



Cover Memorandum/Staff Report

File #: 25-1322

Agenda Date: 11/4/2025

Item #: 6.B.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: November 4, 2025

ACCEPTANCE OF A LANDSCAPE MAINTENANCE AGREEMENT FOR A PORTION OF THE BRICKTOP'S RESTAURANT DEVELOPMENT WHERE ADJACENT TO STATE ROAD 5 (US-1)

Recommended Action:

Acceptance of a Landscape Maintenance Agreement (LMA) for a portion of the Bricktop's Restaurant development where adjacent to State Road 5 (US-1).

Background:

These documents are ministerial and serve to implement the approved design; there are no changes to the Bricktop's Restaurant development in this action.

Bricktop's Restaurant, located on the west side of NE 5th Avenue (N. Federal Highway), north of East Atlantic Avenue, was approved in 2024 and includes landscaping improvements located within the public right-of-way. Such improvements require the approval of a Landscape Maintenance Agreement (LMA).

The LMA is an agreement between the property owner and the City of Delray Beach (City). When such improvements are located within a public right-of-way owned by the Florida Department of Transportation (FDOT), a LMA inclusive of a Maintenance Memorandum of Agreement (MMOA) is also required. The MMOA is an agreement between the City and FDOT. The requirement for an MMOA began in 2012. Upon approval of the LMA, the City Manager will execute the MMOA.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable to request.

Timing of Request:

Approval of the LMA will allow for the City Manager to sign the MMOA between the City and the State of Florida.