

# Broward County



## Legislation Details (With Text)

**File #:** 23-136      **Version:** 1

**Status:** Agenda Ready

**In control:** Public Works and Environmental Services - Highway Construction and Engineering Division

**On agenda:** 2/7/2023      **Final action:** 2/7/2023

**Title:** MOTION TO APPROVE Revocable License Agreement between Broward County, Powerline Wawa LLC, and the City of Fort Lauderdale for installation and maintenance of improvements along the south side of Cypress Creek Road and at the southwest corner of Cypress Creek Road and Powerline Road, at no cost to Broward County; and authorize Mayor and Clerk to execute same. (Commission District 8)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 - Agreement, 2. Exhibit 2 - Location Map

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

### **Broward County Commission Regular Meeting**

**Director's Name:** Trevor M. A. Fisher

**Department:** Public Works

**Division:** Highway Construction & Engineering

### Information

#### Requested Action

MOTION TO APPROVE Revocable License Agreement between Broward County, Powerline Wawa LLC, and the City of Fort Lauderdale for installation and maintenance of improvements along the south side of Cypress Creek Road and at the southwest corner of Cypress Creek Road and Powerline Road, at no cost to Broward County; and authorize Mayor and Clerk to execute same. **(Commission District 8)**

#### Why Action is Necessary

Board of County Commissioners' approval is required for revocable license agreements.

#### What Action Accomplishes

Formalizes the responsibilities of Broward County, Powerline Wawa LLC, and the City of Fort Lauderdale regarding installation and maintenance of improvements along the south side of Cypress Creek Road and at the southwest corner of Cypress Creek Road and Powerline Road.

#### Is this Action Goal Related

No

#### Previous Action Taken

None

### **Summary Explanation/Background**

PUBLIC WORKS DEPARTMENT/HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION  
RECOMMENDS APPROVAL.

Cypress Creek Road is a County road in the City of Fort Lauderdale. Powerline Wawa LLC, and the City of Fort Lauderdale desire to improve portions of the County right-of-way along the south side of Cypress Creek Road and at the southwest corner of Cypress Creek Road and Powerline Road (“Revocable License Area”).

This item seeks Board approval of a Revocable License Agreement (“Agreement”) between Broward County (“County”), Powerline Wawa LLC, and the City of Fort Lauderdale for installation and maintenance of improvements along the south side of Cypress Creek Road and at the southwest corner of Cypress Creek Road and Powerline Road (Exhibit 1). Exhibit 2 is a location map of the Revocable License Area.

The proposed improvements include the installation of landscaping and irrigation within County right-of-way on the south side of Cypress Creek Rd and at the southwest corner of Cypress Creek Road and Powerline Road. The landscaping improvements shall incorporate a minimum 50% native species by plant types and shall follow the Broward County NatureScape program and Florida-Friendly Landscaping principles. The Agreement will allow Powerline Wawa LLC and the City of Fort Lauderdale to install the improvements within County right-of-way. Powerline Wawa LLC will be obligated to maintain these improvements. If Powerline Wawa LLC fails to maintain the improvements, the City of Fort Lauderdale is obligated to perform the maintenance. The County can terminate the Agreement with or without cause. If the Agreement is terminated, Powerline Wawa LLC must remove all improvements within the Revocable License Area and restore same to its original condition or to such condition as approved in writing by the Contract Administrator.

The Agreement has been reviewed and approved as to form by the Office of the County Attorney.

### **Source of Additional Information**

Richard C. Tornese, P.E., Director, Highway Construction and Engineering Division, (954) 577-4579  
Trevor M. A. Fisher, P.E., Director, Public Works Department, (954) 357-6410

### **Fiscal Impact**

#### **Fiscal Impact/Cost Summary**

There is no fiscal impact to the County.