

City of St. Petersburg
Committee of the Whole
June 2, 2022 @ 2:30
City Hall, Room 100

Members: Council Chair Gina Driscoll, Council Vice-Chair Brandi Gabbard, Council Members Copley Gerdes, Ed Montanari, Lisset Hanewicz, Deborah Figgs-Sanders, Lisa Wheeler-Bowman and Richie Floyd

Support Staff: Tricia Terry – Legislative Aide

1) Call to Order

2) Approval of Agenda

3) New Business – June 2, 2022

Community Benefits Advisory Committee – Ad Hoc Member Appointments

Attachments:

- 1) Memorandum – TPA/Moffitt
- 2) Ordinance 467-H – Establishing the CBA
- 3) Resolution 21-336 – Establishing the CBAC
- 4) Ad Hoc Applicants – *[to be provided separately early next week]*

4) Upcoming Meeting Dates & Tentative Agenda Items

July 21 @ 9:00

- a) Budget Follow Up

July 28 @ 2:00

- a) Disparity Study Part 2
- b) City Council Policy and Procedures Manual

General Attachments:

Pending and Continuing Referral List
Agenda Item Support Material

COMMITTEE OF THE WHOLE PENDING/CONTINUING REFERRALS					June 2, 2022	
Topic	Return Date	Date of Referral	Prior Meeting	Referred by	Staff	Notes
CBAC Ad Hoc Member Appointments	6/2/2022 @2:30			Driscoll	Legal	City Council to appoint 2 ad hoc members and one 1 City Council Member to sit on the CBAC for the duration of the TPA Moffitt project.
FY23 Budget Follow Up	7/21/2022 @9:00		5/3/22	Driscoll	R. Gerdes	Administration to follow up with break downs of various programs from Economic Development and the Mayor's Office and their budgetary impacts.
Disparity Study Including a discussion on a second location for the Greenhouse to be located in South St. Petersburg	5/26/22 @ 2:00 - Part 1 7/28/22 @2:00- Part 2	7/8/21	9/23/21	Montanari Driscoll	Malone	Plan to come back before City Council for additional input on progress made two additional times (end of 2021 and winter of 2022). Greenhouse second location to be incorporated into recommendations as part of action plan.
Review of City Council Policy and Procedures Manual	7/28/2022 @2:00	12/16/2021		Council	Legal	
2023 Calendar setting and selection of Chair and Vice Chair	12/15/22 @ 9:30	Annual		Annual	Sheppard	
Discussion about the creation of new zoning categories and next steps pertaining to the implementation of the SunRunner Rising Development Study	TBD	4/21/22		Gabbard	Abernethy	
Stormwater Master Plan	TBD	8/12/2021		Administration	Prayman	
2020 SPHA Annual Reports	TBD	Annual		Annual	SPHA	
SPHA Board Discussion	TBD	Annual		Annual	SPHA	
A review of South St. Petersburg Community Redevelopment Area (CRA) grants eligibility requirements to identify areas of improvement	TBD	7/15/21		Figgs-Sanders	Smith	

City Initiated Historic Designation	TBD	12/5/2019	10/28/21	Gerdes	Abernethy Kilborn	Relates more specifically to the Detroit Hotel block and next steps. (i.e. Local Historic District, individual buildings along 200-block of Central Avenue, or multiple property listing of several commercial storefronts along Central Avenue east of 31 st Street.)
Review of unfunded Penny for Pinellas project requests	TBD	5/5/22		Figgs-Sanders	R. Gerdes	It is requested that the unfunded Penny for Pinellas project requests list when provided reflects the requesting department, the requesting department priority order and the requesting department initial funding request date.
Joint City Council/CPPC Meeting	TBD	Annual	3/31/22	Comp Plan	Abernethy Kilborn	Comp Plan changes discussed to move joint meetings to an as needed basis with the Historic Preservation Annual Report to come to CPPC and COW annually.
FY '24 CIP Budget	TBD	Annual		Annual	Makofske	
FY '24 Operating Budget	TBD	Annual		Annual	Makofske	



Office of the Mayor

To: Council Chair Driscoll and Members of City Council
From: Stephanie Owens, Deputy Mayor & Chief of Policy SAO
CC: Kenneth T. Welch, Mayor
Date: May 23rd, 2022
Subject: Community Benefits Agreement Program – CBAC Ad Hoc Member Recruitment

As a follow up to our conversation, this memo overviews the next step in the Community Benefits Agreement (CBA) program process for the TPA/Moffitt project. The CBA ordinance requires the appointment of 5 ad hoc members to join the standing members to form a full Community Benefit Advisory Council (CBAC) for specific projects. Four ad hoc members must live within a 1-mile radius of the project site, which is located at 800 1st Avenue South. The Mayor appoints two (2) resident ad hoc members and City Council appoints two (2) resident ad hoc members. The fifth ad hoc member is a member of City Council and selected by City Council. The ad hoc members serve on the CBAC until the specific project is approved by City Council or withdrawn from consideration.

