

RESOLUTION NO. 148-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE INSTALLATION AND MAINTENANCE OF PEDESTRIAN LIGHTING IN FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AMENDMENTS AND TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach (City) is authorized to enter into agreements to provide services, programming and products in accordance with its Charter; and

WHEREAS, the Atlantic Crossing project, located generally on the northeast corner of NE 6th Avenue (North Federal Highway) and East Atlantic Avenue, requires pedestrian lighting to be installed along East Atlantic Avenue right-of-way, which is owned, operated, and maintained by the Florida Department of Transportation (FDOT); and

WHEREAS, the FDOT requires a Maintenance Memorandum of Agreement with the City in order to issue the permit for construction and installation of the pedestrian lighting; and

WHEREAS, the City Commission deems approval of this Resolution to be in the best interests of the health, safety, and welfare of the residents and citizens of the City of Delray Beach and the public at large.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the foregoing recitals are hereby affirmed and ratified.

Section 2. The City Commission of the City of Delray Beach has reviewed and hereby approves this Maintenance Memorandum of Agreement between the City and the Florida Department of Transportation, which is attached to this Resolution as Exhibit A.

Section 3. The City Commission authorizes the City Manager to execute any amendments and take any other actions necessary to effectuate these Agreements.

Section 4. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED in regular session on the ____ day of _____, 2022.

ATTEST:

Katerri Johnson, City Clerk

Shelly Petrolia, Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney