

RESOLUTION NO. 03-130

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN ILER PLANNING GROUP AND THE TOWN OF MIAMI LAKES FOR PLANNING AND ZONING SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE TOWN; AUTHORIZING TOWN OFFICIALS TO EXECUTE AND DELIVER ANY ADDITIONAL DOCUMENTS AND TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Iler Planning Group (the “Planner”) and the Town of Miami Lakes (the “Town”) entered into an agreement for professional planning and zoning services on November 12<sup>th</sup>, 2002 (the “Agreement”); and

**WHEREAS**, the Town Manager finds it in the best interest of the Town to extend the term of the Agreement and continue using the services of the Planner for the planning and zoning services of the Town; and

**WHEREAS**, the Town Council finds that the approval of an amendment to the Agreement is in the best interest 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 First Amendment to Agreement.** The First Amendment to 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. Execution of Agreement.** The Town Manager is authorized to execute the First Amendment to the Agreement on behalf of the Town.

**Section 4. Authorization of Town Officials.** The Mayor, Town Manager and Town Attorney are authorized to execute and deliver any additional documents pertaining to the amended Agreement, to take all action necessary to implement the terms and conditions of the amended Agreement.

**Section 5. Authorization of Fund Expenditure.** The Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the amended Agreement.

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

PASSED AND ADOPTED this 8<sup>th</sup> day of April, 2003.

Wayne Slaton  
Wayne Slaton  
MAYOR

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY  
FOR THE SOLE USE OF THE TOWN OF MIAMI LAKES:

[Signature]

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>	

**FIRST AMENDMENT TO CONTRACT  
FOR PROFESSIONAL SERVICES  
BETWEEN  
ILER PLANNING GROUP  
AND  
THE TOWN OF MIAMI LAKES**

THIS FIRST AMENDMENT TO CONTRACT FOR PROFESSIONAL SERVICES (the "Amendment") is made this 8<sup>th</sup> day of April, 2003, between the TOWN OF MIAMI LAKES, a Florida municipal corporation (the "Town") and ILER PLANNING GROUP, ("IPG") (collectively, the "Parties").

WHEREAS, the Parties entered into a Contract for planning and zoning services for the Town dated November 12th, 2002, (the "Contract"); and

WHEREAS, the Parties have determined it is in their best mutual interest to amend the Contract.

**NOW THEREFORE**, in consideration of the sums hereinafter set forth and for other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Amendment to Section 4.1. of the Agreement.** The parties hereby amend Section 4.1 of the Agreement to read as follows:

This Agreement shall become effective retroactive to February 1, 2002, upon execution by both parties, and shall remain in effect until July 31, 2003, unless earlier terminated in accordance with Paragraph 7 of this Agreement. The Town Manager, at his sole discretion, may extend the term of this Agreement up to one (1) year from expiration.

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2. Amendment to Section 5.1 of the Agreement. The parties hereby amend

Section 5.1 of the Agreement to read as follows:

5.1 IPG shall be paid on an hourly basis in accordance with the Fee Schedule attached hereto as Exhibit "A." Total compensation under this contract shall not exceed \$204,366.

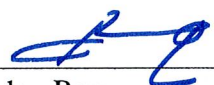
3. No Further Modifications. All other terms and conditions of the Agreement for planning and zoning services not in conflict or superseded by this First Amendment shall remain in full force and effect as if set forth in full herein.

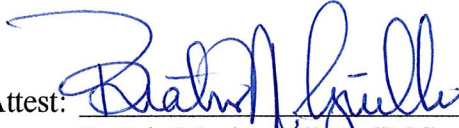
IN WITNESS WHEREOF, the parties hereto have accepted, made and executed this Amendment to Contract upon the terms and conditions above stated on the day and year first above written.

ILER PLANNING GROUP

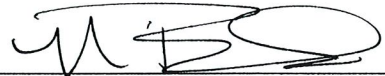
TOWN OF MIAMI LAKES

By:   
Henry B. Iler  
PRESIDENT

By:   
Alex Rey  
TOWN MANAGER

Attest:   
Beatris M. Arguelles CMC  
TOWN CLERK

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

  
Weiss, Serota, Helfman, Pastoriza & Guedes, P.A.  
TOWN ATTORNEY

# Exhibit "A"

## Ilter Planning Group Hourly Rates

President/Principal.....	\$110.00/hr
Principal IPG.....	\$85.00/hr
Senior IPG.....	\$75.00/hr
GIS Specialist.....	\$65.00/hr
Clerical/Administrative.....	\$45.00/hr
Overhead Rate.....	25%