Today, recruitment began for the resident ad hoc members of the CBAC. The website and application portal launched today for residents interested in being considered for selection as an ad hoc member of the CBAC, with recruitment ending on Saturday 5/28/2022 at 11:59pm.

We are targeting June 9, 2022 for City Council to enter a resolution appointing the ad hoc members to the CBAC. Thank you to Chair Driscoll for scheduling a Committee of the Whole on June 2nd so Council can make their selections. We will utilize the same process as followed when the standing committee members were selected – we will screen incoming ad hoc applicants and send eligible applicants to City Council on a rolling basis. Mayor Welch will make his selections prior to the June 2nd COW and provide that information to City Council as well.



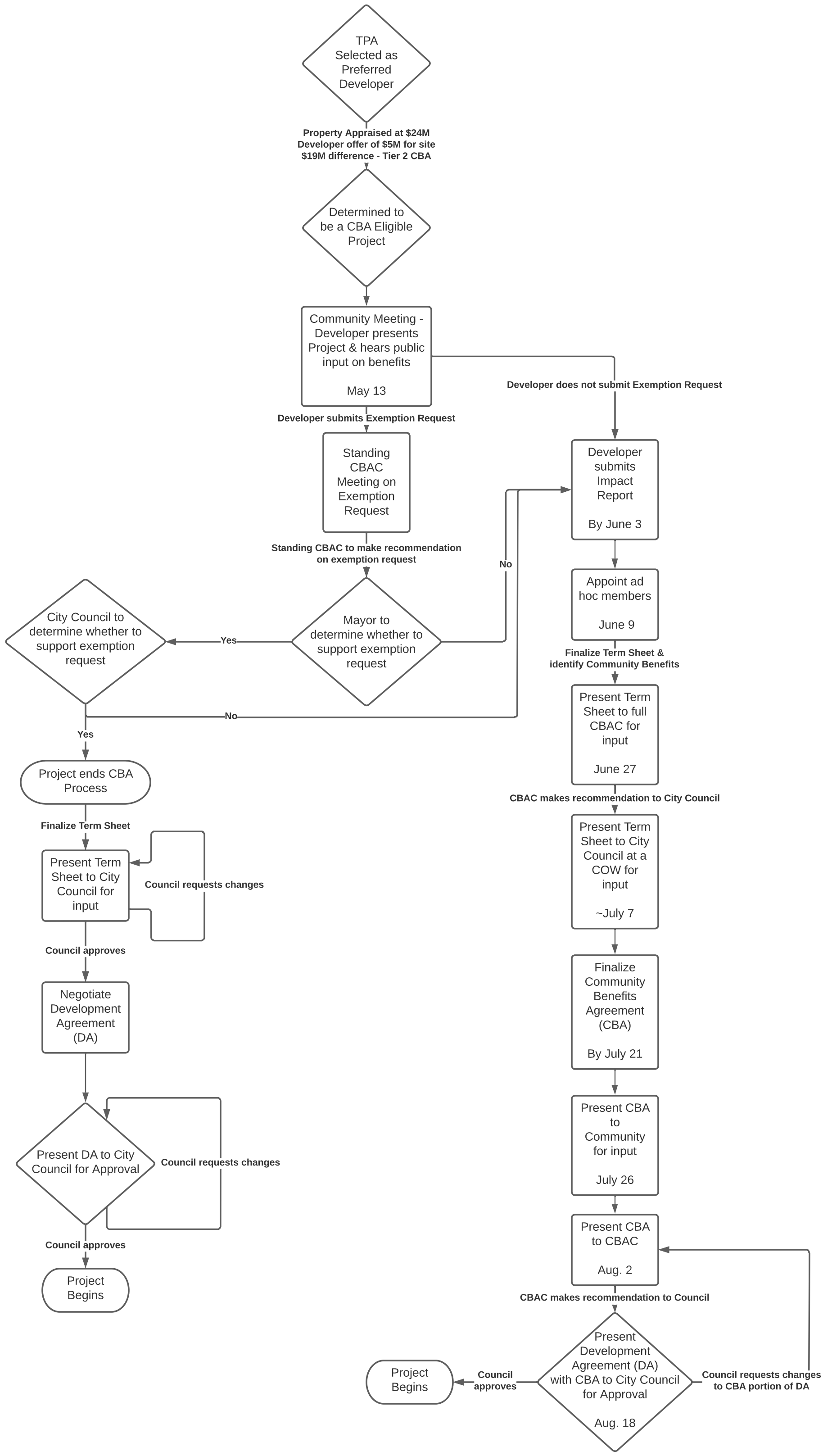
Office of the Mayor

Attached is the CBA project flowchart, specific to the TPA/Moffitt project, which includes target dates and timeframes for this specific project. This administration is grateful for our collaboration with Council on this CBA process and bringing equitable benefits to all in our community.

If you have any questions, please don't hesitate to reach out to me.

Attachment:

CBA Project Flowchart, specific to the TPA/Moffitt project



TPA Selected as Preferred Developer

Property Appraised at \$24M
Developer offer of \$5M for site
\$19M difference - Tier 2 CBA

Determined to be a CBA Eligible Project

Community Meeting - Developer presents Project & hears public input on benefits
May 13

Developer submits Exemption Request

Standing CBAC Meeting on Exemption Request

Standing CBAC to make recommendation on exemption request

Mayor to determine whether to support exemption request

City Council to determine whether to support exemption request

Project ends CBA Process

Finalize Term Sheet

Present Term Sheet to City Council for input

Council requests changes

Council approves

Negotiate Development Agreement (DA)

Present DA to City Council for Approval

Council requests changes

Council approves

Project Begins

Developer does not submit Exemption Request

Developer submits Impact Report
By June 3

Appoint ad hoc members
June 9

Finalize Term Sheet & identify Community Benefits

Present Term Sheet to full CBAC for input
June 27

CBAC makes recommendation to City Council

Present Term Sheet to City Council at a COW for input
~July 7

Finalize Community Benefits Agreement (CBA)
By July 21

Present CBA to Community for input
July 26

Present CBA to CBAC
Aug. 2

CBAC makes recommendation to Council

