

**RESOLUTION NO. 19R-01-02**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, REQUESTING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO CONTINUE DEVELOPMENT OF BIKE/MOBILITY IMPROVEMENTS ALONG NORTH FORK NEW RIVER WITHIN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT RIGHT OF WAY, FROM S.R.7/U.S. 441 TO APPROXIMATELY N.W. 31<sup>ST</sup> AVENUE; FURTHER EXPRESSING THE CITY'S INTENT TO TAKE OVER MAINTENANCE OF THE BIKE/MOBILITY IMPROVEMENTS WITHIN THE CITY RIGHT OF WAY; PROVIDING FOR AN EFFECTIVE DATE (REQUEST BY CITY MANAGER, CHARLES FARANDA)**

WHEREAS, the State of Florida Department of Transportation (hereinafter FDOT) is authorized to undertake a project identified as Financial Project # 429576-3-52-01, within Broward County's geographical limits; and

WHEREAS, pursuant to said project, FDOT agrees to provide bike/mobility improvements (in the form of a shared use path) along North Fork New River from SR-7/US-441 to NW 31<sup>st</sup> Avenue in Broward County; and

WHEREAS, the City desires to have installed the bike/mobility improvements; and

WHEREAS, the City is willing to maintain the bike/mobility improvements within City right of way after installation; and

WHEREAS, it is in the best interests of the City of Lauderhill 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 facility is outside State Highway Right of Way, FDOT will not provide maintenance for the shared use path improvement project segment after construction is completed. The City hereby agrees to be 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 construct mobility improvements more particularly described as Financial Project ID 429576-2-52-01, which involves constructing a shared use path along the south bank of the North Fork New River; and

WHEREAS, the parties hereto mutually recognize the need for an agreement designating and setting forth the responsibilities of each party; and

WHEREAS, the City of Lauderhill via this Resolution passed on January 14, 2019, expresses its intent and accepts the responsibility to continue to maintain the improvement area;

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

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 a bike/mobility improvements along the south bank of the North Fork New River from S.R.7/U.S. 441 to N.W. 31<sup>st</sup>, within South Florida Water Management District Right of Way to ensure continuity of bike/mobility improvements.

Section 3. It is the intent of the City of Lauderhill to take over the maintenance of the shared use path improvements along the south bank of the North Fork New River from S.R.7/U.S. 441 to N.W. 31<sup>st</sup> and to continue to provide such maintenance.

Section 4. The City Clerk shall mail a copy of this Resolution to the Florida Department of Transportation.

Section 5. This Resolution shall take effect immediately upon its passage and adoption.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

PASSED AND ADOPTED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
PRESIDING OFFICER

ATTEST:

\_\_\_\_\_  
CITY CLERK

MOTION \_\_\_\_\_  
SECOND \_\_\_\_\_

M. BATES  
H. BERGER  
R. CAMPBELL  
D. GRANT  
K. THURSTON

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Approved as to Form

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W. Earl Hall  
City Attorney