

RESOLUTION NO. 2023-046

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, IN SUPPORT OF THE BANKS ROAD CONSTRUCTION PROJECT BY THE BROWARD METROPOLITAN PLANNING ORGANIZATION (MPO) RELATING TO THE TRANSPORTATION SURTAX (“PENNY FOR TRANSPORTATION” PROGRAM) APPLICATION ASSIGNED TO THE CITY OF COCONUT CREEK; PROVIDING FOR SEVERABILITY; AND PROVIDING 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 within Broward County, and the Broward Metropolitan Planning 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, the City of Coconut Creek desires to request Surtax funding for the Banks Road Construction Project to improve connectivity and multimodal transportation options within the MainStreet area; and

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

WHEREAS, the City of Coconut Creek City Commission finds it in the best interest of the residents to endorse the Banks Road Construction 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 Banks Road Construction Project will be constructed within the City of Coconut Creek's right-of way; and

WHEREAS, the City of Coconut Creek commits to funding upfront costs for design and Construction, Engineering, and Inspection (CEI) services, if needed, which would then be eligible for reimbursement in accordance with the Surtax Program; and

WHEREAS, the City of Coconut Creek commits to program funding for construction contingency pursuant to the requirements of the Surtax Program; and

WHEREAS, it will be the responsibility of the City of Coconut Creek to maintain or coordinate the maintenance of the project after the project's completion.

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.

Section 2: That the City Commission has accepted the future budgeting and funding of resources projected to be necessary for construction contingency and supports the Transportation Surtax Interlocal Agreement (ILA) as it relates to the Banks Road Construction Project.

Section 3: That pursuant to the ILA, the City Clerk is hereby directed to return this resolution of support for the Transportation System Surtax Banks Road Construction Project application to the Broward MPO.

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 23rd day of March, 2023.

Joshua Rydell, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Rydell	<u>Aye</u>
Welch	<u>Aye</u>
Railey	<u>Aye</u>
Brodie	<u>Aye</u>
Wasserman	<u>Aye</u>