

RESOLUTION NO. 2019-289

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE UNDERGROUND UTILITY TRUST FUND TO FUND THE DESIGN AND CONSTRUCTION ASSOCIATED WITH THE UNDERGROUNDING OF ALL AERIAL FACILITIES ALONG JOHNSON ROAD BETWEEN LYONS ROAD AND STATE ROAD 7; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in an effort to ensure reliability and continuity of utility services and prevent service interruptions, the City of Coconut Creek has established an Underground Utility Trust Fund for receipt and disbursement of monies, pursuant to Section 13-142, “Underground utilities; required,” of the City’s Land Development Code; and

WHEREAS, pursuant to the requirements of Section 13-142 of the City’s Land Development Code, the City has successfully completed the undergrounding of the existing overhead power and communication lines along Lyons Road, starting from the Sawgrass Expressway south to Cullum Road and along Cullum Road from Lyons Road to State Road 7; and

WHEREAS, due to said undergrounding, along with the Florida Power & Light (FP&L) pole hardening projects, the City has effectively avoided and/or alleviated potential power service interruptions due to adverse weather; and

WHEREAS, the City has determined that, in order to most effectively continue the undergrounding in a manner to best preserve and enhance system integrity, the next undergrounding project should be to underground approximately 5,000 linear feet of overhead facilities on Johnson Road, between Lyons Road and State Road 7, including any aerial services in the right-of-way that cross Johnson Road mainly supported by wooden poles; and

WHEREAS, funding for the design phase of the project was approved by City Commission in the Fiscal Year 2019 budget; and

WHEREAS, the City will utilize the services of Comcast, AT&T, FP&L, Crown Castle, and other utilities for the design and construction associated with the conversion of each providers' overhead facilities to underground facilities within the project limits; and

WHEREAS, the City Commission finds and determines that it is in the best interest of the residents of the City to authorize the expenditure of funds for said items from the Underground Utility Trust Fund, pursuant to Section 2-703, Code of Ordinances, entitled "Authority to expend funds."

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 expenditure of funds is hereby authorized for the design and construction associated with the undergrounding of all aerial facilities along Johnson Road between Lyons Road and State Road 7, pursuant to Section 2-703, Code of Ordinances, entitled "Authority to expend funds."

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 12th day of December, 2019.

Sandra L. Welch, Mayor

Attest:

Leslie Wallace May, City Clerk

Welch Aye___

Sarbone Aye___

Tooley Aye___

Belvedere Aye___

Rydell Absent