

RESOLUTION NO. 25-68

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING EXECUTION OF AMENDMENT NUMBER TWENTY - ONE (21) TO THE FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT FOUR (4) LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION, FOR INSTALLATION AND MAINTENANCE OF LANDSCAPE IMPROVEMENTS WITHIN THE RIGHT-OF-WAY OF STATE ROAD A1A (SE 17th STREET); AND AN ASSUMPTION OF LIABILITY AND HOLD HARMLESS AGREEMENT WITH P66 COMMONS, LLC, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale ("City") and the Florida Department of Transportation ("FDOT") entered into a Landscape Inclusive Maintenance Memorandum of Agreement ("MMOA") on January 31, 2008; and

WHEREAS, the City wishes to enter into Amendment Number Twenty-One (21) to the MMOA with FDOT for installation and maintenance of landscape improvements within the right-of-way on State Road A1A (SE 17th Street); and

WHEREAS, the landscape improvements will be installed in accordance with the plans and specifications attached as Exhibits "A" and "B" of the MMOA; and

WHEREAS, because State Road A1A is an FDOT right-of-way, authorization for the improvements must be permitted by FDOT; and

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

WHEREAS, the City and the current owner of the property, P66 Commons, 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 P66 Commons, LLC, and wherein P66 Commons, 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 P66 Commons, LLC.;

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

SECTION 1. That the City Commission of the City of Fort Lauderdale, Florida, hereby approves and authorizes the execution of Amendment Number Twenty -One (21) to the Florida Department of Transportation District Four (4) Landscape Inclusive Maintenance Memorandum of Agreement with the Florida Department of Transportation, for landscape improvements within the right-of-way on State Road A1A (SE 17th Street).

SECTION 2. That the City Commission of the City of Fort Lauderdale, Florida, hereby approves and authorizes execution of the Assumption of Liability and Hold Harmless Agreement between the City and P66 Commons, LLC, wherein P66 Commons, LLC agrees to assume liability and hold the City harmless from any obligations under the Landscape Inclusive Maintenance Memorandum of Agreement pertaining to any landscape improvements installed in the right-of-way by P66 Commons, LLC.

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


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

ADOPTED this 15th day of April, 2025.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM
AND CORRECTNESS:



Interim City Attorney
D'WAYNE M. SPENCE

Dean J. Trantalis Yea

John C. Herbst Yea

Steven Glassman Yea

Pamela Beasley-Pittman Yea

Ben Sorensen Yea