

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: 06/04/2019

Consent
 Workshop

Regular
 Public Hearing

Department: Engineering & Public Works
Submitted By: Engineering & Public Works
Submitted For: Streetscape Section

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) adopt a Resolution to approve District Four Amendment Number One to the State of Florida Department of Transportation (FDOT) Landscape Memorandum of Agreement (Amended LMOA) to extend the limits for landscaping improvements (Improvements) on State Road 7/US 441 (SR7) from Mile Post 6.624 to Mile Post 8.531 (Project);
- B) approve the Amended LMOA with the FDOT for the Project;
- C) approve an Agreement with 441 Acquisition, LLC (Developer) regarding Landscaping and Irrigation within FDOT Right-of-Way on SR7 requiring the Developer to install and maintain Improvements from Mile Post 8.140 to Mile Post 8.531, and install Improvements from Mile Post 7.525 to Mile Post 8.140, as stipulated by the Resolution and Amended LMOA; and
- D) approve an Agreement with Saturnia Isles Homeowners Association, Inc. (HOA) regarding Landscaping and Irrigation within FDOT Right-of-Way on SR7 that requires the HOA to maintain the Improvements from Mile Post 7.525 to Mile Post 8.140, as stipulated by the Resolution and Amended LMOA.


SUMMARY: Adoption of the Resolution approving Amended LMOA will obligate Palm Beach County (County) to continue maintaining the existing Improvements and grassy areas of the FDOT Landscape Memorandum of Agreement (LMOA) R2017-1666 dated December 1, 2017, and to include the additional limits from Mile Post 7.525 to Mile Post 8.531. Approval of the Agreements with the Developer and with the HOA will delegate all of the County's obligations between Mile Post 7.525 to Mile Post 8.531 to the Developer and the HOA, respectively. The Improvements are located along SR7 just south of Atlantic Avenue. District 5 (YBH)

Background and Justification: The Developer is developing a residential community known as Dakota. The Developer was conditioned to install Improvements on SR7 as part of the development approval process. The HOA is currently maintaining the landscaping along SR7 that abuts the HOA's property frontage. FDOT requires a government agency to obtain a permit for Improvements on FDOT roads. As part of the permit process, FDOT also requires the government agency enter into an LMOA. The County previously entered into an agreement with Boynton Beach Associates XXIV LLP for installation and maintenance of landscaping improvements along SR7 between Mile Post 6.624 and Mile Post 7.525.

Attachments:

- 1. Location Sketch
- 2. Resolution (3)
- 3. Amendment Number One to FDOT LMOA with Exhibits A and B (5)
- 4. Agreement with 441 Acquisition, LLC (1)
- 5. Agreement with Saturnia Isles Homeowners Association, Inc. (1)

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Recommended by:


County Engineer

5/16/19
Date

Approved By:


Assistant County Administrator

5/23/19
Date

