

**SECTION: 86070000**  
**COUNTY: BROWARD**  
**FM NO.: 409354-4-52-01**  
**SR: 9**

**AMENDMENT NUMBER TWENTY-TWO (22) TO  
FLORIDA DEPARTMENT OF TRANSPORTATION, DISTRICT 4  
INCLUSIVE LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT**

**THIS AMENDMENT** Number TWENTY-TWO (22) to the Agreement dated February 26, 2013, was made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by and between the **DEPARTMENT OF TRANSPORTATION**, hereinafter called the **DEPARTMENT**, and the **CITY OF HOLLYWOOD**, a municipal corporation of the State of Florida, hereinafter called the **AGENCY**.

**WITNESSETH**

**WHEREAS**, the parties entered into an Inclusive Landscape Maintenance Memorandum of Agreement on February 26, 2013 ("Original Agreement") for the purpose of the **AGENCY** maintaining the landscape improvements on various roads including **State Road 9 / I-95**; and,

**WHEREAS**, the **DEPARTMENT** and the **AGENCY** agree to amend the Original Agreement for the purpose of adding additional landscape improvements ("Additional Improvements") on **State Road 9 / I-95 at the interchanges of State Road 820 (Hollywood Boulevard), State Road 822 (Sheridan Street), and State Road 828 (Stirling Road)** in accordance with the above referenced Original Agreement; and,

**WHEREAS**, the parties hereto mutually recognize the need for entering into this Amendment, designating and setting forth the responsibilities of each party for the Additional Improvements.

**NOW THEREFORE**, for and in consideration of mutual benefits that flow each to the other, the parties covenant and agree as follows:

1. The Additional Improvements (landscape, irrigation) shall be installed according to the plans attached to this Amendment as **Exhibit "B"** and incorporated into the Original Agreement.
2. The **AGENCY** agrees to maintain the Additional Improvements in accordance with the Original Agreement, Part I of Exhibit "E", Maintenance Plan for Landscape Improvements, and in compliance with:

**PART II  
SPECIFIC PROJECT SITE MAINTENANCE REQUIREMENTS AND RECOMMENDATIONS**

1. This agreement includes the I-95 interchanges at Hollywood Blvd, Sheridan Street and Stirling Road. The main design intent for each location is primarily to provide a gateway into the City from each of these locations. The approach was to provide low maintenance, xeriscape planting designs on the 4 quadrants of each interchange, whether they included highway embankments between the highway mainline and ramps or tall retaining walls. Tall palms are provided to soften the highway structures such as retaining walls, overhead signs and bridges. All interchanges are impacted by outdoor advertising view zones and in these locations tall palms could not be used so smaller growing species were used instead. Hardy shrub species

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including Saw Palmetto, Cocoplum and small leaf Clusia are used in masses or hedges to soften the retaining walls at Sheridan and Striling and mass plantings of Bougainvillea, Cocoplum, Dwarf Clusia, Firebush and Crinum Lily provide accents on the highway side slopes at Hollywood Blvd. The cross road medians are irrigated and include accent plantings (some proposed and some existing) but there is no irrigation outside of the medians.

2. Canopy Trees are intended to be maintained at their natural height and spread. The only pruning necessary will be to improve branching structure to increase wind resistance and remove dead or diseased wood and this should be completed at a minimum of once per year.
3. Remove suckering growth from base and clear trunk areas for both single and multi-stemmed trees also at a minimum of once per year.
4. To maintain the intended appearance of all palms, apply fertilizer 3 times per year. Utilize the latest palm fertilizer recommended by the University of Florida IFAS Extension and apply per the manufacturer's specifications. Sabal Palms do not need to be fertilized.
5. To maintain the intended appearance of all shrubs or St. Augustine turf grass, apply fertilizer 3 times per year. Utilize the latest palm fertilizer recommended by the University of Florida IFAS Extension and apply per the manufacturer's specifications. Areas with Bahia grass do not need to be fertilized. In areas with both palms and shrubs utilize the palm special fertilizer.
6. Do not remove fronds from self-cleaning palms, unless damaged. Palms with persistent fronds shall only have dead fronds removed, do not remove any green fronds. If it is deemed necessary to prune a palm's fronds, no fronds shall be trimmed above 3 o'clock and 9 o'clock on the horizontal plain. As a general rule Sabal Palms do not need to be pruned but can be, if desired by the Agency to improve their appearance.
7. Groundcover and shrub horizontal growth shall be maintained to prevent foliage from growing beyond the limits of the planting areas shown on the plan. When located within roadway medians, maintain shrubs and groundcovers a minimum of 12" from the back of curb. Refer to the plant list for the maximum maintained height for all shrubs and groundcovers. Certain species including Coontie, Flax Lily and Crinum Lily do not need to be pruned to control height and should only have dead or damaged foliage removed. All shrubs and groundcovers located within sight triangles must be maintained a maximum of 24" above roadway grade.
8. Inspect groundcovers and shrubs on a monthly basis for maintaining full ground coverage.
9. Evaluate plant material monthly for pests, diseases, drought stress or general decline. If required, follow the integrated pest management program established by the Agency to ensure healthy plants.
10. Inspect the irrigation system performance on a monthly basis to ensure the system is providing 100% coverage, does not have sections of low pressure, heads and valves are clean and clear of debris and any damaged irrigation components (i.e., spray nozzles, spray heads, valve boxes, etc.) are repaired or replaced.

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**LIST OF EXHIBITS FOR AMENDMENT #22:**

- Exhibit A - Landscape Improvements Maintenance Boundaries
- Exhibit B - Landscape Improvement Plans
- Exhibit C - Letter of Commitment
- Exhibit D - Cost Estimate
- Exhibit E - Resolution

*Except as modified by this Amendment, all terms and conditions of the Original Agreement and all Amendments thereto shall remain in full force and effect.*

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**In Witness whereof**, the parties hereto have executed with this Amendment effective the day year written and approved.

**CITY OF HOLLYWOOD**

By: \_\_\_\_\_  
Josh Levy, Mayor

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Patricia A. Cerny, MMC  
City Clerk

(SEAL)

Approved as to Form and Legal Sufficiency  
for the use and reliance of the City of  
Hollywood, Florida, only.

City Attorney: \_\_\_\_\_

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**STATE OF FLORIDA**  
**DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_  
John P. Krane, P.E. (or designee)  
Director of Transportation Development

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Alia Chanel (or designee)  
Executive Secretary

(SEAL)

Legal Review: \_\_\_\_\_  
Pamela G. Eidelberg  
Assistant General Counsel, District 4