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October 21, 2019

Tim Ramsberger, Chief Operating Officer
Visit St. Petersburg/Clearwater
8200 Bryan Dairy Road
Suite 200
Largo, FL 33777

Dear Mr. Ramsberger,

Enclosed is the necessary paperwork for The Florida Holocaust Museum (The FHM)'s capital funding request. If you require any further information, please don't hesitate to reach out.

The FHM has seen renewed growth and visitors in the six years since I've arrived. In the last few years, visitors have increased by 25% each year, the exhibitions and events we hold at the Museum are often at capacity and our travelling exhibits and educational programs are in demand across Florida and throughout the country. We are doing important work that is clearly meaningful to our community and beyond. We are a small museum but, as ambassadors for Pinellas county, our footprint is large.

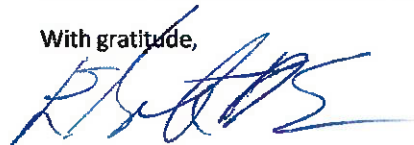
You will see that one of the places I have left rather vague has to do with the proposed promotional benefits provided to the VSPC. It is my hope that we could work together with the VSPC to determine appropriate detail and marketing opportunities in the soon to be created interior designs to create value of \$500,000+ that would be optimal to both of our organizations as well as our visitor experience.

I do want to mention that this is the first time in The FHM's history that we have reached out to the County for assistance with a capital project and the first time in 12 years that we have asked for any funding at all from the County. There was a brief period when programmatic grants for Cultural Arts funding were given but that seems to have ended in 2007.

I have done my best to delineate the urgency and worth of this project in the attached paperwork. This is a strange time in history and, sadly, the number of violent incidents at institutions perceived as Jewish continue to grow. Not only would it be a tragedy if an incident took place inside the Museum, our location in the heart of downtown St Petersburg creates additional cause for concern. We must take security seriously.

Thank you for understanding and all your support and assistance for this project.

With gratitude,



Elizabeth Gelman
Executive Director

2019-2020 CAPITAL PROJECTS FUNDING APPLICATION

DATE: October 21, 2019

APPLICANT LEGAL NAME: Elizabeth Sivak

APPLICANT REPRESENTATIVE NAME: Elizabeth Gelman

Title: Executive Director

Email address: Egelman@theFHM.org

Telephone #: 727-820-0100 x221

SECTION A: CERTIFICATION AND COMPLIANCE STATEMENT

(to be completed by authorizing officer/individual)

I, Elizabeth Gelman, hereby certify that the above-referenced applicant is eligible to receive Capital Project Funding from the Pinellas County Tourist Development Council and Convention & Visitors Bureau pursuant to Pinellas County Code and the Capital Projects Funding Program Guidelines (Guidelines), and that the following documents are submitted herewith (Capitalized terms shall have the meaning ascribed herein or as set out in the Guidelines). (Initial each item below in **blue ink**.)

X A timely, fully completed, typed, signed application, Sections A through E, with all appropriate signatures in blue ink and marked "Original."

_____ The following complete support materials are provided (if not applicable to your project, explain why):

n/a An economic impact study, which satisfies the economic impact study requirements as specified in Attachment A, provided by an independent consultant demonstrating how the proposed Capital Project will enhance and promote Pinellas County as a tourist destination. Study must be completed no earlier than 6 months before application due date.

R9 Detailed Capital Project description.

_____ Certification that Capital Project is shovel-ready, including explanation and documentation of real or personal property security interests, and the design, permitting, and construction status.

R9 An explanation of how the funds will be utilized, including amount requested, total Capital Project budget, and an itemized budget (schedule of values).

