

RESOLUTION 20-104

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH APPROVING A MEMORANDUM OF UNDERSTANDING WITH FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING THE FUTURE PLANNING AND TRANSFER OF STATE ROAD 30/FRONT BEACH ROAD SEGMENTS AND BAY PARKWAY SEGMENT RIGHTS OF WAY.

BE IT RESOLVED that the appropriate officers of the City are authorized but not required to execute and deliver on behalf of the City that certain Memorandum of Understanding between the City and the Florida Department of Transportation (FDOT), relating to the future planning and transfer of State Road 30/Front Beach Road Segments Right of Ways to the City and the transfer of Bay Parkway Segment Right of Way to FDOT, in substantially the form attached and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager, whose execution of such agreement shall be conclusive evidence of such approval.

THIS RESOLUTION shall be effective immediately upon passage.

PASSED in regular session this 14th day of May, 2020.

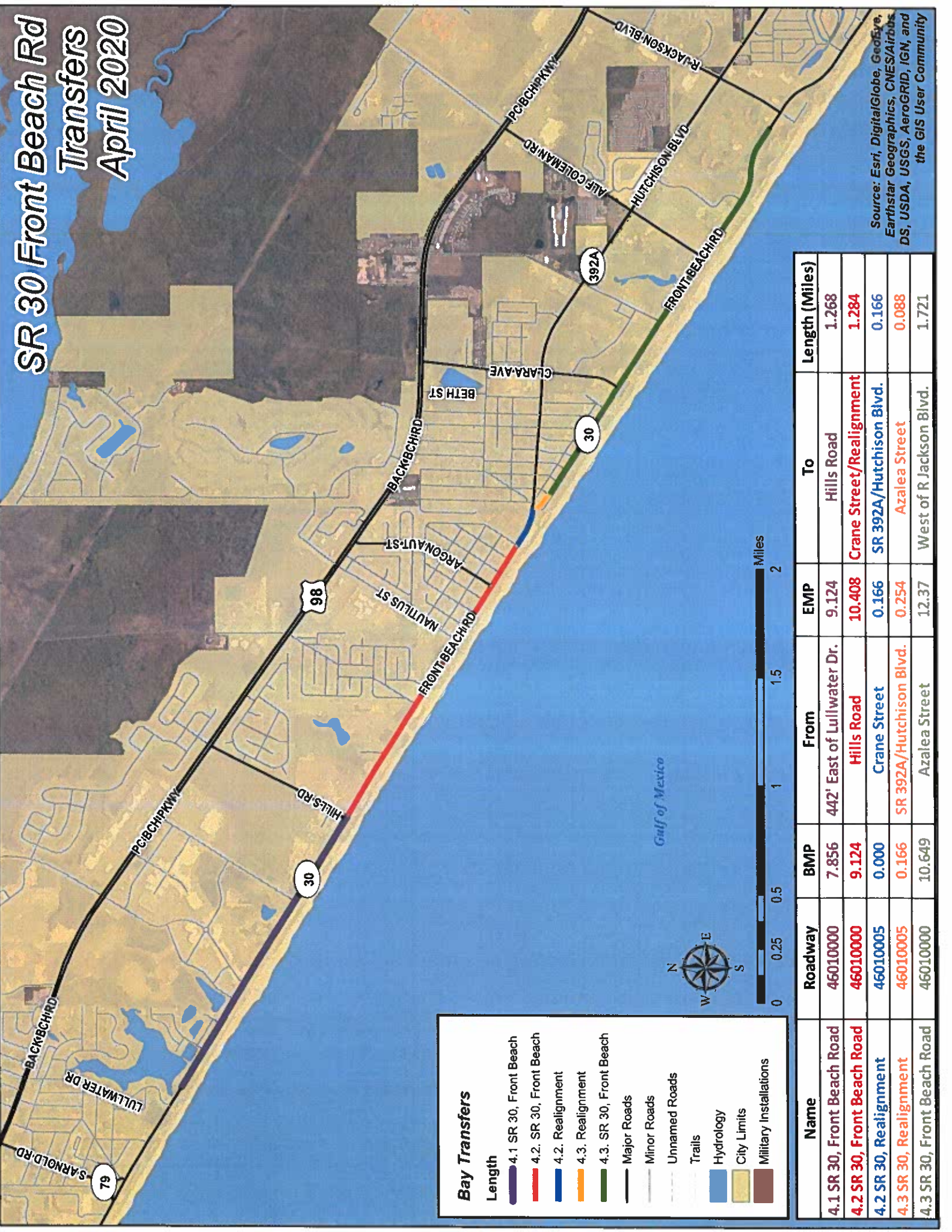
CITY OF PANAMA CITY BEACH

By: 
Mark Sheldon, Mayor

ATTEST:


