

Housing board reaches end

The St. Petersburg City Council is set to vote today whether to remove three members.

BY CHRISTOPHER O'DONNELL, Times Staff Writer | Published: May 16, 2019

ST. PETERSBURG - Despite an appeal to the courts, time is running out for three St. Petersburg Housing Authority board members that Mayor Kick Kriseman wants to remove from office for lax oversight of the agency.

With the City Council scheduled to vote on his recommendation today, Pinellas County Circuit Judge Patricia Ann Muscarella this week said the housing agency's emergency motion to halt the vote does not qualify as an emergency. That request was part of a lawsuit filed against Kriseman and the city accusing the mayor of wanting to stack the board with members who will fire Tony Love, the agency's beleaguered chief executive.

City attorneys have filed their own response accusing the Housing Authority of making 'hyperbolic claims.' 'This lawsuit actually represents a desperate and secretive attempt by the Authority to thwart the legitimate exercise of the removal authority explicitly provided to the City by the Florida Statutes,' the brief states.

Kriseman is seeking to remove board chairman Harry Harvey and board members Delphinia Davis and Ann Sherman White for what he deemed 'misconduct' and 'neglect of duty.' On April 29, the city sent a report to all three detailing a set of 'six charges,' including allowing the agency's chief executive to live in an apartment designated for low-income families and failing to follow Florida's Government in the Sunshine law. Harvey and Davis also failed to disclose complaints made by senior staff about bullying by Love when they recommended his annual pay raise, the report states.

Sherman White's removal is, in part, based on repeated absences from meetings. She was appointed by Kriseman in 2017 but missed five meetings in 2018 and was late twice.

She declined to comment Wednesday. Davis and Harvey did not return calls seeking comment.

The three this week hired Washington, D.C., lawyer Ross Nabatoff to represent them in the removal process. In a letter sent to city attorneys Wednesday, Nabatoff said his clients deny all allegations of misconduct and are requesting a 30-day postponement to allow them time to be heard by their counsel.

It was unclear late Wednesday if the city would grant the delay.

State law allows a mayor to remove board members for 'inefficiency or neglect of duty or misconduct in office.' But the law does not specify how the city should do that other than requiring the mayor provide a copy of the 'charges' at least 10 days prior to giving the board member an opportunity to be heard in person or by counsel.

With no one at City Hall able to remember the city ever previously removing a housing agency board member, city legal staff drew up their own process for today's vote, which will be considered a quasi-judicial hearing.

Each side will be given up to 30 minutes to make a presentation to council. Members will then be asked to vote individually on each count against a board member.

'We just want to provide as much due process as possible,' said Kevin King, Kriseman's chief of staff. 'We want to make sure everyone has ample opportunity, including the commissioners and the public, to be heard.' Kriseman earlier this year replaced two other members of the seven-person board by declining to renew them for a second term. The decision followed a review by the city's legal staff of the board's performance after a *Tampa Bay Times* investigation found it approved a 7 percent raise for Love in 2017 even though some members complained they hadn't seen his evaluation.

The *Times* also found that in 2016, Love lived rent-free for nine months in an apartment designated for low-income families and used agency funds to pay for his furniture and electric bills. The board chief was earning \$140,000 a year at the time.