

RESOLUTION NO. 23-4

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, SUPPORTING THE CITY'S HIATUS ROAD ROUNDABOUT AT NE LAKE BLVD PROJECT FOR SUBMITTAL TO THE BROWARD METROPOLITAN PLANNING ORGANIZATION FOR EVALUATION AND RANKING FOR TRANSPORTATION SURTAX FUNDING FOR FISCAL YEAR 2023; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO TAKE ANY AND ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 6, 2018, the citizens of Broward County approved by referendum the transportation surtax program; and

WHEREAS, Broward County (the "County"), the Broward Metropolitan Planning Organization (the "MPO"), and other Broward municipalities (the "Municipalities") entered into the Transportation System Surtax Interlocal Agreement (the "Surtax ILA"), which provided for a cooperative and organized process for the Municipalities to submit projects for evaluation and funding with surtax proceeds; and

WHEREAS, on or about September 12, 2019, the Surtax ILA was amended to provide for the MPO's evaluation and ranking of municipal capital projects and the County's evaluation and ranking of municipal rehabilitation and maintenance projects; and

WHEREAS, on or about March 19, 2021, the County, Municipalities, and the MPO entered into the Second Amendment and Restatement of the Surtax ILA (the "Second Amendment"); and

WHEREAS, City staff has recommended the submittal of the Hiatus Road Roundabout at NE Lake Blvd project (the "Project") to the MPO for evaluation and ranking for Surtax funding in Fiscal Year 2023; and

WHEREAS, a resolution from the City Commission stating support for the Project is required to establish funding eligibility with Surtax dollars; and

WHEREAS, the City commits to administer and deliver the Project under the terms of the Second Amendment and the Broward County Code of Ordinances; and

WHEREAS, the project will be constructed within the City's rights-of-way or with the approval of the right-of-way owner; and

WHEREAS, it is the responsibility of the City to maintain and coordinate the maintenance of the Project after its completion; and

WHEREAS, the City Commission deems it to be in the best interest of the citizens and residents of the City of Cooper City to support the Surtax Project as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:

Section 1: The foregoing "WHEREAS" clauses are hereby ratified and confirmed by the City Commission and are incorporated herein by this reference. All exhibits attached hereto are incorporated herein and made a part of this Resolution.

Section 2: That the City Commission hereby supports the Project. The City will provide technical assistance when available and needed for the duration of the Project.

Section 3: That the City Commission further directs the appropriate members of the City professional staff to take any and all action necessary to effectuate the intent of this resolution.

Section 4: The City Commission commits to funding the construction contingency for the Project subject to appropriation of funds.

Section 6. All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 7. If any clause, section, or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be construed as eliminated and shall in no way affect the validity of the remaining portions of this Resolution.

Section 8. This Resolution shall become effective immediately upon its passage and adoption by the City Commission.

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PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2023.

GREG ROSS
Mayor

ATTEST:

TEDRA ALLEN, CMC
City Clerk

ROLL CALL

Mayor Ross _____

Commissioner Green _____

Commissioner Shrouder _____

Commissioner Katzman _____

Commissioner Mallozzi _____

APPROVED AS TO LEGAL FORM:

JACOB G. HOROWITZ
City Attorney