

SECTION NO: 860005  
S.R. NO.(S): 838  
COUNTY: Broward  
PERMIT NO.(S): 13-A-491-0010

**DISTRICT FOUR (4) AMENDMENT NUMBER TWO (2)  
TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND  
CITY OF FORT LAUDERDALE LANDSCAPE  
INCLUSIVE MEMORANDUM OF AGREEMENT**

This is Amendment Number Two (2) to the Agreement dated December 12, 2007, made and entered into this 3rd day of January 2014 by and between the State of Florida Department of Transportation hereinafter called the DEPARTMENT and the **City of Fort Lauderdale**, a municipal subdivision of the State of Florida, hereinafter called the AGENCY.

WHEREAS, the parties entered into the Inclusive Maintenance of Agreement dated, December 12, 2007 for the purpose of maintaining the landscape improvements by the AGENCY on various roads including State Road 838 (Sunrise Boulevard) and;

WHEREAS, the DEPARTMENT and the AGENCY have agreed to allow the adjacent property owner to add additional landscape improvements to be installed on State Road 838 (Sunrise Boulevard) in accordance with the above referenced Agreement;

WHEREAS, the AGENCY by Resolution No. 13-225 dated Dec. 17, 2013, attached hereto and by this reference made a part hereof, desires to enter into this Agreement and authorized its officers to do so;

NOW THEREFORE, for and in consideration of mutual benefits that flow each to the other, the parties covenant and agree as follows:

1. The DEPARTMENT shall modify the Inclusive Agreement dated December 12, 2007 by adding the following provision:

**ADJACENT PROPERTY OWNER IMPROVEMENTS**

The DEPARTMENT may allow an adjacent property owner to construct additional landscape improvements within the limits of the right of way identified in Exhibit A of this document that the AGENCY shall be responsible for maintaining under this agreement subject to the following conditions:

- (a) Plans for any new landscape improvements shall be subject to approval by the DEPARTMENT and shall require a valid permit attached with a letter of consent to said plans by the AGENCY. The plans shall not be changed or deviated from without written approval by the DEPARTMENT and the AGENCY.

- (b) All landscape improvements shall be developed and implemented in accordance with appropriate state safety and roadway design standards.
  - (c) The AGENCY agrees to comply with the requirements of the Agreement with regard to any additional landscape improvements installed by an adjacent owner.
  - (d) If the Adjacent Property Owner's landscape improvements include additional maintenance requirements, the DEPARTMENT and the AGENCY shall agree in writing and require signature from the responsible AGENCY'S *City Manager or designee approval signature*, and the DEPARTMENT shall enter into an Agreement Amendment describing the additional requirements.
2. Pursuant to the provision added in Section 1 of this amendment the AGENCY has agreed to allow the Adjacent Property Owner, Paseo Del Mar to construct additional landscape improvements or to modify an improvement located as indicated in **Exhibit A** State Road 838 (Sunrise Boulevard) from 100 feet west of N.E. 16th Avenue (M.P. 6.3566) to 150 feet west of N.E. 17th Avenue (M.P. 6.4858) in accordance with the plans attached as **Exhibit B**.
3. The AGENCY shall agree to maintain the landscape improvements in the Inclusive Agreement described above and as provided in accordance with the Maintenance Plan, **Exhibit F** of the original agreement.

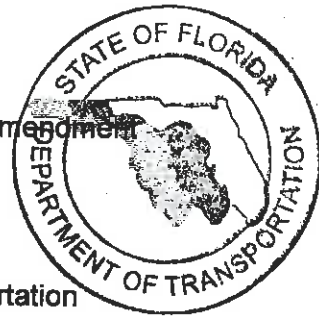
Except as modified by this amendment, all terms and conditions of the original Agreement and all amendments there to shall remain in full force and effect.

**Exhibits**

Exhibit A - Landscape Improvements Limits and Maintenance Boundaries and Location Map

Exhibit B - Landscape Improvement Plans

In Witness whereof, the parties hereto have executed with this Amendment effective the 3rd day January year written and approved.



City of Fort Lauderdale  
a municipal corporation

State of Florida  
Department of Transportation

By: \_\_\_\_\_  
Chairperson/Mayor/Manager

By: Stacy Hill  
Director of Transportation Development

See Attached  
City Signature Page

Attest: \_\_\_\_\_ (SEAL)  
Clerk

Attest: Ryn Lewis (SEAL)  
Executive Secretary

Legal Review

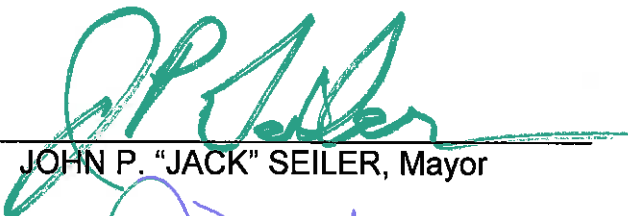
Legal Review

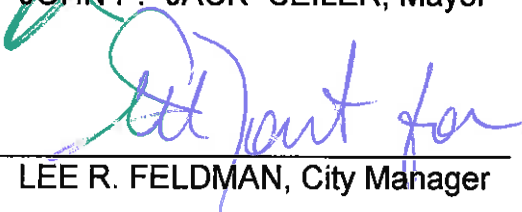
\_\_\_\_\_  
Attorney Date

David Radwan 1/2/2014  
Office of the General Counsel Date

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals  
the day and year first above written.

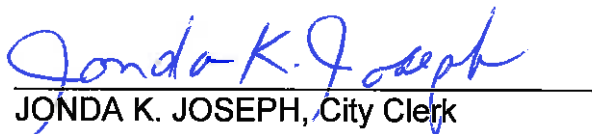
CITY OF FORT LAUDERDALE, a municipal  
corporation of the State of Florida:

By   
JOHN P. "JACK" SEILER, Mayor


By   
LEE R. FELDMAN, City Manager

(CORPORATE SEAL)

ATTEST:

  
JONDA K. JOSEPH, City Clerk

Approved as to form:

  
CARRIE L. SARVER  
Assistant City Attorney

SECTION NO: 860005  
S.R. NO.(S): 838  
COUNTY: Broward  
PERMIT NO.(S): 13-A-491-0010

## **EXHIBIT A**

### **LANDSCAPE IMPROVEMENTS LIMITS AND MAINTENANCE BOUNDARIES AND LOCATION MAP**

#### **I. LANDSCAPE PROJECT LOCATION:**

State Road 838 (Sunrise Boulevard) from 100 feet west of N.E. 16th Avenue  
(M.P. 6.3566) to 150 feet west of N.E. 17th Avenue (M.P. 6.4858)

#### **II. INCLUSIVE LIMITS OF LANDSCAPE IMPROVEMENTS MAINTENANCE FOR State Road 838 (Sunrise Boulevard):**

State Road 838 (Sunrise Boulevard) Section 86110000  
M.P. 5.789 (east of N.W. 24th Avenue) to M.P. 8.161 (State Road 5/US 1)  
Entire right of way

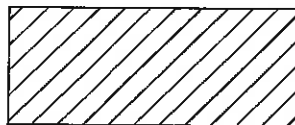
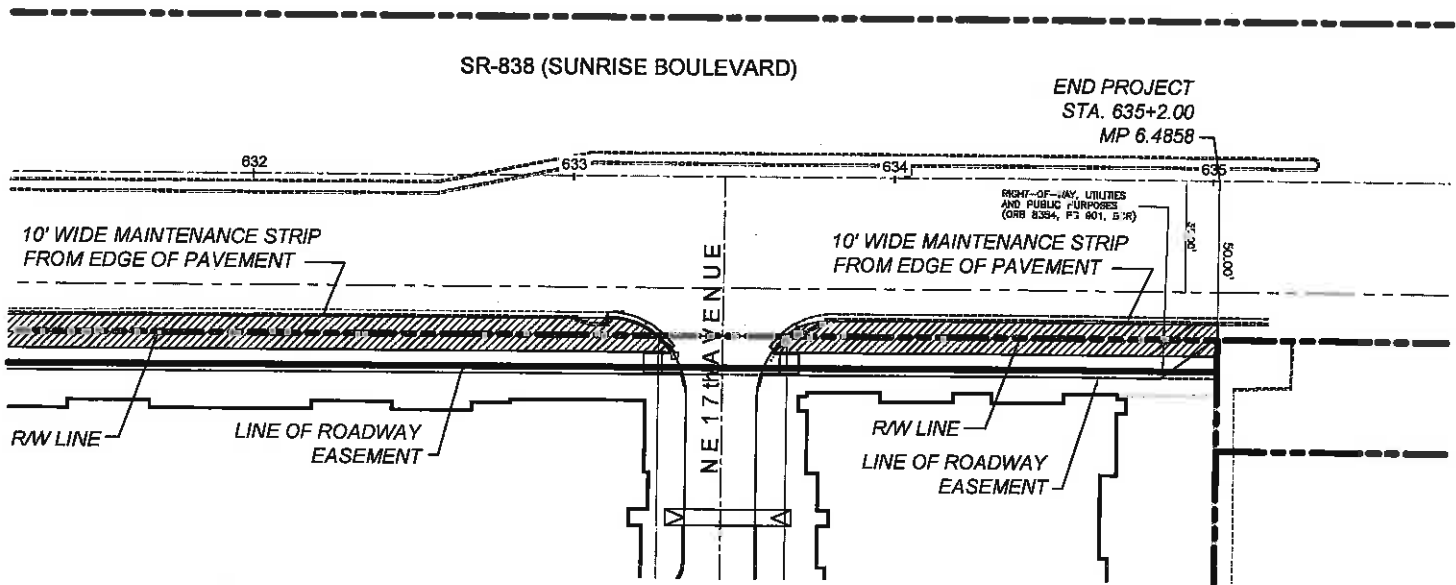
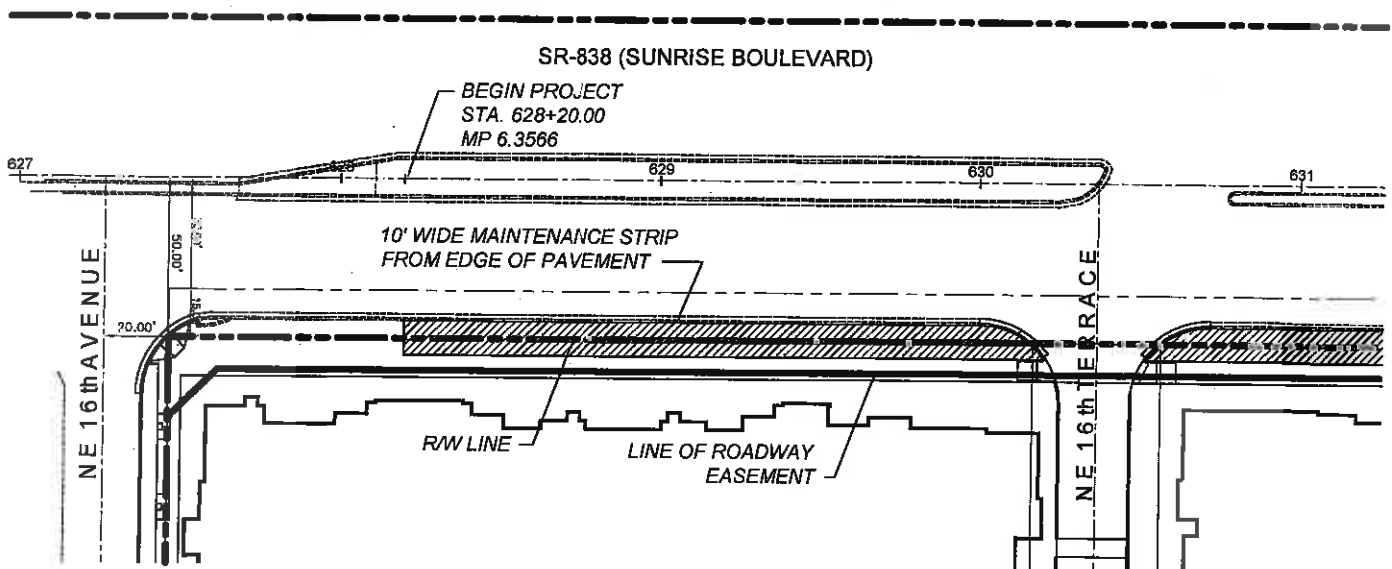
State Road 838 (Sunrise Boulevard) / State Road 5 (US 1/Federal Highway)  
Section 86020000  
M.P. 1.060 (State Road 838/Sunrise Boulevard) to M.P. 1.911 (N.E. 18th Avenue)  
Entire right of way

State Road 838 (Sunrise Boulevard) Section 86005000  
M.P. 0.000 (N.E. 18th Avenue) to M.P. 1.191 (State Road A1A)  
Entire right of way

#### **III. LOCATION MAP OF THE PROJECT:**

**\*All limits of the original agreement and amendments shall apply**

*Please See Attached*



**LIMITS OF MAINTENANCE BY  
CITY OF FORT LAUDERDALE**



## **LIMITS OF MAINTENANCE PLAN SR 838 -LANDSCAPE IMPROVEMENTS**

**STATE OF FLORIDA DEPARTMENT  
OF TRANSPORTATION  
PERMIT # 2013-A-491-0010**

**SECTION NO:** 860005  
**S.R. NO.(S):** 838  
**COUNTY:** Broward  
**PERMIT NO.(S):** 13-A-491-0010

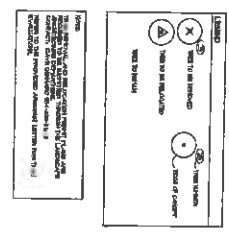
**EXHIBIT B**

**LANDSCAPE IMPROVEMENT PLANS**

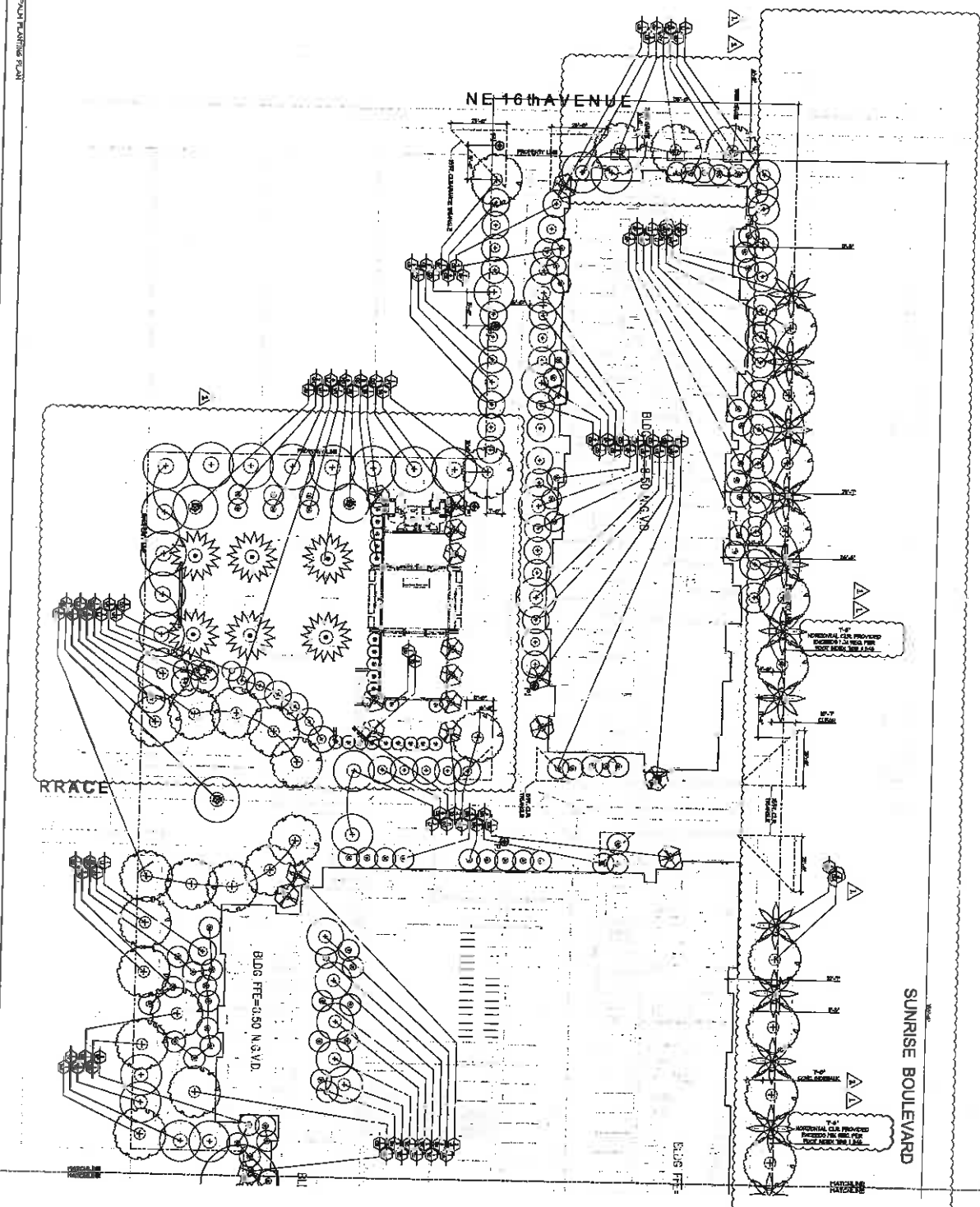
The Adjacent Property Permittee agrees to install the Project in accordance with the plans and specifications attached hereto and incorporated herein.

Please see attached plans prepared by: **Rhett .G. Roy, RLA**  
**Rhett Roy Landscape Architecture and Planning, P.A.**

**Dated August 1, 2013**







L2

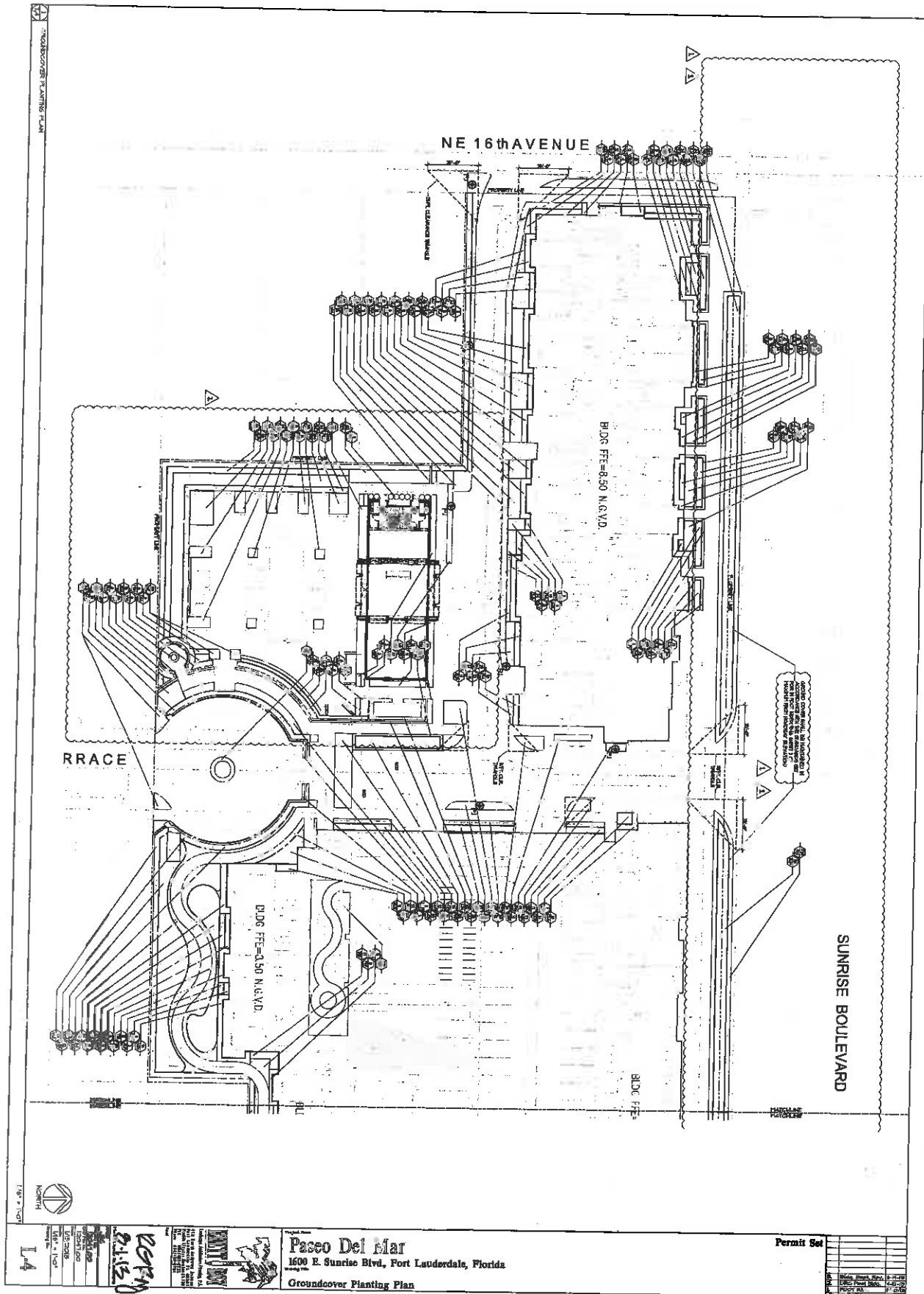
**Pasco Del Mar**  
1600 E. Sunrise Blvd., Fort Lauderdale, Florida

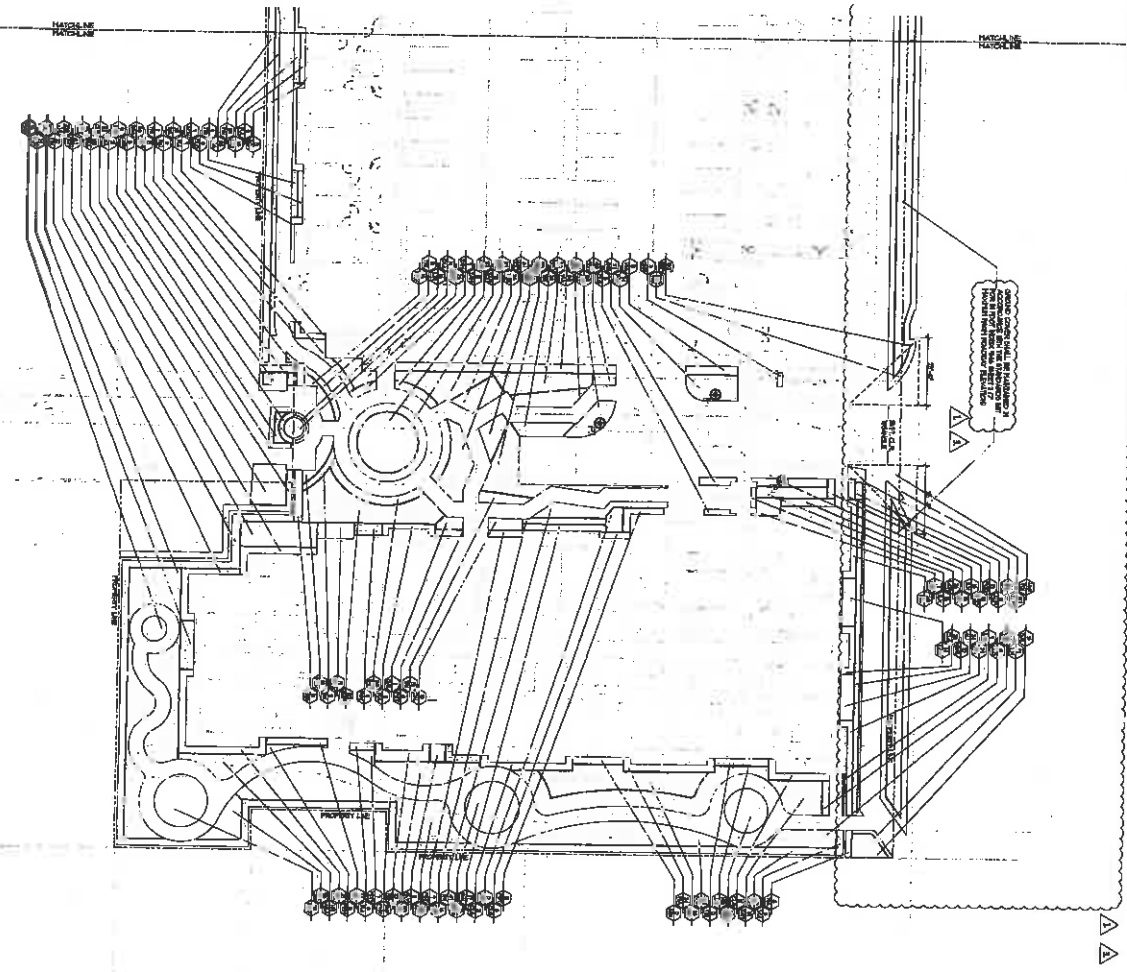
**TREE & PALM PLANTING PLAN**

Permit Set

DATE	10/1/14
BY	PLM
CHECKED BY	PLM
APPROVED BY	PLM
SCALE	1/2" = 1'
PROJECT NO.	1000000000
SHEET NO.	1000000000
TOTAL SHEETS	1000000000







