

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of April 8, 2021

TO: The Honorable Ed Montanari, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his designee, to execute a Road Transfer Agreement ("Agreement") with Pinellas County, Florida, a political subdivision of the State of Florida, by and through its Board of County Commissioners, for the transfer of certain road segments to include portions of Central Avenue and Dr. Martin Luther King, Jr. Street North, St. Petersburg, for the ongoing operation, maintenance, planning, design and construction of the road segments by the City; allowing the City Attorney to make any non-substantive changes to the Agreement; authorizing the Mayor, or his designee, to accept revenue in the amount of \$1,789,368 from Pinellas County; approving a supplemental appropriation in the amount of \$1,789,368 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above revenues, to the Central Avenue Roadway Improvements Project (TBD); to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Pursuant to Section 335.0415, Florida Statutes (2019), the jurisdiction and responsibility for operation and maintenance of public roads is that which existed on June 10, 1995 and may be transferred by mutual agreement between the City of St. Petersburg, Florida ("City") and Pinellas County, Florida ("County") (collectively "Parties").

Typically, County roadways span multiple cities and/or unincorporated areas within the County while the two roadways in question generally only serve the City.

While these roads, which are entirely within the St. Petersburg city limits, have been maintained by the County, the City has performed some maintenance work on these roads for the benefit of the City's residents, including the adjacent rights-of-way, within the immediate past seven (7) years, which include segments of Central Avenue and Dr. Martin Luther King, Jr. Street North ("Road Segments"). This is in part due to the fact that the County has jurisdiction over the roadway while the City has jurisdiction over the other improvements within the public right-of-way including the sidewalks and other areas outside the curbs of the road, or other adjacent roadway areas which provide the ability to react to isolated or specific requests due to the proximity of City staff. The existing division of ownership leads to maintenance complications and confusion for adjacent property owners who don't know which entity to approach with maintenance or permit requests.

Additionally, County ownership of Central Avenue has added complexity to several significant City-desired projects, such as the West Central Streetscape project and the SunRunner Bus Rapid Transit ("BRT") project. Significant surface and subsurface improvements have been designed for

the West Central Streetscape project from Park Street to 58th Street; however, this project cannot move to construction until such time as permits have been obtained by the agency with jurisdiction for the roadway from the Florida Department of Transportation. The installation of bike lanes on Central Avenue west of 34th Street is needed to replace the bike lanes on 1st Avenues North and South which are being removed to support the installation of the BRT stations and the business-access-and-transit lane. While the construction of the BRT stations commenced in early 2021, the bike lanes have already been removed from the west of 58th Street and are expected to be removed to the east of 34th Street imminently. The proposed roadway transfer will allow for the installation of a temporary bike lane on Central Avenue as contemplated during the planning and design phases of the BRT project to provide accommodation for the people who have come to rely upon bicycle infrastructure along this corridor.

The Parties have determined it is in the best interest of both jurisdictions to enter into a Road Transfer Agreement ("Agreement") to transfer the responsibility for the operation, maintenance, planning, design, and construction of the Road Segments to the City. The proposed Agreement will allow the City to advance the aforementioned projects to construction and make future improvements to the Road Segments; make future improvement projects fully under the City's control and therefore more efficient; and provide clarity to adjacent property owners which entity should be contacted for maintenance or permit requests. The process of transferring Dr. Martin Luther King, Jr. Street Road Segment to the City had commenced in July of 1982; however, it was never finalized and has now become a part of this Agreement.

The Parties recognize that the Road Segments are in need of improvement. Pursuant to Section 163.01(10)(a), Florida Statutes (2019) the County agrees to provide the City with \$1,789,368.00, within ninety (90) days of the execution of the Agreement, to offset the reasonably anticipated, imminent maintenance costs which the City will bear upon the transfer of the Road Segments. It is anticipated that the City will program additional funds to leverage with the County funds to continue Central Avenue improvements in the Union Central District and other segments along the corridor.

Further, within 30 days of the execution of the Agreement by the Parties, the County will file a right-of-way map identifying the Road Segments. In accordance with Section 337.29 (3), Florida Statutes (2018), upon the recording of the right-of-way map the City accepts all legal rights, responsibilities, and obligations with respect to the Road Segments including, but not limited to, the operation, planning, design, construction, improvement, and maintenance of the Road Segments, including stormwater drainage and facilities and mitigation sites, within and appurtenant to the rights-of-way transferred therein and the permitting associated therewith. The City shall have the same governmental, corporate, and proprietary powers with relation to the Road Segments as the City has with relation to other public roads and rights-of-way within the City's street system.



RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute a Road Transfer Agreement ("Agreement") with Pinellas County, Florida, a political subdivision of the State of Florida, by and through its Board of County Commissioners, for the transfer of certain road segments to include

portions of Central Avenue and Dr. Martin Luther King, Jr. Street North, St. Petersburg, for the ongoing operation, maintenance, planning, design, and construction of the road segments by the City; allowing the City Attorney to make any non-substantive changes to the Agreement; authorizing the Mayor, or his designee, to accept revenue in the amount of \$1,789,368 from Pinellas County; approving a supplemental appropriation in the amount of \$1,789,368 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above revenues, to the Central Avenue Roadway Improvements Project (TBD); to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Revenues of up to \$1,789,368 are to be received from Pinellas County and deposited into the General Capital Improvement Fund (3001) within 90 days of the agreement. Funding will be available upon approval of a supplemental appropriation from the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above revenues, to the Central Avenue Roadway Improvements Project (TBD).

ATTACHMENTS: Road Segments, Transfer Maps, and Resolution

APPROVALS:

Administration:		For Alan DeLisle
Budget:		
Legal:	<u>/s/ Bradley Tennant</u> (As to consistency w/attached legal documents)	

Road Segments

EXHIBIT A

Road Transfer Agreement

ROAD SEGMENTS

PINELLAS COUNTY TO CITY OF ST. PETERSBURG

Table 1- 1 page

Table 2 – 1 page

Table 3 – 1 page

Table 4 – 2 pages

Table 5 – 2 pages

Table 6 – 1 page

Road Segments (Continued)

**Exhibit A - Table 1
ROAD SEGMENTS TRANSFERRED FROM PINELLAS COUNTY, FLORIDA TO THE
CITY OF ST. PETERSBURG, FLORIDA**

Road Name	From	To	Centerline Miles	Plat Name or Document Type	Book and Page
Dr. Martin Luther King Jr. St N	34 th Ave N	38 th Ave N		Map of Belvidere	PB 4-6
				Allendale Terrace	PB 4-66
				Road Petition	BCC 4-445
				Road Petition (Not shown on map)	BCC 4-322
Total			0.26		

NOTE: The table above is a list of the supporting right-of-way instruments that were found. The extents of the transfer are depicted with bold continuous and bold dashed line types on the map.

Road Segments (Continued)

**Exhibit A - Table 2
ROAD SEGMENTS TRANSFERRED FROM PINELLAS COUNTY, FLORIDA TO THE
CITY OF ST. PETERSBURG, FLORIDA**

Road Name	From	To	Centerline Miles	Plat Name or Document Type	Book and Page
Dr. Martin Luther King Jr. St N	38 th Ave N	54 th Ave N		Northwest Quarter – Allendale Terrace	PB 18-1
				Blocks 7,8,9,10, 11,12,13 of Allendale Terrace Sub	PB 7-18
				First Unit of Monticello Park Subdivision	PB 7-57
				Euclid Manor	PB 9-123
				Ravenswood	PB 10-13
				Arcadia Subdivision	PB 8-34
				Franklin Heights	PB 14-20
				Arcadia Annex	PB 9-71
				Road Petition	BCC 4-445
				Road Petition (Not shown on map)	BCC 4-322
Total			0.97		

NOTE: The table above is a list of the supporting right-of-way instruments that were found. The extents of the transfer are depicted with bold continuous and bold dashed line types on the map.

Road Segments (Continued)

**Exhibit A - Table 3
ROAD SEGMENTS TRANSFERRED FROM PINELLAS COUNTY, FLORIDA TO THE
CITY OF ST. PETERSBURG, FLORIDA**

Road Name	From	To	Centerline Miles	Plat Name or Document Type	Book and Page
Dr. Martin Luther King Jr. St N	54 th Ave N	62 nd Ave N		North Euclid Extension	PB 10-41
				Plan of North St. Petersburg	PB 4-64
				Salinas' Euclid Park Subdivision	PB 31-37
				North St. Petersburg Partial Replat of Block 91	PB 67-72
				Road Petition	BCC 4-445
				Road Petition (Not shown on map)	BCC 4-322
Total			0.47		

NOTE: The table above is a list of the supporting right-of-way instruments that were found. The extents of the transfer are depicted with bold continuous and bold dashed line types on the map.

