

RESOLUTION NO. 2018 -

1
2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 SUPPORTING THE CITY OF TAMARAC'S APPLICATION
5 FOR THE BROWARD METROPOLITAN PLANNING
6 ORGANIZATION'S COMPLETE STREETS AND OTHER
7 LOCALIZED INITIATIVES PROGRAM FUNDS, TO ENHANCE
8 BICYCLE AND PEDESTRIAN SAFETY ALONG WEST
9 PROSPECT ROAD FROM NW 31ST AVENUE TO
10 COMMERCIAL BOULEVARD, TO RECOGNIZE FLORIDA
11 DEPARTMENT OF TRANSPORTATION ("FDOT") AS THE
12 AGENCY RESPONSIBLE FOR THE PROJECT'S DESIGN,
13 CONSTRUCTION, AND CONSTRUCTION
14 ADMINISTRATION, AND TO WAIVE THE REQUIREMENT
15 THAT FDOT OBTAIN CONSTRUCTION PERMITS TO WORK
16 WITHIN COUNTY RIGHT-OF-WAY; AND PROVIDING FOR
17 SEVERABILITY AND AN EFFECTIVE DATE.

18 WHEREAS, the Broward Metropolitan Planning Organization ("MPO") has grant funds
19 available through its Complete Streets and Other Localized Initiatives Program ("CSLIP") to
20 construct bicycle and pedestrian facilities on roads outside of the state highway system;

21 WHEREAS, the City of Tamarac ("City") intends to apply for CSLIP funding to provide
22 bicycle and pedestrian improvements along West Prospect Road from NW 31st Avenue to
23 Commercial Boulevard ("Project");

24 WHEREAS, the City collaborated with the Broward County Highway Construction and
Engineering Division and the City of Fort Lauderdale to develop the Project;

WHEREAS, a portion of West Prospect Road, west of NW 28th Avenue to Commercial
Boulevard, is a two-lane Broward County ("County") road within the City of Tamarac;

WHEREAS, the County, as the owner of the right-of-way within a portion of the Project
limits, is committed to continue funding the operation and maintenance of West Prospect
Road;

1 WHEREAS, the Project will further the goal of the Board of County Commissioners of
2 Broward County, Florida ("Board"), to "[s]upport the development, design and construction
3 of sustainable, multi-modal transportation facilities throughout the County, to meet the
4 demands of residents, travelers, and businesses[]";

5 WHEREAS, the MPO requires a resolution from the Board supporting the Project;

6 WHEREAS, FDOT requires a resolution from the Board supporting its role as the
7 agency responsible for the Project design, construction, and construction administration;

8 WHEREAS, FDOT will ensure that the design, construction, and construction
9 administration of the Project meet or exceed the "Minimum Standards Applicable to Public
10 Rights-of-Way Under Broward County Jurisdiction," Section 25.1, Exhibit 25.A, of the
11 Broward County Administrative Code; and

12 WHEREAS, FDOT requests, and will not proceed with the project without a waiver of
13 the requirement to obtain construction permits from the County, NOW, THEREFORE,

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

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18 Section 1. The foregoing recitals are affirmed as true and correct and adopted as
19 part of this Resolution.

20 Section 2. The Board supports the Project to improve conditions for bicyclists and
21 pedestrians along West Prospect Road from NW 31st Avenue to Commercial Boulevard.

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

1 Section 4. The Board waives the requirement that FDOT obtain construction
2 permits to work within the County's right-of-way for this Project.

3 Section 5. Severability.

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

10 Section 6. Effective Date.

11 This Resolution is effective upon adoption.

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13 ADOPTED this day of , 2018.

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

16
17 By /s/ Maya A. Moore 10/04/18
Maya A. Moore (date)
Assistant County Attorney

18
19 By /s/ Michael J. Kerr 10/04/18
Michael J. Kerr (date)
Deputy County Attorney

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23 MAM/hb
10/04/18
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