

RESOLUTION NO. 2024-154

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED MAINTENANCE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND POMPANO AUTOPLEX, LLC, WHICH AGREEMENT TRANSFERS AND ASSIGNS RESPONSIBILITIES FOR THE MAINTENANCE OF SIDEWALKS, LANDSCAPING, AND OTHER IMPROVEMENTS IN THE WEST SAMPLE ROAD (STATE ROAD 834) RIGHT-OF-WAY ADJACENT TO THE PROPERTY LOCATED AT 4101 WEST SAMPLE ROAD TO POMPANO AUTOPLEX, LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 14, 2021, Pompano Autoplex, LLC received site plan approval from the City for the design and construction of the Mazda automobile dealership located at 4101 West Sample Road; and

WHEREAS, Pompano Autoplex, LLC wishes to install improvements as shown and listed in the attached agreement, located within the right-of-way on West Sample Road (State Road 834) and controlled by the State of Florida Department of Transportation (FDOT); and

WHEREAS, the City has acted as intermediary and entered into an agreement with FDOT for the maintenance of the sidewalks, landscaping, and other improvements; and

WHEREAS, Pompano Autoplex, LLC has agreed to accept responsibility to complete and maintain the sidewalks, landscaping, and other improvements, pursuant to the attached 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. All exhibits attached hereto are incorporated herein and made a specific part of this resolution.

Section 2: That the City Commission has reviewed and hereby approves the attached agreement between the City of Coconut Creek and Pompano Autoplex, LLC for the maintenance of sidewalks, landscaping, and other improvements in the West Sample Road (State Road 834) right-of-way adjacent to the property located at 4101 West Sample Road.

Section 3: That the City Manager, or designee, is hereby authorized to execute the attached agreement between the City of Coconut Creek and Pompano Autoplex, LLC for the maintenance of sidewalks, landscaping, and other improvements in the West Sample Road (State Road 834) right-of-way adjacent to the property located at 4101 West Sample Road.

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 _____ day of _____, 2024.

Sandra L. Welch, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Welch _____
Railey _____
Rydell _____
Brodie _____
Wasserman _____