

RESOLUTION NO. 11-913

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA WAIVING THE COMPREHENSIVE COUNCIL MEETING AND AGENDA PROCEDURES; WAIVING THE TOWN'S PROCUREMENT PROCEDURES; AUTHORIZING THE TOWN MANAGER TO PURCHASE SUPPLIES, MATERIALS, SERVICES OR EQUIPMENT BETWEEN JULY 12, 2011 AND SEPTEMBER 13, 2011, IN EXCESS OF THE DOLLAR AMOUNTS AUTHORIZED IN ORDINANCE NO. 09-115, THE TOWN'S PURCHASING PROCEDURES ORDINANCE; AUTHORIZING THE TOWN MANAGER TO EXECUTE GRANT AGREEMENTS; AUTHORIZING THE TOWN MANAGER TO AWARD ANY BIDS AND/OR PROPOSALS FOR DISASTER RECOVERY RELIEF; REQUIRING TOWN COUNCIL RATIFICATION OF THE PURCHASES AT TOWN COUNCIL'S FIRST REGULARLY SCHEDULED COUNCIL MEETING IN SEPTEMBER OF 2011; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 1.1 of the Town's Comprehensive Council Meeting And Agenda Procedures requires that the Town Council shall hold regular meetings once or twice a month; and

WHEREAS, the Town Council finds it is not necessary to conduct a meeting in the month of August, 2011, has therefore not scheduled a regular Town Council meeting and wishes to waive the Comprehensive Council Meeting And Agenda Procedures accordingly; and

WHEREAS, Section 3.3 of the Town Charter authorizes the Town Manager to execute contracts, deeds and other documents on behalf of the Town as authorized by the Town Council; and

WHEREAS, Ordinance No. 09-115, the Town's Purchasing Procedures Ordinance, authorizes the Town Manager to purchase supplies, materials, services and equipment without Town Council authorization up to a maximum of \$10,000.00; and

WHEREAS, although the Town Council has not scheduled any Council meetings for the month of August, 2011, in order for the timely continuation of the Town's business, the Town Council pursuant to Section H(1) of the Town's Purchasing Procedures Ordinance desires to temporarily waive the procurement procedures to provide the Town Manager with the authorization to make purchases in excess of the dollar limitation found in Ordinance No. 09-115.

NOW, THEREFORE, BE IT RESOLVED BY TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, THAT:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Waiver of Comprehensive Council Meeting And Agenda Procedures. The Town Council has no regularly Town Council meeting scheduled during the month of August 2011 and therefore waives Section 1.1 of the Comprehensive Council Meeting and Agenda Procedures; and

Section 3. Waiver of Procurement Procedures. In accordance with Section H(1) of the Town's Purchasing Procedures Ordinance, the Town Council finds that it is impractical to use the procurement procedures during the time period that the Council has no regularly scheduled Town Council meetings and temporarily waives the Town's purchasing procedures.

Section 4. Authorization of Town Manager. Pursuant to Section 3.3 of the Town Charter, the Town Council temporarily authorizes the Town Manager to purchase supplies, materials, services or equipment up to the amount of \$35,000.00 per purchase, execute any time sensitive grant agreements, and notwithstanding the \$35,000.00 limit per purchase, award any bids and/or proposals for disaster recovery relief, for the time period running from July 13, 2011 through September 13, 2011 (collectively referred to as “Purchases”), provided that funds are budgeted for such Purchases.

Section 5. Ratification. Any Purchases made by the Town Manager in excess of \$35,000.00 shall be placed upon the Town Council’s agenda for the first regularly scheduled meeting in September of 2011 for ratification by the Town Council.

Section 6. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Town Manager pursuant to the Town’s Purchasing Procedures Ordinance and as waived by this Resolution, the Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Purchases.

Section 7. Execution of Documents. The Town Manager is authorized to execute any required documents, contracts or purchase orders in order to make the Purchases contemplated in this resolution, subject to review and approval of the documents by the Town Attorney.

Section 8. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 12th day of July, 2011.

Motion to adopt by Councilmember Daubert, second by Councilmember Collins.

FINAL VOTE AT ADOPTION

Mayor Michael Pizzi yes

Vice Mayor Nick Perdomo yes

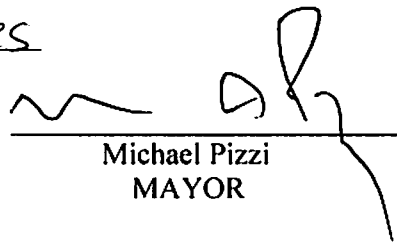
Councilmember Mary Collins yes

Councilmember Tim Daubert yes

Councilmember Nelson Hernandez yes

Councilmember Ceasar Mestre yes

Councilmember Richard Pulido yes



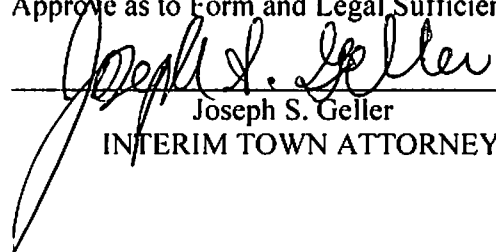
Michael Pizzi
MAYOR

Attest:



Marjorie Tejada
TOWN CLERK

Approve as to Form and Legal Sufficiency



Joseph S. Geller
INTERIM TOWN ATTORNEY