates.com

Moreover, we are very familiar with the financial criteria used by the municipal ratings agencies in evaluating the financial health of public utility systems. We use this knowledge and experience to **develop customized solutions for our clients that reflect their unique circumstances and result in a fair and equitable distribution of costs as well as sustainable financial policies and capital funding strategies.** We routinely support our clients in the evaluation of alternative capital funding alternatives, and work with their Financial Advisor's to develop optimized capital financing plans. In fact, our project team has conducted financial feasibility analyses and other services in **support of the issuance of over $1 billion in public utility-related bonds in the past 5 years.**

Local Knowledge – **Burton & Associates has been providing similar utility financial planning and cost allocation services for** many communities in the City's area (see table to the right). **As such, we have significant knowledge of local systems and their stormwater cost recovery practices that will be of significant benefit to the City.**

Local Clients
Pinellas County
City of St. Petersburg
City of Tarpon Springs
City of Port Richey
City of New Port Richey
City of Dunedin
City of Safety Harbor
City of Indian Rocks Beach
City of Clearwater
City of Temple Terrace
City of Sarasota
City of Palmetto

Understanding of the Work – It is our understanding that the City currently has a two-tier assessment structure for stormwater that is assessed annually on the property tax rolls. The first tier of the assessment was implemented in Fiscal Year 2011 and is a fixed rate, while the second tier was implemented in Fiscal Year 2012 and is variable per ERU. It is also our understanding that the City is requesting a re-evaluation of the level of the assessments (not the methodology itself) based upon the current and projected needs of the Stormwater Fund, including capital project funding requirements and associated debt service expenses for an expected borrowing. Due to the strict timeline that must be followed for the assessment adjustment process, the City is asking that the analysis be completed by May 31, 2015.


St. Pete Beach
Stormwater Rate Study
and
Apportionment Report

Woolpert, Inc.

We will develop updated assessments that are sufficient to meet the current and future revenue requirements of the system, including operating and capital costs, debt service expenses and coverages, and reserve requirements. We will prepare long-term (10-year) and near-term (5-year) financial forecasts of revenues and revenue requirements of the utility, and will provide draft and final reports at the conclusion of the analysis. Moreover, we will also participate in meetings and presentations with staff and Council as required as part of the assessment update. **It is important to note that we have sufficient resources and capacity to provide the requested services within the identified time period**.

Project Team – We have structured our project team with individuals who are highly experienced in working with stormwater systems and have a high level of local knowledge in order to ensure the study is completed in the City's desired timeframe. In fact, **Mr. Andrew Burnham and Mr. Eric Grau have both**

been providing financial consulting services to communities in the City's area for over ten years apiece, including several stormwater system studies similar to the City's requested scope of services.

In the unlikely event there is a loss of key personnel, **we have additional highly qualified individuals on staff that will be available to fill in to ensure the analysis is completed on time and is of the highest quality**. The following table identifies the proposed primary team member that will be assigned to the project, along with a secondary team member available to fill in if there is a loss in personnel.

Role in Project	Primary Member	Secondary Member
Project Manager	Andrew Burnham	Michael Burton
QA/QC Reviewer	Eric Grau	James Bearman
Project Consultant	Kyle Stevens	Leticia Gaglianone

Point of Contact – Mr. Andrew Burnham will serve as the main contact for this proposal and any resulting contract. **He will manage all work for this project out of our Tampa, FL office**, and he can be reached at 1000 North Ashley Drive, Suite 513, Tampa, FL 33602, by phone at (813) 443-5138 or via email at aburnham@burtonandassociates.com.

Enclosures – We have included an overview of our methodology and approach, a proposed schedule, as well as a detailed project work plan which provides a breakdown of the hours by task and identifies the cost of our proposal to perform the requested assessment update. To the extent any references, resumes, or additional qualifications are required, we would be happy to provide those upon request.

Summary – We deliver superior services for an excellent price and believe we are uniquely qualified to continue to serve the City due to our:

- ✓ National stature within the water resources industry
- ✓ Extensive experience with accepted stormwater assessment and ratemaking practices in Florida
- ✓ Familiarity with the City and similar experience with communities in the geographic area
- ✓ Experienced project team from top to bottom with tremendous modeling capabilities
- ✓ Commitment and availability of resources to complete the study in the desired timeframe
- ✓ Powerful, easy-to-understand, and customized MS Excel-based modeling system
- ✓ Excellence in stakeholder education and public outreach programs

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Andrew Burnham
Senior Vice President

TABLE OF CONTENTS

1. METHODOLOGY & APPROACH

Our unique methodology and approach to providing the type of services requested by the City is an empowering decision support process in which we use our proprietary interactive Microsoft Excel-based Financial Analysis and Management System (FAMS-XL©) modeling system to review alternative solutions. **The interactive process allows us to work closely with our clients to conduct a transparent analysis and to clearly and quickly identify and understand the sensitivities, drivers, and impacts of any decision alternative.**

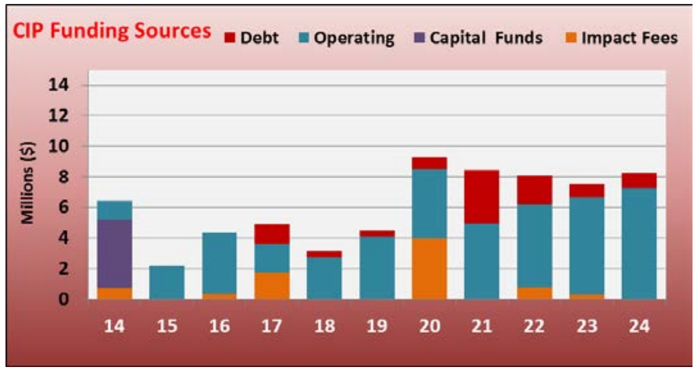
To properly calibrate the modules of our FAMS-XL© system to precisely simulate our clients' utilities, we gather and review a significant amount of information regarding their systems, including historical and projected operating and capital budgets, audited financial statements, facility plans, bond/loan agreements, service agreements, historical billing/property data, etc., in order to make adjustments to the FAMS-XL© functionality as required to replicate their utility systems and available data. **We purposely have continued to expand the capabilities of FAMS-XL© on the Microsoft Excel© platform to allow us the flexibility to adjust our model to replicate the way our clients do business.**

We then conduct multiple interactive decision support work sessions with our clients with the modules of our FAMS-XL© modeling system up and running with the "control panel" projected on a large viewing screen. In this way we can quickly evaluate alternative scenarios with instantaneous feedback. This allows us to work with our clients towards solutions while building consensus and confidence in the decision alternatives and the short and long term consequences of each to the utility and its customers.

FAMS-XL© has several modules, all of which can be linked depending upon the specific requirements of each community. The remainder of this section describes the revenue sufficiency and financial planning module that would be used in the conduct of the assessment update for the City.

The revenue sufficiency and financial planning module will be used to develop a **long-term financial management plan for the stormwater fund, inclusive of projected annual revenue requirements and levels of annual assessment adjustments**. This module allows examination of **alternative capital improvement funding sources, target debt service coverage levels, levels of operating and capital reserves, and other financial policies/goals** that affect the financial performance of the utility system and its future revenue requirements. In addition to evaluating financial goals and objectives, we can also **evaluate scenarios regarding alternative capital improvement spending programs, cost escalation factors, and other variables that affect the financial performance of the City**.

The financial planning module features several valuable forecasting outputs, including projections of revenues, expenditures, capital projects, and system growth. In addition, we review alternative scenarios of growth rates, levels of operating and capital expenditures, and any other situation that may arise during a multi-year planning period. Each output is interconnected and is seamlessly updated as any changes in assumptions are made.

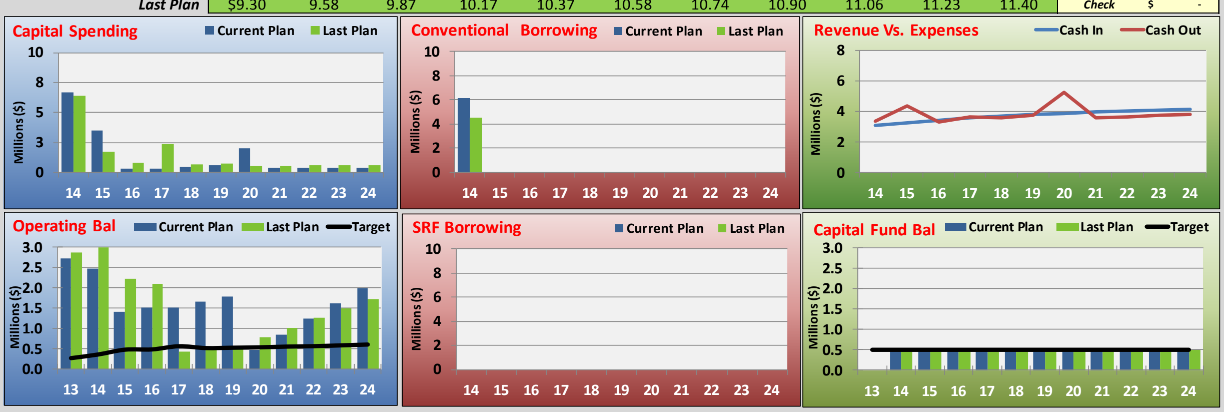


The financial planning module also provides a valuable capital planning tool which we will use to review the City's existing capital improvement program, and to evaluate alternative project schedules, costs, timing of projects, and funding sources, including borrowing requirements as may be necessary. We will work closely with the City's financial advisor, staff, and bond counsel as appropriate to develop a multi-year financing plan. We have extensive experience working with our clients, to **incorporate multi-year capital improvement plans (including the results of master plans) into our financial planning module to develop necessary capital financing plans**.

An example of a control panel of a revenue sufficiency and financial planning module used in the interactive work sessions for the development of a ten-year financial plan for a stormwater utility is presented below. The green bars and panels represent the "last" scenario evaluated, which reflected a more extended capital improvement program timeframe, whereas the blue bars and panels represent the "active" scenario, which includes an accelerated capital improvement program that includes a higher level of borrowing and annual rate adjustments for the first five years of the forecast. The graphs show through key indicators that the financial consequences of an accelerated capital plan can be accommodated with slightly larger near term rate adjustments in order to ensure the fund is able to satisfy its capital funding needs and maintain minimum reserve levels in the future.

FINANCIAL ANALYSIS AND MANAGEMENT SYSTEM (FAMS) SUMMARY

SAVE CALC	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	*Cumulative Change* FY 2019	FY 2024
Override ▶		4.50%	4.50%	4.50%	3.50%	3.50%	1.50%	1.50%	1.50%	1.50%	1.50%		
Stormwater Rate Increases	0.00%	4.50%	4.50%	4.50%	3.50%	3.50%	1.50%	1.50%	1.50%	1.50%	1.50%	22.26%	31.72%
Last Plan	0.00%	3.00%	3.00%	3.00%	2.00%	2.00%	1.50%	1.50%	1.50%	1.50%	1.50%	13.76%	22.58%
Rate Covenant	3.81	1.32	1.45	1.30	1.61	1.70	1.71	1.69	1.72	1.71	1.70	*PS FY14* ▶	100%
Last Plan	2.91	1.66	1.72	1.79	1.79	1.85	1.87	1.87	1.90	1.94	1.93	*OMF FY14* ▶	100%
CIP Execution % ▶	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%		
Operating Reserve % ▶	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	*Cap. Reserve*	$ 500,000
Charge per ERU	$9.30	9.72	10.16	10.62	10.99	11.37	11.54	11.71	11.89	12.07	12.25		
Last Plan	$9.30	9.58	9.87	10.17	10.37	10.58	10.74	10.90	11.06	11.23	11.40	*Check*	$ -



Last Plan reflects projected results of financial management plan as initially endorsed by the City Commission during its workshop on 2/11/14 as part of FY 2014 Rate Study.

2. SCHEDULE

While Burton & Associates is currently under contract with other clients, we will devote the time and resources to complete the assessment update for the City within budget and in the required timeframe. Given our experience with developing and updating assessment programs, we are very familiar with the statutory requirements for adjusting/implementing assessments and understand the level of commitment necessary to complete this update as part of the FY 2016 budget process so that any assessment adjustments can be adopted at the beginning of the upcoming fiscal year.

We pride ourselves on providing the highest level of service, including responsiveness to our clients' needs throughout the conduct of any study. Not only will our project team be available to staff during in-person meetings, but we will also be available as needed via email, phone, or Internet meetings. We have structured our project team with individuals who are very experienced in working with stormwater utility systems and assessment programs, but **in the unlikely event there is a loss of key personnel, we have additional highly qualified individuals on staff that will be available to fill in at each level of our project team to ensure timely completion of the update without comprising its quality**.

As evidenced in the proposed project schedule below, Burton & Associates certifies that we can complete the scope of work in the prescribed timeframe, including issuance of a draft report by May 15, 2015 and submittal of a final report before May 31, 2015. As part of the kick-off meeting with the City, we would adjust the proposed schedule as appropriate to reflect any adjustments based upon the City's most current schedule requirements and staff availability.

City of St. Pete Beach, Florida

Stormwater Assessment Update

PROJECT SCHEDULE

Item No.	*Event Milestone*	*Proposed Dates*
1	Prepare initial data request list and preliminary project schedule.	4/9/2015
2	Project Kick-off Meeting.	4/13/2015
3	City staff completes data gathering and transmittal of financial and property/billing data.	4/15/2015
4	Initialize financial forecasting model, including data input, key assumptions, customization and set-up of initial scenarios.	12 Days
5	Interactive worksession with staff to review initial financial forecasting module. Review and discuss data, assumptions, scenarios, etc.	4/27/2015
6	Perform adjustments to financial model and distribute workbook of preliminary results and output for staff review.	7 Days
7	Second interactive worksession with staff to review updates/adjustments to financial model.	5/4/2015
8	Perform final adjustments and prepare PPT presentation of initial results of Update. Initialize Draft Report.	8 Days
9	Attend Council workshop/meeting to present initial results of Update.	5/12/2015
10	Make adjustments and distribute Draft Report	5/15/2015
11	Integrate City staff, Financial Advisor, and Bond Counsel comments into a Final Draft Report.	5/21/2015
12	Present the final results of the study in one City Council Meeting (Presentation as part of Public Hearing of Ordinance).	5/26/2015
13	Integrate any final comments and prepare the Final Report of the Update.	5/31/2015
14	Provide assistance with preparation of property notices and/or assessment roll.	TBD
15	Attend additional City Council workshops and/or meetings (public hearings) as may be required.	TBD
16	Implementation date for new assessments	10/1/2015

3. WORK PLAN & COST

We have prepared a Project Work Plan & Cost Estimate Schedule (Schedule) which is presented in on the following pages. It provides a detailed task plan, the hours required to complete each of the tasks, and a total not-to-exceed project cost. **Based upon the enclosed Schedule, successful completion of the update will require approximately 100 man-hours for a cost of $14,950 (inclusive of estimated out-of-pocket expenses), which we would propose to bill on a lump-sum or fixed fee basis.**

City of St. Pete Beach, Florida

Stormwater Assessment Update

Project Work Plan & Cost Estimate Schedule

	Project Tasks	Project Manager	QA/QC Reviewer	Project Consultants	Total Project
	Rates ---->	$190	$155	$115	
Task 1	**Project Initiation, Data Collection & Data Review**				
1.1	Prepare preliminary timeline for tasks, and initial data request list prior to kick-off meeting.	1	0	1	2
1.2	Conduct kick-off meeting to review project objectives, schedule, key issues, approach, available data, and key assumptions.	2	0	2	4
1.3	Review initial data/documentation provided by staff to ensure understanding of the utility's historical/projected operations (including assessment	2	0	4	6
Task 2	**Revenue Sufficiency Analysis - Develop a Multi-Year Financial Forecast of Assessment Revenue Requirements**				
2.1	Prepare historical parcel and ERU analysis to develop forecast of billing units for each tier of current assessment methodology.	1	1	3	5
2.2	Input financial, system, and property data into the FAMS-XL© financial planning module, run the module and produce preliminary output, including a ten-year financial management program that will include the following:	1	1	8	10
	o Capital Improvements Program and Capital Financing Plan				
	- Project listing by year, including integration of specific spending scenarios				
	- Alternative funding sources for capital projects				
	- Development of a capital financing plan (with the City's Financial Advisor), including timing, structure, and amount of borrowing requirements				
	o Borrowing Program				
	- Borrowing required (by source) to fund CIP projects not funded by other sources to include but not necessarily be limited to revenue bonds, State or other programs or bank loans as identified by Financial Advisor				
	- Timing of bond issue(s)/loan(s) to provide required borrowed funds				
	- Annual debt service of bond issue(s)/loan(s) in consultation with Financial Advisor				
	o Revenue Sufficiency Analysis				
	- Annual revenue projections				
	- Feasibility of alternative indexing that can be applied to each tier of the assessment structure				
	- Annual operations and maintenance expense projections				
	- All other annual revenue requirements such as R&R, minor capital, inter-fund transfers, debt service payments, maintenance of reserves, etc.				
	o Sources and Uses of Funds Analysis				
	o Funds Analysis				
	- Spend down limits (minimum reserve requirements) by fund				
	- Beginning and ending funds balances by fund by year				
2.3	Allocate annual costs/revenue requirements to the identified cost components or tiers of the existing assessment structure	2	1	4	7
2.4	Review results with consulting team, make required adjustments, and prepare alternative scenarios.	2	3	4	9
2.5	Meet with City staff in an interactive work session to review preliminary results.	3	0	3	6
2.6	Make adjustments per input from City staff in the prior sub-task and distribute workbook of assumptions, inputs, and preliminary results for staff review.	1	2	4	7
2.7	Meet with City staff in an interactive work session to review the adjusted analysis and finalize plan(s) of annual assessment adjustments for each tier.	2	0	2	4
Task 3	**Present & Document the Results of the Update**				
3.1	Prepare a presentation of the results and recommendations of the Update.	2	1	3	6
3.2	Provide draft presentation to City staff and management for review, and make adjustments as necessary.	1	0	1	2
3.3	Present the results of the Update to City Council.	3	0	3	6
3.4	Make adjustments to the analysis and prepare a Draft Report of the Update.	2	3	8	13
3.5	Integrate City staff, Financial Advisor, and Bond Counsel comments into a Final Draft Report.	1	2	3	6
3.6	Present the final results of the study in one City Council Meeting (Presentation as part of Public Hearing of Ordinance).	3	0	0	3
3.7	Integrate any final comments and prepare the Final Report of the Update.	1	1	2	4
3.8	Provide assistance with preparation of property notices and/or assessment roll.	At Hourly Rates, If Necessary			
3.9	Attend additional City Council workshops and/or meetings (public hearings) as may be required.	At Hourly Rates, If Necessary			
TOTAL ESTIMATED MAN-HOURS - TOTAL PROJECT		30	15	55	100
TOTAL ESTIMATED FEE - TOTAL PROJECT		$5,700	$2,325	$6,325	$14,350
TOTAL ESTIMATED EXPENSES - TOTAL PROJECT					$600
TOTAL ESTIMATED PROJECT COST - TOTAL PROJECT					$14,950

St. Pete Beach City Commission
Agenda Report

Issue Considered:	City Commission Annual Donations
Date:	April 14, 2015
Prepared By:	Colette Graston, Executive Assistant
Through:	Wayne Saunders, City Manager WS
Summary of Issue:	As you will recall, during the budget workshops the City Commission decided the Mayor and Commissioner would split $7,250 ($1,450 each) to donate to a charity of their choice. Staff sent Donation Request forms to the charities who previously received donations. Attached are those who have requested donations.
Funding:	001-5000-511-5349
Requested Motion:	"I move to authorize the City Manager to send donations to (state the charities and amounts)."
Attachments:	Donation Requests

RECEIVED
APR 08 2015
CITY CLERKS OFFICE

THE SUNSET CAPITAL OF FLORIDA

DONATION REQUEST FORM

PLEASE PRINT OR TYPE

ORGANIZATION NAME: SPB Support our Troops, INC.
(PLEASE INDICATE COMPLETE NAME)

CONTACT NAME: TERRi FiNNERty - VICE PRESIDENT

ADDRESS: 330 85th AVENUE
(STREET AND NUMBER)

St. Pete Beach, FL 33706
(CITY AND STATE) (ZIP)

TELEPHONE: 727-641-2314 FAX: N/A

E-MAIL ADDRESS: SpbSOT@gmail.com

REASON FOR REQUEST: Our program began in 2007 when former Commissioner Mike Finnerty established St Pete Beach Support Our Troops. We have been sending packages to our troops ever since. IN 2007 the cost to sent one box was $8.95. That price has risen to $15.85 today. Our request for this donation is to pay for postage to send boxes each month.

AMOUNT REQUESTED: $1,450.00

INFORMATION PROVIDED BY: TERRi Finnerty

THE SUNSET CAPITAL OF FLORIDA

DONATION REQUEST FORM

PLEASE PRINT OR TYPE

ORGANIZATION NAME: Boys + Girls Clubs of The Suncoast
(PLEASE INDICATE COMPLETE NAME)

CONTACT NAME: Jenna Felder

ADDRESS: 2300 Tall Pines Drive, Ste. 150
(STREET AND NUMBER)

Largo, FL 33771
(CITY AND STATE) (ZIP)

TELEPHONE: 727-524-2427 FAX: 727-524-3090

E-MAIL ADDRESS: jfelder@bgcsun.org

REASON FOR REQUEST: Support for St. Pete youth (Club Kids) to attend the 2015 Youth of The Year Luncheon and awards ceremony. (See attached information)

AMOUNT REQUESTED: $250.00

INFORMATION PROVIDED BY: Jenna Felder

YOUTH OF THE YEAR
Tupperware

YOU'RE INVITED!

2015 Youth of the Year Luncheon & Awards Ceremony

Monday, February 16, 2015 | Doors Open at 11:30 AM |
Hilton Carillon | 950 Lake Carillon Drive | St. Petersburg, FL 33716

BOYS & GIRLS CLUBS
OF THE SUNCOAST

Join Boys & Girls Clubs of The Suncoast and meet the 6 Youth of the Year candidates from Pinellas County.
Hear how their club experience has shaped their lives and what their plans are for the future.
RSVP by February 6 – Email – Online -- Phone: (727) 524-2427

HISTORY

Since 1947, **Youth of the Year** has been Boys & Girls Clubs of America's premier recognition program, promoting service to Club, community and family while celebrating the extraordinary achievements of Club kids around the world.

The journey to being named National **Youth of the Year** begins locally. Pinellas County youth ages 14 to 18 from 7 local Clubs compete to represent Boys & Girls Clubs of The Suncoast at the state level. State winners each receive a $1,000 scholarship and participate in regional competitions. Five regional winners each receive a $10,000 scholarship and compete on the national level. The National Youth of the Year receives up to an additional $50,000 scholarship and is installed by the President of the United States.

To achieve the title of **Youth of the Year** on any level, Club members must embody the values of leadership and service; academic excellence; and healthy lifestyles. They should exemplify the critical impact that Boys & Girls Clubs have on the lives of young people.

JOIN US!

The Youth of the Year Awards Luncheon is complimentary due to the generosity of our sponsors. Donations in support of the BGCS mission will be greatly appreciated online or at the event.

PRESENTING SPONSOR

bright house NETWORKS

GREAT FUTURES START HERE.

A copy of the official registration (CH219) and financial information may be obtained from the Division of Consumer Services on their website (www.800helpfla.com) or by calling toll-free 1-800-435-7352 within the state. Registration does not imply endorsement, approval, or recommendation by the state.

Rebecca Haynes

From: Jenna <JFelder@bgcsun.org>
Sent: Tuesday, January 06, 2015 10:17 AM
To: Rebecca Haynes
Subject: donation request form question

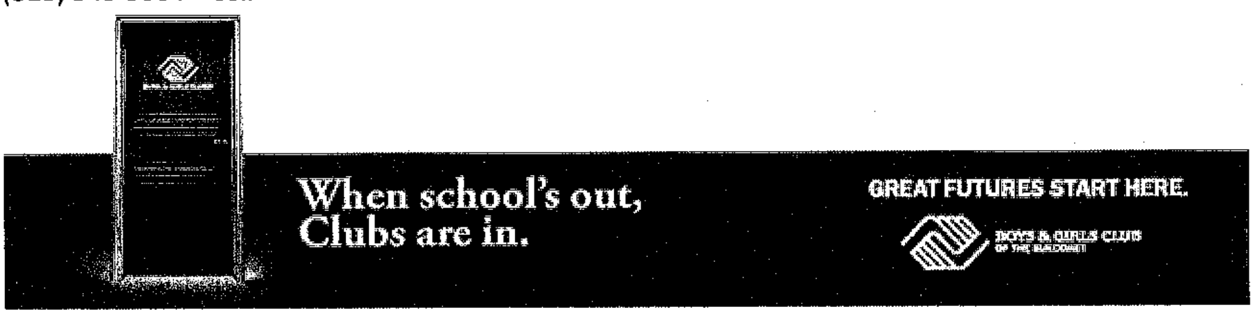
Dear Ms. Haynes – We received the new form regarding requesting donations from the City of St. Pete Beach. I am fairly new in my role here with boys & Girls Clubs of The Suncoast, and in doing some research we only have brief history with the City as far as contributions go. It looks like our CEO spoke at a Mayor's Breakfast a last year, which resulted in a contribution (Thank You!).

Can you provide me with any insight as to what types of things the City is interested in supporting? Events? Programs? Is there a focus area? How much is a typical request for?

Any additional information would be helpful as I would like to ensure we put in a request that is a good for both the City and for BGCS.

Thanks in advance for your help.

Jenna Felder
Director of Development
Boys & Girls Clubs of the Suncoast
Club Service Center
2300 Tall Pines Drive, Suite 150
Largo, FL 33771
(727) 524-2427 X 2005 - office
(813) 545-9064 – cell



THE SUNSET CAPITAL OF FLORIDA

DONATION REQUEST FORM

PLEASE PRINT OR TYPE

ORGANIZATION NAME: TAMPA BAY BEACHES CHAMBER of COMMERCE
(PLEASE INDICATE COMPLETE NAME)

CONTACT NAME: ROBIN Sollie

ADDRESS: 6990 Gulf Boulevard
(STREET AND NUMBER)

St. Pete Beach
(CITY AND STATE) (ZIP)

TELEPHONE: 7273606957 FAX: 7273602233

E-MAIL ADDRESS: robin@tampabaybeaches.com

REASON FOR REQUEST: We have received a donation of $1500 a year for past 10+ years. The reason for this donation was for an offset of the invaluble service we provide running the Welcome Center on Gulf Boulevard. Stocking, mailing, staffing etc.

AMOUNT REQUESTED: $1500 - $2000

INFORMATION PROVIDED BY: Robin Sollie

PINELLAS COUNTY
BOARD OF COUNTY COMMISSIONERS
PHONE (727) 464-3568 • FAX (727) 464-3022 • 315 COURT STREET • CLEARWATER, FLORIDA 33756
www.pinellascounty.org

JOHN MORRONI
COMMISSIONER

November 5, 2014

Dear Mayor Nave,

The *20th Annual Appreciation Luncheon for Emergency Personnel* will be held on **Friday, January 30, 2015 beginning at 11:30 a.m. at the Hilton St. Petersburg Carillon Park.**

We are pleased to announce that the proceeds of this year's luncheon will be donated to the *Florida Sheriffs Youth Ranches*. Your participation will be an integral part of the success of this event as we continue our tradition of honoring the men and women of Law Enforcement, EMS and Fire Service.

Please find enclosed invitations, response cards and return envelopes for you and your commissioners. This year is the 20th Anniversary of the event, and we want to make it one to remember. As you may recall, with your help, last year's luncheon reached capacity with over 500 guests.

As always, I look forward to seeing you at the luncheon and thank you in advance for your help in making this year's Appreciation Luncheon another successful event.

Sincerely,

John Morroni

John Morroni
Pinellas County Commissioner

SPONSORSHIPS

FOR

COMMISSIONER JOHN MORRONI'S

20th ANNUAL APPRECIATION LUNCHEON
FOR
EMERGENCY PERSONNEL

FRIDAY, JANUARY 30, 2015
11:30 a.m.-1:30 p.m.

HILTON ST. PETERSBURG CARILLON PARK

SPONSORSHIPS

PLATINUM SPONSOR:	**$5,000** **Prominently** located seating for 10 Program listing Recognition
GOLD SPONSOR:	**$2,500** Seating for 10 Program listing Recognition
SILVER SPONSOR:	**$1,000** Seating for 10 Program listing Recognition
RESERVED TABLES:	**$600** Seating for 10

Please make checks payable to: Appreciation Luncheon.

Send to:

Elizabeth Wadsworth, CPA
3118 Gulf to Bay Blvd., Ste. 130
Clearwater, FL 33759

For more information call: (727) 791-3356 **Please respond by January 16, 2015**

January 8, 2015

Mayor Maria Lowe
155 Corey Avenue
St. Pete Beach, FL 33706

Dear Mayor Lowe:

Homelessness within our communities remains a complex and evolving concern too frequently affecting the health and safety of our citizens. As families and individuals within our jurisdictions encounter challenges, we must focus on the critical safety net necessary to stabilize and prevent the impacts of homelessness.

Locally, we are fortunate to have strong partnerships and proven services in place to help tackle this multifaceted problem. Homeless service providers continue to work hard each day to support and assist those in need. Through existing homeless shelters and services and important programs like Pinellas Hope and Safe Harbor we see the value of collaborative solutions within our communities.

This year, great strides have been made in shoring up local solutions with critical new investments in Turning Point, Pinellas Hope, and St. Vincent De Paul. Along with these investments, the Juvenile Welfare Board's Family Services Initiative has come together to help align resources to navigate families in need. Most recently, Pinellas County has coordinated with the Department of Health in Pinellas County to help provide regular medical care to Safe Harbor residents to reduce EMS calls and further the wrap around services needed for our most vulnerable populations.

Each of these strides are important examples of the success collaboration can bring, however, these successes become short lived without the ability to sustain the very safety net we strive to create. Safe Harbor is a prime example of collaboration across local government, criminal justice, and social service agencies working to create a solution to ongoing community concerns. Currently, Safe Harbor works to serve roughly 400 homeless individuals each day to help with stabilization and reduce costs. With over $1.3 million in base operating costs, not including medical and additional supportive services, Safe Harbor depends on investments from partners to sustain and continue its important work.

We have renewed our commitment to the success of Safe Harbor, and now, we are asking you to do the same. We urge you to discuss your level of commitment with your Council or Commission and to send a positive answer at your earliest convenience. If we can assist in any way, including providing additional information, please don't hesitate to let us know.

Together we can work to meet the challenges of homelessness in our communities.

Sincerely,

Mayor Rick Kriseman,
City of St. Petersburg

Mayor George Cretekos,
Mayor of Clearwater

St. Pete Beach City Commission
Agenda Report

Issue Considered: Approval of Ajax Paving Industries of Florida, LLC, Gibbs & Register, Inc., and David Nelson Construction Company as firms prequalified to bid the Pass-A-Grille Way and Blind Pass Road reconstruction projects

Date: April 14, 2015

Prepared By: John J. Kretzer, Interim Public Services Director

Summary of Issue: On January 16, 205, the City published a Request for Qualifications (RFQ) to receive a Statement of Qualifications (SOQ) package from qualified firms capable of providing General Contractor services for upcoming roadway reconstruction jobs, including Pass-A-Grille Way and Blind Pass Road. Each interested General Contractors submitted a SOQ application package which included an overview of the firm (profile), similar project experience, legal and safety records, project and credit references, and financials (insurance, bonding capacity, and revenue).

On February 20^{th}, 2015, the City received SOQ's from five firms. After a review by City staff, two of the firms, Kamminga & Roodvoets and MTM Contractors, were disqualified for not meeting minimum requirements.

The three remaining firms were determined to be qualified to provide General Contractor services. These firms are Ajax Paving Industries of Florida, LLC, Gibbs & Register, Inc., and David Nelson Construction Company.

Funding: CIP – Pass-A-Grille Way Reconstruction project

Requested Motion: "I move to approve Ajax Paving Industries of Florida, LLC, Gibbs & Register, Inc., and David Nelson Construction Company as qualified to bid on upcoming roadway reconstruction jobs, including Pass-A-Grille Way and Blind Pass Road."

Attachments: None

Reviewed by City Manager: _______

St. Pete Beach City Commission
Agenda Report

Issue Considered: Ordinance No 2015-02 – Outdoor Dining Areas; Definitions and Use Permissions for Eating and Drinking Establishments

Date: April 14, 2015

Prepared By: Matt McLachlan, Calvin Giordano & Assoc.

Through: Wayne Saunders, City Manager WS

Summary of Issue: Proposed for your consideration are City-initiated amendments to the Land Development Code relating to the reclassification, standardization and definition of eating and drinking establishments and regulations concerning outdoor dining and outdoor drinking areas.

Currently, the City's Code provides for the City Manager to authorize outdoor seating at restaurants established as of July 1, 2003, that meet the following requirements: (1) are 500 sq. ft. or less in area and do not encroach into a required setback; (2) do not increase restaurant seating; (3) do not diminish existing on-site parking; (4) provide protective barriers between the outdoor seating area and any adjacent vehicular use area; (5) restricts lighting to the subject property; and (6) does not locate outdoor seating adjacent to residentially zoned property. All other restaurants that wish to provide outdoor seating must be located in a zone that authorizes outdoor seating by right or with conditional use approval as specified on the attached chart. The Code does not provide performance standards on how outdoor seating is to be located and operated in these zones thereby leaving it up to the City to negotiate specific requirements on a case by case basis as part of the conditional use or right-of-way use permitting process when outdoor (café) seating encroaches onto a public sidewalk.

The Planning Board reviewed sample regulations from other cities and considered the proposed ordinance at workshops held on September 16, 2014 and December 16, 2014. The Planning Board held public hearings on January 20, 2015 and February 17, 2015. The Board voted unanimously in favor of the ordinance.

Subsequent to the Planning Board making its recommendation, the ordinance was further reviewed internally by Staff and further modifications were made to the ordinance that have not been reviewed by the Planning Board. Therefore, the additional proposed changes should be viewed only as a Staff recommendation which include: (1) requiring a conditional use permit for all outdoor dining and outdoor drinking areas to establish; (2) providing approval consideration for outdoor drinking areas to establish within public rights-of-way subject to the same requirements as outdoor dining areas; (3) Expanding the definition of outdoor drinking to cover a portion of a private sand beach affiliated with an accessory hotel or motel bar reserved for the exclusive use of overnight guests; and (4) adding a general requirement that on private sand beach areas, the permitted area for outside food and beverage consumption shall be setback at least 125 feet from the shoreline (this area is envisioned to encompass a 'cabana zone' as may be established by the Beach Management ordinance currently under development).

Requested Motion: I move to approve Ordinance No. 2015-02 on first reading

Attachment: Ordinance No. 2015-02
Existing and Proposed Use Classifications for Eating and Drinking Establishments by Zoning District

PERMITTED AND CONDITIONAL USES FOR EATING AND DRINKING ESTABLISHMENTS BY ZONING DISTRICT											
USE CLASSIFICATIONS	ZONING DISTRICTS										
	ROR	RFM	CG-1	CG-2	TC-1	CC1	CC2	LR*	TC-2	AC	CRD-EA
EXISTING											
BAR (COCTAIL LOUNGE, SALOON)	C	P	P	C							
NIGHTCLUB			C	C							
BEACH BAR		C									
SIT DOWN RESTAURANT	P	P	P	P							
FAST FOOD RESTAURANT		C	C	C							
OUTDOOR RESTAURANT	C	C	C	C							
EATING AND DRINKING ESTABLISHMENTS WITH OUTDOOR SEATING										C	
EATING AND DRINKING ESTABLISHMENTS WITHOUT OUTDOOR SEATING										P	
EATING OR DRINKING ESTABLISHMENT WITH OR WITHOUT OUTDOOR SEATING					P	P	P		P		
EATING OR DRINKING ESTABLISHMENTS INCLUDING BARS AND COCKTAIL LOUNGES WITH OR WITHOUT OUTDOOR SEATING								P			
SPECIALTY FOOD SUCH AS GOURMET TAKE-OUT, CATERING, COFFEE SHOPS, ETC.											P
SIDEWALK CAFÉ				C							
PROPOSED											
BAR/LOUNGE	C	P	P	C	P	P	P	P	P	P	C
RESTAURANT, FULL-SERVICE	P	P	P	P	P	P	P	P	P	P	P
RESTAURANT, LIMITED-SERVICE	P	P	P	P	P	P	P	P	P	P	P
RESTAURANT, TAKE-OUT ONLY	P	C	C	C	P	P	P	C	C	C	C
RESTAURANT, WITH DRIVE-THROUGH SERVICE		C	C	C						C	
COMMERCIAL KITCHEN	P	P	C	P	P	C	C	C	C	C	P

P = PERMITTED USE; C = CONDITIONAL USE

**Allowable secondary uses*

ORDINANCE NO. 2015-02

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST PETE BEACH, FLORIDA, AMENDING THE CITY OF ST PETE BEACH LAND DEVELOPMENT CODE BY AMENDING SECTION 2.1 OF DIVISION 2, DEFINITIONS, RELATING TO COMMERCIAL KITCHEN, EATING AND DRINKING ESTABLISHMENTS, OUTDOOR DINING AND OUTDOOR DRINKING; AMENDING SECTION 6.24 OF DIVISION 6, SUPPLEMENTAL REGULATIONS, RELATING TO GENERAL, OPERATIONAL, AND PERMITTING REQUIREMENTS AND CITY AUTHORITY FOR OUTDOOR DINING AREAS AND OUTDOOR DRINKING AREAS; AMENDING SECTION 13.2 OF DIVISION 13, ROR, RESIDENTIAL/OFFICE/RETAIL DISTRICT, ADDING COMMERCIAL KITCHEN, FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, AND TAKE-OUT ONLY RESTAURANT AS PERMITTED USES AND DELETING SIT-DOWN RESTAURANT ONLY AS A PERMITTED USE; AMENDING SECTION 13.4 OF DIVISION 13, ROR, RESIDENTIAL/OFFICE/RETAIL DISTRICT, ADDING BAR/LOUNGE AS A CONDITIONAL USE AND DELETING BAR (COCKTAIL LOUNGE, SALOON), RESTAURANT, OUTDOOR AS CONDITIONAL USES; AMENDING SECTION 14.2 OF DIVISION 14, RFM, RESORT FACILITIES MEDIUM DISTRICT, ADDING COMMERCIAL KITCHEN, FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, BAR/LOUNGE AS PERMITTED USES AND DELETING BAR (COCKTAIL LOUNGE, SALOON) OR SIT DOWN RESTAURANT AS PERMITTED USES; AMENDING SECTION 14.4 OF DIVISION 14, RFM, RESORT FACILITIES MEDIUM DISTRICT, ADDING TAKE-OUT ONLY RESTAURANT AND RESTAURANT WITH DRIVE-THROUGH SERVICE AS CONDITIONAL USES AND DELETING FAST FOOD, BEACH BAR AND OUTDOOR RESTAURANT AS CONDITIONAL USES; AMENDING SECTION 15.2 OF DIVISION 15, CG-1, COMMERCIAL DISTRICT, ADDING FULL-SERVICE RESTAURANT, LIMITED SERVICE RESTAURANT, BAR/LOUNGE AS PERMITTED USES AND DELETING BAR (COCKTAIL LOUNGE, SALOON) AND SIT DOWN RESTAURANT AS PERMITTED USES; AMENDING SECTION 15.4 OF DIVISION 15, CG-1, COMMERCIAL DISTRICT, ADDING COMMERCIAL KITCHEN, TAKE-OUT ONLY RESTAURANT AND RESTAURANT WITH DRIVE-TRHOUGH SERVICE AS CONDITIONAL USES AND DELETING FAST FOOD RESTAURANT, NIGHTCLUB OR OUTDOOR RESTAURANT AS CONDITIONAL USES; AMENDING SECTION 16.2 OF DIVISION 16, CG-2, COMMERCIAL DISTRICT, ADDING COMMERCIAL KITCHEN, FULL-SERVICE RESTAURANT, LIMITED SERVICE RESTAURANT AS PERMITTED USES AND DELETING SIT

DOWN RESTAURANTS AS A PERMITTED USE; AMENDING SECTION 16.4 OF DIVISION 16, CG-2, COMMERCIAL DISTRICT, ADDING RESTAURANT WITH DRIVE-THROUGH SERVICE, TAKE-OUT ONLY RESTAURANT, BAR/LOUNGE AS CONDITIONAL USES AND DELETING BAR (COCKTAIL LOUNGES, SALOONS), NIGHT-CLUBS, FAST-FOOD RESTAURANTS, OUTDOOR RESTAURANTS, AND SIDEWALK CAFÉ AS CONDITIONAL USES; AMENDING SECTION 23.5 OF DIVISION 23, OFF-STREET PARKING AND LOADING RELATING TO REQUIRED PARKING FOR OUTDOOR DINING AND OUTDOOR DRINKING AREAS; AMENDING SECTION 30.2 OF DIVISION 30, TC-1, TOWN CENTER CORE DISTRICT, ADDING FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, TAKE-OUT ONLY RESTAURANT, BAR/LOUNGE, AND COMMERCIAL KITCHEN AS PERMITTED USES AND DELETING EATING AND DRINKING ESTABLISHMENTS WITH OR WITHOUT OUTDOOR SEATING AS A PERMITTED USE; AMENDING SECTION 32.2 OF DIVISION 32, CC1, COMMERCIAL CORRIDOR BLIND PASS ROAD, ADDING COMMERCIAL KITCHEN, FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, TAKE-OUT ONLY RESTAURANT, BAR/LOUNGE AS PERMITTED USES AND DELETING EATING AND DRINKING ESTABLISHMENTS WITH OR WITHOUT OUTDOOR SEATING AS A PERMITTED USE; AMENDING SECTION 32.4 OF DIVISION 32, CC1, COMMERCIAL CORRIDOR BLIND PASS ROAD, ADDING COMMERCIAL KITCHEN AS A CONDITIONAL USE; AMENDING SECTION 33.2 OF DIVISION 33, CC2, COMMERCIAL CORRIDOR GULF BOULEVARD REDEVELOPMENT DISTRICT, ADDING COMMERCIAL KITCHEN, FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, TAKE-OUT ONLY RESTAURANT, BAR/LOUNGE AS PERMITTED USES AND DELETING EATING AND DRINKING ESTABLISHMENTS WITH OR WITHOUT OUTDOOR SEATING AS A PERMITTED USE; AMENDING SECTION 33.4 OF DIVISION 33, COMMERCIAL CORRIDOR GULF BOULEVARD REDEVELOPMENT DISTRICT ADDING COMMERCIAL KITCHEN AS A CONDITIONAL USE; AMENDING SECTION 35.3 OF DIVISION 35, (LR) LARGE RESORT DISTRICT, ADDING FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, BAR/LOUNGE AS PERMITTED SECONDARY USES AND COMMERCIAL KITCHEN AND TAKE-OUT RESTAURANT ONLY AS PERMITTED SECONDARY USES SUBJECT TO CONDITIONAL USE APPROVAL PURSUANT TO DIVISION 4 OF THIS CODE AND DELETING EATING AND DRINKING ESTABLISHMENTS INCLUDING BARS AND COCKTAIL LOUNGES WITH OR WITHOUT OUTDOOR SEATING AS A PERMITTED SECONDARY USE; AMENDING SECTION 37.2 OF DIVISION 37, TC-2 TOWN CENTER COREY CIRCLE AND COQUINA WEST DISTRICTS,

ADDING FULL-SERVICE RESTAURANT, LIMITED SERVICE RESTAURANT, BAR/LOUNGE AS PERMITTED USES AND DELETING EATING AND DRINKING ESTABLISHMENTS WITH OR WITHOUT OUTDOOR SEATING AS PERMITTED USES; AMENDING SECTION 37.5 OF DIVISION 37, TC-2 TOWN CENTER COREY CIRCLE AND COQUINA WEST DISTRICTS ADDING TAKE-OUT ONLY RESTAURANT AS A CONDITIONAL USE, AMENDING SECTION 38.2 OF DIVISION 38, AC, ACTIVITY CENTER DISTRICT, ADDING FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, BAR/LOUNGE AS PERMITTED USES AND DELETING EATING ESTABLISHMENTS WITHOUT OUTDOOR SEATING AS A PERMITTED USE; AMENDING SECTION 38.4 OF DIVISION 38, AC, ACTIVITY CENTER, ADDING COMMERCIAL KITCHEN, TAKE-OUT ONLY RESTAURANT AND RESTAURANT WITH DRIVE THROUGH SERVICE AS ALLOWABLE CONDITIONAL USES AND DELETING EATING AND DRINKING ESTABLISHMENTS WITH OUTDOOR SEATING AS A CONDITIONAL USE; AMENDING SECTION 40.2 OF DIVISION 40, COMMUNITY REDEVELOPMENT DISTRICT – EIGHTH AVENUE (CRD-EA), ADDING COMMERCIAL KITCHEN, FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, BAR/LOUNGE AS PERMITTED USES AND DELETING SPECIALTY FOOD SUCH AS GOURMET TAKE-OUT, CATERING, COFFEE SHOPS, ETC. AND SIT DOWN RESTAURANTS AS PERMITTED USES; AMENDING SECTION 40.4 OF DIVISION 40, COMMUNITY REDEVELOPMENT DISTRICT – EIGHTH AVENUE (CRD-EA), ADDING COMMERCIAL KITCHEN, TAKE-OUT ONLY RESTAURANT AND BAR/LOUNGE AS ALLOWABLE CONDITIONAL USES; AMENDING SECTION 46.2 OF DIVISION 46, B/HC BOUTIQUE HOTEL/CONDO DISTRICT REPLACING RESTAURANTS AND BARS WITH EATING AND DRINKING ESTABLISHMENTS AS PERMITTED NON-RESIDENTIAL USES THAT ARE ACCESSORY AND SUBORDINATE TO TRANSIENT ACCOMODATION USES; AMENDING SECTION 46.4 OF DIVISION 46, B/HC BOUTIQUE HOTEL/CONDO DISTRICT, ADDING FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, TAKE-OUT ONLY RESTAURANT, AND BAR/LOUNGE AS ALLOWABLE CONDITIONAL USES; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE REQUIREMENTS OF LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3202, Florida Statutes, requires each local government in the State of Florida to adopt or amend and enforce land development code regulations that are consistent with and implement the adopted Comprehensive Plan; and

WHEREAS, the City of St. Pete Beach has previously adopted a land development code; and

WHEREAS, periodic updates and clarifications are necessary for successful implementation of a land development code.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST PETE BEACH, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED THAT:

SECTION 1. Section 2.1 of Division 2, Definitions, of the City of St. Pete Beach Land Development Code is hereby amended to provide as follows:

Sec. 2.1. - Words, terms and phrases defined.

