

1 RESOLUTION NO. 2022-

2 A RESOLUTION OF THE BOARD OF COUNTY  
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,  
4 SUPPORTING THE BROWARD METROPOLITAN PLANNING  
5 ORGANIZATION'S MOBILITY PROJECT TO ENHANCE  
6 BICYCLE AND PEDESTRIAN SAFETY ALONG NW 21<sup>ST</sup>  
7 AVENUE FROM COMMERCIAL BOULEVARD TO NW 26<sup>TH</sup>  
8 STREET; RECOGNIZING THE FLORIDA DEPARTMENT OF  
9 TRANSPORTATION AS THE AGENCY RESPONSIBLE FOR  
10 THE DESIGN, CONSTRUCTION, AND CONSTRUCTION  
11 ADMINISTRATION OF THE PROJECT; AND PROVIDING FOR  
12 SEVERABILITY AND AN EFFECTIVE DATE.

13 WHEREAS, the Broward Metropolitan Planning Organization ("MPO") has funds  
14 under its Transportation Improvement Program to design and construct bicycle lanes and  
15 sidewalks along NW 21<sup>st</sup> Avenue from Commercial Boulevard to NW 26<sup>th</sup> Street, within  
16 the cities of Oakland Park, Tamarac, and Fort Lauderdale (collectively, the "Cities"), under  
17 Florida Department of Transportation ("FDOT") Financial Project ID 448106-1 ("Project");

18 WHEREAS, the Project is programmed in the MPO's currently adopted  
19 FY23-FY27 Transportation Improvement Program (TIP) using federal funds;

20 WHEREAS, NW 21<sup>st</sup> Avenue from Commercial Boulevard to NW 26<sup>th</sup> Street is  
21 functionally classified as a Broward County ("County") road, which requires County to  
22 maintain or coordinate the maintenance of the road right-of-way;

23 WHEREAS, the MPO collaborated with County, Cities, and FDOT to develop the  
24 Project;

WHEREAS, the MPO and FDOT require a resolution from County supporting the  
Project in order for the Project to move forward towards implementation;

1 WHEREAS, FDOT will be the agency responsible for the design, construction, and  
2 construction administration of the Project;

3 WHEREAS, FDOT's design, construction, and construction administration for the  
4 Project must meet or exceed the "Minimum Standards Applicable to Public Rights-of-Way  
5 Under Broward County Jurisdiction," Section 25.1, Exhibit 25.A, of the Broward County  
6 Administrative Code; and

7 WHEREAS, the Project will further County's complete streets efforts while  
8 furthering County's goal to "support the development, design, and construction of  
9 sustainable, multi-modal transportation facilities throughout the County, to meet the  
10 demands of residents, travelers, and businesses," NOW, THEREFORE,

11  
12 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
13 BROWARD COUNTY, FLORIDA:

14  
15 Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed  
16 as being true and correct and are made part of this Resolution.

17 Section 2. The Board of County Commissioners of Broward County, Florida  
18 ("Board"), supports the Project, which will improve conditions for bicyclists and  
19 pedestrians along NW 21<sup>st</sup> Avenue from Commercial Boulevard to NW 26<sup>th</sup> Street within  
20 the Project.

21 Section 3. The Board supports FDOT as the agency responsible for the  
22 Project's design, construction, and construction administration.

23 Section 4. County will continue to maintain or coordinate the maintenance of  
24 the road right-of-way after the Project's completion.

1 Section 5. Severability.

2 If any portion of this Resolution is determined by any Court to be invalid, the invalid  
3 portion will be stricken, and such striking will not affect the validity of the remainder of this  
4 Resolution. If any Court determines that this Resolution, in whole or in part, cannot be  
5 legally applied to any individual, group, entity, property, or circumstance, such  
6 determination will not affect the applicability of this Resolution to any other individual,  
7 group, entity, property or circumstance.

8 Section 6. Effective Date.

9 This Resolution is effective upon adoption.

10  
11 ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

12  
13 Approved as to form and legal sufficiency:  
14 Andrew J. Meyers, County Attorney

15 By /s/ Al DiCalvo 06/21/2022  
16 Al DiCalvo (date)  
17 Senior Assistant County Attorney

18  
19 By /s/ Michael J. Kerr 06/21/2022  
20 Michael J. Kerr (date)  
21 Deputy County Attorney

22 NW 21 Ave Reso-SupportMobilityProject\_v5Final-2022-0621  
23 6/3/22, 6/21/22  
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