

GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1753.05

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AMENDMENT NO. 03 TO AGREEMENT NO. C-13163 BETWEEN THE TOWN AND SOUTH FLORIDA WATER MANAGEMENT DISTRICT PERTAINING TO THE TOWN'S FLOOD MITIGATION PROJECT; AUTHORIZING THE TOWN MAYOR TO EXECUTE SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Golden Beach's flood mitigation project (the "Project") was partially funded by the 2001/2002 legislature General Application Act funds from the Florida Department of Environmental Protection ("FDEP"); and

WHEREAS, additional funds were appropriated for the Project by the 2002/2003 and 2004/2005 legislature General Appropriation Act funding through FDEP; and

WHEREAS, these funds are administered through the South Florida Water Management District (the "District") and dispersed and managed at the local level; and

WHEREAS, to receive these funds, the Town must enter into a third amendment to the agreement between the Town and the District, dated February 14, 2002, and subsequently amended in 2003 and 2004; and

WHEREAS, the Town Council finds that approval of the attached third amendment to the agreement between the Town and the District is in the best interest of the Town.

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

Section 1. Recitals Adopted. That each of the recitals stated above is hereby adopted and confirmed.

Section 2. That the third amendment to the agreement between the Town and the District pertaining to the Town's flood mitigation project (Amendment No. 03 to Agreement No. C-13163), in substantially the form attached hereto, is hereby approved.

Section 3. Execution Authorized. That the Town Mayor is hereby authorized to execute said amendment on behalf of the Town, once approved as to form and legal sufficiency by the Town Attorney.

Section 4. Implementation. That the Town Mayor and Town Manager are hereby authorized to take any and all action necessary to implement the terms and conditions of the attached amendment.

Section 5. Effective Date. That this Resolution shall take effect immediately upon its adoption.

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

Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	<u>Aye</u>
Councilmember Colella-Battista	<u>Aye</u>
Councilmember Einstein	<u>Absent</u>
Councilmember Iglesias	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 15 day of November, 2005.

ATTEST


CATHY LABO, CMC
TOWN CLERK


MAYOR GLENN SINGER

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


TOWN ATTORNEY