

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of June 19, 2014

To: The Honorable William Dudley, Chair and Members of City Council

SUBJECT: Approving a Resolution finding that \$142,000 is an amount sufficient to pay for the maintenance of the trail improvements of the SR 682 (Pinellas Bayway) Trail North Project ("Project") along the south side of 54th Avenue South from Pinellas Bayway Toll Plaza to the intersection of Pinellas Bayway (State Road 682) and the new Pinellas Bayway Bridge, over its useful life of fifteen (15) years; authorizing a supplemental appropriation in the amount of \$142,000 from the unappropriated balance of the General Fund to fund future maintenance of the trail improvements 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 be considered encumbered for the useful life of the project with only authorized expenditures being for maintenance of the trail improvements of the Project; finding that execution of the Agreement shall not be considered an unlawful act under Florida Statute §166.241; authorizing the Mayor or his designee to execute the Agreement between the City and FDOT for participation by FDOT in the construction activities of the Project in an amount not to exceed \$1,121,674; authorizing a supplemental appropriation in the amount of \$1,121,674 from the increase in the unappropriated balance of the Bicycle/Pedestrian Safety Grants Capital Projects Fund (3004), resulting from these additional revenues, to the Bayway Trail North – Phase II Project (13639); approving a District Seven Highway Maintenance Memorandum of Agreement ("MOA") between the City and FDOT for mowing and other landscape maintenance within six feet of each side of the paved portion of this Trail Project at a cost to the City not to exceed \$15,067 annually for the term of the MOA which is fifteen (15) years; authorizing the Mayor or his designee to execute the MOA; and providing an effective date. (FDOT Financial Project No. 424532 5 58/68 01) (Engineering Project No. 13018-112; Oracle No. 13639)

EXPLANATION: On June 21, 2012, the City Council approved a Local Agency Program (LAP) Agreement with the Florida Department of Transportation ("FDOT") for the design of the SR 682 (Pinellas Bayway) Trail – Phase II Project ("Project").

On July 9, 2012, the City entered into the Agreement which outlined terms and conditions incumbent upon both parties. The LAP Agreement provides \$290,000 in funding for design activities for the SR 682 (Pinellas Bayway) Trail – Phase II Project, connecting Phase I along 54th Avenue South from west of the toll booth to the intersection of Pinellas Bayway (State Road 682) and the new Pinellas Bayway Bridge.

On November 7, 2013, the City Council approved a Local Agency Program (LAP) Supplemental Agreement with the Florida Department of Transportation ("FDOT") for

the design cost increase of the SR 682 (Pinellas Bayway) Trail – Phase II Project ("Project"). The FDOT requested the project include additional design to include Intelligent Transportation Systems (ITS) conduit and pull boxes for a future signal interconnect system pertaining to the Pinellas Bayway Phase II ITS Device Deployment.

The LAP Agreement provides that the City will recoup from the FDOT all costs included in the original scope of work and any FDOT approved supplemental services. The design work and plans have been completed by consultant and City staff.

This new LAP Agreement provides grant funding in the amount of \$1,121,674 for construction of the Bayway Trail.

The purpose of this project is to construct 1.26 miles of 12-foot wide multi-use trail that will provide a trail for pedestrians and bicycles along the south side of 54th Avenue South at the Pinellas Bayway Toll Plaza, parallel to S.R. 682 (Pinellas Bayway) to the new Pinellas Bayway Bridge.

Construction is planned to begin in the fall of 2014 and be completed eight months later.

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 \$1,121,674. Project costs related to construction by City staff for construction inspection activities will be borne initially by the City, and the City will recoup all related project costs from FDOT. The City is responsible for repairing and maintaining the improvements throughout the service life of the Project, estimated to be \$142,000 over a 15-year life span.

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

In accordance with current FDOT policies, the FDOT has requested the City perform additional trail related maintenance requirements of the Bayway Trail including mowing six feet either side of the trail to supplement FDOT mowing cycles, chemical edging, litter pick up, and graffiti removal. The estimated annual cost to perform this work is \$15,067. These requirements will be included in a MOA and funded in the Parks and Recreation operating budget in FY15. The 15-year cost for this maintenance is \$226,000.

