



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

**#21-0944**

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

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

**DATE:** November 16, 2021

**TITLE:** Resolution Approving Amendment Number One to the Landscape Maintenance Memorandum of Agreement with the Florida Department of Transportation for Improvements within the Right-of-Way of State Road 811 (Dixie Highway/NE 4<sup>th</sup> Avenue) and Assumption of Liability and Hold Harmless Agreement with Plaza Street Fund 90, LLC - **(Commission District 2)**

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**Recommendation**

Staff recommends the City Commission adopt a resolution approving and authorizing the execution of an amendment to the Landscape Maintenance Memorandum of Agreement with Florida Department of Transportation (FDOT) for improvements within the right-of-way for State Road 811 (Dixie Highway/NE 4<sup>th</sup> Avenue) between Mile Post 0.057 to Mile Post 0.124 and an Assumption of Liability and Hold Harmless Agreement, in substantially the form attached, with Plaza Street Fund 90, LLC.

**Background**

The City of Fort Lauderdale (City) entered into a 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 811 (Dixie Highway/NE 4<sup>th</sup> Avenue) on June 16, 2005. The MMA and the proposed amendment includes provisions allowing the property owner, Plaza Street Fund 90, LLC, to construct additional landscape improvements or to modify an improvement on State Road 811 (Dixie Highway/NE 4<sup>th</sup> Avenue) from Mile Post 0.057 to Mile Post 0.124, and in accordance with the plans attached as exhibits to the agreement. The Assumption of Liability and Hold Harmless Agreement (Agreement) between the City and Plaza Street Fund 90, LLC, passes the costs associated with the MMA to Plaza Street Fund 90, LLC. Plaza Street Fund 90, 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 *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 – Amendment Number One to Maintenance Memorandum of Agreement

Exhibit 3 – Assumption of Liability and Hold Harmless Agreement

Exhibit 4 – Location Map

Exhibit 5 – Resolution

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