

GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1478.03

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, PURSUANT TO SECTION 2-275 OF THE CODE OF ORDINANCES, PROVIDING FOR A WAIVER OF THE PURCHASING PROCEDURES FOR CONSTRUCTION OF PHASE II STORMWATER IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Council approved an expenditure of \$110,000.00 for Phase II stormwater improvements on October 15, 2002; and

WHEREAS, the Town has received a grant from the State of Florida for the stormwater improvements; and

WHEREAS, the Town was in jeopardy of having the initial grant monies withdrawn unless construction of the improvements was begun immediately; and

WHEREAS, the Town approved the waiver of the bid process on November 19, 2002; and

WHEREAS, the public health, safety and welfare of the community is of paramount concern; and

WHEREAS, the stormwater drainage issues remain in serious condition as of today's date and are compounded by the rainy season, pooling of water creating breeding grounds for mosquitoes, by hurricane season and the potential for flooding and the resulting damage to life and property; and

WHEREAS, there is insufficient time to complete the bid process; and

WHEREAS, the Town Council approves the expenditure of \$130,000.00 for this project;

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

Resolution No. 1478.03

Section 1. That the Whereas clauses are determined to be legitimate concerns affecting the public health, safety and welfare of the community.

Section 2. That pursuant to Section 2-275 of the Code of Ordinances of the Town of Golden Beach, the purchasing procedures be, and they are hereby waived for the purpose of construction of the Phase II stormwater improvements.

Section 3. Severability. That the provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences and phrases of this Resolution but they shall remain in effect, notwithstanding the invalidity of any part.

Section 4. Conflict. That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 5. Effective Date. That this Resolution shall become effective immediately upon approval of the Town Council.

Sponsored by Administration.

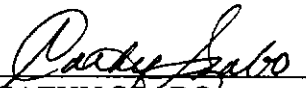
The Motion to adopt the foregoing resolution was offered by Councilmember Paruas, seconded by Councilmember Singer and on roll call the following vote ensued:

Mayor Addicott:	<u>ABSENT</u>
Vice Mayor Iglesias	<u>AYE</u>
Councilmember Einstein	<u>AYE</u>
Councilmember Paruas	<u>AYE</u>
Councilmember Singer	<u>AYE</u>


PASSED AND ADOPTED by the Town Council of the Town of Golden Beach this 20TH day of May, 2003.


MAYOR MICHAEL ADDICOTT

ATTEST:


CATHY SZABO
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


PAUL D. EICHNER
TOWN ATTORNEY