Present Development Agreement (DA) with CBA to City Council for Approval
Aug. 18

Council requests changes to CBA portion of DA

Council approves

Project Begins

ORDINANCE NO. 467-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA ESTABLISHING A COMMUNITY BENEFIT PROGRAM FOR NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS IN THE CITY MEETING CERTAIN REQUIREMENTS; PROVIDING FINDINGS, INTENT, AND DEFINITIONS; IDENTIFYING THE MINIMUM COMMUNITY BENEFITS FOR CERTAIN PROJECTS; ESTABLISHING THE PROCEDURES FOR ENSURING THAT COMMUNITY BENEFITS ARE INCORPORATED INTO A COMMUNITY BENEFIT AGREEMENT; ESTABLISHING EXEMPTIONS; REQUIRING REVENUES FROM COVERED PROJECTS TO BE DEPOSITED INTO A DESIGNATED FUND; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The City of St. Petersburg, Florida does ordain:

Section One. The St. Petersburg City Code is hereby amended by adding a new Article XI to Chapter 2, to read as follows:

ARTICLE XI. – COMMUNITY BENEFIT PROGRAM.

Sec. 2-520. – Findings and Intent.

The City finds that certain new development and redevelopment projects present unique opportunities for collaboration among the City, a developer, and the community. These collaborations will acknowledge that new development and redevelopment projects often have impacts to the community, and that specific amenities and best practices provided by these projects can mitigate and even create positive benefits for a surrounding neighborhood and the City at large. The City intends to administer this community benefit program to ensure that covered projects under this Article provide tangible benefits to the citizens of St. Petersburg in exchange for the City's participation in the project, and to maximize the returns on the public investment.

Sec. 2-521. – Definitions.

City participation value means the total monetary value of contributions made by the City to a covered project, including but not limited to: monetary incentives, ad valorem tax exemptions as may be permitted by law, and the provision of land below fair market value. City participation value does not include any benefits given (a) as a matter of right via petition or application or (b) given through a quasi-judicial process.

Community benefit agreement means a written agreement between a developer and the City which incorporates community benefits identified by this Article that will be provided by the developer. The community benefits to be provided by the developer may be in a standalone agreement with the City, or may be included in a development agreement, a contract for purchase, or other document executed by the developer and the City.

