



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

#19-0335

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

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: May 7, 2019

TITLE: Resolution to Approve a 1) Fourth (4th) Amendment to the Maintenance Memorandum of Agreement Inclusive Agreement for State Road 838 with the Florida Department of Transportation for Landscape Improvements Within the Right-of-Way on the North Side of State Road 838 (Sunrise Boulevard) and, 2) Assumption of Liability and Hold Harmless Agreement with Sunrise 825 LLC - **(Commission District 2)**

Recommendation

It is recommended that the City Commission adopt a resolution authorizing the City Manager to execute 1) Fourth (4th) Amendment to the Maintenance Memorandum of Agreement Inclusive Agreement for State Road 838 with the Florida Department of Transportation (Exhibit 1) for landscape improvements within the right of way on the north side of State Road 838 (Sunrise Boulevard) between Mile Post 1.119 to Mile Post 1.149 and, 2) Assumption of Liability and Hold Harmless Agreement, in substantially the form attached, with Sunrise 825 LLC. (Exhibit 2).

Background

In December 2007, the City entered into a Landscape Inclusive Memorandum of Agreement (MOA) with the Florida Department of Transportation (FDOT) for the purpose of the City maintaining the landscape improvements on various roads including State Road 838 (Sunrise Boulevard). The Fourth Amendment includes provisions allowing the property owner, Sunrise 825 LLC, to construct additional landscape improvements or to modify an improvement on State Road 838/Sunrise Boulevard as indicated in Exhibit "A", from Mile Post 1.119 to Mile Post 1.149, in accordance with the plans in Exhibit "B" in the attached MMOA. The Assumption of Liability and Hold Harmless Agreement (Agreement) between the City and Sunrise 825 LLC, passes the costs associated with the MMOA to Sunrise 825 LLC. Sunrise 825 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 *Press Play Fort Lauderdale Strategic Plan*, included within the Infrastructure Cylinder of Excellence, specifically advancing:

- Goal 1: Be a pedestrian friendly, multi-modal City.
- Objective 2: Enhance the beauty, aesthetics, and environmental quality of neighborhoods.
- Initiative 8: Adopt Complete Streets guidelines.

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

Attachments

Exhibit 1 - Fourth Amendment to the Memorandum of Agreement

Exhibit 2 - Memorandum of Agreement

Exhibit 3 - Assumption of Liability and Hold Harmless Agreement

Exhibit 4 - Resolution

Prepared by: Laura Morton, Transportation and Mobility

Interim Department Director: Ben Rogers, Transportation and Mobility