

RESOLUTION NO. 2007 – 096

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE THIRD AMENDMENT TO THE AGREEMENT WITH MICHELE MELLGREN & ASSOCIATES, INC.; AMENDING THE AGREEMENT TO EXTEND THE AGREEMENT FOR AN ADDITIONAL YEAR, UNTIL SEPTEMBER 30, 2008; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO THE THIRD AMENDMENT TO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 8, 2001 the Town Council authorized the issuance of a Request for Proposal for Development Management and Zoning Code Services; and

WHEREAS, on April 12, 2001, pursuant to Resolution 2001-45, the Town Council selected Michele Mellgren and Associates, Inc.; and

WHEREAS, on September 10, 2003, the Town Council approved the First Amendment to its Agreement with Michele Mellgren and Associates, Inc., extending the term of the Agreement for an additional two years; and

WHEREAS, on November 11, 2004, the Town Council retained independent Town Engineering and Infrastructure Management Services; and

WHEREAS, on December 9, 2004, pursuant to Resolution No. 2005-021, the Town Council approved the Second Amendment to its Agreement with Michele Mellgren and Associates, Inc., which included several modifications and extended the term of the Agreement for an additional two years, until September 30, 2007; and

WHEREAS, the Town Council and Michele Mellgren and Associates, Inc. have mutually agreed to extend the Agreement for an additional year, until September 30, 2008; and

WHEREAS, the Town Council believes that this extension is in the best interest of 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 approves the Third Amendment to the Agreement with Michele Mellgren and Associates, Inc. to extend the term of the Agreement for an additional year, until September 30, 2008.

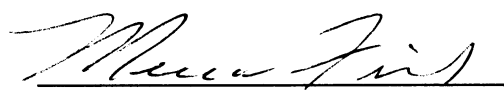
Section 3. The Town Council hereby amends its Agreement with Michele Mellgren and Associates, Inc. as specifically delineated in Exhibit "A", which has been attached hereto and is incorporated herein by reference.

Section 4. The Town Council hereby authorizes the Mayor, Town Administrator and Town Attorney to enter into the Third Amendment to 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 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 20th day of September 2007, on a motion by Council Member Steve Breitzkreuz and seconded by Vice Mayor Don Maines.

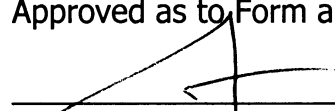
Fink	<u>Y</u>	Ayes	<u>5</u>
Maines	<u>Y</u>	Nays	<u>0</u>
Breitzkreuz	<u>Y</u>	Absent	<u>0</u>
Knight	<u>Y</u>	Abstaining	<u>0</u>
Nelson	<u>Y</u>		


Mecca Fink, Mayor

ATTEST:


Susan A. Owens, Town Clerk

Approved as to Form and Correctness:


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

FTL_DB: 1065899_1

EXHIBIT "A"

THIRD MODIFICATION TO AGREEMENT

THIS THIRD MODIFICATION TO AGREEMENT entered into as of this ____ day of _____, 2007 between the Town of Southwest Ranches, a municipal corporation of the State of Florida (the "Town") and Michele Mellgren and Associates, Inc., consultant firm doing business or authorized to do business in the State of Florida, for the purpose of amending the Agreement between the Town and Michele Mellgren and Associates, Inc. dated April 26th, 2001.

WITNESSETH:

WHEREAS, on March 8, 2001 the Town Council authorized the issuance of a Request for Proposal for Development Management and Zoning Code Services; and

WHEREAS, on April 12, 2001, pursuant to Resolution 2001-45, the Town Council selected Michele Mellgren and Associates, Inc.; and

WHEREAS, on September 10, 2003, the Town Council approved the First Amendment to its Agreement with Michele Mellgren and Associates, Inc., extending the term of the Agreement for an additional two years; and

WHEREAS, on November 11, 2004, the Town Council retained independent Town Engineering and Infrastructure Management Services; and

WHEREAS, on December 9, 2004, pursuant to Resolution No. 2005-021, the Town Council approved the Second Amendment to its Agreement with Michele Mellgren and Associates, Inc., which included several modifications and extended the term of the Agreement for an additional two years, until September 30, 2007; and

WHEREAS, the Town Council and Michele Mellgren and Associates, Inc. have mutually agreed to extend the Agreement for an additional year, until September 30, 2008; and

WHEREAS, the Town Council believes that this extension is in the best interest of the Town.

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 3 "Term" which has previously been amended by the First and Second Amendments to Agreement, shall be further amended to read as follows:

3.1 This Agreement shall terminate on ~~September 30, 2007~~ September 30, 2008, unless further extended, at the Town's sole discretion, through mutual agreement of both parties

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 Third Modification is accepted and executed as of this ____ day of _____, 2007.

TOWN OF SOUTHWEST RANCHES

MICHELE MELLGREN AND ASSOCIATES, INC.

Mecca Fink, Mayor

Michele Mellgren, President

Christopher J. Russo, Town Administrator

Attest:

Susan A. Owens, Town Clerk

Witness

Approved as to form and correctness:

Gary A. Poliakoff, Town Attorney

Witness

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TOWN OF SOUTHWEST RANCHES

MICHELE MELLGREN AND ASSOCIATES, INC.

Mecca Fink, Mayor

Michele Mellgren, President

Christopher J. Russo, Town Administrator

Attest:

Susan A. Owens, Town Clerk

Witness

Approved as to form and correctness:

Gary A. Poliakoff, Town Attorney

Witness

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