R9 Other Security Assessments and Concept Drawings

in process Completed Marketing and/or Sponsorship benefits plan to be provided by Applicant upon completion and occupancy of the Capital Project to jointly promote the destination with VSPC, including the Applicant's valuation and proposed term of the promotion plan.

eg Documentation identifying Applicant's funding sources for Applicant's matching funds.

eg Proof of ownership of project property (such as a deed or most recent tax bill); and if either the land or building is leased or licensed, a copy of the complete lease or license agreement.

eg Certification that Applicant and/or Applicant's attorney has reviewed, understands and agrees to the terms, conditions and provisions of the Funding Agreement as set out in Attachment B.

eg Four (4) collated copies of the application and support materials, and one copy of the application and support materials saved as a pdf file or files on a USB drive.

eg Attach to original only (non-governmental applicants): One (1) *Florida Certificate of Status* (aka *Certificate of Good Standing*) from the Florida Department of State, Division of Corporation (DOS); *OR* documentation verifying correct legal identity and status from the DOS website at www.sunbiz.org; *OR* equivalent.

eg I understand that incomplete applications may be disqualified and ineligible for funding.

I further certify that the information contained in this application is true and correct to the best of my knowledge and that I have read the Capital Projects Funding Program Guidelines and will abide by all legal, financial, and reporting requirements established in the Guidelines, Pinellas County Code, and Florida Statutes.

I also acknowledge and understand that receipt of any funding for this event is contingent upon a fully executed agreement, prepared by the County, that includes the County's required terms and conditions.

Please have an **authorized corporate officer, or if a municipality, an authorized individual** sign below in **blue ink**.

Authorizing Officer/Individual	
Name (typed)	Elizabeth Gelman
Title	Executive Director
Phone	727-820-0100 x221
Email	Egelman@thefhm.org
Date Signed	
Signature	

SECTION B: GENERAL INFORMATION

Applicant Organization: (Legal name) The Florida Holocaust Museum	
Mailing Address: 55 5th Street South	
City: St. Petersburg	State: FL Zip: 33701
Street Address: 55 5th Street South	
City: St. Petersburg	State: FL Zip: 33701
FEIN #: 592-981-494	
Phone: 727-820-0100 x221	FAX:
Web Address: TheFHM.org	
Primary Contact Person:	Elizabeth Gelman
Title:	Executive Director
Direct Phone:	727-820-0100 x221
Email:	Egelman@thefhm.org

1. TYPE OF ORGANIZATION:

- ☐ (1) A public entity located in Pinellas County;
☐ (2) An organization that operates a publicly-owned facility in Pinellas County through a service contract or lease whose use of the facility is eligible for funding pursuant to Pinellas County Code and the Capital Projects Funding Program Guidelines;
☒ (3.a) Not-for-profit entity that owns & operates a museum open to the public;
☐ (3.b) Not-for-profit entity that owns & operates an aquarium open to the public.

2. Identify the statutorily eligible Capital Project for which you are applying:

(a) Capital funds will be used for the (check all that apply):

- ☐ Acquisition; ☐ Construction; ☐ Extension; ☐ Enlargement; ☒ Remodel;
☐ Repair; ☒ Improvement

(b) of the following facility located in Pinellas County:

- | | | |
|--|-----------------------------------|--|
| <input type="checkbox"/> Convention Center | <input type="checkbox"/> Coliseum | <input type="checkbox"/> Auditorium |
| <input checked="" type="checkbox"/> Museum | <input type="checkbox"/> Aquarium | <input type="checkbox"/> Sport Stadium/Arena |

3. Identify the following for the existing or proposed facility:

Owner: The Florida Holocaust Museum

Facility Name: The Florida Holocaust Museum

Facility Location: 55 5th Street South, St. Petersburg, FL 33701

4. Said facility is/will be:

☐ Publicly owned and operated

☒ Owned and operated by a not-for-profit organization and open to the public

5. If the facility or land is leased or licensed, indicate the date the lease/license period ends: n/a

6. Total amount of funding requested: \$350,000

7. Projected Capital Project timeline: Start Date: 9/2019 End Date: 12/2020

8. Projected annual incremental increase in the number of Tourist room nights expected to be generated by the Capital Project for a period of 10 years after completion and occupancy of the Capital Project: n/a.

9. Projected annual incremental increase in the number of Tourist attendees expected to be generated by the Capital Project for a period of 10 years after completion and occupancy of the Capital Project: n/a.