Road Segments (Continued)

Exhibit A - Table 4
ROAD SEGMENTS TRANSFERRED FROM PINELLAS COUNTY, FLORIDA TO THE
CITY OF ST. PETERSBURG, FLORIDA

Road Name	From	To	Centerline Miles	Plat Name or Document Type	Book and Page
Dr. Martin Luther King Jr. St N	62nd Ave N	Gandy Blvd		Plan of North St. Petersburg, Block 93, Partial Replat	PB 56-35
				Plan of North St. Petersburg	PB 4-64
				Meadow Lawn Subdivision	PB 32-2
				Plan of North St. Petersburg Block 95 Second Replat	PB 57-72
				Zehrcrest Heights	PB 9-138
				Chatham Park	PB 41-7
				Meadow Lawn – Third Addition	PB 32-57
				Meadow Lawn – Sixth Addition	PB 35-84
				Meadow Lawn – Eighth Addition	PB 37-86
				Mira Bella No 1	PB 9-143
				Marilyn Heights	PB 41-15
				Meadow Lawn – Seventh Addition	PB 39-13
				Gandy Highway Subdivision	PB 9-6
				John Alexander Kelly Sub	PB 6-14
				Rio Vista Center	PB 43-11
				Winston Park Unit One	PB 46-46
				El Centro	PB 13-57
				Barclay Estates	PB 60-4
				John Alex. Kelly – Lizotte Sub.	PB 10-76
				John Alex. Kelly- Bruce Sub	PB 6-29

Road Segments (Continued)

				John Alex Kelly Scarborough Subdivision	PB 8-31
				Georgian Terrace	PB 9-20
				John Alex Kelly Pine-Hills Subdivision	PB 8-27
				Baybridge Heights	PB 8-9
				Order of Taking	OR 510-190
				Deed	DB 374-265
				Deed	OR 676-654
				Deed	OR 631-380
				Deed	OR 486-94
				Deed	DB 1260-561
				The East 100' of a 100' R/W per DB 1304-331	DB 1304-331
				The East 100' of a 50' R/W per DB 1304-479	DB 1304-479
				The East 50' of a 100' R/W per DB 1254-447	DB 1254-447
				Road Petition	BCC 4-445
				Road Petition	BCC 5-300
				Road Petition	BCC 23-252
				Road Petition (Not shown on map)	BCC 4-322
				Road Petition (Not shown on map)	BCC 6-46
Total			2.21		

NOTE: The table above is a list of the supporting right-of-way instruments that were found. The extents of the transfer are depicted with bold continuous and bold dashed line types on the map.

Together with interests of Pinellas County, if any, within the following "SRD" parcels as described in a Pinellas County and State Road Department of Florida Order of Taking per OR 510-190: 2,3,5,8,9, 15,16,24,25,26,27,28,29,30,31,32,33,34 and 43.

Road Segments (Continued)

**Exhibit A - Table 5
ROAD SEGMENTS TRANSFERRED FROM PINELLAS COUNTY, FLORIDA TO THE
CITY OF ST. PETERSBURG, FLORIDA**

Road Name	From	To	Centerline Miles	Plat Name or Document Type	Book and Page
Dr. Martin Luther King Jr. St N	Gandy Blvd	N Roosevelt Blvd		Northgate of St. Petersburg, First Addition	PB 67-25
				Whiteway	PB 7-33
				Addition to Bridge Manor	PB 9-91
				Toy Town Section-A	PB 7-37
				Order of Taking	OR 510-190
				Deed	DB 1257-295
				Deed	DB 1257-299
				Deed	DB 1257-297
				Deed	DB 1260-561
				A portion of the R/W described in Judgement 74- 6571-8 per OR 4757-1760	OR 4757-1760
				Road Petition	BCC 5-300
				Road Petition	BCC 23-252
				Road Petition (Not shown on map)	BCC 4-322
				Road Petition (Not shown on map)	BCC 6-46
Total			0.43		
Grand Total			4.34		

NOTE: The table above is a list of the supporting right-of-way instruments that were found. The extents of the transfer are depicted with bold continuous and bold dashed line types on the map.

Together with interests of Pinellas County, if any, within a parcel conveyed to The City of St. Petersburg per OR 3298-32.

Together with interests of Pinellas County, if any, within a parcel conveyed to FDOT per OR 610-613.

Together with interests of Pinellas County, if any, within the following "SRD" parcels as described in a Pinellas County and State Road Department of Florida Order of Taking per OR 510-190: 2,3,5,8,9,15,16,24,25,26,27,28,29,30,31,32,33,34 and 43.

Road Segments (Continued)

EASEMENTS TRANSFERRED FROM PINELLAS COUNTY, FLORIDA TO THE CITY OF ST. PETERSBURG, PINELLAS COUNTY, FLORIDA

- A portion of a 10' "Easement for Street" shown on the plat of North St. Petersburg Block 92 Second Partial Replat recorded in PB 69-90
- A portion of a 10' "Easement for Street" shown on the plat of Northside Replat recorded in PB 67-87

LEGEND

PB	Plat Book
OR	Official Record
DB	Deed Book
BCC	Board of County Commissioners Minutes Book
SUB	Subdivision
R/W	Right-of-way
RP	Road Petition
(P)	Plat

All plats, deeds and easements referenced hereon are recorded in the Public Records of Pinellas County, Florida.

Road Segments (Continued)

**Exhibit A - Table 6
ROAD SEGMENTS TRANSFERRED FROM PINELLAS COUNTY, FLORIDA
TO THE CITY OF ST. PETERSBURG, FLORIDA**

Road Name	From	To	Centerline Miles	Plat Name or Document Type	Book and Page
Central Ave	Sunset Dr	34 th St S (US Hwy 19)		Revised Map of Davista	PB 4-24
				Pasadena on the Gulf	PB 4-62
				Lake Pasadena Development	PB 7-14
				West Central Estates	PB 21-78
				Hall's Central Avenue Sub No. 5	PB 5-12
				J C Schug's Central Avenue Sub	PB 3-46
				Mitchell's Central Avenue Sub	PB 1-40
				Central Avenue Homes	PB 5-60
				Allen Park Section A	PB 5-21
				Revised Map of Central Park	PB 1-39
				Inter-Bay Sub	PB 4-58
				Hall's Central Ave Sub	PB 3-31
				Central Ave Heights	PB 3-1
				Hall's Central Ave Sub No. 4	PB 4-2
				Powers Central Park Subdivision	PB 10-68
			3.88	Blocks A, B & C of West Central Avenue Sub	PB 3-17
Total			3.88		

NOTE: The table above is a list of the supporting right-of-way instruments that were found. The extents of the transfer are depicted with bold continuous and bold dashed line types on the map.

LEGEND

PB Plat Book
 PB H Plat Book recorded prior to 1912
 OR Official Record
 DB Deed Book
 BCC Board of County Commissioners Minutes Book
 PB H Plat Book recorded prior to 1912
 SUB Subdivision
 R/W Right-of-way
 (P) Plat

All plats, deeds and easements referenced hereon are recorded in the Public Records of Pinellas County, Florida.

Transfer Maps

EXHIBIT B

Transfer Maps

Road Transfer Agreement

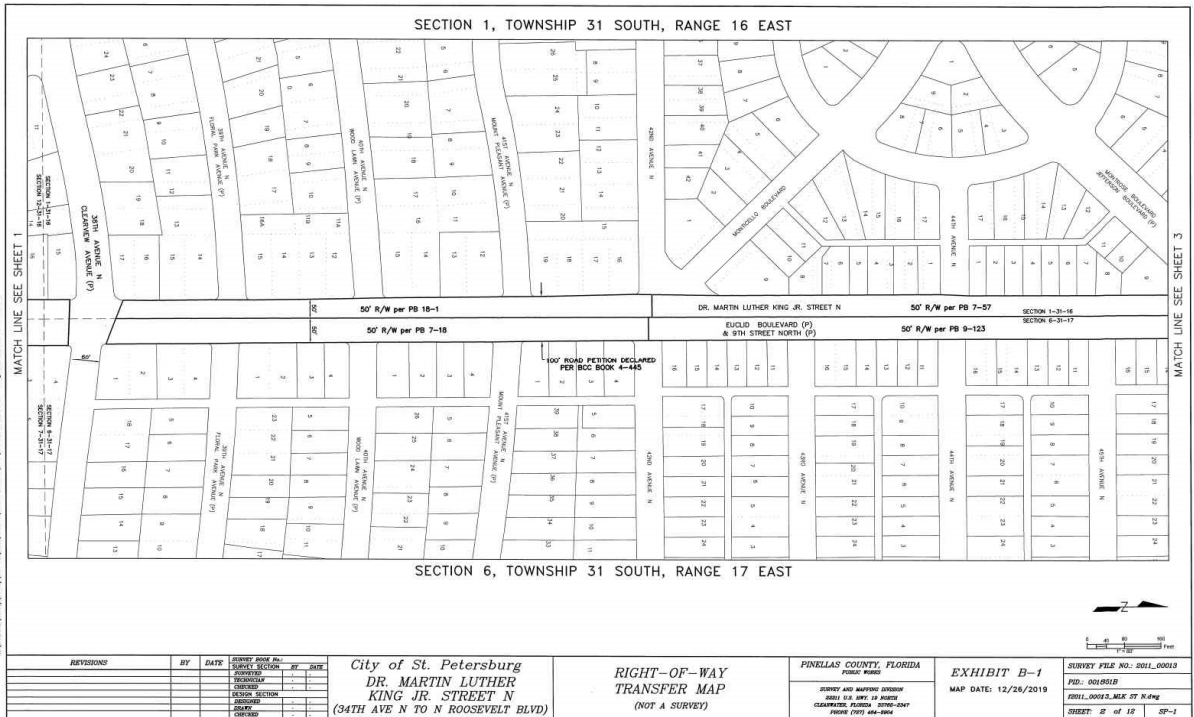
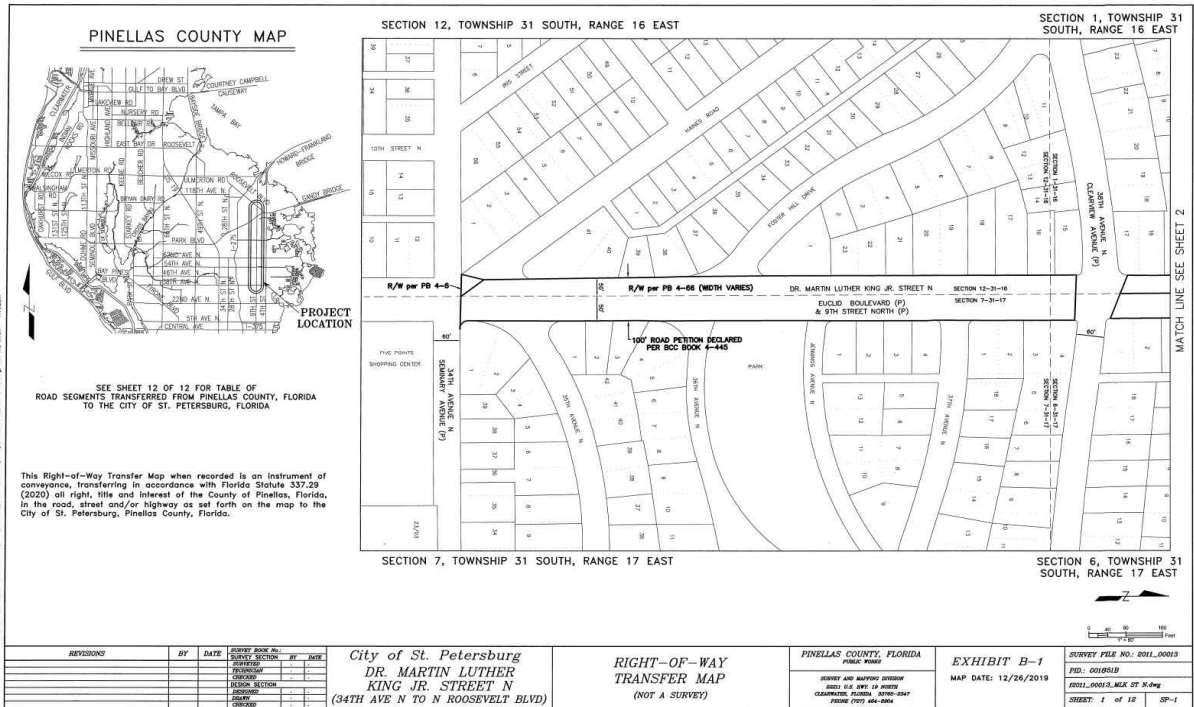
ROAD SEGMENTS

