

RESOLUTION NO. 2019-253

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED SEVENTH AMENDMENT TO THE INCLUSIVE MEMORANDUM OF AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE CITY OF COCONUT CREEK FOR THE MAINTENANCE OF LANDSCAPE IMPROVEMENTS ALONG VARIOUS STATE ROADS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in May of 2009, the City entered into an Inclusive Memorandum of Agreement with the Florida Department of Transportation (FDOT) for the purpose of maintaining certain landscape improvements on various State Roads, including Hillsboro Boulevard; and

WHEREAS, Leder Hillsboro CO LTD wishes to install landscape improvements as shown and listed in the attached amendment to said Inclusive Memorandum of Agreement, located within right-of-way for Hillsboro Boulevard and controlled by FDOT; and

WHEREAS, FDOT will only accept an agreement for said work and maintenance from the City as the responsible public entity; and

WHEREAS, Leder Hillsboro CO LTD has agreed to accept responsibility to complete and maintain the improvements by separate agreement.

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 Seventh Amendment to the Inclusive Agreement between FDOT and the City.

Section 3: That the City Manager, or designee, is hereby authorized to execute the attached Seventh Amendment to the Inclusive Memorandum of 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 14th day of November, 2019.

Sandra L. Welch, Mayor

Attest:

Leslie Wallace May, City Clerk

Welch	<u>Aye</u>
Sarbone	<u>Absent</u>
Tooley	<u>Aye</u>
Belvedere	<u>Aye</u>
Rydell	<u>Aye</u>