

ORDINANCE NO. 2019-013

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT TO THE SOLAR LEASE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND FLORIDA POWER & LIGHT COMPANY DATED OCTOBER 26, 2017 IN ORDER TO AMEND THE EASEMENT TO EFFECTUATE THE COMPLETION OF THE SOLAR CANOPY INSTALLATION AT THE CITY'S RECREATION COMPLEX; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission approved the Solar Lease Agreement between the City of Coconut Creek and Florida Power & Light Company dated October 26, 2017, and recorded on November 15, 2017, in the Public Records of Broward County, Florida under Instrument Number 114721174 ("Agreement"); and

WHEREAS, it has since been determined that an amendment to the Agreement and associated easement is required in order the effectuate the completion of the Solar Lease Canopy at the City of Coconut Creek Recreation Center located at 4555 Sol Press Boulevard, Coconut Creek.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:

Section 1: Ratification. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance.

Section 2: That the City Commission hereby approves the conveyance of a utility easement as set forth in the Amendment to Solar Lease Agreement, attached hereto and made a part hereof as Exhibit "1," from the City of Coconut Creek to Florida Power & Light Company.

Section 3: That the Mayor is hereby authorized to execute the attached Amendment to Solar Lease Agreement, granting said easement to Florida Power & Light Company.

Section 4: Recordation. That a copy of this ordinance, along with the Amendment to Solar Lease Agreement, attached hereto and made a part hereof as Exhibit "1," shall be recorded in the public records of Broward County, Florida.

Section 5: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 6: Severability. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 7: Effective Date. That this ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 27TH DAY OF JUNE, 2019.

PASSED SECOND READING THIS 11TH DAY OF _____, 2019.

Sandra L. Welch, Mayor

Attest:

Leslie Wallace May, City Clerk

	<u>1st</u>	<u>2nd</u>
Welch	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Belvedere	<u>Aye</u>	<u>Aye</u>
Rydell	<u>Aye</u>	<u>Aye</u>