PINELLAS COUNTY TO CITY OF ST. PETERSBURG

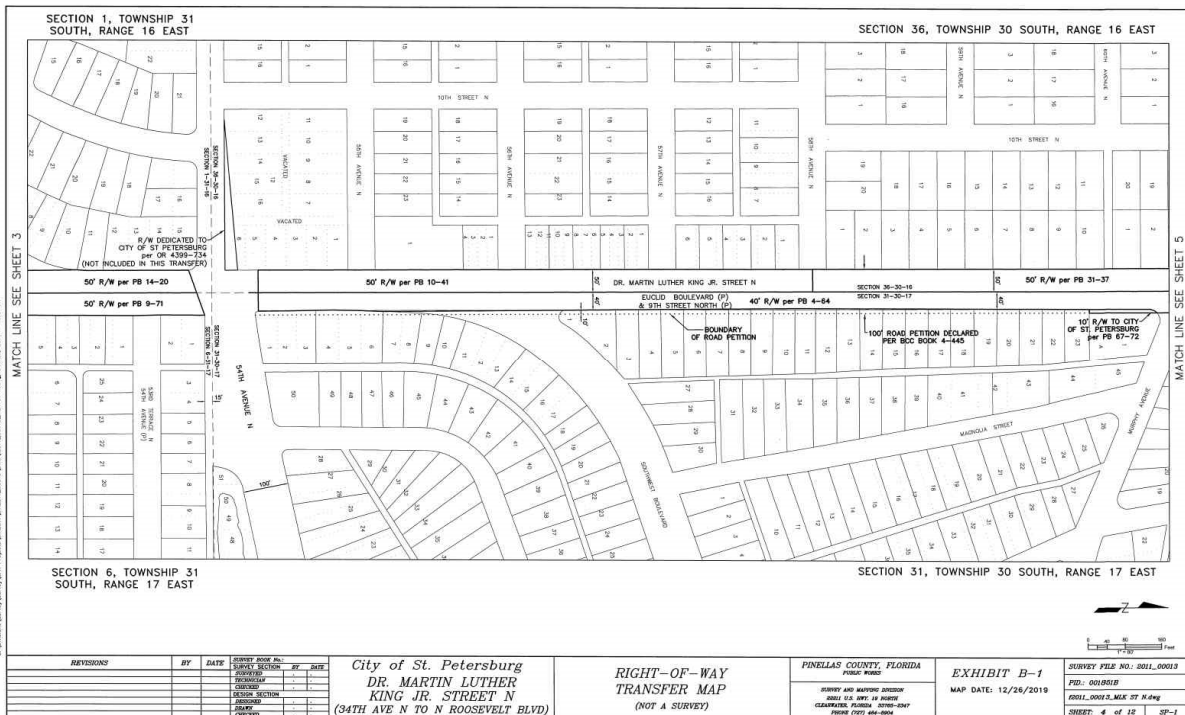
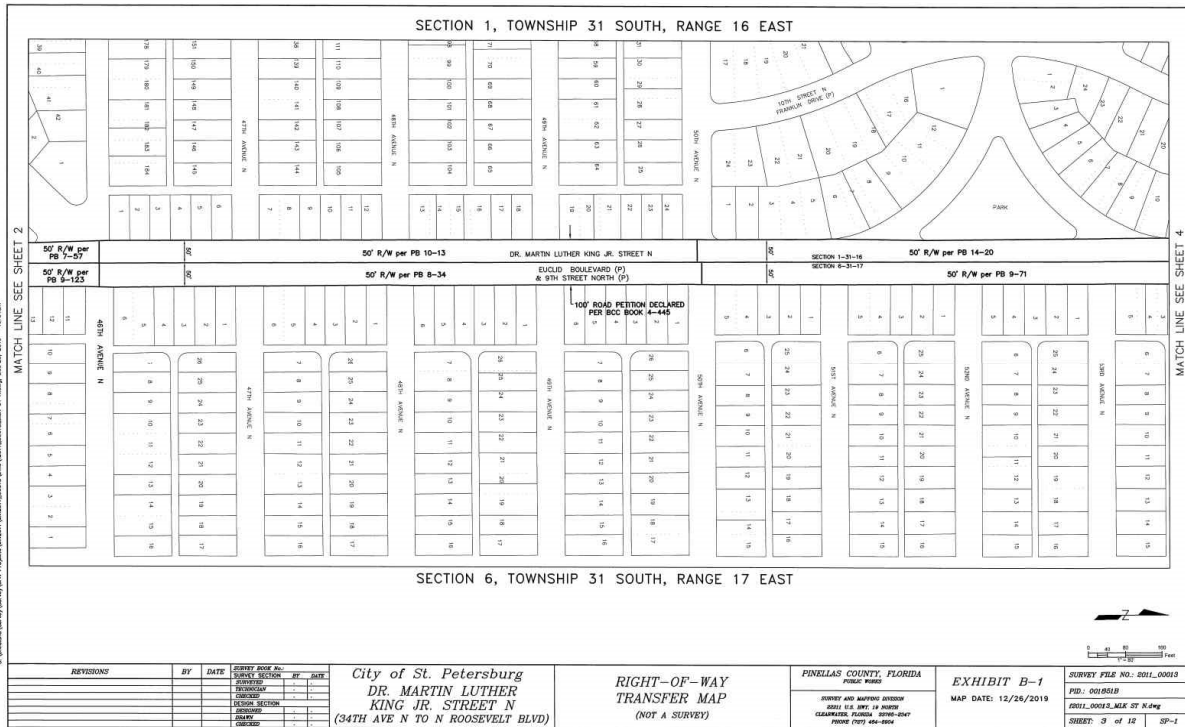
B1 – 12 SHEETS

B2 - 9 SHEETS

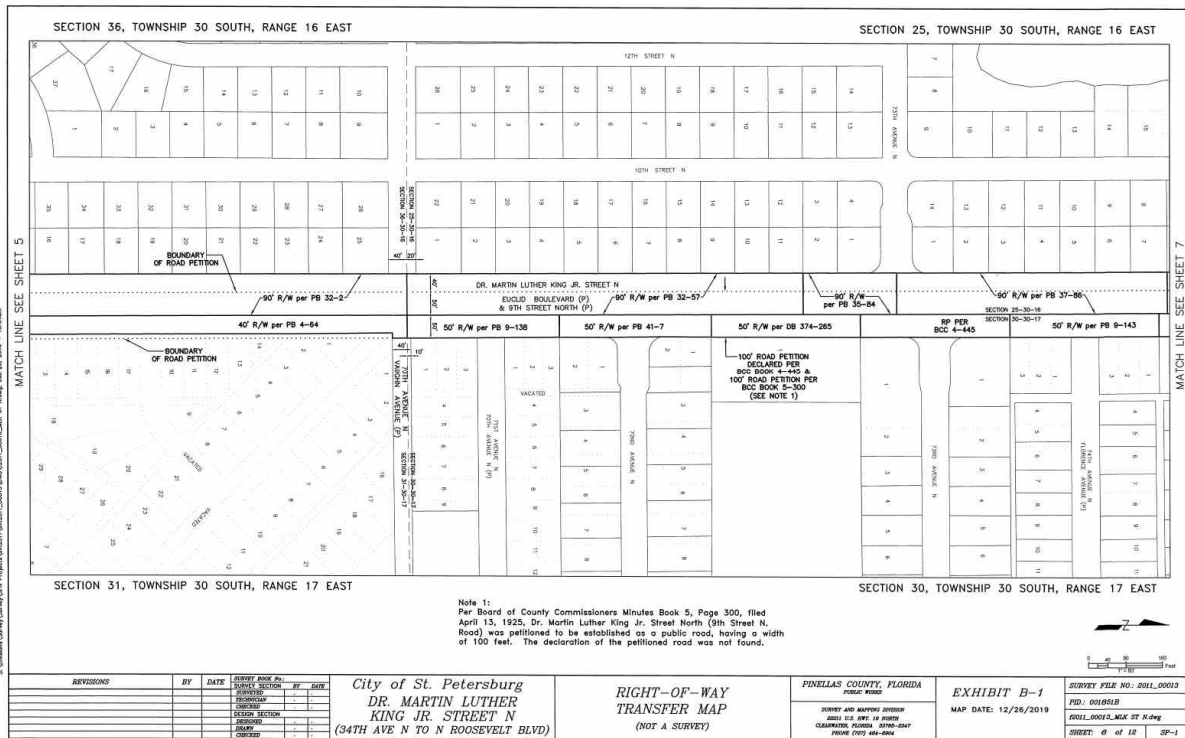
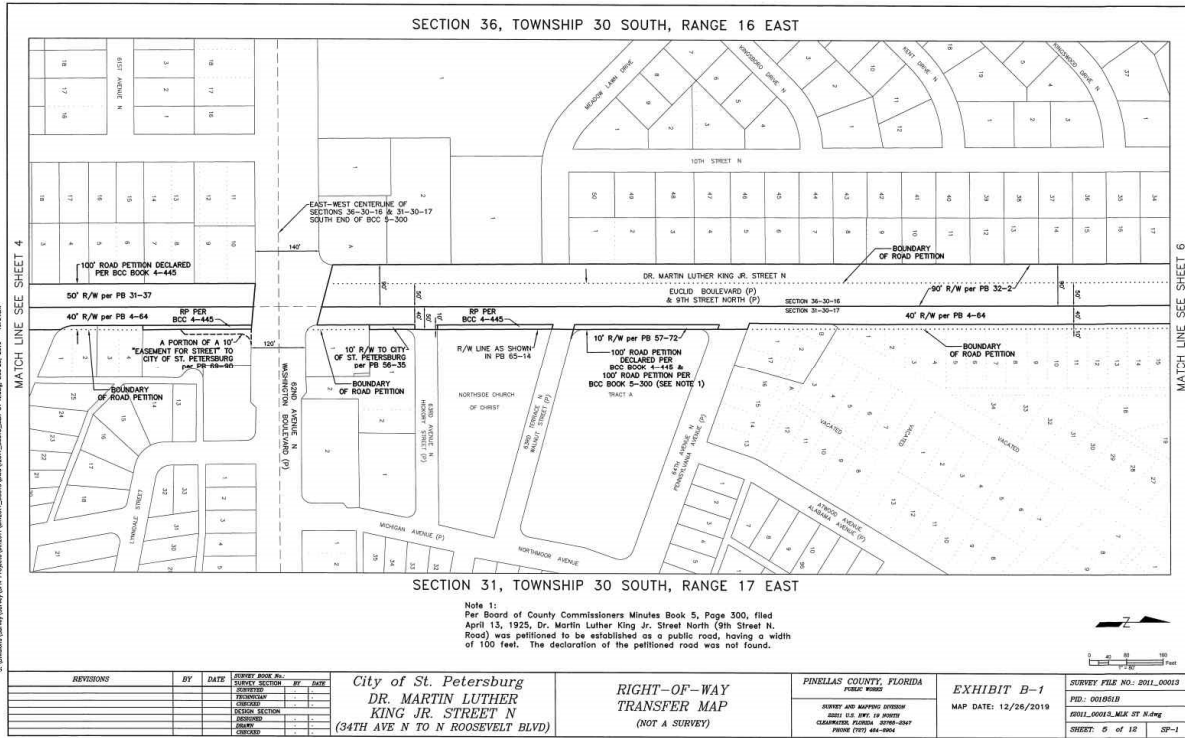
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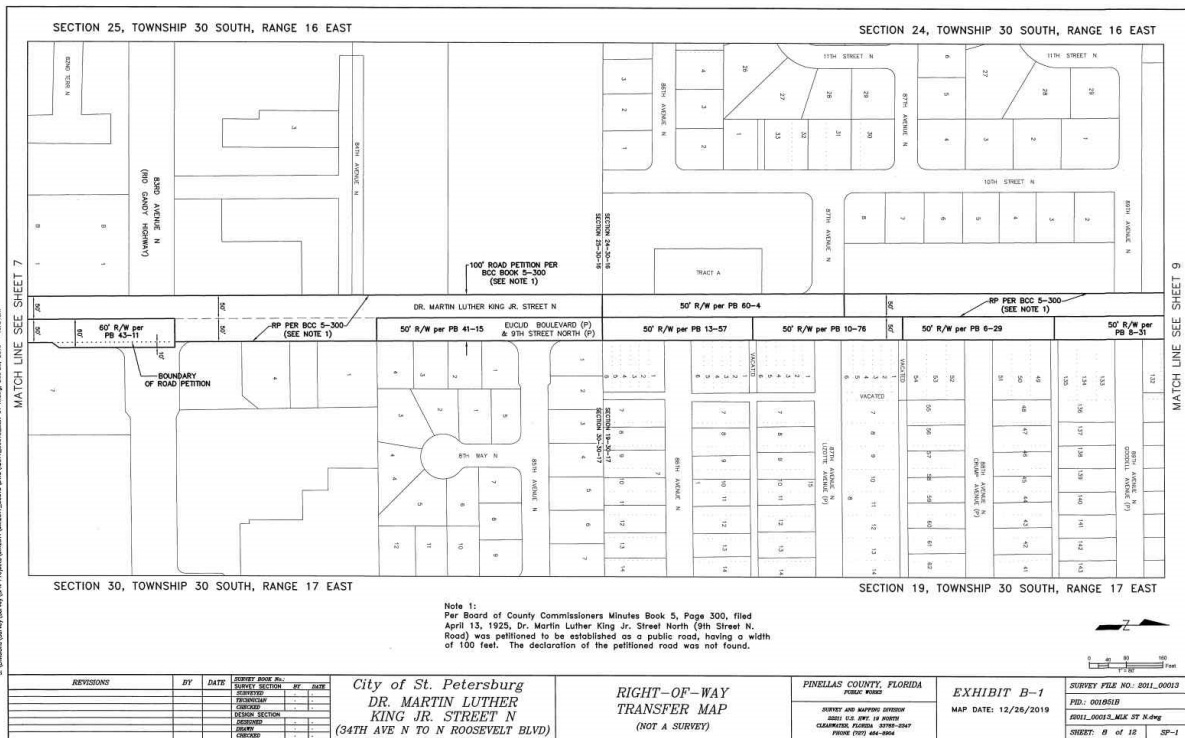
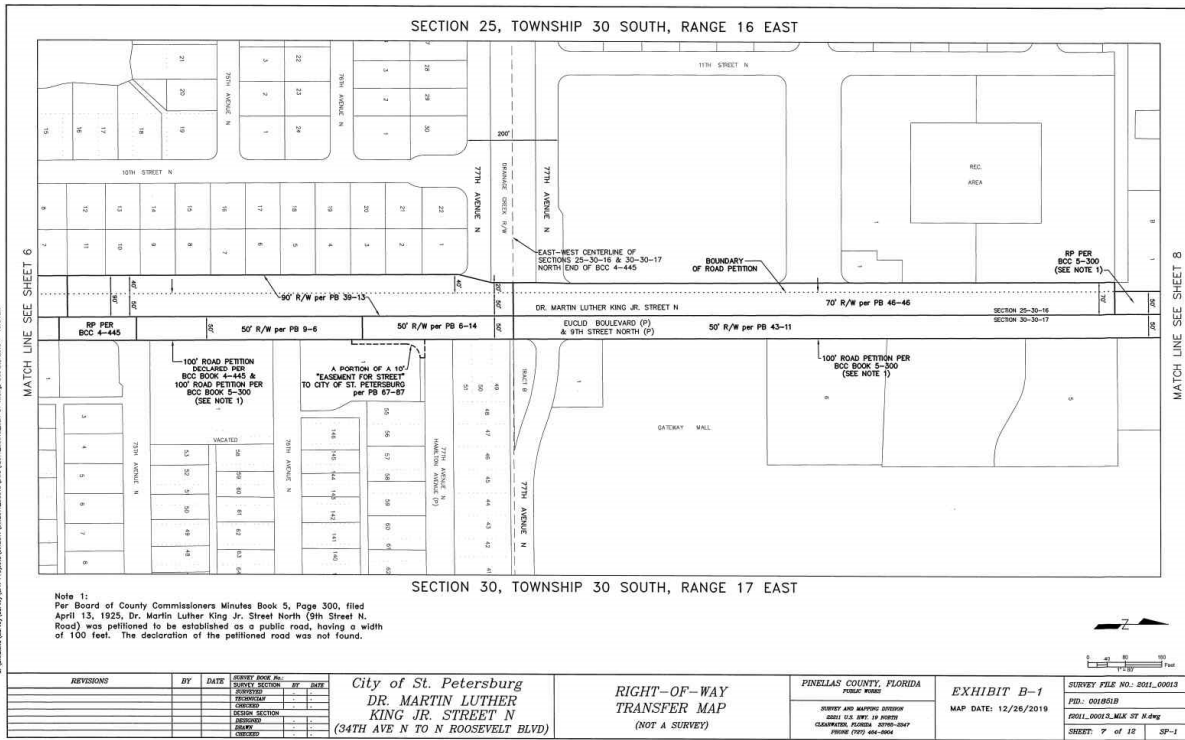
