

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED LOCALLY FUNDED AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”) FOR JOHNSON STREET FROM EAST OF 31ST AVENUE TO NORTH 8TH AVENUE COMPLETE STREETS PROJECT FOR RIGHT OF WAY ACQUISITION PROFESSIONAL SERVICES WITH AN ESTIMATED COST OF \$319,453.00; AND APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED THREE PARTY ESCROW AGREEMENT AMONG THE CITY, FDOT, AND THE STATE OF FLORIDA DEPARTMENT OF FINANCIAL SERVICES IN ORDER TO ESTABLISH AN ESCROW ACCOUNT FOR THE PROJECT FUNDING.

WHEREAS, the Broward County Metropolitan Planning Organization (Broward MPO), the Florida Department of Transportation (FDOT), and the City of Hollywood are committed to improving alternative modes of transportation and support Complete Streets Corridors providing safe choices to pedestrians, cyclists, transit riders and motorists; and

WHEREAS, the Broward MPO has allocated attributable funds for the reconstruction of Johnson Street from east of 31st Avenue to North 8th Avenue as part of its Transportation Mobility initiative; the Broward MPO funding is for the design and construction of the project which is currently estimated at \$13M; and

WHEREAS, the Broward MPO and FDOT require the City to fund the right of way acquisitions with an estimated cost of six (\$6M) Million Dollars over a three year period to develop this Complete Streets project; and

WHEREAS, in order to start design and property acquisition, the City Commission passed and adopted Resolution No. R-2017-032 authorizing the City Manager to execute a letter setting forth the City’s commitment to the project pursuant to the funding schedule for right of way acquisition, leading to the 2021 construction start date, with the understanding that in the event that the City does not provide funding for the right-of-way funding tasks, the project will be removed from the FDOT’s work program; and

WHEREAS, Section 38.40(C)(8) of the Code of Ordinances provides that purchases of, and contracts for, supplies or contractual services, when the Commission declares by a five-sevenths (5/7ths) affirmative vote that competitive bidding and competitive proposals are not in the best interest of the City, are exempt from the competitive bidding and competitive proposal requirements of the Purchasing Ordinance; and

WHEREAS, on October 5, 2016 the City Commission adopted R-2016-291 which continued the appropriation for previously approved Capital Projects from FY 16 to FY 17 and included funding for the Johnson Street Complete Streets Project; and

WHEREAS, funding is available in account number 34.1416.16523.541.003121; and

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

Section 1: That it hereby approves and authorizes, the execution, by the appropriate City Officials, of the attached Locally Funded Agreement between the City of Hollywood and the Florida Department of Transportation, together with such non-material changes as may subsequently be agreed to by the City Manager and approved as to form and legality by the City Attorney.

Section 2: That it hereby approves and authorizes, the execution, by the appropriate City Officials, of the attached Three Party Escrow Agreement among the City, the Florida Department of Transportation, and the State of Florida, Department of Financial Services, together with such non-material changes as may subsequently be agreed to by the City Manager and approved as to form and legality by the City Attorney.

Section 3: That as this project is a multi-year funded program, the City, to the extent permitted by law, will make its best efforts to fund this project in the FY 2018 and FY2019 Capital Improvement Plan Budgets.

A RESOLUTION APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE LOCALLY FUNDED AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") FOR JOHNSON STREET FROM EAST OF 31ST AVENUE TO NORTH 8TH AVENUE COMPLETE STREETS PROJECT FOR RIGHT OF WAY ACQUISITION PROFESSIONAL SERVICES WITH AN ESTIMATED COST OF \$319,453.00; AND APPROVING AND AUTHORIZING THE THREE PARTY ESCROW AGREEMENT AMONG THE CITY, FDOT, AND THE STATE OF FLORIDA DEPARTMENT OF FINANCIAL SERVICES IN ORDER TO ESTABLISH AN ESCROW ACCOUNT FOR THE PROJECT FUNDING.

Section 4: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2017.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the
City of Hollywood, Florida, only.

JEFFREY P. SHEFFEL, CITY ATTORNEY