

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: May 17, 2016

Consent

Regular

Workshop

Public

Department:

Submitted By: Engineering and Public Works

Submitted For: Land Development Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: an Interlocal Agreement (Agreement) with the Loxahatchee River Environmental Control District (District) regarding open cuts in Palm Beach County (County) maintained thoroughfare and non-thoroughfare roads.

SUMMARY: The District has agreed to follow the policies and procedures set forth by the County regarding open cuts in County roads. However, the District is requesting that it not be required to provide surety for the open cuts, as required by County PPM EL-O-3605 and EL-O-3606, but instead be bound by the terms and conditions of this Agreement requiring them to make any required repairs upon request by the County. Similar agreements have been executed with several other municipalities and special districts.

District 1 (MRE)

Background and Justification: The County has a policy that requires a guarantee to be posted for any construction in County rights-of-way that results in the open cutting of the pavement. The District had requested that the County instead enter into an Agreement which would relieve the District from posting surety but require them to make any required repairs upon request by the County. This Agreement will remain in effect until termination by either party.

The proposed Agreement is consistent with Section 163.01 of Florida Statutes, known as the Florida Interlocal Cooperation Act of 1969.

Attachments:

1. Interlocal Agreement (two originals with Exhibit "A")
2. Insurance Certificate dated 12-01-15
3. Loxahatchee River Environmental Control District Minutes dated 03-17-16

Recommended by: Joanne P. Keith 04/18/2016
 DEPARTMENT DIRECTOR Date

Approved by: [Signature] 4/20/16
 ASSISTANT COUNTY ADMINISTRATOR Date

