



**TOWN OF HIGHLAND BEACH  
RESOLUTION NO. 2023-036**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NUMBER NINE TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT FOUR LANDSCAPE INCLUSIVE MEMORANDUM OF AGREEMENT ON BEHALF OF THE TOWN; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on July 20, 2017, the Town of Highland Beach entered into a Landscape Inclusive Maintenance Memorandum of Agreement with the Florida Department of Transportation (FDOT), District Four, for the purpose of maintaining landscape improvements by the Town on State Road A1A (South Ocean Boulevard); and

**WHEREAS**, since the execution of the Landscape Inclusive Maintenance Memorandum of Agreement, there have been seven (7) amendments to the Agreement which were executed on February 5, 2020 (FDOT Permit No. 2019-L-496-00005); February 19, 2020 (FDOT Permit No. 2020-L-496-00002); December 21, 2020 (FDOT Permit No. 2020-L-496-00005); January 21, 2022 (FDOT Permit No. 2021-L-496-00004); September 13, 2022 (FDOT Permit No. 2022-L-496-00008); August 26, 2023 (FDOT Permit No. 2023-L-496-00004); and October 10, 2023 (FDOT Permit No. 2023-L-496-00005 (amendment number eight (8) is currently pending Town Commission approval (FDOT Permit No. 2023-L-496-00006); and

**WHEREAS**, new landscaping improvements (FDOT Permit No. 2023-L-496-00005) are proposed to be installed in the State Road A1A right-of-way at 2362 South Ocean Boulevard; and

**WHEREAS**, these new landscaping improvements, as noted above, require an amendment to the Landscape Inclusive Maintenance Memorandum of Agreement whereby the Town and FDOT agree to the installation of the improvements at 2632 South Ocean Boulevard; and

**WHEREAS**, the purpose of this Resolution is to authorize the Mayor to execute, on behalf of the Town, the amendment to the Landscape Inclusive Maintenance Memorandum of Agreement attached to this Resolution; and

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AS FOLLOWS:**

**Section 1.** The recitations set forth above are true, accurate and correct and are incorporated herein.

**Section 2.** The Mayor is hereby authorized to execute amendment number nine (9) to the State of Florida Department of Transportation Landscape Inclusive Memorandum of Agreement attached to this Resolution and made a part hereof.

**Section 3.** All resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

**Section 4.** This Resolution shall be effective immediately upon adoption.

**DONE AND ADOPTED** by the Town Commission of the Town of Highland Beach, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2023.

**ATTEST:**

\_\_\_\_\_  
Natasha Moore, Mayor

**REVIEWED                      FOR                      LEGAL  
SUFFICIENCY**

\_\_\_\_\_  
Lanelda Gaskins, MMC  
Town Clerk

\_\_\_\_\_  
Glen Torcivia, Town Attorney  
Town of Highland Beach

**VOTES:**

**YES    NO**

Mayor Natasha Moore  
Vice Mayor David Stern  
Commissioner Evalyn David  
Commissioner Donald Peters  
Commissioner Judith Goldberg