



March 16, 2022

Gerry O'Reilly, P.E.
District Four Secretary
Florida Department of Transportation
3400 West Commercial Blvd
Fort Lauderdale, FL 33309
Tel (954) 777-4110

RE: FM# 436964-2-52-01 & 439891-1-52-01 State Road 869 / SW 10th Street
Connector from Florida's Turnpike / Sawgrass Expressway to I-95, Broward
County, Deerfield Beach, Florida (the "Project")

Dear Secretary O'Reilly,

The SW 10th Street Project will have significant impacts on the City of Deerfield Beach (the "City"), and the City's residents and businesses, both during and after construction of the Project. This correspondence serves to advise the Florida Department of Transportation ("FDOT") of the City's current and on-going concerns regarding matters that require coordination and resolution with FDOT prior to FDOT's procurement of design and construction contractors for the Project. The City understands and acknowledges that specific Utility Work by Highway Contractor (UWHCA) agreements, landscape agreements, and right-of-way agreements require the City's action and execution on a specific timeline to ensure these project elements are incorporated in the Project. It is the City's position that the following matters have not yet been resolved as further detailed below, and require resolution before the City can execute any agreement for the Project: (1) the long-term fiscal impact resulting from FDOT's proposed right-of-way acquisitions, (2) the City's request that the Project include a reclaimed water line, (3) enhanced landscaping and maintenance, and (4) installation and maintenance of decorative lighting.

Right-of-Way Acquisition and Fiscal Impacts to the City

Based on the current right-of-way acquisition requirements, the City will lose long-standing businesses, and ad valorem and non-ad valorem revenue sources from developed and undeveloped commercial properties. The impacted businesses will be required to relocate and may chose to leave the City of Deerfield Beach. Some currently undeveloped commercial property with great potential for development will be rendered public right-of-way and therefore unbuildable. These acquisitions will negatively impact

future property tax revenue the City stood to realize from future development. The City has requested a list of properties that FDOT will be acquiring for both phases of the project, east and west, but has not received a detailed list as of this letter date.

Reclaimed Water Line

The City requests that FDOT fund a reclaimed water line to be installed within the SW 10th Street right-of-way as part of the overall construction contract for the Project. This reclaimed water line would provide the necessary irrigation for this corridor. Irrigation is a necessary component of the Project and is consistent with Section 228.2(3) of the FDOT Design Manual regarding Landscape Design. The Design Manual requires that an irrigation system design include: "A reliable water source and means of delivery... Conservation of water; e.g., control system technologies including SMART irrigation technologies, reclaimed and reuse sources." (emphasis supplied). Therefore, the installation of the reclaimed water line benefits components of this Project by providing a water source consistent with water conservation efforts contained in the Design Manual. It is an honest and true assessment that this Project will enhance regional transportation, equally FDOT has the unique ability to enhance water conservation efforts in the region by installing the reclaimed water line that will: alleviate pressure on raw water sources from our precious aquifers, assist in the County's goal to reduce wastewater outfall, be available to adjacent municipalities, and provide critical infrastructure as the region seeks to become more resilient and sustainable.

Landscaping and Maintenance

The City requests an enhanced plant material palette and landscape maintenance. Pursuant to Section 334.044(26), F.S., FDOT is required to allocate at least 1.5 percent of the amount contracted for construction projects for landscape design, material and installation. In a meeting held on February 1, 2022 with representatives of FDOT, it was shown that only about .04 percent of the total cost of construction was funded for landscaping. While those representatives have since indicated that the total cost of landscaping would be increased, it was very discerning that the City had to again advocate for an increase in total landscape cost and design for this project. The City feels strongly that green space and landscaping are vital components to the SW 10th St. Connector and I-95/SW 10th Street Interchange Projects. These concerns were explicitly expressed by the Public during the COAT visioning process as well as during the PD&E study. Additionally, we believe there is a precedent for FDOT maintenance of landscape and irrigation as predicated by Section 228.4.2: "Include the landscape maintenance cost estimate as an exhibit to the maintenance contract when landscape and irrigation is to be maintained by the Department." The City requests the enhanced landscaping palette be included and that FDOT maintain the Project landscaping in perpetuity for this critical FDOT asset.

Decorative Corridor Lighting

The City desires to have a more decorative aesthetic for the Project corridor and requests that FDOT fund decorative lighting. Typically, FDOT funds standard cobra head lighting with the municipality funding the difference in cost from the standard lighting to a decorative pole. The City respectfully requests, due to the significance of this Project and impacts on adjacent neighborhoods and businesses surrounding the Project area, that FDOT fund the decorative lighting component to elevate the appeal for this Project. The City also requests that FDOT continue maintenance responsibilities along this corridor for all lighting in perpetuity.

To continue moving this Project forward without impediment, the City respectfully requests FDOT's consideration of the above listed items and a response by April 4, 2022. The City desires to resolve these matters before executing of the following agreements:

Utility Work by Highway Contractor (UWHC)
Highway Maintenance Memorandum of Agreement
Right of Way Memorandum of Agreement
Landscape/Irrigation System Maintenance Agreement Amendment
Lighting Maintenance Agreements

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Santucci', with a long horizontal flourish extending to the right.

David Santucci
City Manager

c: Deerfield Beach City Commission
Mark Bogen, Broward County Commissioner
Chip LaMarca, State Representative
Patricia Williams, State Representative
Gary Farmer, Senator
Gregory Stuart, Broward MPO Director