

Resolution No. 2019-286

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A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, SUPPORTING THE METROPOLITAN PLANNING ORGANIZATION'S MOBILITY PROJECTS TO ENHANCE BICYCLE AND PEDESTRIAN SAFETY ALONG DESIGNATED ROADWAYS WITHIN BROWARD COUNTY; RECOGNIZING THE FLORIDA DEPARTMENT OF TRANSPORTATION AS THE AGENCY RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, AND CONSTRUCTION ADMINISTRATION; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Broward Metropolitan Planning Organization ("MPO") has funds under its Transportation Improvement Program to design and construct bicycle lanes and sidewalks along roadways in Broward County ("County") within the cities of Coconut Creek, Fort Lauderdale, Margate, North Lauderdale, and Tamarac ("Cities") that will enhance the following roadways (collectively, "Projects"):

- Copans Road (FM 429576-5) from State Road 7 to Lyons Road; and
- West Prospect Road (FM 429576-4) from State Road 7 to Commercial Boulevard;

WHEREAS, the MPO collaborated with the Broward County Highway Construction and Engineering Division, the Cities, and the Florida Department of Transportation ("FDOT") to develop the Projects;

WHEREAS, the Projects will further the County's complete streets efforts while furthering the County's goal to "support the development, design and construction of sustainable, multi-modal transportation facilities throughout the County, to meet the demands of residents, travelers, and businesses";

1           WHEREAS, the County and the Cities own rights-of-way within the limits of the  
2 Projects;

3           WHEREAS, FDOT will be the agency responsible for the design, construction, and  
4 construction administration of the Projects; and

5           WHEREAS, FDOT's design, construction, and construction administration for the  
6 Projects must meet or exceed the "Minimum Standards Applicable to Public Rights-Of-  
7 Way under Broward County Jurisdiction," Chapter 25 of the Broward County  
8 Administrative Code, NOW, THEREFORE,

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

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

15           Section 2.   The Board of County Commissioners of Broward County, Florida  
16 ("Board"), supports the Projects which will improve conditions for bicyclists and  
17 pedestrians along the identified roadways.

18           Section 3.   The Board supports FDOT as the agency responsible for the  
19 Projects' design, construction, and construction administration.

20           Section 4.   The County will continue operation and maintenance of these  
21 enhancements within its rights-of-way, in accordance with its Traffic Engineering  
22 Agreements with the Cities and governing law.

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1 Section 5. The Cities will continue operation and maintenance of these  
2 enhancements within their rights-of-way, in accordance with their Traffic Engineering  
3 Agreements with the County and governing law.

4 Section 6. Severability.

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

11 Section 5. Effective Date.

12 This Resolution is effective upon adoption.

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14 ADOPTED this 4 day of June, 2019. #4

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16 Approved as to form and legal sufficiency:  
17 Andrew J. Meyers, County Attorney

18 By /s/ Maya A. Moore 04/02/19  
19 Maya A. Moore (date)  
20 Assistant County Attorney

21 By /s/ Michael J. Kerr 04/02/19  
22 Michael J. Kerr (date)  
23 Deputy County Attorney

24 MAM/hb  
04/02/19  
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