A A

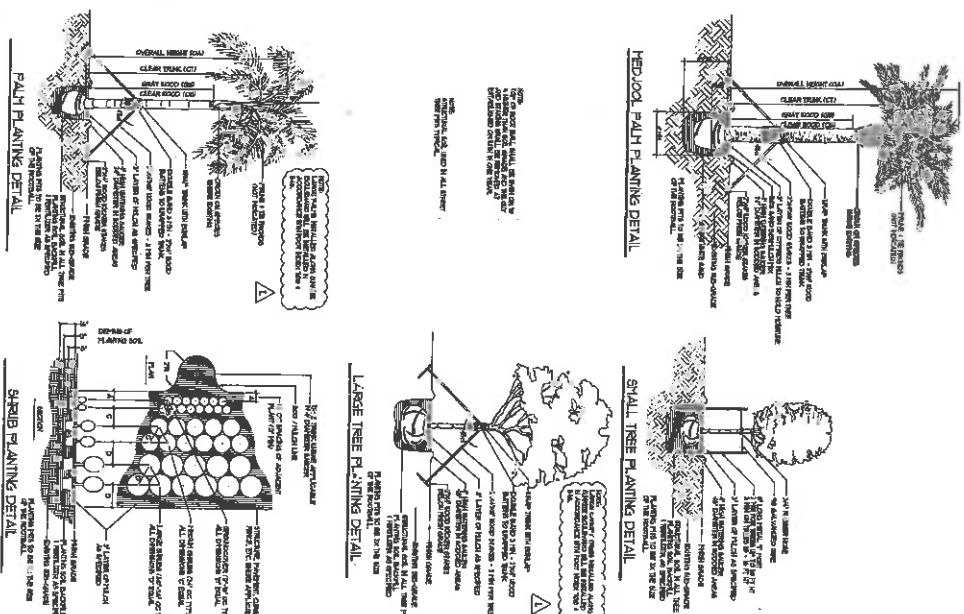
PLANT NOTES

1. ALL PLANTS ARE TO BE PLANTED NO LATER THAN 10:00 AM.
2. THE LANDSCAPE ARCHITECT'S OFFICE SHALL BE NOTIFIED IMMEDIATELY BY THE CONTRACTOR OF ANY PLANTING DEFICIENCIES.
3. ALL PLANTS SHALL BE PLANTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
  - a. ALL PLANTS SHALL BE PLANTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
  - b. ALL PLANTS SHALL BE PLANTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
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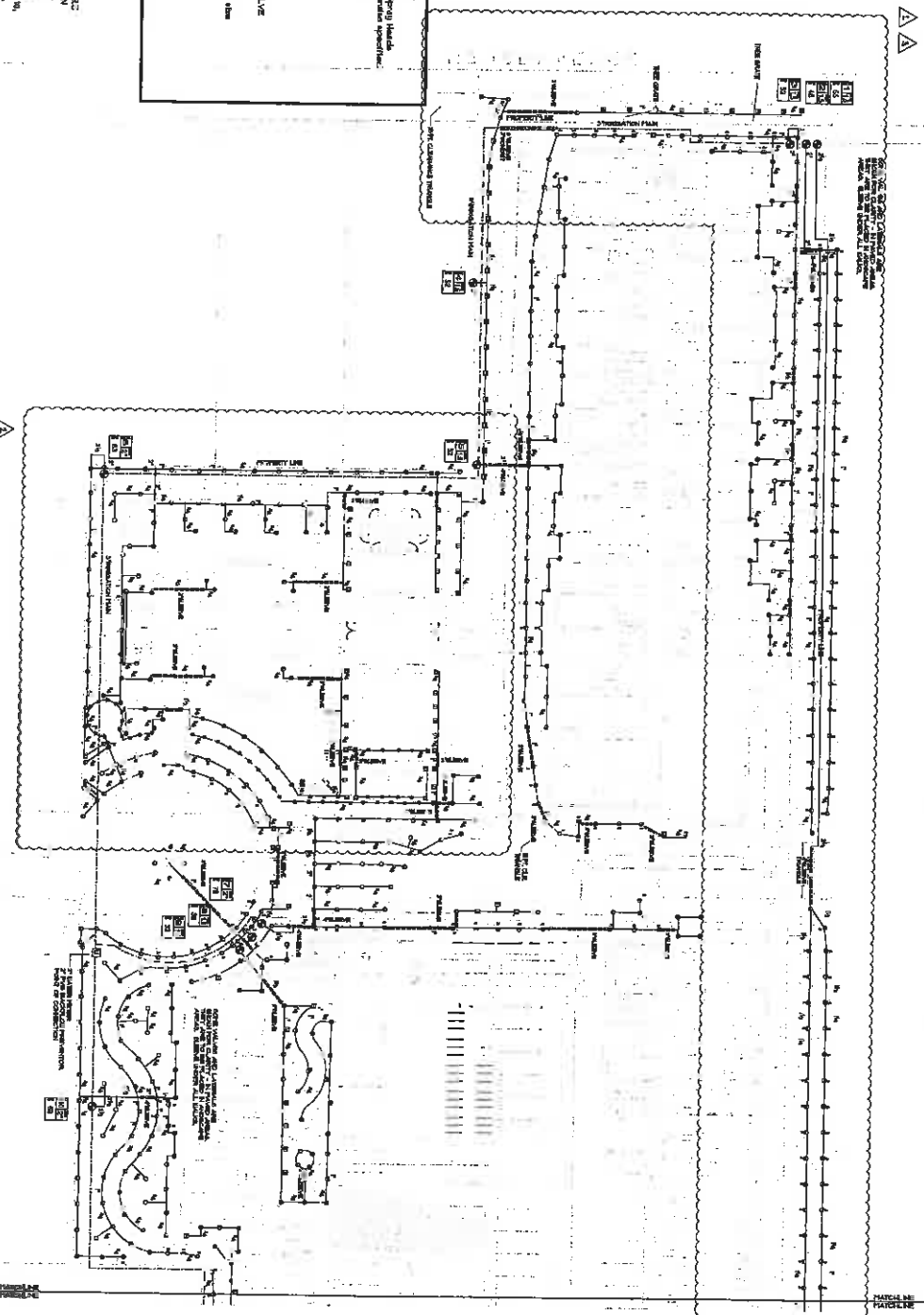
Permit Set

**Paseo Del Mar**  
1600 E. Sunrise Blvd., Fort Lauderdale, Florida  
Groundcover Planting Plan

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**Paseo Del Mar**  
 1600 E. Sunrise Blvd., Fort Lauderdale, Florida  
 Plant List and Planting Details



**NOTE:** IRRIGATION PLANS ARE SCHEMATIC IN NATURE. ALL VALVES AND PIPES SHALL BE LOCATED IN LANDSCAPE AS FAR AS FEASIBLE TO AVOID PAVING CLOSURES. ALL construction materials shall be in conformance with Federal or sections of the South Florida Building Code, Appendix A-1. They shall also be tested to the extent that the "Standard" is not met by the F.B.C. **PROVIDE DRAINAGE FACILITY:** Needing herein or contained in the specifications is intended to be in accordance with the code compliance. Contractor shall comply with all code requirements.

