

RESOLUTION No. 2004-73-124

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY, FOR THE TRANSFER OF CERTAIN ROADS FROM THE COUNTY TO THE CITY, IN SUBSTANTIAL FORM AS THE AGREEMENT ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR AUTHORIZATION TO THE CITY MANAGER AND CITY ATTORNEY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, certain public roads on the Miami-Dade County ("County") road system are within the municipal limits of the City of Miami Gardens ("Road Segments"), and

WHEREAS, the City and County are desirous of transferring the title, and responsibility for the Road Segments from the County to the City, and

WHEREAS, pursuant to Section 335.0415, Florida Statutes, jurisdiction and responsibility for public roads may be transferred by mutual agreement of the County and the City, and

WHEREAS, the City and County have determined that it is in the best interest of the parties that the ownership and responsibility for the operation, maintenance, planning, design and construction of the Road Segments be transferred to the City

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, as follows:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby

made a specific part of this Resolution.

Section 2. AUTHORITY: The Mayor and City Clerk are hereby authorized and directed to execute and attest, respectively, that certain Interlocal Agreement with Miami-Dade County for the transfer of certain County Roads to the City, in substantial form as the Agreement attached hereto as Exhibit "A."

Section 3. INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby authorized to obtain three (3) fully executed copies of the subject Agreement, with one to be maintained by the City; with one to be delivered to Miami-Dade County, and with one to be directed to the Office of City Attorney.

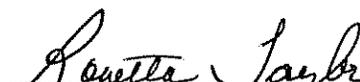
Section 4. AUTHORIZATION: The City Manager and City Attorney, are hereby authorized to take whatever steps as may be deemed necessary to fulfill the intent of this Resolution, including amending the Agreement, so long as any such amendments do not substantially alter the terms of the Agreement attached hereto as Exhibit "A."

Section 5. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON JULY 21,, 2004.

  
SHIRLEY GIBSON, MAYOR

ATTEST:

  
RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA K. KNIGHTON, ESQ.  
City Attorney

SPONSORED BY: Danny Crew, City Manager

MOVED BY:        Councilman Braynon  
SECONDED BY: Councilwoman Watson

**VOTE:** 7-0

Mayor Gibson	<u>  x  </u> (Yes)	<u>    </u> (No)
Vice Mayor Campbell	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilman Melvin L. Bratton	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilman Oscar Braynon, II	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilwoman Audrey J. King	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilwoman Sharon Pritchett	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilwoman Barbara Watson	<u>  x  </u> (Yes)	<u>    </u> (No)

skk

S:\MIAMI\RESOS\ROADS.DOC