Commercial Kitchen means an establishment where food and beverages are prepared for off-site consumption. Typical uses include catering facilities. This classification does not include businesses involved in the processing or manufacturing of food products.

Eating and drinking establishment means a business ~~that is licensed to prepare and/or serves food or beverages for consumption by the public~~ primarily engaged in serving prepared food and/or beverages for consumption on or off the premises. Such uses are regulated by type as follows:

~~*Bar (cocktail lounge, saloon)* means any establishment which is devoted primarily to the retailing and on-premises drinking of malt, vinous, or other alcoholic beverages and which is licensed by the State of Florida to dispense or sell alcoholic beverages.~~

~~*Beach bar* means any building, structure or facility whether temporary or permanent, which is built, erected or provided as a location for the purpose of making retail sales of alcoholic or intoxicating beverages, or malt or vinous beverages, as an accessory use to a hotel or motel.~~

~~*Fast food restaurant* means a retail food service establishment without table service (order placement and delivery) provided to patrons; walk-up counter and carryout trade is a primary portion of the facility; includes fast food, drive-through service, food delivery, carryout, public snack bar/automats, and delicatessens.~~

~~*Nightclub* means any restaurant, dining room, bar or similar establishment providing food or refreshments, which holds a 4-COP liquor license from the State of Florida Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco. Provided, however, any restaurant, dining room or similar establishment which holds a 4-COP liquor license with the "S," "SR" or "SRX" designation, shall be deemed an accessory use to the principal use and not a nightclub.~~

~~*Outdoor restaurant* means a portion of a restaurant, of any type, located outside which functions as an extension of the principal use of the private property of the restaurant. An outdoor restaurant is not located in a completely enclosed building and is open to the sky except that it may have awnings, umbrellas, or building overhang and shall be used exclusively for dining, drinking and circulation therein. An outdoor restaurant may provide either wait staff service or self service. (See also "Sidewalk cafe.")~~

~~*Sidewalk cafe* means a street level portion of a restaurant, of any type, located within the sidewalk area of the public right-of-way, which is normally adjacent to a street, which functions as an extension of the principal use of the private property of the restaurant. A sidewalk cafe is open to the sky except that it may have awnings or umbrellas, and shall be used for dining, drinking and circulation therein pursuant to the approved conditional use permit. A sidewalk cafe may provide either wait staff service or self service. (See also "Outdoor restaurant.")~~

~~*Sit-down restaurant* means a retail food service establishment with indoor seating only in which the principal use is the preparation, cooking, consumption, and sale of food and beverages.~~

Bar/Lounge means a business serving beverages for consumption on the premises as a primary use or as an accessory use to a hotel or motel and including on-site service of alcohol, including beer, wine, and mixed drinks.

Restaurant, Full-Service means a restaurant providing food and beverage services to patrons who order and are served while seated and pay after eating. Takeout service may also be provided.

Restaurant, Limited-Service means an *e*stablishment where food and beverages may be consumed on the premises, taken out, or delivered, but where limited table service is provided. This classification includes cafes, cafeterias, coffee shops, delicatessens, fast-food restaurants, sandwich shops, limited- service pizza parlors, self-service restaurants, and snack bars with indoor or outdoor seating for customers. This classification includes bakeries that have tables for on-site consumption of products. It excludes catering services that do not sell food or beverages for on-site consumption (See Commercial Kitchen).

Restaurant, Take-Out Only means a restaurant where food and beverages are prepared on a customer-demand basis and may be taken out or delivered, but are not consumed on the premises. No seating or other facilities for on-premises dining are provided.

Restaurant with Drive-Through Service means any eating or drinking establishment which has direct window service allowing customers in motor vehicles to pick up food or drink for off-premise consumption.

Outdoor Dining means a delineated area, including patios and similar areas, located outside of and adjacent to a restaurant unenclosed by walls where tables, seating and other furnishings are provided for patrons of the restaurant for eating and drinking.

Outdoor Drinking means a delineated area, including patios and similar areas, located outside of and adjacent to a bar/lounge unenclosed by walls where tables, seating and other furnishings may be provided for patrons of the bar/lounge for consuming beverages. For temporary lodging uses, the outdoor drinking area may occupy a portion of a private sand beach affiliated with an accessory hotel or motel bar reserved for the exclusive use of overnight guests.

SECTION 2. Section 6.24 of Division 6, Supplemental Regulations, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 6.24. - ~~Outdoor seating for existing restaurants.~~ Outdoor dining and outdoor drinking areas. A full or limited service restaurant may establish an outdoor dining area and a bar/lounge may establish an outdoor drinking area pursuant to the requirements of this Section upon the issuance of a conditional use permit pursuant to the review and approval procedures provided under Division 4 of this Code. . If public consumption of alcohol is proposed to occur on any public street, sidewalk or private sand beach area in connection with the outdoor dining or outdoor drinking area, approval by the City Commission is required pursuant to Chapter 6 of the City Code of Ordinances.

~~Existing sit-down restaurants as of July 1, 2003, without outdoor seating areas may be permitted by the city manager to have one outdoor seating area as follows:~~

~~(a) Five hundred square feet or less in area, with no encroachment into the required setback;~~
~~(b) No increase in restaurant seating;~~
~~(c) There shall be no diminishment of existing parking on the site;~~
~~(d) When the seating area will be adjacent to a vehicle use area, protective barriers shall be installed between the seating area and the vehicle use area;~~
~~(e) All lighting shall be directed inward and shall not spill on to adjacent property;~~
~~(f) Said outdoor seating shall not be located adjacent to a residentially zoned property in any manner.~~

(a). *General Requirements*

(1) All outdoor dining and outdoor drinking areas located on private property shall comply with the following requirements:

a. A landscape buffer and opaque wall or fence constructed at the maximum height allowed by this Code shall be required along the lot line of any yard containing an outdoor dining or outdoor drinking area when the lot line of said yard adjoins a property that is occupied by a residential use to effectively screen and mitigate external impacts as determined through the conditional use permitting process.

b. Outside food and beverage consumption shall not extend beyond the permitted area. On private sand beach areas, the permitted area shall be setback at least 125 feet from the shoreline.
c. No outdoor food preparation is permitted.
d. Suitable protective barriers shall be installed when an outdoor dining area or outdoor drinking area is located adjacent to a vehicular use area as determined by the Building Official.
e. Upon the issuance of a tropical storm or hurricane warning, all tables, chairs and other equipment used for outdoor dining shall be securely stored inside.

(2) In addition to the above requirements, the following requirements shall be met for outdoor dining or outdoor drinking areas located within public right(s)-of-way:

a. Outdoor dining or outdoor drinking areas shall only be authorized when the adjoining sidewalk has a continuous minimum width of eight feet unless the Technical Review Committee determines that the outdoor dining area can be reasonably accommodated by a narrower sidewalk width.
b. A minimum four feet of contiguous and unobstructed corridor space must be maintained at all times to ensure a clear pedestrian passageway. The pedestrian passageway shall be a straight line, parallel to the building face and curb line, for the entire length of the outdoor dining area.
c. The outdoor dining or drinking area shall not extend beyond the sidewalk frontage of the associated business establishment unless otherwise approved by the City Commission.
d. All furnishings shall be of good design and made of quality materials and be maintained in a clean and attractive appearance and shall be in good repair at all times.
e. No furnishing shall be chained or attached to any tree, post, sign or other fixture.
f. The perimeter around the outdoor dining or outdoor drinking area may be delineated using nonpermanent fixtures such as planters, decorative chains or other fixtures no less than thirty (30) inches and no greater than forty-two (42) inches in height as may be approved by the Building Official.
g. Smoking is prohibited.
h. City Commission approval is required for public consumption of alcoholic beverages within public rights-of-way pursuant to Chapter 6 of the City Code of Ordinances.

(b). *Required Permit*. Permit application shall be made to the City and reviewed by the Technical Review Committee. The appropriate fee as established by Appendix "A" of the City of St. Pete Beach Code of Ordinances shall be paid. The permit application shall include the following information:

(1) Survey.
(2) Site plan depicting the proposed outdoor dining area or outdoor drinking area drawn to scale. The plan shall include the following information:
  a. Total square footage of the proposed outdoor dining area or outdoor drinking area.
  b. Number and placement of all seating/table arrangements and other elements.
  c. Distances between each seating/table arrangement, providing pedestrian clearance as required by the Florida Building Code and Florida Life Safety Code.
  d. All points of egress.
  e. For tenants as applicants, a letter of authorization from the property owner.
(3) Occupant load of principal business.
(4) Number of existing men's and women's bathrooms and fixtures.

(c). *Insurance and Indemnification.* For outdoor dining or outdoor drinking areas using public right(s)-of-way, the following is required:

(1) By the use of any permit granted under this Section, the operator agrees to indemnify, defend, save and hold harmless the City, its officers, agents and employees from any and all claims, liability, lawsuits, damages and causes of action which may arise out of the use of the public right(s)-of-way. The operator shall enter into a written agreement with the City to evidence this indemnification. Such agreement must have the written approval of the City Attorney prior to issuance of a permit.
(2) The operator shall show evidence of:
  a. Comprehensive general liability insurance on an "occurrence" basis in an amount not less than $1,000,000 combined single limit bodily injury liability and property damage liability. The City is to be specifically included as additional insured on the policy.
  b. Workers Compensation insurance applicable to its employees, if any, for statutory coverage limits in compliance with Florida laws, including employers' liability which meets all state and federal laws.
(3) The operator shall provide the City with the certificate(s) of insurance evidencing required coverages. Current certified copies of such required coverages shall be provided to the City when specifically requested in writing.
(4) All policies of insurance must be endorsed to provide the City with 30 days of notice of cancellation or restriction.

(d). *Revocation of permit.* The City may revoke a permit for any outdoor dining or outdoor drinking area if it is found that:

(1) Any necessary business or health permit has been suspended or revoked; or
(2) Changing conditions of pedestrian or vehicular traffic cause congestion necessitating removal of the outdoor dining or outdoor drinking area when located within public right(s)-of-way. Such decision shall be based on the findings of the Technical Review Committee that the existing conditions represent a danger to the health, safety or general welfare of the public and cannot be resolved through modification to the outdoor dining or outdoor drinking area layout; or
(3) The outdoor dining operator fails to comply with one or more requirements of the conditional use permit.

(e). *Removal or relocation of outdoor dining or outdoor drinking area and all related furnishings for right(s)-of-way repairs, emergency situations, or matters of public safety.*

(1) As necessitated by right(s)-of-way repairs, the City may require the temporary removal of outdoor dining or outdoor drinking area and all related furnishings. The operator shall be responsible for removing all furnishings at least 24 hours prior to the date identified in writing by the City. The City shall not be responsible for any costs associated with the removal or the return and installation of such furnishings.
(2) The City may cause the immediate removal or relocation of all or any part of the outdoor dining area occupying public right(s)-of-way in emergency situations. The City, its officers, agents and employees shall not be responsible for any damages or loss of furnishings used in association with an outdoor dining or outdoor drinking area relocated during emergency situations and shall not be responsible for any costs associated with the removal or the return and installation of any such furnishings.
(3) The City shall have the authority to secure or remove any furnishing(s) associated with the outdoor dining or outdoor drinking area occupying public right(s)-of-way if necessary in the interest of public safety.

SECTION 3. Section 13.2 of Division 13, ROR, Residential/Office/Retail District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 13.2. - 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 ROR Residential/Office/Retail District are as follows:

(a) Clubs, community service.

(b) Commercial kitchen

(~~b~~c) Eating and drinking establishments—~~Sit down restaurant only~~ full-service restaurant, limited-service restaurant, take-out only restaurant, subject to Sec. 6.24 of this Code as may be applicable.

(~~c~~d) Financial institutions without drive-through service.

(~~d~~e) Laundries, self-service.

(~~e~~f) Offices.

(~~f~~g) Printing and copying services.

(~~g~~h) Residential dwellings—Attached single-family, detached single-family, multifamily and two-family.

(~~h~~i) Retail sales.

(~~i~~j) Social service agencies.

SECTION 4. Section 13.4 of Division 13, ROR, Residential/Office/Retail District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 13.4. - Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the ROR Residential/Office/Retail District are as follows:

(a) Assisted living facilities.

(b) Places of worship.

(c) Communications facilities.

(d) Daycare centers/kindergartens.

(e) Docks, commercial—Class C only.

(f) Eating and drinking establishment~~—Bar (cocktail lounge, saloon); restaurant, outdoor~~ bar/lounge, subject to Sec. 6.24 of this Code as may be applicable.

(g) Laundries, dry cleaning.

(h) Parking lots, off-premise.

(i) Recreational—Public parks and/or recreational facilities.

(k) Schools, public or private.

(l) Schools, commercial.

(m) Services, personal/business.

(n) Transient accommodations—Bed and breakfast inns and motels only.

(o) Utility substations and/or rights-of-way.

(p) Veterinarians.

SECTION 5. Section 14.2 of Division 14, RFM, Resort Facilities Medium District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

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) Commercial kitchen
(~~d~~e) Eating and drinking establishments—~~Bar (cocktail lounge, saloon) or sit-down restaurant~~ full-service restaurant, limited-service restaurant, bar/lounge, subject to Sec. 6.24 of this Code as may be applicable.
(~~e~~f) Financial institutions without drive-through service.
(~~f~~g) Kennels without outdoor runs.
(~~g~~h) Laundries, self-service.
(~~h~~i) Offices.
(~~i~~j) Printing and copying services.
(~~j~~k) Residential dwellings—Multifamily only.
(~~k~~l) Retail sales.
(~~l~~m) Services, personal/business.
(~~m~~n) Social service agencies.
(~~n~~o) Transient accommodations—Bed and breakfast inn, hotel or motel, or resort condominium.
(~~o~~p) Veterinarians.

SECTION 6. Section 14.4 of Division 14, RFM, Resort Facilities Medium District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

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 establishments—~~Fast food~~ take-out only restaurant, restaurant with drive-through service~~, 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.

SECTION 7. Section 15.2 of Division 15, CG-1, Commercial District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 15.2. - 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 CG-1 Commercial District are as follows:

(a) Automotive retail services.
(b) Clinics.
(c) Clubs, community service.
(d) Clubs, private.
(e) Commercial kitchen.
(~~e~~f) Eating and drinking establishments—~~Bar (cocktail lounge, saloon) and sit-down restaurant~~ full-service restaurant, limited-service restaurant, bar/lounge, subject to Sec. 6.24 of this Code as may be applicable.
(~~f~~g) Financial institutions without drive-through service.
(~~g~~h) Kennels without outdoor runs.
(~~h~~i) Laundries, self-service.
(~~i~~j) Mortuaries.
(~~j~~k) Offices.
(~~k~~l) Printing and copying services.
(~~l~~m) Retail sales.
(~~m~~n) Services, personal/business.
(~~n~~o) Social service agencies.
(~~o~~p) Transient accommodations—Hotels, motels and resort condominiums only.
(~~p~~q) Veterinarians.

SECTION 8. Section 15.4 of Division 15, CG-1, Commercial District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 15.4. - Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the CG-1 Commercial District are as follows:

(a) Assisted living facilities.

(b) Adult entertainment establishments—See also Chapter 10, St. Pete Beach Code of Ordinances.
(c) Automotive rental agencies.
(d) Automotive sales lots.
(e) Automotive services and repairs.
(f) Automotive service stations.
(g) Boat sales and repair facilities.
(h) Car wash facilities.
(i) Commercial boat docking facilities.
(j) Commercial kitchen.
(~~j~~k) Commercial water sports, non-motorized vessels of 16 feet or less in length only.
(~~k~~l) Communication facilities.
(~~l~~m) Docks, commercial—Classes A, B, C, and D.
(~~m~~n) Eating and drinking establishment—~~Fast food restaurant, nightclub or outdoor restaurant~~ take-out only restaurant, restaurant with drive-through service.
(~~n~~o) Financial institutions with drive-through services.
(~~o~~p) Kennels with outdoor runs.
(~~p~~q) Laundries, dry cleaning.
(~~q~~r) Marinas.
(~~r~~s) Parking lots, commercial and/or off-premise.
(~~s~~t) Printing, general.
(~~t~~u) Recreational—Commercial recreation; public parks and/or recreational facilities.
(~~u~~v) Recycling centers.
(~~v~~w) Schools, public or private and/or commercial.
(~~w~~x) Services, commercial/business.
(~~x~~y) Storage facilities with outdoor storage.
(~~y~~z) Storage, self-service.
(~~z~~aa) Theatres.
(~~aa~~bb) Utility substations and/or rights-of-way.
(~~bb~~cc) Vehicle for hire businesses.
(~~cc~~dd) Vessel for hire businesses.

SECTION 9. Section 16.2 of Division 16, CG-2, Commercial District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 16.2. - 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 CG-2 Commercial District are as follows:

(a) Commercial kitchen.
(~~a~~b) Eating and drinking establishments—~~Sit-down restaurants~~ full-service restaurant, limited-service restaurant, subject to Sec. 6.24 of this Code as may be applicable.

(~~b~~c) Financial institutions without drive-through service.
(~~c~~d) Offices.
(~~d~~e) Printing and copying services.
(~~e~~f) Retail sales.
(~~f~~g) Services, personal/business.

SECTION 10. Section 16.4 of Division 16, CG-2, Commercial District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 16.4. - Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the CG-2 Commercial District are as follows:

(a) Adult entertainment establishments—See also Chapter 10, St. Pete Beach Code of Ordinances.
(b) Automotive service stations.
~~(c) Bar (cocktail lounges, saloons).~~
(~~d~~c) Commercial boat docking facilities.
(~~e~~**d**) Commercial water sports, non-motorized vessels of 16 feet or less in length only.
(~~f~~**e**) Communications facilities.
(~~g~~**f**) Commercial docks—Classes A, B and C only.
(~~h~~**g**) Eating and drinking establishments—~~Nightclubs, fast food restaurants, outdoor restaurants and sidewalk café~~ restaurant with drive-through service, take-out only restaurant, bar/lounge, subject to Sec. 6.24 of this Code as may be applicable.
(~~i~~**h**) Mortuaries.
(~~j~~**i**) Parking lots—Commercial and/or off-premise.
(~~k~~**j**) Recreational—Commercial recreation; public parks and/or recreational facilities.
(~~l~~**k**) School, commercial.
(~~m~~**l**) Theaters.
(~~n~~**m**) Utility substations and/or rights-of-way.
(~~o~~**n**) Vessel for hire businesses.

SECTION 11. Section 23.5 of Division 23, Off-Street Parking and Loading of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 23.5. - Number of parking spaces required.

Regardless of any other requirement of these regulations, each and every separate or individual store, office, or other business shall be provided with at least one off-street parking space, excluding required handicap parking, unless specific provision to the contrary is made herein.

The following minimum off-street parking requirements are applicable to all districts except as otherwise provided herein:

Use	**Parking Requirement (spaces)**
Automobile Service Station	1 space per bay plus 3 spaces
Any form of residential	2 per unit
Bar, Nightclub	1 per 50 SF floor area
Bed and Breakfast	1 space per guest room plus 1 space for owner or operator
Convenience Store	1 per 200 SF floor area
Grocery Store	1 per 100 SF floor area
Legitimate Theatre	1 per 3 seats
Marina or Commercial Docks Boat slips/live aboard High and dry slips Boat slips/non-live aboard	 1.0 per boat slip 1.0 per 4 boat slips or fraction thereof 1.0 per 4 boat slips or fraction thereof
Office	1 per 300 SF floor area
Place of Worship	1 per 3 seats in auditorium or chapel area
Restaurant	1 per 100 SF floor area
Retail Sales and Service	1 per 200 SF floor area
Schools	3 spaces per 1,000 square feet of floor area, plus one for each teacher
Theater, Movie	1 per 3 seats
Transient Accommodations	1 per transient accommodation unit, plus 1 additional per 10 transient accommodation units, plus additional parking for

	accessory facilities in accordance with the following:
Office space	1 per 300 SF floor area
Retail and restaurant space	1 per 200 SF floor area
Ballrooms, lobby area, conference and meeting rooms, and fitness facilities	1 per 1,000 SF floor area
Vehicle Rental	1 per 200 SF floor area, must be marked as customer spaces plus one for each rental vehicle

(a) In instances of new construction or facility expansion involving the establishment of ~~outdoor seating areas or other~~ accessory or supplemental uses, the number of required parking spaces shall be increased in accordance with the above table such that parking is adequate to accommodate the entire area of ~~seating or~~ use, both internal and external to the structure; provided, however, outdoor dining or outdoor drinking areas shall not be required to provide additional parking when the outdoor dining or outdoor drinking area is less than 500 square feet. Any portion of the outdoor dining or outdoor drinking area greater than 500 square feet shall be included as gross floor area for the purposes of calculating off-street parking requirements at the rate set forth in the above table or as otherwise provided by this Code.

(b) Parking spaces that are in excess of the number of spaces required by this division shall be constructed as grass parking, turf block or in a parking structure.

(c) Where a project is intended to be developed in phases, the city manager may approve the development of a parking area intended to serve each phase as it is developed.

(d) All projects shall be required to provide a minimum of five bicycle rack spaces, or a number of bicycle rack spaces equal to ten percent of the required number of vehicle parking spaces, whichever is greater.

(e) For properties zoned CRD-~~EA~~Eighth Avenue, permitted non-residential and transient accommodation uses are exempt from the minimum parking standards above. Residential uses shall provide the required off-street parking in the table above.

(f) For commercially zoned properties abutting Corey Avenue east of Gulf Boulevard, additional parking shall be required for a change of use only if there is an increase in the floor area of an existing building or construction of additional buildings.

SECTION 12. Section 30.2 of Division 30, TC-1, Town Center Core District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 30.2. - Permitted uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses in the TC-1 Town Center Core District are as follows:

(a) Financial institutions without drive-through service.
(b) Government buildings and other public or civic facilities, including parks and recreation facilities and transit stations and stops.
(c) Office uses.
(d) Personal service businesses such as barbershops, beauty shops, day spas, tailoring, garment alteration and repair, shoe repair, pet grooming, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact. Body art, bail-bond, check-cashing, and other similar services are prohibited.
(e) Printing and copying.
(f) Residential uses as a component of mixed-use development only. Residential uses shall not be allowed on the ground floor level of any structure.
(g) ~~Eating and drinking establishments with or without outdoor seating. Drive-through service is not permitted~~ Eating and drinking establishments - full-service restaurant, limited-service restaurant, take-out only restaurant, bar/lounge, subject to Sec. 6.24 of this Code as may be applicable.
(h) Retail uses except automotive sales lots, pawn shops, liquor stores, and tobacco shops.
(i) Theaters, cinemas and other indoor commercial entertainment facilities.
(j) Artist studios and art galleries.
(k) Grocery stores and pharmacies without drive-through service.
(l) Commercial kitchen.

SECTION 13. Section 32.2 of Division 32, CC1, Commercial Corridor Blind Pass Road, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 32.2. - Permitted uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the CC1 Commercial Corridor Blind Pass Road are as follows.

(a) Clinics:
(b) Clubs, community service establishments:
(c) Clubs, private;

(d) Eating and drinking establishments—~~with or without outdoor seating~~ full-service restaurant, limited-service restaurant, take-out only restaurant, bar/lounge, subject to Sec. 6.24 of this Code as may be applicable;
(e) Financial institutions with and without drive-through service;
(f) Laundries, self-service;
(g) Office uses;
(h) Printing and copying services;
(i) Retail uses;
(j) Personal service businesses such as barbershops, beauty shops and salons, day spas, gyms and fitness centers, tailoring, garment alteration and repair, shoe repair, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact;
(k) Social service agencies;
(l) Veterinarians; dog grooming facilities;
(m) Multi-family residential uses as a component of mixed-use development only. Multi-family residential uses shall not be allowed on the ground level of any structure;
(n) Single-family, detached residential uses (Only on parcels which do not directly abut Blind Pass Road);
(o) Government buildings and other public facilities, including parks and recreation facilities;
(p) Artist studios with retail and/or wholesale distribution space for artist's original handmade works, excluding mass produced or manufactured products;
(q) Public facilities such as schools, public parks and/or recreational facilities;
(r) Other commercial uses similar in character, nature and impact to permitted uses listed above.

SECTION 14. Section 32.4 of Division 32, CC1, Commercial Corridor Blind Pass Road, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 32.4. - Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this code, allowable conditional uses in the CC1 Commercial Corridor Blind Pass Road Districts are as follows.

(a) Automotive rental agencies;

(b) Automobile services—repair;

(c) Automotive service stations, with or without a carwash and/or a convenience store;

(d) Commercial kitchen;

(~~d~~e) Communication facilities;

(~~e~~f) Parking lots, commercial and/or off-premise.

SECTION 15. Section 33.2 of Division 33, CC2, Commercial Corridor Gulf Boulevard District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 33.2. - Permitted uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the CC2 Commercial Corridor Gulf Blvd are as follows.

(a) Clinics;

(b) Eating and drinking establishments—~~with or without outdoor seating~~ full-service restaurant, limited-service restaurant, take-out only restaurant, bar/lounge, subject to Sec. 6.24 of this Code as may be applicable;

(c) Financial institutions with or without drive-through service;

(d) Laundries, self-service;

(e) Office uses;

(f) Printing and copying services;

(g) Retail uses;

(h) Personal service businesses such as barbershops, beauty shops, tailoring, garment alteration and repair, shoe repair, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact;

(i) Veterinarians, dog grooming establishments;

(j) Multi-family residential uses as a component of mixed-use development only. Multi-family residential uses shall not be allowed on the ground level of any structure;

(k) Single-family, detached residential uses (Only on parcels which do not directly abut Gulf Boulevard);

(l) Artist studios and galleries with retail and/or wholesale distribution space for artist's original handmade works, excluding mass produced or manufactured products;

(m) Grocery stores, pharmacies, markets;

(n) Commercial recreation, public parks and/or recreational facilities;

(o) Sales, rentals, and/or service of bicycles, mopeds, motorcycles, segways, and scooters;

(p) Other commercial uses similar in character, nature and impact to permitted uses listed above.

SECTION 16. Section 33.4 of Division 33, CC2, Commercial Corridor Gulf Boulevard District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 33.4. - Conditional uses.

(a) Automotive rental agencies;

(b) Automobile services—repair;

(c) Automotive service stations, with or without a carwash and/or a convenience store;

(d) Commercial kitchen;

(~~d~~e) Communication facilities;

(~~e~~f) Parking lots, commercial and/or off-premise.

SECTION 17. Section 35.3 of Division 35, (LR) Large Resort District of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 35.3. - Permitted principal and secondary uses and structures.

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

(a) *Primary uses.*
- (1) Temporary lodging uses, including hotels, motels, resort condominium hotels;
- (2) Multi-family residential.

(b) *Secondary uses.* Secondary commercial uses may be developed as an additional nonresidential use bonus floor area that is not located within the principal building, provided that the secondary commercial development is constructed with a minimum of 200 temporary lodging units. Secondary commercial uses include:
- (1) Retail;
- (2) Eating and drinking establishments~~,~~ - ~~including bars and cocktail lounges, with or without outdoor seating~~ full-service restaurant, limited-service restaurant, bar/lounge, subject to Sec. 6.24 of this Code as may be applicable;
- (3) Indoor commercial entertainment facilities;
- (4) Vehicles for hire.

(c) *Secondary uses requiring conditional use approval*. Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable secondary uses requiring conditional use approval in the LR District are as follows.

(1) Commercial kitchen;

(2) Eating and drinking establishment – take-out restaurant only.

SECTION 18. Section 37.2 of Division 37, TC-2 Town Center Corey Circle and Coquina West Districts of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 37.2. - Permitted uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses in the TC-2 Town Center Corey Circle and Coquina West Districts are as follows.

(a) Retail uses except automotive sales lots, pawn shops, liquor stores, and tobacco shops;
(b) Grocery stores, markets, pharmacies without drive-through service;
(c) Personal service businesses such as barbershops, beauty shops, salons, day spas, gyms and fitness centers, tailoring, garment alteration and repair, shoe repair, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact. Body art, bail-bond, check-cashing and other similar services are prohibited;
(d) Eating and drinking establishments - ~~with or without outdoor seating~~ full-service restaurant, limited-service restaurant, bar/lounge, subject to Sec. 6.24 of this Code as may be applicable;
(e) Office uses;
(f) Commercial recreation, public parks and/or recreational facilities;
(g) Government buildings and other public facilities, including parks and recreation facilities;
(h) Artist studios and art galleries;
(i) Multifamily residential only as a component of mixed use. Residential uses are not permitted on the ground floor;
(j) Vehicle for hire - Limited to rental of non-motorized (bicycles) and individual motorized vehicles such as segways, mopeds/scooters;
(k) Other uses similar in character, nature and impact to permitted uses listed above.

SECTION 19. Section 37.5 of Division 37, TC-2 Town Center Corey Circle and Coquina West Districts of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 37.5. - Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the TC-2 Town Center Corey Circle and Coquina West Districts are as follows.

(a) Temporary lodging facilities hotel, motel and resort condominium, awarded on a first come, first serve basis, to come from the density pool established in the Comprehensive Plan.

(b) Commercial kitchen.

(~~b~~c) Commercial docks-Class A, B, C and D.

(d) Eating and drinking establishment – take-out only restaurant.

(~~c~~e) Vessel for hire (water taxis).

(~~d~~f) Cigar shops and cigar bars.

SECTION 20. Section 38.2 of Division 38, AC Activity Center District of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 38.2. - Permitted uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the AC Activity Center District are as follows.

(a) Grocery stores, markets, pharmacies with or without drive through service;
(b) Automotive rental agencies;
(c) Automotive service stations;
(d) Car wash facilities;
(e) Clinics;
(f) Clubs, community service;
(g) Clubs, private;
(h) Doctor's offices and medical clinics;
(i) Eating and drinking establishments ~~without outdoor seating~~ – full-service restaurant, limited-service restaurant, bar/lounge, subject to Sec. 6.24 of this Code as may be applicable;
(j) Financial institutions with or without drive-through service;
(k) Kennels without outdoor runs;
(l) Laundries, self-service;
(m) Office uses;
(n) Printing and copying services;
(o) Retail uses;
(p) Government buildings and other public facilities, including parks and recreation facilities;
(q) Personal service businesses such as barbershops, beauty shops and salons, day spas, gyms and fitness centers, tailoring, garment alteration and repair, shoe repair, dry cleaning drop-off and pick-up and other personal service uses similar in character and impact;

(r) Private, specialized instruction, such as computer training, real estate courses, self-improvement classes, career training or fitness instruction;
(s) Social service agencies;
(t) Veterinarians and pet grooming facilities;
(u) Multi-family residential only as a component of retail mixed-use development;
(v) Artist studios and art galleries;
(w) Vehicle for hire;
(x) Marine electronics, sales, and service; and
(y) Other commercial uses similar in character, nature and impact to permitted uses listed above.

SECTION 21. Section 38.4 of Division 38, AC Activity Center District of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 38.4. - Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the AC Activity Center District are as follows.

(a) Assisted living facilities;
(b) Charter and tour boat operations;
(c) Commercial kitchen;
(~~c~~d) Communication facilities;
(e) Docks, commercial—Classes A, B, C, and D;
(f) Eating and drinking establishments ~~with outdoor seating~~ – take-out only restaurant, restaurant with drive-through service;
(g) Kennels with outdoor runs;
(h) Parking lots, commercial and/or off-premise;
(i) Theatres;
(j) Vessel for hire businesses; and
(k) Subject to the provisions or restrictions contained in this section and elsewhere in this code, temporary lodging units may be allocated from a density pool via a conditional use as follows:

40 temporary lodging uses per acre, not to exceed a total of either 50 units per project or the density pool allocated 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)., with a maximum 1.0 floor area ratio on a minimum one (1) acre buildable site. To qualify for mixed use densities and intensities, a minimum of 10 temporary lodging units, mixed with a minimum of 0.35 floor area ratio for commercial or office uses, is required.

SECTION 22. Section 40.2 of Division 40, Community Redevelopment District – Eighth Avenue (CRD-EA) of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 40.2. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses in the CRD-EA district are as follows:

(a) Residential uses as a component of a vertically mixed-use development;
(b) Temporary Lodging;
(c) Eating and drinking establishments - ~~specialty food such as gourmet take out, catering, coffee shops, etc. and sit down restaurants~~ full-service restaurant, limited-service restaurant, subject to Sec. 6.24 of this Code as may be applicable;
(d) Offices;
(e) Retail sales;
(f) Private, specialized instruction, such as computer training, real estate courses, self- improvement classes, career training or fitness instruction;
(g) Artist studios, art galleries, and museums;
(h) Personal service businesses such as barbershops, beauty shops, tailoring, garment alteration and repair, shoe repair, dry cleaning drop-off and pick-up and other personal service uses similar in character and impact;
(i) Vehicle for hire—limited to rental of bicycles and individual motorized vehicles such as segways, mopeds/scooters;
(j) On-site parking facilities;
(k) Other uses similar in character, nature and impact to permitted uses listed above.

SECTION 23. Section 40.4 of Division 40, Community Redevelopment District – Eighth Avenue (CRD-EA) of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 40.4. - Permitted conditional uses and structures:

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the CRD-EA district are as follows:

(a). Commercial kitchen;
(b). Eating and drinking establishments – take-out only restaurant, bar/lounge, subject to Sec. 6.24 of this Code as may be applicable;

~~The purpose of this section is to allow for single family and two-family residential uses and structures for only saving and/or moving locally designated historic structures. In no case shall a new construction single family home be allowed in the 8th Avenue CRD.~~

(~~a~~c) Single-family residential, subject to the following conditions*:

(1) The structure is eligible for local historic designation pursuant to Section 28.22 of the Land Development Code;
(2) The applicant applies for designation of the structure as historic and the Historic Preservation Board approves the request;
(3) The applicant applies for and is granted a certificate of appropriateness for any alterations to the exterior of the structure and moving the structure if a structure is proposed to be moved to the 8th Ave District, consistent with the Secretary of the Interior's Standards and Guidelines for Rehabilitation or Preservation of Historic Structures and Division 28 of the Land Development Code;
(4) The applicant applies for and is granted the conditional use pursuant to Section 4.4 of the Land Development Code~~;~~.

*The purpose of Section 40.4(b) of this Code is to allow for single family and two-family residential uses and structures for only saving and/or moving locally designated historic structures. In no case shall a new construction single family home be allowed in the 8th Avenue CRD.

SECTION 24. Section 46.2 of Division 46, B/HC Boutique Hotel/Condo District of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 46.2. - Permitted uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this code, permitted uses and structures in the B/HC Boutique Hotel/Condo District are as follows.

(a) Residential uses—multifamily only.
(b) Transient accommodations—hotel, motel and resort condominium.
(c) Non-residential uses that are accessory and subordinate to transient accommodation uses, such as recreational facilities, ~~restaurants and bars~~ eating and drinking establishments, personal service uses, retail uses, meeting spaces/conference rooms, fitness centers, and spa facilities.

SECTION 25. Section 46.4 of Division 46, B/HC Boutique Hotel/Condo District of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 46.4. - Allowable conditional uses.

(a). Eating and drinking establishments—full-service restaurant, limited-service restaurant, take-out only restaurant, bar/lounge, subject to Sec. 6.24 of this Code as may be applicable;

(b). Subject to the provisions or restrictions contained in this section and elsewhere in this Code, additional temporary lodging units may be allocated from a density pool via a conditional use as follows:

In addition to any transient accommodation units which may be allowed on a per acre basis, there are hereby 125 total transient accommodation units for the entire Boutique Hotel/Condo district, which shall be allocated to individual projects by ordinance of the City Commission upon request of an individual property owner. Such allocation shall not exceed an additional twenty (20) units per acre, nor a total of 60 units per redevelopment project, irrespective of total project acreage.

SECTION 26. This Ordinance shall be published in accordance with the requirements of law.

SECTION 27. This Ordinance shall become effective immediately upon final passage and adoption.

PASSED ON FIRST READING __________________________, a.d. 2015

PASSED ON SECOND AND FINAL READING ______________, a.d. 2015

____

Maria Lowe, MAYOR

FIRST READING: _____________
PUBLISHED: _____________
SECOND READING: _____________
PUBLISHED: _____________

I, Rebecca C. 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 ________, 2015.

____

Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTEDNESS:

City Attorney
Andrew Dickman, Esq.

St. Pete Beach City Commission
Agenda Report

Issue Considered: Ordinance No 2015-03 – Off-Premise and Commercial Parking

Date: April 14, 2015

Prepared By: Matt McLachlan, Calvin Giordano & Assoc.

Through: Wayne Saunders, City Manager WS

Summary of Issue: Proposed for your consideration are City-initiated amendments to the Land Development Code providing for the definition, categorization, and use permissions of off-premise and commercial parking lots and parking structures within the four character districts that comprise the Gulf Boulevard Redevelopment District (GBRD) as follows:

DISTRICT	OFF-PREMISE		COMEMRCIAL	
	PARKING LOT	PARKING STRUCTURE	PARKING LOT	PARKING STRUCTURE
LARGE RESORT	C	C	NP	C
ACTIVITY CENTER	C	C	NP	C
BAYOU RESIDENTIAL	C	NP	C	NP
BOUTIQUE HOTEL/CONDO	C	NP	NP	NP
C = CONDITIONAL USE NP = NOT PERMITTED				

The ordinance proposes to amend the City's general parking requirements to allow turf block to be used as a parking space surface for both required and non-required parking spaces; establish that off-street parking spaces are to be reserved for the exclusive use of residents, customers, patrons, or employees of the principal use of the property they are designed and intended to serve except as may be allowed in connection with a special event; establish revised locational criteria for required off-street parking; limit non-required, supplemental surface parking within the GBRD to a time period not to exceed five years from the date the conditional use permit is originally approved by the City Commission and any commercial parking lot within the Bayou Residential character district to a maximum time limit of two years. Further, the ordinance expands the range and use of pervious and semi-pervious parking materials and associated criteria.

The ordinance would allow commercial properties located in the Downtown Redevelopment District to change in use without providing additional required parking unless there is an increase in the floor area of an existing building or construction of additional buildings (this exemption currently applies only to commercially zoned properties abutting Corey Avenue, east of Gulf Boulevard). Moreover, the ordinance provides the option for the payment of a fee in-lieu of required on-site parking that would allow a property owner to "buy down" required on-site parking space(s) associated with any expansion project by paying a set fee to the City (to be determined and established by Resolution) for the provision and maintenance of municipal parking facilities within the Downtown Redevelopment District.

The Planning Board considered the draft ordinance during workshops held on November 17, 2014 and December 16, 2014 and a public hearing was held on January 20, 2015. The Planning Board unanimously voted in favor of the proposed ordinance.

Requested Motion: I move to approve Ordinance No. 2015-03 on first reading

Attachment: Ordinance No. 2015-03

ORDINANCE 2015-03

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST PETE BEACH, FLORIDA, AMENDING THE CITY OF ST PETE BEACH LAND DEVELOPMENT CODE BY AMENDING SECTION 2.1 OF DIVISION 2, DEFINITIONS, TO DEFINE PARKING LOT (OFF-PREMISE), PARKING STRUCTURE (OFF-PREMISE), PARKING LOT (COMMERCIAL) AND PARKING STRUCTURE (COMMERCIAL); AMENDING SECTIONS 23.4, 23.5, 23.7 AND 23.8 OF DIVISION 23, GENERAL PARKING LOTS, RELATED TO THE LOCATION, DESIGN, IMPROVEMENT, USE, AND NUMBER OF REQUIRED AND NON-REQUIRED PARKING SPACES; ADDING SECTION 23.14 TO PROVIDE FOR A FEE IN-LIEU OF REQUIRED ON-SITE PARKING ON PROPERTIES LOCATED WITHIN THE DOWNTOWN REDEVELOPMENT DISTRICT; AMENDING SECTION 35.3 OF DIVISION 35, (LR) LARGE RESORT DISTRICT TO ESTABLISH OFF-PREMISE PARKING LOT AND/OR STRUCTURE AND COMMERCIAL PARKING STRUCTURE AS AUTHORIZED CONDITIONAL USES; AMENDING SECTION 38.4 OF DIVISION 38, (AC) ACTIVITY CENTER TO DELETE COMMERCIAL PARKING LOT AND REPLACE WITH COMMERCIAL PARKING STRUCTURE AND ADD OFF-PREMISE PARKING STRUCTURE AS AUTHORIZED CONDITIONAL USES; AMENDING SECTION 42.4 OF DIVISION 42 (BR) BAYOU RESIDENTIAL DISTRICT TO ESTABLISH OFF PREMISE PARKING LOT AND COMMERCIAL PARKING LOT AS ALLOWABLE CONDITIONAL USES; AMENDING SECTION 46.4 OF DIVISION 46 (B/HC) BOUTIQUE HOTEL/CONDO DISTRICT TO ESTABLISH OFF PREMISE PARKING LOT AS AN ALLOWABLE CONDITIONAL USE; AMENDING CHAPTER 82, ARTICLE III, "STOPPING, STANDING AND PARKING" OF THE CITY OF ST PETE BEACH CODE OF ORDINANCES, SECTION 137; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE REQUIREMENTS OF LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3202, Florida Statutes, requires each local government in the State of Florida to adopt or amend and enforce land development code regulations that are consistent with and implement the adopted Comprehensive Plan; and

WHEREAS, the City of St. Pete Beach has previously adopted a land development code; and

WHEREAS, periodic updates and clarifications are necessary for successful implementation of a land development code.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST PETE BEACH, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED THAT:

SECTION 1. Section 2.1 of Division 2, Definitions, of the City of St. Pete Beach Land Development Code is hereby amended to provide as follows:

Parking lot (off-premise) means ~~a parking facility designed to serve a specific other use but which cannot be located on the same lot with the use it serves~~ an off-street parking lot that is not on the same property as the principal use it is designed and intended to serve.

Parking structure (off-premise) means a structured parking facility with two or more levels that is not on the same property as the principal use it is designed and intended to serve.

Parking lot (commercial) means ~~premises designed and used exclusively for the parking of vehicles for a fee~~ an off-street parking lot that is not affiliated with a specific other use that provides parking, in whole or majority part, as a commercial enterprise, for a fee on a first come-first-served basis by hourly or monthly contract.

