

RESOLUTION NO. R-2013-027

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED INCLUSIVE LANDSCAPING MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE CITY OF HOLLYWOOD (CITY) TO MAINTAIN LANDSCAPE AND STREETScape IMPROVEMENTS WITHIN THE FDOT'S HIGHWAY FACILITIES WITHIN THE MEDIANS, OUTSIDE THE TRAVEL WAY AND MADE TO THE TRAVEL WAY (IF APPLICABLE) THAT WERE MADE AT THE REQUEST OF THE CITY OF HOLLYWOOD.

WHEREAS, the City Commission desires to beautify the public rights-of-way within the City of Hollywood to include State highway facilities; and

WHEREAS, the Florida Department of Transportation has jurisdiction over State Roads A1A, 5, 7, 9, 820, 824 and 848 as part of the State Highway System, as described in Exhibit A, to the attached Inclusive Landscape Maintenance Memorandum of Agreement which traverse through the corporate limits of the City of Hollywood; and

WHEREAS, it is the intent of the FDOT and the City that FDOT's highway facilities that contain landscape and/or streetscape improvements within the medians, outside the travel lane and made to the travel lane that were made at the request of the City shall be maintained by the City; and

WHEREAS, the FDOT and the City have entered into previous agreements for the City to maintain landscape and streetscape improvements on FDOT's right of way, and for simplicity and uniformity of current and future landscaping understandings, the parties intend for this inclusive agreement to replace and supersede the previous landscape agreements described within Exhibit C to this inclusive agreement designated to be superseded, except as otherwise provided in the Agreement; and

WHEREAS, as part of this inclusive agreement, the FDOT and the City seek to have the City maintain landscape and streetscape improvements on Pending Department and Permit Landscape and Streetscape Improvement Projects which are described in Exhibits B and D to this inclusive agreement; and

RESOLUTION: INCLUSIVE LANDSCAPE MAINTENANCE AGREEMENT BETWEEN FDOT AND CITY FOR FDOT RIGHT OF WAY

WHEREAS, provisions to incorporate future landscape and streetscape improvements within State Road 7 as part of this inclusive agreement have been made and can be included once plans are finalized and accepted by both parties;

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

Section 1: That it hereby approves and authorizes the execution, by the appropriate City officials, of the attached Inclusive Landscape Maintenance Memorandum of Agreement between the Florida Department of Transportation and the City of Hollywood, together with such non-material changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney.

Section 2: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 6 day of Feb, 2013.



PETER BOBER, MAYOR

ATTEST:



PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM & LEGALITY
for the use and reliance of the
City of Hollywood, Florida only:

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JEFFREY P. SHEFFEL, CITY ATTORNEY