

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A MAINTENANCE AGREEMENT WITH LL HART DEVELOPMENT, LLC. TO MAINTAIN THE LANDSCAPE IMPROVEMENTS WITHIN STATE ROAD 7 AND STATE ROAD 818 ("GRIFFIN ROAD") RIGHTS-OF-WAY ASSOCIATED WITH THE 441 ROC MIXED-USE DEVELOPMENT; APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AMENDMENT NO. 8 TO THE INCLUSIVE LANDSCAPE MAINTENANCE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO INCLUDE THE LL HART DEVELOPMENT, LLC. LANDSCAPE IMPROVEMENTS.

WHEREAS, LL Hart Development, LLC. ("LL Hart") is the owner and developer of a mixed-use development project with 180 midrise residential units, 3,500 square feet of commercial use, 28,500 square feet of storage use and a gas station with 16 fueling stations with a convenience store generally located at the northeast corner of State Road 7 and Griffin Road; and

WHEREAS, as part of the City's development approval for the Project, LL Hart ("Developer") is constructing landscape and irrigation improvements along State Road 7 and Griffin Road to enhance the project's frontage along State Road 7 and Griffin Road, and the Developer is required to maintain such improvements at no cost to the City; and

WHEREAS, the Developer and the City desire to enter into the attached maintenance agreement setting forth each party's responsibilities and obligations; and

WHEREAS, on February 26, 2013, the City Commission passed and adopted Resolution No. 2013-027 authorizing the execution of an inclusive landscape maintenance memorandum of agreement with the Florida Department of Transportation ("FDOT") that requires the City to maintain landscape and streetscape improvements within FDOT's medians, outside the travel way and made to the travel way, if applicable, that were made at the request of the City; and

WHEREAS, as State Road 7 and Griffin Road is within the jurisdictional roadways system of the State, FDOT requires an amendment to the existing Inclusive Landscape Maintenance Memorandum of Agreement for inclusion of the landscape and irrigation improvements by Developer.

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 Maintenance Agreement with LL Hart Development, LLC., 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 it approves and authorizes the execution, by the appropriate City officials, of the attached Amendment No. 8 to the Landscape Inclusive Memorandum of Agreement with FDOT, 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 4: 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.

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DOUGLAS R. GONZALES  
CITY ATTORNEY