

RESOLUTION NO. 2024-135

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CONSTRUCTION AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE CITY OF COCONUT CREEK FOR THE PURPOSE OF CONSTRUCTING SIDEWALK IMPROVEMENTS WITHIN THE RIGHT-OF-WAY OF SAMPLE ROAD (STATE ROAD 834) ASSOCIATED WITH THE BROWARD COUNTY MOBILITY ADVANCEMENT PROGRAM (MAP) SURTAX PROJECT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Broward County Penny for Transportation (Surtax) Mobility Advancement Program (MAP) awarded grant funding to the City for the design and construction of the Sample Road Shared-Use Pathway Project; and

WHEREAS, the City and Broward County entered into an Interlocal Agreement (ILA) in August of 2023 necessary to receive the grant funding; and

WHEREAS, the Sample Road improvements, including the shared-use pathway, will be constructed within FDOT's property and/or right-of-way; and

WHEREAS, the City of Coconut Creek recognizes the need to enter into the FDOT Construction Agreement, designating and setting forth construction obligations, necessary to complete the shared-use pathway and associated Sample Road improvements; 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 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 Construction Agreement between FDOT and the City necessary to complete the Sample Road Shared-Use Pathway Project improvements.

Section 3: That the City Manager, or designee, is hereby authorized to execute the Construction Agreement between FDOT and the City to complete the Sample Road Shared-Use Pathway Project improvements.

Section 4: That the City Commission hereby accepts the future budgeting and funding resources projected to be necessary for maintenance contingency and supports the mobility project as it relates to the Sample Road Shared-Use Pathway Project.

Section 5: 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 6: 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 _____