



Cover Memorandum/Staff Report

File #: 19-160

Agenda Date: 3/12/2019

Item #: 6.H.

TO: Mayor and Commissioners
FROM: Susan Goebel-Canning, Public Works Director
THROUGH: Chief Neal de Jesus, Interim City Manager
DATE: March 12, 2019

APPROVAL OF AMENDMENT NO.10 TO THE MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION

Recommended Action:

Motion to approve Amendment No. 10 to the Maintenance Memorandum of Agreement (MMOA) with the Florida Department of Transportation (FDOT).

Background:

On August 31, 2012, FDOT and City of Delray Beach (City) entered into an agreement for the maintenance and modification of certain landscape improvements within the right-of-way of State Roads. Each subsequent amendment reaffirms the original agreement and acknowledges any new improvements.

Amendment No. 10 is for new landscape and irrigation improvements, within FDOT right-of-way as required by the developers permit, pursuant to the City's Land Development Regulations. This MMOA is specifically for improvements adjacent to a new mixed development referred to as Samar located on State Road 5 (a.k.a. Federal Highway/US 1) from S.E. 3rd Street North bound to S.E. 2nd Street.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Initial improvements will be performed at the developer's expense. Future maintenance of this landscaping will be included within Right of Way Maintenance routine operations activities on Federal Highway.

Timing of Request:

This issue is very time sensitive. Fully executed MMOA agreements are required by FDOT before the installation of any improvements.