

RESOLUTION NO. 2024-072

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE THIRD AMENDMENT TO THE AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF COCONUT CREEK FOR THE INSTALLATION AND MAINTENANCE OF BUS SHELTERS TO PROVIDE FOR THE ADDITION OF THREE (3) ADA-COMPLIANT BUS SHELTERS AND REMOVAL OF ONE (1) BUS SHELTER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 27, 2013, the City executed an agreement with Broward County, providing for the installation and maintenance of nine (9) bus shelters within the jurisdictional limits of the City; and

WHEREAS, Broward County subsequently installed an additional twenty (20) Americans with Disabilities Act (ADA)-compliant bus shelters at various locations throughout the City as requested and approved in the First Amendment to the Agreement, approved by the City on November 14, 2019, to reflect the additional bus shelters; and

WHEREAS, Broward County subsequently installed an additional ten (10) ADA-compliant bus shelters at various locations throughout the City as requested and approved in the Second Amendment to the Agreement, approved by the City on February 9, 2023, to reflect the additional bus shelters; and

WHEREAS, Broward County will be installing three (3) new ADA-compliant bus shelters at various locations throughout the City to improve local transportation services and is requesting an amendment to the agreement to reflect the new bus shelters; and

WHEREAS, this amendment also addresses the removal of one (1) bus shelter from Exhibit "A" that was not constructed due to right-of-way restrictions; and

WHEREAS, the Third Amendment to the Agreement provides for Broward County to install the bus shelters and the City to maintain and repair them, as needed; and

WHEREAS, the locations of the new and removed bus shelters are noted in Exhibit “A” of the Third Amendment to the Agreement, attached hereto and made a part hereof; and

WHEREAS, staff recommends approval of this amendment; and

WHEREAS, the City Commission of the City of Coconut Creek finds and determines it to be in the best interest of the residents of the City to amend the City’s current agreement with Broward County to provide for the installation and maintenance of the three (3) new bus shelters to be installed at various locations throughout the City.

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 Third Amendment to the Agreement between Broward County and the City of Coconut Creek for the installation and maintenance of bus shelters.

Section 3: That the City Manager, or designee, is hereby authorized to execute the Third Amendment to the Agreement between Broward County and the City of Coconut Creek for the installation and maintenance of bus shelters.

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 _____ day of _____, 2024.

Sandra L. Welch, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Welch _____

Railey _____

Rydell _____

Brodie _____

Wasserman _____