

RESOLUTION NO. 09-747

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE FOURTH AMENDMENT TO THE AGREEMENT WITH ROYAL RESTROOMS OF NORTH FLORIDA, INC. FOR A PORTABLE RESTROOM AT THE MIAMI LAKES OPTIMIST PARK; 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; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on February 21, 2007, the Town of Miami Lakes entered into a Rental Agreement with Royal Restrooms of North Florida (the "Agreement") to provide a portable restroom trailer for a three (3) month period at the Miami Lakes Optimist Park (the "Park"); and

**WHEREAS**, the Agreement was extended on a month to month basis pursuant to a First Amendment approved by Resolution No. 07-537, passed and adopted June 12, 2007; and

**WHEREAS**, the Agreement was further amended pursuant to a Second Amendment approved by Resolution No. 08-630, passed and adopted March 11, 2008 and a Third Amendment approved by Resolution No. 08-693, passed and adopted October 14, 2008; and

**WHEREAS**, the Park restroom renovation project and the clubhouse repair/renovation project, have reduced the restroom facilities at the Park; and

**WHEREAS**, the Town desires to continue to maintain the current portable restroom trailer at the Park on a month to month basis to provide restroom facilities until the projects are completed; and

**WHEREAS**, the Town desires to amend the Agreement to extend it on a month to month basis in an amount not to exceed \$26,400.00 in additional Rental as provided under the Agreement.

**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 Fourth Amendment.** The Fourth Amendment to the Rental Agreement Royal Restrooms of North Florida between the Town of Miami Lakes and Royal Restrooms of North Florida (the “Fourth Amendment”), a copy of which is attached as Exhibit “1,” 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 Fourth 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 Fourth Amendment in an amount not to exceed \$26,400.00.

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

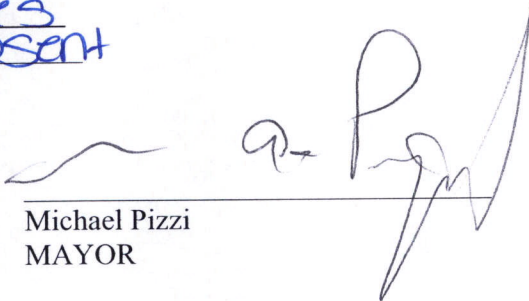
PASSED AND ADOPTED this 12 day of May, 2009.

Motion to adopt by Mary Collins, second by George Lopez.

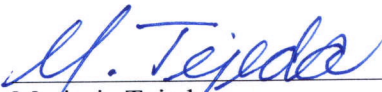
FINAL VOTE AT ADOPTION

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


yes  
yes  
yes  
yes  
absent  
yes  
absent

  
Michael Pizzi  
MAYOR

ATTEST:

  
Marjorie Tejada  
DEPUTY 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.L.  
TOWN ATTORNEY