

RESOLUTION NO. 21-179

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING EXECUTION OF A LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION, FOR INSTALLATION AND MAINTENANCE OF LANDSCAPE AND HARDSCAPE IMPROVEMENTS WITHIN THE RIGHT-OF-WAY OF STATE ROAD 842 (BROWARD BOULEVARD), AND AN ASSUMPTION OF LIABILITY AND HOLD HARMLESS AGREEMENT WITH RIVERBEND STORAGE PROPERTY, LLC, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale, Florida ("City") wishes to enter into a Landscape Maintenance Memorandum of Agreement ("MMOA") with the Florida Department of Transportation ("FDOT") for installation and maintenance of landscape and hardscape improvements within the right-of-way on State Road 842; and

WHEREAS, the landscape and hardscape improvements will be installed in accordance with the plans and specifications of the MMOA; and

WHEREAS, because State Road 842 is an FDOT right-of-way, authorization for this work must be permitted by FDOT; and

WHEREAS, FDOT requires municipalities to enter into a Landscape Maintenance Memorandum of Agreement for the maintenance of landscape and hardscape improvements; and

WHEREAS, the City and the current owner of the property, Riverbend Storage Property, LLC, have agreed to enter into an Assumption of Liability and Hold Harmless Agreement, which passes the maintenance responsibility and costs associated with the MMOA to Riverbend Storage Property, LLC and wherein Riverbend Storage Property, LLC agrees to assume and hold the City harmless from any obligations under the proposed MMOA pertaining to any improvements installed in the right-of-way by Riverbend Storage Property, LLC;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the Landscape Maintenance Memorandum of Agreement between the City of Fort Lauderdale, Florida, and the Florida Department of Transportation for the installation and maintenance of landscape and hardscape improvements within the right-of-way on State Road 842 (Broward Boulevard) is hereby approved and the City Commission authorizes execution of the Landscape Maintenance Memorandum of Agreement.

SECTION 2. That the Assumption of Liability and Hold Harmless Agreement between the City and Riverbend Storage Property, LLC, is hereby approved and the City Commission authorizes execution of the Assumption of Liability and Hold Harmless Agreement.

SECTION 3. That the Office of the City Attorney shall review and approve as to form all documents prior to their execution by City officials.

SECTION 4. That this Resolution shall be in full force and effect upon its adoption.

ADOPTED this 9th day of September, 2021.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
JEFFREY A. MODARELLI