Parking structure (commercial) means a structured parking facility with two or more levels that is not affiliated with a specific other use that provides parking, in whole or majority part, as a commercial enterprise, for a fee on a first come-first-served basis by hourly or monthly contract.

SECTION 2. Section 23.4 of Division 23, General Parking Requirements, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 23.4. General parking requirements.

All off-street parking shall be provided in accordance with the following general requirements:

(a) No building or use shall be permitted or constructed unless off-street parking spaces are provided in accordance with the provisions of this Code.

(b) Computation of required spaces.

(1) Fractional space requirements shall be rounded up to the next whole space.

(2) In houses of worship and other places of public assembly in which occupants utilize benches, pews or similar seating arrangements, each 18 linear inches of such seating facilities shall be counted as one seat for the purpose of determining the required number of parking spaces.

(3) In multistory buildings having vertical penetrations including, but not limited to, elevator, mechanical closets, air shafts, stairways and other similar penetrations, and large retail establishments in excess of 5,000 square feet in area having "backroom" storage or working space, may deduct these spaces from the gross square footage in calculating parking space needs.

(4) In the case of mixed uses, the total requirements for off-street parking shall be the sum of the requirements of the various uses computed separately and the off-street parking space for one use shall not be considered as providing the required off-street parking for any other use, except as provided for in the shared parking criteria in this division.

(c) Off-street parking areas shall not be used for sales, dead storage, repair, dismantling or servicing of any type or kind, nor shall areas devoted to such activities count toward meeting off-street parking requirements.

(d) Off-street parking areas for five or more automobiles shall have individual spaces that are designed, maintained and regulated so that no parking or maneuvering incidental to parking shall be on any public street or sidewalk and so that any automobile may be parked and unparked without moving another automobile.

(e) Except as provided in section 23.7, all off street parking areas shall be surfaced with asphalt, bituminous or concrete material, clay brick or concrete paving units, and maintained in a smooth, well-graded condition; provided, however, turf block may be used for the parking space surface.

(f) If artificially lighted, such lighting shall be so designed and arranged that light is directed away from any adjoining property used or zoned for residential purposes and so designed and arranged as to shield public roadways and all other adjacent properties from direct glare or hazardous interference of any kind.

(g) Be arranged for the convenient access and safety of pedestrians and vehicles.

(h) Be so arranged that no vehicle shall be required to back from such facilities directly onto public streets.

(i) Have curbs, motor vehicle stops or similar devices so as to prevent vehicles from overhanging on or into public rights-of-way or adjacent property.

(k) Off-street parking spaces shall be reserved for the exclusive use of residents, customers, patrons, or employees of the principal use of the property they are designed and intended to serve; provided, however, the City may authorize such parking on non-residentially zoned properties to be used on a temporary basis by the general public in connection with a special event approved by the City under Article II of Chapter 26 of the City of St. Pete Beach Code of Ordinances during those times the principal use of the property is not operating.

(l) Required off-street parking shall be located as follows:

(1) On the same or contiguous property of the use the parking is intended to serve;

(2) On non-contiguous property which has the same zoning classification or a zoning classification which allows the use as permitted or conditional, as the use the parking is intended to serve, provided:

a. the off premise parking is within eight hundred (800) feet of the principal use to be served, to be measured along the most direct pedestrian route; except for a restaurant, hotel, or theater use that operates and maintains a valet parking service for customers, for which the off premise parking may be located within one thousand (1,000) feet from the principal use it is intended to serve, to be measured along the most direct pedestrian route.

b. An identifiable pedestrian connection is provided between the off-premise parking area and the principal use it is intended to serve. The pedestrian connection shall require no crossing of a collector or arterial street, except at a signalized intersection.

c. A parking agreement in a form approved by the City Attorney is recorded with the Clerk of the Circuit Court of Pinellas County, Florida, at the owner's expense providing that the off-premise parking area will not be disposed of except in conjunction with the sale or use of the building the parking area serves so long as the parking is required.

(m) Non-required, supplemental surface parking associated with an off-premise parking lot within the Gulf Boulevard Redevelopment District shall be limited to a time period not to exceed five years from the date the conditional use permit is originally approved by the City Commission.

(n) Conditional use approval for a commercial parking lot in the Bayou Residential Character District shall be limited to two years from the date the conditional use permit is originally approved by the City Commission.

SECTION 3. Section 23.5 of Division 23, Number of parking spaces required, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 23.5. - Number of parking spaces required.

Regardless of any other requirement of these regulations, each and every separate or individual store, office, or other business shall be provided with at least one off-street parking space, excluding required handicap parking, unless specific provision to the contrary is made herein.

The following minimum off-street parking requirements are applicable to all districts except as otherwise provided herein:

Use	**Parking Requirement (spaces)**
Automobile Service Station	1 space per bay plus 3 spaces
Any form of residential	2 per unit
Bar, Nightclub	1 per 50 SF floor area
Bed and Breakfast	1 space per guest room plus 1 space for owner or operator
Convenience Store	1 per 200 SF floor area
Grocery Store	1 per 100 SF floor area
Legitimate Theatre	1 per 3 seats
Marina or Commercial Docks Boat slips/live aboard High and dry slips Boat slips/non-live aboard	 1.0 per boat slip 1.0 per 4 boat slips or fraction thereof 1.0 per 4 boat slips or fraction thereof
Office	1 per 300 SF floor area
Place of Worship	1 per 3 seats in auditorium or chapel area
Restaurant	1 per 100 SF floor area
Retail Sales and Service	1 per 200 SF floor area
Schools	3 spaces per 1,000 square feet of floor area, plus one for each teacher
Theater, Movie	1 per 3 seats
Transient Accommodations	1 per transient accommodation unit, plus 1 additional per 10 transient accommodation units, plus additional parking for accessory facilities in accordance with the following:

Office space	1 per 300 SF floor area
Retail and restaurant space	1 per 200 SF floor area
Ballrooms, lobby area, conference and meeting rooms, and fitness facilities	1 per 1,000 SF floor area
Vehicle Rental	1 per 200 SF floor area, must be marked as customer spaces plus one for each rental vehicle

(a) In instances of new construction or facility expansion involving the establishment of accessory or supplemental uses, the number of required parking spaces shall be increased in accordance with the above table such that parking is adequate to accommodate the entire area of use, both internal and external to the structure; provided, however, outdoor dining or outdoor drinking areas shall not be required to provide additional parking when the outdoor dining or outdoor drinking area is less than 500 square feet. Any portion of the outdoor dining or outdoor drinking area greater than 500 square feet shall be included as gross floor area for the purposes of calculating off-street parking requirements at the rate set forth in the above table or as otherwise provided by this Code.

(b) Parking spaces that are in excess of the number of spaces required by this division shall be constructed as grass parking, turf block or in a parking structure.

(c) Where a project is intended to be developed in phases, the city manager may approve the development of a parking area intended to serve each phase as it is developed.

(d) All retail projects shall be required to provide a minimum of five bicycle rack spaces, or a number of bicycle rack spaces equal to ten percent of the required number of vehicle parking spaces, whichever is greater.

(e) For properties zoned CRD-EA, permitted non-residential and transient accommodation uses are exempt from the minimum parking standards above. Residential uses shall provide the required off-street parking in the table above.

(f) For commerciall~~y~~ ~~zoned~~ properties ~~abutting Corey Avenue east of Gulf Boulevard~~ located in the Downtown Redevelopment District, additional parking shall be required for a change of use only if there is an increase in the floor area of an existing building or construction of additional buildings upon a determination by the City that there is inadequate space to increase on-site parking in accordance with City requirements.

<u>SECTION 4.</u> Section 23.7 of Division 23, Grass and Turf Block Parking, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 23.7. ~~Grass and turf block~~ <u>Pervious and</u> <u>Semi-pervious</u> parking.

~~(a) *Grass parking*. Grass parking is allowed in the following instances:~~

~~(1) For any land use where excess parking is provided, that portion of parking which exceeds required parking may be grass in any zoning district.~~

~~(2) For houses of worship, up to 50 percent of required off-street parking facilities and any parking provided in excess of required number of spaces.~~

~~(3) For parks and recreation facilities in a R/OS District.~~

~~(4) For public and private schools offering academic courses.~~

~~(5) For child care and family day care facilities, private clubs, and assisted living facilities, up to 30 percent of their required parking facilities.~~

<u>(a) *Pervious/semi-pervious parking.* Drought tolerant sod, shell, gravel or other similar pervious or semi-pervious surfaces that do not cause erosion, barriers to pedestrian access, or adverse effects to abutting parcels may be approved under the site plan provisions of Division 5 of this Code for parking facilities that meet one of the following criteria:</u>

<u>(1) An off-premise or commercial parking lot in the Gulf Boulevard Redevelopment District for which a conditional use permit has been issued.</u>

<u>(2) Non-required (excess) parking on the same premise as the use it is intended to serve.</u>

<u>(3) Required parking in accordance with the following provisions:</u>

<u>a. For houses of worship, up to 50 percent of required off-street parking facilities</u>~~.~~

<u>b. For parks and recreation facilities in a Recreation/Open Space (R/OS) District all required parking except for parking required under Section 23.6 of this Code.</u>

<u>c. For public and private schools, child care and family day care facilities, private clubs, and assisted living facilities, up to 30 percent of their required parking facilities.</u>

~~(b) *Turf block.* When off-street parking facilities surfaced with turf grid systems [turf block] are permitted for either required parking or excess parking or both, the parking facilities shall be constructed in accordance with the following:~~

~~(1) Access aisles shall be surfaced with asphalt, concrete material, clay brick or concrete paving units.~~

~~(2) Parking areas shall be maintained such that the grass does not constitute a nuisance by virtue of its appearance or condition and is graded in a level condition. Access aisles shall be maintained in accordance with section 23.10~~

~~(3) Comply with the drainage requirements for storm water runoff set forth in Chapter 106, St. Pete Beach Code of Ordinances.~~

~~(4) Comply in all other respects with the requirements of this Code.~~

SECTION 5. Section 23.8 of Division 23, Off-Street Parking and Loading, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 23.8. ~~Off-site parking, when allowable.~~ (Reserved)

~~(a) Required off-street parking facilities shall be located on the same lot as the use they are intended to serve. However, required off-street parking facilities may be located on an off-site lot if approved under the provisions of division 5 of this Code at a public hearing. Such off-site parking facilities, if approved, shall be within 300 feet of the premises they are intended to serve and an off-site parking agreement meeting the requirements of the city attorney shall be required. The applicant for an off-site parking agreement shall demonstrate to the satisfaction of the appropriate board of authority:~~

~~(1) Practical difficulties prevent the location of the parking facilities on the same lot; and~~

~~(2) A safe pedestrian route exists, or will be provided, for the safety of pedestrians traveling between the premises and the off-site parking facilities.~~

~~(b) Parking agreements in a form acceptable to the city attorney shall provide:~~

~~(1) The land comprising the parking facilities shall not be disposed of except in conjunction with the sale of the premises which the parking area serves, so long as the facilities are required;~~

~~(2) The owner(s) agrees to bear the expense of recording the agreement and agrees that the agreement shall bind their heirs, successors and assigns; and~~

~~(3) The owner(s) shall agree to be responsible for the cost of any required pedestrian safety devices or improvements. The written agreement shall be voided by the city if other off-street facilities are provided in accord with these regulations.~~

SECTION 6. Division 23, Off-Street Parking and Loading, of the City of St. Pete Beach Land Development Code is hereby amended to add the following section:

Sec. 23.14. Fee in-lieu of required on-site parking.

(a) The amount of any on-site parking required under Sec. 23.5 of this Code for development in the Downtown Redevelopment District may be reduced by the payment of the fee as established by resolution of the City Commission.
(b) Any money collected by the City under this Section may be used only for the purchase of land for, or the construction, maintenance, or operation of on-or off-street municipal parking facilities created by this fund, and any other costs associated with the provision of municipal parking in the Downtown Redevelopment District.

SECTION 7. Section 35.3 of Division 35, (LR) Large Resort District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 35.3. Permitted principal and secondary uses and structures.

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

(a) *Primary uses.*

(1) Temporary lodging uses, including hotels, motels, resort condominium hotels;

(2) Multi-family residential.

(b) *Secondary uses.* Secondary commercial uses may be developed as an additional nonresidential use bonus floor area that is not located within the principal building, provided that the secondary commercial development is constructed with a minimum of 200 temporary lodging units. Secondary commercial uses include:

(1) Retail;

(2) Eating and drinking establishments – full-service restaurant, limited-service restaurant, bar/lounge, subject to Sec. 6.24 of this Code as may be applicable;

(3) Indoor commercial entertainment facilities;

(4) Vehicles for hire.

(c) *Secondary uses requiring conditional use approval.* Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable secondary uses requiring conditional use approval in the LR District are as follows:

(1) Commercial kitchen;

(2) Eating and drinking establishment – take-out restaurant only;

(3) Off-premise parking lot and/or structure;

(4) Commercial parking structure.

SECTION 8. Section 38.4 of Division 38, (AC) Activity Center District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 38.4. Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the AC Activity Center District are as follows.

(a) Assisted living facilities;

(b) Charter and tour boat operations;

(c) Commercial kitchen;

(d) Communication facilities;

(e) Docks, commercial—Classes A, B, C, and D;

(f) Eating and drinking establishments – take-out only restaurant, restaurant with drive-through service;

(g) Kennels with outdoor runs;

(h) ~~Parking lots, commercial and/or off-premise~~ Off-premise parking lot and/or structure;

(i) Commercial parking structure;

(~~i~~j) Theatres;

(~~j~~k) Vessel for hire businesses; and

(~~k~~l) Subject to the provisions or restrictions contained in this section and elsewhere in this code, temporary lodging units may be allocated from a density pool via a conditional use as follows:

40 temporary lodging uses per acre, not to exceed a total of either 50 units per project or the density pool allocated 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)., with a maximum 1.0 floor area ratio on a minimum one (1) acre buildable site. To qualify for mixed use densities and intensities, a minimum of 10 temporary lodging units, mixed with a minimum of 0.35 floor area ratio for commercial or office uses, is required.

SECTION 9. Section 42.4 of Division 42, (BR) Bayou Residential District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

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). Docks, commercial—Class A
(c). Docks, commercial: Class B

(d). 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).

(e). Off-premise parking lot.

(f). Commercial parking lot.

SECTION 10. Section 46.4 of Division 46, (B/HC) Boutique Hotel/Condo District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 46.4. Allowable conditional uses.

(a) Eating and drinking establishments – full-service restaurant, limited service restaurant, take-out only restaurant, bar/lounge, subject to Sec. 6.24 of this Code as may be applicable;

(b) Off-premise parking lot;

(~~b~~c) Subject to the provisions or restrictions contained in this section and elsewhere in this Code, additional temporary lodging units may be allocated from a density pool via a conditional use as follows:

In addition to any transient accommodation units which may be allowed on a per acre basis, there are hereby 125 total transient accommodation units for the entire Boutique Hotel/Condo district, which shall be allocated to individual projects by ordinance of the City Commission upon request of an individual property owner. Such allocation shall not exceed an additional twenty (20) units per acre, nor a total of 60 units per redevelopment project, irrespective of total project acreage.

SECTION 11. **SECTION 11.** Article III, Section 137 of Chapter 82, Posted Restricted Parking Zones, of the City of St. Pete Beach Code of Ordinances is amended to provide as follows:

Sec. 82-137. - Posted restricted parking zones.

(a) The following city streets shall require a "D" permit for parking from 9:00 a.m. to 5:00 p.m. everyday on one side of the street, as designated on the city parking maps:

1st Avenue between Gulf Way and Pass A Grille Way;
12th Avenue thru 14th Avenue between Gulf Way and Pass A Grille Way;
17th Avenue thru 20th Avenue between Gulf way and Pass A Grille Way;
22nd Avenue between Gulf Way and Pass A Grille Way;
25th Avenue between Sunset Way and Pass A Grille Way;
27th Avenue thru 30th Avenue between Sunset way and Pass A Grille Way;

37th Avenue between Gulf Blvd. and El Centro;
Sunset Way between 23rd Avenue and 24th Avenue;
Sunset Way between 28th Avenue and 30th Avenue;
1st Avenue West between 31st Avenue and 32nd Avenue;
32nd Avenue between Sunset Way and the beach;
Casablanca Avenue at Cabrillo Avenue;
West Maritana Drive between Alahambra Street and South Maritana Drive;
South Maritana Drive between West Maritana Drive and Granada Street;
Alahambra Street between West Maritana and West Debazan Avenue;
West Debazen Avenue between East Debazen and South Maritana;
Debazen Avenue between Casablanca and Alahambra Street;
East Debazen between Alahambra Street and South Debazen Avenue;
Alfanzo Street between West Maritana Drive and West Debazen Avenue;
Granada Street between East Debazen Avenue and East Maritana Drive;
Barcelona Street between Debazen Avenue and East Maritana Drive;
Beach Plaza between 70th Avenue and 71st Avenue; and
Pass-A-Grille Way between 7th Avenue and 3rd Avenue;
18 parking spaces on the west side of Beach Plaza between 70th Avenue and 71st Avenue.

(b) The following city streets shall require a "D" permit for parking from 9:00 a.m. to 5:00 p.m. everyday on each side of the street, as designated on the city parking maps:
2nd Avenue to 5th Avenue;
Sunset Way between 24th Avenue and 25th Avenue;
Sunset Way between 22nd Avenue and 23rd Avenue;
32nd Avenue between 1st Street West and the beach; and
One parking space on the west side of Casablanca Avenue at Cabrillo Avenue.

(c) The following city streets shall require a "D" permit for parking at any time everyday on one side of the street, as designated on the city parking maps:
11th Avenue between Gulf Way and Pass-A-Grille Way;
21st Avenue between Gulf Way and Pass-A-Grille Way;
23rd Avenue between Sunset Way and Pass-A-Grille Way; and
4 parking spaces on the south side of West Maritana Drive east of Casablanca Avenue;
36th Avenue between Gulf Boulevard and East Maritana Drive;
Casablanca Avenue between 37th Avenue and Pinellas Bayway;
East Maritana Drive between 37th Avenue and Pinellas Bayway.

(d) The following city streets shall require a "D" permit for parking at any time everyday on each side of the street, as designated on the city parking maps:
6th Avenue between Gulf Way and Pass-A-Grille Way; and
7th Avenue between Gulf Way and Pass-A-Grille Way.

(e) The following city streets shall require a "B" permit for parking at any time everyday on each side of the street, as designated on the city parking maps:
42nd Avenue between Belle Vista Drive and Poinsettia Drive; and
43rd Avenue between Belle Vista Drive and Moody Street.

(f) The following city streets shall require a "B" permit for parking from 9:00 a.m. to 5:00 p.m. everyday on one side of the street, as designated on the city parking maps:
18 parking spaces on the west side of Beach Plaza between 70th Avenue and 71st Avenue.

(g) The following city streets shall require an "E" permit for parking from 9:00 a.m. to 5:00 p.m. everyday on one side of the street, as designated on the city parking maps:
67th Avenue between Beach Plaza and Sunset Way; and
18 parking spaces on the west side of Beach Plaza between 70th Avenue and 71st Avenue.

(h) The following city streets shall require an "E" permit for parking from 9:00 a.m. to 5:00 p.m. everyday on each side of the street, as designated on the city parking maps:
68th Avenue to 70th Avenue between Beach Plaza and Sunset Way.

(i) Parking in the locations designated on the following city streets shall be limited to thirty (30) minutes, as designated on the city parking maps:
3 parking spaces on the west side Pass-A-Grille Way south from 9th Avenue;
3 parking spaces on the north side of 10th Avenue west from Pass-A-Grille Way;
1 parking space on the east side of the 800 block of Gulf Way;
1 parking space on the east side of 1300 block of Gulf Way;
1 parking space on the south side of 26th Avenue west of Pass-A-Grille Way;
3 parking spaces on the north side of 32nd Avenue west of Pass-A-Grille Way; and the north side of the Don Vista Center.

(j) Parking on each side of the following city street shall be limited to two (2) hours, between the hours of 8:00 a.m. and 6:00 p.m. everyday, as designated on the city parking maps:
8th Avenue between Gulf Way and Pass-A-Grille Way. Vehicles displaying a valid "D" Permit are exempt from the limit of two hours.

(k) Parking in the main Don Vista Center parking lot shall be prohibited unless an event is scheduled by the City at the Don Vista Center.

(l) Parking on the west side of Gulf Way between 9th Avenue and 10th Avenue shall be limited to employees of the public concession stand at the beach.

(m) Parking on one side of the following city streets shall be prohibited at any time, as designated on the city parking maps:
1st Avenue between Gulf Way and Pass-A-Grille Way;

10th Avenue to 22nd Avenue between Gulf Way and Pass-A-Grille Way;
23rd Avenue to 30th Avenue between Sunset Way and Pass-A-Grille Way;
32nd Avenue between 1st Street West and Pass-A-Grille Way;
El Centro at the Don Vista Center;
West Maritana Drive between Alahambra Street and South Maritana Drive;
South Maritana Drive between West Maritana Drive and Granada Street;
Alahambra Street between West Maritana and West Debazen Avenue;
West Debazen Avenue between East Debazen and South Maritana;
Debazen Avenue between Casablanca and Alahambra Street;
East Debazen between Alahambra Street and South Debazen Avenue;
Alfonzo Street between West Maritana Drive and West Debazen Avenue;
Granada Street between East Debazen Avenue and East Maritana Drive;
Barcelona Street between Debazen Avenue and East Maritana Drive;
Casablanca Avenue between 37th Avenue and Pinellas Bayway;
East Maritana Drive between 37th Avenue and Pinellas Bayway;
Belle Vista Drive between 41st Avenue and Belle Vista Drive East;
Lido Drive between 1st Street East and Plaza Way;
36th Avenue between El Centro and East Maritana Drive;
41st Avenue between Belle Vista Drive and Poinsettia Drive;
46th Avenue between Gulf Boulevard and the east end of Lido Park;
49th Avenue;
51st Avenue between Gulf Boulevard and the beach;
51st Avenue between Gulf Boulevard and the east end;
55th Avenue between Aloha Drive and Leilani Drive;
Boca Ciega Isle Drive at the entrance;
58th Avenue between Gulf Boulevard and 2nd Street East;
64th Avenue between Gulf Winds Drive and 430 64th Avenue;
Gulf Winds Drive between 2nd St. East and 71st Avenue;
64th Avenue to 73rd Avenue between Sunset Way and Gulf Boulevard;
Sunset Way between 23rd Avenue and 24th Avenue;
Sunset Way between 25th Avenue and 26th Avenue;
Sunset Way between 29th Avenue and 30th Avenue;
Sunset Way between 64th Avenue and 67th Avenue;
1st Street West between 31st Avenue and 32nd Avenue;
Casablanca Avenue between 37th Avenue and Cabrillo Avenue;
78th Avenue to 87th Avenue between Blind Pass Road and Boca Ciega Drive; and Corey Circle.

(n) Parking on each side of the following city streets shall be prohibited at any time, as designated on the city parking maps:
Pass-A-Grille Way between 13th Avenue and 32nd Avenue;
14th Avenue to 20th Avenue between Pass-A-Grille Way and the east end;
30th Avenue between Sunset Way and the beach;

31st Avenue between Sunset Way and Pass-A-Grille Way;
2nd Street West;
Cabrillo Avenue;
West Maritana Drive between Casablanca Avenue and Alahambra Street;
Belle Vista Drive between 44th Avenue and 41st Avenue;
37th Avenue between Gulf Blvd. and east Maritana;
44th Avenue between Gulf Boulevard and Moody Street;
45th Avenue between Gulf Boulevard and 2nd Street East;
Punta Vista Drive;
Boca Ciega Isle Drive between Plaza Way and 520 Boca Ciega Isle Drive;
52nd Avenue between Gulf Boulevard and the beach;
55th Avenue between Gulf Boulevard and Aloha Drive;
Aloha Drive;
59th Avenue between Gulf Boulevard and Bimini Way;
Gulf Winds Drive between 2nd St. East and Gulf Blvd.;
64th Avenue between 1st Palm Point Street and 425 64th Avenue;
64th Avenue between Gulf Blvd. and Gulf Winds Drive;
67th Avenue between Gulf Blvd. and Gulf Winds Drive;
Sunset Way between 70th Avenue and 71st Avenue;
1st Street East between Lido Drive and 45th Avenue;
2nd St. East between Lido Drive and 45th Avenue;
2nd St. East between 60th Avenue and Gulf Winds Drive.

(o) Parking on one side of the following city streets shall be limited to the time for which payment of the parking fee has been made, between the hours of 8:00 a.m. and 8:00 p.m. everyday, as designated on the city parking maps:

Pass-A-Grille Way between 1st Avenue and 7th Avenue;
Casablanca Avenue between Pinellas Bayway and Cabrillo Avenue;
51st Avenue between Gulf Boulevard and the beach;
67th Avenue between Beach Plaza and Sunset Way;
Sunset Way between 68th Avenue and 70th Avenue;
Gulf Winds Drive between 64th Avenue and 2nd St. East;
64th Avenue between Gulf Blvd. and Sunset Way;
Sunset Way between 64th Avenue and 66th Avenue;
66th Avenue between Gulf Blvd. and Sunset Way.

(p) Parking on each side of the following city streets shall be limited to the time for which payment of the parking fee has been made, between the hours of 8:00 a.m. and 8:00 p.m. everyday, as designated on the city parking maps:

Gulf Way;
Pass-A-Grille Way between 7th Avenue and 12th Avenue unless otherwise posted; and
Beach Plaza between 67th Avenue and 70th Avenue.

(q) Parking on the north side of 10th Avenue between Gulf Way and Pass-A-Grille Way shall require a "D" permit for parking at any time everyday, or shall be limited to patrons of the museum, unless otherwise posted, as designated on the city parking maps.

(r) Parking on the following city streets and parking lots shall be limited as hereafter designated, as shown on the city parking maps:

Lazarillo Park—Parking shall be for park users only;

Lido Park—45th Avenue Lot—Parking shall be for park users only;

Lido Park—46th Avenue Lot—Parking shall be for park users only, with the exception of four parking spaces designated "B" Permit Required from 9:00 a.m. to 5:00 p.m.;

Don Boat Ramp—"D" Permit or "B" Permit required with attached boat trailer, or any vehicle with attached boat trailer subject to payment of designated parking fee from 8:00 a.m. to 8:00 p.m.;

County Park—Parking is subject to payment of designated parking fee at any time;

44th Avenue Parking Lot—Five parking spaces designated "B", "D", or "E" Permit required; Two parking spaces designated "B" Permit Required "3" hour limit; One parking space designated "3" hour limit.

Ron McKenney Park—Parking shall be for park users only;

Sunset Park—"B" Permit required from 9:00 a.m. to 5:00 p.m. on the waterfront side;

Egan Park/Captiva Circle

North side: No parking

East side: Two waterfront parking spaces designated "Car parking only 24 hour limit"; 16 waterfront parking spaces designated "Vehicle with attached boat trailer only" and subject to payment of designated parking fee at anytime. Parking fee and vehicle with boat trailer attached restriction waived during adult softball games for the six southernmost waterfront spaces.

South Side—East end of Captiva Circle: Four parking spaces designated "No vehicle with boat trailer attached parking at anytime." South Side of Captiva Circle—Designated "No Parking Anytime."

Egan Park gravel parking lot—"B" permit required for Vehicle with attached boat trailer."

Don Vista Parking Lot

South side: Don Vista parking only, and

North side: 15 spaces, Don Vista parking only.

(s) Parking in the locations designated on the following city streets shall be limited to 15 minutes, as designated on the city parking maps:

Corey Avenue parking spaces directly in front of the Post Office.

(t) The following city streets shall require a "B" permit for parking from 9:00 a.m. to 5:00 p.m. Saturdays, Sundays and holidays on one side of the street, as designated on the city parking maps:

Gulf Winds Drive between 64th Avenue and Bay St;

64th Avenue between Gulf Winds Drive and First Palm Point.

(u) The following city streets shall require a "B" permit for parking from 9:00 a.m. to 9:00 p.m. Saturdays, Sundays and holidays on each side of the street, as designated on the city parking maps:

64th Avenue between 425 64th Avenue and the east end of 64th Avenue;
67th Avenue between Gulf Winds Drive and Bay St;
Bay St. between Gulf Winds Drive and 64th Avenue;
First through Fourth Palm Points Streets.

SECTION 12. This Ordinance shall be published in accordance with the requirements of law.

SECTION 13. This Ordinance shall become effective immediately upon final passage and adoption.

PASSED ON FIRST READING ________________________, a.d. 2015

PASSED ON SECOND AND FINAL READING ______________, a.d. 2015

____
Maria Lowe, MAYOR

FIRST READING: ____________
PUBLISHED: ____________
SECOND READING: ____________
PUBLISHED: ____________

I, Rebecca C. 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 ________, 2015.

Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTEDNESS:

City Attorney
Andrew Dickman, Esq.

St. Pete Beach City Commission
Agenda Report

Issue Considered: Ordinance No 2015-06, amending Chapter 6, Alcoholic Beverages of the City of St. Pete Beach Code of Ordinances relating to public consumption or possession of alcoholic beverages

Date: April 14, 2015

Prepared By: Matt McLachlan, Calvin Giordano & Assoc.

Through: Wayne Saunders, City Manager WS

Summary of Issue: Chapter 6 of the City Code restricts where the public can consume or possess alcoholic beverages. Currently, it is unlawful for the public to drink or consume alcoholic beverages on or upon all public streets, all public beach lands, any public sidewalk, any city park, and all private sand beach areas upland of the Gulf of Mexico and adjacent to private property. Provided, however, the City Commission may issue a permit for special occasions.

This ordinance gives the City Commission the ability to permit public consumption of alcoholic beverages on public streets, sidewalks and private sand beach areas in connection with the approval of an outdoor dining or drinking area permit.

The City Commission will be considering a separate ordinance dealing the permitting and regulation of outdoor dining and drinking areas on April 14, 2015 (first reading). Staff recommends in that Ordinance that all outdoor dining and drinking area permits require conditional use approval which would allow the City Commission to consider the individual impacts of each case and impose any necessary conditions to control and ameliorate those impacts. Further, the current prohibition on alcoholic beverage consumption on private sand beach areas is proposed to be limited to those properties where the adjoining upland portion is occupied by a non-residential or temporary lodging use. Therefore, residents who own or partially own a sand beach area would be allowed to consume alcoholic beverages on their portion of the beach.

On February 17, 2015, the Planning Board held a public hearing on the ordinance and unanimously voted in favor of its passage. Subsequent to the meeting, the ordinance was amended as follows:

Section 1 - Definitions for “sand beach areas”, “sovereignty submerged land” and strengthen and clarify other terms;

Section 2, Prohibition of the sale of alcohol to any person below the legal age as established by state law added;

Section 3, Prohibition on drinking or consuming alcohol on or upon private sand beach areas limited to those properties where the upland portion is occupied by a non-residential or temporary use; City Commission authorization of an outdoor drinking area within public rights-of-way and on private sand beach provided for; and other clarifications and minor edits recommended by the City Attorney.

The above described changes should therefore be viewed as being recommended by Staff.

Requested Motion: I move to approve Ordinance No. 2015-06 on first reading

Attachment: Ordinance No. 2015-06

ORDINANCE 2015-06

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST PETE BEACH, FLORIDA, AMENDING CHAPTER 6, ALCOHOLIC BEVERAGES, ARTICLE I, IN GENERAL OF THE CITY OF ST PETE BEACH CODE OF ORDINANCES BY AMENDING SECTION 6.1, DEFINITIONS, AMENDING THE DEFINITION OF ESTABLISHMENT DEALING IN ALCOHOLIC BEVERAGES AND ADDING NEW DEFINITIONS OF SAND BEACH AREAS AND SOVEREIGNTY SUBMERGERED LAND; AMENDING SECTION 6.3, SALE TO CERTAIN PERSONS PROHIBITED, BY PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES TO ANY PERSON BELOW THE LEGAL AGE AS ESTABLISHED BY STATE LAW; AMENDING SECTION 6.5, PUBLIC CONSUMPTION OR POSSESSION RELATING TO RESTRICTIONS AND PERMITTING OF PUBLIC ALCOHOL CONSUMPTION ON PUBLIC LANDS, RIGHTS-OF-WAY, SAND BEACH AREAS AND SOVEREIGNTY SUBMERGED LANDS; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE REQUIREMENTS OF LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST PETE BEACH, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED THAT:

SECTION 1. Section 6.1 of Article I, Chapter 6, of the City of St. Pete Beach Code of Ordinances is hereby amended as follows:

Sec. 6-1. - Definitions.

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

Alcoholic beverage means any beverage containing more than one percent of alcohol by weight.

Club means any group of persons associated together as a duly chartered or incorporated organization, including a social club incorporated by order of the circuit court, which holds a license issued by the state for the sale of alcoholic beverages.

Establishment dealing in alcoholic beverages means any business or establishment licensed by the state for the sale of alcoholic beverages; any area or part of any property, building or structure in which alcoholic beverages are kept for sale, offered for sale, sold, served or dispensed under license by the state; any other area, property, building or structure or part thereof having an entrance, door or other passageway that could in any manner be used or utilized as a means of access, ingress or egress into the area in which alcoholic beverages are kept, offered for sale, sold or dispensed; or which is in any other manner capable of access, ingress or egress at any time to the area in which alcoholic beverages are kept, offered for sale, sold, served or dispensed. However, the term "establishment dealing in alcoholic beverages," when applied to a hotel or club, as defined in this section, means that area (indoor or outdoor) or part of such hotel or club in which alcoholic beverages are kept, sold, served or dispensed when such area is capable of being closed or in some other manner set apart and forbidden to access, including sand beach areas as defined herein and as depicted in the Vendor's state alcoholic beverage license.

Sale or sell includes any transfer of liquor, wine or beer or other alcoholic beverages for a consideration, and any gift of liquor, beer or wine in connection with or as a part of a transfer of property other than liquor, beer or wine or other alcoholic beverages for a consideration.

Sand beach areas means the zone of unconsolidated material that extends landward from the mean high water line to the place where there is marked change in material or physiographic form.

Sovereignty submerged land include, but are not limited to, tidal lands, sandbars, shallow banks and lands waterward of the ordinary or mean high water line, beneath navigable fresh water or beneath tidally-influenced waters.

Vendor means any person who keeps for sale, sells or dispenses any alcoholic beverages in any quantity in any place or business licensed by the state for the sale of alcoholic beverages, or any person who holds a license from the state for the sale of alcoholic beverages, including the owner, manufacturer, operator, proprietor or licensee or the servant, agent or employee of any one of such.

SECTION 2. Section 6.3 of Article I, Chapter 6, of the City of St. Pete Beach Code of Ordinances is hereby amended as follows:

Sec. 6-3. - Sale to certain persons prohibited.

No person who is a vendor of alcoholic beverages shall sell, furnish or deliver or permit any person in his employ to sell, furnish or deliver any alcoholic beverages in any quantity to any person who is intoxicated or below the legal age as established by state law.

SECTION 3. Section 6.5 of Article I, Chapter 6, of the City of St. Pete Beach Code of Ordinances is hereby amended as follows:

Sec. 6-5. - Public consumption or possession.

~~(a) As used in this section, the term "beach" means the zone of unconsolidated material that extends landward from the mean low-water line to the place where there is marked change in material or physiographic form.~~ [2]

(~~b~~a) Except as provided in subsection (e) of this section, ~~I~~it shall be unlawful to drink or consume alcoholic beverages on or upon:

(1) All public streets.

(2) All public beach lands. [3]

(3) Any public sidewalk.

(4) Any city park.

(5) All private sand beach areas ~~upland of the Gulf of Mexico and adjacent to private property~~ where the upland portion of the subject property is occupied by a non-residential or temporary lodging use. [4]

(6) All sovereignty submerged land.

(~~c~~b) For public beaches, notice of this section shall be posted in a prominent beach access location by the city. Where the upland property is used for some commercial use, including but not limited to hotels and resorts on the beach, notice shall be posted by the owner and shall contain language determined to be acceptable by the City Attorney. Where the upland property is a multifamily residential use, the owner or condominium association shall be responsible for posting the notice. Where the upland property is less than three residential living units, the city shall post the notice at the closest public access to the beach.

(~~d~~c) It shall be unlawful for any person to carry on or about his person any container of alcoholic beverages, whether or not the container is a bottle, can, carton or other form of container, in those areas described in subsection (~~b~~a) of this section unless a permit has been issued pursuant to subsection (e) of this section otherwise allowing said activity to occur under any certain terms and conditions stated in the permit. This subsection shall not be applicable in those areas described in subsections (~~b~~a)(1)~~,~~ and (3)~~, and (5)~~ of this section if the alcoholic beverage is contained in a sealed container or if the bottle, can, carton or other container has never been opened since the time the beverage was originally bottled at the manufacturer's or bottler's plant.

(~~e~~d) Possession of any container of alcoholic beverages wherein the seal has been broken, the bottle cap or pop-top has been opened or removed or where the container may seem to be open or to have been opened shall constitute prima facie evidence of a violation of this section.

(~~f~~e) Permits for special ~~occasions~~ events, outdoor dining or drinking areas may be issued as follows:

(1) The city commission may ~~approve special permits for~~ authorize the consumption of alcoholic beverages in the areas described in subsections (~~b~~a)(1), (2), (3), (4) and (5) in connection with the approval of a special event permit.

(2) The city commission may authorize the consumption of alcoholic beverages in the areas described in subsections (a)(1), (3) and (5) in connection with the approval of an outdoor dining or drinking area permit.

(~~2~~3) Owners of private ~~property upland of the beach~~ sand beach areas may obtain special permits for the consumption of alcoholic beverages for special occasions. The permits shall be issued by the ~~department of planning and development~~ city manager or his or her designee and shall include conditions necessary to protect the safety, health and welfare of the public. The upland owner shall be entitled to no more than three permits per month. The area of the beach subject to the permit shall be marked with approved temporary markers, and the consumption of alcohol shall be confined to the marked area. Permits shall not authorize consumption before 8:00 a.m. and shall terminate no later than 10:00 p.m.

SECTION 4. This Ordinance shall be published in accordance with the requirements of law.

SECTION 5. This Ordinance shall become effective immediately upon final passage and adoption.

PASSED ON FIRST READING __________________________, a.d. 2015

PASSED ON SECOND AND FINAL READING ______________, a.d. 2015

____

Maria Lowe, MAYOR

FIRST READING: ____________
PUBLISHED: ____________
SECOND READING: ____________
PUBLISHED: ____________

I, Rebecca C. 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 ________, 2015.

Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTEDNESS:

____

City Attorney
Andrew Dickman, Esq.

St. Pete Beach City Commission
Agenda Report

ISSUE CONSIDERED: Final Reading: Ordinance 2015-07 authorizing the issuance of a bond not to exceed $5,500,000 in aggregate principal amount for the wastewater utility system.

DATE: April 14, 2015

PREPARED BY: Elaine Edmunds, Administrative Services Director

SUMMARY OF ISSUE: Ordinance 2015-07 provides authorization to issue a bond funded by the wastewater utility system in an amount not to exceed $5,500,000.

The proceeds of this bond will be used to fund various wastewater utility capital improvements including but not limited to:

- Wastewater improvements on Blind Pass Road
- Wastewater improvements on Pass-A-Grille Way
- Pump station 3 improvements
- Force main 3 improvements

The bond will be financed through revenues generated by the Wastewater system. The city shall never use or be required to use any ad valorem taxes for payment on the bond.

REQUESTED MOTION: "I move to approve Ordinance 2015-07, (read title)...

ATTACHMENTS: Ordinance 2015-07

REVIEWED BY
CITY MANAGER: _WS_

ATTACHMENTS: Ordinance 2015-07

ORDINANCE NO. 2015-07

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $5,500,000 IN AGGREGATE PRINCIPAL AMOUNT OF A WASTEWATER UTILITY SYSTEM REVENUE BOND, SERIES 2015 OF THE CITY OF ST. PETE BEACH, FLORIDA TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF VARIOUS WASTEWATER UTILITY CAPITAL IMPROVEMENTS WITHIN THE CITY; PLEDGING THE HEREIN DESCRIBED PLEDGED FUNDS TO SECURE THE PAYMENT OF THE PRINCIPAL OF, REDEMPTION PREMIUM, IF ANY, AND INTEREST ON SUCH BOND; PROVIDING FOR THE RIGHTS OF THE HOLDER OF SUCH BOND; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. DEFINITIONS. When used in this Ordinance, the following terms shall have the following meanings, unless some other meaning is plainly intended:

"Bond" shall mean the City of St. Pete Beach, Florida Wastewater Utility Revenue Bond, Series 2015 issued by the City pursuant to this Ordinance and the Resolution.

"City" shall mean the City of St. Pete Beach, Florida, a municipal corporation established by the State of Florida.

"Cost" shall have the meaning ascribed thereto by the Resolution, as the same may be modified in the Resolution.

"Commission" shall mean the City Commission of the City.

"Gross Revenues" shall have the meaning ascribed thereto by the Resolution, as the same may be modified in the Resolution.

"Net Revenues" shall mean Gross Revenues less Operating Expenses, as the same may be modified in the Resolution.

"Operating Expenses" shall have the meaning ascribed thereto by the Resolution, as the same may be modified in the Resolution.

"Ordinance" shall mean this Ordinance enacted by the Commission on the date hereof, as it may be amended and supplemented from time to time.

"Pledged Funds" shall mean (1) the Net Revenues, (2) the Wastewater Connection Fees, (3) until applied in accordance with the provisions of the Resolution, all moneys, including investments thereof, in the funds and accounts established by the Resolution except, (A) as for the Rebate Fund, (B) to the extent moneys therein shall be required to pay Operating Expenses of the System in accordance with the terms of the Resolution and (C) any moneys set aside in a particular subaccount of the Reserve Account if such moneys shall be pledged solely for the payment of a different series of bonds for which it was established in accordance with the Resolution.

"Project" shall mean various wastewater utility capital improvement projects within the City set forth in the plans and specifications on file or to be on file with the City, as the same may be modified or amended from time to time. A general description of the Project is provided in Exhibit A attached hereto.

"Rebate Fund" shall mean the Rebate Fund to be established by the Resolution, as the same may be modified in the Resolution.

"Resolution" shall mean the Resolution adopted by the Commission on April 14, 2015 that authorizes the Bond and sets forth the terms and provisions with respect to the Bond, as it may be further amended or supplemented from time to time.

"System" shall have the meaning ascribed thereto by the Resolution, as the same may be modified in the Resolution.

"Wastewater Connection Fees" shall have the meaning ascribed thereto by the Resolution, as the same may be modified in the Resolution.

The words "herein," "hereunder," "hereby," "hereto," "hereof," and any similar terms shall refer to this Ordinance.

Words importing the singular number include the plural number, and vice versa.

SECTION 2. FINDINGS. The Commission hereby finds and determines that:

(A) The City has various wastewater utility capital needs and requirements in the form of the Project which must be acquired, constructed and equipped in order to maintain and protect the health, safety and welfare of the citizens of the City.

(B) The most efficient and cost-effective method of financing the acquisition, construction and equipping of a portion of the Project is by the issuance of the Bond secured by the Pledged Funds.

(C) The principal of, redemption premium, if any, and interest on the Bond shall be paid from the Pledged Funds. The City shall never use or be required to use any ad valorem taxes for the payment of the Bond. The Bond shall not constitute a general obligation of the City or a pledge of its faith and credit or taxing power, nor shall the Bondholders have any lien or encumbrance on any property in the City, including the System or the Project.

SECTION 3. AUTHORIZING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT. The Commission hereby authorizes and empowers the acquisition, construction and equipping of the Project.

SECTION 4. ISSUANCE OF THE BOND. The Bond is hereby authorized to be issued in an aggregate principal amount of not exceeding $5,500,000. The designation of the Bond may be modified by the Resolution as required to reflect the actual terms and series of such Bond. The Bond shall be issued for the principal purposes of (A) financing Costs of the Project, (B) capitalizing a portion of the interest on the Bond if determined to be necessary or desirable pursuant to the Resolution, (C) funding a debt service reserve account to the extent required by the Resolution and (D) paying costs and expenses of issuing the Bond. The principal of, redemption premium, if any, and interest on the Bond shall be payable from the Pledged Funds, as provided herein and in the Resolution.