## IRRADIATION PLAN

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### III

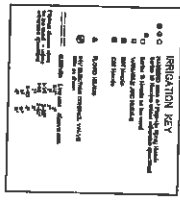
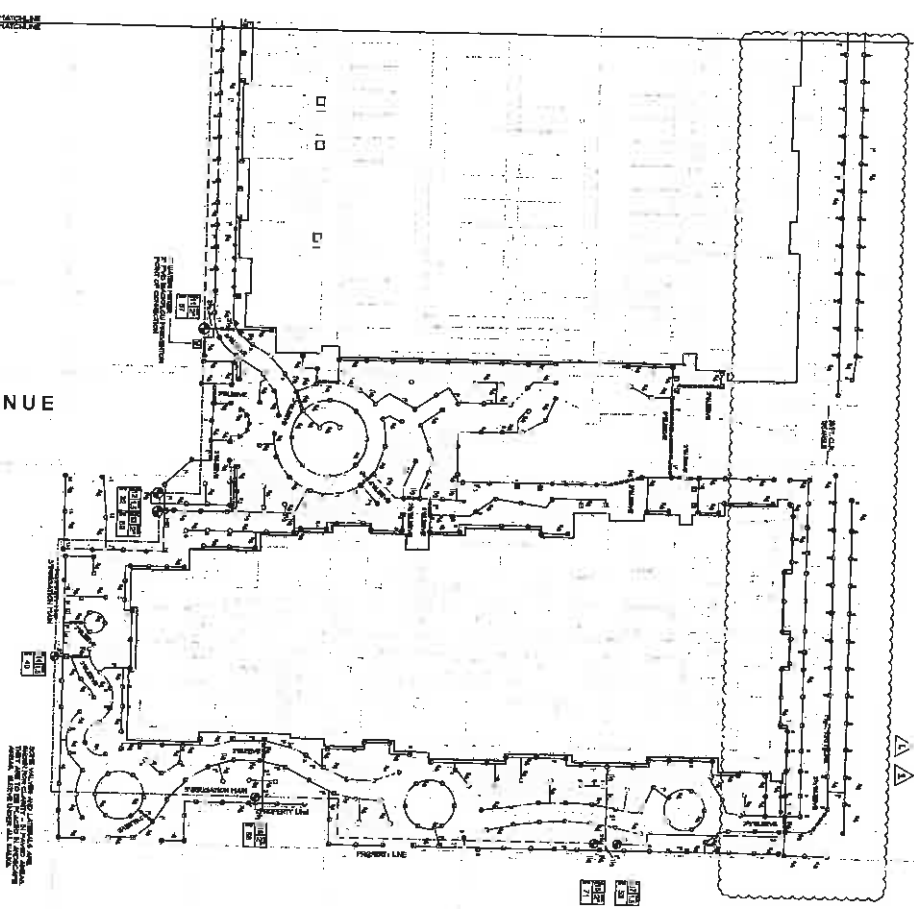
**Paseo Del Mar**  
1600 E. Sunrise Blvd, Fort Lauderdale, Florida  
Drawing Title  
**IRRIGATION PLAN**

Permit Set

3.	Chgo. Dept. Rev.	8-15-38
2.	Chgo. Post Bldg.	4-12-39
1.	POST Rev.	5-20-39
	POST	1939

SUNRISE BOULEVARD

7th AVENUE



NOTE:  
 1. IRRIGATION PLAN AND SCHEMATIC DRAWINGS  
 2. IRRIGATION SYSTEM SHALL BE DESIGNED TO  
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IR-2

PC-112  
 0-112

PROJECT NO. 19-0120  
 DATE: 08/11/12  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 APPROVED BY: [Signature]



**Paseo Del Mar**  
 1600 E. Sunrise Blvd., Fort Lauderdale, Florida  
**IRRIGATION PLAN**

Permit Set

NO.	DATE	DESCRIPTION
1	08/11/12	ISSUED FOR PERMIT
2	08/11/12	REVISION
3	08/11/12	REVISION
4	08/11/12	REVISION
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9	08/11/12	REVISION
10	08/11/12	REVISION

**GENERAL NOTES:**

**GENERAL NOTES:**

[illegible]

**SITE CONDITION:**

Case must be taken not to damage any underground utilities or existing irrigation systems. Responsibility for damage will be the responsibility of the irrigator concerned. No course representative for faults. Safety on the job is the responsibility of the irrigation contractor. It is the responsibility of the irrigation contractor to see that surface damage is NOT modified by his work. All rock in it is brought to the surface by the trenching operation. It is to be removed from the site by the irrigation contractor. Irrigation in multiplexed landscape areas shall be repaired and restored to working condition.

**SYSTEM DESCRIPTION:**

1.16.15. An additional 2" irrigation & drain consisting of Section 117 sections. Water supply is 2-2" City water, meters. Each water shall be equipped with 2" meter valve and each of 1/2" drain flow de-ice. Contractor shall verify location on site prior to construction.

### SYSTEM PIPE:

[illegible]

1. Assembly for Solvent Weld PVC pipe.

- Cut square with PVC cutter, and center the cut prior to assembly.
- Clean PVC pipe with PVC cleaner prior to assembly.
- Use gritty, heavy boiled, slow drying, high strength glue.
- Keep out of service for the length of time as specified by the Manufacturer of the PVC glue.

### CONCLUSIONS:

All pipe under paving (walks, plaza walls and drives etc.) shall be sleeved with Std 40 PVC pipe. Sleeves shall extend be, and the edge of pavement and shall be marked. The wear line shall be installed 1/4" above prior to installation of the slab. 2. Cap ends of walk line during construction to prevent debris from entering. Sleeves under roads shall have a minimum cover of 18 inches.

**Combined FSP of Y-**

(disruption). Grounding shall be equal to or better than if a manufacturer's recommendation. It shall also comply with the National Electrical Code. Both of these requirements preclude using the building or electrical supply line for grounding purposes. UL approved Ground Rods shall be utilized unless else, where specified, or if the minimum resistance reads .8 ohms; the max<sup>6</sup>.

### RAIN SHUT OFF DEVICE:

Submit manufacturer's equipment sheet prior to installation of any such device.

## ELECTRIC CONTROL VALVES:

Maximum 1000 24V electric control valve. All val. 3" shall be located in 16"x 12" rectangular Casco 1418B valve boxes or larger, and installed as per details. Control Valve shall be rated 200 PSI or higher. Use bottom inlet whenever possible.

**CONTROL WIRE:**

described in water right conditions with worst light intensity box, 4.

## WATER SOURCES

1. No 2" City water meter. See plan for location. No all back flow prevention as per code.

**SPRINKLER 5:**

An agreement shall be the type name and so in the Signatures Key and shall be assigned to the (blank)  $\gamma_1$  either the (blank) (spring)  $\gamma_1$  or a PVC spring (blank) such as those manufactured by J. Lasso, Runkhof or Dues brand, specifically for irrigation use, being contrasted with component utilizing Area depends and p-ring such. Pressure rating shall be 200 PSI, or greater, as stated by the manufacturer. Specimens using more than 6 (PVC) shall be processed without PVC spring joint.  $\gamma_1$  shall then be set (blank) with final grade and thoroughly washed. Use Stainless Steel tubes in all four tests.

