

TAMPA BAY

Ousted St. Petersburg Housing Authority board members sue to get their positions back

They claim their removal was politically motivated and unlawful.

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Three former St. Petersburg Housing Authority board members are suing the City to get their positions back after City Council voted last month to remove them. There's a court hearing Wednesday to consider the request.

Harry Harvey, Delphinia Davis and Ann Sherman-White argue in a lawsuit filed last week their ousting was unlawful. They're asking a judge to overturn the City Council's decision.

The three former board members came under fire following housing authority scandal that found board members approved a 7 percent pay raise for its CEO, Tony Love, despite rampant complaints about his management style. The board also allowed Love to live in Authority-owned low-income housing despite his \$140,000 a year salary, which was raised to \$150,000 after his raise.



Other complaints included extreme absenteeism, failure to follow Florida Sunshine Laws and failure to complete required reports, among others. City Council considered the board members' removal at the behest of St. Pete Mayor Rick Kriseman during a lengthy discussion at a quasi-judicial hearing. Several community members spoke in favor of the three board members, but much of their testimony was silenced because they did not directly address the issue of which the members were accused.

That attempted testimony supported what the board members asserted in a previous lawsuit attempting to block their removal arguing Kriseman was trying to usurp the Housing Authority's sole authority to hire and fire its CEO by removing supportive board members and replacing them with someone who would install a new leader. They also argued Kriseman was attempted to control the Housing Authority to further an agenda that supports gentrification. In the group's latest petition, they claim they were denied due process because they "were not given a fair opportunity to be present, represented by counsel, or to cross-examine witnesses" who testified against them during the May City 16 Council hearing.

That argument appears invalid. The city publicly noticed the meeting under city charter guidelines. Florida Politics reported the meeting was coming nine days before it was scheduled to occur. Kriseman sent a letter to the three board members in question on April 29. That letter gave the group until May 10 to respond to the allegations against them in writing and included the May 16 date of the public hearing. None of the board members responded in writing nor did any or a representative for them attend the May 16 meeting. Further, City Council Chair Charlie Gerdes asked repeatedly during the meeting both at the beginning and at the end of public testimony if there was anyone in attendance to speak on behalf of the board members.

The city compiled a compelling case against Harvey, Davis and Sherman-White in a charging document outlining dozens of infractions. It referenced city charter language to support Kriseman's rationale for removing the board members based on those infractions. City Council upheld almost all of those allegations. However, the removed board members argue the decision was not based on evidence and instead on "hyperbolic assertions." They argue their ouster is based on political motivation to remove Love from his position as CEO of the St. Petersburg Housing Authority.

It's unclear whether a judge will make a decision during the Wednesday hearing, but city attorneys as well as Kriseman will be present to defend the city's position. The city did not comment on the lawsuit because it is its policy to not comment on pending litigation.