

RESOLUTION NO. 2022- _____

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING RESOLUTION NO. 2022-89, RELATING TO THE INSTALLATION OF REQUIRED IMPROVEMENTS FOR THE RENTORIA INC. PLAT FOR THE POMPANO BEACH SENIOR ACTIVITY CENTER PROJECT; APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO TAKE THE NECESSARY ACTIONS TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AUTHORIZING THE MAYOR AND CITY MANAGER TO APPROVE THE FINAL FORM AND CONTENT OF THE INSTALLATION OF REQUIRED IMPROVEMENTS AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH; AUTHORIZING THE PREVIOUSLY APPROVED EXPENDITURE OF NECESSARY FUNDS TO PROVIDE FOR THE REQUIRED IMPROVEMENTS CURRENTLY ESTIMATED TO BE FORTY THOUSAND EIGHT HUNDRED THIRTY FIVE DOLLARS (\$40,835) IN THE AGREEMENT EXHIBITS, WHICH SHALL SERVE AS SECURITY FOR THE IMPROVEMENTS ASSOCIATED WITH THE AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Broward County is requiring the City to amend its previously approved Resolution No. 2022-89 to include additional commitments; and

WHEREAS, the City has applied to Broward County for approval of a modification to the Non-Vehicular Access Line for the Rentoria, Inc. Plat, where the Pompano Beach Senior Activity Center is currently being built; and

WHEREAS, the approval of the Non-vehicular Access Line modification is conditioned on entering into an installation of required improvements agreement with Broward County; and

WHEREAS, the City has agreed to be responsible for all costs associated with the required improvements agreement; and

WHEREAS, on March 8, 2022, the City Commission approved Resolution No. 2022-89, which authorized the execution of the Required Improvements Agreement with Broward County, but did not acknowledge the cost estimate nor indicate the Project name; and

WHEREAS, the City Commission desires to amend Resolution No. 2022-89 in order to reflect the cost estimate and Project name; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. The foregoing “WHEREAS” clauses are confirmed and ratified as being true and correct and are incorporated.

SECTION 2. The City approves the Installation of Required Improvements Agreement between Broward County and the City of Pompano Beach (Agreement) associated with the Rentoria, Inc. Plat, site of the City’s Pompano Beach Senior Activity Center, with a current cost estimate in the amount of Forty Thousand Eight Hundred Thirty Five Dollars (\$40,835). A copy of the Agreement is attached and incorporated by reference as if set forth in full.

SECTION 3. The proper City officials are authorized to take any and all actions necessary to effectuate the intent of this Resolution, including execution of the Agreement. Further, the City authorizes the City Manager to make any and all necessary modifications to the Agreement, with the concurrence of the City Attorney, to effectuate the intent of the City Commission and achieve Broward County’s approval of the Agreement.

SECTION 4. The City agrees to amend City Resolution No. 2022-89 in order to be bound by the covenants and requirements of the Agreement and to comply with all such provisions,

and to authorize the actual funds necessary to pay for the construction of the associated improvements as listed and required in the City's application for Non-vehicular Access Line modification if the construction costs exceed the current estimate of Forty Thousand Eight Hundred Thirty Five Dollars (\$40,835) as required in the Agreement associated with the Rentoria, Inc. Plat.

SECTION 5. All resolutions or parts of resolutions in conflict are repealed to the extent of such conflict.

SECTION 6. If any provision of this Ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 7. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2022.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

JES:jrm
7/6/22
L:reso/2022-229