Jo Smith, Interim City Clerk

SR 30 Front Beach Rd Transfers April 2020



Bay Transfers

Length

- 4.1 SR 30, Front Beach
- 4.2 SR 30, Front Beach
- 4.2. Realignment
- 4.3. Realignment
- 4.3. SR 30, Front Beach

Major Roads
Minor Roads
Unnamed Roads
Trails
Hydrology
City Limits
Military Installations

Name	Roadway	BMP	From	EMP	To	Length (Miles)
4.1 SR 30, Front Beach Road	46010000	7.856	442' East of Lullwater Dr.	9.124	Hills Road	1.268
4.2 SR 30, Front Beach Road	46010000	9.124	Hills Road	10.408	Crane Street/Realignment	1.284
4.2 SR 30, Realignment	46010005	0.000	Crane Street	0.166	SR 392A/Hutchison Blvd.	0.166
4.3 SR 30, Realignment	46010005	0.166	SR 392A/Hutchison Blvd.	0.254	Azalea Street	0.088
4.3 SR 30, Front Beach Road	46010000	10.649	Azalea Street	12.37	West of R Jackson Blvd.	1.721

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**MEMORANDUM OF UNDERSTANDING
BETWEEN
STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
AND
CITY OF PANAMA CITY BEACH, FLORIDA**

This Memorandum of Understanding (“MOU”) is entered into by and between the STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION (“Department”) and CITY OF PANAMA CITY BEACH, FLORIDA (“City”), collectively referred to as “the Parties.”

WHEREAS, pursuant to Section 334.044 and 337.11 and other sections of the Florida Transportation Code, Florida Statutes, the Department is authorized and required to assume responsibility for coordinating the planning of a safe, viable, and balanced state transportation system, and is authorized to enter into contracts and agreements; and

WHEREAS, the Department owns certain rights-of-way located within the City known as:

- 1) State Road 30/Front Beach Road (Roadway ID 46010000) from Lullwater Drive (Beginning Mile Post 7.856) to Hills Road (Ending Mile Post 9.124) for an approximate net length of 1.268 miles (referred to in this MOU as “Segment 4.1”)
- 2) State Road 30/Front Beach Road (Roadway ID 46010000) from Hills Road (Beginning Mile Post 9.124) to Crane Street/Realignment (Ending Mile Post 10.408) for an approximate net length of 1.284 miles and State Road 30/Front Beach Road (Roadway ID 46010005) from Crane Street (Beginning Mile Post 0.000) to State Road 392A/Hutchinson Boulevard (Ending Mile Post 0.166) for an approximate net length of 0.166 miles (referred to in this MOU as “Segment 4.2”)
- 3) State Road 30/Front Beach Road (Roadway ID 46010005) from State Road 392A/Hutchinson Boulevard (Beginning Mile Post 0.166) to Azalea Street (Ending Mile Post 0.254) for an approximate net length of 0.088 miles and State Road 30/Front Beach Road (Roadway ID 46010000) from Azalea Street (Beginning Mile Post 10.649) to West of Richard Jackson Boulevard (Ending Mile Post 12.370) for an approximate net length of 1.721 miles (referred to in this MOU as “Segment 4.3”); and

WHEREAS, the rights-of-way denoted as Segments 4.1, 4.2 and 4.3 above are collectively referred to in this MOU as the “State Road 30/Front Beach Road Segments”, and are depicted on the map attached hereto as Exhibit “A”; and

WHEREAS, the City is constructing certain rights-of-way located within the City to be known as Bay Parkway starting at State Road 79 (referred to in this MOU as the “Bay Parkway Segment”); and

WHEREAS, the City has requested the future transfer of the State Road 30/Front Beach Road Segments from the State Highway System to the City of Panama City Beach Road System; and

WHEREAS, the City has requested the future transfer of the Bay Parkway Segment from the City of Panama City Beach Road System to the State Highway System; and

WHEREAS, the Department is willing to consider and interested in the potential Road Transfers of both the Bay Parkway Segment and State Road 30/Front Beach Road Segments as part of its planning and coordination for the future of the state transportation system; and

WHEREAS, the Parties desire to enter into this MOU for the purpose of setting forth the understanding of the Parties hereto regarding the future planning and transfer of the Bay Parkway Segment from the City to the Department and the future planning and transfer of the State Road 30/Front Beach Rd. Segments from the Department to the City.

