

RESOLUTION NO. 07-~~552~~

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE TOWN OF MIAMI LAKES AND MIAMI-DADE COUNTY PERTAINING TO FLORIDA POWER & LIGHT FRANCHISE FEES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND THE FRANCHISE FEES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 1989, Miami-Dade County enacted Ordinance 89-81 (the "Franchise Ordinance"), which granted a non-exclusive electric franchise to Florida Power & Light ("FP&L") to utilize public rights of way throughout the unincorporated and incorporated areas of Miami-Dade County, Florida, in return for FP&L paying the County certain Franchise Fees (the "Franchise Fees"); and

WHEREAS, the Town of Miami Lakes (the "Town") was created on December 5, 2000, as authorized by Miami-Dade County Ordinance No. 00-112; and

WHEREAS, the County and the Town wish to enter into an Interlocal Agreement (the "Agreement") for payment to the Town of that portion of the Franchise Fees remitted by FP&L to the County for rights to utilize public right-of-way located within the Town (the "Franchise Fees").

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 Interlocal Agreement between the Town of Miami Lakes and Miami-Dade County regarding FP&L Franchise Fees, 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 Agreement on behalf of the Town and to execute any subsequent amendments to the Agreement.

Section 4. Authorization of Town Officials. The Town Manager and Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the Agreement.

Section 5. Authorization of Fund Expenditure. The Town Manager is authorized to expend the Franchise Fees as directed by the Town Council in the Town's budget.

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

Motion to adopt by Mary Collins, second by Roberto Alonso.

FINAL VOTE AT ADOPTION

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

PASSED AND ADOPTED this 10th day of July 2007.

ATTEST:

Wayne Slaton

Wayne Slaton
MAYOR

Debra Eastman
Debra Eastman, MMC
TOWN CLERK

Approved as to form and legal sufficiency
for use only by the Town of Miami Lakes:



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