

RESOLUTION NO. 58-19

A RESOLUTION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO CONSTRUCT IMPROVEMENTS ON SWINTON AVENUE FROM S. 10<sup>TH</sup> STREET TO N. 4<sup>TH</sup> STREET (FINANCIAL PROJECT ID 438389-1); AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach ("City") has jurisdiction over Swinton Avenue from S. 10<sup>th</sup> Street to N. 4<sup>th</sup> Street; and

WHEREAS, the City wishes to improve Swinton Avenue from S. 10<sup>th</sup> Street to N. 4<sup>th</sup> Street by milling and resurfacing the existing pavement to provide shared-lane markings (sharrows) along the segment, upgrading signing and pavement markings, adding drainage improvements including exfiltration trenches, swales and impacted drainage inlets, and adding sidewalk from S. 10<sup>th</sup> Street to S. 2<sup>nd</sup> Street; and

WHEREAS, the Florida Department of Transportation ("FDOT") is willing to improve Swinton Avenue from S. 10<sup>th</sup> Street to N. 4<sup>th</sup> Street by milling and resurfacing the existing pavement to provide shared-lane markings (sharrows) along the segment, upgrading signing and pavement markings, adding drainage improvements including exfiltration trenches, swales and impacted drainage inlets, and adding sidewalk from S. 10<sup>th</sup> Street to S. 2<sup>nd</sup> Street; and

WHEREAS, the City desires to enter into a Highway Maintenance Memorandum of Agreement with the State of Florida Department of Transportation for the construction of these improvements; and

WHEREAS, the City Commission deems approval of this Resolution to be in the best interest 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 ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. 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 Highway Maintenance Memorandum of Agreement between the City and the State of Florida Department of Transportation, which is attached to this resolution as Exhibit A.

Section 3. The City Commission authorizes the City Manager to execute the Agreement and any amendments and/or renewals thereto and take any other actions necessary to effectuate this Resolution.

Section 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the \_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

\_\_\_\_\_  
Shelly Petrolia, Mayor

\_\_\_\_\_  
Katerri Johnson, City Clerk

Approved as to form and legal sufficiency:

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Lynn Gelin, City Attorney