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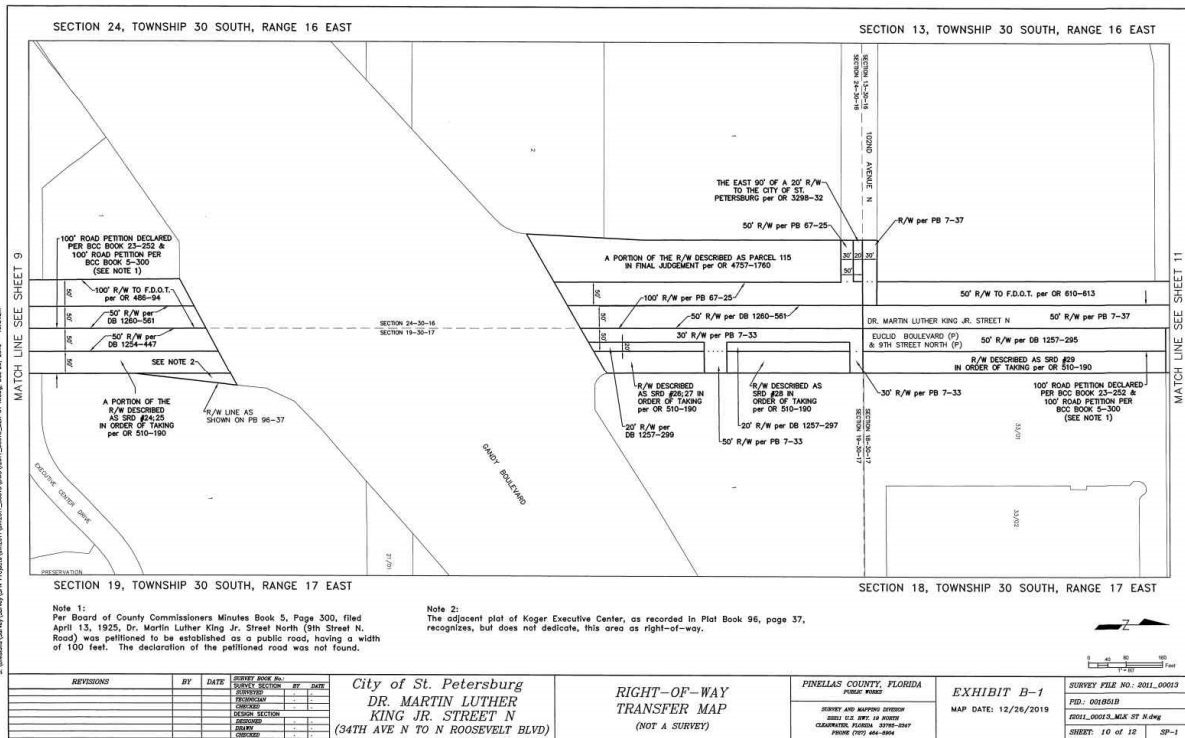
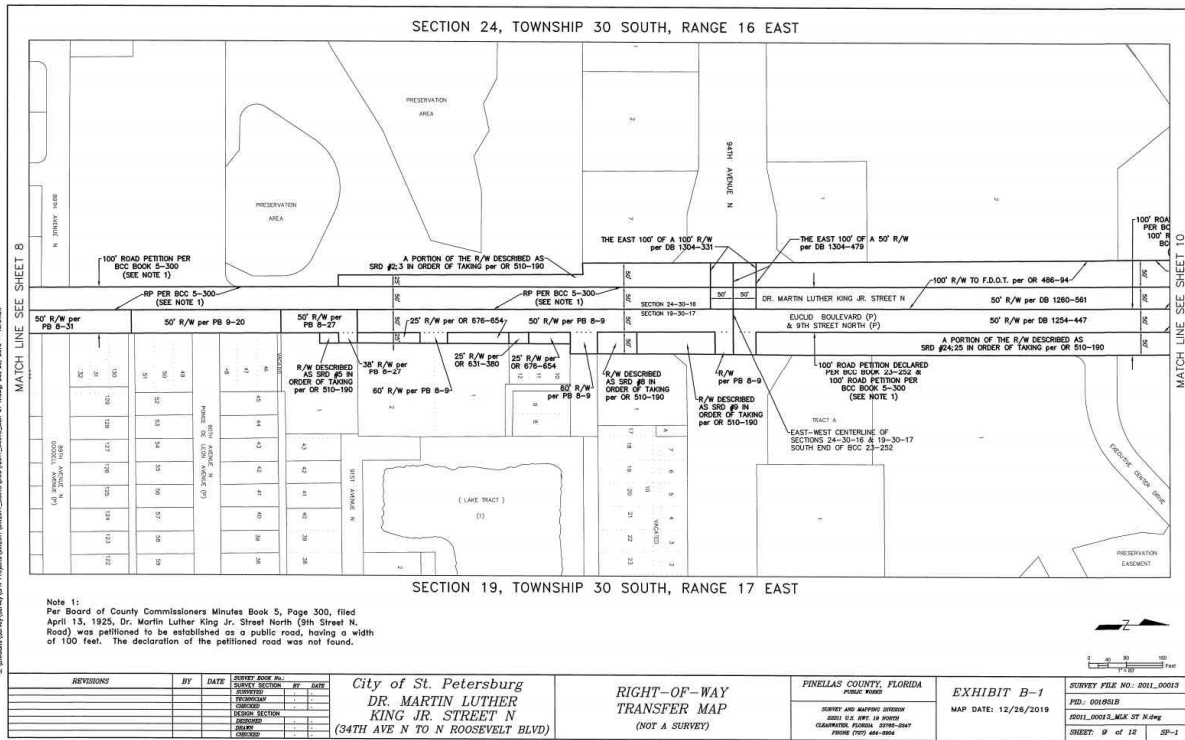
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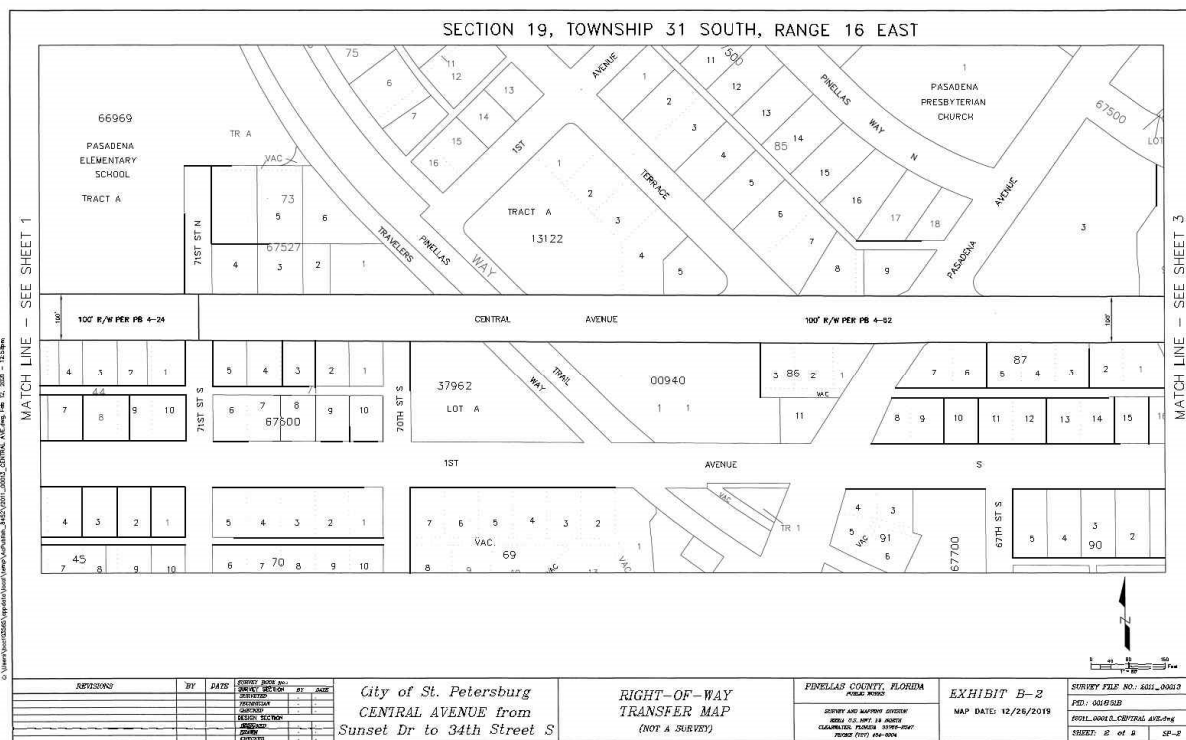
