

**ST. PETERSBURG CITY COUNCIL**

**Consent Agenda**

**Meeting of October 15, 2009**

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

**SUBJECT:** Authorizing the Mayor or his designee to execute a District Seven Hardscape Maintenance Memorandum of Agreement between the City and the Florida Department of Transportation for the purpose of constructing and maintaining a 12-foot wide recreational trail (i.e., the Skyway Trail) for bicyclists and pedestrians within FDOT rights-of-way (Engineering Project No. 07070-112); and providing an effective date.

**EXPLANATION:** On September 4, 2003, City Council approved the City Trails Bicycle Pedestrian Master Plan. A recommended element in the plan is the South Bay Trail, providing connectivity between the Pinellas Trail and the existing Skyway Trail.

On November 1, 2007, City Council approved an FDOT LAP Agreement to receive funding for design and construction of a segment of the South Bay Trail, extending the Skyway Trail north within existing FDOT right-of-way from Sunshine Skyway Lane to 54<sup>th</sup> Avenue South and west along the north side of 54<sup>th</sup> Avenue South from 34<sup>th</sup> Street to 37<sup>th</sup> Street. On November 1, 2007, City Council also approved a supplemental appropriation in the amount of \$16,070 for the maintenance of the trail over its useful life of fifteen (15) years.

The trail will be a 12-foot wide off-road path, approximately 2 miles in length. The FDOT requires a maintenance memorandum of agreement ("MOA") for the trail (hardscape) to be executed between the City and the FDOT to establish the maintenance responsibilities for same. The City is currently providing routine maintenance of the landscaped area which the trail will be located under an FDOT Highway Beautification and Maintenance Memorandum of Agreement.

The MOA may be terminated by the FDOT after fifteen (15) working days written notice if the City fails to perform its maintenance responsibilities or by either party after sixty (60) calendar days written notice.

**RECOMMENDATION:** Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to execute a District Seven Hardscape Maintenance Memorandum of Agreement between the City and the Florida Department of Transportation for the purpose of constructing and maintaining a 12-foot wide recreational trail (i.e., the Skyway Trail) for bicyclists and pedestrians within FDOT rights-of-way (Engineering Project No. 07070-112); and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** A supplemental appropriation from the unappropriated balance of the General Fund in the amount of \$16,070 was previously approved by City Council on November 1, 2007, Resolution No. 2007-520.

**ATTACHMENT:** Resolution

**APPROVALS:**

zm

  
\_\_\_\_\_  
786 Administration

  
\_\_\_\_\_  
Budget

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

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A DISTRICT SEVEN MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A 12-FOOT WIDE RECREATIONAL TRAIL (I.E. SKYWAY TRAIL) FOR BICYCLISTS AND PEDESTRIANS WITHIN FDOT RIGHTS-OF-WAY (ENGINEERING PROJECT NO. 07070-112); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 4, 2003, City Council approved the City Trails Bicycle Pedestrian Master Plan, of which a recommended element is the South Bay Trail, providing connectivity between the Pinellas Trail and the existing Skyway Trail; and

WHEREAS, on November 1, 2007, City Council approved an FDOT LAP Agreement to receive funding for design and construction of a segment of the South Bay Trail, extending the Skyway Trail north within existing FDOT right-of-way from Sunshine Skyway Lane to 54<sup>th</sup> Avenue South and west along the north side of 54<sup>th</sup> Avenue South from 34<sup>th</sup> Street to 37<sup>th</sup> Street, and a supplemental appropriation in the amount of \$16,700 for the maintenance of the trail over its useful life of fifteen (15) years; and

WHEREAS, the trail will be a 12-foot wide off-road path, approximately 2 miles in length; and

WHEREAS, FDOT requires a maintenance memorandum of agreement ("MOA") for the trail (hardscape) to be executed between the City and the FDOT to establish the City's maintenance responsibilities; and

WHEREAS, the City is currently providing routine maintenance of the landscaped area on which the trail will be located under an FDOT Highway Beautification and Maintenance Memorandum of Agreement; and

WHEREAS, the MOA may be terminated by the FDOT after fifteen (15) working days written notice if the City fails to perform its maintenance responsibilities or by either party after sixty (60) calendar days written notice.

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 Maintenance Memorandum of Agreement between the City and the Florida Department of Transportation for the purpose of constructing and maintaining a 12-foot wide recreational trail (i.e., the Skyway Trail) for bicyclists and pedestrians within FDOT rights-of-way; (Engineering Project No. 07070-112) and providing an effective date.

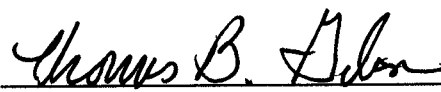
This resolution shall become effective immediately upon its adoption.

Approved by:



\_\_\_\_\_  
Legal Department  
By: (City Attorney or Designee)  
Legal: 00113644.doc V. 2

Approved by:



\_\_\_\_\_  
Thomas B. Gibson, P.E.  
Engineering Director