



City of North Port

RESOLUTION NO. 2017-R-40

A RESOLUTION OF THE CITY OF NORTH PORT, FLORIDA, PROVIDING FOR THE APPROVAL AND EXECUTION OF THE LOCAL AGENCY PROGRAM AGREEMENT BETWEEN THE CITY OF NORTH PORT AND THE FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING THE EXTENSION OF BICYCLE LANES ON BISCAYNE DRIVE; INCORPORATING THE RECITALS; PROVIDING FOR THE DESIGNATION OF THE NORTH PORT ROAD AND DRAINAGE DISTRICT TO CARRY OUT THE AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Biscayne Drive is a City roadway functionally classified as a collector road in the City of North Port; and

WHEREAS, due to growth in the City of North Port, traffic has steadily increased, prompting a desire to utilize alternative modes of transportation for safe and efficient traffic movement; and

WHEREAS, on February 24, 2014, the Road & Drainage District approved submittal of a Transportation Alternatives grant application to the Sarasota-Manatee Metropolitan Planning Organization for the design and construction of five feet wide bicycle lanes on Biscayne Drive, extending from the north terminus of the existing bicycle lanes at Elyton Drive to Ponce de Leon Boulevard; and

WHEREAS, the Biscayne Drive Bicycle Lanes Extension, Elyton Drive to Ponce de Leon Boulevard, Project Transportation Alternatives was not awarded a grant; and

WHEREAS, in 2016, the Florida Department of Transportation developed revised guidelines for bicycle lanes to improve their safe use; and

WHEREAS, in 2016, the Florida Department of Transportation identified funding that could be used for the Biscayne Drive Bicycle Lanes Extension Project and contacted the City of North concerning specific details of the project; and

WHEREAS, through City of North Port staff coordination with the Florida Department of Transportation and the Sarasota-Manatee Metropolitan Planning Organization staff, the Biscayne Drive

Bicycle Lanes Extension Project was revised to comply with the up-dated bicycle lane guidelines and the project limits changed to extend the new bicycle lanes from Elyton Drive to Glenallen Boulevard; and

WHEREAS, the Biscayne Drive Bicycle Lanes Extension Project is included in the adopted Sarasota-Manatee Metropolitan Planning Organization's (2017/18 – 2021/22) Transportation Improvement Program in the amount of \$1,342,351 for the design and construction phases of the project; and

WHEREAS, the design phase of the Biscayne Drive Bicycle Lanes Extension Project is in the fiscal year 2017/18 of the Florida Department of Transportation District One, which began July 1, 2017; and

WHEREAS, the Local Agency Program Agreement between the City of North Port and the Florida Department of Transportation (acting as the approved administrator of certain Federal Highway Administration funds) allows the City to advertise, award a professional services agreement for design phase services and construction engineering and inspection services and a construction contract and administer the construction of the Biscayne Drive Bicycle Lanes Extension, Elyton Drive to Glenallen Boulevard, Project, with certain Florida Department of Transportation approvals; and

WHEREAS, the City of North Port desires to authorize the North Port Road and Drainage District to implement the Local Agency Program Agreement; and

WHEREAS, the City Commission has determined that the proposed Resolution serves the public health, safety, and welfare of the citizens of the City of North Port, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, AS FOLLOWS:

SECTION 1 – INCORPORATION OF RECITALS

1.01 The above recitals are hereby ratified and confirmed as being true and correct and are incorporated herein by reference.

SECTION 2 – APPROVAL AND EXECUTION OF THE AGREEMENT

2.01 The City Commission of the City of North Port, Florida hereby approves the Local Agency Program Agreement between the City of North Port and the Florida Department of Transportation for the Biscayne Drive Bicycle Lanes Extension, Elyton Drive to Glenallen Boulevard, Project ("Agreement"), a copy of which is attached hereto as Exhibit "A" and by its reference made a part hereof.

2.02 The City Commission of the City of North Port, Florida hereby authorizes the Mayor to execute the Agreement on behalf of the City of North Port.

SECTION 3 – DESIGNATION OF THE ROAD AND DRAINAGE DISTRICT TO CARRY OUT THE AGREEMENT

3.01 The City Commission of the City of North Port, Florida hereby designates the North Port Road and Drainage District to implement and carry out the Agreement.

SECTION 4 – CONFLICTS

4.01 In the event of any conflict between the provisions of this Resolution and any other Resolution or portions thereof, the provisions of this Resolution shall prevail to the extent of such conflict.

SECTION 5 – SEVERABILITY

5.01 If any section, subsection, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then such holding shall in no way affect the validity of the remaining portions of this Resolution.

SECTION 6 – EFFECTIVE DATE

6.01 This Resolution shall take effect immediately after adoption by the City Commission of the City of North Port, Florida.

PASSED and DULY ADOPTED by the City Commission of the City of North Port this _____ day of _____, 2017.

CITY OF NORTH PORT

VANESSA CARUSONE
MAYOR

ATTEST:

PATSY C. ADKINS, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

AMBER L. SLAYTON
CITY ATTORNEY