

RESOLUTION NO. 04-69

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE TRANSFER OF ROADS BETWEEN MIAMI-DADE COUNTY AND THE VILLAGE OF PALMETTO BAY; HEREBY SUPERSEDING THE AUTHORIZATIONS OF THE VILLAGE COUNCIL PROVIDED IN RESOLUTION NO. 04-38, DATED THE 3rd DAY OF MAY, 2004; FURTHER AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH MIAMI-DADE COUNTY ACCEPTING JURISDICTION, OWNERSHIP AND RESPONSIBILITY FOR ALL PUBLIC ROADS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF PALMETTO BAY EXCEPT FOR THE ROADS IDENTIFIED AS "EXEMPT ROADS" PER THE ATTACHED AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village is desirous of transferring the underlying title for the planning, design, construction, improvement and maintenance of municipal roads from Miami-Dade County to the Village; and

WHEREAS, the County and the Village agreed that all municipal roads within the boundaries of the Village of Palmetto Bay would be officially transferred to the Village with the exception of streets referred to as "Exempt Roads" shall remain County streets and shall be maintained by the County; 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 Village; and

WHEREAS, the County and the Village have determined that it is in the best interest of the parties that responsibility for the operation, maintenance, planning, design and construction and any future improvements thereto be transferred to the Village; and

WHEREAS, the authorizations of the Village Council in Resolution No. 04-38, dated the 3rd day of May, 2004, is hereby superseded by this new resolution; and

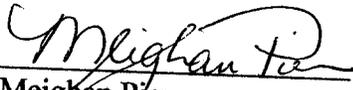
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

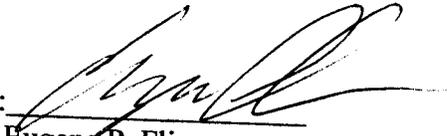
Section 1: Village Manager is authorized to accept and execute the Road Transfer Agreement with Miami-Dade County.

Section 2: The County shall transfer municipal streets to the Village after the execution of the agreement.

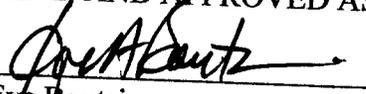
Section 3: This Resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 8th day of September, 2004.

ATTEST: 
Meighan Pier
City Clerk

APPROVED: 
Eugene P. Flinn
Mayor

READ AND APPROVED AS TO FORM:


Eve Boutsis
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>YES</u>
Council Member Paul Neidhart	<u>YES</u>
Council Member John Breder	<u>YES</u>
Vice-Mayor Linda Robinson	<u>YES</u>
Mayor Eugene P. Flinn	<u>YES</u>

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