

ST. PETERSBURG CITY COUNCIL
Consent Agenda

Meeting of May 15, 2014

TO: The Honorable William H. Dudley, Chair and Members of City Council

SUBJECT: A Resolution finding that \$3,100 is an amount sufficient to pay for maintenance of the 112th Avenue North, from west of 4th Street North to east of 4th Street North Project ("Project"), over its useful life of fifteen (15) years; authorizing a supplemental appropriation in the amount of \$3,100 from the unappropriated balance of the General Fund to fund future maintenance required by the Local Agency Program Agreement ("Agreement") between the State of Florida Department of Transportation ("FDOT") and the City of St. Petersburg, Florida ("City"); providing that the maintenance funds shall not need annual re-appropriations and shall be considered encumbered for the useful life of the Project with only authorized expenditures being for maintenance of the improvements of the project; finding that execution of the Agreement shall not be considered an unlawful act under Florida Statute §166.241; approving the agreement and authorizing the Mayor or his designee to execute the Agreement between the City of St. Petersburg, Florida, and the Florida Department of Transportation ("FDOT") for participation by FDOT in the construction activities of the 112th Avenue North, from west of 4th Street North to east of 4th Street North Project in an amount not to exceed \$129,000; authorizing an appropriation in the amount of \$129,000 from the increase in the unappropriated balance of the Bicycle/Pedestrian Safety Grants Capital Projects Fund (3004), resulting from these additional revenues, to the 112th Avenue North, from west of 4th Street to east of 4th Street Project (TBD); and providing an effective date. (Engineering Project No. 08065-212; Oracle No. TBD) (FDOT Financial Project No. 434307 1 58/68/01)

EXPLANATION: In 2014, the City's design consultant, Ayres Associates, completed design of traffic capacity and safety improvements to the intersection of 112th Avenue and 4th Street North (SR 687). The project will improve east and westbound traffic flows from 112th Avenue onto 4th Street North, by adding two dedicated left turn lanes from 112th Avenue to 4th Street North.

The Florida Department of Transportation ("FDOT") has offered to provide \$129,000 for construction through a Local Agency Program (LAP) Agreement. The LAP Agreement provides that the City will recoup from the FDOT all construction phase costs included in the scope of work and any FDOT-approved supplemental services.

This project is developed under FDOT's Local Agency Program (LAP). The City received LAP certification in August 2000 to provide design, bid/award, and construction oversight services for federally funded projects within the City limits. As indicated in the LAP Agreement, the estimated construction cost is \$129,000. Project costs related to construction, inspection and construction administration services will be borne initially by the City and subsequently recoup these costs from the FDOT. The City is responsible for repairing and maintaining the improvements throughout the service life of the Project, estimated to be \$3,100 over 15-year life span.

Construction is planned to be performed by City forces during the summer of 2014. Subsequent to the construction of this project, FDOT will construct mast arm traffic signals at this intersection as part of their 4th Street North Resurfacing Project.

The scope of work includes construction of 300 SY of pavement, 650 SY of milling and resurfacing, 700 LF of concrete curbing, 70 SY of concrete sidewalk, pavement markings, and signage. All work will be performed within existing rights of way.

This project will be performed in accordance with all applicable FDOT procedures, guidelines, manuals, standards, and directives as described in the FDOT LAP Manual.

RECOMMENDATION: Administration recommends that City Council approve the attached resolution finding that \$3,100 is an amount sufficient to pay for maintenance of the 112th Avenue North, from west of 4th Street North to east of 4th Street North Project ("Project"), over its useful life of fifteen (15) years; authorizing a supplemental appropriation in the amount of \$3,100 from the unappropriated balance of the General Fund to fund future maintenance required by the Local Agency Program Agreement ("Agreement") between the State of Florida Department of Transportation ("FDOT") and the City of St. Petersburg, Florida ("City"); providing that the maintenance funds shall not need annual re-appropriations and shall be considered encumbered for the useful life of the Project with only authorized expenditures being for maintenance of the improvements of the project; finding that execution of the Agreement shall not be considered an unlawful act under Florida Statute §166.241; approving the agreement and authorizing the Mayor or his designee to execute the Agreement between the City and FDOT for participation by FDOT in the construction of the 112th Avenue North, from west of 4th Street North to east of 4th Street North Project in an amount not to exceed \$129,000; authorizing an appropriation in the amount of \$129,000 from the increase in the unappropriated balance of the Bicycle/Pedestrian Grants Capital Projects Fund (3004), resulting from these additional revenues, to the 112th Avenue North, from west of 4th Street to east of 4th Street Project (TBD); and providing an effective date. (Engineering Project No. 08065-212; Oracle No. TBD) (FDOT Financial Project No. 434307 1 58/68/01)

COST/FUNDING/ASSESSMENT INFORMATION: Funds will be available after the approval of an appropriation in the amount of \$129,000 from the increase in the unappropriated balance of the Bicycle/Pedestrian Grants Capital Projects Fund (3004), resulting from these additional revenues, to the 112th Avenue North, from west of 4th Street North to east of 4th Street North Project (13282). Funds for repair and maintenance will be available after the approval of a supplemental appropriation in the amount of \$3,100 from the unappropriated balance of the General Fund (0001) to the Engineering Department (130 1349). The impact to the General Fund reserves for this appropriation will be approximately \$206 per year and will be included in the Stormwater, Pavement and Traffic Operations Budget.

