

RESOLUTION NO. 2022-126

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE ATTACHED PARKING LICENSE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND THE SCHOOL BOARD OF BROWARD COUNTY TO PROVIDE FOR A NONEXCLUSIVE LICENSE FOR THE PARTIES TO UTILIZE EACH OTHER'S PARKING LOTS DELINEATED IN EXHIBITS A AND B OF THE PARKING LICENSE AGREEMENT; AUTHORIZING THE MAYOR AND THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED AGREEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Coconut Creek is the owner of the property generally located at 5460-5480 Johnson Road, Coconut Creek, Florida (hereinafter "City Property"); and

WHEREAS, the School Board of Broward County (hereinafter "SBBC") is the owner of the property generally located at 5400 Johnson Road, Coconut Creek, Florida, and operates a public elementary school thereon known as Tradewinds Elementary School (hereinafter "Tradewinds Elementary"); and

WHEREAS, the City and the SBBC desire to enter into a reciprocal use agreement for shared use of the parking areas associated with the above-referenced properties (hereinafter "the Properties") via a license agreement to outline the terms and conditions as stated in the attached Parking License Agreement marked as Exhibit "1" (hereinafter the "License") for up to five (5) years from the date of execution with the ability of either party to terminate it upon sixty (60) days advanced notice; and

WHEREAS, the City Commission hereby authorizes the City Manager, or designee, to execute the Parking License Agreement, which grants the parties a temporary and nonexclusive license to utilize the Properties upon and subject to the terms and conditions set forth therein.

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

Section 1: 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 Parking License Agreement attached hereto as Exhibit "1."

Section 3: That the Mayor and the City Manager, or designee, are hereby authorized to execute said agreement by and between the City of Coconut Creek and the School Board of Broward County.

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 26th day of May, 2022.

Joshua Rydell, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

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