

RESOLUTION NO. 2018 -

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A COMMUNITY AESTHETIC FEATURE AGREEMENT BETWEEN BROWARD COUNTY AND THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION; AFFIRMING BROWARD COUNTY'S INTENT TO FUND ALL COSTS FOR THE DESIGN, INSTALLATION, AND MAINTENANCE OF TRAFFIC CONTROL CABINET WRAPS CREATED AS PART OF THE PUBLIC ART TRAFFIC SIGNAL CABINET PROJECT ("PROJECT"), SUBJECT TO PRIOR APPROVAL AS TO LEGAL SUFFICIENCY BY THE OFFICE OF THE COUNTY ATTORNEY; AUTHORIZING THE COUNTY ADMINISTRATOR TO TAKE ALL ADMINISTRATIVE AND BUDGETARY ACTIONS TO IMPLEMENT THE PROJECT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Broward County, Florida ("Board"), desires to enter into a Community Aesthetic Feature Agreement ("Agreement") with the State of Florida, Department of Transportation ("FDOT") for Broward County ("County") to fund all costs for the design, installation, and maintenance of four (4) traffic control vinyl-wrapped cabinets created as part of the Public Art Traffic Signal Cabinet Project ("Project"); and

WHEREAS, the cabinets are owned by FDOT and are located in its right-of-way in the Broward Municipal Services District ("BMSD"); and

WHEREAS, the Board desires to approve the Project, including the design for the cabinets, and desires to affirm its approval of the expenditures of County funds for the Project; and

WHEREAS, the Board was provided with a copy of the Agreement, which is in FDOT's standard contract form for community aesthetic features and to which FDOT is willing to make only limited changes to address local issues; and

WHEREAS, the Board desires to authorize the County Administrator to negotiate and execute the Agreement and any subsequent amendments, subject to prior approval as to legal sufficiency by the Office of the County Attorney, NOW, THEREFORE,

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

Section 1. The Board approves the Project and affirms the County's intent to fund all costs for the design, installation, and maintenance of the Project.

Section 2. The Board authorizes the County Administrator to negotiate and execute the Agreement and any subsequent amendments, subject to prior approval as to legal sufficiency by the Office of the County Attorney.

Section 3. The County Administrator is authorized to take all administrative and budgetary actions required to implement the Project.

Section 4. SEVERABILITY.

If any portion of this Resolution is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Resolution. If any Court determines that this Resolution, or any portion hereof, cannot

be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstance(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property, or circumstance.

Section 5. EFFECTIVE DATE.

This Resolution shall become effective upon adoption.

ADOPTED this _____ day of _____, 2018.

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

By /s/ Andrea S. Froome 01/10/18
Andrea S. Froome (Date)
Senior Assistant County Attorney