



## Cover Memorandum/Staff Report

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**File #:** 25-1050

**Agenda Date:** 9/3/2025

**Item #:** 6.E.

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**TO:** Mayor and Commissioners  
**FROM:** Hassan Hadjimiry, P.E., Utilities Director  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** September 3, 2025

ITEM A1 - HOLD HARMLESS FOR 142 SE 5TH AVENUE

**Recommended Action:**

Motion to consider the following item:

**Background:**

**Item A1** - Motion to approve and accept a Hold Harmless Agreement in favor of the City, due to Owner's Fifty Avenue Delray, LLC, proposing to connect five (5) two (2) inch water service lines to the City's water main within the State Right-of-Way (ROW) on SR 5. As a result, a permit from Florida Department of Transportation (FDOT) is required.

There is no cost to the city now, or in the future for this item.

**City Attorney Review:**

Approved to form and legal sufficiency.

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

The timing of this request is high importance in order to allow the project to continue construction.