

RESOLUTION NO. 2026-100

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING A TEMPORARY CONSTRUCTION AND PERMANENT ACCESS AND MAINTENANCE EASEMENT AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND COCOMAR PROPERTY OWNER, LLC FOR AN EASEMENT OVER, ACROSS, THROUGH, IN AND UNDER COCO POINT PARK, GENERALLY LOCATED AT 4870 NW 6 STREET TO PROVIDE FOR THE INSTALLATION AND MAINTENANCE OF SOLAR LIGHTING FIXTURES AND SOLAR ELECTRONIC DEVICE CHARGING STATION EQUIPMENT; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE AGREEMENT; PROVIDING FOR RECORDATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at the November 9, 2023 City Commission meeting, the City Commission adopted Resolution No. 2023-097, which approved the site plan request for the development of a light industrial, flex space, and warehouse development generally located at the northwest corner of Atlantic Boulevard and Lyons Road; and

WHEREAS, the site plan was approved with conditions, including Condition 5.i., requiring the applicant to construct, install, and maintain solar lighting fixtures and a solar electronic device charging station within Coco Point Park at the applicant's sole expense; and

WHEREAS, the Temporary Construction and Permanent Access and Maintenance Easement Agreement, attached as Exhibit "1," grants appropriate access to the park for the applicant to complete the required installations and conduct future maintenance of the lighting and charging fixtures.

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 approves the Temporary Construction and Permanent Access and Maintenance Easement Agreement, attached hereto as Exhibit "1," for access to Coco Point Park to complete the required improvements and conduct future maintenance.

Section 3: That the City Manager, or designee, is hereby authorized to execute the Temporary Construction and Permanent Access and Maintenance Easement Agreement.

Section 4: That the City Manager, or designee, is authorized to take any actions necessary to implement the Temporary Construction and Permanent Access and Maintenance Easement Agreement.

Section 5: That the City Commission directs the City Clerk, or designee, to record the Temporary Construction and Permanent Access and Maintenance Easement Agreement, attached hereto as Exhibit "1," in the Public Records Books of Broward County, Florida.

Section 6: 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 7: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this _____ day of _____, 2026.

Jeffrey R. Wasserman, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Wasserman _____
Brodie _____
Welch _____
Rydell _____
Railey _____