10. Applicant's valuation of the Marketing and/or Sponsorship benefits to be provided by the Applicant: up to \$500,000.

11. Projected annual increases in governmental fees and taxes expected to be generated by the Capital Project for a period of 10 years after completion and occupancy of the Capital Project: n/a.

SECTION C: PROJECT DESCRIPTION & ELABORATION

Please respond completely to each item below. While your answers may summarize information explained in more detail in your economic impact study, it is NOT acceptable to simply refer to this document (i.e., "see economic impact study").

12. Please provide the **mission statement** of your organization. Do not address history, goals, objectives, programs, objects or any other additional information. Mission statements should be one or two sentences.

The Florida Holocaust Museum (The FM) honors the memory of millions of innocent men, women and children who suffered or died in the Holocaust. The Museum is dedicated to teaching the members of all races and cultures the inherent worth and dignity of human life in order to prevent future genocides.

13. Provide a brief synopsis of your Capital Project proposal and funding request. Describe the primary goals and objectives of the Project.

(13 continued) Law enforcement consultants including local, Homeland Security and independent agencies concur that a redesign of The Florida Holocaust Museum's entrance is needed in order to better protect the lives of students and teachers who come to the Museum for mandated Holocaust education (Florida Statue 1003.42(g)) as well as Holocaust Survivors, Liberators, law enforcement personnel and the general public.

This proposal will predominantly talk about The FHM's security needs but in addition to a more secure entrance, this new concept will allow The FHM visitors to have a better visitor experience as they enter the Museum and includes opportunities to advertise the other attractions throughout St Petersburg-Clearwater through use of video screens and/or interior billboards throughout the new entrance area. Interior plans have not been completed at this time so input from the CVB would be welcomed.

When The FHM moved into its current home in downtown St Petersburg 21 years ago, there was not a lot of thought given to security. The entrance doors open wide, allowing visitors to walk directly into the Museum before going through security protocols. While The FHM has increased security protocols over the past years, including the addition of armed security staff, a perpetrator could easily bypass security to push past the front mural and end up in the middle of the Museum floor, or move to the opposite end from security and enter the Museum through the exhibit exit. When large groups of visitors arrive, the front doors are often open wide to the street for 5-10 minutes as there is limited waiting area inside the front door, making an attractive target. In addition, the steps at the front of the Museum do not allow the entrance of visitors with mobility challenges. They must use the Museum's rear entrance which is not large enough for more than cursory security examinations and move through the Museum's first floor before going through front of house security protocols. The design of the front entrance and stairs also allows for people to "lurk" outside of security camera angles.

Signage is prominently posted at the entrance that guns and weapons are not allowed in the Museum, but museum guards consistently find weapons when our visitors walk through the metal detectors or when purses, backpacks, briefcases and clothing go through the security scanners. While most people readily agree to leave the Museum and lock their weaponry in their cars, there have been a few tense moments. The problem is that people are already in the Museum when weapons are identified. At that point, it can be too late.

While The FHM is not a Jewish institution, the threat level to institutions perceived as Jewish has been rising for several years and the recent shootings in the Pittsburgh and Poway have increased security concerns and have impacted attendance. The FHM's annual Yom HaShoah (Holocaust Remembrance Day) commemoration took place on May 2, 2019, three days after the shooting at the Poway Chabad center. Attendance was half of the 600 + of previous years, staff fielded a large number of calls specifically about Museum security, St Petersburg Police Dept ramped up their already vigilant plans for the day, and a number of politicians sent security representatives earlier in the day before attending themselves. As another example, The FHM has often been the site of protests, primarily against Israel, where protesters crowd the front (public) sidewalk and make it difficult for school children and visitors to enter safely. Not only does this discourage visitors from attending but it is a potentially dangerous situation whenever anyone is forced to walk through picket lines.

Conceptual drawings for the new entrance (attached) have been assessed and approved by law enforcement personnel.