NOW, THEREFORE, based on the premises above, the Parties hereby agree as follows:

1. The above **WHEREAS** clauses are specifically incorporated herein by reference and made a part of this MOU.
2. The City will request the transfer(s) of the State Road 30/Front Beach Road Segments in the following manner:
 - a. The City will complete all necessary procurement and permitting, including, but not limited to, design, environmental permitting and construction contract(s) procurement, for their project on Segment 4.1 of the State Road 30/Front Beach Road Segments. Within 60 days prior to the award of the (all) contract(s) for the construction of the project, the City shall request the transfer of the right of way denoted as "Segment 4.1" on Exhibit A from the State Highway System to the City of Panama City Beach Road System. At that time, if approved by the Secretary of the Department, a Road Transfer Agreement will be executed between the City and the Department to transfer Segment 4.1 from the State Highway System to the City of Panama City Beach Road System.
 - b. The City will complete all necessary procurement and permitting, including, but not limited to, design, environmental permitting and construction contract(s) procurement, for their project on Segment 4.2 of the State Road 30/Front Beach Road Segments. Within 60 days prior to the award of the (all) contract(s) for the construction of the project, the City shall request the transfer of the right of way denoted as "Segment 4.2" on Exhibit A from the State Highway System to the City of Panama City Beach Road System. At that time, if approved by the Secretary of the Department, a Road Transfer Agreement will be executed between the City and the Department to transfer Segment 4.2 from the State Highway System to the City of Panama City Beach Road System.
 - c. The City will complete all necessary procurement and permitting, including, but not limited to, design, environmental permitting and construction contract(s) procurement, for their project on Segment 4.3 of the State Road 30/Front Beach Road Segments. Within 60 days prior to the award of the (all) contract(s) for the construction of the project, the City shall request the transfer of the right of way denoted as "Segment 4.3" on Exhibit A from the State

Highway System to the City of Panama City Beach Road System. At that time, if approved by the Secretary of the Department, a Road Transfer Agreement will be executed between the City and the Department to transfer Segment 4.3 from the State Highway System to the City of Panama City Beach Road System.

3. The City will request the transfer of the Bay Parkway Segment in the following manner:
 - a. The City is currently working on the construction of Bay Parkway in multiple phases, and the total of all phases is what is referenced for the purposes of this MOU as the "Bay Parkway Segment". After the construction and final acceptance of all work by the City for the entirety of all phases of the City's Bay Parkway project, the City shall request the transfer of the right of way denoted as "Bay Parkway Segment" from the City of Panama City Beach Road System to the State Highway System. At that time, if approved by the Secretary of the Department, a Road Transfer Agreement will be executed between the City and the Department to transfer the Bay Parkway Segment from the City of Panama City Beach Road System to the State Highway System.
4. The Parties' obligations under this MOU and to any subsequent Road Transfer Requests/Agreements referenced above in this MOU are subject to the approval and execution of any Road Transfer Agreement(s) by the Secretary of the Department transferring those Segments to the Department (Bay Parkway Segment) or to the City (State Road 30/Front Beach Road Segments) respectively.
5. This MOU may be executed in two or more counterparts, each of which shall be an original, but all of which shall constitute but one agreement.

IN WITNESS WHEREOF, the Department and the City have executed this MOU for the purposes herein expressed on the dates indicated below.

DEPARTMENT:
STATE OF FLORIDA,
DEPARTMENT OF TRANSPORTATION

CITY:
CITY OF PANAMA CITY BEACH

By: _____
Printed Name: _____
Title: _____
Date: _____

By: _____
Printed Name: _____
Title: _____
Date: _____

Attest: _____
Print Name: _____ (Seal)
Title: _____

Attest: _____
Print Name: _____ (Seal)
Title: _____

Department Legal Review:

City Legal Review:
