

**RESOLUTION NO. 05.336**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE PROJECT AGREEMENT BETWEEN KIMLEY-HORN AND ASSOCIATES, INC. AND THE TOWN OF MIAMI LAKES FOR NW 82<sup>nd</sup> AVENUE PROGRAM MANAGEMENT OF DRAINAGE, MEDIAN, AND PAVING IMPROVEMENTS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Miami Lakes (the “Town”) has retained the services of Kimley-Horn and Associates, Inc. (“Kimley-Horn”) as Town Engineer; and

**WHEREAS**, pursuant to Work Authorization No. 04-22, Kimley-Horn prepared a Program Management of Drainage/Median/Paving Improvements for NW 82<sup>nd</sup> Avenue (the “Program”) for the Town; and

**WHEREAS**, the Program contemplates that the Town Engineer will provide engineering and consulting services for the program management of the design and permitting of paving and drainage improvements for NW 82<sup>nd</sup> Avenue between 154<sup>th</sup> Street and NW 170<sup>th</sup> Street in accordance with the Town’s Stormwater Master Plan; and

**WHEREAS**, Kimley-Horn has agreed to provide the services for the Program; and

**WHEREAS**, the Town Council finds that approval of the project agreement between the Town and Kimley-Horn for the program management of Drainage/Median/Paving Improvements for NW 82<sup>nd</sup> Avenue is in the best interests of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are true and correct and incorporated into this resolution by this reference.

**Section 2. Approval of Agreement.** The Project Agreement between Kimley-Horn and Associates, Inc. and the Town of Miami Lakes for program management of drainage, median and paving improvements of NW 82<sup>nd</sup> Avenue (the "Agreement"), a copy of which is attached as Exhibit "A," together with such non-material changes as may be acceptable to the Town Manager and approved as to form and legality by the Town Attorney, is approved.

**Section 3. Authorization of Town Officials.** The Town Manager and Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the Agreement.

**Section 4. Authorization of Fund Expenditure.** The Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Agreement.

**Section 5. Execution of Agreement.** The Town Manager is authorized to execute the Agreement on behalf of the Town.

**Section 6. Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 13 day of Sept., 2005.

Motion to adopt by Mary Colliss, second by Michael Pizzi.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton yes  
Vice Mayor Roberto Alonso Absent  
Councilmember Mary Collins yes  
Councilmember Robert Meador yes  
Councilmember Michael Pizzi yes  
Councilmember Nancy Simon yes  
Councilmember Peter Thomson yes

Wayne Slaton  
Wayne Slaton  
MAYOR

ATTEST:

Debra Eastman  
Debra Eastman, MMC  
TOWN CLERK

Approved as to form and legality for the use  
and benefit of the Town of Miami Lakes only:

WSS  
Weiss, Serota, Helfman, Pastoriza,  
Cole & Boniske, P.A.  
TOWN ATTORNEY