

RESOLUTION NO. 08- 634

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES AT MIAMI LAKES PARK BETWEEN VALLEYCREST LANDSCAPE MAINTENANCE, INC. AND THE TOWN OF MIAMI LAKES; AUTHORIZING TOWN OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AMENDMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AMENDMENT TO THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on March 11, 2003 the Town of Miami Lakes (the "Town") entered into an Agreement (the "Agreement") with ValleyCrest Landscape Maintenance, Inc. (the "Contractor"), for the performance of maintenance services at Miami Lakes Park; and

WHEREAS, The Town Council approved a First Amendment to the Agreement pursuant to Resolution No. 06-385 extending the Term of the Agreement to April 14, 2008; and

WHEREAS, the Town desires to amend the Agreement so that the Contractor may continue to provide these services to the Town until June 15, 2008.

**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 Second Amendment.** The Second Amendment to the Agreement between ValleyCrest Landscape Maintenance, Inc. and the Town of Miami Lakes (the "Second Amendment"), 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 Second Amendment.

**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 Second Amendment.

**Section 5. Execution of Second Amendment.** The Town Manager is authorized to execute the Second Amendment on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Second Amendment 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.

PASSED AND ADOPTED this 11<sup>th</sup> day of March, 2008.

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

FINAL VOTE AT ADOPTION

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

Wayne Slaton  
Wayne Slaton  
MAYOR

ATTEST:

Olivia Castano  
TOWN CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

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