

**RESOLUTION NO. 2005 - 007**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A DONATION IN THE AMOUNT OF \$11,625 TO SOUTHWEST RANCHES VOLUNTEER FIRE-RESCUE, INC. TO BE UTILIZED FOR THE PURCHASE OF THE RENTED MODULAR BUILDING SITUATED ON THE TOWN'S PUBLIC SAFETY COMPLEX SITE; FINDING A PUBLIC PURPOSE FOR THE DONATION; APPROVING THE FIRST AMENDMENT TO THE AGREEMENT WITH SOUTHWEST RANCHES VOLUNTEER FIRE-RESCUE, INC. TO INCREASE THE TOWN'S ANNUAL CONTRIBUTION BY \$4,200; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO AN AMENDED AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council has determined that Southwest Ranches Fire-Rescue, Inc. provides a valuable resource to the Town and its residents; and

**WHEREAS**, by way of example, following the destruction caused by the 2004 hurricanes, Southwest Ranches Fire-Rescue, Inc. immediately came to the aide of the Town by clearing the streets and helping residents remove debris from their properties; and

**WHEREAS**, on April 12, 2001, recognizing the work done for the Town, the Town Council approved an agreement allocating yearly funds to Southwest Ranches Fire-Rescue, Inc.; and

**WHEREAS**, over the past three and a half years, although costs have dramatically increased, the Town's contribution and the services provided by Southwest Ranches Fire-Rescue, Inc. have remained constant; and

**WHEREAS**, one of the major expenses for Southwest Ranches Fire-Rescue, Inc. is the monthly rent for its facility; and

**WHEREAS**, the Town Council wishes to donate the funds necessary to buy the Southwest Ranches Fire-Rescue, Inc. facility, in order to relieve Southwest Ranches Fire-Rescue, Inc. of this burden; and

**WHEREAS**, to further commend Southwest Ranches Fire-Rescue, Inc. for its service to the Town, the Town Council wishes to increase its yearly contribution.

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

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

**Section 2.** The Town Council hereby authorizes a donation in the amount of \$11,625 to Southwest Ranches Fire-Rescue, Inc. to be utilized for the purchase of the modular building located on the Town's public safety complex site. Southwest Ranches Fire-Rescue, Inc. shall furnish proof of purchase to the Town.

**Section 3.** The Town Council finds that Southwest Ranches Fire-Rescue, Inc. services the needs of the community and that the public will benefit from this donation.

**Section 4.** The Town Council hereby agrees to increase its yearly contribution to Southwest Ranches Fire-Rescue, Inc. by \$4,200 and to amend the Agreement with Southwest Ranches Fire-Rescue, Inc., accordingly.

**Section 5.** The Town Council hereby authorizes the Mayor, Town Administrator and Town Attorney to enter into a First Amendment to the Agreement in substantially the same form as that attached hereto as Exhibit "A" and to make such modifications, additions and/or deletions which they deem necessary and proper to effectuate the intent of this Resolution.

**Section 6.** Effective Date. This Resolution shall become effective immediately upon its adoption.

**This space has been intentionally left blank.**

**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this 10<sup>th</sup> day of November 2004, on a motion by Vice Mayor Aster knight and seconded by Council Member Maines.

Fink                Y    

Knight            Y    

Blanton           Y    

Maines            Y    


Nelson            Y    

Ayes               5    

Nays               0    

Absent or

Abstaining        0    

  
\_\_\_\_\_  
Mecca Fink, Mayor

ATTEST:

  
\_\_\_\_\_  
Shari Canada, Town Clerk

Approved as to Form and Correctness:

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

**EXHIBIT "A"**

**FIRST MODIFICATION TO AGREEMENT**

**THIS FIRST MODIFICATION TO AGREEMENT** entered into as of the 10<sup>th</sup> day of November, 2004 between the Town of Southwest Ranches, a municipal corporation of the State of Florida (the "Town") and Southwest Ranches Volunteer Fire-Rescue Inc., a not-for-profit corporation of the State of Florida ("Volunteer"), for the purpose of amending the Agreement between the Town and Volunteer dated April 12, 2001 (the "Original Agreement").

**WITNESSETH:**

**WHEREAS**, on April 12, 2001, Volunteer entered into an agreement with the Town which in part provides the Town with back-up fire-rescue services; and

**WHEREAS**, the Town Council has determined that Volunteer's services provide a valuable resource to the Town and its residents; and

**WHEREAS**, over the past three and a half years, although costs have dramatically increased, the Town's contribution and the services provided by Volunteer have remained constant; and

**WHEREAS**, in consideration of Volunteer's service to the Town and the increased costs, the Town wishes to increase its annual allocation to Volunteer; and

**WHEREAS**, this First Modification to Agreement provides an additional Four Thousand Two Hundred Dollars (\$4,200.00) annually to Volunteer for a total yearly allocation of Thirty Four Thousand Two Hundred Dollars (\$34,200.00).

**NOW THEREFORE**, for and in consideration of the premises and for Ten Dollars (\$10.00) and for other good and valuable consideration the receipt and sufficiency whereof is hereby acknowledged, the parties hereto agree that the Original Agreement shall be amended as follows:

1. The foregoing recitals are true and correct.

2. Article 6 "Consideration" shall be amended to read as follows:

6.2 TOWN agrees to provide an amount not to exceed ~~Thirty Thousand Dollars (\$30,000)~~ Thirty Four Thousand Two Hundred Dollars (\$34,200) in the annual budget for VOLUNTEER. Said amount may be increased based upon service level need and shall be solely determined by TOWN.

3. All other terms and conditions not modified herein shall remain of full force and effect and binding on the parties.

**IN WITNESS WHEREOF**, this First Modification is accepted and executed as of the \_\_\_ day of November, 2004.

TOWN OF SOUTHWEST RANCHES

SOUTHWEST RANCHES VOLUNTEER  
FIRE-RESCUE, INC.

\_\_\_\_\_  
Mecca Fink, Mayor

\_\_\_\_\_  
President

\_\_\_\_\_  
John Canada, Town Administrator

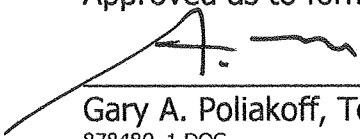
\_\_\_\_\_  
Witness

Attest:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Shari Canada, Town Clerk

Approved as to form and correctness:

  
\_\_\_\_\_  
Gary A. Poliakoff, Town Attorney

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