



**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