RESOLUTION NO. 2022-042

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF COCONUT CREEK FOR THE SURTAX-FUNDED MUNICIPAL TRANSPORTATION PROJECT: ADA ACCESSIBLE BUS PADS, SURTAX PROJECT NUMBER COCO-024; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, there are one hundred sixty-four (164) designated bus stops within the City of Coconut Creek; and

WHEREAS, Broward County and the State of Florida are responsible for seventy-nine (79) of these stops, and the City is responsible for the remaining eighty-five (85) stops; and

WHEREAS, the City-maintained bus stops are located on City roads and are utilized by the City's community buses; and

WHEREAS, approximately sixty-five (65) of these City-maintained bus stops have been determined to be out of compliance with current Americans with Disabilities Act (ADA) standards; and

WHEREAS, engineer design services are necessary to create construction ready plans for these proposed ADA improvements; and

WHEREAS, on September 27, 2018, the City Commission adopted Resolution No. 2018-217, approving the Transportation System Surtax Interlocal Agreement (ILA) with Broward County (County), the Broward Metropolitan Planning Organization (MPO), and other Broward County municipalities (Municipalities), for purposes of implementing the transportation surtax; and

WHEREAS, on November 6, 2018, Broward County voters approved the

Transportation Surtax Ballot measure to fund transportation projects throughout Broward County such as the City's ADA Accessible Bus Pads project; and

WHEREAS, on July 11, 2019, the City Commission adopted Resolution No. 2019-169, approving the First Amendment to the ILA with the County, the MPO, and the Municipalities for purposes of implementing the transportation surtax; and

WHEREAS, on January 28, 2021, the City Commission adopted Resolution No. 2021-007, approving the Second Amendment to the ILA with the County, the MPO, and the Municipalities to fully restate the Interlocal Agreement, as amended, including to (i) document the completion of the MPO's first cycle (Cycle 1) of evaluating and ranking municipal capital projects to be funded with Transportation Surtax proceeds, (ii) document the allocation of FY2019, FY2020, and FY2021 Transportation Surtax proceeds for approved Municipal Capital Projects (MCP), (iii) 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, (iv) outline the County's general process for evaluation and ranking of municipal rehabilitation and maintenance projects and document completion of that process for FY2020, (v) document the allocation of FY2019 and FY2020 Transportation Surtax proceeds for approved municipal rehabilitation and maintenance projects, and (vi) document an agreed upon process for funding municipal capital projects, including the timing of funding and the process for adjusting the County's annual five-year capital improvement plans; and for the purpose of documenting the completion of the MPO's Cycle 1 of evaluating and ranking municipal capital projects to be funded with Transportation Surtax proceeds; and

WHEREAS, the ADA Accessible Bus Pads, Surtax Project Number COCO-024, is an approved Cycle 1 MCP eligible for funding with surtax proceeds in the amount of $432,000; and

WHEREAS, the City Commission finds it in the best interest of the City to approve the Interlocal Agreement ("Funding Agreement") between Broward County and the City for the surtax-funded municipal transportation project, ADA Accessible Bus Pads, Surtax

Project Number COCO-024 (Exhibit "A," attached hereto and made a part hereof) (Exhibit "B" consists of the relevant RFQ Specifications and Exhibit "C" consists of the Draft Design Services Contract); and

WHEREAS, the City Commission finds it in the best interest of the City to approve the Funding Agreement (Exhibit "A") and the Bid Specifications and Draft Design Services Contract (Exhibits "B" and "C") even if there are some additional changes to the language in Exhibits "B" and "C" without these items having to come back before the City Commission so long as there are no substantive changes or changes to the approved amounts in the interest of time based on the fast approaching deadlines provided in the Funding Agreement and the fact that the County requires the City to approve the RFQ Specifications and Draft Design Services Contract as part of the Funding 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 Interlocal Agreement between Broward County and the City of Coconut Creek for the surtax-funded municipal transportation project, ADA Accessible Bus Pads, Surtax Project Number COCO-024 (Exhibit "A") and the RFQ Specifications (Exhibit "B") and Draft Design Services Contract (Exhibit "C").

Section 3:   That the Mayor is hereby authorized to execute said 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 and effect immediately upon its adoption.

Adopted this __10th__ day of __March____, 2022.

_____
Rebecca A. Tooley, Mayor

Attest:

_____
Marianne Bowers, Interim City Clerk

Tooley   _Aye_

Rydell   _Aye_

Sarbone   _Aye_

Welch   _Aye_

Railey   _Aye_