

ST. PETERSBURG CITY COUNCIL

Reports

Meeting of July 13, 2023

To: The Honorable Chair Brandi Gabbard, and Members of City Council

Subject: A resolution approving the agreement between the City of St. Petersburg, Florida (“City”), Pinellas County, Florida (“County”), and Power Design, Inc. (“Power Design”) to share in the cost of the design and construction of the signalization project located at Dr. MLK Jr. Street North and 116th Avenue North; authorizing the City Attorney’s Office to make non-substantive changes to the funding agreement; authorizing the Mayor or his designee to execute the agreement and all other necessary documents; approving a supplemental appropriation of up to \$517,500 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from Power Design’s contribution of up to \$135,000 and the County’s contribution of up to \$382,500, to the Dr. MLK Jr. Street North and 116th Avenue Project (19673); approving a supplemental appropriation in the amount of \$482,500 from the unappropriated balance of the Multimodal Impact Fees Capital Improvement Fund (3071), for the City’s portion of the project, to the Dr. MLK Jr. Street North and 116th Avenue Project (19673); and providing an effective date.

Explanation: Power Design, Inc. is a design-build, multi-trade contractor located at 11600 Dr. MLK Jr. Street North. It has been expanding its St. Petersburg headquarters campus both geographically and by the number of employees. Part of that growth has led to additional vehicle trips to and from their campus via the unsignalized intersection of Dr. MLK Jr. Street North and 116th Avenue North. Almost 1,200 employees work on-site, and many additional contractors, vendors, and guests access the site daily. Although the background traffic is significantly more than the growing number of trips directly attributable to Power Design, the cumulative effect of all traffic at the intersection warrants the installation of a new traffic signal which has been requested by Power Design.

Pursuant to City Council action on December 12, 2019, the western leg of the subject intersection is now private and serves as the main access point to and from Power Design’s campus. Dr. MLK Jr. Street is a County-owned and maintained roadway, and the City has traffic control jurisdiction for the subject intersection. Accordingly, there is an opportunity for improvements made at the intersection to be shared amongst the stakeholders. The attached agreement between the City, County, and Power Design outlines the proposed project implementation, including a definition for Eligible Costs and partner responsibilities through the various phases of the project.

The proposed funding strategy outlined in the attached agreement includes a sum of \$135,000, or 15% of the estimated project cost, from Power Design who offered to contribute financially to the project. The City and County have agreed to equally split the remainder of the estimated project cost which is \$382,500 each. Should the construction bids cause the project’s actual total Eligible Costs to exceed \$900,000, the parties can terminate the agreement or agree to provide additional funds through written amendment. Internal City expenses related to Project management and oversight by the City’s Engineering and Capital Improvements Department are

included in the project estimate; they are deemed as Eligible Costs up to the agreed-upon limit of \$45,000.

Administration recommends appropriating an additional \$100,000 over and above the contractual requirement, which is an approximate 11% contingency. Any appropriated City funds not expended will return to the fund balance.

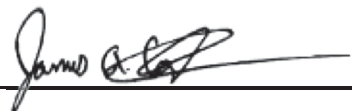
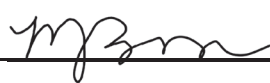
Recommendation: Administration recommends that Council adopt the attached resolution approving the agreement between the City of St. Petersburg, Florida (“City”), Pinellas County, Florida (“County”), and Power Design, Inc. (“Power Design”) to share in the cost of the design and construction of the signalization project located at Dr. MLK Jr. Street North and 116th Avenue North; authorizing the City Attorney’s Office to make non-substantive changes to the funding agreement; authorizing the Mayor or his designee to execute the agreement and all other necessary documents; approving a supplemental appropriation of up to \$517,500 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from Power Design’s contribution of up to \$135,000 and the County’s contribution of up to \$382,500, to the Dr. MLK Jr. Street North and 116th Avenue Project (19673); approving a supplemental appropriation in the amount of \$482,500 from the unappropriated balance of the Multimodal Impact Fees Capital Improvement Fund (3071), for the City’s portion of the project, to the Dr. MLK Jr. Street North and 116th Avenue Project (19673); and providing an effective date.

Cost/Funding/Assessment Information: Revenues of up to \$517,500 are to be received from the agreement with Power Design and Pinellas County and deposited into the General Capital Improvement Fund (3001). The funding strategy related to the City obligation is to utilize the Gateway Areawide Transportation Improvement Special Assessment Fees collected in the City’s former Gateway Areawide Development of Regional Impact housed within the Multimodal Impact Fees Capital Improvements Fund (3071). These fees were collectively paid by developers and such funds are intended to safely accommodate new roadway trips caused by private development and may only be spent in the Gateway area of St. Petersburg. Funding for the project will be available after the approval of a supplemental appropriation of up to \$517,500 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from Power Design’s contribution of up to \$135,000 and the County’s contribution of up to \$382,500, to the Dr. MLK Jr. Street North and 116th Avenue Project (19673) and a supplemental appropriation in the amount of \$482,500 from the unappropriated balance of the Multimodal Impact Fees Capital Improvement Fund (3071), to the Dr. MLK Jr. Street North and 116th Avenue Project (19673).

