

**CITY OF HOLLYWOOD  
INTEROFFICE MEMORANDUM**

**TO:** Mayor and Commissioners **DATE:** March 23, 2022

**FROM:** Douglas R. Gonzales, City Attorney

**SUBJECT:** Proposed Release and Indemnification Agreement – Permission to Enter Property with the Florida East Coast Railway, LLC

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I have reviewed the above referenced Agreement with the participating Department/Office(s), and the proposed general business terms and other significant provisions are as follows:

- 1) Department/Division involved – Public Works
  - 2) Type of Agreement – Release and Indemnification Agreement – Permission to Enter Property
  - 3) Method of Procurement (RFP, bid, etc.) – n/a
  - 4) Term of Contract:
    - a) initial – Agreement shall continue in effect beginning from the first entry onto Railway's property until the matter for which was the basis for the issuance of this Release and Indemnification Agreement has been completed or the Agreement is canceled by the Railway.
    - b) renewals (if any) – n/a
    - c) who exercises option to renew – n/a
  - 5) Contract Amount – n/a
  - 6) Termination Rights – n/a
  - 7) Indemnity/Insurance Requirements – Contractor shall comply with applicable City requirements.
  - 8) Scope of Services – City shall perform the following activities:
    - a. Maintain through mowing, weed control and litter pick up on the Property to an area that goes up to and within 5' of the stone edge of the railway;
    - b. For ease of maintenance, level any areas along the Property that may be uneven, poor grass conditions by adding or leveling with top soil or sod up to an area that goes up to and within 5' of the stone edge of the railway.
    - c. Remove the existing no trespassing signs and replace them with new signs on sign posts to the Railway's approval and place them in proper intervals according to Florida law.
    - d. Remove any unnecessary old railway ties and rail that is imbedded in the ground that prevents this maintenance
  - 9) Other Significant Provisions: n/a
- cc: Dr. Wazir Ishmael, City Manager