

RESOLUTION NO. 2025-166

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AMENDMENT NUMBER ELEVEN (11) TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) DISTRICT FOUR LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT FOR THE PURPOSE OF MAINTAINING SIDEWALKS, LANDSCAPING, AND OTHER IMPROVEMENTS WITHIN THE RIGHT-OF-WAY OF WEST ATLANTIC BOULEVARD (STATE ROAD 814) RELATED TO THE GREYSTAR COCOMAR DEVELOPMENT PROJECT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 9, 2023, HSQ Group received site plan approval from the City for the design and construction of a warehouse complex, known as the Greystar Cocomar Development Project, located along West Atlantic Boulevard at the northwest corner of Lyons Road; and

WHEREAS, a portion of the project improvements, including but not limited to, sidewalks, landscaping, and irrigation, will be constructed within the Florida Department of Transportation (FDOT) property and/or right-of-way; and

WHEREAS, the City of Coconut Creek recognizes the need to amend an existing FDOT District Four Landscape Inclusive Maintenance Memorandum of Agreement (MMOA), designating and setting forth maintenance responsibilities related to these improvements; and

WHEREAS, it shall be the responsibility of the City of Coconut Creek to maintain or coordinate the maintenance of the improvements after the project's completion; and

WHEREAS, said maintenance responsibilities will be reassigned to Cocomar Property Owner, LLC, by separate resolution and agreement.

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 hereby accepts the future budgeting and funding responsibilities projected to be necessary for maintenance contingency and supports the mobility project as it relates to the Greystar Cocomar Development Project.

Section 3: That City Manager, or designee, is hereby authorized to execute Amendment Number Eleven (11) to the FDOT District Four Landscape Inclusive MMOA between FDOT and the City, accepting maintenance responsibilities for the Atlantic Boulevard right-of-way improvements related to the Greystar Cocomar Development Project.

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 _____, 2025.

Jacqueline Railey, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Railey _____

Wasserman _____

Welch _____

Rydell _____

Brodie _____