

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AMENDMENT NO. 11 TO THE LANDSCAPE INCLUSIVE MEMORANDUM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO INCLUDE THE BLOCK 40, LLC. LANDSCAPE IMPROVEMENTS; APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A MAINTENANCE AGREEMENT WITH BLOCK 40, LLC. TO MAINTAIN THE LANDSCAPE IMPROVEMENTS WITHIN STATE ROAD 5/SOUTH YOUNG CIRCLE/FEDERAL HIGHWAY US 1 RIGHTS-OF-WAY ASSOCIATED WITH THE BLOCK 40 MIXED USE DEVELOPMENT.

WHEREAS, Block 40, LLC. is the owner and developer ("Developer") of a mixed-use development project with 103 hotel rooms, 166 residential units and commercial space, generally located at the southwest corner of Hollywood Boulevard and South Young Circle; and

WHEREAS, as part of the City's development approval for the project, Developer is constructing landscape, irrigation, paving and paver improvements along State Road 5/South Young Circle/Federal Highway US1 to enhance the project's frontage, and the Developer is required to maintain such improvements at no cost to the City; and

WHEREAS, the Developer and the City desire to enter into the attached maintenance agreement setting forth each party's responsibilities and obligations; and

WHEREAS, on February 26, 2013, the City Commission passed and adopted Resolution No. R-2013-027, authorizing the execution of a landscape inclusive memorandum of agreement with the Florida Department of Transportation ("FDOT") that requires the City to maintain landscape and streetscape improvements within FDOT's medians, outside the travel way and made to the travel way, if applicable, that were made at the request of the City; and

WHEREAS, as State Road 5/South Young Circle/Federal Highway US1 is within the jurisdictional roadways system of the state, FDOT requires an amendment to the existing Inclusive Landscape Maintenance of Memorandum Agreement for inclusion of the landscape, irrigation, paving and pavers improvements by Developer.

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, by the appropriate City officials, of the attached Maintenance Agreement with Block 40, LLC., 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 it approves and authorizes the execution, by the appropriate City officials, of the attached Amendment No. 11 to the Landscape Inclusive Memorandum of Agreement with FDOT, 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 4: 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