



ITEM SUMMARY

MEETING DATE: January 6, 2025
FROM: Christy Goddeau, City Attorney's Office
SUBJECT: Funding Agreement for Western Portion of Chickasaw Road

BACKGROUND

MF Associates Greenacres, LLC, is the owner of the vacant real property at the western end of Chickasaw Road, specifically, 6645 Chickasaw Road ("Property"). The Property owner has approached the City about potential development of the Property. In discussions with the Property owner, the City, as part of its improvements to Chickasaw Road, agreed to design, construct, and extend Chickasaw Road to the Property. Prior to the City's improvements, Chickasaw Road did not extend all the way to the Property as an improved roadway. The City and Property owner discussed the City imposing a non-ad valorem assessment against the Property for improving the western portion of Chickasaw Road. However, the Property owner in discussions with the City Attorney's Office and the City Manager agreed to directly fund the western improvement for \$516,007.50 to be paid within one (1) year of the City Council's approval of the proposed funding agreement. This funding amount is a discount of \$100,000 on the City's cost of the western extension of the roadway in recognition of the City's receipt of grant funds, the City's desire to provide a continuous improved roadway without further inconvenience and disruption to the adjacent residents and neighborhoods, and the City's desire to encourage development of the Property. As part of the funding agreement, the City will dedicate Chickasaw Road as a public right-of-way ensuring the public's continuous access to Chickasaw Road.

As a companion item, there is an Access and Maintenance Easement Agreement with Lake Worth Drainage District ("LWDD"). This proposed Easement Agreement will remove reservations LWDD placed in its quit-claim deed to the City for Chickasaw Road, provide LWDD easement rights over the newly improved Chickasaw Road, and allow for the City to publicly dedicate Chickasaw Road.

ANALYSIS

The proposed funding agreement is believed to be in the best interests of the City, provides additional funding towards the improvements of Chickasaw Road, and serves a valid public purpose.

FINANCIAL INFORMATION

The City will receive \$516,007.50 under the funding agreement within one (1) year.

LEGAL

City Attorney has reviewed the proposed funding agreement for legal sufficiency.

STAFF RECOMMENDATION

Staff is recommending approval of the funding agreement.