The Bond shall be dated such date, shall bear interest at such rate, shall mature at such time and in such amount as may be determined by the Resolution, and may be made redeemable before maturity, at the option of the City, at such price and under such terms and conditions as may be fixed by the Resolution. The Commission shall determine by the Resolution the form of the Bond, the manner of executing such Bond, and shall fix the denomination of such Bond, the place or places and dates of payment of the principal and interest, which may be at any bank or trust company within or without the State of Florida, and such other terms and provisions of the Bond as it deems appropriate. In case any officer whose signature or a facsimile of whose signature shall appear on the Bond shall cease to be such officer before the delivery of such Bond, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. The City may sell the Bond in such manner and for such price as it may determine by the Resolution to be in the best interests of the City.

Prior to the preparation of definitive bonds of any series, the City may, by the Resolution, under like restrictions, issue interim receipts, interim certificates, or temporary bonds, exchangeable for a definitive bond when such bond has been executed and is available for delivery. The City may also provide for the replacement of any bond which shall become mutilated, or be destroyed or lost. Bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required by this Ordinance.

The proceeds of the Bond shall be disbursed in such manner and under such restrictions, if any, as may be provided by the Resolution.

SECTION 5. TAXING POWER NOT PLEDGED. The Bond issued under the provisions of this Ordinance shall not be deemed to constitute a pledge of the faith and credit or taxing power of the City, but such Bond shall be payable from the Pledged Funds in the manner provided herein and in the Resolution, unless otherwise paid by such entity as shall provide credit enhancement on the Bond, if any. The Bond shall be on parity in all respects with the other obligations outstanding under the Resolution, including any subsequently issued Additional Bond (as defined in the Resolution). The issuance of the Bond under the provisions of this Ordinance shall not directly, indirectly or contingently obligate the City to levy or to pledge any form of ad valorem taxation whatever therefore. No holder of any such Bond shall ever have the right to compel any exercise of the ad valorem taxing power on the part of the City to pay any such Bond or the interest thereon against any property of the City, nor shall the Bond constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City except the Pledged Funds.

SECTION 6. TRUST FUNDS. The Pledged Funds received pursuant to the authority of this Ordinance shall be deemed to be trust funds, to be held and applied solely as provided in this Ordinance and in the Resolution. The Pledged Funds upon receipt thereof by the City shall be subject to the lien and pledge of the holders of the Bond.

SECTION 7. REMEDIES OF BONDHOLDER. The holder of the Bond, except to the extent the rights herein given may be restricted by the Resolution, may, whether at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce and compel the performance of all duties required hereby, or by such Resolution, to be performed by the City.

SECTION 8. ALTERNATIVE METHOD. This Ordinance shall be deemed to provide an additional and alternative method for the doing of things authorized hereby and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as in derogation of any powers now existing or which may hereafter come into existence. This Ordinance, being necessary for the health, safety and welfare of the inhabitants and/or property owners of the City, shall be liberally construed to effect the purposes hereof.

SECTION 9. VALIDATION. To the extent deemed necessary by Bond Counsel, Nabors, Giblin & Nickerson, P.A., or desirable by the City Attorney, the City Attorney is authorized to institute appropriate proceedings for validation of the Bond pursuant to Chapter 75, Florida Statutes.

SECTION 10. GENERAL AUTHORITY. The members of the Commission of the City and the officers, attorneys and other agents or employees of the City are hereby authorized to do all acts and things required of them by this Ordinance, or desirable or consistent with the requirements hereof for the full, punctual and complete performance of all the terms, covenants and agreements contained herein.

SECTION 11. SEVERABILITY. In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

SECTION 12. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its adoption by the City Commission of the City of St. Pete Beach, Florida.

PASSED AND DULY ADOPTED, with a quorum present and voting, this 14th day of April 2015.

FIRST READING: ________________
PUBLISHED: ________________
SECOND READING:________________
PUBLIC HEARING:________________

CITY OF ST. PETE BEACH, FLORIDA, BY AND THROUGH THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH

By: ________________________________
Maria Lowe, Mayor

I, Rebecca C. 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 14th day of April 2015.

By:

____
Rebecca C. Haynes, City Clerk

EXHIBIT A

PROJECT DESCRIPTION

A complete description of the Project is set forth in the records of the City. The Project generally includes the various capital improvements related to the following:

- Blind Pass Road improvements (75th Avenue to Gulf Boulevard)
- Phase I and II of the Pass-A-Grille Way improvements
- Force Main 3 improvements
- Pump Station 3 improvements

St. Pete Beach City Commission
Agenda Report

Issue Considered:	Ordinance No 2015-04, amending Chapter 46 of the City of St. Pete Beach Code of Ordinances to create Article V - Chronic Nuisance Property Code
Date:	April 14, 2015
Prepared By:	Matt McLachlan, Calvin Giordano & Assoc.
Through:	Wayne Saunders, City Manager

Summary of Issue: Ordinance No. 2015-04 as proposed is modeled after the Chronic Nuisance Property Code adopted by the City of Madeira Beach that was previously considered by the City Commission in a workshop held on June 24, 2014.

The ordinance defines the violations associated with nuisance activity, establishes the thresholds for determining when a "pattern of nuisance activity" exists on real property and how a chronic nuisance property is to be declared (noticed) to the responsible property owner.

The property owner has 15 days from the date of the declaration of chronic nuisance property to provide the City with an action plan outlining the specific measures that the owner will take to curtail or eliminate the re-occurrence of nuisance activities at the property. Upon considering all of the relevant the factors established by ordinance and any additional pertinent information, the City then determines whether the action plan is adequate or inadequate. If deemed adequate, the property owner is given a reasonable period of time, not to exceed 45 days or any extension granted by the City to implement the action plan. If the action plan is found inadequate, the City may request a revised action plan to be submitted within 10 days from the date the action plan is found inadequate. The provision of an inadequate action plan on three occasions constitutes a violation potentially subject to a chronic nuisance service order being entered against the property.

The ordinance specifies how a notice of violation is to be prepared and sent when the City determines a property owner has violated this Code; provides the procedure by which a property owner found in violation can request a hearing before a special magistrate; when and how the hearing is to be conducted and a decision reached.

If the property owner does not request a hearing or the special magistrate upholds the declaration of chronic nuisance property based on the property owner's failure to provide or satisfactorily implement any action plan, the City shall enter a chronic nuisance service order against the property as prescribed by the ordinance. The chronic nuisance service order only terminates when there have been no nuisance activities at the property for one year.

The ordinance provides for the City to take necessary corrective measures to abate a chronic nuisance and bill the property owner in full for associated costs. The City must first establish by resolution a rate schedule for all chronic nuisance service costs. Staff recommends that this be done immediately following adoption of this ordinance.

Requested Motion: I move to approve Ordinance No. 2015-04 on first reading

Attachment: Ordinance No. 2015-04

ORDINANCE NO. 2015-04

AN ORDINANCE OF THE CITY OF ST PETE BEACH, FLORIDA, CREATING ARTICLE V IN CHAPTER 46 OF THE CODE OF ORDINANCES, TO BE TITLED CHRONIC NUISANCE PROPERTY CODE, RELATING TO THE PROVISION OF CHRONIC NUISANCE SERVICES BY THE CITY; AUTHORIZING THE IMPOSITION AND COLLECTION OF CHRONIC NUISANCE SERVICE ASSESSMENTS AGAINST REAL PROPERTY; ESTABLISHING A PROCEDURE FOR IMPOSING CHRONIC NUISANCE SERVICE ASSESSEMENTS; PROVIDING THAT THE LIEN FOR A CHRONIC NUISANCE SERVICE ASSESSMENT COLLECTED PURSUANT TO SECTIONS 197.3632 AND 197.3635, FLORIDA STATUTES, SHALL BE PERFECTED AND SHALL ATTACH TO THE PROPERTY UPON ADOPTION OF THE ASSESSMENT ROLL; PROVIDING THAT A PERFECTED LIEN SHALL BE EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT, OR MUNICIPAL TAXES AND ASSESSMENTS AND SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES, AND CLAIMS; PROVIDING FOR A CODIFICATION CLAUSE; PROVIDING A CONFLICTS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission finds that chronic nuisance properties disproportionately consume city services and impose an economic and social burden on properties within the city; and

WHEREAS, the City Commission finds that chronic nuisance properties receive special services that extend beyond general law enforcement activities or the general enforcement of municipal codes; and

WHEREAS, the City Commission has taken notice of the City of Madeira Beach Chronic Nuisance Property Code; and

WHEREAS, the Florida Constitution, Municipal Home Rule Powers Act and the Charter of the City of St. Pete Beach, Florida, authorize the City Commission to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the City Commission finds that the provision of chronic nuisance services by the City provides a direct, special benefit to assessed real property; and

WHEREAS, the City Commission finds that there is a logical relationship between the provision of chronic nuisance services by the City and an enhancement in the value and desirability of assessed real property; and

WHEREAS, the City Commission finds that the adoption of the City of St. Pete Beach Chronic Nuisance Property Code is in the best interests of the public health, safety, and welfare.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED THAT:

SECTION 1. The City Commission of the City of St. Pete Beach, Florida, hereby ascertains, finds, determines, and declares that:

(a) Pursuant to Fla. Const. art. VIII, section 2(b), F.S. § § 166.021 and 166.041, and City Charter art. 1, section 1.01, the city commission has all powers of local self-government to perform municipal functions and to render municipal services in a manner not inconsistent with law. Such powers may be exercised by the enactment of city ordinances.

(b) The city commission may exercise any governmental, corporate, or proprietary power for a municipal purpose except when expressly prohibited by law. The city commission may legislate on any subject matter on which the Florida Legislature may act, except those subjects described in F.S. § § 166.021(3)(a), (b) and (c). The subject matter described in F.S. § § 166.021(3)(a), (b) and (c), is not relevant to the imposition of special assessments related to the provision of chronic nuisance services by the City.

(c) Chronic nuisance properties disproportionately consume city services and impose an economic burden on properties within the city.

(d) Chronic nuisance properties place a substantial, unacceptable threat and burden on the common health, safety, and welfare of the residents and businesses within the city.

(e) The abatement of chronic nuisances by the city is a municipal service.

(f) Chronic nuisance properties receive special services that extend beyond general law enforcement activities or the general enforcement of municipal codes.

(g) The provision of chronic nuisance services by the city and elimination of chronic nuisances possesses a logical relationship to the use and enjoyment of the benefited real property and provides a direct, special benefit to real property by:

(1) reducing or deferring property maintenance costs;
(2) reducing or deferring property management costs;
(3) eliminating unsanitary and unsightly conditions;
(4) eliminating the invitation of on-site criminal activities;
(5) protecting the health and safety of the occupants;
(6) protecting the value of the real property; and
(7) enhancing market perceptions.

(h) The cost of abating chronic nuisances shall be entirely apportioned to the benefited real property receiving the chronic nuisance service.

(i) The cost of abating chronic nuisances may be levied against benefited real property as a special assessment superior to all other private rights, interests, liens, encumbrances, titles and claims upon the property and equal in rank and dignity with a lien for ad valorem taxes.

(j) The special assessments to be levied using the procedures provided in this Ordinance shall constitute non-ad valorem assessments within the meaning and intent of F.S. § 197.3632.

(k) The special assessments to be levied using the procedures provided in this Ordinance are imposed by the city commission. The duties of the property appraise and tax collector under the provisions of this Ordinance and F.S. § 197.3632 are ministerial.

SECTION 2. The City Commission of the City of St. Pete Beach, Florida, hereby establishes and adopts the City of St. Pete Beach Chronic Nuisance Property Code, Chapter 46 (Environment), Article V (Chronic Nuisance Property Code), Sections 46-141 through 46-152, of the Code of Ordinances, which shall read as follows:

ARTICLE V. CHRONIC NUISANCE PROPERTY CODE.

DIVISION 1. CHRONIC NUSINACE SERVICES.

Sec. 46-141. Short title.

This article shall be known as the "City of St. Pete Beach Chronic Nuisance Property Code" or "chronic nuisance property code."

Sec. 46-142. Pattern of nuisance activity.

(a). *Nuisance activity* means any activities relating to the following violations, whenever engaged in by the property owner, agent, tenant, or invitee of the property owner, agent or tenant:

(1) Alcoholic beverages as defined in Chapter 6 of this Code
(2) Nuisance abatement as defined in Chapter 46 of this Code
(3) Noise as defined in Chapter 46 of this Code
(4) Junked, wrecked, abandoned property as defined in Chapter 46 of this Code
(5) Possession of alcoholic beverages by person under age 21 prohibited as defined under F.S. § 562.111
(6) Dangerous dogs as defined under F.S. § 767.12
(7) Assault as defined under F.S. § 784.011
(8) Felony battery; domestic battery by strangulation as defined under F.S. § 784.041
(9) Aggravated battery as defined under F.S. § 784.045
(10) Discharging firearm in public as defined under F.S. §790.15(1)
(11) Renting space to be used for prostitution as defined under F.S. § 796.06
(12) Prostitution as defined under F.S. § 796.07
(13) Exposure of sexual organs as defined under F.S. § 800.03
(14) Criminal mischief as defined under F.S. § 806.13
(15) Burglary as defined under F.S. § 810.02
(16) Trespass in structure or conveyance as defined under F.S. § 810.08
(17) Trespass on property other than structure or conveyance as defined under F.S. § 810.09
(18) Theft as defined under F.S. § 812.014
(19) Dealing in stolen property as defined under F.S. § 812.019
(20) Robbery as defined under F.S. § 812.13
(21) Convenience business security as defined under F.S. § 812.173
(22) Nuisances as defined under F.S. § 823.01
(23) Cruelty to animals as defined under F.S. § 828.12
(24) Harassment of a participant of a neighborhood crime watch program as defined under F.S. § 843.20
(25) Disorderly intoxication as defined under F.S. § 868.011
(26) Open house parties as defined under F.S. § 856.015
(27) Loitering or prowling as defined under F.S. § 856.021

(28) Loitering or prowling in close proximity to children as defined under F.S. § 856.022
(29) Criminal gang enforcement and prevention as defined under F.S. ch. 874
(30) Breach of the peace; disorderly conduct as defined under F.S. § 877.03
(31) Any offense under the Florida Comprehensive Drug Abuse Prevention and Control Act as defined under F.S. ch. 893
(32) Any other offense under state or federal law that is punishable by a term of imprisonment exceeding one year.
(33) Failure to correct code violations on or before the date specified in a notice of violation issued in accordance with section 22-276 of this Code.

(b). *Pattern of nuisance activity*. Real property shall be deemed to exhibit a pattern of nuisance activity if:

(1) the Sheriff's Department has responded to three or more nuisance activities at the property within thirty days; or
(2) the Sheriff's Department has responded to seven or more nuisance activities at the property within six months; or
(3) the Sheriff's Department has responded to five or more nuisance activities at a commercial retail business or alcoholic beverage establishment within thirty days or twenty or more nuisance activities at the said properties within six months; or
(4) failure to correct code violations by the time ordered by the special magistrate in any order entered pursuant to section 22-277 of this Code; or
(5) as otherwise provided by this code.

(c). Construction and application. Pattern of nuisance activity shall not be construed to include:

(1) a nuisance activity where the property owner, agent, tenant, or invitee of the property owner, agent or tenant is the victim of a crime;
(2) a nuisance activity that does not arise from the conduct of the property owner, agent, tenant, or invitee of the property owner, agent or tenant, or
(3) a complaint or call for service to which the Sheriff's Department responded and determined that no violation was committed.

(d). *Separate occurrences*. For purposes of this article, each day that the Sheriff's Department responds to a nuisance activity at the property shall be a separate occurrence.

Sec. 46-143. Declaration of chronic nuisance property; action plan.

(a). Declaration of chronic nuisance property. If a pattern of nuisance activity exists upon real property, the city may declare the property to be a chronic nuisance. The city shall notify the property owner by certified mail, return receipt required and by first class mail to the address listed on the ad valorem tax roll. Notice shall be posted at the property where the nuisance activities occurred. The declaration of chronic nuisance property shall contain at least the following information:

(1) A reference to chapter 46, article III (the City of St. Pete Beach "Chronic Nuisance Property Code");
(2) The address and parcel control number of the property;
(3) The dates that the nuisance activities occurred at the property;
(4) A description of the nuisance activities;
(5) A statement that the property owner is required to provide the city with a written action plan outlining the specific measures that the property owner will take to eliminate the re-occurrence of nuisance activities on the property. A statement that the action plan must be provided to the city no later than fifteen days from the date of the declaration notice of chronic nuisance property;
(6) A statement that failure to provide the city with a timely written action plan will result in a violation of this article and the entry of a chronic nuisance service order by the special magistrate;
(7) A statement that the costs of any chronic nuisance services provided by the city to a property that has been declared to be a chronic nuisance may be levied against the property as a non-ad valorem assessment superior to all other private rights, interests, liens, encumbrances, titles and claims upon the property and equal in rank and dignity with a lien for ad valorem taxes; and
(8) A statement that unpaid assessments may be certified to the tax collector for collection pursuant to the uniform method provided in F.S. § 197.3632.

(b). *Development of action plan*. The property owner shall provide the city with a written action plan outlining the specific measures that the owner will take to eliminate the re-occurrence of nuisance activities at the property. The property owner shall provide the action plan to the city no later than fifteen days from the date of the declaration notice of chronic nuisance property. Failure to provide the city with a timely action plan shall be a violation of this article.

(c). *Adequacy and implementation of action plan.* If the city determines that the action plan is adequate to eliminate the re-occurrence of nuisance activities on the property, the city shall notify the property owner by certified mail, return receipt required and first class mail. The city shall establish a reasonable time period not exceeding forty-five (45) days from the date that the action plan is determined to be adequate to implement the action plan. The city may extend the time period beyond forty-five (45) days if additional time is necessary to implement the action plan. Failure to implement the action plan within the time period established by the city shall be a violation of this article. If the property owner implements the action plan within the time period established by the city, the declaration of chronic nuisance will be closed and no further action shall be required, except that the city may require the property owner to revise the action plan in the event that a nuisance activity re-occurs.

(d). *Revision of inadequate action plan.* If the city determines that the action plan is not adequate to eliminate the re-occurrence of nuisance activities on the property, the city may require the property owner to revise the action plan. The property owner shall provide the revised action plan to the city no later than ten (10) days from the date that the action plan is determined to be inadequate. Failure to revise the action plan or to provide the city with a timely revised action plan shall be a violation of this article. The provision of an inadequate action plan on three consecutive occasions shall be a violation of this article and may result in the entry of a chronic nuisance service order against the property.

(e). *Factors determining adequacy of action plan.* Factors to be considered in determining the adequacy of an action plan may include, but shall not be limited to:

(1) commencement of an eviction action pursuant to chapter 83, Florida Statutes to remove from the property those individuals engaged in the nuisance activity;
(2) implementation of crime prevention through environmental design (CPTED) measures;
(3) frequency of site visits and inspections at various times of both day and night;
(4) hiring of property management;
(5) hiring of private security;

(6) installation of security cameras;
(7) use of a written lease agreement;
(8) criminal background checks for prospective tenants and lease renewals;
(9) posting of 'no trespassing' signs at the property and execution of a 'no trespass affidavit' authorizing the Sheriff's Department to act as an agent of the property owner to enforce trespass statutes on the property;
(10) regular requests for offense and incident reports relating to the property that are available through the records custodian of the Sheriff's Department records division;
(11) written documentation of all efforts to curtail or eliminate the re-occurrence of nuisance activities on the property;
(12) any other action that the city determines is reasonably sufficient to curtail or eliminate the re-occurrence of nuisance activities on the property.

Sec. 46-144. Notice of violation.

(a). *Notice of violation*. If the property owner fails to satisfy any requirement of this article, the city shall notify the property owner by certified mail, return receipt required and first class mail to the address listed on the ad valorem tax roll. The notice of violation shall be posted at the property where the nuisance activities occurred. The notice of violation shall contain at least the following information:

(1) The address and parcel control number of the property;
(2) A description of the facts constituting a violation of this article;
(3) A statement that the property has been declared to be a chronic nuisance;
(4) A statement that unless the property owner files a timely request for hearing pursuant to section 46-145, the property owner shall be deemed to have waived the right to contest the notice of violation;
(5) A statement that the costs of any unpaid chronic nuisance services provided by the city may be levied against the property as a non-ad valorem assessment superior to all other private rights, interests, liens, encumbrances, titles and claims upon the property and equal in rank and dignity with a lien for ad valorem taxes; and
(6) A statement that unpaid assessments may be certified to the tax collector for collection pursuant to the uniform method provided in F.S. § 197.3632.

Sec. 46-145. Request for hearing.

(a). *Request for hearing*. A property owner may request a hearing before the special magistrate upon receipt of a declaration of chronic nuisance property or notice of violation regarding the action plan. A request for hearing shall be filed with the city and shall:

(1) Be in writing;
(2) Provide a short, plain statement identifying the factual, procedural or legal error upon which the request for hearing is based; and
(3) Include a copy of the declaration of chronic nuisance property or notice of violation.

(b). *Time for filing a request for hearing*. A request for hearing shall be filed with the city within fifteen (15) days from the date of the declaration of chronic nuisance property or fifteen (15) days from the date the notice of violation regarding the action plan.

(c). *Waiver of right to contest*. If the owner of a chronic nuisance property fails to file a timely request for hearing, the property owner shall be deemed to have waived the right to contest the declaration of chronic nuisance property or notice of violation.

(d). *Hearing by the special magistrate*. Upon receipt of a timely request, the city shall schedule a hearing before the special magistrate. The hearing shall be limited to the review of the record of evidence upon which the city based the declaration of chronic nuisance property or notice of violation regarding the action plan.

(e). *Decision of the special magistrate.* After reviewing the record or evidence upon which the city based its determination, the special magistrate shall either uphold or reject the declaration of chronic nuisance property or notice of violation regarding the action plan, as appropriate. The decision of the special magistrate shall be in writing and shall be deemed final. If the special magistrate upholds the notice of violation, the special magistrate shall immediately enter a chronic nuisance service order in accordance section 46-146. If the special magistrate rejects the notice of violation, the special magistrate shall identify the factual, procedural or legal error upon which the decision is based. Notwithstanding, the property owner shall be required to submit and implement an action plan in accordance with section 46-143 if the special magistrate finds that a pattern of nuisance activity occurred at the property.

Sec. 46-146. Entry of chronic nuisance service order.

(a). *Chronic nuisance service order.* If a timely request for hearing has not been filed pursuant to section 46-145 and a notice of violation has been issued, the special magistrate shall enter a chronic nuisance service order. If the special magistrate upholds the declaration of chronic nuisance property or determines after a hearing that there has been a failure to provide or implement an adequate action plan, the special magistrate shall enter a chronic nuisance service order. The city shall provide a copy of the chronic nuisance service order to the property owner by certified mail, return receipt required and first class mail to the address listed on the ad valorem tax roll. The chronic nuisance service order shall:

(1) Enter findings of fact establishing a pattern of nuisance activity and violation of this article;

(2) Authorize the city to provide chronic nuisance services to the property;

(3) Authorize the city to bill the costs of any chronic nuisance services to the owner of the chronic nuisance property;

(4) Provide for the mailing of a copy of the chronic nuisance service order by certified mail, return receipt required and first class mail to any mortgagee of record. Failure to provide a copy of the chronic nuisance service order to a mortgagee of record shall not operate to release or discharge any obligation under this article or otherwise affect the validity of a chronic nuisance service order;

(5) Provide for the recording of a certified copy of the chronic nuisance service order in the public records; and

(6) Provide for continuing jurisdiction over the chronic nuisance property.

(b). *Duration of chronic nuisance service order.* The chronic nuisance service order entered in accordance with this section shall terminate if there have been no nuisance activities at the property for one year.

Sec. 46-147. Abatement of chronic nuisances; provision of services; apportionment.

(a). *Abatement by city.* The city may abate chronic nuisances on real property by providing chronic nuisance services to curtail or eliminate the re-occurrence of nuisance activities. The costs of such chronic nuisance services shall be billed to the property owner in accordance with section 46-148 and such costs may be collected by the city by any legal means.

(b). *Apportionment.* Chronic nuisance service costs shall be entirely apportioned to the assessed real property receiving the chronic nuisance service.

Sec. 46-148. Establishment of costs; billing of costs; notice of delinquency.

(a) *Chronic nuisance service costs to be established by resolution.* All chronic nuisance service costs shall be established by resolution of the city commission. No chronic nuisance service cost shall be modified other than by resolution of the city commission. Chronic nuisance service costs shall only be in the amounts established by resolution of the city commission.

(b) *Billing of chronic nuisance service costs.* The city shall bill all chronic nuisance service costs to the owner of the chronic nuisance property by certified mail, return receipt required and first class mail to the address listed on the ad valorem tax roll. The bill shall contain at least the following information:

(1) The address and parcel control number of the chronic nuisance property;

(2) The date of each chronic nuisance service;

(3) A brief description of each chronic nuisance service;

(4) The amount of the bill for each chronic nuisance service;

(5) A statement that the total amount of the bill shall be paid to the city within thirty (30) days from the date of the bill and that any chronic nuisance service cost which has not been paid within thirty (30) days from the date of the bill shall be delinquent;

(6) A statement that that any unpaid chronic nuisance service costs will be levied against the property as a non-ad valorem assessment superior to all other private rights, interests, liens, encumbrances, titles and claims upon the property and equal in rank and dignity with a lien for ad valorem taxes; and

(7) A statement that unpaid assessments may be certified to the tax collector for collection pursuant to the uniform method provided in Florida Statutes § 197.3632.

(c) *Notice of delinquency.* The total amount of the bill shall be paid to the city within thirty (30) days from the date of the bill. Any chronic nuisance service cost which has not been paid within thirty (30) days from the date of the bill shall be delinquent. If the property owner fails to pay the total amount of the bill within 30 days from the date of the bill, the city shall notify the property owner of the delinquency. The notice of delinquency shall be by certified mail, return receipt required and first class mail to the address listed on the ad valorem tax roll and shall contain at least the following information:

(1) The address and parcel control number of the property;

(2) The amount of the delinquent billings, individual and total;

(3) A statement that that any unpaid chronic nuisance service costs will be levied as a non-ad valorem assessment superior to all other private rights, interests, liens, encumbrances, titles and claims upon the property and equal in rank and dignity with a lien for ad valorem taxes; and

(4) A statement that unpaid assessments may be certified to the tax collector for collection pursuant to the uniform method provided in Florida Statutes § 197.3632.

(d) *Construction of chronic nuisance service cost*. Chronic nuisance service costs shall not include any amount attributable to general law enforcement activities or the general enforcement of municipal codes upon a property that has not been declared by the city to be a chronic nuisance and that has not received a chronic nuisance service order from the special magistrate.

Sec. 46-149. Method of notice; construction.

(a) *Notice.* Unless otherwise provided, notice required by this article shall be by certified mail, return receipt required and by first class mail to the address listed on the ad valorem tax roll. Notice shall be posted at the property where the nuisance activities occurred.

(b) *Construction of notice.* A property owner shall be deemed to have notice of a nuisance activity if that property owner (1) has actual knowledge of the nuisance activity; (2) has received notice of the nuisance activity; (3) has reason to know about the nuisance activity; (4) knows about a fact related to the nuisance activity; or (5) is able to ascertain the existence of a nuisance by checking an official filing or recording. The lack of knowledge of, acquiescence, or participation in, or responsibility for a nuisance activity on the part of property owner shall not be a defense to any enforcement of this article.

Sec. 46-150. Change in title to chronic nuisance property.

(a) *Purchase at judicial sale upon final judgment of foreclosure.* Every purchaser of a chronic nuisance property at judicial sale upon final judgment of foreclosure shall provide the city with an action plan and implement an action plan no later than forty-five (45) days from the date of sale.

(b) *Receivership.* Every trustee of a chronic nuisance property appointed after the entry of a chronic nuisance service order shall provide the city with an action plan and implement the action plan no later than forty-five (45) days from the date of appointment of receiver in any state or federal action at law.

(c) *Probate.* Every personal representative of an owner of a chronic nuisance property shall provide the city with an action plan and implement an action plan no later than forty-five (45) days from the date of appointment. If the owner of the chronic nuisance property died intestate, beneficiaries of the estate shall be required to provide the city with an action plan and implement an action plan.

(d) *Other changes in title to chronic nuisance property.* An arms-length purchaser of a chronic nuisance property that has purchased the property after entry of a chronic nuisance service order for the property shall have forty-five (45) days from the date of closing or recording of the order, whichever occurs last, to provide the city with an action plan and implement the action plan.

Sec. 46-151. Registration of distressed vacant property.

(a) *Registration by owner.* Every owner of a chronic nuisance property that is also distressed vacant property shall register with the city.

(b) *Registration by foreclosing mortgagee.* Every foreclosing mortgagee of a chronic nuisance property that is also distressed vacant property shall register with the city.

Sec. 46-152. Construction of article.

(a) *Levy of special assessments.* This article shall not be construed to limit the city from levying special assessments and the amendments to the standard unsafe building abatement code, as adopted by the city.

(b) *Monthly reinspection assessments.* This article shall not be construed to limit the city from imposing monthly reinspection assessments.

(c) *Imposition of administrative fines.* This article shall not be construed to limit the city from imposing administrative fines.

(d) *Exemptions.* This article shall not be construed to apply to property owned by the city or any other governmental entity.

(e) *Provision of this article supplemental.* Nothing in this article shall be construed to limit the authority of the city to collect special assessments by any other method according to law.

SECTION 3. Specific authority is hereby granted to codify Section 2 of this Ordinance.

SECTION 4: In the event of a conflict between the provisions of this Ordinance and any other ordinance, resolution or policy of the City, the provisions of this Ordinance shall govern and control.

SECTION 5: Should any section or provision of this Ordinance or any portion, paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

SECTION 6. That this Ordinance shall become effective upon passage.

PASSED ON FIRST READING ________________________, a.d. 2015

PASSED ON SECOND AND FINAL READING ______________, a.d. 2015

____
Maria Lowe, MAYOR

FIRST READING: ____________
PUBLISHED: ____________
SECOND READING: ____________
PUBLISHED: ____________

I, Rebecca C. 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 ________, 2015.

____

Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTEDNESS:

____

City Attorney
Andrew Dickman, Esq.

St. Pete Beach City Commission
Agenda Report

ISSUE CONSIDERED: Resolution 2015-05 authorizing the issuance of wastewater utility revenue bonds from time to time for principal purposes of financing and refinancing costs of the acquisition, construction and equipping of various capital improvements to the City's wastewater utility system; providing for the payment thereof from the net revenues of the wastewater utility system and certain other moneys; providing for the rights of the holders of such bonds; making certain other covenants and agreements in connections with bonds issued hereunder; accepting the proposal of CenterState Bank of Florida, N.A. to provide the City with a loan to finance certain costs relating to the acquisition, construction and equipping of various capital improvements to the City's wastewater utility system; providing for the issuance of not exceeding $5,000,000 principal amount of the City of St. Pete Beach, Florida wastewater utility system revenue bond, series 2015, to CenterState Bank of Florida, N.A. in order to evidence such loan, providing certain terms and details of said bond, including authorizing a negotiated sale of the series 2015 bond to CenterState Bank of Florida, N.A.; delegating certain authority to the City Manager to negotiate and approve the final terms and details of said series 2015 bond in accordance with the terms and agreements in connection with the Series 2015 bond issued hereunder; and providing for an effective date.

DATE: April 14, 2015

PREPARED BY: Elaine Edmunds, Administrative Services Director

SUMMARY OF ISSUE: Resolution 2015-05 provides an overall framework as a Master Resolution that can be used for all future borrowings related to the Wastewater Utility System. By providing this framework, all future borrowings can be done by a Supplemental Resolution that will be required to contain specifics relating to the future loan/bond that is being issued and refer to this Resolution for the common characteristics pertaining to authorized Wastewater Utility borrowing instruments.

Ordinance 2015-07 authorized the issuance of debt CenterState obligations not to exceed $5,500,000 for the Series 2015 Wastewater Bond. Following recommendations from the City and its Financial Advisor on March 24th, and the City Council's approval of the Center State Loan Commitment and Interest Rate Lock Agreement, this Resolution further authorizes the loan with Bank of up to $5,000,000 and provides the details related to the transaction. The loan is for a twenty year period at a fixed tax exempt interest rate of 4.2% and allows for early repayment without penalty after the first five years.

The will be used to fund various wastewater utility capital improvements including but not limited to:

- Wastewater improvements on Blind Pass Road
- Wastewater improvements on Pass-A-Grille Way
- Pump station 3 improvements
- Force main 3 improvements

The loan will be financed through revenues generated by the Wastewater system. The city shall never use or be required to use any ad valorem taxes or other General Fund non ad valorem revenues for payment on the loan.

REQUESTED MOTION: "I move to approve Resolution 2015-05, (read title)...

ATTACHMENTS: Resolution 2015-05

REVIEWED BY CITY MANAGER: _WS_

CITY OF ST. PETE BEACH, FLORIDA

WASTEWATER UTILITY SYSTEM REVENUE BOND RESOLUTION

RESOLUTION NO. 2015-05

ADOPTED APRIL 14, 2015

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RESOLUTION NO. 2015-05

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, AUTHORIZING THE ISSUANCE OF WASTEWATER UTILITY REVENUE BONDS FROM TIME TO TIME FOR THE PRINCIPAL PURPOSES OF FINANCING AND REFINANCING COSTS OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF VARIOUS CAPITAL IMPROVEMENTS TO THE CITY'S WASTEWATER UTILITY SYSTEM; PROVIDING FOR THE PAYMENT THEREOF FROM THE NET REVENUES OF THE WASTEWATER UTILITY SYSTEM AND CERTAIN OTHER MONEYS; PROVIDING FOR THE RIGHTS OF THE HOLDERS OF SUCH BONDS; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH BONDS ISSUED HEREUNDER; ACCEPTING THE PROPOSAL OF CENTERSTATE BANK OF FLORIDA, N.A. TO PROVIDE THE CITY WITH A LOAN TO FINANCE CERTAIN COSTS RELATING TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF VARIOUS CAPITAL IMPROVEMENTS TO THE CITY'S WASTEWATER UTILITY SYSTEM; PROVIDING FOR THE ISSUANCE OF NOT EXCEEDING $5,000,000 PRINCIPAL AMOUNT OF THE CITY OF ST. PETE BEACH, FLORIDA WASTEWATER UTILITY SYSTEM REVENUE BOND, SERIES 2015, TO CENTERSTATE BANK OF FLORIDA, N.A. IN ORDER TO EVIDENCE SUCH LOAN; PROVIDING CERTAIN TERMS AND DETAILS OF SAID BOND, INCLUDING AUTHORIZING A NEGOTIATED SALE OF THE SERIES 2015 BOND TO CENTERSTATE BANK OF FLORIDA, N.A.; DELEGATING CERTAIN AUTHORITY TO THE CITY MANAGER TO NEGOTIATE AND APPROVE THE FINAL TERMS AND DETAILS OF SAID SERIES 2015 BOND IN ACCORDANCE WITH THE TERMS HEREOF; PROVIDING FOR MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE SERIES 2015 BOND ISSUED HEREUNDER; AND PROVIDING AN EFFECTIVE DATE.

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

ARTICLE I
GENERAL

SECTION 1.01. DEFINITIONS. When used in this Resolution, the following terms shall have the following meanings, unless the context clearly otherwise requires:

"Act" shall mean the Constitution of the State of Florida, Chapter 166, Florida Statutes, the Charter of the City of St. Pete Beach, Florida, and other applicable provisions of law.

"Additional Bonds" shall mean the obligations issued at any time under the provisions of Section 6.02 hereof on parity with the Series 2015 Bond.

"Annual Audit" shall mean the annual audit prepared pursuant to the requirements of Section 5.06 hereof.

"Annual Budget" shall mean the annual budget prepared pursuant to the requirements of Section 5.03 hereof.

"Annual Debt Service" shall mean the aggregate amount of Debt Service on the Bonds for each applicable Fiscal Year.

"Authorized Investments" shall mean any investments that may be made by the Issuer under applicable law and which are allowed under the Issuer's investment policy.

"Authorized Issuer Officer" shall mean the Mayor or the City Manager, and when used in reference to any act or document, also means any other person authorized by resolution of the Issuer to perform such act or sign such document.

"Bond Counsel" shall mean Nabors, Giblin & Nickerson, P.A. or any other attorney at law or firm of attorneys, of nationally recognized standing in matters pertaining to the federal tax exemption of interest on obligations issued by states and political subdivisions, and duly admitted to practice law before the highest court of any state of the United States of America.

"Bond Insurance Policy" shall mean the municipal bond insurance policy or financial guaranty insurance policy or policies issued by an Insurer guaranteeing the payment of the principal of and interest on any portion of the Bonds.

"Bondholder" or **"Holder"** or **"holder"** or any similar term, when used with reference to a Bond or Bonds, shall mean any person who shall be the registered owner of any Outstanding Bond or Bonds as provided in the registration books of the Issuer.

"Bonds" shall mean the Series 2015 Bond, together with any Additional Bonds issued pursuant to this Resolution and any Subordinated Indebtedness which accedes to the status of the Bonds pursuant to Section 6.04 hereof.

"City Manager" shall mean the City Manager of City of St. Pete Beach, Florida, and such other person as may be duly authorized to act on behalf of the City Manager.

"Clerk" shall mean the City Clerk of the City of St. Pete Beach, Florida and such other person as may be duly authorized to act on his or her behalf.

"Code" shall mean the Internal Revenue Code of 1986, as amended, and the regulations and rules thereunder in effect or proposed.

"Commission" shall mean the City Commission of the City of St. Pete Beach, Florida.

"Construction Fund" shall mean the fund established pursuant to Section 4.03 hereof.

"Consulting Engineers" shall mean any engineer or engineering firm of reputation for skill and experience with respect to the construction, maintenance and/or operation of facilities similar to the facilities that make up all or a portion of the System, which is duly licensed under the laws of the State of Florida and designated by the Issuer to perform the duties of the Consulting Engineers under the provisions hereof.

"Cost," when used in connection with a Project, shall mean (1) the Issuer's cost of physical construction; (2) costs of acquisition by or for the Issuer of such Project; (3) costs of land and interests therein and the cost of the Issuer incidental to such acquisition; (4) the cost of any indemnity and surety Bonds and premiums for insurance during construction; (5) all interest due to be paid on the Bonds and other obligations relating to the System during the period of acquisition and construction of such Project and for such period subsequent to completion as the Issuer shall determine and shall be allowed under the applicable provisions of the Code; (6) engineering, legal and other consultant fees and expenses; (7) costs and expenses of the financing, including audits, fees and expenses of any Paying Agent, Registrar, escrow agent or depository; (8) amounts, if any, required by this Resolution to be paid into the Interest Account upon the issuance of any Series of Bonds; (9) payments, when due (whether at the maturity of principal or the due date of interest or upon redemption) on any indebtedness of the Issuer (other than the Bonds) incurred for a Project; (10) costs of machinery, equipment and supplies and reserves required by the Issuer for the commencement of operation of such Project; and (11) any other costs properly attributable to such construction or acquisition, as determined by generally accepted accounting principles applicable to public utility systems similar to the System, and shall include reimbursement to the Issuer for any such items of Cost heretofore paid by the Issuer and interest on any interfund loan related thereto. Any Supplemental Resolution may provide for additional items to be included in the aforesaid Costs.

"Counterparty" shall mean the entity entering into a Hedge Agreement with the Issuer. Counterparty would also include any guarantor of such entity's obligations under such Hedge Agreement.

"Credit Bank" shall mean as to any particular Series of Bonds, the Person (other than an Insurer) providing a letter of credit, a line of credit or other credit or liquidity facility, as designated in the Supplemental Resolution providing for the issuance of such Bonds.

"Credit Facility" shall mean as to any particular Series of Bonds, an irrevocable letter of credit, a line of credit or other credit or legal liquidity facility (other than a Bond Insurance Policy), as approved in the Supplemental Resolution providing for the issuance of such Series of Bonds.

"Debt Service" shall mean, at any time, the aggregate amount in the then applicable period of time of (1) interest required to be paid on the Outstanding Bonds during such period of time, except to the extent that such interest is to be paid from deposits in the Interest Account or Construction Fund made from Bond proceeds for such purpose, (2) principal of Outstanding Serial Bonds maturing in such period of time, and (3) the Sinking Fund Installments scheduled to be paid during such period of time. For purposes of this definition, (A) all amounts payable on a Capital Appreciation Bond shall be considered a principal payment in the year it becomes due, (B) with respect to debt service on any Bonds which relate to a Qualified Hedge Agreement, interest on such Bonds during the term of such Qualified Hedge Agreement shall be deemed to be the Hedge Payments coming due during such period of time, (C) if any Series of Bonds has 25% or more of the aggregate principal amount of such Series coming due in any one year, Debt Service shall be determined on such Series during such period of time as if the principal of and interest on such Series were being paid from the date of issuance thereof in substantially equal annual amounts over a period of 25 years, (D) the amount, if any, on deposit in the Reserve Account (or any subaccount thereof) on any date of calculation of Debt Service shall be deducted from the amount of principal due at the final maturity of the Bonds which are secured by such Reserve Account (or subaccount thereof) and in each preceding year until such amount is exhausted, and (E) with respect to Debt Service on any Federal Subsidy Bonds, when determining the interest on such Bonds for any particular Interest Date the amount of the corresponding Federal Subsidy Payment shall be deducted from the amount of interest which is due and payable to the holders of such Bonds on the Interest Date, but only to the extent that the Issuer reasonably believes that it will be in receipt of such Federal Subsidy Payment on or prior to such Interest Date.

"Debt Service Reserve Fund Policy Agreement" shall mean any agreement securing the obligation of the Issuer to repay Policy Costs associated with a Reserve Account Letter of Credit or Reserve Account Insurance Policy.

"Federal Securities" shall mean non-callable direct obligations of the United States of America (including obligations issued or held in book-entry form on the books of the Department of Treasury) or non-callable obligations the principal of and interest on which are unconditionally guaranteed by the United States of America. All such obligations shall not permit redemption prior to maturity at the option of the obligor.

"Federal Subsidy Bonds" shall mean Bonds issued under Section 54AA of the Code, Section 1400U-2 of the Code or any other applicable provision of the Code, the interest on which is not exempt from federal income taxation, with respect to which the Issuer elects to receive, or is otherwise entitled to receive, Federal Subsidy Payments from the United States Department of Treasury.

"Federal Subsidy Payments" shall mean the direct payments made by the United States Department of Treasury to the Issuer with respect to any Federal Subsidy Bonds pursuant to Sections 54AA(g), 6431 and 1400U-2 of the Code, or any other applicable provision of the Code.

"Financial Advisor" shall mean Larson Consulting Services, LLC, and its successors and assigns.

"Fiscal Year" shall mean the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed by law.

"Fitch" means Fitch Ratings and any assigns and successors thereto.

"Fund Balance" shall mean an amount of money equal to the unencumbered moneys on deposit in the Utility Reserve Fund as of September 30 of the immediately preceding Fiscal Year. Moneys shall be considered unencumbered to the extent such moneys are unrestricted and may be used for any lawful purpose relating to the System.

"Government Grant," when used with respect to the System, shall mean any sum of money heretofore or hereafter received by the Issuer from the United States of America or any agency thereof or from the State of Florida or any agency or political subdivision thereof as or on account of a grant or contribution, not repayable by the Issuer, for or with respect to the construction, acquisition or other development of an addition, extension or improvement to any part of the System or any costs of any such construction, acquisition or development; provided, however, Government Grants shall not include any grants or contributions received by the Issuer for the purpose of funding Operating Expenses or paying Debt Service on Bonds.

"Gross Revenues" shall mean all income and moneys received by the Issuer from the rates, fees, rentals, charges and other income to be made and collected by the Issuer for the use of the products, services and facilities to be provided by the System, or otherwise received by the Issuer or accruing to the Issuer in the management and operation of the System, calculated in accordance with generally accepted accounting principles applicable to public utility systems similar to the System, including, without limiting the generality of the foregoing, (1) moneys deposited from the Rate Stabilization Fund into the Revenue Fund in accordance with the terms hereof, provided any moneys transferred from the Rate Stabilization Fund into the Revenue Fund in an amount not to exceed the Rate Stabilization

Amount within 120 days following the end of a Fiscal Year may be designated by the Issuer as Gross Revenues of such prior Fiscal Year, (2) proceeds from use and occupancy insurance on the System, and (3) Investment Earnings. "Gross Revenues" shall not include (A) Government Grants, (B) proceeds of Bonds or other Issuer debt, (C) moneys deposited to the Rate Stabilization Fund from the Utility Reserve Fund, including any moneys transferred from the Utility Reserve Fund to the Rate Stabilization Fund within 120 days following the end of a Fiscal Year which the Issuer determines not to be Gross Revenues of such prior Fiscal Year, (D) Wastewater Connection Fees, (E) Special Assessments Proceeds, unless subsequently pledged by Supplemental Resolution, (F) any gain or loss from the sale of assets of the System, and (G) any gain resulting from the valuation of investment securities or Hedge Agreements at market value and any other gain that does not require or result in the receipt of cash. Gross Revenues may include Special Assessments Proceeds and/or other revenues related to the System which are not enumerated in the definition of "Gross Revenues" if so authorized by Supplemental Resolution and if and to the extent the same shall be approved for inclusion by all Insurers and Credit Banks.