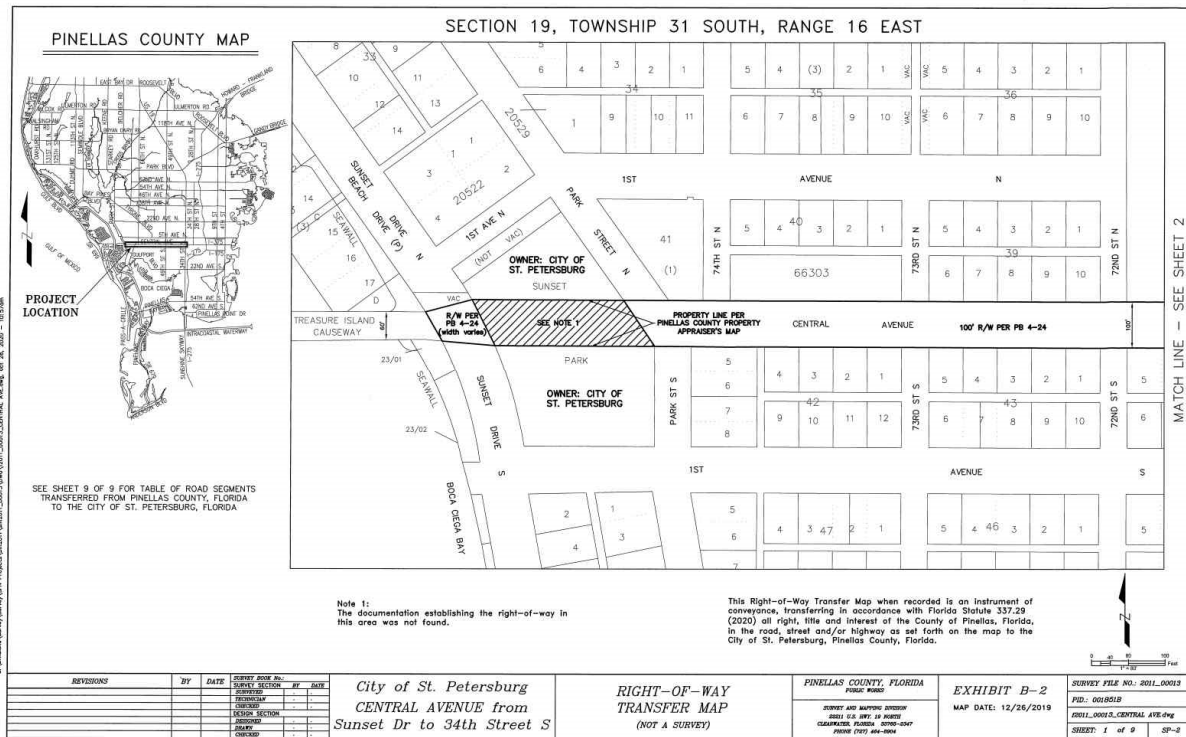
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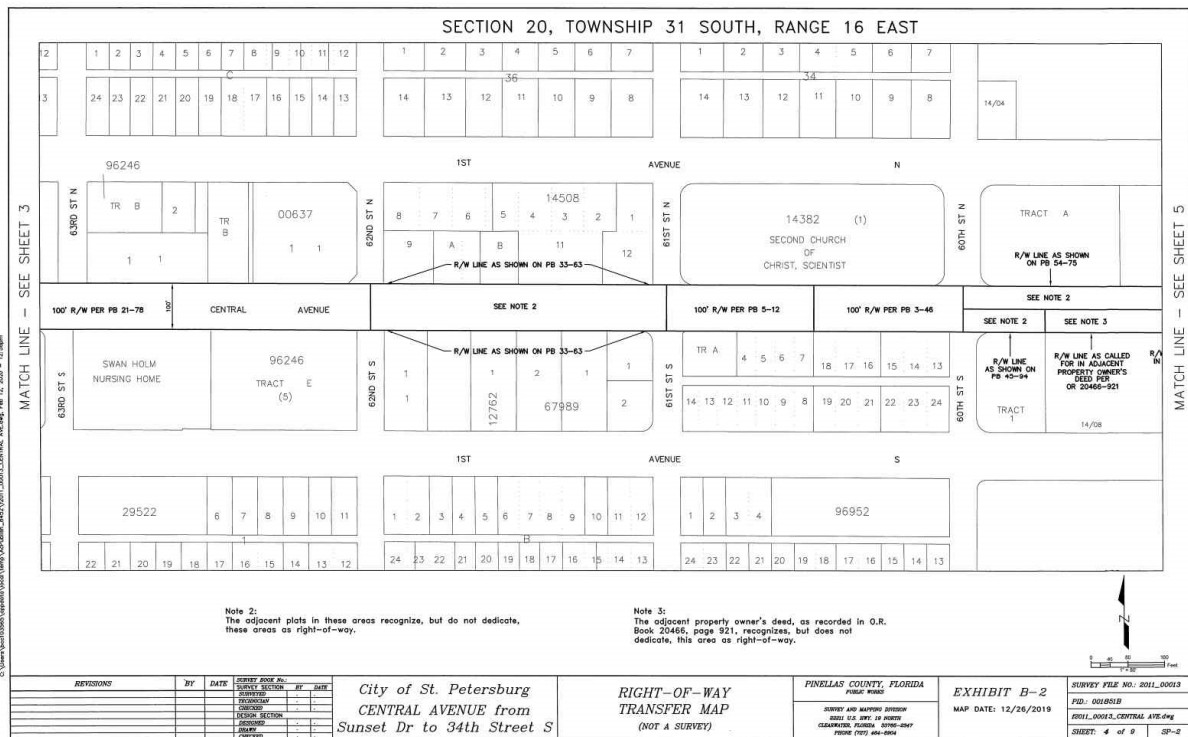
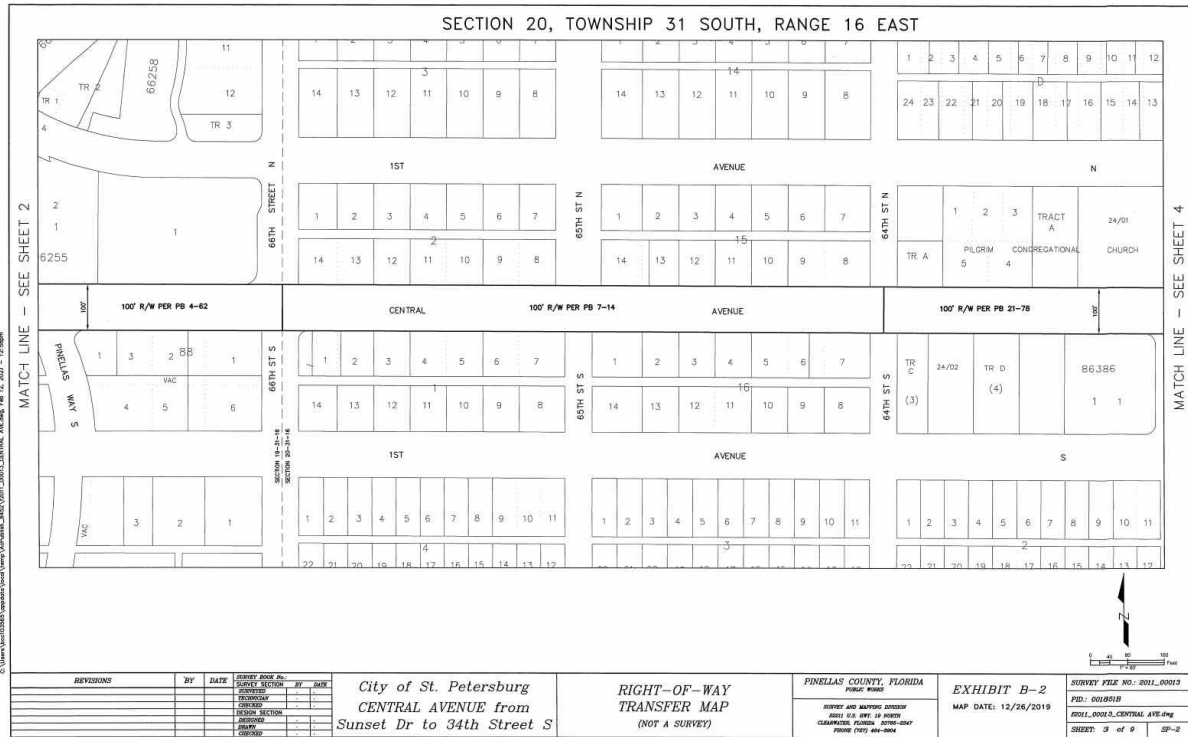
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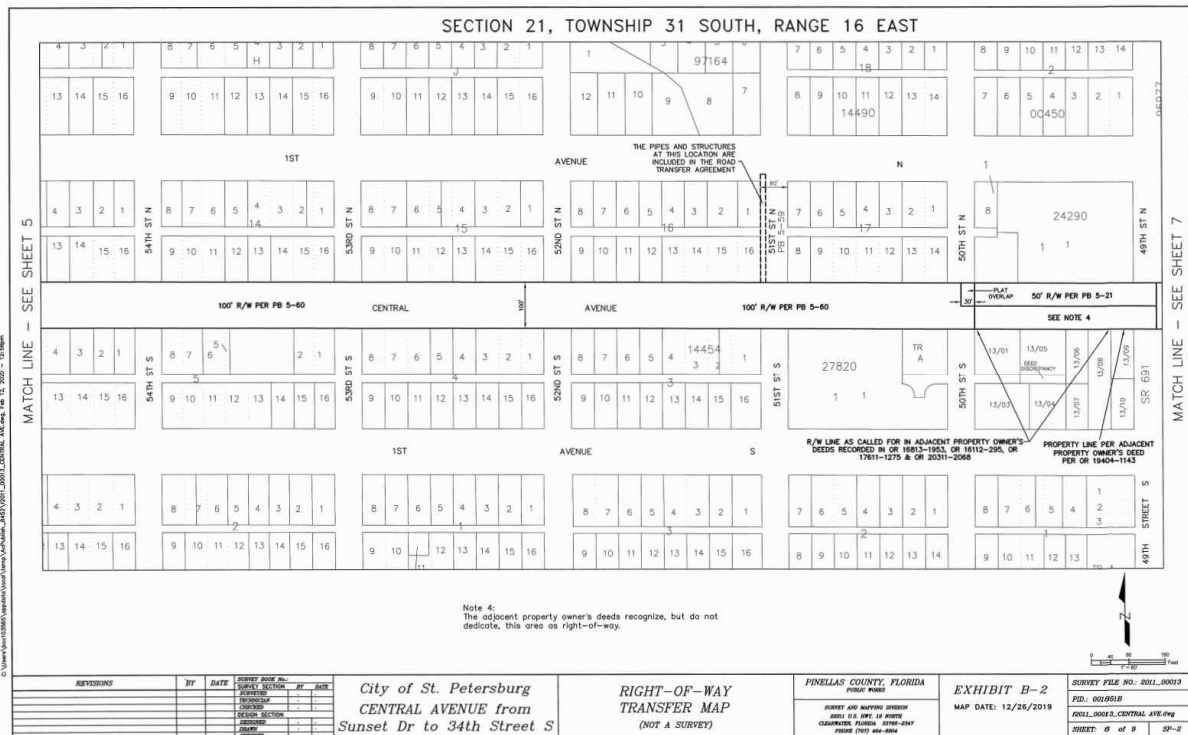
