

RESOLUTION NO. 2021-158

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) DISTRICT FOUR LICENSE AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE CITY OF COCONUT CREEK TO ALLOW FOR FDOT AND/OR THEIR CONTRACTOR TO ACCESS CITY-OWNED LAND TO COMPLETE SIDEWALK IMPROVEMENTS ASSOCIATED WITH THE COPANS ROAD MOBILITY PROJECT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Broward Metropolitan Planning Organization (MPO) approved the funding for the design and construction of the Copans Road Mobility Project; and

WHEREAS, federally funded projects off the state highway system are delivered through the Florida Department of Transportation (FDOT) and their Local Agency Program (LAP) process; and

WHEREAS, the City Commission of the City of Coconut Creek adopted Resolution No. 2020-152, supporting the Copans Road Mobility Project; and

WHEREAS, a portion of the Copans Road Mobility Project sidewalk or shared-use pathway will be constructed within the City's property and/or right-of-way; and

WHEREAS, the City of Coconut Creek recognizes the need to enter into the FDOT License Agreement, authorizing FDOT temporary access of said City property and setting forth responsibility; and

WHEREAS, at the expense of the FDOT, this License Agreement allows for the enhancement and betterment of the property to create a more aesthetically pleasing finished road corridor; and

WHEREAS, said use is in the best interest of the City of Coconut Creek.

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 reviewed and hereby approves the attached license agreement between FDOT and the City for temporary access to said City property necessary to complete the Copans Road Mobility Project improvements.

Section 3: That the City Manager, or designee, is hereby authorized to execute the attached license agreement between FDOT and the City.

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 26th day of August, 2021.

Rebecca A. Tooley, Mayor

Attest:

Marianne Bowers, Interim City Clerk

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