(13 Continued) Goal 1: Visitors pass through security before entering the Museum Restructuring the entry to add a vestibule before Museum entrance will allow visitors to walk through security before entering the Museum, will aid in the flow of visitors through the security screening measures, and provide better protection in the case of an active shooter scenario.

Goal 2: Secure entrance for school children

Buses will be able to drop students off on the alley-side of the building so that students can step off the bus immediately onto and into the Museum.

Goal 3: All visitors will enter through the same entrance

The new entrance of the Museum will have a ramp, allowing for access by all visitors. At present, visitors with mobility challenges must use the rear entrance and move through the Museum's first floor before reaching security.

Funding Request: \$350,000

14. Please provide a brief statement explaining how your Project comports with the requirements of Florida Statutes § 125.0104 and Pinellas County Code Sec. 118-32. Not to exceed 1 pages.

This funding request falls under Florida Statute 125.0104-4 and Pinellas County Code Sec. 118-32 (a) i.e. Category E. The main goal for this project is to ensure a more secure environment for students and other visitors. The calls Museum staff continually receives from potential visitors and government officials regarding security creates concern a decline in visitors may result unless The FHM can demonstrate that keeping its visitors safe is a priority. The FHM's location is in the heart of downtown St Petersburg and any security threat to the Museum impacts the businesses which surround it.

On the positive side, a new entrance will allow The FHM to create a more attractive and welcoming experience for visitors in addition to making the facility more secure. Moving the entrance to the side will allow for banners and other signage to be put on the 5th St S facing side of the building and multiple opportunities exist within the new construction area to elevate visitor experience.

As to the matching funds requirement, \$500,000 has already been allocated in the State budget, conversations continue for City support to match the County contribution, and a number of private donors have expressed interest in assisting with this important project.

15. Describe in detail the appeal or attraction of the proposed Project/Tourism facility, and its proven or potential ability to generate a significant return on investment of Bed Taxes. Describe unique attributes of the facility and its value in promoting Pinellas County as a Tourist destination for visitors from the State of Florida, and nationally, or internationally. Not to exceed 2 pages.

The Florida Holocaust Museum is a unique institution, one of the largest Holocaust museums in the country with a reach throughout the state of Florida and around the world.

1 of 3 accredited Holocaust Museums in the United States

The FHM's ongoing commitment to professionalism, standards and best practices allows it to host numerous national and international exhibitions, attracting tens of thousands of visitors every year and reinforcing the important role the Museum and Pinellas County have as international tourist destinations. In 2015, The FHM partnered with Paris-based Yahad-in-Unum to host the international exhibition "Holocaust by Bullets," and to create the exhibition's 155-page interactive guide. In 2018, the Museum presented the exhibition "Operation Finale: The Capture and Trial of Adolph Eichmann," created in partnership with several Israeli and

(15 Continued) American institutions as well as the blockbuster “Bill Graham and the Rock & Roll Revolution.” The FHM was also chosen as one of four museums (LA, Chicago, New York, St Pete) by USC Shoah Foundation – The Institute for Visual History and Education to premiere the virtual reality film “The Last Goodbye.” “The Last Goodbye” features survivor Pinchas Gutter's visit to the site of the Nazi death camp Majdanek in Poland. Gutter is the only member of his family of four to have survived the Holocaust. The precedent-setting, fully immersive experience enables viewers to virtually visit the site with Gutter as he travels in life-sized projections through the railway car, gas chamber, shower room and barracks of Majdanek seven decades later. During 2020, The FHM will host Anne Frank: Let Me Be Myself, an exhibition from the Anne Frank House in Amsterdam which includes a virtual reality component that will allow visitors to virtually explore the secret annex where the Frank family was hidden.

150,000+ people reached annually inside the Museum and through its outreach programs.

