



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#24-0758

TO: Honorable Mayor & Members of the Fort Lauderdale City Commission

FROM: Susan Grant, Acting City Manager

DATE: September 17, 2024

TITLE: Resolution Approving a Landscape Maintenance Memorandum of Agreement for State Road 5 with the Florida Department of Transportation for Landscape Improvements within the Right-of-Way of State Road 5 and Assumption of Liability and Hold Harmless Agreement with RD East Las Olas LLC - (**Commission District 4**)

Recommendation

Staff recommends the City Commission adopt a resolution approving and authorizing the execution of a Landscape Maintenance Memorandum of Agreement for State Road 5 (US-1/Federal Highway) with the Florida Department of Transportation, in substantially the form attached, for improvements within the right-of-way of State Road 5 between Mile Post 10.158 to Mile Post 10.213 and approve an Assumption of Liability and Hold Harmless Agreement, in substantially the form attached, with RD East Las Olas, LLC.

Background

The City of Fort Lauderdale (City) seeks to enter into a Landscape Maintenance Memorandum of Agreement (MMA) with the Florida Department of Transportation (FDOT) for the purpose of the City maintaining the landscape improvements within the right-of-way on State Road 5.

The MMA includes provisions allowing the City to construct additional landscape improvements or to modify an improvement on State Road 5 in accordance with the plans attached as Exhibits “A” and “B” to the agreement.

The City will enter into this MMA with FDOT as FDOT cannot directly enter into such a maintenance agreement with private property owners. If approved, the City will subsequently enter into an Assumption of Liability and Hold Harmless Agreement with the property owner.

The Assumption of Liability and Hold Harmless Agreement between the City and RD East Las Olas LLC will transfer responsibility associated with the MMA to RD East Las Olas LLC to construct and maintain the improvements installed by them in FDOT right of way in accordance with the agreement at no cost to the City.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- The Public Places Area, Goal: Build a beautiful and welcoming community

This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We Are Ready

Attachments

Exhibit 1 - Maintenance Memorandum of Agreement

Exhibit 2 - Assumption of Liability and Hold Harmless Agreement

Exhibit 3 - Location Map

Exhibit 4 - Resolution

Prepared by: Morgan Dunn, Program Manager, Transportation and Mobility

Acting Department Director: Milos Majstorovic, MSCE, PE, Transportation and Mobility