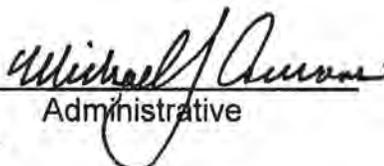
RECOMMENDATION: Administration recommends that City Council approve the attached Approving a Resolution finding that \$142,000 is an amount sufficient to pay for the maintenance of the trail improvements of the SR 682 (Pinellas Bayway) Trail North Project ("Project") along the south side of 54th Avenue South from Pinellas Bayway Toll Plaza to the intersection of Pinellas Bayway (State Road 682) and the new Pinellas Bayway Bridge, over its useful life of fifteen (15) years; authorizing a supplemental appropriation in the amount of \$142,000 from the unappropriated balance of the General Fund to fund future maintenance of the trail improvements required by the

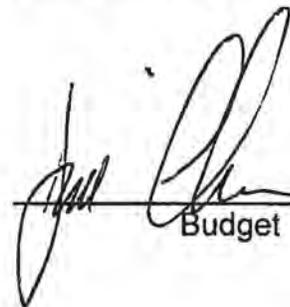
Local Agency Program Agreement ("Agreement") between the State of Florida Department of Transportation ("FDOT") and the City of St. Petersburg, Florida ("City"); providing that the maintenance funds shall be considered encumbered for the useful life of the project with only authorized expenditures being for maintenance of the trail improvements of the Project; finding that execution of the Agreement shall not be considered an unlawful act under Florida Statute §166.241; authorizing the Mayor or his designee to execute the Agreement between the City and FDOT for participation by FDOT in the construction activities of the Project in an amount not to exceed \$1,121,674; authorizing a supplemental appropriation in the amount of \$1,121,674 from the increase in the unappropriated balance of the Bicycle/Pedestrian Safety Grants Capital Projects Fund (3004), resulting from these additional revenues, to the Bayway Trail North – Phase II Project (13639); approving a District Seven Highway Maintenance Memorandum of Agreement ("MOA") between the City and FDOT for mowing and other landscape maintenance within six feet of each side of the paved portion of this Trail Project at a cost to the City not to exceed \$15,067 annually for the term of the MOA which is fifteen (15) years; authorizing the Mayor or his designee to execute the MOA; and providing an effective date. (FDOT Financial Project No. 424532 5 58/68 01) (Engineering Project No. 13018-112; Oracle No. 13639)

COST/FUNDING/ASSESSMENT INFORMATION: Funds will be available after the approval of a supplemental appropriation in the amount of \$1,121,674 from the increase in the unappropriated balance of the Bicycle/Pedestrian Safety Grants Capital Projects Fund (3004) resulting from these additional revenues to the Bayway Trail North – Phase II Project (13639). Funds for repair and maintenance will be available after the approval of a supplemental appropriation in the amount of \$142,000 from the unappropriated balance of the General Fund (0001). The impact to the General Fund reserves for this appropriation will be approximately \$9,467 per year and will be included in the Stormwater, Pavement and Traffic Operations budget.

ATTACHMENTS: Resolution, Map

APPROVALS:

TBG 
Administrative


Budget

RESOLUTION NO. 2014-_____

APPROVING A RESOLUTION FINDING THAT \$142,000 IS AN AMOUNT SUFFICIENT TO PAY FOR THE MAINTENANCE OF THE TRAIL IMPROVEMENTS OF THE SR 682 (PINELLAS BAYWAY) TRAIL NORTH PROJECT ("PROJECT") ALONG THE SOUTH SIDE OF 54TH AVENUE SOUTH FROM PINELLAS BAYWAY TOLL PLAZA TO THE INTERSECTION OF PINELLAS BAYWAY (STATE ROAD 682) AND THE NEW PINELLAS BAYWAY BRIDGE, OVER ITS USEFUL LIFE OF FIFTEEN (15) YEARS; AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$142,000 FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND TO FUND FUTURE MAINTENANCE OF THE TRAIL IMPROVEMENTS 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 BE CONSIDERED ENCUMBERED FOR THE USEFUL LIFE OF THE PROJECT WITH ONLY AUTHORIZED EXPENDITURES BEING FOR MAINTENANCE OF THE TRAIL IMPROVEMENTS OF THE PROJECT; FINDING THAT EXECUTION OF THE AGREEMENT SHALL NOT BE CONSIDERED AN UNLAWFUL ACT UNDER FLORIDA STATUTE §166.241; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT BETWEEN THE CITY AND FDOT FOR PARTICIPATION BY FDOT IN THE CONSTRUCTION ACTIVITIES OF THE PROJECT IN AN AMOUNT NOT TO EXCEED \$1,121,674; AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$1,121,674 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE BICYCLE/PEDESTRIAN SAFETY GRANTS CAPITAL PROJECTS FUND (3004), RESULTING FROM THESE ADDITIONAL REVENUES, TO THE BAYWAY TRAIL NORTH - PHASE II PROJECT (13639); APPROVING A DISTRICT SEVEN HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT ("MOA") BETWEEN THE CITY AND FDOT FOR MOWING AND OTHER LANDSCAPE MAINTENANCE WITHIN SIX FEET OF EACH SIDE OF THE PAVED PORTION OF THIS TRAIL PROJECT AT A COST TO THE CITY NOT TO EXCEED \$15,067 ANNUALLY FOR THE TERM