Through its world-class exhibitions and programs, The FHM spreads awareness about the Holocaust, genocide and human rights in both historic and cross-cultural contexts. Using personal stories, academic lectures, history, art and photo exhibitions as well as explorations of current events, the Museum's prismatic approach aims to create a better future for all. In addition to hosting historical exhibitions, The FHM continually exhibits contemporary visual art responses to the Holocaust and other genocides as well as civil and human rights issues, sharing these exhibitions throughout Florida and beyond, The FHM regularly brings content-experts and well-known speakers to Tampa Bay and other areas of Florida. The FHM has 27 exhibitions available to tour, regularly shown around Florida and throughout the country. Total People Served in 2018-19: 218,373

During 2018-19, 75,334 students in 36 counties were taught the concepts of upstander behavior, the rights and responsibilities of living in a democracy and speaking out against injustice. In addition, The FHM worked with 1460 teachers this year, touching the lives of many more students through the education of their teachers and assisting with the implementation of statutorily required instruction about the Holocaust (Chapter 1003.42)

1,900 Police Officers trained in Law Enforcement & Society: Lessons of the Holocaust program

At a time when community and law enforcement relations are fragile, The FHM has stepped up to offer this important initiative to Florida. This program enables law enforcement officers to examine the role their profession played in the Holocaust and challenges them to reflect upon their professional and personal responsibilities in a democracy today. Trainings for Bradenton, Gainesville, St Petersburg and Tampa Police Depts, Pasco and Polk County Fire Depts, and National Homeland Security have taken place between 2015 to present.

200 hours of Survivor testimony recorded and digitized

Since the Holocaust was a series of atrocities inflicted by people on people and a matter of great moral and ethical significance, it is crucial that the human experience of the victims be told in the first person so that it may be at least partly understood. The Museum's commitment to filming and digitization will keep the stories of Holocaust Survivors, Liberators and Rescuers alive for future generations. By making its educational resources and Survivor and Liberator stories available to Florida's citizens and beyond, the Florida Holocaust Museum and State of Florida continue to lead the nation in providing Holocaust and Human Rights education in the hopes of creating a better future for all.

Technology Initiative

With its new technological capabilities, The Florida Holocaust Museum has broken new ground in how this Museum - and other museums - share resources with classrooms, educational institutions, and casual learners. Through its partnership with the USC Shoah Foundation – The Institute for Visual History and Education, The FHM has created lessons using survivor stories from its archival collection and from other sites throughout Florida in IWitness. This online, participatory, multi-media platform provides students and educators access to more than 1,500 full life histories, testimonies of survivors and witnesses to the Holocaust and other genocides for guided exploration and activities. Since 2017-18, this ground-breaking Florida-focused Holocaust curriculum has been taught in Broward, Leon, Pinellas and West Palm Beach County School Districts, with new lessons continuing to be created.

Through statewide, nationwide and international partnerships, The FHM brings programs, education and exhibitions to institutions throughout Florida and across the United States. Attached is a snippet of a country and zip code survey filled out by self-selected visitors to the Museum during the first few months of 2019.

16. Discuss the proposed Marketing and/or Sponsorship benefits plan to be provided by Applicant promoting Pinellas County as a Tourist destination jointly with VSPC, including projections related to how the project will attract overnight visitors during both tourist season and "off season" periods. Identify your targeted markets, and detail what marketing funds, in addition to the promotion benefits provided to the VSPC, that Applicant will commit to out-of-market advertising. *Not to exceed 1 page.*

The creation of a new lobby area will allow The FHM visitors to have a better visitor experience as they enter the Museum and includes opportunities to advertise the other attractions throughout St Petersburg-Clearwater through use of video screens and/or interior billboards throughout the new entrance area. Interior plans have not been completed at this time. We would be happy to work with the CVB to create a mutually beneficial strategy.

17. Describe any studies or reports undertaken to determine the feasibility of the current proposed Capital Project. *Not to exceed 1 page.*

Due to concerns regarding the design of the Museum's entryway raised by several security experts, a conceptual redesign of the museum's front entrance was done in 2016 (See Attachment A).

Four Field and Security Assessment Reports, starting in 2011, mention the vulnerability of the museum's front entrance.

