

RESOLUTION NO. 11- 870

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE JOINT PROJECT AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE TOWN OF MIAMI LAKES FOR TURF AND LANDSCAPE MAINTENANCE AT THE INTERSECTION OF NW 154th STREET AND STATE ROAD 826; AUTHORIZING TOWN OFFICIALS 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, the Florida Department of Transportation (“FDOT”) controls the roadside areas and median strips (“Areas”) throughout the Florida Highway System; and

WHEREAS, the Town of Miami Lakes (the “Town”) and FDOT have previously entered into agreement for maintenance of the Areas at the intersection of NW 154th Street and State Road 826 (the “Intersection”) pursuant to Resolution No. 04-228; and

WHEREAS, Section 287.058(1)(d), Florida Statutes, allows the State to reimburse municipalities who elect to maintain State-owned roads located within their boundaries; and

WHEREAS, FDOT has agreed to reimburse the Town for the landscaping at the Intersection pursuant to a Joint Project of Agreement (the “Agreement”); and

WHEREAS, the Town Council finds that the approval of the Agreement is in the best interests of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL 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 the Agreement. The Agreement between the Florida Department of Transportation and the Town of Miami Lakes for turf and landscape maintenance, 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 the 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.

PASSED AND ADOPTED this 11 day of January, 2010.

Motion to adopt by Pizzi, second by Mestre.

FINAL VOTE AT ADOPTION

Mayor Michael Pizzi	<u>yes</u>
Vice Mayor Nick Perdomo	<u>Absent</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Nelson Hernandez	<u>yes</u>
Councilmember Ceasar Mestre	<u>yes</u>
Councilmember Richard Pulido	<u>yes</u>



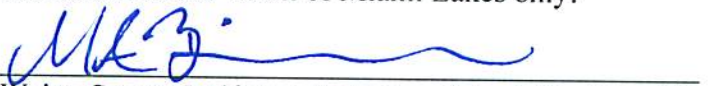
Michael Pizzi
MAYOR

ATTEST:



Marjorie Tejeda
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