

RESOLUTION NO. 2021-007

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE SECOND AMENDMENT TO THE TRANSPORTATION SYSTEM SURTAX INTERLOCAL AGREEMENT AMONG BROWARD COUNTY, THE BROWARD METROPOLITAN PLANNING ORGANIZATION, AND THE CITY OF COCONUT CREEK RELATING TO THE COUNTY'S ONE CENT TRANSPORTATION SURTAX LEVY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the transportation surtax ballot measure was approved by the voters on November 6, 2018; and

WHEREAS, on August 21, 2018, the County approved and executed the Transportation System Surtax Interlocal Agreement between Broward County and the Metropolitan Planning Organization (MPO); and

WHEREAS, the City of Coconut Creek approved and executed the Original Transportation System Surtax Interlocal Agreement on September 27, 2018 ("Original ILA"), and the First Amendment to the Transportation System Surtax Interlocal Agreement on September 12, 2019 ("First Amendment"); and

WHEREAS, the City and the County desire to amend the Original ILA and the First Amendment to fully restate the Interlocal Agreement as amended to provide for the following:

- Document the completion of the MPO's first cycle of evaluating and ranking municipal capital projects to be funded with Transportation Surtax proceeds;
- Document the allocation of FY2019, FY2020, and FY2021 Transportation Surtax proceeds for approved municipal capital projects;
- Set forth the MPO's criteria going forward for evaluating, ranking, and recommending funding for municipal capital projects in future County annual five-year capital improvement plans;

- Outline the County's general process for evaluation and ranking of municipal rehabilitation and maintenance projects and document completion of that process for FY2020;
- Document the allocation of FY2019 and FY2020 Transportation Surtax proceeds for approved municipal rehabilitation and maintenance projects;
- Document an agreed upon process for funding municipal capital projects, including the timing of funding and the process for adjusting County annual five-year capital improvement plans; and

WHEREAS, the City of Coconut Creek finds it to be in the best interest of our residents, businesses, and visitors to execute the Second Amendment to the Transportation System Surtax Interlocal Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the City Commission has reviewed and approves the attached Second Amendment to the Transportation System Surtax Interlocal Agreement among Broward County, the Metropolitan Planning Organization, and the City of Coconut Creek.

Section 2: That the Mayor and/or designee and the City Manager and/or designee of the City of Coconut Creek are hereby authorized to execute the attached Second Amendment to the Transportation System Surtax Interlocal Agreement among Broward County, the Metropolitan Planning Organization, and the City of Coconut Creek.

Section 3: That pursuant to Section VI. of the Transportation System Surtax ILA, the City Clerk is directed to return the executed Second Amendment to the Transportation System Surtax Interlocal Agreement to Broward County and to scan and email a copy of said Second Amendment to the County and MPO recipients listed in Section XVI of the Original Transportation System Surtax Interlocal Agreement.

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 in effect immediately upon its adoption.

Adopted this 28th day of January, 2021.

Louis Sarbone, Mayor

Attest:

Leslie Wallace May, City Clerk

Sarbone Aye

Rydell Aye

Tooley Aye

Belvedere Aye

Welch Aye

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