



# CITY MANAGER'S REPORT

## AGENDA ITEM REQUEST

UTILITIES DEPARTMENT

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**DATE:** May 27, 2016

**TO:** Ed Lavallee, City Manager

**FROM:** Tim Hochuli, PE, PMP, Utilities Director *LSH/JTA*

**COUNCIL DATE:** June 14, 2016

**SUBJECT:** Florida Department of Transportation  
Subordination of City Utility Interests  
U.S. 41 By-Pass / Parcel 132.3

**Background:**

The Florida Department of Transportation (FDOT) has requested that the City of Venice subordinate City utility interest in an easement located at the intersection of US 41 By-Pass and Seaboard Avenue for the purpose of constructing or improving US 41 By-Pass from Gulf Coast Boulevard to Center Road. The Subordination Agreement provides for FDOT to reimburse the City in the event the City has to alter, adjust, or relocate any of its facilities or acquire another easement. The Subordination supersedes the prior subordination, Instrument #2014113911. In addition, the City will still have the right to operate, maintain, etc., its facilities in the subject easement. The extent of any City utility relocation associated with this subordination has not been determined at this time.

**Requested Action:**

We request Council's adoption of the attached resolution and execution of a Subordination Agreement with the FDOT to subordinate the City's interest in the referenced easement associated with FDOT's U.S. 41 By-Pass roadway improvement project.

**City Attorney Review:**

The City Attorney has reviewed this document and finds its form acceptable.

**Risk Management Review:**

The Risk Manager has reviewed this document and finds no risk management objections.

**Funds Availability (account number):**

N/A