

# ST. PETERSBURG CITY COUNCIL

## Consent Agenda

Meeting of October 1, 2009

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

**SUBJECT:** A resolution authorizing the Mayor or his designee to execute a District Seven Memorandum of Agreement between the City and the Florida Department of Transportation for the purpose of installing and maintaining pedestrian crossing improvements, including crosswalks, medians, ramps, striping, signage and flashing beacons in the 4<sup>th</sup> Street North (State Road 687) right-of-way between 18<sup>th</sup> and 20<sup>th</sup> Avenues North, and providing an effective date.

**EXPLANATION:** Pursuant to the design development process for the 4<sup>th</sup> Street North Business District project, and the Florida Department of Transportation ("FDOT") requirements, engineering studies were conducted to demonstrate that a pedestrian crossing ("Crossing Improvements") is warranted on 4<sup>th</sup> Street North (SR 687) between 18<sup>th</sup> and 20<sup>th</sup> Avenues North, at Sunken Gardens. FDOT approvals for the construction of the Crossing Improvements have been obtained, provided the City enters into a Memorandum of Agreement ("MOA").

Under the terms of the MOA, the City will install and maintain the Crosswalk Improvements. In the event any portion of the Crosswalk Improvements is determined by the Department to not be in conformance with applicable laws, rules, or guidelines, said portion shall be immediately brought into compliance at the sole expense of the City. In the event the improvements need to be removed, relocated, or adjusted at any time in the future, the City shall be allowed sixty (60) days to remove all or part of the Crosswalk Improvements and restore the surface of the affected portion.

Upon City Council approval of this MOA and execution of same, Administration intends to construct the crosswalk, curb ramps, median island, and pedestrian signals utilizing City forces for the signalization work and the City's on-site contractor for the 4<sup>th</sup> Street North Business District Project for median and sidewalk construction by Administrative Change Order.


The FDOT may terminate this agreement if the City fails to perform its maintenance responsibilities under the agreement, after fifteen (15) working days written notice. Either party may terminate this agreement within sixty (60) days written notice.

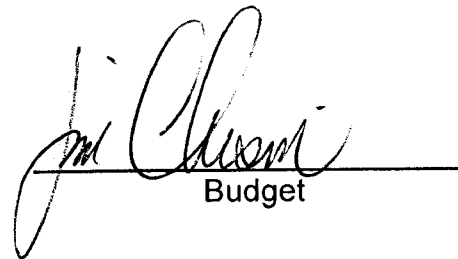
**RECOMMENDATION:** Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to execute a District Seven Memorandum of Agreement between the City and the Florida Department of Transportation for the purpose of installing and maintaining pedestrian crossing improvements, including

crosswalks, medians, ramps, striping, signage and flashing beacons in the 4<sup>th</sup> Street North (State Road 687) right-of-way between 18<sup>th</sup> and 20<sup>th</sup> Avenues North, and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** Funds are available in the Neighborhood & Citywide Infrastructure Improvement Fund (3027) 4<sup>th</sup> Street Business District Project (C120402).

**ATTACHMENT:** Resolution

**APPROVALS:**   
TBC Administration

  
Budget

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Resolution No. 2009 - \_\_\_\_\_

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A DISTRICT SEVEN MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF INSTALLING AND MAINTAINING PEDESTRIAN CROSSING IMPROVEMENTS, INCLUDING CROSSWALKS, MEDIANS, RAMPS, STRIPING, SIGNAGE AND FLASHING BEACONS IN THE 4<sup>TH</sup> STREET NORTH (STATE ROAD 687) RIGHT-OF-WAY BETWEEN 18<sup>TH</sup> AND 20<sup>TH</sup> AVENUES NORTH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, according to the design development process for the 4<sup>th</sup> Street North Business District project, and the Florida Department of Transportation ("FDOT") requirements, engineering studies were conducted to demonstrate that a pedestrian crossing ("Crossing Improvements") is warranted on 4<sup>th</sup> Street North (SR 687) between 18<sup>th</sup> and 20<sup>th</sup> Avenues North, at Sunken Gardens; and

WHEREAS, FDOT approvals for the construction of the Crossing Improvements have been obtained, provided the City enters into a Memorandum of Agreement ("MOA"); and

WHEREAS, under the terms of the MOA, the City will install and maintain the Crossing Improvements, and in the event any portion of the Crossing Improvements is determined by FDOT to not be in conformance with applicable laws, rules, or guidelines, said portion shall be immediately brought into compliance at the sole expense of the City; and

WHEREAS, in the event the improvements need to be removed, relocated, or adjusted at any time in the future, the City shall be allowed sixty (60) days to remove all or part of the improvements and restore the surface of the affected portion.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to execute a District Seven Memorandum of Agreement between the City and the Florida Department of Transportation for the purpose of installing and maintaining pedestrian crossing improvements, including crosswalks, medians, ramps, striping, signage and flashing

beacons in the 4<sup>th</sup> Street North (State Road 687) right-of-way between 18<sup>th</sup> and 20<sup>th</sup> Avenues North.

This resolution shall become effective immediately upon its adoption.

Approved by:



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Legal Department  
By: (City Attorney or Designee)

Approved by:



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Thomas B. Gibson, P.E.  
Engineering Director

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