OF THE MOA, WHICH IS FIFTEEN (15) YEARS;
AUTHORIZING THE MAYOR OR HIS DESIGNEE
TO EXECUTE THE MOA; AND PROVIDING AN
EFFECTIVE DATE. (FDOT FINANCIAL PROJECT
NO. 424532 5 58/68 01) (ENGINEERING
PROJECT NO. 13018-112; ORACLE NO. 13639)

WHEREAS, the State of Florida Department of Transportation ("FDOT") has agreed to participate in the construction activities of the SR 682 (Pinellas Bayway) Trail North Project ("Project"); and

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

WHEREAS, the source of the 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 such 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 trail improvements of the Project for its useful life of fifteen (15) years will cost \$142,000; and

WHEREAS, City Council finds that \$142,000 is an amount sufficient to pay for the maintenance of the trail improvements of the Project over its useful life; and

WHEREAS, the City and FDOT also desire to enter into a Maintenance Memorandum of Agreement for the mowing and other landscape maintenance within six feet of each side of the paved portion of this trail Project at a cost to the City not to exceed \$15,067 annually for the term of the MOA which is fifteen (15) years.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that \$142,000 is an amount sufficient to pay for maintenance of the SR 682 (Pinellas Bayway) Trail North Project ("Project") improvements over its useful life of fifteen (15) years.

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>	
Stormwater and Traffic Operations Department	
Traffic Division (400-1257)	\$142,000

BE IT FURTHER RESOLVED that the appropriation for the maintenance of the improvements shall be committed within the General Fund balance which will carry forward from year to year and shall be considered encumbered for the useful life of the Project with the only authorized expenditures from that commitment being for maintenance of the trail improvements of the Project.

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

BE IT FURTHER RESOLVED that this Council finds that because sufficient funds have been appropriated and committed within the General Fund balance to fund the maintenance of the trail 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.

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 \$1,121,674 is hereby approved and that the Mayor or his designee is authorized to execute the Agreement.

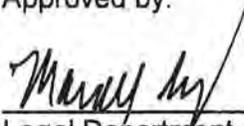
BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the Bicycle/Pedestrian Safety Grants Capital Projects Fund (3004), resulting from these additional revenues, the following supplemental appropriation for FY14:

<u>Bicycle/Pedestrian Safety Grants Capital Projects Fund (3004)</u>	
FDOT-LAP – Bayway Trail North – Phase II Project (13639)	\$1,121,674

BE IT FURTHER RESOLVED that a District Seven Highway Maintenance Memorandum of Agreement ("MOA") between the City and FDOT for mowing and other landscape maintenance within six feet of each side of the paved portion of this trail Project at a cost to the City not to exceed \$15,067 annually for the term of the MOA which is fifteen (15) years, is hereby approved and the Mayor or his designee is authorized to execute the MOA.

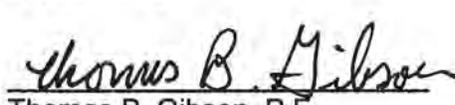
This resolution shall become effective immediately upon its adoption.

Approved by:

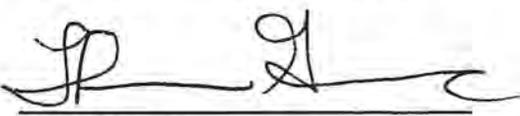


Legal Department
By: (City Attorney or Designee)

Approved by:

