

RESOLUTION NO. 2016-269

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE ATTACHED FORM AGREEMENT AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED FORM AGREEMENT BETWEEN THE CITY AND VARIOUS HOMEOWNER AND CONDOMINIUM ASSOCIATIONS FOR TRAFFIC AND PARKING ENFORCEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Coconut Creek (“City”) recognizes that it has full power and jurisdiction to enforce all laws of the State, County, and City, duly enacted, excluding those of traffic control and enforcement upon private property with limited exceptions; and

WHEREAS, pursuant to Section 316.06(2)(b), Florida Statutes, a private property owner may contract with local government to exercise jurisdiction regarding traffic control and enforcement over private or limited-access roads owned or maintained by the private party; and

WHEREAS, the attached form agreement provides for the appropriate City Officials to execute the attached Agreement for Traffic and Parking Enforcement between various Homeowner and Condominium Associations and the City for a term that begins upon execution of the Agreement and remains in effect until rescinded.

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 form Agreement.

Section 3: That the City Commission hereby authorizes the City Manager, or designee, to create whatever forms deemed necessary in order to determine if the roads within each Association meet the minimum statutory requirements for control and enforcement on private streets.

Section 4: That the City Manager, or designee, is authorized to execute said Agreement by and between the City of Coconut Creek and the various Homeowner's and Condominium Associations.

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 _____ day of _____, 2016.

Mikkie Belvedere, Mayor

Attest:

Leslie Wallace May, City Clerk

Belvedere _____
Rydell _____
Sarbone _____
Tooley _____
Welch _____