

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Amendment No. 1 to Interlocal Landscaping Agreement
Between Seminole County and City of Longwood for Ronald Reagan Boulevard
Between North Street and State Road 434

DEPARTMENT: PUBLIC WORKS **DIVISION:** ENGINEERING

AUTHORIZED BY: *[Signature]* **CONTACT:** Frank Van Pelt, III **EXT.** 5703
W. Gary Johnson, P.E., Director Jerry McCollum, P.E.

Agenda Date 02-11-03 **Regular** **Consent** **Work Session** **Briefing**
Public Hearing – 1:30 **Public Hearing – 7:00**

MOTION/RECOMMENDATION:

Approve and authorize the Chairman to execute Amendment No. 1 to Interlocal Landscaping Agreement between Seminole County and City of Longwood for Ronald Reagan Boulevard between North Street and State Road 434.

BACKGROUND

On October 1, 2001, the County and City entered into an Interlocal Landscaping Agreement for County Road 427 from North Street to State Road 434 that has been renamed Ronald Reagan Boulevard. This Amendment No. 1 extends the September 30, 2002, due date to April 1, 2003 to complete the construction of the roadway landscaping and irrigation and clarifies that the City will perpetually maintain the improvements.

(District 4 - Commissioner Henley)

Attachment: Agreement

Reviewed by:
Co Atty: *[Signature]*
DFS: _____
Other: _____
DCM: *[Signature]*
CM: *[Signature]*
File No. CPWE03

**AMENDMENT NO. 1 TO INTERLOCAL LANDSCAPING AGREEMENT
BETWEEN SEMINOLE COUNTY AND CITY OF LONGWOOD
FOR RONALD REAGAN BOULEVARD
BETWEEN NORTH STREET AND STATE ROAD 434**

THIS AMENDMENT is effective as of the 30th day of September, 2002, made by and between SEMINOLE COUNTY, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as the "COUNTY," and the CITY OF LONGWOOD, a Florida municipal corporation, whose address is 175 West Warren Avenue, Longwood, Florida 32750, hereinafter referred to as the "CITY."

WITNESSETH:

WHEREAS the COUNTY and CITY entered into an Interlocal Landscaping Agreement, dated October 1, 2001 (the "Agreement") for County Road 427 from North Street to State Road 434;

WHEREAS County Road 427 has been renamed Ronald Reagan Boulevard;

WHEREAS the parties wish to extend the September 30, 2002, due date for completion of construction as provided in section 3(d) of the Agreement; and

WHEREAS the parties wish to memorialize the understanding of the parties that the CITY will perpetually maintain the improvements;

NOW, THEREFORE, in consideration of the mutual promises and covenants hereinafter set forth, the sufficiency of which is hereby acknowledged, the parties do hereby covenant and agree to add the following sections and revisions to the Agreement:

SECTION 8. RECITALS

The above recitals are true and correct and form a material part of this Amendment upon which the parties have relied.

SECTION 9. COMPLETION OF CONSTRUCTION

The CITY shall complete the construction of the roadway landscaping and irrigation by April 1, 2003. This provision supersedes section 3(d) of the Agreement.

SECTION 10. PERPETUAL MAINTENANCE

The obligation of the CITY in section 3(e) of the Agreement for maintenance shall be perpetual unless the Agreement, as amended, is terminated by the COUNTY. If safety problems become apparent concerning any of the improvements made under the Agreement or any amendment, the COUNTY may take immediate action to cure the problem at the CITY's expense and thereby protect life and property, rather than await indemnification from the CITY for injury or damage claims under the indemnity in Section 3(c). This provision shall in no way impair CITY's duty of indemnity.

SECTION 11. TERM

The Agreement became effective October 1, 2001, and continues in effect because it had no termination clause. The Agreement, as amended herein, shall continue in effect perpetually, except that the COUNTY may terminate it upon thirty (30) days' written notice to the CITY at its above-referenced address

SECTION 12. TERMS NOT AMENDED

All other matters not changed by this Amendment shall remain in effect as provided by the Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date hereinabove first shown.

ATTEST:

Michael Zucker, Clerk

CITY OF LONGWOOD

By: *Daniel J. Anderson*
Daniel J. Anderson, Mayor

Date: *January 22, 2003*

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA**


MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
DARYL G. MCLAIN, Chairman

Date: _____

For the use and reliance of
Seminole County only. Ap-
proved as to form and legal
sufficiency.

As authorized for execution by the Board
of County Commissioners at its _____
200__, regular meeting.



County Attorney

HZ/la
12\4\02

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