

CITY OF MARGATE, FLORIDA

RESOLUTION NO. 18-044

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA, REQUESTING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO CONTINUE DEVELOPMENT OF PLANS FOR BIKE/MOBILITY IMPROVEMENTS ALONG NORTHWEST 54TH AVENUE, NORTHWEST 31ST STREET AND NORTHWEST 62ND AVENUE WITHIN CITY RIGHT OF WAY, FROM WEST SAMPLE ROAD TO APPROXIMATELY NORTH BAY DRIVE; FURTHER EXPRESSING ITS INTENT TO TAKE OVER MAINTENANCE OF THESE BIKE/MOBILITY IMPROVEMENTS WITHIN THE CITY RIGHT OF WAY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the State of Florida Department of Transportation (hereinafter FDOT) is authorized by the Broward Metropolitan Organization to undertake a project identified as Financial Project #437830-1-52-01, within Broward County's geographical limits; and

WHEREAS, pursuant to said project, FDOT agrees to provide bike/mobility improvements (addition of bicycle lanes, or sharrows) along Northwest 54th Avenue, Northwest 31st Street and Northwest 62nd Avenue, from West Sample Road to approximately North Bay Drive, not including the intersection with North State Road 7; and

WHEREAS, the City desires to have FDOT to develop plans for proposed bike/mobility improvements within the City; and

WHEREAS, it is in the best interests of the City of Margate to approve and authorize an agreement to establish the mutual rights and obligations of the City and FDOT with respect to installation and maintenance of the bike/mobility improvements pursuant to this project; and

WHEREAS, this project is on the Metropolitan Planning Organization (MPO) priority list; and

WHEREAS, since this is an Off State Highway System Project, FDOT will not provide maintenance for the Northwest 54th Avenue, Northwest 31st Street and Northwest 62nd Avenue bike/mobility improvement project segments after construction is completed. A Maintenance Agreement will be required to establish the City as the maintaining agency for the proposed sidewalk segment and a Right of Way Certification; and

WHEREAS, pursuant to such authority, FDOT and the City are desirous of having the FDOT develop construction plans in cooperation with the City of Margate for mobility improvements more particularly described as Financial Project ID 437830-1-52-01, which may involve constructing dedicated bicycle lanes through lane reductions and/or sharrows along the project limits; and

WHEREAS, the parties hereto mutually recognize the need for entering into an Agreement designating and setting forth the responsibilities of each party.

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

SECTION 1: The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2: The City Commission hereby requests FDOT to develop plans to construct bike/mobility improvements along Northwest 54th Avenue, Northwest 31st Street and Northwest 62nd Avenue, from West Sample Road to approximately North Bay Drive, not including the intersection with North State Road 7, within City right of way to ensure continuity of bike/mobility improvements.

SECTION 3: The City Commission shall have the authority of issuing final approval of the proposed bike/mobility plans that FDOT has designed for this project before construction commences.

SECTION 4: It is the intent of the City of Margate to take over the maintenance of any bike/mobility improvements along Northwest 54th Avenue, Northwest 31st Street and Northwest 62nd Avenue, within City right of way from West Sample Road to approximately North Bay Drive, not including the intersection with North State Road 7, that result from this program.

SECTION 5: The City Clerk is directed to provide a copy of this Resolution to FDOT and MPO.

SECTION 6: SEVERABILITY. If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of the Resolution.

SECTION 7: This Resolution shall take effect immediately upon its passage and adoption and providing for

distribution to MPO Board, FDOT, Coral Springs, and Coconut Creek.

PASSED, ADOPTED AND APPROVED THIS 18TH DAY OF APRIL, 2018.

ATTEST:



JOSEPH J. KAVANAGH
CITY CLERK



MAYOR ARLENE R. SCHWARTZ

RECORD OF VOTE

Peerman	<u>YES</u>
Simone	<u>YES</u>
Ruzzano	<u>NO</u>
Caggiano	<u>YES</u>
Schwartz	<u>NO</u>