

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AMENDMENT NUMBER 12 TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT FOR MAINTENANCE OF THE LANDSCAPE IMPROVEMENTS ON STATE ROAD 5/US-1 FROM PEMBROKE ROAD TO SHERIDAN STREET.

WHEREAS, the City, together with the Hollywood Community Redevelopment Agency ("CRA"), desire certain additional beautification improvements to State Road 5/US-1 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 with FDOT for the purpose of maintaining the landscape improvements by the City on various roads, including State Road 5; and

WHEREAS, the initial Memorandum of Agreement has been previously amended 11 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-2013-027 allows the City to construct additional landscape improvements or modify an improvement (along State Road 5/US-1 from Pembroke Road to Sheridan Street); and

WHEREAS, the City and FDOT have agreed to add additional landscape to be installed on State Road 5/US-1 in accordance with the referenced Agreement and pursuant to the attached Amendment Number 12 to the Agreement; and

WHEREAS, the City agrees to maintain the additional hardscape and landscape improvements set forth in Amendment Number 12 in accordance with the specific site maintenance requirements and the maintenance plan of the Inclusive Landscape Maintenance Memorandum of Agreement (original agreement); and

WHEREAS, in order to include the modifications to the landscape improvements, it is necessary to execute the attached Amendment Number 12 to the Landscape Inclusive Memorandum of Agreement; 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; and

WHEREAS, the CRA has agreed to assist in funding the maintenance cost for these additional improvements, and an Interlocal Agreement will be entered into at a later date relating to this project.

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

Section 1: That the forgoing "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 Amendment Number 12 to the State of Florida Landscape Inclusive Maintenance Memorandum of Agreement with the Florida Department of Transportation, 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 \_\_\_\_\_, 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.

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DOUGLAS R. GONZALES  
CITY ATTORNEY