

**RESOLUTION NO. 22- 1811**

**A RESOLUTION OF THE TOWN OF MIAMI LAKES COUNCIL, APPROVING THE SECOND AMENDMENT TO THE JOINT USE AGREEMENT BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY AND THE TOWN OF MIAMI LAKES REGARDING THE USE OF MIAMI LAKES OPTIMIST PARK; AUTHORIZING THE TOWN MANAGER TO FINALIZE AND EXECUTE THE AGREEMENT ON BEHALF OF THE TOWN; PROVIDING TOWN OFFICIALS WITH AUTHORITY; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on November 12, 2002, the Town of Miami Lakes (the “Town”) Council passed Resolution 02-96, approving a Joint Use Agreement between the Town and the School Board of Miami-Dade County (the “Board”) for Town use of the Board-owned playfield area and parking facilities at Miami Lakes Middle School located at 6425 Miami Lakeway North, Miami Lakes, Florida (“Miami Lakes Optimist Park”); and

**WHEREAS**, on April 13, 2004, the Town Council passed Resolution 04-223, approving the First Amendment to the 2002 Joint Use Agreement, providing for the construction of a parking lot, U-turn lane and bus drop-off/pick-up area; and

**WHEREAS**, Miami Lakes Optimist Park’s equipment and baseball fields are in need of significant updating and repair; and

**WHEREAS**, the Town is desirous of amending the Joint Use Agreement in order to allow the Town to make the necessary upgrades and repair, and expand the life of the agreement; and

**WHEREAS**, the enclosed modifications will provide for a forty year term with two- ten year extensions; and

**WHEREAS**, the Town Manager suggests that the Town Council should pass this Resolution providing for a Second Amendment to the 2002 Joint Use Agreement for Miami Lakes Park; and

**WHEREAS**, the Town Council finds that the Second Amendment to the 2002 Joint Use Agreement for Miami Lakes Park is in the Town’s best interest.

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

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

**Section 2. Approval of the Second Amendment to the Joint Use Agreement for Miami Lakes Park.** The Second Amendment to the Joint Use Agreement between the School Board of Miami-Dade County and the Town of Miami Lakes for use of the facilities at Miami Lakes Optimist Park, 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. Authority of Town Officials.** The Town Manager and Town Attorney are authorized to take all actions necessary to implement the terms and conditions of the Second Amendment.

**Section 4. Authorization to Expend Budgeted Funds.** The Town Manager is authorized to expend budgeted funds.

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

**Section 6. Effective Date.** This Resolution shall be effective immediately upon adoption.

Passed and adopted this 8<sup>th</sup> day of March 2022

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

Mayor Manny Cid	Yes
Vice Mayor Jeffrey Rodriguez	Yes
Councilmember Carlos O. Alvarez	Yes
Councilmember Luis E. Collazo	Yes
Councilmember Josh Dieguez	Yes
Councilmember Tony Fernandez	Yes
Councilmember Marilyn Ruano	No



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Manny Cid  
MAYOR

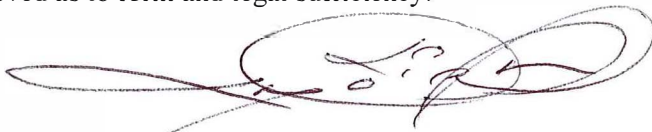
Attest:



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Gina M. Inguanzo  
TOWN CLERK

Approved as to form and legal sufficiency:



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Raul Gastesi, Jr.  
Gastesi, Lopez and Mestre, PLLC  
TOWN ATTORNEY