Covered project means any Tier 1 project, Tier 2 project, or Tier 3 project.

Developer means the person responsible for the development of a covered project.

Development has the meaning set forth in F.S. ch. 163, part II.

Tier 1 project means any new development or redevelopment project that has a total construction cost equal to or greater than \$2 million and that has a City participation value equal to or greater than 20% of the total construction cost OR any new development or redevelopment project that has City participation value equal to or greater than \$10 million, regardless of construction cost.

Tier 2 project means any new development or redevelopment project that has a total construction cost equal to or greater than \$4 million and that has a City participation value equal to or greater than 20% of the total construction cost OR any new development or redevelopment project that has City participation value equal to or greater than \$15 million, regardless of construction cost.

Tier 3 project means any new development or redevelopment project that has a total construction cost equal to or greater than \$8 million and that has a City participation value equal to or greater than 20% of the total construction cost OR any new development or redevelopment project that has City participation value equal to or greater than \$25 million, regardless of construction cost.

Total construction cost means the estimated total cost of building construction as stated in a complete site plan or building permit application accepted by the City, not including design costs. The total construction cost must be approved by the City in its sole and absolute discretion prior to commencing action pursuant to this Article.

Sec. 2-522. – Required community benefits for covered projects.

(a) For Tier 1 projects, the developer shall satisfy the following requirement, in addition to any other agreed-upon contractual requirements as provided for in the guidance documents:

- (1) File a construction planning worksheet;
- (2) Hold two public meetings (see Section 2-523(b) and (g));
- (3) Submit a complete community benefit impact report;
- (4) Adhere to the City's Land Development Regulations; and
- (5) Complete one sustainability initiative as set forth in the City's Integrated Sustainability Action Plan.

(b) For Tier 2 projects, the developer shall satisfy the following requirements, in addition to any other agreed-upon contractual requirements as provided for in the guidance documents:

- (1) Complete all requirements for Tier 1 projects;
- (2) Establish or utilize an existing apprenticeship program registered with the State of Florida, industry certification training program, or an on-the-job training program for local residents; and
- (3) Select at least two additional City-approved items from the guidance document for Tier 2 projects.

(c) For Tier 3 projects, the developer shall satisfy the following requirements, in addition to any other agreed-upon contractual requirements as provided for in the guidance documents:

- (1) Complete all requirements for Tier 1 and Tier 2 projects collectively; and
- (2) Select at least one additional City-approved item from the guidance document for Tier 3 projects.

(d) Guidance for these requirements is currently available in City Council Resolution 2021-_____, which may be superseded by future resolutions of City Council.

Sec. 2-523. – Procedures for evaluating the community benefits of a covered project to be included in the community benefit agreement.

(a) The developer shall submit a complete community benefit impact report, the form and content of which shall be established by the City in its sole and absolute discretion.

(b) The developer shall conduct a public meeting to seek input from the surrounding neighborhoods and community.

(c) The City and developer shall negotiate and generate a non-binding term sheet that, at a minimum, must include the following information:

- (1) A detailed description of the project including the City's contribution;
- (2) A calculation of the City participation value, as a total monetary value and as a percentage of the total construction cost, including the specific contributions being made by the City;
- (3) The total construction cost of the covered project;
- (4) The specific community benefits proposed by the developer to address the requirements set forth in Section 5-522; and
- (5) Any exemptions to this Article being sought by the developer.

(d) Once the requirements of (a)-(c) have been completed, the Mayor shall appoint two *ad hoc* members to the City's Community Benefit Advisory Council (CBAC), the CBAC being established by resolution of City Council, and City Council shall appoint two *ad*

hoc members and one City Council representative to the CBAC by resolution specifically for the project.

- (e) Upon finalizing the CBAC members for the project, the City and developer shall seek input from the CBAC at a public meeting.
- (f) Following input from CBAC, the developer and City may commence the negotiation and preparation of the community benefit agreement.
- (g) If a community benefit agreement is negotiated and prepared, a second public meeting shall be conducted to obtain input from the surrounding neighborhoods and community.
- (h) The developer and City shall seek CBAC input regarding the community benefit agreement.
- (i) A final community benefit agreement shall be presented to City Council for its consideration and is subject to approval only by resolution of City Council. Concurrently with presenting such agreement to City Council, administration shall provide City Council with an information sheet regarding compliance with this Article, in a format to be set forth by resolution.

Sec. 2-524. – Exemptions to the requirements of this Article.

