

RESOLUTION NO. 2025-163

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED MAINTENANCE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND HILLSBORO MARKETPLACE INVESTMENTS, LLC, WHICH AGREEMENT TRANSFERS AND ASSIGNS RESPONSIBILITIES FOR THE MAINTENANCE OF SIDEWALKS, LANDSCAPING, AND OTHER IMPROVEMENTS IN THE WEST HILLSBORO BOULEVARD (STATE ROAD 810) RIGHT-OF-WAY ADJACENT TO THE PROPERTY LOCATED ALONG WEST HILLSBORO BOULEVARD AT THE NORTHEAST CORNER OF THE INTERSECTION OF LYONS ROAD KNOWN AS THE HILLSBORO MARKETPLACE DEVELOPMENT PROJECT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 23, 2021, The Keith Company received site plan approval from the City for the design and construction of the modifications to the shopping center complex located along West Hillsboro Boulevard and the northeast corner of Lyons Road, owned by Hillsboro Marketplace Investments, LLC; and

WHEREAS, consistent with the approved site plan, Hillsboro Marketplace Investments, LLC wishes to install improvements as shown and listed in the attached agreement, located within the Florida Department of Transportation (FDOT) right-of-way on West Hillsboro Boulevard (State Road 810); and

WHEREAS, the City of Coconut Creek has acted as intermediary and entered into an agreement with FDOT for the maintenance of sidewalks, landscaping, and other improvements, pursuant to the attached maintenance 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 responsibility for future budgeting and funding resources projected to be necessary for maintenance contingency and supports the mobility project as it relates to the Hillsboro Marketplace Development Project.

Section 3: That City Manager, or designee, is hereby authorized to execute the maintenance agreement between the City of Coconut Creek and Hillsboro Marketplace Investments, LLC, delegating maintenance responsibilities for the Hillsboro Boulevard right-of-way improvements related to the Hillsboro Marketplace Development Project to Hillsboro Marketplace Investments, LLC.

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 _____