

RESOLUTION NO. 14 - 2263

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE TOWN TO ENTER INTO A THIRD AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN AMERICAN TRAFFIC SOLUTIONS, INC. (“ATS”) AND THE TOWN OF SURFSIDE; AUTHORIZING THE TOWN MANAGER TO DO ALL THINGS NECESSARY TO IMPLEMENT THE TERMS OF THE THIRD AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Surfside, Florida desires to continue the “Red Light” camera program with American Traffic Solutions, Inc. (hereinafter “ATS”); and

WHEREAS, ATS agrees to amend Article 6.4 of the Agreement dated August 11, 2010 to allow funds to be available to offset ATS invoices during each Fiscal Year as each Fiscal Year stands alone during the Term of the Agreement; and

WHEREAS, ATS also agrees to retroactively apply the Amendment of Article 6.4 for the year beginning October 1, 2013; and

WHEREAS, the Agreement will extend three (3) years for the period of October 1, 2014 to September 30, 2017; and

WHEREAS, Town has the right to terminate this Agreement by providing a written notice of its intent not to extend the Agreement 90 days prior to the expiration of the current term; and

WHEREAS, ATS will have the sole right to terminate the Agreement for convenience with a written 90 day notice to the Town at any time during the Term of the Agreement; and

WHEREAS, the Town Commission of the Town of Surfside, Florida believes it is in the Town’s best interest to enter into this Third Amendment to the Professional Services Agreement with American Traffic Solutions, Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AS FOLLOWS:

Section 1. Recitals. That the above and foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Authorization to Execute Agreement. The Town Commission hereby authorizes the Town Manager to execute the Third Amendment to the Professional Services Agreement with American Traffic Solutions, Inc. on behalf of the Town, once approved as to form and legal sufficiency by the Town Attorney.

Section 3. Implementation. The Town Manager and the Town Attorney are hereby authorized to take any and all action necessary to implement this Resolution and Amendment in accordance with the terms, conditions and purposes of this Resolution and Amendment.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED and ADOPTED on this 9th day of September 2014.

Motion by Vice Mayor Tourgeman,

Second by Commissioner Olchyk.

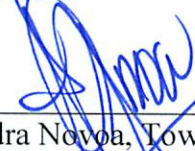
FINAL VOTE ON ADOPTION

Commissioner Barry Cohen	YES
Commissioner Michael Karukin	YES
Commissioner Marta Olchyk	YES
Vice-Mayor Eli Tourgeman	YES
Mayor Daniel Dietch	YES




Daniel Dietch, Mayor

ATTEST:



Sandra Novoa, Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR
THE TOWN OF SURFSIDE ONLY:**



Linda Miller, Town Attorney