

RESOLUTION NO. 2024-011

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, IN SUPPORT OF THE APPLICATION FOR PERMITTING TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO ALLOW FOR THE PUBLIC IMPROVEMENTS ASSOCIATED WITH THE HILLSBORO BOULEVARD REDEVELOPMENT PROJECT; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ASSOCIATED HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT AND LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN FDOT AND THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Coconut Creek (“City”) supports enhancing existing multimodal infrastructure; and

WHEREAS, the City intends to apply to the Florida Department of Transportation (FDOT) to secure all necessary permits and construction inspections to accept the public improvements associated with the Hillsboro Boulevard Redevelopment Project; and

WHEREAS, the Hillsboro Boulevard Redevelopment Project is generally located within the FDOT right-of-way and/or within County-owned land; and

WHEREAS, a resolution of support from the City of Coconut Creek City Commission for the project is required as part of the FDOT permit application; and

WHEREAS, FDOT staff, the Engineer-of-Record, along with City staff will collaborate to serve as the project management team for the improvements; and

WHEREAS, the parties agree that local stakeholder and community input is essential for the successful completion of the public improvements; and

WHEREAS, the project limits are identified and illustrated in Exhibit “A;” and

WHEREAS, the project scope is described as an 8-10 foot concrete sidewalk with landscaping improvements as outlined in the Project Scope in Exhibit “B;” and

WHEREAS, FDOT requires that the City execute the Highway Maintenance Memorandum of Agreement (FM No. 429576-5-52-01) to maintain certain improvements (Shared Use Pathway) to Hillsboro Boulevard, attached hereto as Exhibit “C;” and

WHEREAS, FDOT requires that the City execute the Eighth Amendment to the Landscape Inclusive Maintenance Memorandum of Agreement to maintain certain improvements to Hillsboro Boulevard, attached hereto as Exhibit “D;” and

WHEREAS, the public improvements are consistent with the vision established for the Hillsboro Boulevard Redevelopment Project; and

WHEREAS, the parties acknowledge the commitment to pursue implementation of the public improvements illustrated in the plans prepared by Carnahan, Proctor and Cross.

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 supports the project depicted in Exhibit “A” and commits to consider funding the perpetual maintenance associated with the construction improvements related to the Hillsboro Boulevard Redevelopment Project constructed within FDOT right-of-way and, by separate instrument, execute a construction agreement with FDOT associated with the Hillsboro Boulevard Redevelopment Project.

Section 3: That the City endorses FDOT to deliver the project within the City or FDOT’s right-of-way.

Section 4: That the City Manager, or designee, is hereby authorized to execute the Highway Maintenance Memorandum of Agreement (FM No. 429576-5-52-01) to maintain certain improvements (Shared Use Pathway) to Hillsboro Boulevard, attached

hereto as Exhibit "C."

Section 5: That the City Manager, or designee, is hereby authorized to execute the Eighth Amendment to the Landscape Inclusive Maintenance Memorandum of Agreement to maintain certain improvements to Hillsboro Boulevard, attached hereto as Exhibit "D."

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 25th day of January, 2024.

Joshua Rydell, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Rydell Aye____
Welch Aye____
Railey Aye____
Brodie Aye____
Wasserman Aye____