

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 NINE TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT WITH FDOT TO MODIFY THE LANDSCAPE IMPROVEMENTS TO BE INSTALLED ON I-95 WITHIN FDOT'S HIGHWAY FACILITIES, INCLUDING THE MEDIANS OUTSIDE THE TRAVEL WAY AND MADE TO THE TRAVEL WAY, IF APPLICABLE, WHICH REQUIRES MAINTENANCE OF THE LANDSCAPING IMPROVEMENTS BY THE CITY, REPLACEMENT OF THE PLANS RELATED TO THE PROJECT AND UPDATING THE COST ESTIMATE.

WHEREAS, the City Commission desires to beautify the public rights-of-way within the City of Hollywood to include state Highway facilities; 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 the Florida Department of Transportation ("FDOT") for the purpose of maintaining the landscape improvements by the City on various roads, including State Road 9 (I-95); and

WHEREAS, the initial Memorandum of Agreement was amended on October 2, 2013 pursuant to Resolution No. R-2013-283, on November 6, 2013 pursuant to Resolution No. R-2013-319, on October 5, 2016 pursuant to Resolution No. R-2016-296, on July 3, 2017 pursuant to Resolution No. R-2017-207, and again on July 3, 2018 pursuant to Resolution No. R-2018-238 to include additional landscape improvements within the City on various FDOT roads; and

WHEREAS, pursuant to Amendment No. Six of the Landscape Inclusive Maintenance Memorandum executed by the parties, specific landscape improvements were to be constructed and/or installed by FDOT at designated locations; however, the City requested that Amendment Number Six be revised to modify the landscape improvements to be installed and FDOT has agreed; and

WHEREAS, the proposed modifications to landscape improvements and maintenance boundaries are set forth in Exhibit "A" of the attached Amendment Number Nine; and

WHEREAS, the proposed modifications to the landscape improvements are depicted on the landscape plans attached as Exhibit "B" to the proposed Amendment Number Nine; and

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

WHEREAS, the modified landscape improvements to be installed by FDOT are in the amount of \$14,800.00, and the City will be required to maintain such improvements.

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 Amendment Number Nine 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 _____, 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