Attachments:

- (1) Resolution
- (2) Funding Agreement
- (3) Presentation

Approvals:

Administration  Budget 

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA (“CITY”), PINELLAS COUNTY, FLORIDA (“COUNTY”) AND POWER DESIGN, INC. (“POWER DESIGN”) TO SHARE IN THE COST OF THE DESIGN AND CONSTRUCTION OF THE SIGNALIZATION PROJECT LOCATED AT DR. MLK JR. STREET NORTH AND 116TH AVENUE NORTH; AUTHORIZING THE CITY ATTORNEY’S OFFICE TO MAKE NON-SUBSTANTIVE CHANGES TO THE AGREEMENT; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND ALL OTHER NECESSARY DOCUMENTS; APPROVING A SUPPLEMENTAL APPROPRIATION OF UP TO \$517,500 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), RESULTING FROM POWER DESIGN’S CONTRIBUTION OF UP TO \$135,000 AND THE COUNTY’S CONTRIBUTION OF UP TO \$382,500, TO THE DR. MLK JR. STREET NORTH AND 116TH AVENUE PROJECT (19673); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$482,500 FROM THE UNAPPROPRIATED BALANCE OF THE MULTIMODAL IMPACT FEES CAPITAL IMPROVEMENT FUND (3071), FOR THE CITY’S PORTION OF THE PROJECT, TO THE DR. MLK JR. STREET NORTH AND 116TH AVENUE PROJECT (19673); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, where it intersects with 116th Avenue North, Dr MLK Jr. Street North is a County owned and maintained roadway within the limits of the City of St. Petersburg; and

WHEREAS, 116th Avenue North is a City owned and maintained roadway that connects between Dr MLK Jr. Street North and 4th Street North in St. Petersburg; and

WHEREAS, Power Design applied for a vacation of 116th Circle North, a dead-end roadway directly across Dr MLK Jr. Street North from 116th Avenue North; and

WHEREAS, such vacation was approved by the St. Petersburg City Council pursuant to Ordinance No. 1119-V, and the vacated area (previously 116th Circle North) now serves as the main access point to Power Design’s campus; and

WHEREAS, the City and the County received a request from Power Design to install a traffic signal at the intersection of Dr MLK Jr. Street North and 116th Avenue North in order to control traffic movements and address growing traffic counts at the intersection; and

WHEREAS, the City performed a signal warrant analysis based on the Manual of Uniform Traffic Control Devices and found that the intersection of Dr MLK Jr Street North and 116th Avenue North warrants a signal based on traffic volume; and

WHEREAS, the City, the County and Power Design agree that the installation of a traffic signal at the intersection of Dr. MLK Jr Street North and 116th Avenue North will improve access and safety for both Power Design employees and the general public; and

WHEREAS, the City, the County and Power Design desire to share in the cost of the design and construction of the signalization project with Power Design to provide up to \$135,000, the County to provide up to \$382,500 and the City to provide the remainder (estimated to be \$382,500); and

WHEREAS, a supplemental appropriation of up to \$517,500 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above revenues, to the Dr. MLK Jr. Street North and 116th Avenue Project (19673) is needed to make available for use the funds to be provided by Power Design and the County for the signalization project; and

WHEREAS, additionally, a supplemental appropriation in the amount of \$482,500 from the unappropriated balance of the Multimodal Impact Fees Capital Improvement Fund (3071) to the Dr. MLK Jr. Street North and 116th Avenue Project (19673) is needed to cover the City's portion of the signalization project plus an eleven (11) percent contingency; and

WHEREAS, any appropriated City funds not expended on the signalization project will return to the fund balance.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the agreement between the City of St. Petersburg, Florida ("City"), Pinellas County, Florida and Power Design, Inc. to share in the cost of the design and construction of the signalization project located at Dr. MLK Jr. Street North and 116th Avenue north is hereby approved.

BE IT FURTHER RESOLVED that the City Attorney's Office is authorized to make non-substantive changes to the agreement.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the agreement and all other necessary documents.

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from Power Design's contribution of up to \$135,000 and the County's contribution of up to \$382,500, the following supplemental appropriation for FY23:

<u>General Capital Improvement Fund (3001)</u>	
Dr. MLK Jr. Street North and 116 th Avenue Project (19673)	\$517,500

BE IT FURTHER RESOLVED that there is hereby approved from the unappropriated balance of the Multimodal Impact Fees Capital Improvement Fund (3071) the following supplemental appropriation for FY23:

<u>Multimodal Impact Fees Capital Improvement Fund (3071)</u>	
Dr. MLK Jr. Street North and 116 th Avenue Project (19673)	\$482,500

This Resolution shall become effective immediately upon its adoption.

LEGAL:

DEPARTMENT:





BUDGET:



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