

MEMORANDUM

TO: The Honorable Jeff Danner, Chair and Members of City Council

FROM: John C. Wolfe, City Attorney

DATE: June 9, 2009

SUBJECT: Amending Resolution No. 2008-64 to include funding provision

On February 21, 2008, City Council approved Resolution No. 2008-64 which authorized the Mayor to execute an interlocal agreement (“Agreement”) with Pinellas County that provided for \$3,500,000 in funding for construction of the pedestrian overpass for the Pinellas Trail at 34th Street South. At the time of approval the funding source had not been finalized.

The County has proposed the following funding provision for the Agreement:

This agreement utilizes and provides its source of funding from the Transportation Impact Fee Revenues, which is in lieu of, alternative to, and satisfies the funding for this PROJECT, which is referenced and included in the St Petersburg/Pinellas County Interlocal Agreement approved as Agenda item Number 29 of the April 22, 2008 meeting of the Pinellas County Board of County Commissioners.

The purpose of the attached resolution is to authorize the inclusion of the County’s proposed funding provision in the Agreement. All other provisions of Resolution No. 2008-64 not modified by the resolution, shall remain in full force and effect.

The Administration and Legal Department recommend approval of the addition of the County’s proposed funding provision.

Approvals:

Legal: _____ Administration: _____

Resolution No. 2009-_____

A RESOLUTION AMENDING RESOLUTION NO. 2008-64 TO AUTHORIZE THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG AND PINELLAS COUNTY IN THE AMOUNT OF \$3,500,000 FOR PINELLAS TRAIL CROSSING IMPROVEMENTS AT 34TH STREET SOUTH TO INCLUDE A PROVISION CLARIFYING THE FUNDING SOURCE FOR THE PROJECT, AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; PROVIDING THAT ALL OTHER PROVISIONS OF RESOLUTION NO. 2008-64, NOT MODIFIED HEREIN SHALL REMAIN IN FULL FORCE AND EFFECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 21, 2008, City Council approved Resolution No. 2008-64 which authorized the Mayor to execute an interlocal agreement (“Agreement”) with Pinellas County that provided for \$3,500,000 in funding for construction of the pedestrian overpass for the Pinellas Trail at 34th Street South; and

WHEREAS, at the time of approval the funding source had not been finalized; and

WHEREAS, the County has proposed the following funding provision for the Agreement:

This agreement utilizes and provides its source of funding from the Transportation Impact Fee Revenues, which is in lieu of, alternative to, and satisfies the funding for this PROJECT, which is referenced and included in the St Petersburg/Pinellas County Interlocal Agreement approved as Agenda item Number 29 of the April 22, 2008 meeting of the Pinellas County Board of County Commissioners.

:and

WHEREAS, the purpose of this resolution is to authorize the inclusion of County’s proposed funding provision in the Agreement and that all other provisions of Resolution No. 2008-64 not modified herein, shall remain in full force and effect; and

WHEREAS, the Administration and Legal Department recommend approval of the addition of the County’s proposed funding provision.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that Resolution No. 2008-64 is amended to authorize the Mayor to execute an

interlocal agreement between the City of St. Petersburg and Pinellas County in the amount of \$3,500,000 for Pinellas Trail crossing improvements at 34th Street South to include the following provision:

This agreement utilizes and provides its source of funding from the Transportation Impact Fee Revenues, which is in lieu of, alternative to, and satisfies the funding for this PROJECT, which is referenced and included in the St Petersburg/Pinellas County Interlocal Agreement approved as Agenda item Number 29 of the April 22, 2008 meeting of the Pinellas County Board of County Commissioners.

; and

BE IT FURTHER RESOLVED that all other provisions of Resolution No. 2008-64, not modified herein shall remain in full force and effect.

Approvals:

Legal: _____ Administration: _____