

RESOLUTION NO. 09 - 777

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE PROJECT PROPOSAL WITH ACOSTA TRACTORS, INC. TO ERECT A FENCE ALONG THE CANAL RUNNING PARALLEL TO 138TH STREET; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PROJECT PROPOSAL; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE PROJECT PROPOSAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the "Town") has retained Acosta Tractors, Inc., ("Acosta") under an Agreement for Public Works General Construction Services to provide general construction and drainage services throughout the Town ("Agreement"); and

WHEREAS, the Agreement provides that Acosta may perform construction related tasks to various Town facilities and structures; and

WHEREAS, Acosta has provided the Town with a proposal to erect a fence along the canal running parallel to 138th Street, made in accordance with the Agreement (the "Project Proposal"); and

WHEREAS, the Town Council finds that approval of the Project Proposal between Acosta 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 into this Resolution by this reference.

Section 2. Approval of Project Proposal. The Project Proposal between Acosta Tractors, Inc. and the Town of Miami Lakes to erect a fence along the canal running parallel to 138th Street (the "Project Proposal"), 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 Project Proposal.

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 Project Proposal.

Section 5. Execution of Project Proposal. The Town Manager is authorized to execute the Project Proposal on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Project Proposal and to execute any extensions and/or amendments to the Project Proposal, subject to 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 10 day of February, 2009.

Motion to adopt by Robert Meador, second by MARY COLLINS.


FINAL VOTE AT ADOPTION

Mayor Michael Pizzi yes
Vice Mayor Richard Pulido yes
Councilmember Mary Collins yes
Councilmember George Lopez yes
Councilmember Robert Meador yes
Councilmember Nick Perdomo yes
Councilmember Nancy Simon yes


Michael Pizzi
MAYOR

ATTEST:

TOWN CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

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