"Hedge Agreement" shall mean an agreement in writing between the Issuer and the Counterparty pursuant to which (1) the Issuer agrees to pay to the Counterparty an amount, either at one time or periodically, which may, but is not required to, be determined by reference to the amount of interest (which may be at a fixed or variable rate) payable on a notional amount specified in such agreement during the period specified in such agreement and (2) the Counterparty agrees to pay to the Issuer an amount, either at one time or periodically, which may, but is not required to, be determined by reference to the amount of interest (which may be at a fixed or variable rate) payable on all or a portion of a notional amount specified in such agreement during the period specified in such agreement. Hedge Agreement shall also include any financial product or agreement which is used by the Issuer as a hedging device with respect to its obligations to pay interest on the Bonds, or any portion thereof, which is designated by the Issuer as a "Hedge Agreement."

"Hedge Payments" shall mean any amounts payable by the Issuer as interest on the related notional amount under a Qualified Hedge Agreement; excluding, however, any payments due as a penalty or a fee or by virtue of termination of a Qualified Hedge Agreement or any obligation to provide collateral.

"Hedge Receipts" shall mean any amounts receivable by the Issuer on the related notional amount under a Qualified Hedge Agreement.

"Insurer" shall mean, with respect to a particular Series of Bonds, such Person as shall have issued a Bond Insurance Policy insuring all or a portion of such Series of Bonds, and its successors and assigns.

"Interest Account" shall mean the separate account in the Sinking Fund established pursuant to Section 4.04(C) hereof.

"Interest Date" or **"interest payment date"** shall be such date or dates for the payment of interest on the Bonds as provided pursuant to Section 2.01 hereof and by Supplemental Resolution of the Issuer. Notwithstanding the foregoing, the Interest Dates for the Series 2015 Bond shall be November 1 and May 1 of each year, commencing November 1, 2015.

"Investment Earnings" shall mean all income and earnings derived from the investment of moneys in the funds and accounts established hereunder, other than the Rebate Fund.

"Issuer" shall mean the City of St. Pete Beach, Florida, and also includes any authority or other governmental entity to which may hereafter be transferred some or all of the powers and responsibilities of the Issuer with respect to the ownership, financing, operation, enlargement, improvement and maintenance of the System.

"Maximum Annual Debt Service" shall mean the largest aggregate amount of the Annual Debt Service becoming due in any Fiscal Year in which Bonds are Outstanding.

"Maximum Interest Rate" shall mean, with respect to any particular Variable Rate Bonds, a numerical rate of interest, which shall be set forth in, or determined in accordance with, the Supplemental Resolution of the Issuer authorizing the issuance of such Bonds, or in such other documentation relating to such Variable Rate Bonds, that shall be the maximum rate of interest such Bonds may at any particular time bear.

"Maximum Lawful Rate" means the maximum non-usurious rate of interest permitted by applicable law that may be applied to a particular Series of Bonds hereunder.

"Moody's" shall mean Moody's Investors Service, and any assigns and successors thereto.

"Net Revenues" shall mean Gross Revenues less Operating Expenses.

"Operating Expenses" shall mean the Issuer's expenses for operation, maintenance and repairs with respect to the System and shall include, without limiting the generality of the foregoing, administration expenses, payments for the purchase of materials essential to or used in the operation of the System including bulk purchases of wastewater services, fees for the management of the System or any portion thereof, any insurance and surety bond fees, the fees to the provider of a Reserve Account Insurance Policy or Reserve Account Letter of Credit (but excluding any expenses or reimbursement obligations for draws made thereunder), accounting, legal and engineering expenses, ordinary and current rentals of equipment or other property, refunds of moneys lawfully due to others, payments to others for disposal of sewage or other wastes, actual payments to pension, retirement, health and hospitalization funds, and any other expenses required to be paid for or with respect to proper operation or maintenance of the System, including appropriate reserves therefor, all to the extent properly attributable to the System in accordance with generally accepted accounting principles applicable to public utility systems similar to the System, and disbursements for the expenses, liabilities and compensation of any Paying Agent or Registrar under this Resolution, but does not include any extraordinary or non-recurring expenses, or any costs or expenses in respect of original construction or improvement other than expenditures necessary to prevent an interruption or continuance of an interruption of service or of Gross Revenues or minor capital expenditures necessary for the proper and economical operation or maintenance of the System, or any provision for interest, depreciation, amortization or similar charges, or any debt issuance costs, or any payments in lieu of taxes or franchise fees made to the Issuer's general fund, or any accruals required to be recognized with respect to pension, retirement, health and hospitalization funds that do not require or result in the expenditure of cash, or any loss resulting from the valuation of investment securities, Hedge Agreements at market value and any other loss that does not require or result in the expenditure of cash.

"Operation and Maintenance Fund" shall mean the fund created pursuant to Section 4.04(B) hereof.

"Outstanding" when used with reference to Bonds and as of any particular date, shall describe all Bonds theretofore and thereupon being authenticated and delivered except, (1) any Bond in lieu of which other Bond or Bonds have been issued under agreement to replace lost, mutilated or destroyed Bonds, (2) any Bond surrendered by the Holder thereof in exchange for other Bond or Bonds under Sections 2.05 and 2.07 hereof, (3) Bonds deemed to have been paid pursuant to Section 9.01 hereof and (4) Bonds cancelled after purchase in the open market or because of payment at or redemption prior to maturity.

"Paying Agent" shall mean for each Series of Bonds, the paying agent appointed by the Issuer for such Series of Bonds and its successor or assigns, if any. With respect to the Series 2015 Bond, the initial Paying Agent shall be the Issuer acting through the City Manager's office.

"Person" shall mean an individual, a corporation, a partnership, an association, a joint stock company, a trust, any unincorporated organization, governmental entity or other legal entity.

"Pledged Funds" shall mean (1) the Net Revenues, (2) the Wastewater Connection Fees and (3) until applied in accordance with the provisions of this Resolution, all moneys, including investments thereof, in the funds and accounts established hereunder, except (A) as for the Rebate Fund, (B) to the extent moneys therein shall be required to pay the Operating Expenses of the System in accordance with the terms hereof, and (C) any moneys set aside in a particular subaccount of the Reserve Account if such moneys shall be pledged solely for the payment of a different Series of Bonds for which it was established in accordance with the provisions hereof.

"Policy Costs" shall mean, collectively, the repayment of draws, reasonable expenses and interest related to a Reserve Account Insurance Policy and/or Reserve Account Letter of Credit.

"Prerefunded Obligations" shall mean any bonds or other obligations of any state of the United States of America or of any agency, instrumentality or local governmental unit of any such state (1) which are (A) not callable prior to maturity or (B) as to which irrevocable instructions have been given to the fiduciary for such bonds or other obligations by the obligor to give due notice of redemption and to call such bonds for redemption on the date or dates specified in such instructions, (2) which are fully secured as to principal, redemption premium, if any, and interest by a fund held by a fiduciary consisting only of cash or Federal Securities, secured substantially in the manner set forth in Section 9.01 hereof, which fund may be applied only to the payment of such principal of, redemption premium, if any, and interest on such bonds or other obligations on the maturity date or dates thereof or the specified redemption date or dates pursuant to such irrevocable instructions, as the case may be, (3) as to which the principal of and interest on the Federal Securities, which have been deposited in such fund along with any cash on deposit in such fund are sufficient, as verified by an independent certified public accountant or other expert in such matters, to pay principal of, redemption premium, if any, and interest on the bonds or other obligations on the maturity date or dates thereof or on the redemption date or dates specified in the irrevocable instructions referred to in clause (1) above and are not available to satisfy any other claims, including those against the fiduciary holding the same, and (4) which are rated in the highest rating category (without regard to gradations, such as "+" or "-" or "1," "2" or "3" of such categories) of one of the Rating Agencies.

"Principal Account" shall mean the separate account in the Sinking Fund established pursuant to Section 4.04(C) hereof.

"Project" shall mean any structure, property or facility for public use which the Issuer from time to time may determine to construct, acquire or equip as part of the System, together with all equipment, structures and other facilities necessary or appropriate in connection therewith which are financed in whole or in part with the indebtedness secured by this Resolution. This term is to be broadly construed as including any lawful undertaking which will accrue to the benefit of the System, including, without limitation, financing improvements to the Issuer's facilities, joint ventures and acquisition of partial interests or contractual rights, and including modification, disposal, replacement or cancellation of a Project previously authorized, should such modification, disposal, replacement or cancellation be permitted under this Resolution. The Series 2015 Project shall constitute a Project hereunder.

"Purchaser" shall mean, with respect to the Series 2015 Bond, CenterState Bank of Florida, N.A., and any successor or assigns.

"Qualified Hedge Agreement" shall mean a Hedge Agreement with a Counterparty that at the time it enters into such Hedge Agreement is rated "A-" or better by Standard & Poor's and "A3" or better by Moody's.

"Rate Consultant" shall mean any accountant, engineer or consultant or firm of accountants, engineers or consultants chosen by the Issuer with reputation for skill and experience in reviewing and recommending rates, fees and charges for utility systems similar to the System.

"Rate Stabilization Amount" shall mean, as of the date of determination, an amount equal to 10% of Net Revenues received by the Issuer during the immediately preceding Fiscal Year.

"Rate Stabilization Fund" shall mean the "Rate Stabilization Fund" established pursuant to Section 4.04(J) hereof.

"Rating Agencies" means Fitch, Moody's and Standard & Poor's.

"Rebate Fund" shall mean the Rebate Fund established pursuant to Section 4.04(I) hereof.

"Redemption Price" shall mean, with respect to any Bond or portion thereof, the principal amount or portion thereof, plus the applicable premium, if any, payable upon redemption thereof pursuant to such Bond or this Resolution.

"Refunding Securities" shall mean Federal Securities and Prerefunded Obligations.

"Registrar" shall mean for each Series of Bonds, the registrar appointed by the Issuer for such Series of Bonds and its successor or assigns, if any. With respect to the Series 2015 Bond, the initial Registrar shall be the Issuer acting through the City Manager's office.

"Renewal and Replacement Fund" shall mean the fund created pursuant to Section 4.04(G) hereof.

"Renewal and Replacement Fund Requirement" shall mean, on the date of calculation, an amount of money equal to (1) $100,000, or (2) such greater or lesser amount as may be certified to the Issuer by the Consulting Engineers or the Rate Consultant as an amount appropriate for the purposes of this Resolution.

"Reserve Account" shall mean the separate account in the Sinking Fund established pursuant to Section 4.04(C) hereof.

"Reserve Account Insurance Policy" shall mean the insurance policy deposited in the Reserve Account in lieu of or in partial substitution for cash on deposit therein pursuant to Section 4.05(B)(4).

"Reserve Account Letter of Credit" shall mean a letter of credit or line of credit or other credit facility (other than a Reserve Account Insurance Policy) deposited in the Reserve Account in lieu of or in partial substitution for cash on deposit therein pursuant to Section 4.05(B)(4) hereof.

"Reserve Account Requirement" shall mean, as of any date of calculation for the Reserve Account or a subaccount therein, an amount equal to the lesser of (1) Maximum Annual Debt Service for all Outstanding Bonds secured thereby, (2) 125% of the average Annual Debt Service for all Outstanding Bonds secured thereby, or (3) the maximum amount of Bond proceeds which may be deposited to the Reserve Account without subjecting the same to yield restriction under the Code, or causing interest on any of the Bonds secured thereby (other than Taxable Bonds) to be included in gross income for purposes of federal income taxation or otherwise violating applicable provisions of the Code; provided, however, the Issuer may establish hereby or by Supplemental Resolution a different Reserve Account Requirement with respect to any particular Series of Bonds pursuant to Section 4.05(B)(4) hereof, which Reserve Account Requirement may be $0.00. In computing the Reserve Account Requirement in respect of a Series of Bonds that constitutes Variable Rate Bonds, the interest rate on such Bonds shall be assumed to be (A) if such Variable Rate Bonds have been Outstanding for at least 12 months prior to the date of calculation, the highest of (i) the actual rate of interest on the date of calculation, (ii) the average interest rate borne by such Variable Rate Bonds for the 12-month period immediately preceding each date of calculation, and (iii) the Bond Buyer Revenue Bond Index most recently published prior to the time of calculation, and (B) if such Variable Rate Bonds have not been Outstanding for at least 12 months prior to the date of calculation, the higher of (i) the actual rate of interest on the date of calculation, and (ii) the Bond Buyer Revenue Bond Index most recently published prior to the time of calculation. The Reserve Account Requirement shall be calculated, and the investments on deposit in the Reserve Account shall be valued, as of September 30 of each year with respect to the next succeeding Fiscal Year. With respect to the Series 2015 Bond, the Reserve Account Requirement shall be $0.00.

"Resolution" shall mean this Resolution, as the same may from time to time be amended, modified or supplemented by Supplemental Resolution.

"Revenue Fund" shall mean the fund created pursuant to Section 4.04(A) hereof.

"Serial Bonds" shall mean all of the Bonds other than the Term Bonds.

"Series" shall mean all the Bonds delivered on original issuance in a simultaneous transaction and identified pursuant to Sections 2.01 and 2.02 hereof or a Supplemental Resolution authorizing the issuance by the Issuer of such Bonds as a separate Series, regardless of variations in maturity, interest rate, Sinking Fund Installments or other provisions.

"Series 2015 Bond" shall mean the City of St. Pete Beach, Florida Wastewater Utility System Revenue Bond, Series 2015 authorized pursuant to Section 2.02 hereof.

"Series 2015 Project" shall mean the capital improvements to be financed with proceeds of the Series 2015 Bond, as generally described in Exhibit A hereto, and as more particularly described in the plans and specifications on file with the Issuer, as the same may be amended and supplemented from time to time.

"Sinking Fund" shall mean the fund established pursuant to Section 4.04(C) hereof.

"Sinking Fund Installment" shall mean an amount designated as such pursuant to the provisions hereof or of a Supplemental Resolution of the Issuer and established with respect to the Term Bonds.

"Special Assessments" means any and all special assessments against property benefited by the System or any part thereof.

"Special Assessments Fund" shall mean the fund created pursuant to Section 4.04(F) hereof.

"Special Assessments Proceeds" means the proceeds of Special Assessments (principal and interest) whether paid at one time or in installments from time to time, but Special Assessment Proceeds shall be subject to the provisions and lien and pledge of this Resolution only if and to the extent provision for inclusion as part of the Gross Revenues has been made by Supplemental Resolution adopted by the Issuer.

"Standard and Poor's" or **"S&P"** shall mean Standard and Poor's Ratings Services, and any assigns and successors thereto.

"State" shall mean the State of Florida.

"Subordinated Indebtedness" shall mean that indebtedness of the Issuer, subordinate and junior to the Bonds, issued in accordance with the provisions of Section 6.01 hereof or deemed subordinate and junior to the Bonds in accordance with the provisions hereof or in accordance with the provisions of such Subordinated Indebtedness. Subordinated Indebtedness includes the indebtedness currently outstanding, or outstanding in the future, pursuant to the Issuer's existing Clean Water State Revolving Fund Loan Agreements with the Florida Department of Environmental Protection.

"Supplemental Resolution" shall mean any resolution of the Issuer amending or supplementing this Resolution enacted and becoming effective in accordance with the terms of Sections 8.01, 8.02 and 8.03 hereof.

"System" shall mean any and all wastewater collection, transmission, treatment and disposal facilities now owned or hereafter owned by the Issuer, which System shall also include any and all improvements, extensions and additions thereto hereafter constructed or acquired either from the proceeds of Bonds or from any other sources, together with all property, real or personal, tangible or intangible, now or hereafter owned or used in connection therewith, including all contractual rights, rights to capacity and obligations or undertakings associated therewith. "System" shall also include any other utility facilities if and to the extent the Issuer determines by Supplemental Resolution to include such facilities within the System as described herein.

"Taxable Bonds" means any Bond which states, in the body thereof, that the interest income thereon is includable in the gross income of the Holder thereof for federal income taxation purposes or that such interest is subject to federal income taxation. Notwithstanding the foregoing, except as otherwise provided herein, Taxable Bonds shall not include Federal Subsidy Bonds.

"Term Bonds" shall mean those Bonds which shall be designated as Term Bonds hereby or by Supplemental Resolution of the Issuer.

"Term Bonds Redemption Account" shall mean the separate account in the Sinking Fund established pursuant to Section 4.04(C) hereof.

"Utility Reserve Fund" shall mean the fund created pursuant to Section 4.04(H) hereof.

"Variable Rate Bonds" shall mean Bonds issued with a variable, adjustable, convertible or other similar rate which is not fixed in percentage for the entire term thereof at the date of issue.

"Wastewater Connection Fees" shall mean the fees and charges, if any, which relate to acquiring, constructing, equipping or expanding the capacity of the System for the purpose of paying or reimbursing the equitable share of the capital cost relating to such acquisition, construction, expansion or equipping of capacity of the System or expansion thereof in order to serve new users of the System, to the extent the same are lawfully levied, collected and pledged. "Wastewater Connection Fees" include those fees and charges traditionally known under Florida law as "impact fees" but shall not include fees and charges imposed for the cost of physically hooking up or connecting to the System.

"Wastewater Connection Fees Fund" shall mean the fund created pursuant to Section 4.04(E) hereof.

The terms "herein," "hereunder," "hereby," "hereto," "hereof," and any similar terms, shall refer to this Resolution; the term "heretofore" shall mean before the date of adoption of this Resolution; and the term "hereafter" shall mean after the date of adoption of this Resolution.

Words importing the masculine gender include every other gender.

Words importing the singular number include the plural number, and vice versa.

SECTION 1.02. AUTHORITY FOR RESOLUTION. This Resolution is adopted pursuant to the provisions of the Act. The Issuer has ascertained and hereby determined that adoption of this Resolution is necessary to carry out the powers, purposes and duties expressly provided in the Act, that each and every matter and thing as to which provision is made herein is necessary in order to carry out and effectuate the purposes of the Issuer in accordance with the Act and to carry out and effectuate the plan and purpose of the Act, and that the powers of the Issuer herein exercised are in each case exercised in accordance with the provisions of the Act and in furtherance of the purposes of the Issuer.

SECTION 1.03. RESOLUTION TO CONSTITUTE CONTRACT. In consideration of the purchase and acceptance of any or all of the Bonds by those who shall hold the same from time to time, the provisions of this Resolution shall be a part of the contract of the Issuer with the Holders of the Bonds, and shall be deemed to be and shall constitute a contract between the Issuer, the Holders from time to time of the Bonds and any Insurer or Credit Bank. The pledge made in the Resolution and the provisions, covenants and agreements herein set forth to be performed by or on behalf of the Issuer shall be for the equal benefit, protection and security of the Holders of any and all of said Bonds and any Insurer or Credit Bank, but only to the extent and in accordance with the terms hereof. All of the Bonds, regardless of the time or times of their issuance or maturity, shall be of equal rank without preference, priority or distinction of any of the Bonds over any other thereof except as expressly provided in or pursuant to this Resolution.

SECTION 1.04. FINDINGS. It is hereby ascertained, determined and declared that:

(A) The Issuer has heretofore determined that it is necessary and in the best interests of the health, safety and welfare of the Issuer and its inhabitants that the Issuer own, operate, maintain, improve, manage and expand the System.

(B) It is necessary and desirable and in the best interests of the Issuer to borrow moneys from time to time to improve and expand the System and to refinance certain indebtedness related to the System.

(C) For the purposes described above, the Issuer is authorized hereunder to borrow money by issuing its Bonds from time to time as provided herein.

(D) The Issuer has various capital infrastructure needs and requirements in the form of the Series 2015 Project which need to be acquired, constructed and equipped in order to maintain and protect the health, safety and welfare of the citizens of the Issuer.

(E) On the date hereof, the Commission duly enacted Ordinance No. 2015-07 which, among other things, authorized the issuance of debt obligations of the Issuer in an amount not to exceed $5,500,000 for the principal purposes of financing the Costs of acquisition, construction and equipping of the Series 2015 Project.

(F) Upon the advice of the Issuer's Financial Advisor, after receiving bids pursuant to a Request for Proposals prepared by the Financial Advisor on the Issuer's behalf and at the Issuer's request, the Issuer hereby determines that it is in its best interest to accept the proposal of the Purchaser to purchase the Series 2015 Bond on the terms set forth in the Purchaser's proposal attached hereto as Exhibit B and as otherwise set forth in this Resolution.

(G) It is in the best interests of the Issuer to finance the Costs of acquisition, construction and equipping of the Series 2015 Project through the issuance of tax-exempt debt obligations and the most efficient and fairest method of financing such Costs is by the issuance of the Series 2015 Bond to the Purchaser secured by and payable from the Pledged Funds as provided herein.

(H) Due to the potential volatility of the market for tax-exempt obligations such as the Series 2015 Bond and the complexity of the transactions relating to such Series 2015 Bond, it is in the best interest of the Issuer to sell the Series 2015 Bond to the Purchaser pursuant to a negotiated sale in accordance with the provisions hereof, allowing the Issuer to choose the date of issuance of the Series 2015 Bond rather than issuing the Series 2015 Bond on an advertised date, thereby permitting the Issuer to obtain the best possible price, terms and interest rate for the Series 2015 Bond.

(I) The Issuer acknowledges receipt of the information required by Section 218.385, Florida Statutes, in connection with the negotiated sale of the Series 2015 Bond, including a "truth-in-bonding" statement, all of which is set forth in the form of the letter of the Purchaser attached hereto as Exhibit C, an executed copy of which will be received by the Issuer prior to the issuance of the Series 2015 Bond.

(J) The Series 2015 Bond and any subsequently issued Additional Bonds shall be secured by the Pledged Funds as provided herein and, except in connection with certain outstanding Subordinated Indebtedness, such Pledged Funds are not currently pledged or encumbered.

(K) The principal of and interest on the Bonds to be issued pursuant to this Resolution, and all other payments provided for in this Resolution will be paid solely from the Pledged Funds in accordance with the terms hereof on a senior basis to Subordinated Indebtedness; and the ad valorem taxing power of the Issuer will never be necessary or authorized to pay the principal of and interest on the Bonds to be issued pursuant to this Resolution, or to make any other payments provided for in this Resolution, and the Bonds shall not constitute a lien upon the System or upon any other property whatsoever of or in the Issuer.

SECTION 1.05. AUTHORIZATION OF THE SERIES 2015 PROJECT; REIMBURSEMENT. The acquisition, construction and equipping of the Series 2015 Project and the financing of Costs thereof from proceeds of the Series 2015 Bond is hereby authorized and approved. Costs of the Series 2015 Project incurred by the Issuer heretofore or hereafter may be reimbursed from proceeds of the Series 2015 Bond in accordance with the applicable provisions of the Code.

SECTION 1.06 ACCEPTANCE OF PROPOSAL. The Issuer hereby accepts the proposal of the Purchaser to provide the Issuer with a loan to finance the Costs of acquisition, construction and equipping of the Series 2015 Project in the form attached hereto as Exhibit A. The City Manager is hereby authorized to execute and deliver any documents required to formally accept such proposal and the terms thereof. All actions taken by such officers or their designees and the Financial Advisor with respect to such proposal prior to the date hereof are hereby authorized and ratified.

ARTICLE II
AUTHORIZATION, TERMS, EXECUTION AND REGISTRATION OF BONDS

SECTION 2.01. AUTHORIZATION OF BONDS. This Resolution creates an issue of Bonds of the Issuer to be designated as "City of St. Pete Beach, Florida Wastewater Utility Revenue Bonds" which may be issued in one or more Series as hereinafter provided. The aggregate principal amount of the Bonds which may be executed and delivered under this Resolution is not limited except as is or may hereafter be provided in this Resolution or as limited by the Act.

The Bonds may, if and when authorized by the Issuer pursuant to this Resolution, be issued in one or more Series, with such further appropriate particular designations added to or incorporated in such title for the Bonds of any particular Series as the Issuer may determine and as may be necessary to distinguish such Bonds from the Bonds of any other Series. Each Bond shall bear upon its face the designation so determined for the Series to which it belongs. Notwithstanding anything in this Resolution to the contrary, any Series of Bonds issued hereunder may be designated as "Bonds," a "Bond" or a "Note" or such other designation representing an indebtedness pursuant to Supplemental Resolution of the Issuer and if so issued such Bond, Bonds, Note or other designation shall be considered a Bond or Bonds for all purposes of this Resolution.

The Bonds shall be issued for such purpose or purposes; shall bear interest at such rate or rates not exceeding the maximum rate permitted by law; and shall be payable in lawful money of the United States of America on such dates; all as determined hereby or by Supplemental Resolution of the Issuer.

The Bonds shall be issued in such denominations and such form, whether coupon or registered; shall be dated such date; shall bear such numbers; shall be payable in such manner and at such place or places; shall contain such redemption provisions; shall have such Paying Agents and Registrars; shall mature in such years and amounts and on such dates; shall have such Interest Dates; and the proceeds shall be used in such manner; all as determined hereby or provided for by Supplemental Resolution of the Issuer. The Issuer may issue Bonds which may be secured by a Credit Facility or by a Bond Insurance Policy all as shall be determined hereby or by Supplemental Resolution of the Issuer. The Commission may delegate approval of the terms, details and sale of a Series of Bonds to an Authorized Issuer Officer hereby or pursuant to Supplemental Resolution.

SECTION 2.02. AUTHORIZATION AND DESCRIPTION OF THE SERIES 2015 BOND. (A) A Series of Bonds entitled to the benefit, protection and security of this Resolution is hereby authorized in the aggregate principal amount of not exceeding $5,000,000 for the principal purposes of financing Costs of the Series 2015 Project and paying costs of issuance. Such Series of Bonds shall be designated as, and shall be distinguished from the Bonds of all other Series by the title, "City of St. Pete

Beach, Florida Wastewater Utility System Revenue Bond, Series 2015" (or such other designation as the City Manager may determine). The aggregate principal amount of the Series 2015 Bond to be issued pursuant to this Resolution shall be determined by the City Manager on or prior to the sale of the Series 2015 Bond provided such aggregate principal amount does not exceed $5,000,000.

The Series 2015 Bond shall be dated as of the date of its delivery to the Purchaser, shall be issued in the form of one fully registered Term Bond in the denomination of its outstanding aggregate principal amount and shall be numbered one preceded by the letter "R." The Series 2015 Bond shall bear interest from its dated date at a fixed interest rate per annum equal to 4.02% (the "Interest Rate"). Interest on the Series 2015 Bond shall be calculated on the basis of a 360-day year consisting of twelve 30-day months. Interest on the Series 2015 Bond shall be payable semi-annually, on each Interest Date, commencing November 1, 2015. The Series 2015 Bond shall mature on May 1, 2035 and shall be subject to mandatory sinking fund redemption in such Sinking Fund Installments commencing on May 1, 2016 and on each May 1 thereafter through the maturity date of the Series 2015 Bond, as determined by the City Manager and approved by the Purchaser, and set forth in the Series 2015 Bond; provided, however, notwithstanding any other provision of the Resolution to the contrary, the Issuer shall not be required to give the holder of the Series 2015 Bond any notice of redemption with respect to the scheduled payment of such Sinking Fund Installments. The Series 2015 Bond shall be sold on a negotiated basis to the Purchaser at a purchase price equal to 100% of the aggregate principal amount thereof. The form of the Purchaser's Disclosure Letter and Truth-in-Bonding Statement to be delivered prior the issuance of the Series 2015 Bond is attached hereto as Exhibit B. The Interest Rate on the Series 2015 Bond shall comply in all respects with Section 215.84, Florida Statutes.

Principal, Sink Fund Installments and interest payable on the Series 2015 Bond on any payment date shall be paid by check, draft, bank wire transfer, or in such other manner as may be agreed by the Issuer and the holder in whose name such Series 2015 Bond shall be registered at the close of business on the date which shall be the fifteenth day (whether or not a business day) of the calendar month next preceding such payment date; provided, that the holder of the Series 2015 Bond shall present and surrender the Series 2015 Bond to the Paying Agent at the designated office of the Paying Agent for the final payment of the principal of the Series 2015 Bond or shall provide evidence that such Series 2015 Bond has been canceled and provided further, that the holder shall not credit payments against the Series 2015 Bond until the holder has actual receipt of such payments. All payments of principal, premium, if applicable, and interest on the Series 2015 Bond shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

(B) Upon the occurrence of an Event of Default as defined in Section 7.01(A) hereof, (i) the Interest Rate on the Series 2015 Bond shall be increased to the lesser of (a)

18% per annum or (b) the Maximum Lawful Rate until such default is cured, and (ii) if such Event of Default continues for more than ten (10) days, a late fee of 5% of the delinquent payment shall be payable to the Purchaser. Any such delinquent payments shall be applied first to any late payments due hereunder and then to accrued interest on the Series 2015 Bond, unless otherwise consented to in writing by the Purchaser.

SECTION 2.03. EXECUTION OF BONDS. The Bonds shall be executed in the name of the Issuer with the manual or facsimile signature of the Mayor and the official seal of the Issuer shall be imprinted thereon, attested and countersigned with the manual or facsimile signature of the Clerk. In case any one or more of the officers who shall have signed or sealed any of the Bonds or whose facsimile signature shall appear thereon shall cease to be such officer of the Issuer before the Bonds so signed and sealed have been actually sold and delivered such Bonds may nevertheless be sold and delivered as herein provided and may be issued as if the person who signed or sealed such Bonds had not ceased to hold such office. Any Bond may be signed and sealed on behalf of the Issuer by such person who at the actual time of the execution of such Bond shall hold the proper office of the Issuer, although at the date of such Bond such person may not have held such office or may not have been so authorized. The Issuer may adopt and use for such purposes the facsimile signatures of any such persons who shall have held such offices at any time after the date of the adoption of this Resolution, notwithstanding that either or both shall have ceased to hold such office at the time the Bonds shall be actually sold and delivered.

SECTION 2.04. AUTHENTICATION. No Bond of any Series shall be secured hereunder or entitled to the benefit hereof or shall be valid or obligatory for any purpose unless there shall be manually endorsed on such Bond a certificate of authentication by the Registrar or such other entity as may be approved by the Issuer for such purpose. Such certificate on any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under this Resolution. The form of such certificate shall be substantially in the form provided in Section 2.08 hereof.

SECTION 2.05. TEMPORARY BONDS. Until the definitive Bonds of any Series are prepared, the Issuer may execute, in the same manner as is provided in Section 2.03, and deliver, upon authentication by the Registrar pursuant to Section 2.04 hereof, in lieu of definitive Bonds, but subject to the same provisions, limitations and conditions as the definitive Bonds, except as to the denominations thereof, one or more temporary Bonds substantially of the tenor of the definitive Bonds in lieu of which such temporary Bond or Bonds are issued, in denominations authorized by the Issuer by Supplemental Resolution and with such omissions, insertions and variations as may be appropriate to temporary Bonds. The Issuer, at its own expense, shall prepare and execute definitive Bonds, which shall be authenticated by the Registrar. Upon the surrender of such temporary Bonds for exchange, the Registrar, without charge to the Holder thereof, shall deliver in exchange therefor definitive Bonds, of the same aggregate principal amount and Series and maturity as the temporary Bonds surrendered. Until so exchanged, the temporary Bonds shall in all respects be entitled to the same benefits and security as definitive Bonds issued pursuant to this Resolution. All temporary Bonds surrendered in exchange for another temporary Bond or Bonds or for a definitive Bond or Bonds shall be forthwith cancelled by the Registrar.

SECTION 2.06. BONDS MUTILATED, DESTROYED, STOLEN OR LOST. In case any Bond shall become mutilated, or be destroyed, stolen or lost, the Issuer may, in its discretion, issue and deliver, and the Registrar shall authenticate, a new Bond of like tenor as the Bond so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated Bond upon surrender and cancellation of such mutilated Bond or in lieu of and substitution for the Bond destroyed, stolen or lost, and upon the Holder furnishing the Issuer and the Registrar proof of his ownership thereof and satisfactory indemnity and complying with such other reasonable regulations and conditions as the Issuer or the Registrar may prescribe and paying such expenses as the Issuer and the Registrar may incur. All Bonds so surrendered shall be cancelled by the Registrar. If any of the Bonds shall have matured or be about to mature, instead of issuing a substitute Bond, the Issuer may pay the same or cause the Bond to be paid, upon being indemnified as aforesaid, and if such Bonds be lost, stolen or destroyed, without surrender thereof.

Any such duplicate Bonds issued pursuant to this Section 2.06 shall constitute original, additional contractual obligations on the part of the Issuer whether or not the lost, stolen or destroyed Bond be at any time found by anyone, and such duplicate Bond shall be entitled to equal and proportionate benefits and rights as to lien on the Pledged Funds to the same extent as all other Bonds issued hereunder.

SECTION 2.07. INTERCHANGEABILITY, NEGOTIABILITY AND TRANSFER. (A) Bonds, upon surrender thereof at the office of the Registrar with a written instrument of transfer satisfactory to the Registrar, duly executed by the Holder thereof or his attorney duly authorized in writing, may, at the option of the Holder thereof, be exchanged for an equal aggregate principal amount of registered Bonds of the same Series and maturity of any other authorized denominations.

The Bonds issued under this Resolution shall be and have all the qualities and incidents of negotiable instruments under the law merchant and the Uniform Commercial Code of the State of Florida, subject to the provisions for registration and transfer contained in this Resolution and in the Bonds. So long as any of the Bonds shall remain Outstanding, the Issuer shall maintain and keep, at the office of the Registrar, books for the registration and transfer of the Bonds.

Each Bond shall be transferable only upon the books of the Issuer, at the office of the Registrar, under such reasonable regulations as the Issuer may prescribe, by the Holder thereof in person or by his attorney duly authorized in writing upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar duly executed and guaranteed by the Holder or his duly authorized attorney. Upon the transfer of any such Bond, the Issuer shall issue, and cause to be authenticated, in the name of the transferee a new Bond or Bonds of the same aggregate principal amount and Series and maturity as the surrendered Bond. The Issuer, the Registrar and any Paying Agent or fiduciary of the Issuer may deem and treat the Person in whose name any Outstanding Bond shall be registered upon the books of the Issuer as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal or Redemption Price, if applicable, and interest on such Bond and for all other purposes, and all such payments so made to any such Holder or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid and neither the Issuer nor the Registrar nor any Paying Agent or other fiduciary of the Issuer shall be affected by any notice to the contrary.

The Registrar, in any case where it is not also the Paying Agent in respect to any Series of Bonds, forthwith (1) following the fifteenth day prior to an interest payment date for such Series; (2) following the fifteenth day next preceding the date of first mailing of notice of redemption of any Bonds of such Series; and (3) at any other time as reasonably requested by the Paying Agent of such Series, shall certify and furnish to such Paying Agent the names, addresses and holdings of Bondholders and any other relevant information reflected in the registration books. Any Paying Agent of any fully registered Bond shall effect payment of interest on such Bonds by mailing a check to the Holder entitled thereto or may, in lieu thereof, upon the request and at the expense of such Holder, transmit such payment by bank wire transfer for the account of such Holder.

In all cases in which the privilege of exchanging Bonds or transferring Bonds is exercised, the Issuer shall execute and deliver Bonds and the Registrar shall authenticate such Bonds in accordance with the provisions of this Resolution. Execution of Bonds by the Mayor and Clerk for purposes of exchanging, replacing or transferring Bonds may occur at the time of the original delivery of the Series of which such Bonds are a part. All Bonds surrendered in any such exchanges or transfers shall be held by the Registrar in safekeeping until directed by the Issuer to be cancelled by the Registrar. For every such exchange or transfer of Bonds, the Issuer or the Registrar may make a charge sufficient to reimburse it for any tax, fee, expense or other governmental charge required to be paid with respect to such exchange or transfer. The Issuer and the Registrar shall not be obligated to make any such exchange or transfer of Bonds of any Series during the 15 days next preceding an Interest Date on the Bonds of such Series (other than Capital Appreciation Bonds and Variable Rate Bonds), or, in the case of any proposed redemption of Bonds of such Series, then, for the Bonds subject to redemption, during the 15 days next preceding the date of the first mailing of notice of such redemption and continuing until such redemption date.

The Issuer may elect to issue any Bonds as uncertificated registered public obligations (not represented by instruments), commonly known as book-entry obligations, provided it shall establish a system of registration therefor by Supplemental Resolution.

(B) Notwithstanding any provision of Section 2.07(A) hereof to the contrary, the Series 2015 Bond shall only be transferable in whole and not in part to a "Qualified Institutional Buyer" as defined in Rule 144A under the Securities Act of 1933, as amended or an "Accredited Investor," as such term is defined within the meaning of Regulation D promulgated under Section 4(2) of the Securities Act of 1933, as amended. Simultaneously with any such transfer, the Purchaser (the transferor) shall transfer and assign to the successor (the transferee) all of its rights, title and interest in this Resolution. The Purchaser covenants that any such sale or transfer shall comply with applicable law, including applicable federal and state securities laws.

SECTION 2.08. FORM OF BONDS. The text of the Bonds, except for Capital Appreciation Bonds and Variable Rate Bonds, the form of which shall be provided by Supplemental Resolution of the Issuer, shall be in substantially the following form with such omissions, insertions and variations as may be necessary and/or desirable and approved by the Mayor or the Clerk prior to the issuance thereof (which necessity and/or desirability and approval shall be presumed by such officer's execution of the Bonds and the Issuer's delivery of the Bonds to the purchaser or purchasers thereof):

No. R- $___________

UNITED STATES OF AMERICA
STATE OF FLORIDA
CITY OF ST. PETE BEACH, FLORIDA
WASTEWATER UTILITY REVENUE BOND, SERIES 20__

Interest Rate	Maturity Date	Date of Original Issue	CUSIP

Registered Holder:

Principal Amount:

KNOW ALL MEN BY THESE PRESENTS, that City of St. Pete Beach, Florida, a municipal corporation of the State of Florida (the "Issuer"), for value received, hereby promises to pay, solely from the Pledged Funds hereinafter described, to the Registered Holder identified above, or registered assigns as hereinafter provided, on the Maturity Date identified above, the Principal Amount identified above and to pay interest on such Principal Amount from the Date of Original Issue identified above or from the most recent interest payment date to which interest has been paid at the Interest Rate per annum identified above on __________________ and __________________ of each year commencing __________________ until such Principal Amount shall have been paid, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto.

Such Principal Amount and interest and the premium, if any, on this Bond are payable in any coin or currency of the United States of America which, on the respective dates of payment thereof, shall be legal tender for the payment of public and private debts. Such Principal Amount and the premium, if any, on this Bond, are payable at the designated corporate trust office of ___________________, ___________, ___________, as Paying Agent. Payment of each installment of interest shall be made to the person in whose name this Bond shall be registered on the registration books of the Issuer maintained by ___________________, ___________, ___________, as Registrar, at the close of business on the date which shall be the fifteenth day (whether or not a business day) of the calendar month next preceding each interest payment date and shall be paid by a check or draft of such Paying Agent mailed to such Registered Holder at the address appearing on such registration books. Interest shall be calculated on the basis of a 360-day year of twelve 30-day months.

This Bond is one of an authorized issue of Bonds in the aggregate principal amount of $_________ (the "Bonds") of like date, tenor and effect, except as to maturity date, interest rate, denomination and number, issued to ________________________________ _________________________________, in and for the Issuer, under the authority of and in full compliance with the Constitution and laws of the State of Florida, particularly Chapter 166, Florida Statutes, the Charter of the Issuer, Ordinance No. 20__-__ enacted by the City Commission of the Issuer on __________, 20__ and other applicable provisions of law (the "Act"), and Resolution No. 2015-05 duly adopted by the City Commission of the Issuer on April 14, 2015, as it may be amended and supplemented from time to time (the "Resolution"), and is subject to all the terms and conditions of the Resolution.

This Bond and the interest hereon are payable solely from and secured by a lien upon and a pledge of (1) the Net Revenues (as defined in the Resolution) to be derived from the operation of the Issuer's wastewater utility system (the "System"), (2) the Connection Fees (as defined in the Resolution), and (3) until applied in accordance with the provisions of the Resolution, all moneys, including investments thereof, in the funds and accounts established by the Resolution, except (A) as for the Rebate Fund, (B) to the extent moneys therein shall be required to pay the Operating Expenses (as defined in the Resolution) and (C) any moneys set aside in a particular subaccount of the Reserve Account (as defined in the Resolution) if such moneys shall be pledged solely for the payment of a different series of Bonds for which it was established in accordance with the provisions of the Resolution, subject in each case to the application thereof for the purposes and on the conditions permitted by the Resolution (collectively, the "Pledged Funds").

It is expressly agreed by the Registered Holder of this Bond that the full faith and credit of the Issuer are not pledged to the payment of the principal of, premium, if any, and interest on this Bond and that such Holder shall never have the right to require or compel the exercise of any taxing power of the Issuer to the payment of such principal, premium, if any, and interest. This Bond and the obligation evidenced hereby shall not constitute a lien upon the System or any other property of the Issuer, but shall constitute a lien only on, and shall be payable solely from, the Pledged Funds in accordance with the terms of the Resolution.

[The Issuer has established a book-entry system of registration for the Bonds. Except as specifically provided otherwise in the Resolution, an agent will hold this Bond on behalf of the beneficial owner hereof. By acceptance of a confirmation of purchase, delivery or transfer, the beneficial owner of this Bond shall be deemed to have agreed to such arrangement.]

This Bond is transferable in accordance with the terms of the Resolution only upon the books of the Issuer kept for that purpose at the designated corporate trust office of the

Registrar by the Registered Holder hereof in person or by his attorney duly authorized in writing, upon the surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the Registered Holder or his attorney duly authorized in writing, and thereupon a new Bond or Bonds in the same aggregate principal amount shall be issued to the transferee in exchange therefor, and upon the payment of the charges, if any, therein prescribed. The Bonds are issuable in the form of fully registered Bonds in the denomination of $5,000 and any integral multiple thereof, not exceeding the aggregate principal amount of the Bonds. The Issuer, the Registrar and any Paying Agent may treat the Registered Holder of this Bond as the absolute owner hereof for all purposes, whether or not this Bond shall be overdue, and shall not be affected by any notice to the contrary. The Issuer shall not be obligated to make any exchange or transfer of the Bonds during the 15 days next preceding an interest payment date or, in the case of any proposed redemption of the Bonds, then, for the Bonds subject to such redemption, during the 15 days next preceding the date of the first mailing of notice of such redemption and continuing through such redemption date.

(INSERT REDEMPTION PROVISIONS)

Redemption of this Bond under the preceding paragraphs shall be made as provided in the Resolution upon notice given by first class mail sent at least 30 days prior to the redemption date to the Registered Holder hereof at the address shown on the registration books maintained by the Registrar; provided, however, that failure to mail notice to the Registered Holder hereof, or any defect therein, shall not affect the validity of the proceedings for redemption of other Bonds as to which no such failure or defect has occurred. In the event that less than the full principal amount hereof shall have been called for redemption, the Registered Holder hereof shall surrender this Bond in exchange for one or more Bonds in an aggregate principal amount equal to the unredeemed portion of principal, as provided in the Resolution.

[As long as the book-entry only system is used for determining beneficial ownership of the Bonds, notice of redemption will only be sent to Cede & Co. Cede & Co. will be responsible for notifying the DTC Participants, who will in turn be responsible for notifying the beneficial owners of the Bonds. Any failure of Cede & Co. to notify any DTC Participant, or of any DTC Participant to notify the beneficial owner of any such notice, will not affect the validity of the redemption of the Bonds.]

Reference to the Resolution and any and all resolutions supplemental thereto and modifications and amendments thereof and to the Act is made for a description of the pledge and covenants securing this Bond, the nature, manner and extent of enforcement of such pledge and covenants, and the rights, duties, immunities and obligations of the Issuer.

