



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

**#22-0032**

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

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

**DATE:** January 18, 2022

**TITLE:** Resolution Rescinding Resolution 21-126, and Approving a Landscape Maintenance Memorandum of Agreement for State Road 5 (US1) with the Florida Department of Transportation for Landscape Improvements within the Right-of-Way of State Road 5 - **(Commission District 2)**

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**Recommendation**

Staff recommends the City Commission adopt a resolution rescinding Resolution No. 21-126, and approve and authorize the City Manager to execute a Landscape Maintenance Memorandum of Agreement with Florida Department of Transportation (FDOT) for landscape improvements within the right-of-way for State Road 5 (US 1) between Mile Post 0.638 to Mile Post 0.732, in substantially the form attached, with approval by the City Attorney's Office as to the manner of execution of the agreement by the parties.

**Background**

On July 6, 2021 the Fort Lauderdale City Commission passed Resolution 21-126 authorizing the City Manager to execute 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 (US 1). The City transferred the landscape improvement requirements to the property developer through a hold harmless agreement, which was passed by City Commission on July 6, 2021.

Since the passing of these agreements, FDOT discovered the landscaping was not installed as per FDOT approved plans, attached herein as Exhibit 3, and has required that the developer submit a revised landscaping permit, attached herein as Exhibit 4. The described changes need to be incorporated into a revised Exhibit B to the MMA, which will subsequently be included as part of the hold harmless agreement between the City and the developer.

**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 – Resolution 21-126

Exhibit 3 – Exhibit B L-2

Exhibit 4 – Exhibit B L-2 Modified

Exhibit 5 – Location Map

Exhibit 6 – Resolution

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Prepared by: Ben Rogers, Director, Transportation and Mobility

Department Director: Ben Rogers, Transportation and Mobility