

RESOLUTION NO. 03- 127

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AUTHORIZING THE TOWN MANAGER TO IMPLEMENT AN "ADOPT-A-ROAD" PROGRAM IN THE TOWN OF MIAMI LAKES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Mayor and Town Council have been approached by Project Citizen Students from Miami Lakes Middle School requesting that the Town allow them to "Adopt" the road immediately adjacent to the school so they can maintain the road litter free; and

WHEREAS, the Town of Miami Lakes does not have a Program in place that would allow the students to "Adopt" the road; and

WHEREAS, the Town Council feels that an "Adopt-a-Road" program will benefit the Town as well as provide a vehicle through which civic-minded individuals, students, and businesses alike can participate in the beautification 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 are incorporated herein by this reference.

Section 2. **Authorization to implement program.** The Town Manager is hereby authorized to implement a Town of Miami Lakes Adopt-a-Road Program as outlined in Exhibit "A".

Section 3. **Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 8th day of April, 2003.

Wayne Slaton
WAYNE SLATON, MAYOR

ATTEST:

Beatris M. Arguelles
BEATRIS M. ARGUELLES, CMC
TOWN CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

W B O
WEISS, SEROTA, HELFMAN, PASTORIZA & GUEDES, P.A.
TOWN ATTORNEY

Thomson / Collins

Council voted <u>7-0</u> as follows:	
Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Roberto Alonso	<u>yes</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Robert Meador	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Nancy Simon	<u>yes</u>
Councilmember Peter Thomson	<u>yes</u>

**Town of Miami Lakes
Public Works Department
ADOPT-A-ROAD PROGRAM**

LITTER REMOVAL AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____,
20_____, by and between Town of Miami Lakes, hereinafter called the "Town"
through its Public Works Department, hereinafter called the "Department" and

_____,
hereinafter called the "Group".

WITNESSETH

WHEREAS, _____ is a part of
the Town roadway system in Town of Miami Lakes, Florida; and

WHEREAS, the Department has responsibility for operation and maintenance of
the Town roadway system; and

WHEREAS, the Department is authorized to contact with the private sector for
performance of its duties;

WHEREAS, the board of Town Council of Town of Miami Lakes, through
Resolution No. _____, has established an "Adopt-A-Road Program" permitting local
organizations, private corporations and volunteer groups to beautify Town-maintained
roads through litter-removal activities and landscaping efforts; and

WHEREAS, the Group wishes to adopt a minimum of one mile of roadway to
remove litter at _____

NOW THEREFORE, the parties agree as follows:

A. THE GROUP SHALL:

1. Remove litter at least four (4) times a year in the right-of-way adjacent to the roadway along the minimum one-mile section of road right-of-way adopted by the Group.
2. Perform litter removal in strict accordance with the guidelines of the Department's Adopt-A Road Program.
3. Conduct and attend safety meetings and pre-task briefings prior to litter removal.
4. Remove litter during daylight hours only.
5. Remove Litter during good weather conditions only.
6. Contract the Adopt-A-Road Program to arrange an appropriate litter-removal schedule which will not conflict with Department mowing schedules
7. Ensure that all participants wear safety vests at all times during the litter-removal activity. The Adopt-A Road Program should be contacted to obtain safety vests, traffic control signs and large plastic bags prior to litter-removal activity and return same when the activity is complete.
8. Not pick up litter at construction or maintenance sites, in tunnels, on bridges or overpasses, or medians.
9. Only allow such persons to participate as are determined by the Group to be responsible enough to safely participate in the litter-removal activities. Participating youths must be at least 12 years of age, and the Group shall provide at least one adult supervisor to supervise every five youths ages 12-15 who are participating in the litter-removal activity.
10. Not bring persons to observe the activity if the person is under the age of 16 and is not an official participant.
11. Not wear clothing which would hinder the sight of participants.
12. Not have any individual, director, officer, member or volunteer within the Group who has been convicted of a felony or misdemeanor within the past five (5) years or who is currently the subject of criminal investigation.
13. Not discriminate on the basis of race, religion, color, age, sex, martial status, handicap or national origin violation of any state or federal law.