It is hereby certified and recited that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Bond, exist, have happened and have been performed, in regular and due form and time as required by the laws and Constitution of the State of Florida applicable thereto, and that the issuance of the Bonds does not violate any constitutional or statutory limitations or provisions.

Neither the members of the City Commission of the Issuer nor any person executing this Bond shall be liable personally hereon or be subject to any personal liability or accountability by reason of the issuance hereof.

[This Bond is one of a series of Bonds which were validated by judgment of the Circuit Court of the Sixth Judicial Circuit of Florida in and for Pinellas County, Florida, rendered on ________________, ________.]

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Registrar.

IN WITNESS WHEREOF, the City Commission of City of St. Pete Beach, Florida has issued this Bond and has caused the same to be executed by the manual or facsimile signature of the Mayor and attested by the manual or facsimile signature of the City Clerk of the City of St. Pete Beach, Florida, and its corporate seal or a facsimile thereof to be affixed or reproduced hereon, all Date of Original Issue.

CITY OF ST. PETE BEACH, FLORIDA

(SEAL)

By: ___________________________________
Mayor

ATTEST:

____
City Clerk

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the Issue described in the within-mentioned Resolution.

DATE OF AUTHENTICATION:

____

____
Registrar

By: ______________________________________
Authorized Officer

[Unless this certificate is presented by an authorized representative of The Depository Trust Company to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by the authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.]

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

____

Insert Social Security or Other Identifying Number of Assignee

____

(Name and Address of Assignee)

____

the within Bond and does hereby irrevocably constitute and appoint ______________________________, as attorneys to register the transfer of the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: ____________________________

Signature guaranteed:

____

NOTICE: Signature must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

____

NOTICE: The signature to this assignment must correspond with the name of the Registered Holder as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever and the Social Security or other identifying number of such assignee must be supplied.

The following abbreviations, when used in the inscription on the face of the within Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants in common

TEN ENT -- as tenants by the entireties

JT TEN -- as joint tenants with right of survivorship and not as tenants in common

UNIF TRANS MIN ACT -- ______________________________
(Cust.)

Custodian for ______________________________

under Uniform Transfers to Minors Act of ______________________________
(State)

Additional abbreviations may also be used though not in list above.

ARTICLE III
REDEMPTION OF BONDS

SECTION 3.01. PRIVILEGE OF REDEMPTION. Except as otherwise provided herein or by Supplemental Resolution, the terms of this Article III shall apply to redemption of Bonds other than Capital Appreciation Bonds and Variable Rate Bonds. The terms and provisions relating to redemption of Capital Appreciation Bonds and Variable Rate Bonds shall be provided by Supplemental Resolution. The provisions of this Article III may also be modified pursuant to Supplemental Resolution to accommodate any redemption provisions with respect to Federal Subsidy Bonds or as may otherwise by deemed necessary or desirable with respect to a Series of Bonds.

SECTION 3.02. SELECTION OF BONDS TO BE REDEEMED. The Bonds shall be redeemed only in the principal amount of $5,000 each and integral multiples thereof. The Issuer shall, at least 45 days prior to the redemption date (unless a shorter time period shall be satisfactory to the Registrar), notify the Registrar of such redemption date and of the principal amount of Bonds to be redeemed and, if less than all of the Outstanding Bonds are to be redeemed, the particular maturities and portions thereof to be redeemed. For purposes of any redemption of less than all of the Outstanding Bonds of a single maturity, the particular Bonds or portions of Bonds to be redeemed shall be selected not more than 45 days prior to the redemption date by the Registrar from the Outstanding Bonds of the maturity or maturities designated by the Issuer by such method as the Registrar shall deem fair and appropriate and which may provide for the selection for redemption of Bonds or portions of Bonds in principal amounts of $5,000 and integral multiples thereof. Notwithstanding the foregoing, if less than all of a Term Bond is to be redeemed the aggregate principal amount to be redeemed shall be allocated to the Sinking Fund Installments on a pro-rata basis unless the Issuer, in its discretion, designates a different allocation.

If less than all of the Outstanding Bonds of a single maturity are to be redeemed, the Registrar shall promptly notify the Issuer and Paying Agent (if the Registrar is not the Paying Agent for such Bonds) in writing of the Bonds or portions of Bonds selected for redemption and, in the case of any Bond selected for partial redemption, the principal amount thereof to be redeemed.

SECTION 3.03. NOTICE OF REDEMPTION. Notice of such redemption, which shall specify the Bond or Bonds (or portions thereof) to be redeemed and the date and place for redemption, shall be given by the Registrar on behalf of the Issuer, and (A) shall be filed with the Paying Agents of such Bonds, (B) shall be mailed first class, postage prepaid, not less than 30 days nor more than 45 days prior to the redemption date to all Holders of Bonds to be redeemed at their addresses as they appear on the registration books kept by the Registrar as of the date of mailing of such notice, and (C) shall be mailed, certified mail, postage prepaid, at least 35 days prior to the redemption date to the registered securities depositories and one or more nationally recognized municipal bond information services as hereinafter provided in this Section 3.03. Failure to mail such notice to such depositories or services or the Holders of the Bonds to be redeemed, or any defect therein, shall not affect the proceedings for redemption of Bonds as to which no such failure or defect has occurred. Such notice shall also be mailed to the Insurer or Credit Bank, if any, of such redeemed Bonds. Failure of any Holder to receive any notice mailed as herein provided shall not affect the proceedings for redemption of such Holder's Bonds. Notice of optional redemption of Bonds shall only be sent if the Issuer reasonably determines it shall have sufficient funds available to pay the Redemption Price of and interest on the Bonds called for redemption on the redemption date.

Each notice of redemption shall state: (1) the CUSIP numbers and any other distinguishing number or letter of all Bonds being redeemed, (2) the original issue date of such Bonds, (3) the maturity date and rate of interest borne by each Bond being redeemed, (4) the redemption date, (5) the Redemption Price, (6) the date on which such notice is mailed, (7) if less than all Outstanding Bonds are to be redeemed, the certificate number (and, in the case of a partial redemption of any Bond, the principal amount) of each Bond to be redeemed, (8) that on such redemption date there shall become due and payable upon each Bond to be redeemed the Redemption Price thereof, or the Redemption Price of the specified portions of the principal thereof in the case of Bonds to be redeemed in part only, together with interest accrued thereon to the redemption date, and that from and after such date interest thereon shall cease to accrue and be payable, (9) that the Bonds to be redeemed, whether as a whole or in part, are to surrendered for payment of the Redemption Price at the designated office of the Registrar at an address specified, (10) the name and telephone number of a person designated by the Registrar to be responsible for such redemption, (11) unless sufficient funds have been set aside by the Issuer for such purpose prior to the mailing of the notice of redemption, that such redemption is conditioned upon the deposit of sufficient funds for such purpose on or prior to the date set for redemption, and (12) any other conditions that must be satisfied prior to such redemption.

The Issuer may provide that a redemption may be contingent upon the occurrence of certain condition(s) and that if such condition(s) do not occur the notice of redemption will be rescinded, provided notice of rescission shall be mailed in the manner described above to all affected Bondholders as soon as practicable.

SECTION 3.04. REDEMPTION OF PORTIONS OF BONDS. Any Bond which is to be redeemed only in part shall be surrendered at any place of payment specified in the notice of redemption (with due endorsement by, or written instrument of transfer in form satisfactory to the Registrar duly executed by, the Holder thereof or his attorney duly authorized in writing) and the Issuer shall execute and the Registrar shall authenticate and deliver to the Holder of such Bond, without service charge, a new Bond or Bonds, of any authorized denomination, as requested by such Holder in an aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bonds so surrendered.

SECTION 3.05. PAYMENT OF REDEEMED BONDS. Notice of redemption having been given substantially as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the Redemption Price therein specified, and from and after such date (unless the Issuer shall default in the payment of the Redemption Price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Registrar and/or Paying Agent at the appropriate Redemption Price, plus accrued interest. All Bonds which have been redeemed shall be cancelled and destroyed by the Registrar and shall not be reissued.

SECTION 3.06. PURCHASE IN LIEU OF OPTIONAL REDEMPTION. Notwithstanding anything in this Resolution to the contrary, at any time the Bonds are subject to optional redemption pursuant to this Resolution, all or a portion of the Bonds to be redeemed as specified in the notice of redemption, may be purchased by the Paying Agent, as trustee, at the direction of the Issuer, on the date which would be the redemption date if such Bonds were redeemed rather than purchased in lieu thereof, at a purchase price equal to the Redemption Price which would have been applicable to such Bonds on the redemption date for the account of and at the direction of the Issuer who shall give the Paying Agent, as trustee, notice at least ten days prior to the scheduled redemption date accompanied by an opinion of Bond Counsel to the effect that such purchase will not adversely affect the exclusion from gross income for federal income tax purposes of interest on such Bonds or any other Outstanding Bonds. In the event the Paying Agent, as trustee, is so directed to purchase Bonds in lieu of optional redemption, no notice to the holders of the Bonds to be so purchased (other than the notice of redemption otherwise required under this Resolution) shall be required, and the Paying Agent, as trustee, shall be authorized to apply to such purchase the funds which would have been used to pay the Redemption Price for such Bonds if such Bonds had been redeemed rather than purchased. Each Bond so purchased shall not be canceled or discharged and shall be registered in the name of the Issuer. Bonds to be purchased under this Resolution in the manner set forth above which are not delivered to the Paying Agent, as trustee, on the purchase date shall be deemed to have been so purchased and not optionally redeemed on the purchase date and shall cease to accrue interest as to the former holder thereof on the purchase date.

ARTICLE IV
SECURITY, FUNDS AND ACCOUNTS;
APPLICATION OF PLEDGED FUNDS

SECTION 4.01. BONDS NOT TO BE INDEBTEDNESS OF ISSUER. The Bonds shall not be or constitute general obligations or indebtedness of the Issuer as "bonds" within the meaning of any constitutional or statutory provision, but shall be special obligations of the Issuer, payable solely from and secured by a lien upon and pledge of the Pledged Funds, in the manner and to the extent provided in this Resolution. No Holder of any Bond shall ever have the right to compel the exercise of any ad valorem taxing power to pay such Bond, or be entitled to payment of such Bond from any moneys of the Issuer except from the Pledged Funds in the manner and to the extent provided herein. The Bonds and the obligations evidenced thereby shall not constitute a lien upon the System or any other property of the Issuer, but shall constitute a lien only on, and shall be payable solely from, the Pledged Funds.

SECTION 4.02. SECURITY FOR BONDS. The payment of the principal of or Redemption Price, if applicable, and interest on the Bonds shall be secured forthwith equally and ratably by a pledge of and lien upon the Pledged Funds; provided, however, a Series of Bonds may be further secured by a Credit Facility or Bond Insurance Policy in addition to the security provided herein; and provided further that a Series of Bonds may be secured independently of any other Series of Bonds by the establishment of a separate subaccount in the Reserve Account for such Series of Bonds or by not being secured in any manner by the Reserve Account as provided herein or in a Supplemental Resolution. Issuers of a Reserve Account Insurance Policy or Reserve Account Letter of Credit shall be secured in accordance with the provisions hereof. In addition, the Issuer does hereby irrevocably pledge and grant a lien upon the Pledged Funds to the payment of the Policy Costs in accordance with the provisions hereof; provided, however, such pledge and lien shall be junior and subordinate in all respects to the pledge of and lien upon such Pledged Funds granted hereby to the Bondholders. The Issuer does hereby irrevocably pledge the Pledged Funds to the payment of the principal of or Redemption Price, if applicable, and interest on the Bonds in accordance with the provisions hereof. Except as otherwise provided by Supplemental Resolution, the obligation of the Issuer to make Hedge Payments to a Counterparty pursuant to a Qualified Hedge Agreement shall be on parity with the Bonds as to lien on and pledge of the Pledged Funds in accordance with the terms hereof (any other payments related to a Qualified Hedge Agreement, including fees, penalties, termination payments and the obligation to collateralize, shall be Subordinated Indebtedness of the Issuer).

The Pledged Funds shall immediately be subject to the lien of this pledge without any physical delivery thereof or further act, and the lien of this pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Issuer.

SECTION 4.03. CONSTRUCTION FUND. The Issuer covenants and agrees to establish, a special fund to be known as the "City of St. Pete Beach, Florida Wastewater Construction Fund," which shall be used only for payment of the Costs of Projects. Moneys in the Construction Fund, until applied in payment of any item of the Cost of a Project in the manner hereinafter provided, shall be subject to a lien and charge in favor of the Holders of the Bonds and for the further security of such Holders.

There shall be paid into the Construction Fund the amounts required to be so paid by the provisions of this Resolution, and there may be paid into the Construction Fund, at the option of the Issuer, any moneys received for or in connection with a Project by the Issuer from any other source. The Issuer shall establish within the Construction Fund a separate account for each Project, the Cost of which is to be paid in whole or in part out of the Construction Fund. Accordingly, there is hereby established within the Construction Fund a separate account with respect to the Series 2015 Project to be deemed the "Series 2015 Project Account."

The proceeds of insurance maintained pursuant to this Resolution against physical loss of or damage to a Project, or of contractors' performance bonds with respect thereto pertaining to the period of construction thereof, shall be deposited into the appropriate account of the Construction Fund.

Any moneys received by the Issuer from the State or from the United States of America or any agencies thereof for the purpose of financing part of the Cost of a Project shall be deposited into the appropriate account of the Construction Fund and used in the same manner as other Bond proceeds are used therein; provided that separate accounts or subaccounts may be established in the Construction Fund for moneys received pursuant to the provisions of this paragraph whenever required by Federal or State law.

The Issuer covenants that the acquisition, construction and installation of each Project will be completed without delay and in accordance with sound engineering practices. The Issuer shall make disbursements or payments from the applicable account of the Construction Fund to pay Costs of the Project for which it was established, except as otherwise provided below. The Issuer shall keep records of such disbursements and payments and shall retain all such records for such period of time as required by applicable law. The Issuer shall make available the records at all reasonable times for inspection by any Holder of any of the Bonds or the agent or representative of any Holder of any of the Bonds.

Notwithstanding any of the other provisions of this Section 4.03, to the extent that other moneys are not available therefor, amounts in an account of the Construction Fund shall be applied to the payment of principal and interest on Bonds.

The date of completion of the acquisition, construction and equipping of a Project shall be documented by an Authorized Issuer Officer in the appropriate records of the

Issuer. Promptly after the date of the completion of a Project, and after paying or making provision for the payment of all unpaid items of the Cost of such Project, the Issuer shall deposit in the following order of priority any balance of moneys remaining in an account in the Construction Fund in (A) another account of the Construction Fund for which the Commission has determined that there are insufficient moneys present to pay the Cost of the related Project, (B) the Reserve Account, to the extent of a deficiency therein, and (C) such other fund or account established hereunder as shall be determined by the Issuer or for any other lawful purpose, provided the Issuer has received the prior approval of Bond Counsel to the effect that such deposit shall not adversely affect the exclusion, if any, of interest on the Bonds (other than Taxable Bonds) from gross income for purposes of Federal income taxation or shall not otherwise affect the status of any Outstanding Bonds issued as Federal Subsidy Bonds or the Issuer's receipt of Federal Subsidy Payments with respect to any Outstanding Federal Subsidy Bonds.

SECTION 4.04. CREATION OF FUNDS AND ACCOUNTS. The following funds and accounts are hereby created hereunder:

(A) The "City of St. Pete Beach, Florida Wastewater Revenue Fund."

(B) The "City of St. Pete Beach, Florida Wastewater Operation and Maintenance Fund."

(C) The "City of St. Pete Beach, Florida Wastewater Sinking Fund." The Issuer shall maintain four separate accounts in the Sinking Fund: the "Interest Account," the "Principal Account," the "Term Bonds Redemption Account" and the "Reserve Account."

(D) The "City of St. Pete Beach, Florida Wastewater Connection Fees Fund."

(E) The "City of St. Pete Beach, Florida Wastewater Special Assessments Fund."

(F) The "City of St. Pete Beach, Florida Wastewater Renewal and Replacement Fund."

(G) The "City of St. Pete Beach, Florida Wastewater Utility Reserve Fund."

(H) The "City of St. Pete Beach, Florida Wastewater Rebate Fund;" and

(I) The "City of St. Pete Beach, Florida Wastewater Rate Stabilization Fund."

Moneys in the aforementioned funds and accounts (except for moneys in the Rebate Fund), until applied in accordance with the provisions hereof, shall be subject to a lien and charge in favor of the Holders of the Bonds and for the further security of such Holders to the extent provided herein.

The Issuer may at any time and from time to time appoint one or more depositaries to hold, for the benefit of the Bondholders, any one or more of the funds and accounts established hereby. Such depositary or depositaries shall perform at the direction of the Issuer the duties of the Issuer in depositing, transferring and disbursing moneys to and from each of such funds or accounts as herein set forth, and all records of such depositary in performing such duties shall be open at all reasonable times to inspection by the Issuer and its agents and employees. Any such depositary shall be a bank or trust company duly authorized to exercise corporate trust powers and subject to examination by federal or state authority, of good standing, and be qualified under applicable State law.

Notwithstanding the foregoing, none of the aforementioned funds and accounts is required to be established prior to the time any such fund or account is required to be funded or otherwise utilized hereunder.

SECTION 4.05. DISPOSITION OF GOVERNMENT GRANTS, GROSS REVENUES AND SPECIAL ASSESSMENTS. (A) (1) In the event the Issuer receives a Government Grant, the use and withdrawal of moneys from such Government Grant shall be governed by the terms of the Government Grant and applicable law.

(2) Into the Revenue Fund, the Issuer shall deposit promptly, as received, all Gross Revenues (other than any subsequently pledged Special Assessments Proceeds).

Moneys in the Revenue Fund shall first be used each month to deposit in the Operation and Maintenance Fund such sums as are necessary to pay Operating Expenses for the ensuing month; provided the Issuer may transfer moneys from the Revenue Fund to the Operation and Maintenance Fund at any time to pay Operating Expenses to the extent there is a deficiency in the Operation and Maintenance Fund for such purpose. Amounts in the Operation and Maintenance Fund shall be paid out from time to time by the Issuer for Operating Expenses, including any expenses relating to the purchase or redemption of Term Bonds as provided in Section 4.05(B)(3) hereof.

The remaining moneys in the Revenue Fund shall be applied in accordance with Section 4.05(B) hereof.

(3) To the extent Special Assessments Proceeds are made a component of the Gross Revenues, the Issuer shall deposit promptly, as received, all Special Assessment Proceeds into the Special Assessments Fund.

In the event the Issuer by Supplemental Resolution provides for all or a portion of any Special Assessments to secure the payment of all or a portion of a particular Series of Bonds, the Issuer may establish separate accounts or subaccounts for the deposit and application of such Special Assessments if necessary to provide for the payment and/or earlier redemption of such Bonds from such Special Assessments.

(B) Any deposits remaining in the Revenue Fund after the aforementioned transfers to the Operation and Maintenance Fund and all moneys at any time on deposit in the Special Assessments Fund (subject to the provisions above regarding earlier redemption of Bonds) shall be disposed of by the Issuer on or before the 25th day of each month, commencing in the month immediately following the delivery of any of the Bonds to the purchasers thereof, or such later date as hereinafter provided, first from the Special Assessments Fund and then from the Revenue Fund in the following manner and in the following order of priority:

(1) Interest Account. The Issuer shall deposit or credit to the Interest Account the sum which, together with the balance in said Account, shall equal the interest on all Bonds Outstanding (except as to Capital Appreciation Bonds) accrued and unpaid and to accrue to the end of the then current calendar month. All Hedge Receipts and Federal Subsidy Payments shall be deposited directly to the Interest Account upon receipt. With respect to interest on Bonds which have corresponding Hedge Payments, interest on such Bonds during the term of the Qualified Hedge Agreement shall also be deemed to include the corresponding Hedge Payments. Moneys in the Interest Account shall be applied by the Issuer (a) for deposit with the Paying Agents to pay the interest on the Bonds on or prior to the date the same shall become due and (b) for Hedge Payments. Any Federal Subsidy Payments deposited to the Interest Account shall be deemed to have been applied to the payment of interest on the Federal Subsidy Bonds to which such Payments relate. The Issuer shall adjust the amount of the deposit to the Interest Account not later than a month immediately preceding any Interest Date so as to provide sufficient moneys in the Interest Account to pay the interest on the Bonds coming due on such Interest Date. No further deposit need be made to the Interest Account when the moneys therein are equal to the interest coming due on the Outstanding Bonds on the next succeeding Interest Date. With respect to Debt Service on any Bonds which are subject to a Qualified Hedge Agreement, any Hedge Payments due to the Counterparty to the Qualified Hedge Agreement relating to such Bonds shall be paid to such Counterparty on a parity basis with the aforesaid required payments into the Sinking Fund. In computing the interest on Variable Rate Bonds which shall accrue during a calendar month, the interest rate on such Variable Rate Bonds shall be assumed to be (A) if such Variable Rate Bonds have been Outstanding for at least 24 months prior to the commencement of such calendar month, the highest average interest rate borne by such Variable Rate Bonds for any 30-day period, and (B) if such Variable Rate Bonds have not been Outstanding for at least 24 months prior to the date of calculation, the Bond Buyer Revenue Bond Index most recently published prior to the commencement of such calendar month.

(2) Principal Account. Commencing no later than the month which is one year prior to the first principal payment date, the Issuer shall next deposit into the Principal Account the sum which, together with the balance in said Account, shall equal the principal amounts on all Bonds Outstanding due and unpaid and that portion of the principal next due which would have accrued on such Bonds during the then current calendar month if such principal amounts were deemed to accrue monthly (assuming that a year consists of 12 equivalent calendar months having 30 days each), except for the Sinking Fund Installments to be deposited pursuant to Section 4.05(B)(3) hereof, in equal amounts from the next preceding principal payment due date, or, if there be no such preceding principal payment due date from a date no later than one year preceding the due date of such principal amount. Moneys in the Principal Account shall be applied by the Issuer for deposit with the Paying Agents to pay the principal of the Bonds on or prior to the date the same shall mature, and for no other purpose. Serial Capital Appreciation Bonds shall be payable from the Principal Account in the years in which such Bonds mature and monthly payments into the Principal Account on account of such Bonds shall commence in the twelfth month immediately preceding the maturity date of such Bonds. The Issuer shall adjust the amount of the deposit to the Principal Account not later than the month immediately preceding any principal payment date so as to provide sufficient moneys in the Principal Account to pay the principal on Bonds becoming due on such principal payment date. No further deposit need be made to the Principal Account when the moneys therein are equal to the principal coming due on the Outstanding Bonds on the next succeeding principal payment date.

(3) Term Bonds Redemption Account. Commencing in the month which is one year prior to the first Sinking Fund Installment due date, there shall be deposited to the Term Bonds Redemption Account the sum which, together with the balance in such Account, shall equal the Sinking Fund Installments on all Bonds Outstanding due and unpaid and that portion of the Sinking Fund Installments of all Bonds Outstanding next due which would have accrued on such Bonds during the then current calendar month if such Sinking Fund Installments were deemed to accrue monthly (assuming that a year consists of 12 equivalent calendar months having 30 days each) in equal amounts from the next preceding Sinking Fund Installment due date, or, if there is no such preceding Sinking Fund Installment due date, from a date not later than one year preceding the due date of such Sinking Fund Installment. Moneys in the Term Bonds Redemption Account shall be used to purchase or redeem Term Bonds in the manner herein provided, and for no other purpose. Term Capital Appreciation Bonds shall be payable from the Term Bonds Redemption Account in the years in which such Bonds mature and monthly payments into the Terms Bonds Redemption Account on account of such Bonds shall commence in the twelfth month immediately preceding the due date of the related Sinking Fund Installments. The Issuer shall adjust the amount of the deposit to the Term Bonds Redemption Account on the month immediately preceding any

Sinking Fund Installment due date so as to provide sufficient moneys in the Term Bonds Redemption Account to pay the Sinking Fund Installments becoming due on such date. Payments to the Term Bonds Redemption Account shall be on parity with payments to the Principal Account.

Amounts accumulated in the Term Bonds Redemption Account with respect to any Sinking Fund Installment (together with amounts accumulated in the Interest Account with respect to interest, if any, on the Term Bonds for which such Sinking Fund Installment was established) may be applied by the Issuer, on or prior to the 60th day preceding the due date of such Sinking Fund Installment, (a) to the purchase of Term Bonds of the Series and maturity for which such Sinking Fund Installment was established, or (b) to the redemption at the applicable Redemption Prices of such Term Bonds, if then redeemable by their terms. Amounts in the Term Bonds Redemption Account which are used to redeem Term Bonds shall be credited against the next succeeding Sinking Fund Installment which shall become due on such Term Bonds. The applicable Redemption Price (or principal amount of maturing Term Bonds) of any Term Bonds so purchased or redeemed shall be deemed to constitute part of the Term Bonds Redemption Account until such Sinking Fund Installment due date, for the purposes of calculating the amount of such Account. As soon as practicable after the 60th day preceding the due date of any such Sinking Fund Installment, the Issuer shall proceed to call for redemption on such due date, by causing notice to be given as provided in Section 3.03 hereof, Term Bonds of the Series and maturity for which such Sinking Fund Installment was established (except in the case of Term Bonds maturing on a Sinking Fund Installment due date) in such amount as shall be necessary to complete the retirement of the unsatisfied balance of such Sinking Fund Installment. The Issuer shall pay out of the Term Bonds Redemption Account and the Interest Account to the appropriate Paying Agents, on or before the day preceding such redemption date (or maturity date), the amount required for the redemption (or for the payment of such Term Bonds then maturing), and such amount shall be applied by such Paying Agents to such redemption (or payment). All expenses in connection with the purchase or redemption of Term Bonds shall be paid by the Issuer from the Operation and Maintenance Fund.

(4) Reserve Account. There shall be deposited to the Reserve Account an amount which would enable the Issuer to restore the funds on deposit in the Reserve Account to an amount equal to the Reserve Account Requirement applicable thereto. All deficiencies in the Reserve Account must be made up no later than 12 months from the date such deficiency first occurred, whether such shortfall was caused by an increase in the applicable Reserve Account Requirement, a decrease in the aggregate market value of the investments therein of more than 5% or withdrawal (whether from cash or a Reserve Account Insurance Policy or Reserve Account Letter of Credit). On or prior to each principal payment date and

Interest Date for the Bonds (in no event earlier than the 25th day of the month next preceding such payment date), moneys in the Reserve Account shall be applied by the Issuer to the payment of the principal of or Redemption Price, if applicable, and interest on the Bonds to the extent moneys in the Interest Account, the Principal Account and the Term Bonds Redemption Account shall be insufficient for such purpose, but only to the extent the moneys transferred from the Utility Reserve Fund for such purposes pursuant to Section 4.05(B)(8) hereof shall be inadequate to fully provide for such insufficiency. Whenever there shall be surplus moneys in the Reserve Account by reason of a decrease in the Reserve Account Requirement or as a result of a deposit in the Reserve Account of a Reserve Account Letter of Credit or a Reserve Account Insurance Policy, such surplus moneys, to the extent practicable, shall be deposited by the Issuer into the Utility Reserve Fund and applied as directed by Bond Counsel. The Issuer shall promptly inform each Insurer and Credit Bank of any draw upon the Reserve Account for purposes of paying the principal of and interest on the Bonds.

Upon the issuance of any Series of Bonds under the terms, limitations and conditions as herein provided, the Issuer shall fund the Reserve Account in an amount at least equal to the applicable Reserve Account Requirement to the extent such Series of Bonds are to be secured by the Reserve Account or any subaccount therein; provided, however, nothing herein shall be construed to require the Issuer to fund the Reserve Account or any subaccount for any Series of Bonds. Upon the adoption of the Supplemental Resolution authorizing the issuance of a Series of Bonds, the Issuer shall determine whether such Series of Bonds shall be secured by the Reserve Account or any subaccount therein and, if the Issuer determines that the Series of Bonds will be secured by a separate subaccount therein, the Issuer shall also establish the Reserve Account Requirement applicable thereto. Such required amount, if any, shall be paid in full or in part from the proceeds of such Series of Bonds or may be accumulated in equal monthly payments to the Reserve Account or subaccount therein over a period of months from the date of issuance of such Series of Bonds, which shall not exceed 36 months.

Notwithstanding the foregoing provisions, in lieu of or in substitution of any required deposits into the Reserve Account or any subaccount therein, the Issuer may cause to be deposited into the Reserve Account or subaccount a Reserve Account Insurance Policy and/or Reserve Account Letter of Credit for the benefit of the Bondholders in an amount equal to the difference between the Reserve Account Requirement applicable thereto and the sums then on deposit in the Reserve Account or subaccount, if any. The Issuer may also substitute a Reserve Account Insurance Policy and/or Reserve Account Letter of Credit for cash on deposit in the Reserve Account or a subaccount therein upon compliance with the terms of this Section 4.05(B)(4). Such Reserve Account Insurance Policy and/or Reserve Account Letter of Credit shall be payable to the Paying Agent (upon the giving of notice as required thereunder) on any Interest Date or redemption date on which a deficiency exists which cannot be cured by moneys in any other fund or account held pursuant to this Resolution and available for such purpose. Upon the initial deposit of any such Reserve Account Insurance Policy and/or Reserve Account Letter of Credit, the provider thereof shall be either (a) an insurer whose municipal bond insurance policies insuring the payment, when due, or the principal of and interest on municipal bond issues results in such issues being rated in one of the three highest rating categories by at least one of the three Rating Agencies (without regard to gradations, such as "plus" or "minus" or "1," "2" or "3"), or (b) a commercial bank, insurance company or other financial institution which has been assigned a rating in one of the two highest rating categories by at least one of the three Rating Agencies (without regard to gradations, such as "plus" or "minus" or "1," "2" or "3"). Any Reserve Account Insurance Policy and/or Reserve Account Letter of Credit shall equally secure all Bonds secured by the Reserve Account or subaccount into which such Policy or Letter of Credit is deposited.

Each Reserve Account Insurance Policy and Reserve Account Letter of Credit shall provide for a revolving feature under which the amount available thereunder will be reinstated to the extent of any reimbursement of draws or claims paid. If the revolving feature is suspended or terminated for any reason, the right of the provider of the Reserve Account Insurance Policy or Reserve Account Letter of Credit to reimbursement will be subordinated to cash replenishment of the Reserve Account or subaccount to an amount equal to the difference between the full original amount available under the Reserve Account Insurance Policy or Reserve Account Letter of Credit and the amount then available for further draws or claims. If (a) the provider of a Reserve Account Insurance Policy or Reserve Account Letter of Credit becomes insolvent or (b) the provider of a Reserve Account Insurance Policy or Reserve Account Letter of Credit defaults in its payment obligations thereunder or (c) the rating of the provider of a Reserve Account Insurance Policy falls below a rating of "A-" or "A3" by all of the Rating Agencies then rating such provider or (d) the rating of the provider of a Reserve Account Letter of Credit falls below a rating of "AA-" or "Aa3" by all of the Rating Agencies, the obligation to reimburse the provider of the Reserve Account Insurance Policy or Reserve Account Letter of Credit shall be subordinate to the cash replenishment of the Reserve Account or subaccount. Where applicable, the amount available for draws or claims under a Reserve Account Insurance Policy or Reserve Account Letter of Credit may be reduced by the amount of cash or investments deposited in the Reserve Account or subaccount pursuant to the provisions hereof.

If the revolving reinstatement feature described in the preceding paragraph is suspended or terminated or if the Reserve Account Insurance Policy or Reserve Account Letter of Credit is no longer valid and enforceable, the Issuer shall either (i) deposit into the Reserve Account or subaccount an amount sufficient to cause the cash or investments on deposit in the Reserve Account or applicable subaccount to equal the Reserve Account Requirement on all Outstanding Bonds then secured by such Reserve Account or subaccount, such amount to be paid over the ensuing five years in equal installments deposited at least semi-annually or (ii) replace such instrument with a Reserve Account Insurance Policy or a Reserve Account Letter of Credit meeting the requirements described herein within six months of such occurrence.

If three days prior to an Interest Date or principal payment date, or such other period of time as shall be required by the terms of the Reserve Account Insurance Policy or Reserve Account Letter of Credit, the Issuer shall determine that a deficiency exists in the amount of moneys available to pay in accordance with the terms hereof interest and/or principal due on the Bonds on such date, the Issuer shall immediately notify (a) the issuer of the applicable Reserve Account Insurance Policy and/or the issuer of the Reserve Account Letter of Credit and submit a demand for payment pursuant to the provisions of such Reserve Account Insurance Policy and/or the Reserve Account Letter of Credit, (b) the Paying Agent, and (c) the Insurer or Credit Bank, if any, of the amount of such deficiency and the date on which such payment is due.

The Issuer may evidence its obligation to reimburse the issuer of any Reserve Account Letter of Credit or Reserve Account Insurance Policy by executing and delivering to such issuer a promissory Bond or other evidence therefor; provided, however, any such Bond or evidence (a) shall not be a general obligation of the Issuer the payment of which is secured by the full faith and credit or taxing power of the Issuer, and (b) shall be payable solely from the Pledged Funds in the manner provided herein. The obligation to reimburse the provider of a Reserve Account Insurance Policy or Reserve Account Letter of Credit for any Policy Costs shall be subordinate to the payment of Debt Service on the Bonds.

The term "Paying Agent" as used in this Section 4.05(B)(4) may include one or more Paying Agents for the Outstanding Bonds.

Whenever the amount of cash in the Reserve Account, together with the other amounts in the Debt Service Fund, are sufficient to fully pay all Outstanding Bonds in accordance with their terms (including principal or applicable Redemption Price and interest thereon), the funds on deposit in the Reserve Account may be transferred to the other Accounts of the Sinking Fund for the payment of the Bonds.

The Issuer may also establish a separate subaccount in the Reserve Account for any Series of Bonds and such subaccount shall be pledged to the payment of such Series of Bonds apart from the pledge provided herein. To the extent a Series of Bonds is secured separately by a subaccount of the Reserve Account, the Holders of such Bonds shall not be secured by any other moneys in the Reserve Account.

Moneys in a separate subaccount of the Reserve Account shall be maintained at the Reserve Account Requirement applicable to such Series of Bonds secured by the subaccount; provided the Supplemental Resolution authorizing such Series of Bonds may establish the Reserve Account Requirement relating to such separate subaccount of the Reserve Account at such level as the Issuer deems appropriate. In the event the Issuer establishes the Reserve Account Requirement for a particular Series of Bonds to be zero (0.00) or it shall determine that such Series are not to be secured in any manner by the Reserve Account or a subaccount, then it shall not be required to establish a separate subaccount; provided, however, such Series of Bonds shall have no lien on or pledge of any moneys on deposit in the Reserve Account. Moneys used to replenish the Reserve Account shall be deposited in the separate subaccounts in the Reserve Account and in the Reserve Account on a pro-rata basis.

The Reserve Account Requirement with respect to the Series 2015 Bond shall be $0.00 and the Series 2015 Bond shall not be secured by the Reserve Account or any separate subaccount therein.

In the event the Issuer shall maintain a Reserve Account Insurance Policy or Reserve Account Letter of Credit and moneys in the Reserve Account or any subaccount, the moneys shall be used prior to making any disbursements under such Reserve Account Insurance Policy or Reserve Account Letter of Credit. The provisions of the Debt Service Reserve Fund Policy Agreements, when executed and delivered, shall be incorporated herein by reference. The provisions of such Agreements shall supersede the provisions hereof to the extent of any conflict herewith.

(5) Renewal and Replacement Fund. There shall be deposited to the Renewal and Replacement Fund monthly such sums as shall be sufficient to pay 1/12 of the Renewal and Replacement Fund Requirement until the amount accumulated in such Fund is equal to the Renewal and Replacement Fund Requirement, taking into account the market value of investments in such Fund; provided, however, that (a) such Renewal and Replacement Fund Requirement may be increased or decreased as the Consulting Engineers shall certify to the Issuer is necessary for the purposes of the Renewal and Replacement Fund, and (b) in the event that the Consulting Engineers shall certify that the Renewal and Replacement Fund Requirement is excessive for the purposes of the Renewal and Replacement Fund such excess amount as may be on deposit therein may be transferred by the Issuer from the Renewal and Replacement Fund for deposit into the Utility Reserve Fund. The moneys in the Renewal and Replacement Fund shall be applied by the Issuer for the purpose of paying the cost of major extensions, improvements or additions to, or the replacement or renewal of capital assets of, the System, or extraordinary repairs of the System; provided, however, that on or prior to each

principal and interest payment date for the Bonds (in no event earlier than the 25th day of the month next preceding such payment date), moneys in the Renewal and Replacement Fund shall be applied for the payment into the Interest Account, the Principal Account, and the Term Bonds Redemption Account when the moneys therein are insufficient to pay the principal of and interest on the Bonds coming due, but only to the extent moneys transferred from the Utility Reserve Fund for such purpose pursuant to Sections 4.05(B)(8) hereof, together with moneys available in the Reserve Account for such purpose pursuant to Section 4.05(B)(4) hereof, shall be inadequate to fully provide for such insufficiency. Moneys in the Renewal and Replacement Fund may also be transferred to the Operation and Maintenance Fund to fund Operating Expenses to the extent Gross Revenues shall be insufficient for such purpose; provided, however, such transfer shall be treated as an interfund loan and shall be repaid from Gross Revenues as described in this Section 4.05(B)(5) within one year from the date of such transfer.

(6) Subordinated Indebtedness. Gross Revenues in the Revenue Fund shall next be applied by the Issuer for the payment of any accrued debt service on Subordinated Indebtedness incurred by the Issuer in connection with the System and in accordance with the proceedings authorizing such Subordinated Indebtedness.

(7) Sinking Fund. There shall be deposited to the Interest Account, the Principal Account and the Term Bonds Redemption Account, in that order, sufficient moneys such that the amounts on deposit therein shall equal, respectively, the interest, principal and Sinking Fund Installment next coming due on the Bonds Outstanding; provided, however, no deposit need be made to the Principal Account or Term Bonds Redemption Account until a date one year preceding the due date of such principal amount or Sinking Fund Installment.

(8) Utility Reserve Fund. The balance of any Gross Revenues remaining in said Revenue Fund shall be deposited in the Utility Reserve Fund and applied to the payment, on or prior to each principal and interest payment date for the Bonds (in no event earlier than the 25th day of the month next preceding such payment date), into the Interest Account, the Principal Account and the Term Bonds Redemption Account when the moneys therein shall be insufficient to pay the principal of and interest on the Bonds coming due. Moneys not required to meet such a deficiency shall be deposited to the Wastewater Connection Fees Fund to make up any withdrawal from such Funds pursuant to Sections 4.06(A) and 4.07(A) hereof, respectively (to the extent required by such Sections), then to the Reserve Account to make up any deficiency therein, and thereafter to the Rebate Fund to the extent moneys are required to be deposited therein. Thereafter, moneys in the Utility Reserve Fund may be applied for any lawful purpose relating to the System including but not limited to, payments in lieu of taxes, payments in lieu of franchise

fees and other similar payments, including, but not limited to, purchase or redemption of Bonds, payment of Subordinated Indebtedness, payment of other obligations incurred with respect to the System, deposit to the Rate Stabilization Fund and improvements, renewals and replacements to the System; provided, however, that none of such revenues shall ever be used for the purposes provided in this Section 4.05(B)(8) unless all payments required in Sections 4.05(B)(1) through 4.05(B)(6) hereof, including any deficiencies for prior payments, have been made in full to the date of such use.

(C) Whenever moneys on deposit in the Sinking Fund are sufficient to fully pay all Outstanding Bonds in accordance with their terms (including principal or applicable Redemption Price and interest thereon), no further deposits to the Sinking Fund need be made. If on any payment date the Gross Revenues are insufficient to deposit the required amount in any of the funds or accounts or for any of the purposes provided above, the deficiency shall be made up on the subsequent payment dates.

The Issuer, in its discretion, may use moneys in the Principal Account and the Interest Account to purchase or redeem Bonds coming due on the next principal payment date, provided such purchase or redemption does not adversely affect the Issuer's ability to pay the principal or interest coming due on such principal payment date on the Bonds not so purchased or redeemed.

(D) In the event the Issuer shall issue a Series of Bonds secured by a Credit Facility, the Issuer may establish separate subaccounts in the Interest Account, the Principal Account and the Term Bonds Redemption Account to provide for payment of the principal of and interest on such Series; provided payment from the Pledged Funds of one Series of Bonds shall not have preference over payment of any other Series of Bonds. The Issuer may also deposit moneys in such subaccounts at such other times and in such other amounts from those provided in Section 4.05(B) as shall be necessary to pay the principal of and interest on such Bonds as the same shall become due, all as provided by the Supplemental Resolution authorizing such Bonds.

In the case of Bonds secured by a Credit Facility, amounts on deposit in the Sinking Fund may be applied as provided in the applicable Supplemental Resolution to reimburse the Credit Bank for amounts drawn under such Credit Facility to pay the principal of, premium, if any, and interest on such Bonds or to pay the purchase price of any such Bonds which are tendered by the holders thereof for payment; provided such Credit Facility shall have no priority over Bondholders or an Insurer to amounts on deposit in the Sinking Fund. Other payments due to a Credit Bank in relation to obligations arising under its Credit Facility may be on parity with the Bonds as to source of and security for payment to the extent provided in the Supplemental Resolution relating thereto.

SECTION 4.06. WASTEWATER CONNECTION FEES FUND. The Issuer shall deposit into the Wastewater Connection Fees Fund all Wastewater Connection

Fees as received, together with moneys transferred to such Fund pursuant to Section 4.05(B)(8) hereof and such Wastewater Connection Fees shall be accumulated in the Wastewater Connection Fees Fund and applied by the Issuer in the following manner and order of priority:

(A) For the payments on or prior to each principal and interest payment date (in no event earlier than the 25th day of the month next preceding such payment Date) into the Interest Account, the Principal Account and the Term Bonds Redemption Account, when the moneys therein are insufficient to pay the principal of and interest on the Bonds coming due, but only to the extent moneys transferred from the Utility Reserve Fund, the Renewal and Replacement Fund and the Rate Stabilization Fund for such purpose pursuant to Sections 4.05(B)(8), 4.05(B)(5) and 4.09, respectively, hereof, together with moneys available in the Reserve Account for such purpose pursuant to Section 4.05(B)(4) hereof, shall be inadequate to fully provide for such insufficiency; provided moneys shall be transferred to the aforementioned Accounts from the Wastewater Connection Fees Fund on a pro-rata basis or such other basis as the Issuer deems appropriate in relation to the amount of moneys in each Fund at the time of transfer. Any moneys transferred to the aforementioned Accounts described above shall be treated as an interfund loan and shall be repaid, together with reasonable interest thereon, from Gross Revenues as described in Section 4.05(B)(8) hereof on or prior to the date such amounts are needed for the purposes described in Sections 4.07(B) and (C) hereof, but in no event later than one year from the date of such transfer, unless the Issuer shall determine that such transfer constitutes a lawful use of such Wastewater Connection Fees.

(B) To the extent permitted by law, to pay or reimburse the capital cost of acquiring, constructing and/or equipping such improvements or additions to the wastewater facilities of the System for which the Wastewater Connection Fees were imposed in accordance with the requisitions for disbursement of moneys provided by the Issuer.

(C) To be used for any other lawful purpose relating to the System.

SECTION 4.07. REBATE FUND. Amounts on deposit in the Rebate Fund shall be held in trust by the Issuer and used solely to make required rebates to the United States (except to the extent the same may be transferred to the Revenue Fund) and the Bondholders shall have no right to have the same applied for debt service on the Bonds. For any Series of Bonds for which the rebate requirements of Section 148(f) of the Code are applicable, the Issuer agrees to undertake all actions required of it in its arbitrage certificate relating to such Series of Bonds, including, but not limited to:

(A) making a determination in accordance with the Code of the amount required to be deposited in the Rebate Fund;

(B) depositing the amount determined in clause (A) above into the Rebate Fund;

(C) paying on the dates and in the manner required by the Code to the United States Treasury from the Rebate Fund and any other legally available moneys of the Issuer such amounts as shall be required by the Code to be rebated to the United States Treasury; and

(D) keeping such records of the determinations made pursuant to this Section 4.08 as shall be required by the Code, as well as evidence of the fair market value of any investments purchased with proceeds of the Bonds.

