

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1986.09

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AGREEMENTS BETWEEN THE TOWN AND FLORIDA POWER & LIGHT COMPANY IN CONNECTION WITH THE CONVERSION OF CERTAIN OVERHEAD ELECTRICAL DISTRIBUTION FACILITIES TO UNDERGROUND FACILITIES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Golden Beach, Florida (the "Town") desires that Florida Power & Light Company ("FPL") convert overhead electrical distribution facilities located on Golden Beach Drive from Massini Avenue to The Strand to underground facilities; and

WHEREAS, in connection therewith, the Town desires to enter into those agreements and/or documents titled (1) City/County Right-of-Way Agreement for Underground Conversions; (2) Applicant-Installed Facilities Agreement for Underground Conversions; (3) Easement; (4) Notification of FPL Facilities; and (5) Underground Facilities Conversion Agreement – Governmental Adjustment Factor Waiver (collectively, the "Agreement") substantially in the form attached to this Resolution as composite Exhibit "A" and described and outlined in the attached Agenda Item Report; and

WHEREAS, the Town Council believes that it is in the Town's best interest 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. That each of the above-stated recitals is hereby adopted and confirmed.

Section 2. Agreement Approved. That the Agreement is hereby approved in substantially the form attached hereto as Exhibit "A," and the Mayor is authorized to execute the Agreement on behalf of the Town once approved as to form and legal

sufficiency by the Town Attorney.

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

Section 4. Effective Date. That this resolution shall become effective immediately upon approval of the Town Council.

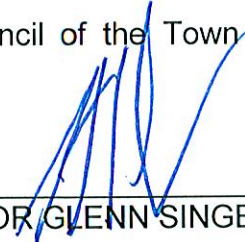
Sponsored by **Town Administration**

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

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Judy Lusskin	<u>Aye</u>
Councilmember Ken Bernstein	<u>Aye</u>
Councilmember Ben Einstein	<u>Aye</u>
Councilmember Amy Rojas	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 25th day of February, 2009.

ATTEST:




MAYOR GLENN SINGER



ELIZABETH SEWELL
TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



STEPHEN J. HELFMAN
TOWN ATTORNEY