1. Spray heads shall be Rethbind 1806, 6"

2. Rotor heads shall be either - Ratchford 3500 series, or Hunter PGL series with 2 GPM no. 1 for installed

**MAINTENANCE;**

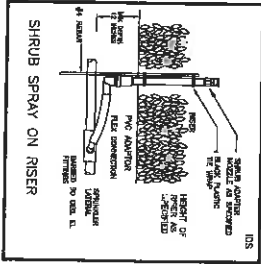
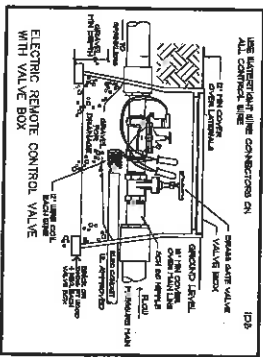
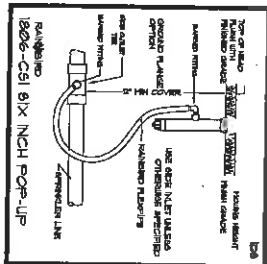
It is the contractor's responsibility to maintain the system, replacing parts, repair, or broken details, adjusting sprinkler heads, flushing system, etc. until final acceptance by the Owner. Contractor shall instruct Owner's maintenance personnel as to maintenance requirements for the fire protection system.

10 1111 2 000 00000

Contractor shall provide "as-built" drawings showing all changes. All valves and change of direction on the main line shall be noted on the as-built drawings.

**GUARANTEE:**

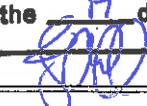
The writer system shall be guaranteed for a period of one year from the time of final acceptance. All manufacturers written warranties and guarantees, as well as "as-built" drawings, specifications and operational information, shall be turned over to the Owner prior to, and is a condition of final acceptance. Manufacturer printed shall not commence until all of the documents have been turned over to the Owner.





**CERTIFICATION**

I certify this to be a true and correct copy of the record of the City of Fort Lauderdale, Florida.

WITNESSETH my hand and official seal of the City of Fort Lauderdale, Florida, this the 17 day of December, 2013  
 SK. ASST City Clerk

**RESOLUTION NO. 13-225**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AMENDMENT NUMBER TWO (2) TO THE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) PROVIDING FOR RIGHT-OF-WAY IMPROVEMENTS AS PART OF THE PASEO DEL MAR SITE PLAN APPROVAL PROCESS.

WHEREAS, on September 18, 2007, the City approved the execution of a landscaping maintenance agreement between the City of Fort Lauderdale and Florida Department of Transportation (FDOT) for improvements on State Road 838 (Sunrise Boulevard) from NW 24<sup>th</sup> Avenue to State Road A1A; and

WHEREAS, on January 17, 2012 the City approved Amendment One to the Inclusive Maintenance of Memorandum Agreement allowing FDOT to install landscaping, trees, irrigation, surface treatments for the bus plaza, crosswalks and medians and installation of gateway with column and ribbon wall and further requiring the City to use the U.S. Department of Homeland Security's E-Verify system; and

WHEREAS, the Parks and Recreation Department currently maintains the improvements identified in the existing agreement, as well as the improvements approved in Amendment One to the Memorandum of Agreement with FDOT; and

WHEREAS, that Paseo Del Mar has agreed to provide and maintain the improvements proposed in Amendment Two to the Memorandum of Agreement with FDOT;

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

SECTION 1. That the proper City Officials of the City of Fort Lauderdale are hereby authorized to execute the Amendment Two to the Inclusive Memorandum of Agreement with FDOT providing for Right-Of-Way improvements as part of the Paseo Del Mar site plan approval process.

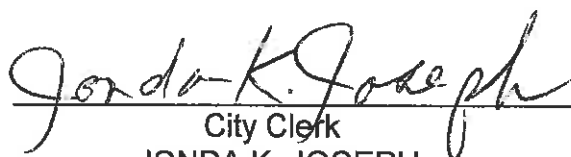
SECTION 2. That Paseo Del Mar will provide and maintain the improvements proposed in Amendment Two to the Memorandum of Agreement with FDOT.

SECTION 3. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the 3rd day of December, 2013.

  
\_\_\_\_\_  
Mayor  
JOHN P. "JACK" SEILER

ATTEST:

  
\_\_\_\_\_  
City Clerk  
JONDA K. JOSEPH

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## *Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

3400 West Commercial Boulevard  
Fort Lauderdale, FL 33309-3421

ANATH PRASAD, P.E.  
SECRETARY

January 7, 2013

Ms. Diana Alarcon, Director  
Transportation & Mobility Department  
City of Fort Lauderdale  
290 N.E. 3rd Avenue  
Fort Lauderdale, Florida 33301

Dear Ms. Alarcon:

**RE: District Four (4) Amendment Number Two (2) City of Fort Lauderdale Landscape Inclusive Maintenance Memorandum of Agreement (MMOA) for State Road 838 (Sunrise Boulevard) from 100' west of N.E. 16th Avenue (M.P. 6.3566) to 150' west of N.E. 17th Avenue (M.P. 6.4858). Permit Number 13L-491-0010.**

Enclosed please find one (1) original executed District Four (4) Amendment Number Two (2) Landscape Inclusive Maintenance Memorandum of Agreement (MMOA) for State Road 838 (Sunrise Boulevard) from 100' west of N.E. 16th Avenue (M.P. 6.3566) to 150' west of N.E. 17th Avenue (M.P. 6.4858). These landscape improvements are for Permit Number 13L-491-0010 and located in the City of Fort Lauderdale.

If you have any questions or need further information, please contact me at (954) 777-4219.

Sincerely,

Elisabeth A. Hassett, R.L.A.  
District Landscape Architect

Enclosure  
CC: S. Williams, FDOT Permits  
File