

RESOLUTION NO. R-2018-40

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A LANDSCAPE AND TURF MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), IN SUBSTANTIALLY THE ATTACHED FORM, DESIGNATING AND SETTING FORTH THE RESPONSIBILITIES OF EACH PARTY WITH REGARDS TO THE MAINTENANCE OF BEAUTIFICATION IMPROVEMENTS INSTALLED ON WEST DIXIE HIGHWAY BETWEEN NE 125<sup>TH</sup> STREET AND NE 134<sup>TH</sup> STREET; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**WHEREAS**, in an effort to beautify a main business corridor, the City of North Miami (“City”) has drafted design plans for beautification improvements to be installed along S.R. 909 /West Dixie Highway from NE 125th Street to NE 134th Street (“Beautification Project”); and

**WHEREAS**, the Florida Department of Transportation (“FDOT”) has agreed to the installation of landscaping and turf on FDOT Right-of-Ways as part of the City’s Beautification Project, as long as the City acknowledges responsibility for the ongoing maintenance of the installed improvements; and

**WHEREAS**, the Mayor and City Council find that entering into a Maintenance Memorandum of Agreement, in substantially the attached form, for the maintenance and preservation of the beautification improvements, is in the best interest of the City.

**NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AS FOLLOWS:**

**Section 1. Authority of City Manager.** The Mayor and Council of the City of North Miami, Florida, hereby authorize the City Manager to execute a *Landscape and Turf Maintenance Memorandum of Agreement* between the City of North Miami and the Florida Department of Transportation (FDOT), in substantially the attached form, designating and setting forth the

responsibilities of each party with regards to the maintenance of beautification improvements installed by the City.

**Section 2. Effective Date.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 27 day of March, 2018.

  
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DR. SMITH JOSEPH  
MAYOR

ATTEST:  
  
\_\_\_\_\_  
MICHAEL A. ETIENNE, ESQ.  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:  
  
\_\_\_\_\_  
JEFF P. H. CAZEAU, ESQ.  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Desulme

**Vote:**

Mayor Smith Joseph, D.O., Pharm. D.  
Vice Mayor Carol Keys, Esq.  
Councilman Scott Galvin  
Councilman Philippe Bien-Aime  
Councilman Alix Desulme

  x   (Yes)        (No)  
  x   (Yes)        (No)  
  x   (Yes)        (No)  
  x   (Yes)        (No)  
  x   (Yes)        (No)