The latest report from the 2018 Assessment conducted by the St. Petersburg Police Department was the most comprehensive in its findings.

Summary of the 2018 findings (see below for excerpts from all Assessments):

- Outside front entryway provides hiding and sleeping places for homeless
- Interior entryway too small for proper security screening
- No physical barrier at entryway to rest of first floor of the museum
- Handicap access is from side entryway, allowing visitors to enter museum without proper screening.

The 2018 Assessment was also specific in its recommendations: The entrance should be pushed out creating a security vestibule prior to entering the actual facility.

The 2016 conceptual plan addresses the 2018, as well as, earlier findings. It moves the entryway to the alley-side of the building with a separated vestibule for security screening of visitors. This new entry would have handicap access, so that visitors in wheelchairs or who have other mobility issues can come into the same entrance and go through security screening as other visitors. The current front entranceway is closed off and pushed out to the sidewalk to eliminate the niche where people can hide or sleep.

The conceptual plan also takes advantage of the additional footprint of the building to redesign the second and third floors for much needed additional office space.

Security findings about The Florida Holocaust Museum's front entrance

2018 Security Assessment Report, St. Petersburg Police Department

On September 11, 2018, the St. Petersburg Police Department issued a "Security Assessment Report" for The Florida Holocaust Museum. Among several recommendations on how to improve the security of the facility, the report recommended a re-design of the front entrance.

(17 Continued) The tenth page of the report outlines the issue: "The design of the main entrance allows for problems on both the exterior and interior of the building... The design provides hiding and sleeping places for the homeless. On the interior the entrance is too small for proper security precautions. The entrance should be pushed out establishing a security screening area prior to entering the actual facility.

Recommendations

And it recommended: "Re-design the front entrance by pushing the entrance out and creating a security vestibule that can be used for screening. Once a person goes through the vestibule, they can enter the main doors. There will no longer be a need for the screen or Plexiglas that is currently being used to create a fake wall. A simple rope stanchion can direct a person to the admission desk.

There is no limit to the design of this vestibule. It can be built to fit the building's design. It can accommodate more people in the area so there will be no bunching up of people which can cause security concerns."

2017 Field Assessment Report,

This Security Assessment was performed by MPO Stanley Merchant, Tampa Police Department

While the museum has made several changes to address some of the findings and recommendations of this June 22, 2017 report, there are several observations that would require further redesign of the entrance to the museum.

Page 53 of the report states: "The main entrance to the facility creates a vulnerability due to the construction of the building. The mural hanging inside the front door will not stop unwanted visitors from forcing their way into the facility. Consider adding a structural wall behind the mural [to] protect the facility from intrusion. The structure wall would also serve as a barrier to protect visitors and staff from an active shooter style attack.... Consider restructuring the entry to aid in the flow of visitors through the security screening measures. This would also serve as a better protection from an active shooter scenario"

Page 57 of the report states: "Upon entering the facility patrons are facing a hanging mural. There is no wall to prevent a perpetrator from entering the museum by pushing past the mural. A structural wall should be built to secure the entry.....Even with the recent upgrades added to the front entrance area, restructuring this area is still a security priority for the facility and should be addressed in the recent (sic) future. The front entrance should be restructured to include a handicap ramp. ... The side entrance to the facility is utilized as a handicap entrance. This allows visitors to enter the facility without being screened by security."

Earlier Field Assessments

There were 3 earlier Field Assessments. The 2014 and the 2011 Assessments made similar findings to the above: The March 24, 2014 Field Assessment was performed by Brett Owen, Tampa Police Department, Urban Areas Security Initiative (UASI), for the purpose of a Non-Profit Security Grant. This report found on page 23: "A structural wall should be built to secure the entry.... The front entrance should be restricted to include a handicap ramp to ensure all patrons are properly screened prior to entry."

The May 25, 2011 Field Assessment was performed by Toni Palmer, Tampa Bay UASI, and Michael Handoga, St. Pete Beach Fire Department for the purpose of Non-Profit Security Grant Program Consideration. This report found on page 17: "The asset's biggest vulnerability is the current entrance lobby layout which will require construction of a more secure barrier between the entrance and exhibit areas. This section of the building should be re-configured to incorporate security first."

