

RESOLUTION NO. 2003-74

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING RESOLUTION 2003-62 WHICH WAS FOR THE DONATION OF FUNDS TO THE SOUTHWEST RANCHERS UNITED, INC.; AMENDING THE SPECIFIC USE OF THE DONATED FUNDS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at the Town Council Meeting on July 10, 2003, the Town Council determined, following public comment and the testimony of Ted P. Galatis, Jr. Esq., legal counsel to Southwest Ranchers United, Inc., that the interests of the residents challenging the special assessment to fund improvements to the S9 and S10 basins were consistent with the Town and, therefore, there was a public purpose and benefit to be served by providing funds to support the efforts of Southwest Ranchers United, Inc.; and

WHEREAS, the Town Council adopted Resolution 2003-62 to donate \$25,000 to Southwest Ranchers United, Inc. to assist in challenging the South Broward Drainage District on a \$3.6 million bond issue; and

WHEREAS, the Resolution specified that the donated funds were to be placed in a trust account for which an accounting would be provided; and

WHEREAS, the Resolution specified that the donated funds shall be exclusively used for expert fees; and

WHEREAS, upon the final payments being completed for the expert witnesses, the remaining balance of the \$25,000 of donated funds is \$7,208.00; and

WHEREAS, the Town Council has determined that Resolution 2003-62 should be amended to provide for the payment of attorney's fees from the balance of the donated funds and the remaining balance to be returned to the Town.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

Section 1: The above referenced recitals are true and correct and are incorporated herein by reference.

Section 2: The Town Council hereby authorizes that Section 3 of Resolution 2003-62 be amended as follows:

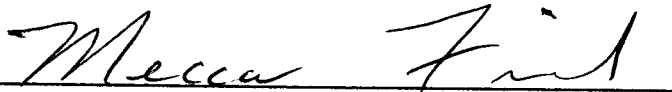
The Town Council hereby directs that the donated funds be used exclusively for expert fees and attorney fees and that the donated funds shall be placed in the trust account of Andrews & Galatis, P.A., from which a full accounting will be provided.

Section 3: The Town Council hereby authorizes and directs that the balance of funds, \$5,499.19, in the trust fund for the Southwest Ranchers United, Inc. be disbursed for the payment of attorney's fees.

Section 4: The Town Council hereby authorizes and directs that the remaining balance of funds, \$1,708.81, in the trust fund for the Southwest Ranchers United, Inc. be disbursed to the Town of Southwest Ranches.


Section 5: That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 10th day of September 2003.



Mecca Fink, Mayor

Attest:



Shari Canada, Town Clerk

Approved as to Form and Correctness:



Gary A. Poliakoff, J.D., Town Attorney