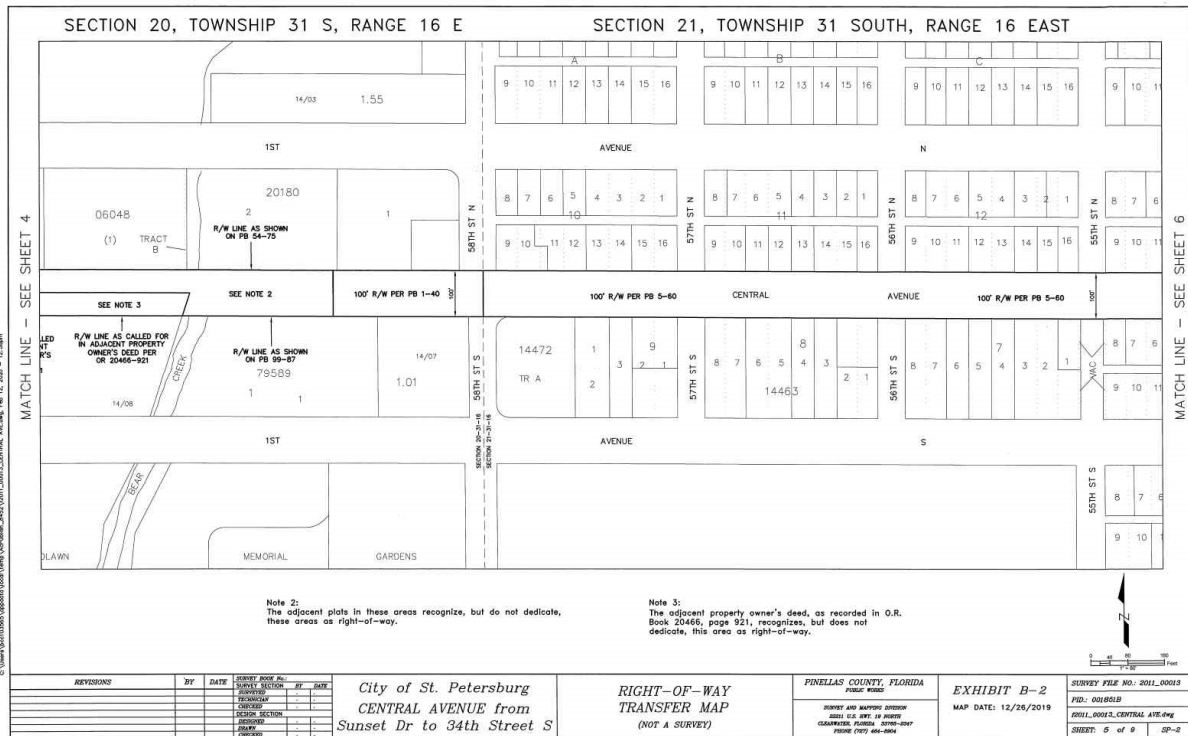
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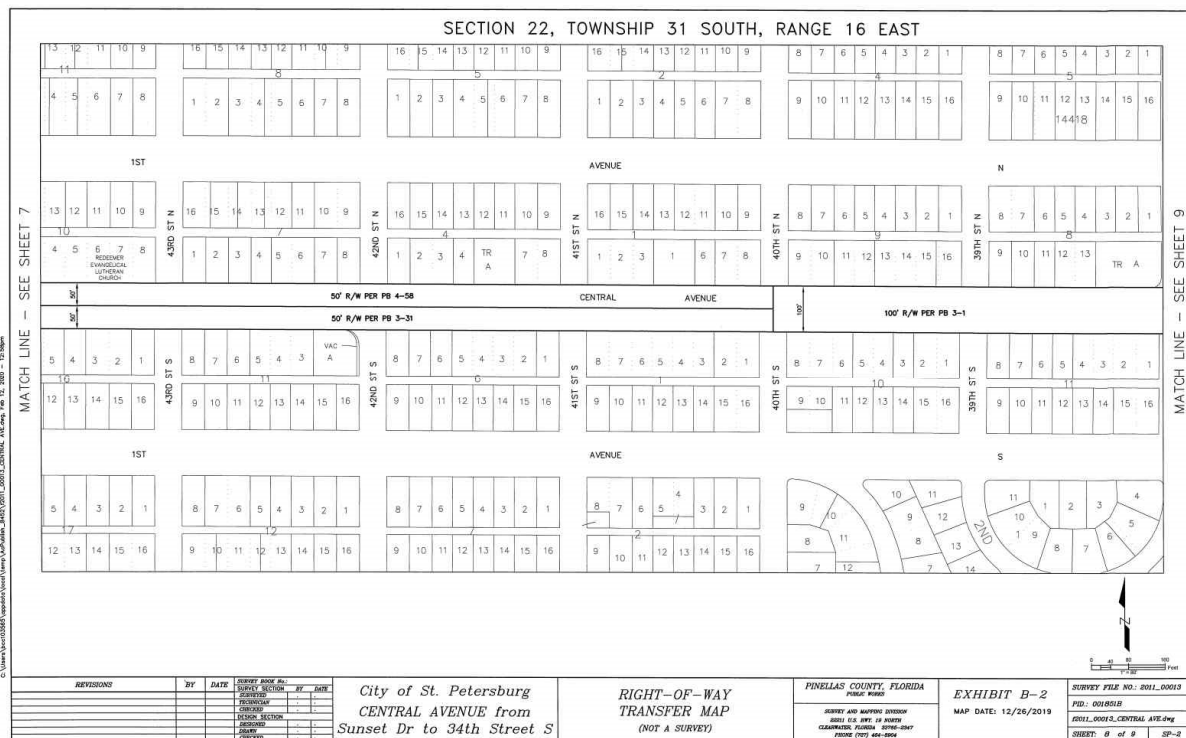
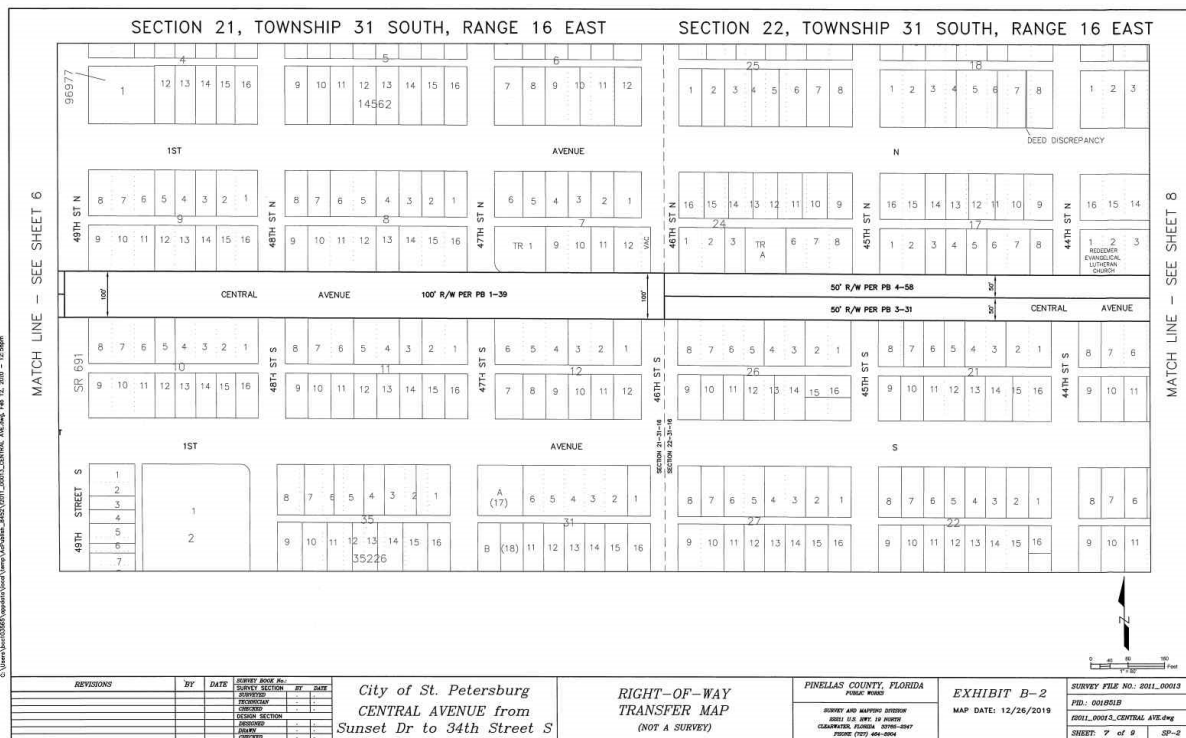
Transfer Maps (Exhibit B-2) (Continued)



