

**RESOLUTION NO. 2023-079**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, RESCINDING RESOLUTION NO. 2022-001 AND ENACTING A NEW RESOLUTION AUTHORIZING THE MAYOR AND THE CITY MANAGER, OR THEIR DESIGNEES, TO EXECUTE A MAINTENANCE AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF COCONUT CREEK TO ESTABLISH PERPETUAL MAINTENANCE OBLIGATIONS ASSOCIATED WITH THE PATTERNED PAVEMENT CROSSWALKS AT THE INTERSECTION OF COPANS ROAD AND LYONS ROAD; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on October 24, 2013, the City Commission of the City of Coconut Creek passed Resolution No. 2013-112, in support of Complete Streets design guidelines to allow all users, including people who walk, bike, use transit and drive, to safely navigate our roadways; and

**WHEREAS**, on February 26, 2015, the City Commission of the City of Coconut Creek passed Resolution No. 2015-045, in support of the Lyons Road Mobility Project to include bicycle lanes and sidewalk and pedestrian amenities along the Lyons Road corridor between Atlantic Boulevard and the Sawgrass Expressway; and

**WHEREAS**, since the approval of the Lyons Road Mobility project, the Broward County Public Works Department, Highway Construction and Engineering Division, has designed roadway improvements to a segment of Copans Road that includes adding one (1) additional travel lane to the westbound approach at the Lyons Road intersection, identified at BCTED No. 210111060; and

**WHEREAS**, the City has requested that the County perform additional work to include patterned pavement crosswalks at the intersection of Copans Road and Lyons Road as set forth in Exhibit "2," attached hereto and made part hereof; and

**WHEREAS**, this resolution will rescind Resolution No. 2022-001 and authorize the Mayor and the City Manager, or their designees, to execute this new agreement, attached hereto and made a part hereof as Exhibit “1,” between Broward County and the City for the maintenance of the patterned pavement crosswalks at the Copans Road intersection at Lyons Road; and

**WHEREAS**, Broward County provides for a public involvement process and the City retains the final approval of the design to be constructed.

**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 Resolution No. 2022-001 is hereby rescinded in its entirety.

**Section 3:** That the City Commission of the City of Coconut Creek, Florida, hereby authorizes the Mayor and the City Manager, or their designees, to execute the maintenance agreement, attached hereto and made part hereof as Exhibit “1” and hereinafter referred to as the “Agreement,” that establishes the perpetual maintenance obligations assigned to the City for the patterned pavement crosswalks assigned to the Copans Road Improvement Project, which includes the work pattern crosswalks.

**Section 4:** That the City Clerk, or designee, is hereby directed to provide a copy of this resolution to Broward County.

**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 \_\_\_\_\_, 2023.**

\_\_\_\_\_  
Joshua Rydell, Mayor

Attest:

\_\_\_\_\_  
Joseph J. Kavanagh, City Clerk

Rydell \_\_\_\_\_

Welch \_\_\_\_\_

Railey \_\_\_\_\_

Brodie \_\_\_\_\_

Wasserman \_\_\_\_\_

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