

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN UNDERGROUND EASEMENT AGREEMENT WITH FLORIDA POWER AND LIGHT COMPANY ("FPL") FOR THE PURPOSE OF INSTALLING FPL FACILITIES FOR THE INSTALLATION OF EQUIPMENT TO CONVERT UTILITY LINES TO UNDERGROUND.

WHEREAS, the City, together with the Community Redevelopment Agency ("CRA"), desires additional beautification improvements along State Road A1A to enhance the corridor's aesthetics and improve the pedestrian experience; and

WHEREAS, to achieve this, the CRA Board directed staff to proceed with Streetscape Improvements and Undergrounding of Overhead Utilities along State Road A1A from Hollywood Boulevard to Sheridan Street; and

WHEREAS, on November 18, 2015, the CRA Board (R-BCRA-2015-54) authorized Kimley Horn and Associates to provide consulting services for the design and construction documents, and Kimley Horn and Associates prepared plans for the project, and these plans were given to Florida Power and Light ("FPL") to prepare the necessary agreement for the conversion of overhead powerlines to underground including the necessary ancillary infrastructure equipment (utility boxes); and

WHEREAS, to facilitate undergrounding of utility lines, ancillary FPL facilities and equipment infrastructure that do not fit within City's Right-of-Way are proposed to be placed in five locations on three City owned properties as shown on the attached Exhibits "A" through "E" in Exhibit "I"; and

WHEREAS, in support of the CRA's Complete Street Project, the City desires to grant a total of five easements: two easements generally located at a New Hampshire Street-end west of A1A (FOLIO No. 514212020220), two easements at the Garfield Street Parking Garage (FOLIO No. 514212010910), and one easement on Margaritaville's property west of A1A (FOLIO No. 5142 13 08 0020); and

WHEREAS, as a condition of approval for the installation of underground infrastructure, FPL requires an unrestricted easement be granted to FPL; and

WHEREAS, the attached Exhibit "I" is the required Underground Easement Form in which the City grants to FPL a non-exclusive easement, forever, for the construction, operations and maintenance of underground electric utility facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA.

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution of the attached Underground Easement Agreement with FPL, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2021.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES
CITY ATTORNEY