

RESOLUTION NO. 2025-162

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AMENDMENT NUMBER TWELVE (12) TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) DISTRICT FOUR INCLUSIVE LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT FOR THE PURPOSE OF MAINTAINING SIDEWALKS, LANDSCAPING, AND OTHER IMPROVEMENTS WITHIN THE RIGHT-OF-WAY OF WEST HILLSBORO BOULEVARD (STATE ROAD 810) ASSOCIATED WITH THE HILLSBORO MARKETPLACE SHOPPING CENTER DEVELOPMENT PROJECT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 23, 2021, The Keith Company received site plan approval from the City for the design and construction of modifications to the shopping center complex located along West Hillsboro Boulevard at the northeast corner of Lyons Road owned by Hillsboro Marketplace Investments, LLC; and

WHEREAS, a portion of the shopping center project improvements, including, but not limited to, sidewalks, landscaping, and irrigation, will be constructed within the Florida Department of Transportation (FDOT) property and/or right-of-way; and

WHEREAS, the City of Coconut Creek recognizes the need to amend the existing FDOT District Four Inclusive Landscape Maintenance Memorandum of Agreement (MMOA), to designate and set forth maintenance responsibilities for these improvements; and

WHEREAS, it shall be the responsibility of the City of Coconut Creek to maintain, or coordinate the maintenance of, the improvements following the project's completion; and

WHEREAS, said maintenance responsibilities will be reassigned to Hillsboro Marketplace Investments, LLC by separate resolution and 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 hereby accepts the future budgeting and funding resources necessary for maintenance contingency and supports the mobility improvements associated with the Hillsboro Marketplace Development Project.

Section 3: That City Manager, or designee, is hereby authorized to execute Amendment Number Twelve (12) to the FDOT District Four Inclusive Landscape Maintenance Memorandum of Agreement between FDOT and the City, designating maintenance responsibilities for the Hillsboro Boulevard right-of-way improvements related to the Hillsboro Marketplace redevelopment project.

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 portions 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 _____, 2025.

Jacqueline Railey, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Railey _____
Wasserman _____
Welch _____
Rydell _____
Brodie _____