



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#22-0679

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

FROM: Greg Chavarria, City Manager

DATE: September 6, 2022

TITLE: Resolution Approving and Authorizing the Execution of a Landscape Maintenance Memorandum of Agreement for State Road 5 (US 1) 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 Flagler Sixth, LLC - **(Commission District 2)**

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) with the Florida Department of Transportation for improvements within the right-of-way of State Road 5 (US 1) between Mile Post 0.577 to Mile Post 0.638 and an Assumption of Liability and Hold Harmless Agreement, in substantially the form attached, with Flagler Sixth, LLC.

Background

The City of Fort Lauderdale (City) will enter into a Landscape Maintenance Memorandum of Agreement (MMA) (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, Flagler Sixth, LLC, to construct additional landscape improvements or to modify an improvement on State Road 5 (US 1) from Mile Post 0.577 to Mile Post 0.638 as shown on the location map (Exhibit 3), and in accordance with the plans attached as Exhibits "A" and "B" to the agreement. The Assumption of Liability and Hold Harmless Agreement (Agreement) (Exhibit 2) between the City and Flagler Sixth, LLC passes the costs associated with the MMA to Flagler Sixth, LLC. Flagler Sixth, 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 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

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

Department Director: Ben Rogers, Transportation and Mobility