

**RESOLUTION NO. 2021-147**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) DISTRICT FOUR HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE CITY OF COCONUT CREEK FOR SIDEWALK IMPROVEMENTS ASSOCIATED WITH THE COPANS ROAD MOBILITY PROJECT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Broward Metropolitan Planning Organization (MPO) approved the funding for the design and construction of the Copans Road Mobility Project; and

**WHEREAS**, federally funded projects off the state highway system are delivered through the Florida Department of Transportation (FDOT) and their Local Agency Program (LAP) process; and

**WHEREAS**, the City Commission of the City of Coconut Creek adopted Resolution No. 2020-152, supporting the Copans Road Mobility Project; and

**WHEREAS**, a portion of the Copans Road Mobility Project shared-use pathway will be constructed within the City's property and/or right-of-way; and

**WHEREAS**, the City of Coconut Creek recognizes the need to enter into the FDOT Highway Maintenance Memorandum of Agreement (MMOA), designating and setting forth responsibility; and

**WHEREAS**, it shall be the responsibility of the City of Coconut Creek to maintain or coordinate the maintenance of the shared-use pathway after the project's completion.

**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 resources projected to be necessary for maintenance contingency and supports the mobility project as it relates to Copans Road.

**Section 2:** That the City Manager, or designee, is hereby authorized to execute the attached Highway Maintenance Memorandum Agreement between FDOT and the City.

**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 9<sup>th</sup> day of August, 2021.**

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Rebecca A. Tooley, Mayor

Attest:

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Tooley	<u>Aye</u>
Rydell	<u>Aye</u>
Sarbone	<u>Aye</u>
Welch	<u>Aye</u>
Railey	<u>Aye</u>