

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO NOTIFY THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) OF THE CITY'S DESIRE TO NOT CONSTRUCT THE PERIMETER WALL ON THE NORTH SIDE OF STATE ROAD 710 IN BOTH PHASE B AND C; AUTHORIZING THE CITY MANAGER TO APPROVE MODIFICATIONS TO THE EXISTING MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND FDOT FOR PERIMETER WALL AND LANDSCAPING MAINTENANCE UPON SUBMISSION FOR APPROVAL FROM FDOT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 30, 2013 City Council approved Resolution No. 32-13 requesting that the Mayor submit a letter to Florida's Governor expressing the City's desire to have FDOT pursue possible mitigation techniques available to mitigate noise including a sound attenuating wall; and

WHEREAS, the response to the City from FDOT was that walls would be constructed on the north and south sides of State Road 710; and

WHEREAS, construction progresses along the State Road 710 corridor residents on the north side of State Road 710 have expressed a desire to not have a wall constructed between the main road and proposed frontage road due to safety concerns as well as aesthetics; and

WHEREAS, FDOT is amenable to not constructing the wall on the north side of State Road 710 should the City determine that the wall is not desired, and

WHEREAS, the City executed a Maintenance Memorandum of Agreement for the maintenance of the perimeter wall via Resolution No. 01-15 which may require modification should the north wall not be constructed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA as follows:

SECTION 1. The City Council hereby authorizes the City Manager to notify the Florida Department of Transportation (FDOT) of the City's desire to not construct the perimeter wall on the north side of State Road 710 in phases B and C.

SECTION 2. The City Manager is authorized to approve modifications to the existing Maintenance Memorandum of Agreement between the City and FDOT for perimeter wall and landscape maintenance upon submission for approval from FDOT.

SECTION 3. That the Resolution take effect upon its passage and approval by City Council.

PASSED and APPROVED this _____ day of _____, 2017.

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APPROVED:

THOMAS A. MASTERS
MAYOR

KaSHAMBA MILLER-ANDERSON
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

TONYA DAVIS JOHNSON
CHAIR PRO TEM

LYNNE L. HUBBARD
COUNCILPERSON

DAWN S. PARDO
COUNCILPERSON

TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

L. HUBBARD _____

K. MILLER-ANDERSON _____

T. DAVIS JOHNSON _____

D. PARDO _____

T. DAVIS _____

REVIEWED AS TO LEGAL SUFFICIENCY

ANDREW DEGRAFFENREIDT
CITY ATTORNEY

DATE: _____