

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2267.12**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE TOWN AND BELLSOUTH TELECOMMUNICATIONS, INC. IN CONNECTION WITH THE CONVERSION OF CERTAIN OVERHEAD FACILITIES; AUTHORIZING THE MAYOR AND TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION; AUTHORIZING THE TOWN TO EXPEND BUDGET COSTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Golden Beach, Florida (the "Town") desires that Bellsouth Telecommunications, Inc., d/b/a AT&T Southeast ("AT&T"), convert certain overhead facilities within Phase 3 of the Town's Capital Improvement Program (the "Conversion Area") to underground facilities; and

**WHEREAS**, in connection with the conversion to underground facilities, the Town desires to enter into those agreements and/or documents as may be required by AT&T, including the Special Construction Agreement (the "Agreement") substantially in the form attached to this Resolution as Exhibit "A"; and

**WHEREAS**, the Town Council believes that it is in the Town's best interest to convert existing overhead facilities in the Conversion Area to underground facilities and to enter into the Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** Each of the above stated recitals are hereby adopted and confirmed.

**Section 2. Agreement Approved; Execution of Agreement.** The Agreement is hereby approved in substantially the form attached hereto as Exhibit "A" and the Mayor and Town Manager are authorized to execute the Agreement on behalf of the Town, once approved by the Town Attorney.

**Section 3. Implementation.** The Mayor and Town Manager are authorized to take any and all action necessary to implement the Agreement and this Resolution.

**Section 4. Authorization for Fund Expenditure** The Town Mayor is authorized to expend budgeted funds to implement the terms and conditions of the Agreement.

**Section 5. Effective Date.** This Resolution shall be effective immediately upon approval of the Town Council.

The Motion to adopt the foregoing Resolution was offered by Councilmember Lusskin, seconded by Vice Mayor Rojas and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Amy Isackson-Rojas	<u>Aye</u>
Councilmember Bernard Einstein	<u>Absent</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>

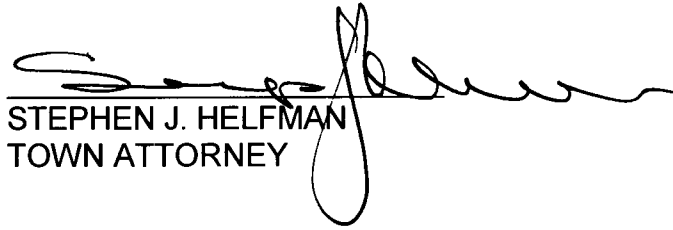
PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 24<sup>th</sup> day of September, 2012.

ATTEST:

  
\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

  
\_\_\_\_\_  
MAYOR GLENN SINGER

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



STEPHEN J. HELFMAN  
TOWN ATTORNEY

**Exhibit “A”**  
**Agreement**