Transfer Maps (Exhibit B-2) (Continued)

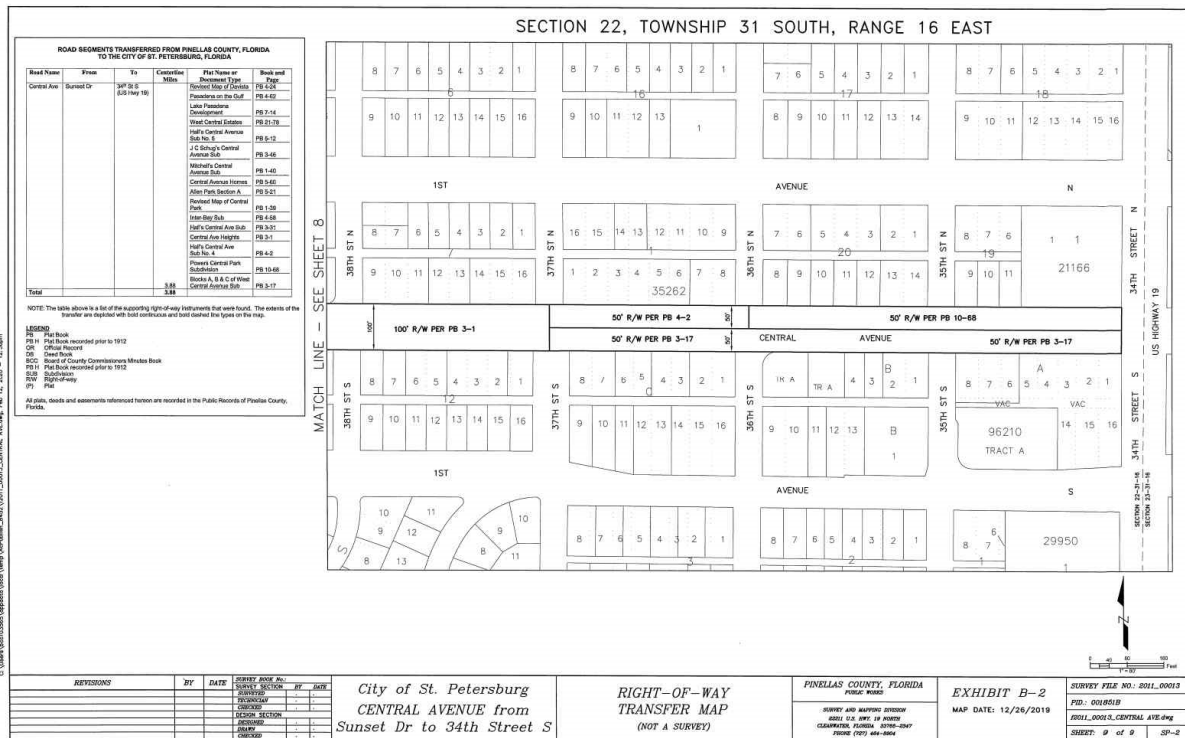


Transfer Maps (Exhibit B-2)
(Continued)



Transfer Maps (Exhibit B-2)

(Continued)



A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A ROAD TRANSFER AGREEMENT ("AGREEMENT") WITH PINELLAS COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS, FOR THE TRANSFER OF CERTAIN ROAD SEGMENTS TO INCLUDE PORTIONS OF CENTRAL AVENUE AND DR. MARTIN LUTHER KING, JR. STREET NORTH, ST. PETERSBURG, FOR THE ONGOING OPERATION, MAINTENANCE, PLANNING, DESIGN AND CONSTRUCTION OF THE ROAD SEGMENTS BY THE CITY; ALLOWING THE CITY ATTORNEY TO MAKE ANY NON-SUBSTANTIVE CHANGES TO THE AGREEMENT; AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ACCEPT REVENUE IN THE AMOUNT OF \$1,789,368, FROM PINELLAS COUNTY; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$1,789,368, FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), RESULTING FROM THE ABOVE REVENUES, TO THE CENTRAL AVENUE ROADWAY IMPROVEMENTS PROJECT (TBD); TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 335.0415, Florida Statutes (2019), the jurisdiction and responsibility for operation and maintenance of public roads is that which existed on June 10, 1995 and may be transferred by mutual agreement between the City of St. Petersburg, Florida ("City") and Pinellas County, Florida ("County") (collectively "Parties"); and

WHEREAS, while these roads, which are entirely within the St. Petersburg city limits, have been maintained by the County, the City has performed some maintenance work on these roads for the benefit of the City's residents, including the adjacent rights-of-way, within the immediate past seven (7) years, which include segments of Central Avenue and Dr. Martin Luther King, Jr. Street North ("Road Segments"); and

WHEREAS, the existing division of ownership leads to maintenance complications and confusion for adjacent property owners who don't know which entity to approach with maintenance or permit requests; and

WHEREAS, additionally, the County ownership of Central Avenue would limit the extent of significant City-desired projects, such as the West Central Streetscape and the SunRunner Bus Rapid Transit projects and a transfer will allow the City to advance the aforementioned projects to construction and make future improvements to the Road Segments; make future improvement projects fully under the City's control and therefore more efficient; and provide clarity to adjacent property owners which entity should be contacted for maintenance or permit requests; and

WHEREAS, the Parties have determined it is in the best interest of both jurisdictions to enter into a Road Transfer Agreement ("Agreement") to transfer the responsibility for the operation, maintenance, planning, design, and construction of the Road Segments to the City; and

WHEREAS, pursuant to Section 163.01(10)(a), Florida Statutes (2019) the County agrees to provide the City with \$1,789,368.00, within ninety (90) days of the execution of the Agreement, to offset the reasonably anticipated, imminent maintenance costs which the City will bear upon the transfer of the Road Segments; and

WHEREAS, it is anticipated that the City will program additional funds to leverage with the County funds to continue Central Avenue improvements in the Union Central District and other segments along the corridor; and

WHEREAS, further, within 30 days of the execution of the Agreement by the Parties, the County will file a right-of-way map identifying the Road Segments; and

WHEREAS, in accordance with Section 337.29 (3), Florida Statutes (2018), upon the recording of the right-of-way map the City accepts all legal rights, responsibilities, and obligations with respect to the Road Segments, including but not limited to the operation, planning, design, construction, improvement, and maintenance of the Road Segments, including stormwater drainage and facilities and mitigation sites, within and appurtenant to the rights-of-way transferred therein and the permitting associated therewith; and

WHEREAS, the City shall have the same governmental, corporate, and proprietary powers with relation to the Road Segments as the City has with relation to other public roads and rights-of-way within the City's street system.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his designee, is hereby authorized to execute a Road Transfer Agreement ("Agreement") with Pinellas County, Florida, a political subdivision of the State of Florida, by and through its Board of County Commissioners, for the transfer of certain road segments to include portions of Central Avenue and Dr. Martin Luther King, Jr. Street North, St. Petersburg, for the ongoing operation, maintenance, planning, design, and construction of the

road segments by the City; allowing the City Attorney to make any non-substantive changes to the Agreement; and to execute all documents necessary to effectuate same; and

BE IT FURTHER RESOLVED that the Mayor, or his designee, is authorized to accept \$1,789,368 from Pinellas County ("County"); and

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, the following supplemental appropriation for FY 2021:

General Capital Improvement Fund (3001)

Central Avenue Roadway Improvements Project (TBD) \$1,789,368

This Resolution shall become effective immediately upon its adoption.

LEGAL:

APPROVED BY:

/s/ Bradley Tennant
City Attorney (Designee)
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Brijesh Prayman
Brijesh Prayman, Director
Engineering and Capital Improvements

APPROVED BY:

EMakofske
Elizabeth Makofske, Director
Budget and Management

AW
Alfred Wendler, Director
Real Estate & Property Management
for Alan DeLisle, Administrator
City Development Administration