The City may grant an exemption to the requirements of this Article in the following circumstances:

- (a) When a covered project involves multiple dwelling units and at least 30% of the dwelling units are designated as affordable or workforce housing, as those terms are defined in Chapter 17.5 of the City Code, the entirety of the otherwise covered project may be granted an exemption. For mixed-use projects, that portion of the total construction cost attributable to the residential portion of the project may be subtracted from the total construction cost for the purposes of determining whether the project is a covered project, when at least 30% of the dwelling units are designated as affordable or workforce housing.
- (b) Otherwise covered projects that involve the annexation of real property into the City's jurisdictional boundaries may be granted an exemption, in whole or in part.
- (c) When a covered project involves a single historic property, as that term is used in Chapter 16 of City Code, the project may be granted an exemption. For projects with multiple properties with portions that contain historic properties, that portion of the total construction cost attributable to the historic property may be subtracted from the total construction cost for the purposes of determining whether the project is a covered project.

- (d) Otherwise covered projects located in the South St. Petersburg Community Development Area or in Qualified Census Tracts, as defined in section 42 (d)(5)(C) of the Internal Revenue Code of 1986, are exempt from the requirements of Section 2-522 if the developer can demonstrate that a financial hardship due to the application of Section 2-522 would prevent the project from moving forward.
- (e) Other exemptions to the requirements set forth in this Article may be requested by the developer. Exemptions may be granted only when the developer is able to demonstrate to the satisfaction of the City that an alternative benefit exists that is of substantially similar value to those benefits set forth in Section 2-522.

All exemptions under this section are subject to review by City Administration and final approval by the City Council.

Sec. 2-525. – Revenues generated by covered projects subject to a community benefits agreement.

All revenues generated by covered projects subject to a community benefit agreement under this Article must be received by the City and shall be deposited into the Community Benefit Agreement Fund established by Ordinance No. _____.

Sec. 2-526. – Inapplicable Projects

This Article shall not apply to the lease agreements, construction or renovations of City-owned facilities, or other public construction projects.

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

Section Three. The provisions of this ordinance shall not supersede any City Codes or ordinances in effect on its effective date but authorizes the adoption of ordinances which specifically implement and further the purposes of this ordinance.

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

Section Five. This ordinance shall become effective immediately upon its adoption.

First reading conducted on 8th day of July 2021.

Adopted by St. Petersburg City Council on second and final reading on the 22nd day of July 2021.



Ed Montanari, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: *Patricia A. Beliveau, Deputy City Clerk*
for Chan Srinivasa, City Clerk

Title Published: Times 1-t 07/07/21



A RESOLUTION ESTABLISHING THE COMMUNITY BENEFIT ADVISORY COUNCIL AND COMMUNITY BENEFIT ADVISORY COUNCIL STANDING COMMITTEE; ESTABLISHING MEMBERSHIP; PROVIDING FOR FILLING VACANCIES; SETTING FORTH RESPONSIBILITIES; PROVIDING FINANCIAL DISCLOSURE REQUIREMENTS; SUPERSEDING RESOLUTION 2021-336 DATED JULY 22, 2021, AND RESOLUTION 2022-105 DATED MARCH 3, 2022; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 22, 2021, City Council approved a Community Benefit Program (“CBP”) which included (i) Ordinance 467-H establishing the CBP, (ii) Ordinance 468-H creating a fund for any CBP income, (iii) Resolution 2021-336 establishing the Community Benefit Advisory Council (“CBAC”), and (iv) Resolution 2021-337 approving the form of an information sheet for CBP projects; and

WHEREAS, Resolution 2021-336 dated July 22, 2021, provided that the CBAC shall consist of nine members, including four appointed by City Council, four appointed by the Mayor, and one City Council member selected by City Council; and

WHEREAS, pursuant to Resolution 2021-336 dated July 22, 2021, four of the CBAC members, two appointed by City Council and two appointed by the Mayor, shall be standing members who serve three-year terms (“Standing Members”) and four members, two appointed by City Council and two appointed by the Mayor, shall be ad hoc members who serve terms tied to a specific project (“Ad Hoc Members”); and

WHEREAS, Resolution 2021-336 dated July 22, 2021 provided that City Council will select a City Council member for each project to serve the same term as the Ad Hoc Members for a specific project; and

WHEREAS, Resolution 2021-336 dated July 22, 2021 provided that the CBAC would provide advice regarding the CBP, community and neighborhood engagement, and individual projects subject to the CBP; and

