

RESOLUTION NO. 06-347

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE EMERGENCY RELIEF PROGRAM AGREEMENT BETWEEN THE TOWN AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”) FOR REIMBURSEMENT OF FUNDS TO THE TOWN FOR DISASTER RELIEF REPAIRS FOLLOWING HURRICANES KATRINA AND WILMA; 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, TO EXECUTE IN THE FUTURE ANY AGREEMENTS AND/OR DOCUMENTS WITH FDOT OR THE FEDERAL HIGHWAY ADMINISTRATION RELATED TO EMERGENCY RELIEF ASSISTANCE AND FUNDING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in the fall of 2005, Hurricanes Katrina and Wilma passed through the South Florida area and caused damage to the roadways throughout the Town of Miami Lakes (the “Town”); and

WHEREAS, the Federal Highway Administration (“FHWA”) established an Emergency Relief Program administered through the Florida Department of Transportation (“FDOT”) to provide emergency relief assistance and funding to municipalities for expenses incurred as a direct result of the hurricanes; and

WHEREAS, the Town has undertaken and completed emergency relief repairs and efforts eligible for reimbursement under the FHWA program as a result of the hurricanes; and

WHEREAS, in order to receive funding under the program the Town shall enter into an Emergency Relief Program Agreement (the “Agreement”) with FDOT; and

WHEREAS, the Town Council finds that approval of the Agreement with FDOT is in the best interests of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL 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 Emergency Relief Program Agreement between the Town of Miami Lakes and the Florida Department of Transportation, 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/or his designee and the Town Attorney are authorized to take all actions necessary to implement the terms and conditions of the Agreement, to submit to the FDOT any documents necessary to effectuate the grant, to request any necessary extensions to the Agreement, and to modify any contracts with Town vendors performing work subject to reimbursement pursuant to the requirements of FDOT and the Federal Highway Administration ("FHWA") emergency relief program funds.

Section 4. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Town Manager pursuant to the Town's Purchasing Procedures Ordinance, the Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Agreement.

Section 5. Execution of Agreement. The Manager is authorized to execute the Agreement on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Agreement, to execute any extensions to the Agreement, and to execute in the future any agreements and/or documents with FDOT or the

FHWA for emergency relief assistance and funding related to hurricane relief, clean-up and repair projects throughout the Town.

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

PASSED AND ADOPTED this 11th day of April, 2006.

Motion to adopt by Mary Collins, second by Robert Meador.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Robert Meador	<u>yes</u>
Councilmember Roberto Alonso	<u>yes</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Dorothy Cook	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Nancy Simon	<u>yes</u>

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:

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