

RESOLUTION NO. 18- 1565

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO APPROVE A FUNDING AGREEMENT BETWEEN THE GRAHAM COMPANIES, INC. AND THE TOWN OF MIAMI LAKES FOR THE NW 67TH AVENUE WIDENING PROJECT; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 33E.14 of the Miami-Dade County Code and Section IX of the Miami Dade County Road Impact Fee Manual, The Graham Companies, Inc. (“Graham Companies”) submitted an Off-Site Contribution-in-lieu-of-fee Approval application (“CIL Application”) to Miami-Dade County (the “County”) dated May 26, 2017, and approved by the County on July 26, 2017, seeking to receive a contribution-in-lieu-of-fee credit (“CIL Credit”) in the amount of \$489,933.90; and

WHEREAS, the CIL Application identifies a roadway improvement project within the Town of Miami Lakes (the “Town”), the NW 67th Avenue Widening Project (“Project), as the improvement for which CIL Credit is being claimed; and

WHEREAS, the Town has designed and engineered the Project and plans to construct the Project as part of its Strategic Plan; and

WHEREAS, the Town has agreed to design and construct the Project, provided the Graham Companies fund the Project up to the CIL Credit amount; and

WHEREAS, the Town Manager recommends the approval of a funding agreement with the Graham Companies for funding of the NW 67th Avenue Widening Project in the amount of \$489,933.90, the approved CIL Credit.; and

WHEREAS, the Town Council approves the recommendations of the Town Manager and authorizes the Town Manager to enter into a funding agreement with the Graham Companies for funding of the NW 67th Avenue Widening Project in the amount of \$489,933.90.

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

Section 1. Recitals. The foregoing Recitals are true and correct and incorporated herein by this reference.

Section 2. Approval of the Contract. The Town Council hereby approves the Funding Agreement with the Graham Companies in substantially the form attached hereto as Exhibit “A” for funding of the NW 67th Avenue Widening Project in the amount of \$489,933.90 (hereinafter referred to as “Funding Agreement”).

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

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

Section 5. Execution of the Contract. The Town Manager is authorized to execute the Funding Agreement with the Graham Companies and to execute any extension and/or

amendments to the Funding Agreement, subject to approval as to form and legality by the Town Attorney.

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

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Passed and adopted this 4th day of September 2018.

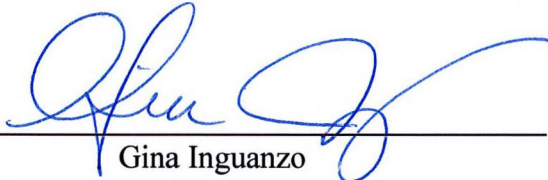
The foregoing resolution was offered by Mayor Cid who moved its adoption. The motion was seconded by Councilmember Daubert and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	<u>yes</u>
Vice Mayor Frank Mingo	<u>yes</u>
Councilmember Luis Collazo	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Ceasar Mestre	<u>yes</u>
Councilmember Nelson Rodriguez	<u>yes</u>
Councilmember Marilyn Ruano	<u>yes</u>



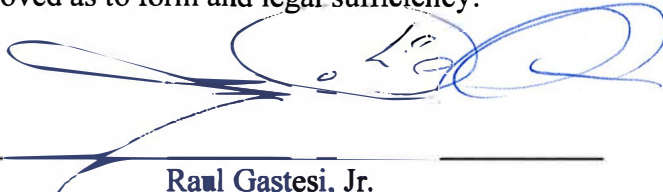
Manny Cid
MAYOR

Attest:



Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT A

Funding Agreement
between the
Town of Miami Lakes
and
The Graham Companies, Inc.
for
Funding Agreement for NW 67th Avenue Widening Project