SECTION D: REQUIRED BUDGET INFORMATION

18. Provide a specific detailed budget (schedule of values) for the Capital Project (large budgets, round to the nearest hundred or thousand). Please differentiate how much of the budget would come from Capital Project Funding Program dollars versus other funding sources, including but not limited to matching funds, donations, loans, etc. *Not to exceed 3 pages.*

Florida Holocaust Museum, Inc.		
Capital Improvement - Security Entrance		
Budget Summary		
	Account	Proposed Budget
	Number	2019 - 2020
Income:		
Contributions:		
Private Contributions	4000	616,614
Total Contributions		616,614
Grants - Governmental:		
State of Florida (awarded)	4100	500,000
Pinellas County	4100	350,000
City of St. Petersburg (expected)	4100	350,000
Total Governmental Grants	4100	1,200,000
Total Income		1,816,614
Expenses:		
Professional Fees - Design	5115	136,592
Professional Fees - Legal, Administrative & Startup	5165	18,500
Land Development	5630	14,000
Building Improvements & Construction	5630	1,254,875
Furniture, Fixtures & Equipment	5700	227,500
Contingency	5850	165,147
Total Expenses		1,816,614
Net Income/(Expense)		0

SECTION E: CONFLICT OF INTEREST AVOIDANCE

19. List the names of any directors, officers, members, principals or employees of the applicant organization that are either Pinellas County employees, or that sit on any boards, commissions, councils, or committees of Pinellas County government.

Joshua Bomstein, Pinellas County Contractor Pre-Qualification Committee

SECTION F: PUBLIC RECORDS/TRADE SECRETS

Pinellas County Government is subject to the Florida Public Records law (Chapter 119, Florida Statutes), and all documents, materials, and data submitted to it are governed by the disclosure, exemption and confidentiality provisions relating to public records in Florida Statutes. Except for materials that are "trade secrets" or

"confidential" as defined by applicable Florida law, ownership of all documents, materials, and data submitted in response to the solicitation shall belong exclusively to the County.

To the extent that Applicant or Applicant's Agent desires to maintain the confidentiality of materials that constitute trade secrets pursuant to Florida law, trade secret material submitted must

be identified by some distinct method that the materials constitute a trade secret, and Applicant or Applicant's Agent shall provide an additional copy of the application and supporting documents that redact all designated trade secrets. By submitting any materials that are designated as trade secrets Applicant or Applicant's Agent acknowledges and agrees:

(i) that after notice from the County that a public records request has been made for the materials designated as a trade secret, the Applicant or Applicant's Agent shall be solely responsible for defending its determination that submitted material is a trade secret that is not subject to disclosure at its sole cost, which action shall be taken immediately, but no later than 10 calendar days from the date of notification or the trade secret designation of the materials will be deemed waived;

(ii) that to the extent that the application and/or supporting documents/materials with trade secret materials is evaluated, the County and its officials, employees, agents, and representatives, including Tourist Development Council members, that are in any way involved in processing, evaluating, negotiating, approving any funding request, or engaging in any other activity relating to the competitive selection process are hereby granted full rights to access, view, consider, and discuss the materials designated as trade secrets through the final funding award;

(iii) to indemnify and hold the County, and its officials, employees, agents, representatives and Tourist Development Council members harmless from any actions, damages (including attorney's fees and costs), or claims arising from or related to the designation of trade secrets herein, including, but not limited to actions or claims arising from the County's non-disclosure of the trade secret materials.

(iv) that information and data Applicant or Applicant's Agent manages may be public record in accordance with Chapter 119, Florida Statutes and Pinellas County public record policies. Applicant or Applicant's Agent agrees that it will implement policies and procedures, to maintain, produce, secure and retain public records in accordance with applicable laws, regulations, and County Policies including but not limited to Section 119.0701, Florida Statutes.

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