

RESOLUTION NO. 2021-079

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, IN SUPPORT OF THE LYONS ROAD PEDESTRIAN LIGHT SURTAX APPLICATION BY THE BROWARD METROPOLITAN PLANNING ORGANIZATION (MPO) RELATING TO THIS TRANSPORTATION SURTAX (“PENNY FOR TRANSPORTATION” PROGRAM) APPLICATION ASSIGNED TO THE CITY OF COCONUT CREEK; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the provision of adequate and efficient transportation infrastructure and equipment upon which the public depends on a day-to-day basis is a matter of great public concern to the residents of Broward County and the City of Coconut Creek; and

WHEREAS, Broward County residents approved by referendum the Transportation Surtax (“Penny for Transportation” Program) on November 6, 2018; and

WHEREAS, Broward County, the municipalities, and the Broward Metropolitan Organization (MPO) entered into the Transportation System Surtax Interlocal Agreement (ILA), which provided for a cooperative and organized process for the municipalities to submit projects for evaluation and funding with Surtax proceeds; and

WHEREAS, a resolution from the City of Coconut Creek’s Commission providing support for each project is required to establish funding eligibility with Transportation System Surtax dollars; and

WHEREAS, the City of Coconut Creek City Commission finds that it is in the best interest of the residents to endorse the Lyons Road Pedestrian Lighting Project; and

WHEREAS, the City of Coconut Creek commits to administer and deliver the project under the terms of the Transportation System Surtax Project Funding Agreement and Broward County’s Code of Ordinances; and

WHEREAS, the Lyons Road Pedestrian Lighting Project will be constructed within the City of Coconut Creek as well as Broward County's right-of-way; and

WHEREAS, Broward County is supportive of the proposed improvements illustrated within the approved Florida Department of Transportation (FDOT) Plans titled "Lyons Road Mobility Project Plans," which illustrate the underground infrastructure installed within their right-of-way; and

WHEREAS, the City of Coconut Creek commits to potential upfront costs for Design; Construction, Engineering, and Inspection (CEI) services; and construction compliance with the LAP requirements, if needed, which would then be eligible for reimbursement in accordance with the Transportation System Surtax Program; and

WHEREAS, the City of Coconut Creek commits to program funding for construction contingency pursuant to the Penny for Transportation program; and

WHEREAS, it is the responsibility of the City of Coconut Creek to maintain or coordinate the maintenance of the Pedestrian Lights after the project's completion with Broward County.

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

Section 1: That the City Commission has accepted the future budgeting and funding resources projected to be necessary for construction contingency and supports the Transportation Surtax Interlocal Agreement (ILA) as it relates to Lyons Road Pedestrian Lights Project.

Section 2: That pursuant to the ILA, the City Clerk is directed to return a resolution of support for the Surtax project applications to the Broward MPO on or before April 22, 2021.

Section 3: That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 4: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this day 13th of May, 2021.

Rebecca A. Tooley, Mayor

Attest:

Leslie Wallace May, City Clerk

Tooley Aye

Rydell Aye

Sarbone Aye

Welch Aye

Railey Aye