

**RESOLUTION NO. 06- 414**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AGREEMENT FOR EXOTIC TREE REMOVAL SERVICES BETWEEN E. RODRIGUEZ LANDSCAPING, INC. AND THE TOWN OF MIAMI LAKES; AUTHORIZING TOWN OFFICIALS TO TAKE ALL NECESSARY STEPS 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; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Hurricane Wilma severely impacted and interrupted electrical services supplied via above ground feeder lines throughout the Business Park East and Lake Patricia neighborhoods; and

**WHEREAS**, in order to mitigate the possible interruption of electrical services in these neighborhoods the Town finds it necessary to remove 14 hazardous Australian Pine trees located near one of Florida Power & Light's main electrical feeder lines along Miami Lakeway South and Miami Lakes Drive; and

**WHEREAS**, Town staff received three (3) bids to remove the trees and E. Rodriguez Landscaping, Inc. ("E. Rodriguez") was the lowest responsive bidder; and

**WHEREAS**, the Town desires to enter into an Agreement with E. Rodriguez for the removal of the 14 hazardous Australian Pine trees (the "Agreement"); and

**WHEREAS**, the Town Council finds that approval of the Agreement between E. Rodriguez and the Town 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 herein by this reference.

**Section 2. Approval of Agreement.** The Agreement between E. Rodriguez Landscaping, Inc. and the Town of Miami Lakes for exotic tree stump removal services (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. 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.

**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.

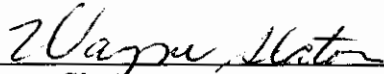
**Section 5. Execution of Agreement.** The Town Manager is authorized to execute the Agreement on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Agreement and to execute any extensions and/or amendments to the Agreement, subject to the approval as to form and legality by the Town Attorney.

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

Motion to adopt by Nancy Simon, second by Mary Collins.

FINAL VOTE AT ADOPTION

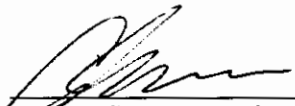
Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Robert Meador	<u>yes</u>
Councilmember Roberto Alonso	<u>yes</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Dorothy Cook	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Nancy Simon	<u>yes</u>

  
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Wayne Slaton  
MAYOR

ATTEST:

  
\_\_\_\_\_  
Debra Eastman, MMC  
TOWN CLERK

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

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