

RESOLUTION NO. 21-62

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A FIFTEENTH (15TH) AMENDMENT TO THE LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR INSTALLATION AND MAINTENANCE OF LANDSCAPE IMPROVEMENTS WITHIN THE RIGHT-OF-WAY OF STATE ROAD A1A, AUTHORIZING THE CITY MANAGER TO EXECUTE AN ASSUMPTION OF LIABILITY AND HOLD HARMLESS AGREEMENT WITH GRANITEFL LLC, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale, Florida ("City") and the Florida Department of Transportation ("FDOT") entered into the Landscape Inclusive Maintenance Memorandum of Agreement ("MMOA") on January 31, 2008; and

WHEREAS, the City wishes to enter in a Fifteenth (15<sup>th</sup>) Amendment to the MMOA with FDOT for installation and maintenance of landscape improvements within the right-of-way on State Road A1A (Fort Lauderdale Beach Boulevard) between Mile Post 2.784 to Mile Post 2.810 and State Road A1A South (Seabreeze Blvd) between Mile Post 0.648 to Mile Post 0.673; and

WHEREAS, the landscape improvements will be installed in accordance with the plans and specifications attached as Exhibits "A" and "B" of the MMOA; and

WHEREAS, because State Road A1A is an FDOT right-of-way, authorization for this work must be permitted by FDOT; and

WHEREAS, FDOT requires municipalities to enter into a Landscape Maintenance Memorandum of Agreement for the maintenance of landscape and hardscape improvements; and

WHEREAS, the City and the current owner of the property, GRANITEFL LLC have agreed to enter into an Assumption of Liability and Hold Harmless Agreement, which passes the maintenance responsibility and costs associated with the MMOA to GRANITEFL LLC and wherein GRANITEFL LLC agrees to assume and hold the City harmless from any obligations under the proposed MMOA pertaining to any improvements installed in the right-of-way by GRANITEFL LLC;

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

SECTION 1. That the City Manager is authorized to execute a Fifteenth (15<sup>th</sup>) Amendment to the Landscape Inclusive Maintenance Memorandum of Agreement between the City of Fort Lauderdale, Florida, and the Florida Department of Transportation for the installation and maintenance of landscape improvements within the right-of-way on State Road A1A.

SECTION 2. That the City Manager is authorized to execute an Assumption of Liability and Hold Harmless Agreement between the City and GRANITEFL LLC, wherein GRANITEFL LLC agrees to assume liability and hold the City harmless from any obligations under the Landscape Maintenance Memorandum of Agreement pertaining to any landscape improvements installed in the right-of-way by GRANITEFL LLC.

SECTION 3. The Office of the City Attorney shall review and approve as to form all documents prior to execution by City officials.

SECTION 4. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this 6th day of April, 2021.

  
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Mayor  
DEAN J. TRANTALIS

ATTEST:



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City Clerk  
JEFFREY A. MODARELLI