



## Cover Memorandum/Staff Report

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**File #:** 19-539

**Agenda Date:** 5/21/2019

**Item #:** 6.G.

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**TO:** Mayor and Commissioners  
**FROM:** Missie Barletto, Assistant Public Works Director  
**THROUGH:** Neal de Jesus, Interim City Manager  
**DATE:** May 21, 2019

APPROVE SEA TURTLE LIGHTING MAINTENANCE AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION.

**Recommended Action:**

Motion to approve a Sea Turtle Lighting Maintenance Agreement between the City of Delray Beach (City) and the Florida Department of Environmental Protection (FDEP)

**Background:**

The Beach Master Plan was divided into two phases. Phase 1 included all of the wider, reconstructed sidewalks, landscaping and irrigation, and new amenities including benches, showers, surfboard racks, doggie waste stations and chilled water fountains. Phase 1 has been completed and the City is now prepared to begin construction of Phase 2 of the Beach Master Plan, known as the Beach Promenade Lighting and Intersection Improvements. This is the final phase of construction and includes installation of required beach lighting and pedestrian roadway crosswalks along South Ocean Boulevard.

The proposed Beach Promenade Lighting and Intersection Improvements is based upon the conceptual Beach Area Master Plan recommendations from the beach design charrette on November 4, 2009; which was presented to the City Commission on May 18, 2010.

The City has been working with FDEP to secure a permit for the installation of the Beach Promenade pedestrian lighting, which includes amber lights on 10-foot poles along the east side of the Beach Promenade and ambered solar-powered bollards near the pavilions along the Beach. A requirement of the permit is that the lighting along the promenade must be placed on a timer during sea turtle nesting season. This agreement outlines the timing that the City has agreed to maintain along the Beach Promenade, and includes lights that are outside of the commercial area, which are those north of the Marriott Hotel to the northern extent of the promenade to just before George Bush Boulevard, and south of the Sand Bar to the southern extent of the promenade at Casuarina Road, will be on from dusk until 10 p.m. each night. The remaining lights will remain on between dusk and 2 a.m. during sea turtle nesting season from March 1 until October 31 annually.

**City Attorney Review:**

City Attorney approves for legal form and sufficiency.

**Funding Source/Financial Impact:**

There is no financial impact of funding required for this agreement.

**Timing of Request:**

This matter is extremely time sensitive in that it is required in order for the City to receive a permit from FDEP to install the lighting along the Beach Promenade. The FDEP has provided a three-week extension to the permit application in order for this agreement to be approved. That extension ends on May 22, 2019.