

**RESOLUTION NO. 2021-111**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED SECOND AMENDMENT TO PARKING LICENSE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND THE SCHOOL BOARD OF BROWARD COUNTY TO PROVIDE FOR A TEMPORARY LICENSE FOR TRADEWINDS ELEMENTARY SCHOOL EMPLOYEES AND/OR GUESTS, AS PERMITTED BY THE PRINCIPAL, TO PARK ON THE CITY'S PROPERTY NEXT TO TRADEWINDS ELEMENTARY SCHOOL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Coconut Creek is the owner of the property generally located at 5460-5480 Johnson Road, Coconut Creek, Florida (the "City Property"); and

**WHEREAS**, the School Board of Broward County (the "SBBC") is the owner of the property generally located at 5400 Johnson Road, Coconut Creek, Florida, and operates a public elementary school thereon known as Tradewinds Elementary School (hereinafter "Tradewinds Elementary"); and

**WHEREAS**, the City had agreed to permit SBBC employees and/or guests, as permitted by the Principal at Tradewinds Elementary, to park on the City Property upon the terms and conditions as stated in the attached Parking License Agreement marked as Exhibit "1" (the "Agreement") for up to three (3) years from the date of execution with the ability of either party to terminate it upon thirty (30) days advanced notice; and

**WHEREAS**, the First Amendment to Parking License Agreement, attached hereto and made a part hereof as Exhibit "2," was executed on June 17, 2020, providing for a one year extension of the Agreement in accordance with the terms of the Agreement; and

**WHEREAS**, SBBC has requested permission from the City to continue to allow Tradewinds Elementary employees and/or guests to use the City Property for parking purposes, as needed; and

**WHEREAS**, the City Commission hereby authorizes the City Manager, or designee, to execute the Second Amendment to Parking License Agreement, attached hereto and made a part hereof as Exhibit “3,” which grants to SBBC a temporary and nonexclusive license to utilize the City Property for an additional one year period upon and subject to the terms and conditions set forth therein.

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

**Section 1:** That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution. All exhibits attached hereto are incorporated herein and made a specific part of this resolution.

**Section 2:** That the City Commission has reviewed and hereby approves the attached Second Amendment to Parking License Agreement.

**Section 3:** That the City Manager, or designee, is hereby authorized to execute said Second Amendment to Parking License Agreement by and between the City of Coconut Creek and the School Board of Broward County.

**Section 4:** 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 5:** That this resolution shall be in full force and effect immediately upon its adoption.

**Adopted this 10<sup>th</sup> day of June, 2021.**

\_\_\_\_\_  
Rebecca A. Tooley, Mayor

Attest:

\_\_\_\_\_  
Leslie Wallace May, City Clerk

Tooley	<u>Aye</u>
Rydell	<u>Aye</u>
Sarbone	<u>Aye</u>
Welch	<u>Aye</u>
Railey	<u>Aye</u>

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03/27/2017