

**RESOLUTION NO. 21-25**

A RESOLUTION OF THE CITY OF CLEARWATER, FLORIDA REPEALING AND REPLACING RESOLUTION NO. 19-11; APPROVING A COMMUNITY AESTHETIC FEATURES AGREEMENT, AS ATTACHED IN EXHIBIT A, BETWEEN THE CITY OF CLEARWATER (THE "CITY") AND THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") THAT PROVIDES FOR THE INSTALLATION AND MAINTENANCE OF THE LOCAL IDENTIFICATION MARKER AFFIXED TO THE US 19 PEDESTRIAN OVERPASS AT HARN BOULEVARD; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE THE COMMUNITY AESTHETIC FEATURES AGREEMENT, AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City recognizes the important role of branding and wayfinding signage on major roads to civic pride, placemaking, and supporting tourism; and

WHEREAS, on January 29, 2016, MERJE, a nationally recognized firm with extensive community wayfinding experience, was awarded a contract to develop a wayfinding and signage master plan for the US 19 Corridor, to implement one of the strategies identified in the US 19 Corridor Redevelopment Plan (2012); and

WHEREAS, the US 19 Corridor Wayfinding & Signage Plan ("Wayfinding Plan"), prepared by MERJE and presented to City Council on October 6, 2016, identified two primary city gateways on US 19 and included the installation of City Gateway signage on two pedestrian bridges – Duke Energy Bridge and a proposed bridge north of Harn Boulevard – as priority projects; and

WHEREAS, US 19 as the primary north-south corridor in the City is owned and operated by FDOT on behalf of the state of Florida; and

WHEREAS, the construction of a pedestrian overpass of US 19 at Harn Boulevard provides the opportunity to affix a Local Identification Marker (the "Sign") to the overpass structure consistent with the Wayfinding Plan; and

WHEREAS, in order to affix a City of Clearwater Sign to the pedestrian overpass in the right-of-way, FDOT requires the City to enter into a Community Aesthetic Feature Agreement ("CAFA") that provides for the design, installation and maintenance of the Sign; and

WHEREAS, under the terms of the CAFA, the City will perform any future maintenance including cleaning and replacement of damaged or deteriorating materials to the Sign at the City's cost; and

WHEREAS, under the terms of the CAFA, the City must pay for the costs of removal of the Sign and restoration of the right-of-way ("Removal and Restoration") upon the expiration or earlier termination of the CAFA; and

WHEREAS, the Administration has determined that \$15,000.00 is an amount sufficient to cover the costs to FDOT pursuant to the CAFA; and

WHEREAS, FDOT has requested that the City sign and deliver to FDOT the CAFA and adopt a Resolution approving the same; and

WHEREAS, on July 18, 2019, City Council passed and adopted Resolution No. 19-11, approving a CAFA for the signage on the pedestrian overpass of US 19 at Harn Boulevard, which was subsequently transmitted to FDOT; and

WHEREAS, FDOT identified and requested modifications to the CAFA which have been addressed; and

WHEREAS, the final design intent drawings are attached to the CAFA, replacing the previously provided sketch of the signage; and

WHEREAS, these revised documents requested by FDOT are signed and contained within as part of this resolution; now, therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEARWATER, FLORIDA:

Section 1. The City approves the Community Aesthetic Features Agreement, as attached in Exhibit "A," which replaces the previously approved Agreement, accepting the rights and responsibilities provided for in the Agreement and authorizing appropriate City officials to take all necessary action as may be necessary or appropriate to perform all obligations and commitments of the City of Clearwater in accordance with the provisions of the Agreement.

Section 2. Resolution 19-11 is hereby repealed and replaced in its entirety with this Resolution.

Section 3. This Resolution shall take effect immediately upon adoption.

Section 4. The City Clerk is directed to transmit a copy of this Resolution and the signed CAFA to the Secretary for District Seven of FDOT no later than fourteen (14) days after the Resolution and agreement are signed.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
William B. Horne, II  
City Manager

\_\_\_\_\_  
Frank V. Hibbard  
Mayor

Approved as to form:

Attest:

\_\_\_\_\_  
Matthew J. Mytych, Esq.  
Assistant City Attorney

\_\_\_\_\_  
Rosemarie Call  
City Clerk

EXHIBIT "A"

COMMUNITY FEATURES AESTHETIC AGREEMENT