

**RESOLUTION NO. 21-31**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, SUPPORTING AND APPROVING THE S.W. 90<sup>th</sup> AVENUE ROADWAY IMPROVEMENT PLAN (THE “PROJECT”), AS MORE PARTICULARLY DESCRIBED IN EXHIBIT “A,” ATTACHED HERETO AND INCORPORATED HEREIN; AUTHORIZING AND DIRECTING 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**, Broward County citizens approved by referendum the Transportation Surtax (“Penny for Transportation” Program) on November 6, 2018; and

**WHEREAS**, Broward County, the Municipalities, and the Broward Metropolitan Organization (MPO) entered the Transportation System Surtax Interlocal Agreement, which provided for a cooperative and organized process for the Municipalities to submit projects for evaluation and funding the Surtax proceeds; and

**WHEREAS**, a Resolution from the City Commission of the City of Cooper City stating support for the project is required to establish funding eligibility with Surtax dollars; and

**WHEREAS**, the City Commission feels that it is in the best interest of the citizens Cooper City to endorse the S.W. 90<sup>th</sup> Avenue Roadway Improvement Plan; and

**WHEREAS**, the City commits to administer and deliver the Project under the terms of the Surtax Project Funding Agreement and Broward County Code or Ordinances;

**WHEREAS**, the Project will be constructed within the City’s right-of-way;

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

**WHEREAS**, the City Commission finds that supporting and approving the Project is in the best interests of the citizens and residents of the City.

**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 and approves the S.W. 90<sup>th</sup> Avenue Roadway Improvement Plan, as more particularly described in Exhibit “A” and will provide technical assistance when available and needed for the duration of the Project.

**Section 3.** All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

**Section 4.** 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 5.** This Resolution shall become effective upon its passage and adoption by the City Commission.

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PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2021.

\_\_\_\_\_  
GREG ROSS  
Mayor

ATTEST:

\_\_\_\_\_  
KATHRYN SIMS, CMC  
City Clerk

**ROLL CALL**

Mayor Ross \_\_\_\_\_  
Commissioner Green \_\_\_\_\_  
Commissioner Meltzer \_\_\_\_\_  
Commissioner Pulcini \_\_\_\_\_  
Commissioner Shrouder \_\_\_\_\_

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
JACOB G. HOROWITZ  
City Attorney