The provisions of the above-described arbitrage certificates may be amended without the consent of any Holder, Credit Bank or Insurer from time to time as shall be necessary, in the opinion of Bond Counsel, to comply with the provisions of the Code.

SECTION 4.08. RATE STABILIZATION FUND. The Issuer may transfer into the Rate Stabilization Fund such moneys which are on deposit in the Utility Reserve Fund as it deems appropriate. The Issuer may transfer such amount of moneys from the Rate Stabilization Fund to the Revenue Fund as it deems appropriate; provided, however, that on or prior to each principal and interest payment date for the Bonds (in no event earlier than the 25th day of the month next preceding such payment date), moneys in the Rate Stabilization Fund shall be applied for the payment into the Interest Account, the Principal Account and the Term Bonds Redemption Account when the moneys therein are insufficient to pay the principal of and interest on the Bonds coming due, but only to the extent moneys transferred from the Utility Reserve Fund and Renewal and Replacement Fund for such purposes pursuant to Sections 4.05(B)(8) and 4.05(B)(5) hereof, together with moneys available in the Reserve Account for such purpose pursuant to Section 4.05(B)(4) hereof, shall be inadequate to fully provide for such insufficiency.

SECTION 4.09. INVESTMENTS. Moneys on deposit in the Revenue Fund, the Construction Fund, the Sinking Fund, the Wastewater Connection Fees Fund, the Operation and Maintenance Fund, the Special Assessments Fund, the Utility Reserve Fund, the Rate Stabilization Fund and the Renewal and Replacement Fund shall be continuously secured in the manner by which the deposit of public funds are authorized to be secured by the laws of the State. Moneys on deposit in the Construction Fund, the Revenue Fund, the Operation and Maintenance Fund, the Special Assessments Fund, the Principal Account, the Interest Account, the Term Bonds Redemption Account, the Renewal and Replacement Fund, the Wastewater Connection Fees Fund, the Rate Stabilization Fund and the Utility Reserve Fund shall be invested and reinvested by the Issuer in Authorized Investments, maturing not later than the dates on which such moneys will be needed for the purposes of such fund or account. Moneys on deposit in the Reserve Account shall be invested in Authorized Investments, maturing no later than ten years from the date of investment. All investments shall be valued at the market price thereof. Investments in the Reserve Account shall be valued by the Issuer on an annual basis as of September 30 of each year.

Any and all income received from the investment of moneys in each separate account of the Revenue Fund, the Construction Fund, the Interest Account, the Principal Account, the Term Bonds Redemption Account, the Utility Reserve Fund, the Renewal and Replacement Fund (to the extent such income and other amounts in such Fund do not exceed the Renewal and Replacement Fund Requirement), the Wastewater Connection Fees Fund, the Utility Reserve Fund, the Rate Stabilization Fund and the Reserve Account (to the extent such income and the other amounts in the Reserve Account does not exceed the Reserve Account Requirement), shall be retained in such respective Fund or Account.

Any and all income received from the investment of moneys in the Renewal and Replacement Fund (only to the extent such income and the other amounts in such Fund exceed the Renewal and Replacement Fund Requirement) and the Reserve Account (only to the extent such income and the other amounts in the Reserve Account exceeds the Reserve Account Requirement), shall be deposited upon receipt thereof in the Revenue Fund. Any and all income received from the investment of moneys in the Special Assessments Fund shall be deposited upon receipt thereof into the Interest Account.

Nothing in this Resolution shall prevent any Authorized Investments acquired as investments of or security for funds held under this Resolution from being issued or held in book-entry form on the books of the Department of the Treasury of the United States.

SECTION 4.10. SEPARATE ACCOUNTS. The moneys required to be accounted for in each of the foregoing funds, accounts and subaccounts established herein may be deposited in a single bank account, and funds allocated to the various funds, accounts and subaccounts established herein may be invested in a common investment pool, provided that adequate accounting records are maintained to reflect and control the restricted allocation of the moneys on deposit therein and such investments for the various purposes of such funds, accounts and subaccounts as herein provided.

The designation and establishment of the various funds, accounts and subaccounts in and by this Resolution shall not be construed to require the establishment of any completely independent, self-balancing funds as such term is commonly defined and used in governmental accounting, but rather is intended solely to constitute an earmarking of certain revenues, expenses and deposits for certain purposes and to establish certain priorities for application of such revenues, expenses and deposits as herein provided.

ARTICLE V
COVENANTS

SECTION 5.01. GENERAL. The Issuer hereby makes the covenants set forth in this Article V, in addition to all other covenants in this Resolution, with each and every successive Holder of any of the Bonds so long as any of said Bonds remain Outstanding.

SECTION 5.02. OPERATION AND MAINTENANCE. The Issuer will maintain or cause to be maintained the System and all portions thereof in good condition and will operate or cause to be operated the same in an efficient and economical manner, making or causing to be made such expenditures for equipment and for renewals, repairs and replacements as may be proper for the economical operation and maintenance thereof. The Issuer may contract with a responsible Person which has experience in the operation of utility systems similar to the System for the operation and maintenance of the System; provided, however, prior to entering any operating agreement with respect to any substantial part of the System the Issuer shall consult with Bond Counsel.

SECTION 5.03. ANNUAL BUDGET. The Issuer shall annually prepare and adopt, prior to the beginning of each Fiscal Year, an Annual Budget in accordance with applicable law. If for any reason the Issuer shall not have adopted the Annual Budget before the first day of any Fiscal Year, other than the first Fiscal Year, the preliminary budget for such year, if it be approved by the Consulting Engineers or Rate Consultant, or otherwise the Annual Budget for the preceding Fiscal Year, shall be deemed to be in effect for such Fiscal Year until the Annual Budget for such Fiscal Year is adopted.

The Issuer shall mail copies of or make available such Annual Budgets and amended Annual Budgets and all resolutions authorizing increased expenditures for Operating Expenses to any Credit Bank or Insurer of Bonds who shall file its address with the Clerk and request in writing that copies of all such Annual Budgets and resolutions be furnished to it and shall make available all such Annual Budgets and resolutions and ordinances authorizing increased expenditures for Operating Expenses of the System at all reasonable times to any Holder or Holders of Bonds or to anyone acting for and on behalf of such Holder or Holders.

SECTION 5.04 RATES. The Issuer shall fix, establish, maintain and collect such rates, fees and charges for the product, services and facilities of the System, and revise the same from time to time, whenever necessary, so as always to provide in each Fiscal Year:

(A) Net Revenues and Wastewater Connection Fees, together with the Fund Balance, equal to at least 115% of the Annual Debt Service becoming due in such Fiscal Year; provided

(B) such Net Revenues shall be adequate at all times to pay in each Fiscal Year at least 105% of (1) the Annual Debt Service becoming due in such Fiscal Year, (2) any amounts required by the terms hereof to be deposited in the Reserve Account or with any issuer of a Reserve Account Letter of Credit or Reserve Account Insurance Policy in such Fiscal Year to pay Policy Costs, and (3) any amounts required by the terms of Sections 4.06(A) and 4.07(A) hereof to be repaid to the Wastewater Connection Fees Fund in such Fiscal Year.

Such rates, fees or other charges shall not be so reduced so as to be insufficient to provide adequate Net Revenues and Wastewater Connection Fees for the purposes provided therefor by this Resolution and to satisfy the rate covenant set forth in this Section 5.04.

If, in any Fiscal Year, the Issuer shall fail to comply with the requirements contained in this Section 5.04, it shall promptly cause the Rate Consultant to review its rates, fees, charges, income, Gross Revenues, Operating Expenses, Connection Fees and methods of operation and to make written recommendations as to the methods by which the Issuer may seek to comply with the requirements set forth in this Section 5.04. The Issuer shall forthwith commence to implement such recommendations to the extent required so as to cause it to thereafter comply with said requirements. So long as the Issuer implements such recommendations in a timely manner so that the Issuer shall be in compliance with this Section 5.04 as of the end of the immediately succeeding Fiscal Year, the Issuer's failure to comply with this Section 5.04 shall not be considered an Event of Default under Section 7.01 hereof.

SECTION 5.05. BOOKS AND RECORDS. The Issuer shall keep books, records and accounts of the revenues and operations of the System, which shall be kept separate and apart from all other books, records and accounts of the Issuer, and the Holders of any Bonds Outstanding or the duly authorized representatives thereof shall have the right at all reasonable times to inspect all books, records and accounts of the Issuer relating thereto.

SECTION 5.06. ANNUAL AUDIT. The Issuer shall, immediately after the close of each Fiscal Year, cause the books, records and accounts relating to the System to be properly audited by a recognized independent firm of certified public accountants, and shall require such accountants to complete their report of such Annual Audit in accordance with applicable law. Each Annual Audit shall be in conformity with generally accepted accounting principles as applied to governmental entities. A copy of each Annual Audit shall regularly be furnished or made available to any Credit Bank or Insurer who shall have furnished his address to the Clerk and requested in writing that the same be furnished to him.

SECTION 5.07. NO MORTGAGE OR SALE OF THE SYSTEM. The Issuer irrevocably covenants, binds and obligates itself not to sell, lease, encumber or in any manner dispose of the System as a whole or any substantial part thereof (except as provided below) until all of the Bonds and all interest thereon shall have been paid in full or provision for payment has been made in accordance with Section 9.01 hereof.

The foregoing provision notwithstanding, the Issuer shall have and hereby reserves the right to sell, lease or otherwise dispose of any of the property comprising a part of the System in the following manner, if any one of the following conditions exist: (A) such property is not necessary for the operation of the System, (B) such property is not useful in the operation of the System, (C) such property is not profitable in the operation of the System, or (D) in the case of a lease of such property, such lease will be advantageous to the System and will not materially adversely affect the security for the Bondholders.

Prior to any such sale, lease or other disposition of said property: (1) if the amount to be received therefor is not in excess of five percent (5%) of the market value of the gross plant of the System, (a) an Authorized Issuer Officer shall make a finding in writing determining that one or more of the conditions for sale, lease or disposition of property provided for in the second paragraph of this Section 5.07 have been met, and (b) if any of the property to be sold, leased or otherwise disposed of was financed in whole or in part with proceeds of Bonds (other than Taxable Bonds) that remain Outstanding then the Issuer shall obtain an opinion of Bond Counsel to the effect that such sale, lease or other disposition will not adversely affect the federal tax exempt status of interest on such Bonds or shall not otherwise affect the status of any such Bonds issued as Federal Subsidy Bonds or the Issuer's receipt of Federal Subsidy Payments with respect to said Outstanding Federal Subsidy Bonds; or (2) if the amount to be received from such sale, lease or other disposition of said property shall be in excess of five percent (5%) of the market value of the gross plant of the System, (a) an Authorized Issuer Officer and the Consulting Engineers shall each first make a finding in writing determining that one or more of the conditions for sale, lease or other disposition of property provided for in the second paragraph of this Section 5.07 have been met, (b) the Commission shall, by resolution, duly adopt, approve and concur in the finding of the Authorized Issuer Officer and the Consulting Engineers, and (c) the Issuer shall obtain an opinion of Bond Counsel to the effect that such sale, lease or other disposition is not in violation of the Act and will not adversely affect the federal tax exempt status of interest on the Bonds (other than Taxable Bonds) or shall not otherwise affect the status of any Outstanding Bonds issued as Federal Subsidy Bonds or the Issuer's receipt of Federal Subsidy Payments with respect to any Outstanding Federal Subsidy Bonds.

Except as otherwise required under applicable provisions of the Code, the proceeds from any such sale or other disposition shall be deposited, first, into the Renewal and Replacement Fund to the extent necessary to make the amount therein equal to the Renewal and Replacement Fund Requirement, and, second, into the Utility Reserve Fund. Proceeds from any lease of assets of the System shall constitute Gross Revenues and shall be deposited in the Revenue Fund.

The transfer of the System as a whole from the control of the Commission to some other board or authority created for the purpose of owning, operating or controlling the System and which constitutes a governmental entity, interest on obligations issued by which are excluded from gross income for purposes of Federal income taxation (other than obligations similar to Taxable Bonds or Federal Subsidy Bonds), shall not be deemed prohibited by this Section 5.07 and such successor board or authority shall fall within the definition of "Issuer" in Section 1.01 hereof.

Notwithstanding the foregoing provisions of this Section 5.07, the Issuer shall have the authority to sell for fair and reasonable consideration any land comprising a part of the System which is no longer necessary or useful in the operation of the System and the proceeds derived from the sale of such land shall be disposed of in accordance with the provisions of the fourth paragraph of this Section 5.07; provided, however, if any of the land to be sold was financed in whole or in part with proceeds of Bonds (other than Taxable Bonds) that remain Outstanding then the Issuer shall obtain an opinion of Bond Counsel to the effect that such sale will not adversely affect the federal tax exempt status of interest on such Bonds or shall not otherwise affect the status of any such Bonds issued as Federal Subsidy Bonds or the Issuer's receipt of Federal Subsidy Payments with respect to said Outstanding Federal Subsidy Bonds.

The Issuer may make contracts or grant licenses for the operation of, or grant easements or other rights with respect to, any part of the System if such contract, license, easement or right does not, in the opinion of the Consulting Engineers, as evidenced by a certificate to that effect filed with the Issuer, impede or restrict the operation by the Issuer of the System, but any payments to the Issuer under or in connection with any such contract, license, easement or right in respect of the System or any part thereof shall constitute Gross Revenues and shall be deposited in the Revenue Fund; provided, however, if that portion of the System was financed in whole or in part with proceeds of Bonds (other than Taxable Bonds) that remain Outstanding then the Issuer shall obtain an opinion of Bond Counsel to the effect that such action will not adversely affect the federal tax exempt status of interest on such Bonds or shall not otherwise affect the status of any such Bonds issued as Federal Subsidy Bonds or the Issuer's receipt of Federal Subsidy Payments with respect to said Outstanding Federal Subsidy Bonds.

SECTION 5.08. INSURANCE. The Issuer will carry such insurance as is ordinarily carried by private or public entities owning and operating utilities similar to the System with a reputable insurance carrier or carriers, in such amounts as the Issuer shall determine to be sufficient and such other insurance against loss or damage by fire, explosion, hurricane, tornado or other hazards and risks, and said property loss or damage insurance shall at all times be in an amount or amounts equal to the fair appraisal value of the buildings, properties, furniture, fixtures and equipment of the System, or such other amount or amounts as the Consulting Engineers or an insurance consultant who has a favorable reputation and experience and is qualified to survey risks and to recommend insurance coverage for Persons engaged in operations similar to the System, shall recommend or approve as sufficient.

The Issuer may establish certain levels of insurance for which the Issuer may self-insure. Such levels of insurance shall be in amounts as recommended by an insurance consultant who has a favorable reputation and experience and is qualified to survey risks and to recommend insurance coverage for Persons engaged in operations similar to the System.

The proceeds from property loss and casualty insurance shall be deposited in the Renewal and Replacement Fund or other appropriate fund or account, and, together with other available funds of the Issuer, shall be used to repair or replace the damaged portion of the System; provided, however, if the Issuer makes a determination in accordance with Section 5.07 hereof that such portion of the System is no longer necessary or useful in the operation of the System, such proceeds shall (1) if such proceeds equal or exceed $500,000, (a) be applied to the redemption or purchase of Bonds or (b) be deposited in irrevocable trust for the payment of Bonds in the manner set forth in Section 9.01, provided the Issuer has received an opinion of Bond Counsel to the effect that such deposit shall not adversely affect the exclusion, if any, from gross income of interest on the Outstanding Bonds for purposes of federal income taxation (other than Taxable Bonds) and will not otherwise affect the status of any Outstanding Bonds issued as Federal Subsidy Bonds or the Issuer's receipt of Federal Subsidy Payments with respect to any Outstanding Federal Subsidy Bonds, or (2) if such proceeds are less than $500,000, be deposited in the Revenue Fund.

SECTION 5.09. NO FREE SERVICE. The Issuer will not render or cause to be rendered any free services of any nature by its System, nor will any preferential rates be established for users of the same class; provided, however, the foregoing clause shall not be construed to prevent the Issuer from establishing various classes of users based on any factors deemed necessary or desirable by the Issuer. Different rates may be established for different classes. Whenever the Issuer, including its departments, agencies and instrumentalities, shall avail itself of the product, facilities or services provided by the System, or any part thereof, the same rates, fees or charges applicable to other customers receiving like services under similar circumstances shall be charged to the Issuer and any such department, agency or instrumentality. Such charges shall be paid as they accrue, and the Issuer shall transfer from its general funds to the Revenue Fund sufficient sums to pay such charges. The revenues so received shall be deemed to be Gross Revenues derived from the operation of the System, and shall be deposited and accounted for in the same manner as other Gross Revenues derived from such operation of the System.

SECTION 5.10. NO IMPAIRMENT OF RIGHTS. The Issuer will not enter into any contract or contracts, nor take any action, the results of which might impair the rights of the Holders of the Bonds in any material respect and will not permit or grant a franchise for the operation of any competing wastewater facilities in City of St. Pete Beach, Florida; provided, however, the Issuer reserves the right to permit the ownership and operation of wastewater facilities by itself or by others in any territory which is not then served by the System unless such franchise or permit will have a material adverse effect on the Issuer's ability to meet its obligations hereunder.

SECTION 5.11. COMPULSORY CONNECTIONS. In order better to secure the prompt payment of principal and interest on the Bonds, as well as for the purpose of protecting the health and welfare of the inhabitants of the Issuer, and acting under authority of the general laws of Florida, the Issuer, to the extent permitted by law, will require, where service by the System is available, the owner of every lot or parcel of land within the jurisdiction of the Issuer to connect to the wastewater facilities of the System. The Issuer may establish reasonable rules and regulations regarding such connections and may provide for reasonable exemptions from such connection policy.

SECTION 5.12. ENFORCEMENT OF CHARGES. The Issuer shall compel the prompt payment of rates, fees and charges imposed in connection with the System, and to that end will vigorously enforce all of the provisions of any ordinance or resolution of the Issuer having to do with wastewater connections and charges, and all of the rights and remedies permitted the Issuer under law, including the requirement for the making of a reasonable deposit by each user, the requirement for lawful disconnection of services for all premises delinquent in the payment of any duly invoiced bill, and the securing of injunction against the disposition of sewage or industrial waste into the wastewater facilities of the System by any premises delinquent in the payment of such charges.

SECTION 5.13. COVENANTS WITH CREDIT BANKS AND INSURERS. The Issuer may make such covenants as it may in its sole discretion determine to be appropriate with any Insurer, Credit Bank or other financial institution that shall agree to insure or to provide for Bonds of any one or more Series credit or liquidity support that shall enhance the security or the value of such Bonds. Such covenants may be set forth in the applicable Supplemental Resolution or in an agreement approved by Supplemental Resolution and shall be binding on the Issuer, the Registrar, the Paying Agent and all the Holders of Bonds the same as if such covenants were set forth in full in this Resolution and shall not diminish the security for any of the Bonds Outstanding.

SECTION 5.14. COLLECTION OF SPECIAL ASSESSMENTS. To the extent Gross Revenues include any Special Assessments Proceeds, the Issuer shall proceed diligently to perform legally and effectively all steps required in the imposition and collection of the Special Assessments. The Issuer shall diligently proceed to collect such Special Assessments and shall exercise all legally available remedies now or hereafter available under State law to enforce such collections.

SECTION 5.15. RE-ASSESSMENTS. To the extent Gross Revenues include any Special Assessments Proceeds, if any Special Assessment shall be either in whole or in part annulled, vacated or set aside by the judgment of any court, or if the Commission shall be satisfied that any such Special Assessment is so irregular or defective that the same cannot be enforced or collected, or if the Commission shall have omitted to make such Special Assessment when it might have done so, the Commission shall take all necessary steps to cause a new Special Assessment to be made for the whole or any part of said improvement or against any property benefitted by said improvement, and in case such second Special Assessment shall be annulled, said Commission shall obtain and make other Special Assessments until a valid Special Assessment shall be made.

SECTION 5.16. COLLECTION OF WASTEWATER CONNECTION FEES. The Issuer shall proceed diligently to perform legally and effectively all steps required in the collection of the Wastewater Connection Fees, if and only to the extent such Wastewater Connection Fees are levied by the Issuer. Upon the due date of any such Wastewater Connection Fees, the Issuer shall diligently proceed to collect the same and shall exercise all legally available remedies to enforce such collections now or hereafter available under State law. Notwithstanding any provision of this Section 5.17 to the contrary, the Issuer may waive the levy or collection of a Wastewater Connection Fee provided such waiver is in accordance with applicable law.

SECTION 5.17. CONSULTING ENGINEERS. The Issuer shall engage Consulting Engineers from time to time, whose duties shall be to make any certificates and perform any other acts required or permitted of the Consulting Engineers under this Resolution, and also to review the construction and operation of the System, to make an inspection of the System as requested by the Issuer from time to time, and to submit to the Issuer a report with recommendations as to the proper maintenance, repair and operation of the System, including recommendations for expansion and additions to the System to meet anticipated service demands, and an estimate of the amount of money necessary for such purposes. The Consulting Engineers shall, from time to time, recommend the amount of the Renewal and Replacement Fund Requirement. Copies of such reports, recommendations and estimates made as hereinabove provided shall be filed with the Issuer for inspection by Bondholders, if such inspection is requested.

SECTION 5.18. FEDERAL INCOME TAXATION COVENANTS; TAXABLE BONDS. The Issuer covenants with the Holders of each Series of Bonds (other than Taxable Bonds and Federal Subsidy Bonds) that it shall not use the proceeds of such Series of Bonds in any manner which would cause the interest on such Series of Bonds to be or become included in gross income for purposes of federal income taxation.

The Issuer covenants with the Holders of each Series of Bonds (other than Taxable Bonds) that neither the Issuer nor any Person under its control or direction will make any use of the proceeds of such Series of Bonds (or amounts deemed to be proceeds under the Code) in any manner which would cause such Series of Bonds to be "Arbitrage Bonds" within the meaning of the Code and neither the Issuer nor any other Person shall do any act or fail to do any act which would cause the interest on any Series of Bonds (other than

Taxable Bonds and Federal Subsidy Bonds) to become subject to inclusion within gross income for purposes of federal income taxation.

The Issuer hereby covenants with the Holders of each Series of Bonds (other than Taxable Bonds and Federal Subsidy Bonds) that it will comply with all provisions of the Code necessary to maintain the exclusion from gross income of interest on such Series of Bonds for purposes of federal income taxation, including, in particular, the payment of any amount required to be rebated to the U.S. Treasury pursuant to the Code.

The Issuer may, if it so elects, issue one or more Series of Taxable Bonds the interest on which is (or may be) includable in the gross income of the Holder thereof for federal income taxation purposes, so long as the issuance thereof will not cause interest on any other Bonds theretofore issued hereunder to be or become subject to federal income taxation. The covenants set forth in this Section 5.19 shall not apply to any Taxable Bonds.

SECTION 5.19. COVENANTS RELATING TO FEDERAL SUBSIDY BONDS. The Issuer covenants with respect to any Bonds issued as Federal Subsidy Bonds that it will:

(A) File, on a timely basis, Internal Revenue Service Form 8038-CP or such other form or forms required by the United States Department of Treasury to receive Federal Subsidy Payments in connection with any Bonds issued as Federal Subsidy Bonds.

(B) Deposit promptly the Federal Subsidy Payments received from the United States Department of Treasury, if any, to the Interest Account of the Sinking Fund to pay interest on the Federal Subsidy Bonds.

(C) Comply with all provisions of the Code, all Treasury Regulations promulgated thereunder, and any applicable notice, ruling or other formal interpretation issued by the United States Department of Treasury or the Internal Revenue Service, in order for the Bonds issued as Federal Subsidy Bonds to be and to remain Federal Subsidy Bonds.

(D) Not take any action, or fail to take any action, if any such action or failure to take such action would adversely affect the Issuer's receipt of Federal Subsidy Payments or the status of the Bonds issued as Federal Subsidy Bonds, or any portion thereof, as Federal Subsidy Bonds. The Issuer covenants that it will not directly or indirectly use or permit the use of any proceeds of Bonds issued as Federal Subsidy Bonds or any other of its funds or take or omit to take any action that would cause the Bonds issued as Federal Subsidy Bonds to be or become "arbitrage Bonds" within the meaning of Section 148(a) or to fail to meet any other applicable requirements of the Code.

ARTICLE VI
SUBORDINATED INDEBTEDNESS AND ADDITIONAL BONDS

SECTION 6.01. SUBORDINATED INDEBTEDNESS. The Issuer will not issue any other obligations, except under the conditions and in the manner provided herein, secured by or payable from the Pledged Funds or the Gross Revenues or any component thereof or voluntarily create or cause to be created any debt, lien, pledge, assignment, encumbrance or other charge having priority to or being on a parity with the lien thereon in favor of the Bonds and the interest thereon. The Issuer may at any time or from time to time issue evidences of indebtedness payable in whole or in part out of Pledged Funds and which may be secured by a pledge of Pledged Funds; provided, however, that such pledge shall be, and shall be expressed to be, subordinated in all respects to the pledge of the Pledged Funds created by this Resolution and provided further that the issuance of such Subordinated Indebtedness shall be subject to any provisions contained in financing documents securing outstanding Subordinated Indebtedness to the extent such provisions impact on the ability of the Issuer to issue Subordinated Indebtedness. The Issuer shall have the right to covenant with the holders from time to time of any Subordinated Indebtedness to add to the conditions, limitations and restrictions under which any Additional Bonds may be issued under the provisions of Section 6.02 hereof. The Issuer agrees to pay promptly any Subordinated Indebtedness as the same shall become due.

SECTION 6.02. ISSUANCE OF ADDITIONAL BONDS. No Additional Bonds, payable on parity with the Bonds then Outstanding pursuant to this Resolution, shall be issued except upon the conditions and in the manner herein provided. The Issuer may issue one or more Series of Additional Bonds for any one or more of the following purposes: (i) financing or refinancing the Cost of a Project, or the completion thereof, or (ii) refunding any or all Outstanding Bonds, any Subordinated Indebtedness of the Issuer, or any other indebtedness of the Issuer that it may lawfully refund with proceeds of Bonds.

No such Additional Bonds shall be issued unless the following conditions are complied with:

(A) Except in the case of Additional Bonds issued for the purpose of refunding Outstanding Bonds, the Issuer shall certify that it is current in all deposits into the various funds and accounts established hereby and all payments theretofore required to have been deposited or made by it under the provisions of this Resolution, including all due and payable Policy Costs, have been deposited or made, and the Issuer is in compliance with the covenants and agreements of this Resolution.

(B) The City Manager shall certify that the amount of the Net Revenues (excluding Investment Earnings with respect to the Construction Fund), Connection Fees and Fund Balance (for the immediately preceding Fiscal Year) received by the Issuer during the immediately preceding Fiscal Year or any 12 consecutive months selected by the Issuer of the 24 months immediately preceding the issuance of said Additional Bonds, adjusted as hereinafter provided, were equal to at least 125% of the Maximum Annual Debt Service of the Outstanding Bonds and the Additional Bonds then proposed to be issued, provided the amount of the Net Revenues, adjusted as hereinafter provided, received by the Issuer during such 12-month period, will be equal to (1) at least 115% of the Maximum Annual Debt Service of the Outstanding Bonds and the Additional Bonds then proposed to be issued, and (2) 100% of (a) any amounts required by the terms hereof to be deposited in the Reserve Account or with any issuer of a Reserve Account Letter of Credit or Reserve Account Insurance Policy to pay any Policy Costs and (b) any amounts required by the terms of Sections 4.06(A) and 4.07(A) hereof to be repaid to the Wastewater Connection Fees Fund, in each case during such 12-month period.

Notwithstanding the foregoing, so long as the Series 2015 Bond is Outstanding, the reference to "115%" in Section 6.02(B)(1) above shall mean "125%."

(C) For the purpose of determining the Debt Service under this Section 6.02, the interest rate on Additional Bonds that are proposed to be as Variable Rate Bonds shall be deemed to be the Bond Buyer Revenue Bond Index most recently published prior to the sale of such Additional Bonds.

(D) For the purpose of determining the Debt Service under this Section 6.02, the interest rate on Outstanding Variable Rate Bonds (not subject to a Qualified Hedge Agreement) shall be deemed to be (1) if such Variable Rate Bonds have been Outstanding for at least 12 months prior to the date of sale of such Additional Bonds, the higher of (a) the actual rate of interest borne by such Variable Rate Bonds on the date of sale, and (b) the average interest rate borne by such Variable Rate Bonds during the 12-month period preceding the date of sale, or (2) if such Variable Rate Bonds have not been Outstanding for at least 12 months prior to the date of sale of such Additional Bonds, the higher of (a) the actual rate of interest borne by the Variable Rate Bonds on the date of sale, and (b) the Bond Buyer Revenue Bond Index most recently published prior to the sale of such Additional Bonds.

(E) For the purpose of this Section 6.02, the phrases "12 consecutive months" or the "12-month period" shall mean the "immediately preceding Fiscal Year or any 12 consecutive months selected by the Issuer of the 24 months immediately preceding the issuance of said Additional Bonds."

(F) The Net Revenues and the Connection Fees calculated pursuant to the foregoing Section 6.02(B) may be adjusted upon the written advice of the Rate Consultant, at the option of the Issuer, as follows:

(1) If the Issuer, prior to the issuance of the proposed Additional Bonds, shall have increased the rates, fees or other charges for the product, services or facilities of the System, the Net Revenues and the Connection Fees for the 12

consecutive months shall be adjusted to show the Net Revenues and the Connection Fees which would have been derived from the System in such 12 consecutive months as if such increased rates, fees or other charges for the product, services or facilities of the System had been in effect during all of such 12 consecutive months.

(2) If the Issuer shall have acquired or has contracted to acquire any privately or publicly owned existing wastewater system that will become part of the System, the cost of which shall be paid from all or part of the proceeds of the issuance of the proposed Additional Bonds, then the Net Revenues derived from the System during the 12 consecutive months shall be increased by adding to the Net Revenues for said 12 consecutive months the Net Revenues which would have been derived from said existing wastewater system as if such existing wastewater system had been a part of the System during such 12 consecutive months. For the purposes of this paragraph, the Net Revenues derived from said existing wastewater system during such 12 consecutive months shall be adjusted to determine such Net Revenues by deducting the cost of operation and maintenance of said existing wastewater system from the gross revenues of said system. Such Net Revenues shall take into account any increase in rates imposed on customers of such wastewater system on or prior to the acquisition thereof by the Issuer.

(3) If the Issuer, in connection with the issuance of Additional Bonds, shall enter into a contract (with a duration not less than the final maturity of such Additional Bonds) with any public or private entity whereby the Issuer agrees to furnish services in connection with any wastewater system, then the Net Revenues of the System during the 12 consecutive months immediately preceding the issuance of said Additional Bonds shall be increased by the least amount which said public or private entity shall guarantee to pay in any one year for the furnishing of said services by the Issuer, after deducting therefrom the proportion of operating expenses and repair, renewal and replacement cost attributable in such year to such services.

(4) If the Issuer covenants to levy Special Assessments against property to be benefitted by the improvements, the cost of which shall be paid from the proceeds of the proposed Additional Bonds, then the Special Assessments Proceeds (which have been or are expected to be pledged as Gross Revenues hereunder) derived from the System during the 12 consecutive months shall be increased by an amount equal to the least amount which the Rate Consultant estimates will be received in any one year subsequent to completion of such improvements from the levy of said Special Assessments, said amount to be the total received, assuming no prepayments, from the installment payments on the Special Assessments plus the interest paid on the unpaid portion of the Special Assessments. The estimate of the Rate Consultant shall be based upon the preliminary assessment roll filed with the Issuer prior to the construction of such improvements.

(5) In the event the Issuer shall be constructing or acquiring additions, extensions or improvements to the System from the proceeds of such Additional Bonds and shall have established fees, rates or charges to be charged and collected from users of such facilities when service is rendered, such Net Revenues and Connection Fees may be adjusted by adding thereto 100% of the Net Revenues and Connection Fees estimated by the Rate Consultant to be derived during the first 12 months of operation after completion of the construction or acquisition of said additions, extensions and improvements from the customers of the facilities to be financed by Additional Bonds together with other funds on hand or lawfully obtained for such purpose; provided such customers must represent existing occupied structures that will be added to the System upon completion of the proposed additions, extensions or improvements.

(6) If the Issuer shall add new customers subsequent to the commencement of the 12 consecutive month period, the Rate Consultant may adjust the Net Revenues and Connection Fees to reflect the Net Revenues and Connection Fees that would have been received by the Issuer if such customers had been in place for the entire 12 consecutive months.

(7) The Net Revenues and Connection Fees shall be adjusted for any period the System or any portion thereof was not owned by the Issuer to reflect government ownership of the System or such portion.

(G) Additional Bonds shall be deemed to have been issued pursuant to this Resolution the same as the Outstanding Bonds, and all of the other covenants and other provisions of this Resolution (except as to details of such Additional Bonds inconsistent therewith) shall be for the equal benefit, protection and security of the Holders of all Bonds issued pursuant to this Resolution. Except as provided in Sections 4.02 and 4.05 hereof, all Bonds, regardless of the time or times of their issuance, shall rank equally with respect to their lien on the Pledged Funds and their sources and security for payment therefrom without preference of any Bonds over any other.

(H) In the event any Additional Bonds are issued for the purpose of refunding any Bonds then Outstanding, the conditions of Section 6.02(B) shall not apply, provided that the issuance of such Additional Bonds shall result in a reduction of the aggregate debt service. The conditions of Section 6.02(B) shall apply to Additional Bonds issued to refund Subordinated Indebtedness and to Additional Bonds issued for refunding purposes which cannot meet the conditions of this paragraph.

SECTION 6.03. ANTICIPATION BONDS. The Issuer may issue Bonds in anticipation of the issuance of Bonds which shall have such terms and details and be secured in such manner, not inconsistent with this Resolution, as shall be provided by Supplemental Resolution of the Issuer.

SECTION 6.04. ACCESSION OF SUBORDINATED INDEBTEDNESS TO PARITY STATUS WITH BONDS. The Issuer may provide for the accession of Subordinated Indebtedness to the status of complete parity with the Bonds, if (A) the Issuer shall meet all the requirements imposed upon the issuance of Additional Bonds by Sections 6.02(A) and (B) hereof, assuming for purposes of said requirements, that such Subordinated Indebtedness shall be Additional Bonds, (B) the facilities financed or refinanced by such Subordinated Indebtedness shall be, or become part of, the System, and (C) if such Subordinated Indebtedness will be secured in any manner by the Reserve Account or a subaccount therein, the Reserve Account, upon such accession, shall contain an amount equal to the Reserve Account Requirement in accordance with Section 4.05(B)(4) hereof. If the aforementioned conditions are satisfied, the Subordinated Indebtedness shall be deemed to have been issued pursuant to this Resolution the same as the Outstanding Bonds, and such Subordinated Indebtedness shall be considered Bonds for all purposes provided in this Resolution.

ARTICLE VII
DEFAULTS AND REMEDIES

SECTION 7.01. EVENTS OF DEFAULT. The following events shall each constitute an "Event of Default":

(A) Default shall be made in the payment of the principal of, Sinking Fund Installment, redemption premium or interest on any Bond when due. In determining whether a payment default has occurred, no effect shall be given to payment made under a Bond Insurance Policy.

(B) There shall occur the dissolution or liquidation of the Issuer, or the filing by the Issuer of a voluntary petition in bankruptcy, or the commission by the Issuer of any act of bankruptcy, or adjudication of the Issuer as a bankrupt, or assignment by the Issuer for the benefit of its creditors, or appointment of a receiver for the Issuer, or the entry by the Issuer into an agreement of composition with its creditors, or the approval by a court of competent jurisdiction of a petition applicable to the Issuer in any proceeding for its reorganization instituted under the provisions of the Federal Bankruptcy Act, as amended, or under any similar act in any jurisdiction which may now be in effect or hereafter enacted.

(C) Except as otherwise provided herein, the Issuer shall default in the due and punctual performance of any other of the covenants, conditions, agreements and provisions contained in the Bonds or in this Resolution on the part of the Issuer to be performed, and such default shall continue for a period of 90 days after written notice of such default shall have been received from the Holders of not less than 25% of the aggregate principal amount of Bonds Outstanding. Notwithstanding the foregoing, the Issuer shall not be deemed to be in default hereunder if such default can be cured within a reasonable period of time and if the Issuer in good faith institutes appropriate curative action and diligently pursues such action until default has been corrected.

SECTION 7.02. REMEDIES. Any Holder of Bonds issued under the provisions of this Resolution or any trustee or receiver acting for such Bondholders may either at law or in equity, by suit, action, mandamus or other proceedings in any court of competent jurisdiction, protect and enforce any and all rights under the Laws of the State of Florida, or granted and contained in this Resolution, and may enforce and compel the performance of all duties required by this Resolution or by any applicable statutes to be performed by the Issuer or by any officer thereof; provided, however, that no Holder, trustee or receiver shall have the right to declare the Bonds immediately due and payable without the consent of any affected Insurers except to the extent the acceleration of any Variable Rate Bonds secured by a Credit Facility is provided for in a Supplemental Resolution or other documentation relating to such Credit Facility, the provisions of which are approved by the Insurers.

The Holder or Holders of Bonds in an aggregate principal amount of not less than 25% of the Bonds then Outstanding may by a duly executed certificate in writing appoint a trustee for Holders of Bonds issued pursuant to this Resolution with authority to represent such Bondholders in any legal proceedings for the enforcement and protection of the rights of such Bondholders and such certificate shall be executed by such Bondholders or their duly authorized attorneys or representatives, and shall be filed in the office of the Clerk. Notice of such appointment, together with evidence of the requisite signatures of the Holders of not less than 25% in aggregate principal amount of Bonds Outstanding and the trust instrument under which the trustee shall have agreed to serve shall be filed with the Issuer and the trustee and notice of such appointment shall be given to all Holders of Bonds in the same manner as notices of redemption are given hereunder. After the appointment of the first trustee hereunder, no further trustees may be appointed; however, the Holders of a majority in aggregate principal amount of all the Bonds then Outstanding may remove the trustee initially appointed and appoint a successor and subsequent successors at any time.

SECTION 7.03. DIRECTIONS TO TRUSTEE AS TO REMEDIAL PROCEEDINGS. The Holders of a majority in principal amount of the Bonds then Outstanding (or any Insurer insuring any then Outstanding Bonds) have the right, by an instrument or concurrent instruments in writing executed and delivered to the trustee, to direct the method and place of conducting all remedial proceedings to be taken by the trustee hereunder with respect to the Series of Bonds owned by such Holders or insured by such Insurer, provided that such direction shall not be otherwise than in accordance with law or the provisions hereof, and that the trustee shall have the right to decline to follow any direction which in the opinion of the trustee would be unjustly prejudicial to Holders of Bonds not parties to such direction.

SECTION 7.04. REMEDIES CUMULATIVE. No remedy herein conferred upon or reserved to the Bondholders is intended to be exclusive of any other remedy or remedies, and each and every such remedy shall be cumulative, and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute.

SECTION 7.05. WAIVER OF DEFAULT. No delay or omission of any Bondholder to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default, or an acquiescence therein; and every power and remedy given by Section 7.02 to the Bondholders may be exercised from time to time, and as often as may be deemed expedient.

SECTION 7.06. APPLICATION OF MONEYS AFTER DEFAULT. If an Event of Default shall happen and shall not have been remedied, the Issuer or a trustee or receiver appointed for the purpose shall apply all Pledged Funds (except as for amounts in the subaccounts of the Reserve Account which shall be applied to the payment of the Series of Bonds for which they were established) as follows and in the following order:

A. To the payment of the reasonable and proper charges, expenses and liabilities of the trustee or receiver and Registrar hereunder;

B. To the payment of the amounts required for reasonable and necessary Operating Expenses, and for the reasonable renewals, repairs and replacements of the System necessary to prevent loss of Gross Revenues, as certified by the Consulting Engineer;

C. To the payment of the interest (including Hedge Payments) and principal or Redemption Price, if applicable, then due on the Bonds, as follows:

(1) Unless the principal of all the Bonds shall have become due and payable, all such moneys shall be applied:

FIRST: to the payment to the Persons entitled thereto of all installments of interest (including Hedge Payments) then due, in the order of the maturity of such installments, and, if the amount available shall not be sufficient to pay in full any particular installment, then to the payment ratably, according to the amounts due on such installment, to the Persons entitled thereto, without any discrimination or preference;

SECOND: to the payment to the Persons entitled thereto of the unpaid principal of any of the Bonds which shall have become due at maturity or upon mandatory redemption prior to maturity (other than Bonds called for redemption for the payment of which moneys are held pursuant to the provisions of Section 9.01 of this Resolution), in the order of their due dates, with any accrued and unpaid interest upon such Bonds from the respective dates upon which they became due, and, if the amount available shall not be sufficient to pay in full Bonds due on any particular date, together with any accrued and unpaid interest, then to the payment first of such interest, ratably according to the amount of such interest due on such date, and then to the payment of such principal, ratably according to the amount of such principal due on such date, to the Persons entitled thereto without any discrimination or preference; and

THIRD: to the payment of the Redemption Price of any Bonds called for optional redemption pursuant to the provisions of this Resolution plus any accrued and unpaid interest.

(2) If the principal of all the Bonds shall have become due and payable, all such moneys shall be applied to the payment of the principal and interest (including Hedge Payments) then due and unpaid upon the Bonds, with interest thereon as aforesaid, without preference or priority of principal over interest or of interest over principal, or of any installment of interest over any other installment of

interest, or of any Bond over any other Bond, ratably, according to the amounts due respectively for principal and interest, to the Persons entitled thereto without any discrimination or preference.

D. To the payment of all amounts owed to the Insurers and Credit Banks not covered by A, B or C above and all amounts owed to Counterparties not covered by A, B or C above on a pro rata basis.

SECTION 7.07. CONTROL BY INSURER. To the extent an Insurer makes any payment of principal of or interest on Bonds in accordance with its Bond Insurance Policy, such Insurer shall become subrogated to the rights of the recipients of such payments in accordance with the terms of its Bond Insurance Policy. Upon the occurrence and continuance of an Event of Default, an Insurer of a Series of Bonds, if such Insurer shall not be in payment default under its Bond Insurance Policy, shall be deemed to be the sole owner of such Bonds for purposes of (A) directing and controlling the enforcement of all rights and remedies with respect to such Series of Bonds, including any waiver of an Event of Default and removal of any trustee, and (B) exercising any voting right or privilege or giving any consent or direction or taking any other action that the Holders of such Bonds are entitled to take pursuant to this Article VII hereof. No provision expressly recognizing or granting rights in or to an Insurer shall be modified without the consent of such Insurer. An Insurer's rights under this Section 7.07 shall be suspended during any period in which such Insurer is in default in its payment obligations under its Bond Insurance Policy (except to the extent of amounts previously paid by such Insurer and due and owing to such Insurer) and shall be of no force or effect if its Bond Insurance Policy is no longer in effect or if the Insurer asserts that its Bond Insurance Policy is not in effect or if the Insurer waives such rights in writing. The rights granted to an Insurer under this Section 7.07 are granted in consideration of such Insurer issuing its Bond Insurance Policy. The Issuer shall provide each Insurer immediate notice of any Event of Default described in Section 7.01(A) hereof and notice of any other Event of Default occurring hereunder within 30 days of the occurrence thereof. Each Insurer of any Bonds hereunder shall be considered a third-party beneficiary to the Resolution with respect to such Bonds.

ARTICLE VIII
SUPPLEMENTAL RESOLUTIONS

SECTION 8.01. SUPPLEMENTAL RESOLUTION WITHOUT BONDHOLDERS' CONSENT. The Issuer, from time to time and at any time, may adopt such Supplemental Resolutions without the consent of the Bondholders (which Supplemental Resolution shall thereafter form a part hereof) for any of the following purposes:

(A) To cure any ambiguity or formal defect or omission or to correct any inconsistent provisions in this Resolution or to clarify any matters or questions arising hereunder.

(B) To grant to or confer upon the Bondholders any additional rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the Bondholders.

(C) To add to the conditions, limitations and restrictions on the issuance of Bonds under the provisions of this Resolution other conditions, limitations and restrictions thereafter to be observed.

(D) To add to the covenants and agreements of the Issuer in this Resolution other covenants and agreements thereafter to be observed by the Issuer or to surrender any right or power herein reserved to or conferred upon the Issuer.

