

**RESOLUTION NO. 2021-078**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, IN SUPPORT OF THE SAMPLE ROAD SURTAX PROJECT BY THE BROWARD METROPOLITAN PLANNING ORGANIZATION (MPO) RELATING TO THIS TRANSPORTATION SURTAX (“PENNY FOR TRANSPORTATION” PROGRAM) APPLICATION ASSIGNED TO THE CITY OF COCONUT CREEK; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the provision of adequate and efficient transportation infrastructure and equipment upon which the public depends on a day-to-day basis is a matter of great public concern to the residents of Broward County and the City of Coconut Creek; and

**WHEREAS**, Broward County residents approved by referendum the Transportation Surtax (“Penny for Transportation” Program) on November 6, 2018; and

**WHEREAS**, Broward County, the municipalities, and the Broward Metropolitan Organization (MPO) entered into the Transportation System Surtax Interlocal Agreement (ILA), which provided for a cooperative and organized process for the municipalities to submit projects for evaluation and funding with Surtax proceeds; and

**WHEREAS**, a resolution from the City of Coconut Creek’s Commission providing support for the project is required to establish funding eligibility with Surtax dollars; and

**WHEREAS**, the City of Coconut Creek City Commission finds it to be in the best interest of the residents to endorse the Sample Road Shared Use Pathway Project; and

**WHEREAS**, the City of Coconut Creek commits to administer and deliver the project under the terms of the Transportation System Surtax Project Funding Agreement and Broward County’s Code of Ordinances; and

**WHEREAS**, the Sample Road Shared Use Pathway will be constructed within the Florida Department of Transportation’s right-of-way; and

**WHEREAS**, the Florida Department of Transportation (FDOT) is supportive of the proposed improvements within their right-of-way; and

**WHEREAS**, the City of Coconut Creek commits to funding upfront costs for design; Construction, Engineering, and Inspection (CEI) services; and construction compliance with the LAP requirements, if needed, which would then be eligible for reimbursement in accordance with the FDOT LAP agreement; and

**WHEREAS**, the City of Coconut Creek commits to program funding for construction contingency pursuant to the requirements of LAP; and

**WHEREAS**, it will be the responsibility of the City of Coconut Creek to maintain or coordinate the maintenance of the project after its completion with FDOT.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1:** That the City Commission has accepted the future budgeting and funding of resources projected to be necessary for construction contingency and supports the Transportation Surtax Interlocal Agreement (ILA) as it relates to Sample Road.

**Section 2:** That pursuant to the ILA, the City Clerk is directed to return a resolution of support for the Transportation System Surtax project applications to the Broward MPO on or before April 22, 2021.

**Section 3:** 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 4:** That this resolution shall be in full force and effect immediately upon its adoption.

**Adopted this day 13th of May, 2021.**

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Rebecca A. Tooley, Mayor

Attest:

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Leslie Wallace May, City Clerk

Tooley Aye

Rydell Aye

Sarbone Aye

Welch Aye

Railey Aye