B. THE DEPARTMENT SHALL:

1. Provide permanent "Adopt-A-Road" signs at the beginning and end of the adopted roadway section.
2. Provide safety vests, traffic control signs and large plastic bags for use by the Group.
3. Remove filled plastic bags from the adopted roadway section and dispose of them at an approved facility.
4. Remove certain litter under unusual circumstances (i.e., large heavy or hazardous items).

II.

No member, officer, director or volunteer of the Group shall be an employee or independent contractor of the Department or Town for any reason whatsoever in carrying out its obligations under this Agreement.

III.

The Group covenants and agrees that it will indemnify and hold harmless all Town and department officers, agents and employees from any claim, loss, damages, cost, charge or expense arising out of any act, action, neglect or omission by the Group during the performance of the Agreement, whether direct or indirect, and whether to any person or property to which the Town or said parties may be subject, except that neither Group nor any members shall be liable under this provision for damages arising out of injury or damage to persons or property directly caused or resulting from the sole negligence of the Town and its member agencies, any maintaining agencies and all their officers, agents and employees.

IV.

The Agreement shall remain in effect for a two-year period. The Department or Group terminate this agreement for any reason within thirty (30) days written notice

V.

This Agreement is non-transferable and non-assignable in whole or in part without the consent of the Town.

VI.

This Agreement is mainly for litter removal activities. Beautification activities and graffiti-removal activities are encouraged.

VII.

The Department shall screen and select the sections of Town roadways to be adopted. The Department shall also decide all questions, difficulties and dispute of any nature whatsoever that may arise under or by reason of this Agreement, the prosecution of fulfillment of the services hereunder and the character, quality, amount and value thereof; and its decisions upon all claims, questions and disputes shall be final and conclusive upon the parties hereto.

VIII.

The Department may suspend or revoke a Group's participation in the Adopt-A Road Program if it finds:

1. The Group, any director, officer, member or volunteer has engaged in any deceptive or fraudulent practices.
2. Any representative of the Group made a false, deceptive or fraudulent statement or material misstatement or misrepresentation in its application or in any other information submitted to the Department.

IN WITNESS WHEREOF; the parties hereto have caused these present to be executed, the day and year first written above.

I CERTIFY that I am familiar with the information contained in this Agreement and that I possess the authority to execute this Agreement on behalf of the Group.

NAME OF GROUP: _____

ADDRESS: _____

BY: _____ DATE: _____

Group Representative's Signature

PRINT NAME: _____ TIME: _____

TOWN OF MIAMI LAKES

BY: _____ DATE: _____

Department Director

ATTEST: _____ DATE: _____

Assistant Director for Administration

Adopt-A-Road Program

The Town is encouraging local business and organization to join your our Town in a existing effort to enhance the appearance of our communities and beautify our roadways.

You can become a part of the effort by participating in the Adopt-A-Road Program.

By "adopting" a road, you will directly contribute to the beautification of the Town of Miami Lakes, improving your roadway's appearance and allowing Town resources to perform other much needed services including road repairs.

We will proudly display your name or the name of your organization at the "adopted" road. So you will get notice and gain the satisfaction of knowing you are doing something to keep Miami Lakes beautiful.

What is required? The minimum responsibilities are:

Volunteers agree to:	Town of Miami Lakes Agrees to:
Agree to adopt a one-mile section of road right-of-way	Assist with safety meeting
Dedicate at least two (2) years to the program	Provide safety vest and litter bags
Follow specified Town of Miami Lakes regulations	Pick up litter at specified locations
Remove litter at least four (4) times a year	Post Adopt-A-Road signs commending the group at the beginning and end of the "adopted" roadway section

For more information, please call the Town of Miami Lakes at (305) 364-6100, and tell them you wish to join the program.