ATTACHMENT: Resolution

APPROVALS:

TBG

Administration

Budget

RESOLUTION NO. ___

A RESOLUTION FINDING THAT \$3,100 IS AN AMOUNT SUFFICIENT TO PAY FOR MAINTENANCE OF THE 112TH AVENUE NORTH, FROM WEST OF 4TH STREET NORTH TO EAST OF 4TH STREET NORTH PROJECT ("PROJECT"), OVER ITS USEFUL LIFE OF FIFTEEN (15) YEARS; AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$3,100 FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND TO FUND FUTURE MAINTENANCE REQUIRED BY THE LOCAL AGENCY PROGRAM AGREEMENT ("AGREEMENT") BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") AND THE CITY OF ST. PETERSBURG, FLORIDA ("CITY"); PROVIDING THAT THE MAINTENANCE FUNDS SHALL NOT NEED ANNUAL RE-APPROPRIATIONS AND SHALL BE CONSIDERED ENCUMBERED FOR THE USEFUL LIFE OF THE PROJECT WITH ONLY AUTHORIZED EXPENDITURES BEING FOR MAINTENANCE OF THE IMPROVEMENTS OF THE PROJECT; FINDING THAT EXECUTION OF THE AGREEMENT SHALL NOT BE CONSIDERED AN UNLAWFUL ACT UNDER FLORIDA STATUTE §166.241; APPROVING THE AGREEMENT AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") FOR PARTICIPATION BY FDOT IN THE CONSTRUCTION ACTIVITIES OF THE 112TH AVENUE NORTH, FROM WEST OF 4TH STREET NORTH TO EAST OF 4TH STREET NORTH PROJECT IN AN AMOUNT NOT TO EXCEED \$129,000; AUTHORIZING AN APPROPRIATION IN THE AMOUNT OF \$129,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE BICYCLE/PEDESTRIAN SAFETY GRANTS CAPITAL PROJECTS FUND (3004), RESULTING FROM THESE ADDITIONAL REVENUES, TO THE 112TH AVENUE NORTH, FROM WEST OF 4TH STREET TO EAST OF 4TH STREET PROJECT (TBD); AND PROVIDING AN EFFECTIVE DATE. (ENGINEERING PROJECT NO. 08065-212; ORACLE NO. TBD) (FDOT FINANCIAL PROJECT NO. 434307 1 58/68/01)

WHEREAS, the State of Florida Department of Transportation ("FDOT") has agreed to participate in construction activities of the 112th Avenue North, from west of 4th Street North to east of 4th Street North Project ("Project"); and

WHEREAS, as a requirement for FDOT's participation in the Project, the City must enter into a Local Agency Program (LAP) Agreement ("Agreement") setting forth the obligations of FDOT and the City; and

WHEREAS, the source of funds to be provided to the City pursuant to the Agreement by FDOT is the federal government; and

WHEREAS, federal law governing the use of funds requires FDOT to cause a project built with such funds to be maintained for the useful life of the project; and

WHEREAS, the Agreement requires the City to maintain the improvements of the Project for its useful life; and

WHEREAS, Florida Statute §166.241 provides that "...it is unlawful for any officer of a municipal government to expend or contract for expenditures in any fiscal year except in pursuance of budgeted appropriations"; and

WHEREAS, the City's professional staff has advised City Council that in its professional opinion the maintenance of the improvements of the Project for its useful life of fifteen (15) years will cost \$3,100, and

WHEREAS, City Council finds that \$3,100 is an amount sufficient to pay for the maintenance of the improvements of the Project over its useful life.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that \$3,100 is an amount sufficient to pay for maintenance of the 112th Avenue North, from west of 4th Street North to east of 4th Street North Project ("Project") over its useful life of fifteen (15) years; and

BE IT FURTHER RESOLVED that there is hereby approved the following supplemental appropriation from the unappropriated balance of the General Fund for FY14:

<u>General Fund (0001)</u>	
Engineering and Capital Improvement Department	
Design Division (130-1349)	\$3,100

BE IT FURTHER RESOLVED that the appropriation for the maintenance of the improvements shall be placed in an operating project which will carry forward from year to year and will not need annual re-appropriations and shall be considered encumbered for the useful life of the Project with the only authorized expenditures from that project being for maintenance of the improvements of the Project; and

BE IT FURTHER RESOLVED that at the end of the useful life of the Project any funds remaining in the operating project for maintenance shall be returned to the City's General Fund; and

BE IT FURTHER RESOLVED that this Council finds that because sufficient funds have been appropriated into the operating project for maintenance to fund the maintenance of the improvements of the Project for its useful life, it shall not be considered an unlawful act under Florida Statute §166.241 for the Mayor or his designee to execute the Local Agency Program Agreement ("Agreement"), between the State of Florida Department of Transportation ("FDOT") and the City of St. Petersburg ("City") for participation by FDOT in the construction activities of the Project; and

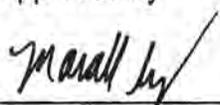
BE IT FURTHER RESOLVED by this Council that the Agreement between the FDOT and the City for participation by FDOT in the construction activities of the Project in an amount not to exceed \$129,000 is hereby approved and that the Mayor or his designee is authorized to execute the Agreement.

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the Bicycle/Pedestrian Safety Grants Capital Projects Fund (3004), resulting from these additional revenues, the following supplemental appropriation for FY14:

<u>Bicycle/Pedestrian Safety Grants Capital Projects Fund (3004)</u> FDOT-LAP – 112 th Avenue North, from west of 4 th Street North to east of 4 th Street North Project (TBD)	\$129,000
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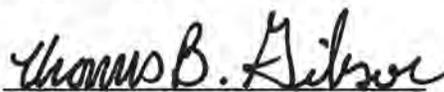
This resolution shall become effective immediately upon its adoption.

Approved by:



Legal Department
By: (City Attorney or Designee)

Approved by:



Thomas B. Gibson, P.E.
Engineering Director



Tom Greene
Budget Director