

RESOLUTION NO. 2020-195

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, RESCINDING RESOLUTION NO. 2020-130 AND THE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND FLORIDA POWER AND LIGHT (FPL) DATED JUNE 25, 2020; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED AGREEMENTS IN ITS PLACE TO PROVIDE FOR THE INSTALLATION AND MAINTENANCE OF ELECTRIC VEHICLE CHARGING STATIONS ON VARIOUS CITY PROPERTIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 25, 2020, the City of Coconut Creek approved and executed an agreement with Florida Power and Light (FPL) providing for the installation and maintenance of electric charging stations on various city properties; and

WHEREAS, since approving the agreement, FPL legal counsel determined that three separate agreements are necessary (one for each location); and

WHEREAS, the City of Coconut Creek is desirous of rescinding the agreement dated June 25, 2020, and replacing it with the updated agreements attached hereto as Exhibit "1," Exhibit "2," and Exhibit "3."

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. The Electric Vehicle Charging Station Agreements, "Exhibit 1," Exhibit "2," and Exhibit "3," attached hereto and incorporated herein, are made a specific part of this resolution.

Section 2: That Resolution No. 2020-130 and the agreement dated June 25, 2020, are hereby rescinded.

Section 3: That the City Commission has reviewed and hereby approves the attached agreements between the City and FPL for EV charging stations and authorizes the City Manager, or designee, to execute the agreements.

Section 4: That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Section 5: 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 6: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 22nd day of October, 2020.

Louis Sarbone, Mayor

Attest:

Leslie Wallace May, City Clerk

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