

RESOLUTION NO. R-2022-227

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AMENDMENT NUMBER 13 TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT FOR MAINTENANCE OF THE LANDSCAPE IMPROVEMENTS ON THE HOLLYWOOD BOULEVARD-STATE ROAD 7 MOBILITY HUB AND STATE ROAD 7 LINEAR PARK PROJECTS.

WHEREAS, the City desires certain additional beautification improvements to State Road 7 to enhance the corridor aesthetic and improve the pedestrian experience; and

WHEREAS, on February 6, 2013, the City Commission passed and adopted Resolution No. R-2013-027, which authorized the execution of a Landscape Inclusive Maintenance Memorandum of Agreement ("MMOA") with the Florida Department of Transportation ("FDOT") for the purpose of maintaining the landscape improvements by the City on various roads, including State Road 7; and

WHEREAS, the initial MMOA has been previously amended 12 times through various resolutions passed by the City Commission to include additional landscape improvements within the City on various FDOT roads; and

WHEREAS, Resolution No. R-2017-207 approved Amendment No. 5 to the MMOA that established maintenance responsibilities by the City for the recently completed State Road 7 Landscape Improvements; and

WHEREAS, Amendment No. 5 allows the City to construct additional landscape and hardscape improvements by obtaining a permit from FDOT and adding the improvements to the maintenance responsibilities of the City under the MMOA; and

WHEREAS, on October 7, 2020, the City Commission passed and adopted Resolution No. R-2020-244, approving the execution of a series of Authorizations to Proceed with Kimley-Horn and Associates, Inc. to design and permit the State Road 7 Linear Park and Hollywood Boulevard/State Road 7 Mobility Hub projects that are now in the procurement bidding process; and

WHEREAS, the City and FDOT have agreed to add additional landscape to be installed on State Road 7 in accordance with the referenced Agreement and pursuant to the attached Amendment Number 13 to the MMOA; and

WHEREAS, the City agrees to maintain the additional hardscape and landscape improvements set forth in Amendment Number 13 in accordance with the specific site maintenance requirements and the maintenance plan of the MMOA (original agreement); and

WHEREAS, to include the modifications to the landscape improvements, it is necessary to execute Amendment Number 13 to the MMOA; and

WHEREAS, maintenance of the additional improvements will commence at completion of the installation, which is anticipated to be FY 2024, and maintenance funds will be requested in the appropriate budget year.

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 Amendment Number 13 to the Landscape Inclusive Memorandum of Agreement with the Florida Department of Transportation, together with such non-material changes as may be acceptable to 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.

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PASSED AND ADOPTED this 31 day of August, 2022.



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

DR