(E) To specify and determine the matters and things referred to in Sections 2.01 or 2.02 hereof, including the issuance of Additional Bonds, and also any other matters and things relative to such Additional Bonds which are not contrary to or inconsistent with this Resolution as theretofore in effect, or to amend, modify or rescind any such authorization, specification or determination at any time prior to the first delivery of such Additional Bonds.

(F) To authorize Projects or to change or modify the description of any Project.

(G) To specify and determine matters necessary or desirable for the issuance of Variable Rate Bonds, Federal Subsidy Bonds or Capital Appreciation Bonds.

(H) To provide for the establishment of a separate subaccount or subaccounts in the Reserve Account which shall independently secure one or more Series of Bonds.

(I) To make any other change that, in the opinion of the Issuer, would not materially adversely affect the interests of the Holders of the Bonds. In making such determination, the Issuer shall not take into consideration any Bond Insurance Policy.

SECTION 8.02. SUPPLEMENTAL RESOLUTION WITH BONDHOLDERS', INSURERS' AND CREDIT BANKS' CONSENTS. Subject to the terms and provisions contained in this Section 8.02 and Sections 8.01 and 8.03 hereof, the Holder or Holders of not less than a majority in aggregate principal amount of the Bonds then Outstanding shall have the right, from time to time, anything contained in this Resolution to the contrary notwithstanding, to consent to and approve the adoption of such Supplemental Resolutions hereto as shall be deemed necessary or desirable by the Issuer for the purpose of supplementing, modifying, altering, amending, adding to or rescinding, in any particular, any of the terms or provisions contained in this Resolution; provided, however, that if such modification or amendment will, by its terms, not take effect so long as any Bonds of any specified Series or maturity remain Outstanding, the consent of the Holders of such Bonds shall not be required and such Bonds shall not be deemed to be Outstanding for the purpose of any calculation of Outstanding Bonds under this Section 8.02. Any Supplemental Resolution which is adopted in accordance with the provisions of this Section 8.02 shall also require the written consent of any Credit Bank that has provided a Credit Facility and the Insurer of any Bonds which are Outstanding at the time such Supplemental Resolution shall take effect if such Insurer and Credit Bank are not in payment default under their Bond Insurance Policy or Credit Facility, as the case may be. No Supplemental Resolution may be approved or adopted which shall permit or require, without the consent of all affected Bondholders, (A) an extension of the maturity of the principal of or the payment of the interest on any Bond issued hereunder, (B) reduction in the principal amount of any Bond or the Redemption Price or the rate of interest thereon, (C) the creation of a lien upon or a pledge of the Pledged Funds other than the lien and pledge created by this Resolution, or except as otherwise permitted or provided hereby, which materially adversely affects any Bondholders, (D) a preference or priority of any Bond or Bonds over any other Bond or Bonds (except as to the establishment of separate subaccounts in the Reserve Account provided in Section 4.05(B)(4) hereof), or (E) a reduction in the aggregate principal amount of the Bonds required for consent to such Supplemental Resolution. Nothing herein contained, however, shall be construed as making necessary the approval by Bondholders or the Insurers or the Credit Banks of the adoption of any Supplemental Resolution as authorized in Section 8.01 hereof.

If at any time the Issuer shall determine that it is necessary or desirable to adopt any Supplemental Resolution pursuant to this Section 8.02, the Clerk shall cause the Registrar to give notice of the proposed adoption of such Supplemental Resolution and the form of consent to such adoption to be mailed, postage prepaid, to all Bondholders at their addresses as they appear on the registration books. Such notice shall briefly set forth the nature of the proposed Supplemental Resolution and shall state that copies thereof are on file at the offices of the Clerk and the Registrar for inspection by all Bondholders. The Issuer shall not, however, be subject to any liability to any Bondholder by reason of its failure to cause the notice required by this Section 8.02 to be mailed and any such failure shall not affect the validity of such Supplemental Resolution when consented to and approved as provided in this Section 8.02.

Whenever the Issuer shall deliver to the Clerk an instrument or instruments in writing purporting to be executed by the Holders of not less than a majority in aggregate principal amount of the Bonds then Outstanding, which instrument or instruments shall refer to the proposed Supplemental Resolution described in such notice and shall specifically consent to and approve the adoption thereof in substantially the form of the copy thereof referred to in such notice, thereupon, but not otherwise, the Issuer may adopt such Supplemental Resolution in substantially such form, without liability or responsibility to any Holder of any Bond, whether or not such Holder shall have consented thereto.

If the Holders of not less than a majority in aggregate principal amount of the Bonds Outstanding at the time of the adoption of such Supplemental Resolution shall have consented to and approved the adoption thereof as herein provided, no Holder of any Bond shall have any right to object to the adoption of such Supplemental Resolution, or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Issuer from adopting the same or from taking any action pursuant to the provisions thereof.

Upon the adoption of any Supplemental Resolution pursuant to the provisions of this Section 8.02, this Resolution shall be deemed to be modified and amended in accordance therewith, and the respective rights, duties and obligations under this Resolution of the Issuer and all Holders of Bonds then Outstanding shall thereafter be determined, exercised and enforced in all respects under the provisions of this Resolution as so modified and amended.

Notwithstanding any other provision of this Section 8.02, Holders of Bonds shall be deemed to have provided consent pursuant to this Section 8.02 if the offering document for such Bonds expressly describes the Supplemental Resolution and the amendments to this Resolution contained therein and states by virtue of the Holders' purchase of such Bonds the Holders are deemed to have notice of, and consented to, such Supplemental Resolution and amendments.

SECTION 8.03. AMENDMENT WITH CONSENT OF INSURERS AND CREDIT BANKS ONLY. For purposes of amending this Resolution pursuant to Section 8.02 hereof, an Insurer of Bonds and the Credit Bank providing a Credit Facility shall be considered the Holder of such Bonds which it has insured or provided a Credit Facility. The consent of the Holders of such Bonds shall not be required if the Insurer of such Bonds and any such Credit Bank shall consent to the amendment as provided by this Section 8.03 and such Insurer and Credit Bank is not in default with respect to its obligations under its Bond Insurance Policy or Credit Facility. At least 15 days prior to adoption of any amendment made pursuant to this Section 8.03, notice of such amendment shall be delivered to the Rating Agencies rating the Bonds. Upon filing with the Clerk of evidence of such consent the Insurers and Credit Banks as aforesaid, the Issuer may adopt such Supplemental Resolution. After the adoption by the Issuer of such Supplemental Resolution, notice thereof shall be mailed in the same manner as notices of an amendment under Section 8.03 hereof. Notwithstanding the foregoing, the consent of all affected Bondholders shall still be required with respect to any amendment set forth in Clauses (A), (B), (C), (D) or (E) in the first paragraph of Section 8.02 hereof.

ARTICLE IX
DEFEASANCE

SECTION 9.01. DEFEASANCE. If (A) the Issuer shall pay or cause to be paid or there shall otherwise be paid to the Holders of any Series of Bonds the principal and interest or Redemption Price, plus accrued interest, due or to become due thereon, at the times and in the manner stipulated therein and in this Resolution, and (B) the Issuer shall pay all Policy Costs owing to any provider of a Reserve Account Letter of Credit or Reserve Account Insurance Policy and all amounts owing to the Insurers and Credit Banks, then all covenants, agreements and other obligations of the Issuer to the holders of such Series of Bonds, shall thereupon cease, terminate and become void and be discharged and satisfied. In such event, the Paying Agents shall pay over or deliver to the Issuer all money or securities held by them pursuant to this Resolution which are not required for payment or redemption of any Series of Bonds not theretofore surrendered for such payment or redemption.

Any Bonds or interest installments appertaining thereto shall be deemed to have been paid within the meaning of this Section 9.01 if (i) in case any such Bonds are to be redeemed prior to the maturity thereof, there shall have been taken all action necessary to call such Bonds for redemption and notice of such redemption shall have been duly given or provision shall have been made for the giving of such notice, and (ii) there shall have been deposited in irrevocable trust with a banking institution or trust company by or on behalf of the Issuer either moneys in an amount which shall be sufficient, or Refunding Securities verified by an independent certified public accountant or nationally recognized company that provides verification services for municipal bonds to be in such amount that the principal of and the interest on or Redemption Price thereof which when due will provide moneys which, together with the moneys, if any, deposited with such banking institution or trust company at the same time shall be sufficient, to pay the principal of, premium, if any, and interest due and to become due on said Bonds through and including the maturity date and/or redemption date, as applicable, thereof. Except as hereafter provided, neither the Refunding Securities nor any moneys so deposited with such banking institution or trust company nor any moneys received by such bank or trust company on account of principal of or Redemption Price, if applicable, or interest on said Refunding Securities shall be withdrawn or used for any purpose other than, and all such moneys shall be held in trust for and be applied to, the payment, when due, of the principal of or Redemption Price of the Bonds for the payment of which they were deposited and the interest accruing thereon to the date of maturity and/or redemption date, as applicable; provided, however, the Issuer may substitute new Refunding Securities and moneys for the deposited Refunding Securities and moneys if the new Refunding Securities and moneys are sufficient to pay the principal of and interest on or Redemption Price of the refunded Bonds.

For purposes of determining whether Variable Rate Bonds shall be deemed to have been paid prior to the maturity or the redemption date thereof, as the case may be, by the deposit of moneys, or specified Refunding Securities and moneys, if any, in accordance with this Section 9.01, the interest to come due on such Variable Rate Bonds on or prior to the maturity or redemption date thereof, as the case may be, shall be calculated at the Maximum Interest Rate; provided, however, that if on any date, as a result of such Variable Rate Bonds having borne interest at less than the Maximum Interest Rate for any period, the total amount of moneys and specified Refunding Securities on deposit for the payment of interest on such Variable Rate Bonds is in excess of the total amount which would have been required to be deposited on such date in respect of such Variable Rate Bonds in order to satisfy this Section 9.01, such excess shall be paid to the Issuer free and clear of any trust, lien, pledge or assignment securing the Bonds or otherwise existing under this Resolution.

If Bonds are not to be redeemed or paid within 60 days after any such defeasance described in this Section 9.01, the Issuer shall cause the Registrar to mail a notice to the Holders of such Bonds that the deposit required by this Section 9.01 of moneys or Refunding Securities has been made and said Bonds are deemed to be paid in accordance with the provisions of this Section 9.01 and stating such maturity date and/or redemption date, as applicable, upon which moneys are to be available for the payment of the principal of and interest on or Redemption Price of said Bonds. Failure to provide said notice shall not affect the Bonds being deemed to have been paid in accordance with the provisions of this Section 9.01.

Nothing herein shall be deemed to require the Issuer to call any of the Outstanding Bonds for redemption prior to maturity pursuant to any applicable optional redemption provisions, or to impair the discretion of the Issuer in determining whether to exercise any such option for early redemption.

Notwithstanding anything herein to the contrary, in the event that the principal of or interest due on the Bonds shall be paid by an Insurer or Insurers, such Bonds shall remain Outstanding, shall not be defeased or otherwise satisfied and shall not be considered paid by the Issuer, and the pledge of the Pledged Funds and all covenants, agreements and other obligations of the Issuer to the Bondholders shall continue to exist and such Insurer or Insurers shall be subrogated to the rights of such Bondholders.

ARTICLE X
PROVISIONS RELATING TO SERIES 2015 BOND

SECTION 10.01. OPTIONAL REDEMPTION OF SERIES 2015 BOND. The Series 2015 Bond shall not be subject to optional redemption prior to May 1, 2020. On and after May 1, 2020, the Series 2015 Bond may be redeemed, at the option of the Issuer, from any moneys legally available therefor, in whole or in part on any Interest Date, and, if in part, in principal amounts no less than $100,000, by paying to the holder of the Series 2015 Bond the principal portion of the Series 2015 Bond to be redeemed, together with the unpaid interest accrued on such principal amount to the date of such redemption, at a Redemption Price equal to the principal amount of the Series 2015 Bond to be redeemed, plus accrued interest to the redemption date, without premium.

Notwithstanding the provisions of Section 3.03 hereof, each redemption of the Series 2015 Bond shall be made on such date and in such principal amount as shall be specified by the Issuer in a written notice delivered to the holder of the Series 2015 Bond not less than ten (10) days prior thereto specifying the principal amount of the Series 2015 Bond to be redeemed and the date of such redemption. So long as the Issuer provides such notice of redemption, the provisions of Section 3.03 of this Resolution shall not apply with respect to the Series 2015 Bond.

SECTION 10.02. MANDATORY SINKING FUND REDEMPTION OF SERIES 2015 BOND. The Series 2015 Bond is subject to mandatory redemption prior to maturity, in part by lot, at a redemption price equal to par plus interest accrued to the redemption date, in the following principal amounts in the years specified from Sinking Fund Installments payable on May 1 of the following years, commencing May 1, 2016, in the amounts to be determined by the City Manager and approved by the Purchaser and set forth in the Series 2015 Bond.

The Issuer shall not be required to provide the holder of the Series 2015 Bond any notice of the payment of any scheduled Sinking Fund Installments.

SECTION 10.03. APPLICATION OF SERIES 2015 BOND PROCEEDS. Subject in all respects to the satisfaction of the conditions set forth in Section 2.02 hereof, the proceeds derived from the sale of the Series 2015 Bond shall be applied by the Issuer simultaneously with the delivery thereof as follows:

(A) A sufficient amount of Series 2015 Bond proceeds shall be deposited to the Series 2015 Project Account of the Construction Fund and shall be applied in accordance with the provisions hereof to pay Costs of the acquisition, construction, and equipping of the Series 2015 Project. Such deposited amounts may be used to reimburse the Issuer for any moneys previously expended by the issuer for Costs of the Series 2015 Project so long as the Issuer complies with the applicable provisions of the Code regarding reimbursement.

(B) The remainder of the proceeds of the Series 2015 Bond shall be applied to the payment of costs and expenses relating to the issuance of the Series 2015 Bond.

SECTION 10.04. APPOINTMENT OF PAYING AGENT AND REGISTRAR. Subject in all respects to the satisfaction of the conditions set forth in Section 2.02, hereof, the Issuer, acting through the City Manager's office, is hereby designated Registrar and Paying Agent for the Series 2015 Bond. The City Manager is hereby authorized to execute and deliver and the Clerk is authorized to attest any agreements prepared by Bond Counsel and reviewed by the City Attorney that are necessary to engage the Paying Agent and Registrar.

SECTION 10.05. PROVISION OF FINANCIAL INFORMATION. While the Series 2015 Bond is Outstanding, a copy of the Annual Audit for each Fiscal Year shall be furnished to the Bank within 30 days after approval thereof by the Commission and a copy of the Annual Budget for each Fiscal Year shall be furnished to the Bank within 30 days of its adoption. The Issuer shall also provide the Purchaser with such other information as it reasonably requests from time to time.

ARTICLE XI
MISCELLANEOUS

SECTION 11.01. CAPITAL APPRECIATION BONDS. For the purposes of (A) receiving payment of the Redemption Price if a Capital Appreciation Bond is redeemed prior to maturity, or (B) receiving payment of a Capital Appreciation Bond if the principal of all Bonds becomes due and payable under the provisions of this Resolution, or (C) computing the amount of Bonds held by the Holder of a Capital Appreciation Bond in giving to the Issuer or any trustee or receiver appointed to represent the Bondholders any notice, consent, request or demand pursuant to this Resolution for any purpose whatsoever, the principal amount of a Capital Appreciation Bond shall be deemed to be its Accreted Value.

SECTION 11.02. SALE OF BONDS. The Bonds shall be issued and sold at public or private sale at one time or in installments from time to time and at such price or prices as shall be consistent with the provisions of the Act, the requirements of this Resolution and other applicable provisions of law.

SECTION 11.03. SEVERABILITY OF INVALID PROVISIONS. If any one or more of the covenants, agreements or provisions of this Resolution shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements and provisions of this Resolution and shall in no way affect the validity of any of the other covenants, agreements or provisions hereof or of the Bonds issued hereunder.

SECTION 11.04. VALIDATION AUTHORIZED. To the extent deemed necessary by Bond Counsel or desirable by the City Attorney, Bond Counsel is authorized to institute appropriate proceedings for validation of a Series of Bonds herein authorized pursuant to Chapter 75, Florida Statutes.

SECTION 11.05. REPEAL OF INCONSISTENT RESOLUTIONS. All ordinances, resolutions or parts thereof in conflict herewith are hereby superseded and repealed to the extent of such conflict.

SECTION 11.06. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

DULY ADOPTED this 14th day of April, 2015.

CITY OF ST. PETE BEACH, FLORIDA

(SEAL)

By:_______________________________________
Maria Lowe, Mayor

ATTEST:

____
Rebecca C. Haynes, City Clerk

EXHIBIT A

GENERAL DESCRIPTION OF THE SERIES 2015 PROJECT

A complete description of the Project is set forth in the records of the City. The Project generally includes the various capital improvements related to the following:

- Blind Pass Road improvements (75th Avenue to Gulf Boulevard)
- Phase I and II of the Pass-A-Grille Way improvements
- Force Main 3 improvements
- Pump Station 3 improvements

EXHIBIT B

PURCHASER'S PROPOSAL

CenterState
BANK

March 11, 2015

Ms. Elaine Edmunds
Administrative Services Director
City of St. Pete Beach
155 Corey Avenue, 1st Floor
St. Pete Beach, FL 33706

Jeffrey T. Larson, President
Larson Consulting Services, LLC.
10151 University Blvd., #117
Orlando, FL 32817

Dear Ms. Edmunds and Mr. Larson:

It is our pleasure to advise you that CenterState Bank of Florida, N.A. (hereinafter referred to as "Bank") has approved your loan subject to the following terms and conditions.

It is the Borrower(s) responsibility to read this Commitment carefully and retain a copy for purposes of diligently meeting all conditions outlined herein on or before the expiration date(s) specified herein. All provisions and conditions of this Commitment must be met to the Bank's and/or its Counsel's approval and satisfaction in their sole discretion. Please review this Commitment and any attachments hereto, which further govern the conditions of the Commitment.

BORROWER: The City of St. Pete Beach, Florida

LOAN AMOUNT: $5,000,000

It is understood that the City may have a credit requirement up to an amount of $5,500,000. The subject commitment is for an amount not to exceed $5,000,000, however, the Bank is willing to explore increasing its commitment to the City. Any commitment above the proposed $5,000,000 Note amount would require the bank to approve an increased commitment amount and any notification of such would be provided under a separate commitment document.

MATURITY DATE:

May 1, 2030 – 15 Year Repayment Term Option
May 1, 2035 – 20 Year Repayment Term Option

COLLATERAL: The Waste Water Utility System Revenue Note will be an obligation of the City, secured by a senior lien on the City's Waste Water Utility Revenues.

REPAYMENT TERMS:

Option 1 – 15 Year Term: Semi-Annual interest payments due on May 1 and November 1 of each year (beginning on November 1, 2015) and annual principal payments due on May 1 of each year (beginning on May 1, 2016). Final payment to be made on May 1, 2030.

Option 2 – 20 Year Term: Semi-Annual interest payments due on May 1 and November 1 of each year (beginning on November 1, 2015) and annual principal payments due on May 1 of each year (beginning on May 1, 2016). Final payment to be made on May 1, 2035.

INTEREST RATE

The following table represents the Non-Bank Qualified Rate (Tax Exempt) for each of the above mentioned options based on today's interest rates and adding the Bank's required spread of 1.50% over LIBOR:

Structure	Indicative With Symmetrical Prepay (1,2)	Indicative No-Call 5- years (1,3)	Maintained Rate With Symmetrical Prepay (2,4)	Maintained No-Call 5- years (3,4)
Option 1 – 15 Year Term	3.29%	3.64%	3.43%	3.78%
Option 2 – 20 Year Term	3.41%	3.84%	3.59%	4.02%

(1) Rates are indicative and can be locked upon the execution of a Forward Rate Lock Agreement.
(2) The Borrower may make principle reduction payments (and any instance of a principal reduction must be $100,000.00 or greater) subject to a symmetrical "break-funding" provision.
(3) Prepayment prohibited in the first 5 years, thereafter prepayment permited on scheduled interest payment dates without cost or benefit.
(4) Fixed rate will be maintained as quoted above until March 24.

PURPOSE OF LOAN:

To fund approximately $5,000,000 in Wast Water Utility project fund costs and provide for any City reimbursement of prior fees or costs (subject to Bond counsel review) and pay costs of issuance.

COMMITMENT EXPIRATION DATE:

This commitment shall expire unless accepted on or before April 24, 2015.

LOAN MUST CLOSE ON OR BEFORE: April 24, 2015

CLOSING COSTS: The City shall pay all costs and expenses incurred in connection with this transaction; including; without limitation; the fees and expenses of Bank Counsel (not to exceed $5,000), Bond Counsel, City Attorney and the City's Financial Advisor whether or not the transaction closes. The Bank's Counsel for this transaction will be D. Scott South of South Milhausen, P.A. of Orlando, FL.

COMPARABLE FLORIDA MUNICIPAL FINANCING EXPERIENCE LIST:

MUNICIPALITY	ORIGINATION DATE	FACILITY AMOUNT
City of Haines City	12/30/2010	$11,748,000
City of Davenport	3/9/2011	$600,000
City of Moore Haven	8/17/2011	$4,402,000
City of Mount Dora	9/22/2011	$3,365,400
Town of Lake Hamilton	11/23/2011	$2,439,000
City of Auburndale	9/30/2012	$5,000,000
City of Mount Dora	5/29/2013	$2,500,000

FLORIDA MUNICIPAL CLIENT REFERENCES:

City of Haines City
Donald Carter
Finance Director
863/421-3600

City of Moore Haven
Maxine Bryant
City Clerk
863/946-0711

Town of Lake Hamilton
Kim Gay
Town Clerk
863/439-1910

LOAN AGREEMENT CONVENANTS: Waste Water System Pledged Revenues will have an Additional Bonds Test covenant of a minimum of 1.25X on an aggregate basis.

City to provide a copy of the City's Annual Budget within 30 business days following the City Commission's adoption, and the City's CAFR within 30 business days of presentation to the BOC by the City's outside auditors.

The City will covenant to do all things required to be eligible to receive each of the sources of Pledged Revenues and will diligently enforce its right to receive the Pledged Revenues.

OTHER CONDITIONS/REQUIREMENTS: See the attachments of this document for other conditions/requirements, items 1 to 9.

We sincerely appreciate your business and look forward to a mutually beneficial relationship. It is my pleasure to serve the Board in this transaction on behalf of the Bank. My contact information is listed below. We trust this Commitment is in keeping with your understanding of our conversations. If so, please sign where shown and return this Commitment to us together with all fees and documentation required by the Commitment Expiration Date shown above.

Sincerely,
CenterState Bank of Florida, N.A.

Skip Skairus
Senior Vice President/Commercial Banking Manager
6930 Gall Boulevard
Zephyrhills, FL 33542
813/715-4883 – phone
813/783-3599 – fax
sskairus@centerstatebank.com

BORROWER'S SIGNED ACCEPTANCE:

The City of St. Pete Beach, Florida

By: ______________________________ **Date:** ____________________

1. **LOAN COLLATERAL/SECURITY:** If repayment of this loan shall be secured by collateral, Borrower(s) hereby warrant(s) to Bank that they have full authorization and capacity to pledge and grant valid lien(s) on same, or Borrower(s) will secure such authorization/documentation at or before closing to the satisfaction of Bank's Counsel. Such verifications shall not relieve Borrower(s) of liability as to misinformation or fraud. Borrower(s) agree(s) to provide Bank with true and exact copies of all deeds, titles, certificates, invoices, or other such evidence of ownership as applicable to all security, to the satisfaction of the Bank or Bank's Counsel, upon acceptance of this Commitment. Borrower(s) and Guarantor(s) understand that Bank relies on one hundred percent of all value of collateral pledged rather than just a partial percentage thereof. Any "equity" value which might exist in assets pledged shall also serve as collateral for this loan. Borrower(s) and Guarantor(s) shall execute such documentation as deemed necessary by Bank and/or Bank's Counsel in their sole discretion to grant Bank a secured position in the collateral. All collateral will be fully cross-pledged and cross-defaulted with all other collateral and loans within Bank, including, to the maximum extent permissible by law, indirect debt which may be in another name but with a common owner or Guarantor.

2. **INTEREST:** This loan shall bear interest which shall accrue, under the simple interest (30/360 day) method, on the funded and outstanding principal balance from time to time. Should Borrower(s) allow this indebtedness to become more than ten (10) days delinquent at any time, a late fee of 5% of payment amount due shall be imposed by Bank. Any such delinquent payments shall be applied first to any late charges and interest which have accrued, unless Bank then chooses to apply otherwise. Upon default, including failure to pay upon final maturity, Bank, at its option, may, if permitted under applicable law, increase the interest rate on this Note to 18% per annum, if and to the extent that the increase does not cause the interest rate to exceed the maximum rate permitted by applicable law.

3. **CLOSING COSTS:** Borrower(s) agree(s) to pay any and all expenses of this transaction, whether incurred directly or indirectly, including, but not limited to, such costs as attorney fees, title company charges or premiums, appraisal fees, survey/engineering fees, commissions, recording fees, taxes, and any legal fees or court costs which might arise from any disputes or litigation surrounding this Commitment, whether or not this loan actually closes. Said costs are due and payable by Borrower(s) in addition to and separate from any Commitment fees.

4. **NON-ASSIGNABILITY:** Neither this Commitment nor the proceeds of the loan contemplated herein shall be assignable by Borrower(s) without prior written consent of the Bank. This loan is not assumable.

5. **CLOSING:** Unless otherwise specified in writing, this Commitment, the loan transaction contemplated hereby, and all loan documents executed pursuant hereto shall be construed according to all applicable State and Federal governmental regulations and Bank policies. All provisions of this Commitment shall survive the closing of the loan transaction contemplated herein.

6. **BORROWER'S REPRESENTATIONS:** This Commitment has been issued to Borrower(s) on the basis of all information provided by Borrower and all representations, exhibits, data, and other materials submitted with or in support of Borrower's loan

application. Any misinformation or withholding of material information incident thereto shall, at the option of Bank, void all of the Bank's obligations hereunder, and shall give Bank full rights of recourse under applicable law. In addition, should economic conditions decline in general for the Borrower, or should other factors change which were considered important by the Bank in issuing this Commitment, the Bank, in its sole discretion, may withdraw the Commitment without penalty or retribution from the Borrower; and hold the Bank harmless now and in the future as to any claims of lender liability and agrees the Bank has acted properly and in good faith in all respects throughout this transaction.

7. **BORROWING AUTHORITY:** Prior to closing, Borrower(s) shall provide Bank with true and exact copies of all Ordinances, Resolutions, Agreements Opinion of Borrower(s) Counsel, Opinions of Bond Counsel, Incumbency Statements, Agreements, Current Certificates of Good Standing, and appropriate Minutes as requested by the Bank or its Counsel to evidence the due creation and existence of the Borrower, the due authorization, execution and delivery by the Borrower of the documents relating to this financing, the enforceability thereof against the Borrower, the exclusion from gross income from federal income tax purposes of interest on the Series 2015 Note and the qualification of the Series 2015 Note as a "qualified tax-exempt obligation" under Section 265(b)(3) of the Internal Revenue Code as requested by and in form and substance acceptable to the Bank and its Counsel. Prior to closing, Borrower(s) shall execute appropriate Resolutions and Agreements, all to the Bank or Bank's Counsel's satisfaction.

8. **INCLUSIVENESS/SEVERABILITY:** Borrower(s) understand(s) that this Commitment attempts to outline most of the key, general terms and conditions of the proposed loan and is not, nor does it attempt to be, all-encompassing. Any omissions herein or conflicts with loan closing documents shall not construe liability to Bank; further requirements by the Bank or Bank's counsel and/or loan closing documents shall supersede and have precedence over this Commitment. Closing of the loan is subject to the execution and delivery of final documents, certificates and opinions in form and substance acceptable to the Bank and its Counsel in their sole discretion. Any release, waiver, or changes allowed by Bank in any part of this Commitment shall not invalidate or change any remaining requirements or clauses. Where applicable in this Commitment, the plural tense shall suffice for the singular, and vice-versa, as to referencing all parties hereto. All parties as recipients hereof, regardless of type of involvement, shall be responsible for meeting all provisions of this Commitment.

9. **EXPIRATION:** This Commitment shall, at the Bank's option, expire if the appropriate signatures and any fees, and all documents outlined herein are not properly secured and delivered by Borrower(s) to Bank or before expiration date shown. Under no circumstances shall any Commitment by Bank be valid beyond the Commitment expiration date stated previously in this letter.

CenterState Bank of Florida, N.A.

By: ______________________________

Skip Skairus

Senior Vice President/Commercial Banking Manager

BORROWER'S SIGNED ACCEPTANCE:

The City of St. Pete Beach, Florida

By: ______________________________ **Date:**______________________________

Name

Title

EXHIBIT C

FORM OF DISCLOSURE LETTER AND TRUTH-IN-BONDING STATEMENT

CENTERSTATE BANK OF FLORIDA, N.A.
DISCLOSURE LETTER AND
TRUTH-IN-BONDING STATEMENT

April 21, 2015

City Commission of the
City of St. Pete Beach, Florida
St. Pete Beach, Florida

Re: $5,000,000 City of St. Pete Beach, Florida Wastewater Utility System Revenue Bond, Series 2015

Madam Mayor and Commission Members:

In connection with the purchase of the City of St. Pete Beach, Florida Wastewater Utility System Revenue Bond, Series 2015 (the "Series 2015 Bond") authorized to be issued by Resolution No. 2015-05, adopted by the City Commission of the City of St. Pete Beach, Florida (the "City") on April 14, 2015 (the "Resolution"), the undersigned purchaser of the Series 2015 Bond (the "Original Purchaser"), hereby acknowledges and represents that (1) the Original Purchaser is familiar with the City as it relates to the above transaction; (2) the Original Purchaser has been furnished certain business and financial information about the City; (3) the City has made available to the Original Purchaser the opportunity to obtain additional information and to evaluate the merits and risks of an investment in the Series 2015 Bond; and (4) the Original Purchaser has had the opportunity to ask questions of and receive answers from representatives of the City concerning the terms and conditions of the offering and the information supplied to the Original Purchaser.

The Original Purchaser acknowledges and represents that it has been advised that the Series 2015 Bond has not been registered under the Securities Act of 1933, as amended, in reliance upon the exemption contained in Section 3(a)(2) thereof, and that the City is not presently registered under Section 12 of the Securities and Exchange Act of 1934, as amended. Further, no trading market now exists for the Series 2015 Bond. Accordingly, the Original Purchaser understands that it may need to bear the risks of this investment for an indefinite time, since any sale prior to the maturity of the Series 2015 Bond may not be possible or may be at a price below that which the Original Purchaser is paying for the Series 2015 Bond.

The Original Purchaser has conducted its own investigation to the extent it deemed necessary. The Original Purchaser has been offered an opportunity to have made available to it any and all such information it might request from the City. On this basis, it is agreed by acknowledgment of this letter that the Original Purchaser hereto is not relying on any party or person other than the City to undertake the furnishing or verification of information relating to this transaction.

The Original Purchaser acknowledges that the Series 2015 Bond is being purchased as part of a private placement of the Series 2015 Bond to evidence a loan from the Original Purchaser to the City negotiated directly between the City and representatives of the undersigned. Accordingly, no Official Statement or other disclosure document has been prepared in connection with the issuance of the Series 2015 Bond and we hereby acknowledge that we have made our own independent examination of all facts and circumstances surrounding the Series 2015 Bond and that no reliance has been placed on anyone other than the City.

The Original Purchaser is purchasing the Series 2015 Bond primarily for its own investment purposes and not with a present intent to distribute or resell the Series 2015 Bond; provided, however, that the Original Purchaser retains the right to transfer the Series 2015 Bond or any interest therein or portion therein in accordance with the terms of the Resolution. The Original Purchaser hereby agrees that prior to any distribution or resale of the Series 2015 Bond, it will comply in all respects with any applicable securities laws regarding such distribution or resale.

The Original Purchaser further acknowledges and represents that (1) it is the only initial purchaser of the Series 2015 Bond, (2) it has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of the Series 2015 Bond, and (3) it is not currently purchasing the Series 2015 Bond for more than one account or with a present view to distributing the Series 2015 Bond. The Original Purchaser acknowledges that the representations contained in this paragraph are being made in order to meet one of the exceptions to the continuing disclosure requirements set forth in Rule 15c2-12 promulgated under the Securities Exchange Act of 1934.

Pursuant to the provisions of Section 218.385, Florida Statutes, the Original Purchaser is providing the following information with respect to the purchase of the Series 2015 Bond. The Original Purchaser represents to you as follows:

(a) The nature and estimated amounts of expenses to be incurred by the Original Purchaser in connection with the issuance and sale of the Series 2015 Bond are: $_________ (counsel fee to be paid by City).

(b) There are no "finders," as defined in Section 218.386, Florida Statutes, as amended, in connection with the issuance of the Series 2015 Bond.

(c) No underwriting fee will be charged by the Original Purchaser in connection with the issuance of the Series 2015 Bond.

(d) No management fee will be charged by the Original Purchaser in connection with the issuance of the Series 2015 Bond.

(e) No other fee, bonus or other compensation will be paid by the Original Purchaser in connection with the issuance of the Series 2015 Bond to any person not regularly employed or retained by the Original Purchaser (including a "finder" as defined in Section 218.386, Florida Statutes).

(f) The name and address of the Original Purchaser is:

CenterState Bank of Florida, N.A.
6930 Gall Boulevard
Zephyrhills, Florida 33542

(g) The City is proposing to issue the Series 2015 Bond for the principal purpose of financing and refinancing costs of the acquisition, construction and equipping of various capital improvements to the City's wastewater utility system. The Series 2015 Bond is expected to be repaid over approximately 20 years. The interest rate on the Series 2015 Bond is 4.02%. Total interest paid over the life of the Series 2015 Bond will be approximately $2,380,000. The expected source of repayment for the Series 2015 Bond is the Net Revenues of the City's Wastewater Utility System and other sources described in the Resolution. The Series 2015 Bond will result in approximately $369,000 of such repayment sources of the City being expended to pay debt service on the Series 2015 Bond each year and not being available to pay for other services or purposes of the City.

Very truly yours,

CENTERSTATE BANK OF FLORIDA, N.A.

By: ______________________________
Title: ______________________________

St. Pete Beach City Commission
Agenda Report

Issue Considered: Appointments to Advisory Boards and Committees

Date: April 14, 2015

Prepared By: Rebecca C. Haynes, City Clerk

Through: Wayne Saunders, City Manager

Summary of Issue: In accordance with Section 22 of the City Charter, members of the advisory boards "...shall be appointed at the first regularly scheduled meeting following the general election."

At the March 10, 2015 election, Commissioner Melinda Pletcher was re-elected in District 4 and Commissioner Rick Falkenstein was elected in District 2. Appointments need to be made to the following advisory boards/committees: Beach Stewardship Committee, Board of Adjustment, Finance and Budget Committee, Historic Preservation Board, Library Advisory Committee, Planning Board and Recreation Advisory Committee.

Commissioners Falkenstein and Pletcher requested the appointments be continued to this meeting.

The current list of appointees is attached.

Funding: N/A

Requested Motion: "I move to approve appointments to the advisory boards and committees.

Attachments: Advisory Board and Committee Members lists

Reviewed by City Manager: WS
____

BEACH STEWARDSHIP COMMITTEE

CREATED:	City Code, Article XI - Section 22-301 through 22-309
TERMS:	To run concurrently with the term of office for the Commission Member who made the appointment
MEETS:	Quarterly
TIME:	Established by the Board Members
PLACE:	Commission Chambers at City Hall, 155 Corey Avenue, St. Pete Beach, Florida

MIKE GREIGER Appointed 3/14 Mayor Lowe Term Expires 3/17	413 Hermosita Drive mgreiger@earthlink.net	418-3663 Cell 363-1119 Home
KEVIN HING, CHAIR Re-appointed 3/13 Commissioner Falkenstein Term Expires 3/15	7000 Beach Plaza, #702 SaveOurSand@yahoo.com	254-6750 Cell
LENNY STAMOS Appointed 3/14 Commissioner Finnerty Term Expires 3/16	2491 East Vina Del Mar lennyssurf@hotmail.com	360-3016 Home
LYNDA LIND FONTANA Re-appointed 3/14 Commissioner Premer Term Expires 3/16	5396 Gulf Blvd., #607 lyndalind@yahoo.com	360-6011 Home 656-2046 Cell
DAN ROTHENBERGER Appointed 3/14 Commissioner Pletcher Term Expires 3/15	423 Hermosita Dr. drothenberger@terraend.com	813-505-6255 Cell

Updated: 3/17/2015

BOARD OF ADJUSTMENT

CREATED: City Code, Article II - Section 22-31 through 22 - 40

TERMS: To run concurrently with the term of office for the Commission Member who made the appointment

MEETS: Last Wednesday of each month

TIME: Established by the Board Members

PLACE: Commission Chambers at City Hall, 155 Corey Avenue, St. Pete Beach, FL

SANDIE LYMAN Appointed 5/14 Mayor Lowe Term Expires 3/17	810- 59th Ave. sandie7@verizon.net	458-4058 Cell 360-7060 Home
GEORGE SCRIBANO Appointed 3/14 Commissioner Finnerty Term Expires 3/16	9495 Blind Pass Road #1203 gasthegov@msn.com	455-3888 Home
LAURIE VALLETT Re-Appointed 3/13 Commissioner Falkenstein Term Expires 3/15	407 55th Avenue lvaletspb@aol.com	560-9628 Cell
PAUL SKIPPER, CHAIRMAN Re-Appointed 3/14 Commissioner Premer Term Expires 3/16	255 Corey Avenue natvprop@aol.com	367-7008 Home
DAVID LITTELL Re-Appointed 3/13 Commissioner Pletcher Term Expires 3/15	243 Mar Street dlittell1@earthlink.net	367-3640 Home

Updated: 3/17/2015

FINANCE & BUDGET REVIEW COMMITTEE

CREATED:	City Code, Article III - Section 22-26 through 22-74
TERMS:	To run concurrently with the term of office for the Commission Member who made the appointment
MEETS:	Determined by City Manager or Administrative Services Director
TIME:	Established by Board Members
PLACE:	Commission Chambers at City Hall, 155 Corey Avenue, St. Pete Beach, Florida

AL JOHNSON Appointed 5/14 Mayor Lowe Term Expires 3/17	9375 Blind Pass Rd. alanj@runmsm.com	543-2794 Cell
DEBORAH SCHECHNER Appointed 3/14 Commissioner Finnerty Term Expires 3/16	710 Boca Ciega Isle Dr. paxsez1@tampabay.rr.com	488-4796 Cell
JOHN SAMORAJCZYK Re-appointed 3/13 Commissioner Falkenstein Term Expires 3/15	5414 Lelani Dr. jsamo@prodigy.net	367-2166 Home
JOANNE MELODAYO, CHAIR Re-appointed 3/14 Commissioner Premer Term Expires 3/16	4151 Belle Vista Dr. jomellow@aol.com	360-2627 Home 686-5815 Cell
MARY HACKER Appointed 4/14 Commissioner Pletcher Term Expires 3/15	221 North Tessier Dr. mhacker1@tampabay.rr.com	813-879-6683 Cell

Updated: 3/17/2015

HISTORIC PRESERVATION BOARD

CREATED:	City Code, Article VII - Section 22-206 through 22-213
TERMS:	To run concurrently with the term of office for the Commission Member who made the appointment
MEETS:	Monthly on the first Thursday
TIME:	3:30 p.m.
PLACE:	Commission Chambers at City Hall, 155 Corey Avenue, St. Pete Beach, Florida

TINA DOUGLASS Appointed 5/14 Mayor Lowe Term Expires 3/17	2811 Pass-A-Grille Way tinardouglass@gmail.com	367-3451
SEAN HURLEY Appointed 3/14 Commissioner Finnerty Term Expires 3/16	2506 Pass-A-Grille Way sean@hurley-associates.com	365-2107
INGRID JACOBUS, V. CHAIR Re-appointed 3/13 Commissioner Falkenstein Term Expires 3/15	6411 4TH Palm Pt. IMJacobus@aol.com	360-4020 Home
MARTIN LOTT, CHAIR Re-appointed 3/14 Commissioner Premer Term Expires 3/16	3510 E. Maritana lott@georgefyoung.com	367-3977 Home
CHRIS MARONE Appointed 3/13 Commissioner Pletcher Term Expires 3/15	107 5th Avenue cmarone@maronelaw.com	367-5356 Home 422-7363 Cell

Updated: 3/17/2015

LIBRARY ADVISORY COMMITTEE

CREATED: City Code Article V, Section 22-136 through 22-144

TERMS: To run concurrently with the term of office for the Commission Member who made the appointment

MEETS: Determined by Library Administrator or Administrative Services Director

TIME: 2:00 p.m.

PLACE: Commission Chambers at City Hall, 155 Corey Avenue, St. Pete Beach, FL

LANCE PETERSON	3919 Belle Vista Drive E.	(H) (727)360-6068
Appointed 3/14	St. Pete Beach, FL	(C) (727)324-9758
Mayor Lowe		
Term Expires 3/17	lpeters7@tampabay.rr.com	
STEVE TRAIMAN	420 64TH Avenue #706	360-1387 Home
Appointed 3/14		
Commissioner Finnerty		
Term Expires 3/16	straiman@mindspring.com	
JUDY COHAN	6600 Sunset Way, #216	367-4407 Home
Re-appointed 3/13		
Commissioner Falkenstein		
Term Expires 3/15	judy.cohan@verizon.net	
VACANT as of 12/14		
Appointed		
Commissioner Premer		
Term Expires		
JOHN PHILLIPS, SR.	403 Gulf Way, #302	360-8497 Home
Re-appointed 3/13		
Commissioner Pletcher		
Term Expires 3/15	marge@tampabay.rr.com	

Updated: 03/17/2015

PLANNING BOARD

CREATED:	City Code, Article VIII, Section 22-241 through 22-248
TERMS:	To run concurrently with the term of office for the Commission Member who made the appointment
MEETS:	Monthly
TIME:	Established by the Board Members
PLACE:	Commission Chamber at City Hall, 155 Corey Avenue, St. Pete Beach, Florida

TIFANNY SECKA, CHAIRWOMAN Appointed 5/14 Mayor Lowe Term Expires 3/17	P.O. Box 66334 St. Pete Beach, FL 33736 tmsmarie@aol.com	415-6007
JACK BROCK Appointed 3/14 Commissioner Finnerty Term Expires 3/16	412 73rd Avenue #2 johnrbrockjr@gmail.com	917-216-7666 Cell
PAUL CUTICCHIA Appointed 9/14 Commissioner Falkenstein Term Expires 3/15	6600 Sunset Way St. Pete Beach, FL 33706 pnjlifters@tampabay.rr.com	(703)283-1525
WARD FRISZOLOWSKI, VICE CHAIR Re-appointed 3/14 Commissioner Premer Term Expires 3/16	3566 Belle Vista Dr. E. W.Friszolowski@harvardjolly.com	367-7320 Home 896-4611 Cell
RON HOLEHOUSE Re-appointed 3/13 Commissioner Pletcher Term Expires 3/15	113 12th Avenue rholehouse@tampabay.rr.com	367-2457 Home 492-7316 Cell

Updated 03/17/2015

RECREATION ADVISORY COMMITTEE

CREATED:	City Code, Article IV, -Section 22-101 through 22-109
TERMS:	To run concurrently with the term of office of the Commission Member who made the appointment
MEETS:	Quarterly
TIME/PLACE:	Commission Chamber at City Hall, 155 Corey Avenue, St. Pete Beach, Florida

ROBERTA RHODES Appointed 3/14 Mayor Lowe Term Expires 3/17	8540 Gulf Blvd. roberta.rhodes@att.net	346-5611 Home
AUSTIN PIAZZA, VICE CHAIR Appointed 3/14 Commissioner Finnerty Term Expires 3/16	453 81st Avenue austinpiazza@gmail.com	902-9207 Home
SCOTT SEUBERT Reappointed 3/13 Commissioner Falkenstein Term Expires 3/15	6477 1st Palm Point sseubert6321@yahoo.com	367-6321 Home
STEVE STEWART Appointed 3/14 Commissioner Premer Term Expires 3/16	250 Julia Circle S. a082964@allstate.com	798-4077 Home
DANIELLE MICKLITSCH, CHAIR Appointed 3/13 Commissioner Pletcher Term Expires 3/15	2373 West Vina Del Mar Blvd. dmicklitsch@gmail.com	727-415-8737

Updated: 3/17/2015