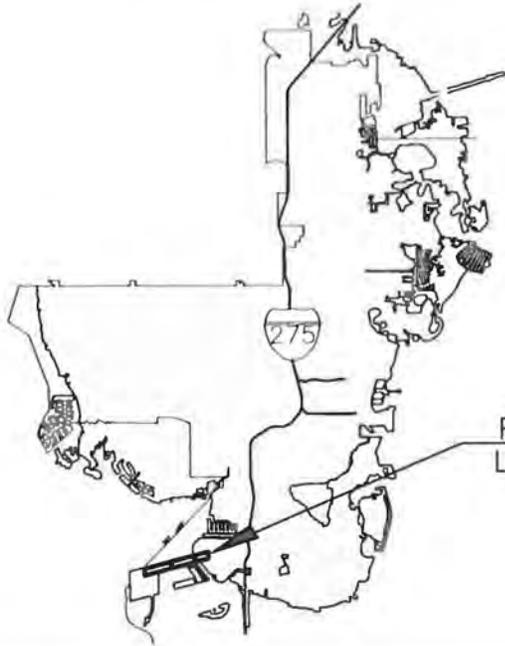


Thomas B. Gibson, P.E.
Engineering & Capital Improvements Director

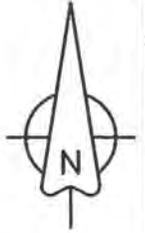


Tom Greene
Budget Director

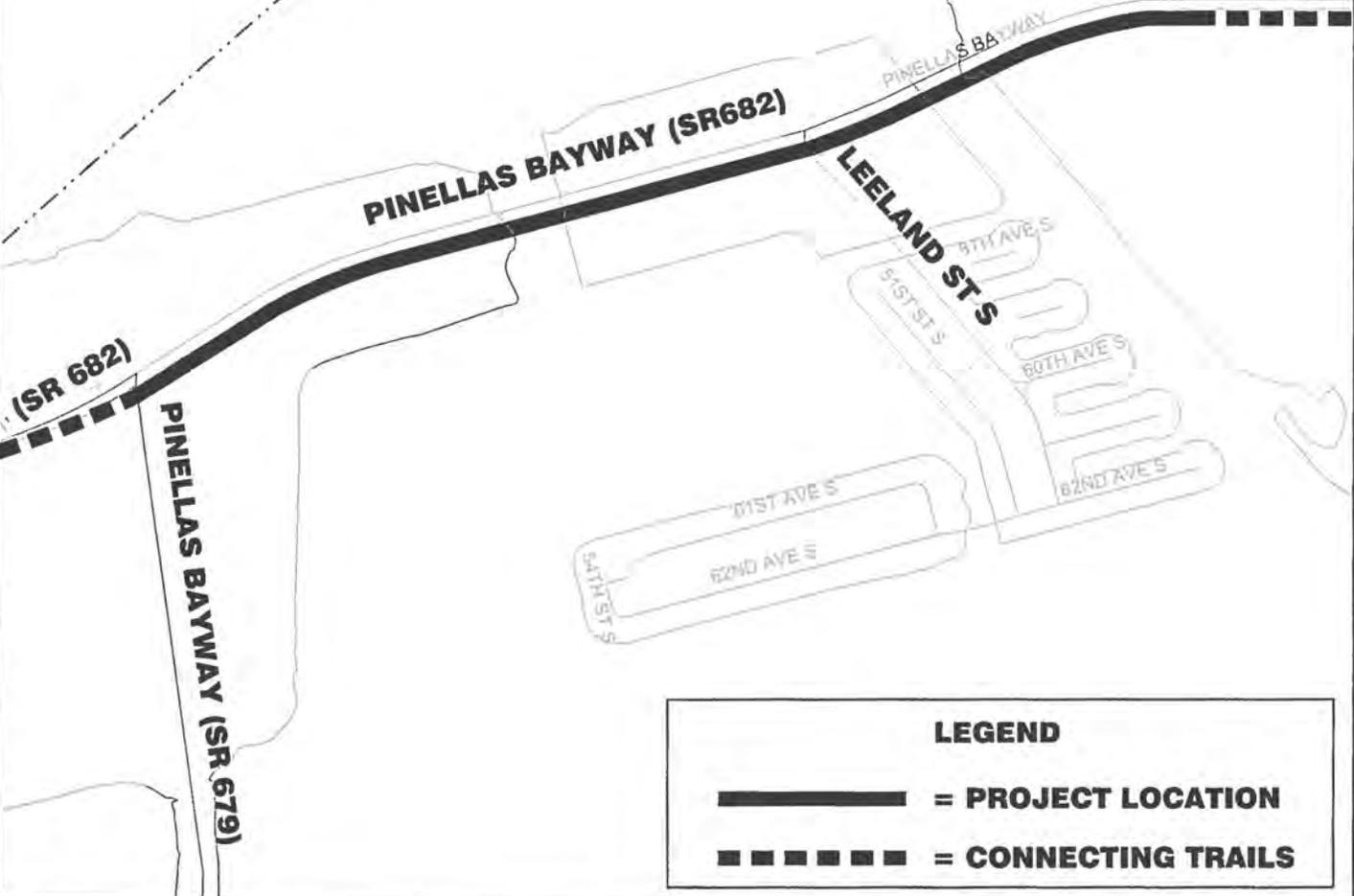
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PROJECT LOCATION



44TH AVE S
48TH AVE S
50TH TERR S
50TH PLACE S
51ST AVE S
52ND AVE S
54TH AVE S



PINELLAS BAYWAY (SR682)

PINELLAS BAYWAY (SR 679)

LEELAND ST S

LEGEND

————— = PROJECT LOCATION

- - - - - = CONNECTING TRAILS



ENGINEERING & CAPITAL IMPROVEMENTS DEPARTMENT
CITY of ST. PETERSBURG

BAYWAY TRAIL NORTH
Project No. 13018-112

DATE:	03/14
SCALE:	NTS
DRAWING No.	