WHEREAS, Resolution 2021-336 dated July 22, 2021 contemplated all members being appointed at the same time when the first CBP-eligible project was to begin the CBP process; and

WHEREAS, Administration recommends establishing a separate, non-project specific committee of the Standing Members (“CBAC Standing Committee”), to begin eliciting advice on the CBP and community and neighborhood engagement; and

WHEREAS, due to the nature of the advice that the Standing Members and Ad Hoc Members will be entrusted with offering, City Council has determined that it is in the public interest for such members to be subject to certain financial disclosure requirements as “local officers” under Florida Statutes section 112.3145; and

WHEREAS, Administration wishes to supersede Resolution 2021-336 dated July 22, 2021 and Resolution 2022-105 dated March 3, 2022 (which superseded Resolution 2021-336 for the sole purpose of including the proper cross-reference), while keeping the original resolution number and much of the original enacting language, to make it easier for readers to locate all pertinent information related to the CBAC and the CBAC Standing Committee in a single resolution.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that there shall be a CBAC and CBAC Standing Committee to provide advice to the City regarding growth and development throughout the City.

BE IT FURTHER RESOLVED that the CBAC Standing Committee shall consist of the four Standing Members and be considered a separate and independent committee for quorum purposes. The Standing Members shall be appointed from four different City Council Districts as follows:

- The Mayor shall appoint two Standing Members.
- City Council shall appoint two Standing Members.

BE IT FURTHER RESOLVED that the CBAC shall consist of the Standing Members, the four Ad Hoc Members, and the project-specific City Council member. The Ad Hoc Members and the project-specific City Council member shall be appointed for a specific project with terms limited to the time necessary to negotiate said project or until the project is withdrawn from consideration by the developer or the City. The project-specific City Council member shall be appointed by City Council. The Ad Hoc Members shall be appointed from either (i) within one mile of where the proposed project is to be located, or (ii) within the neighborhood where the proposed project is to be located, as follows:

- The Mayor shall appoint two Ad Hoc Members.
- City Council shall appoint two Ad Hoc Members.

BE IT FURTHER RESOLVED that the CBAC and CBAC Standing Committee may meet and offer advice to the City independently. In the event there are multiple CBP projects at the same time, there may be separate Ad Hoc Members, as well as a separate project-specific City Council Member, appointed to form a separate CBAC to operate concurrently with, but independently from, an existing CBAC.

BE IT FURTHER RESOLVED that for the appointments of the first Standing Members, the Mayor shall appoint two members to each serve a three-year term and City Council shall appoint two members to each serve a four-year term, so as to allow Standing Member terms

that do not all expire at the same time. After these initial terms expire, each new term for Standing Members shall be three years.

BE IT FURTHER RESOLVED that vacancies shall be filled by the appointer of the vacated position.

BE IT FURTHER RESOLVED that the CBAC Standing Committee shall advise the City on any matters related to the CBP, including but not limited to measuring community impact; community and neighborhood engagement; specific project eligibility and application; and compliance and enforcement.

BE IT FURTHER RESOLVED that the CBAC shall advise the City on the development project presented to the CBAC but shall not be precluded from providing more general advice on matters related to the CBP.

BE IT FURTHER RESOLVED that the initial Standing Members may be appointed immediately, and that the initial Ad Hoc Members and project-specific City Council member shall be appointed, as set forth in City Code, for the first applicable project.

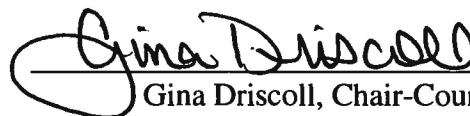
BE IT FURTHER RESOLVED that the CBAC Standing Committee and each CBAC may adopt its own procedural rules. The CBAC Standing Committee and each CBAC shall elect one member to serve as chair and another to serve as vice-chair, each with a term of up to one year.

BE IT FURTHER RESOLVED that, pursuant to Florida Statutes section 112.3145, City Council hereby designates the Standing Members and Ad Hoc Members as local officers who are required to file a statement of financial interests.

BE IT FURTHER RESOLVED that Resolution 2021-336, dated July 22, 2021, and Resolution 2022-105, dated March 3, 2022, are hereby superseded and replaced in whole by this resolution.

This Resolution shall become effective immediately upon its adoption.

Adopted at a regular session of the City Council held on the 14th day of April 2022.



Gina Driscoll, Chair-Councilmember
Presiding Officer of the City Council

ATTEST:



Chan Srinivasa, City Clerk

