



**CITY OF FORT LAUDERDALE  
City Commission Agenda Memo  
REGULAR MEETING**

**#21-0599**

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

**FROM:** Chris Lagerbloom, ICMA-CM, City Manager

**DATE:** July 6, 2021

**TITLE:** Resolution Approving a Landscape Maintenance Memorandum of Agreement for State Road 5 with the Florida Department of Transportation for Improvements within the Right-of-Way of State Road 5 (US 1) and Assumption of Liability and Hold Harmless Agreement with Shopping Center Interests, LLC - **(Commission District 2)**

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**Recommendation**

Staff recommends that the City Commission adopt a resolution authorizing the City Manager to execute a Landscape Maintenance Memorandum of Agreement with Florida Department of Transportation (FDOT) for improvements within the right-of-way for State Road 5 (US 1) between Mile Post 0.165 to Mile Post 0.196; and an Assumption of Liability and Hold Harmless Agreement, in substantially the form attached, with Shopping Center Interests, LLC.

**Background**

The City of Fort Lauderdale (City) will enter into a Landscape Maintenance Memorandum of Agreement (MMA), attached as Exhibit 1) 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 (US 1). The MMA includes provisions allowing the property owner, Shopping Center Interests LLC, to construct additional landscape improvements or to modify an improvement on State Road 5 (US 1) from Mile Post 0.165 to Mile Post 0.196, and in accordance with the plans attached as Exhibits "A" and "B" to the agreement.

The Assumption of Liability and Hold Harmless Agreement (Agreement, attached as Exhibit 2) between the City and Shopping Center Interests, LLC, passes the costs associated with the MMA to Shopping Center Interests, LLC. Shopping Center Interests, LLC agrees to assume the City's obligation to maintain the improvements installed by them, in the right of way in accordance with the agreement.

**Resource Impact**

There is no fiscal impact associated with this action.

### **Strategic Connections**

This item is a *2021 Top Commission* Priority, advancing the Parks and Public Places Initiative.

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Public Places Focus Area
- Goal 3: Build a healthy and engaging community.
- Objective: Enhance the City's identity through public art, well maintained green spaces, and streetscapes.

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

### **Attachments**

Exhibit 1 - Maintenance Memorandum of Agreement

Exhibit 2 - Assumption of Liability and Hold Harmless Agreement

Exhibit 3 - Location Map

Exhibit 4 - Resolution

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Prepared by: Lisa Marie Glover, Transportation Manager, Transportation and Mobility

Department Director: Ben Rogers, Transportation and Mobility