

RESOLUTION NO. 21 – 51

A RESOLUTION OF THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS, APPROVING THE COMMUNITY AESTHETIC FEATURES AGREEMENT (“CAFA”) BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”) AND PINELLAS COUNTY, FLORIDA (THE “COUNTY”); PROVIDING FOR COUNTY DESIGN, INSTALLATION AND MAINTENANCE OF PUBLIC ART TO BE LOCATED ON THE FOUR (4) ENTRYWAY WALLS AT TWO (2) TUNNELS ALONG THE FRED MARQUIS PINELLAS TRAIL (“PINELLAS TRAIL”), WHICH ARE OWNED BY FDOT AND LOCATED AT ALT U.S. 19 IN PALM HARBOR AND U.S. 19 IN TARPON SPRINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Pinellas County Government (“County”) proposes to design and install murals (the “Murals”) on the four (4) entryway walls at two tunnels (the “Tunnels”) along the Fred Marquis Pinellas Trail located at Alt U.S. 19 in Palm Harbor and U.S. 19 in Tarpon Springs, which are owned by the Florida Department of Transportation (FDOT);

WHEREAS, the installation of the Murals will decrease graffiti, beautify the community, and support Pinellas County as an art destination;

WHEREAS, the Mural will be completed through Creative Pinellas, Inc. (“Agency”), who has been designated by Section 90-143 of the County Code as the County’s designated Local Arts Agency, as defined by Section 265.283 of the Florida Statutes;

WHEREAS, the County and Creative Pinellas have worked in partnership to lead the County’s Graffiti Abatement Program (the “Program”) since 2019, using art to deter vandalism on public infrastructure;

WHEREAS, the Pinellas County Board of County Commissioners (the “Board”) supports the Program with an annual sum of \$36,000.00 in Transportation Trust Fund Dollars, which is obligated to Creative Pinellas;

WHEREAS, in order to install the Murals, FDOT requires the County to enter into a Community Aesthetic Feature Agreement (“CAFA”) that provides for the design, installation and maintenance of the Murals; and

WHEREAS, under the terms of the CAFA, the County is responsible for the costs of removal of the Murals and restoration of the Tunnels upon the expiration or earlier termination of the CAFA; and

WHEREAS, FDOT has decided to waive any deposit, letter of credit, or bond for the Mural as an active and present agreement with FDOT holds the County responsible for all aesthetic maintenance of the Tunnels.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA:

Section 1. That the CAFA, which is described in the Recitals above and attached hereto, is hereby approved in its entirety, subject to proper execution per Section 2 below.

Section 2. The Chairman of the Board is authorized and empowered to execute, and the Clerk to attest and affix the local seal of the County, to the CAFA on behalf of the County.

Section 3. The County Administrator or his designee are hereby authorized to do all things necessary in order to carry out and make effective the provisions of the CAFA.

Section 4. This Resolution shall take effect immediately upon its adoption.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA on this 24th day of August, 2021.

Ayes: Eggers, Justice, Gerard, Long, Peters, and Seel.

Nays: None.

Not Present: Flowers.

APPROVED AS TO FORM

By: Brendan Mackesey
Office of the County Attorney