

**RESOLUTION 16-\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER TO EARTH NETWORKS FOR THE PURCHASE OF WEATHERBUG LIGHTNING DETECTION SYSTEM IN THE AMOUNT OF \$31,500.00; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Cutler Bay (“Town”) has determined that an essential need exists for the acquisition of a lightning detection system and related equipment at several Town Parks; and

**WHEREAS**, the WeatherBug Lightning Detection System (the “System”) will be owned by the Town and operated by the Town’s Parks and Recreation Department; and

**WHEREAS**, the System will be implemented and operated at Bel Aire Park, Cutler Ridge Park, Franjo Park and Lakes by the Bay Park; and

**WHEREAS**, the Town Staff will operate the System on a routine basis for regular monitoring and alerting Park patrons of inclement weather; and

**WHEREAS**, in accordance with Section 3.10 of the Town Charter, the Town Manager has made a written recommendation to the Town Council and the Town Council has determined that it is impracticable to competitively bid items because they are available from only one vendor, and the Town Council finds that approval of the vendor for the purchase of the goods is in the best interest of the Town; and

**WHEREAS**, the Town budgeted funds in the General Fund budget for lightning detection equipment for certain Town Parks, which was adopted in the Fiscal Year 2015-16 Operating Budget; and

**WHEREAS**, the Town Council finds that the adoption of this Resolution is in the best interest and welfare of the residents of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:**

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

**Section 2. Authorized.** The Town Manager is hereby authorized to issue a Purchase Order in the amount of \$31,500.00 to Earth Networks for the purchase of the WeatherBug Lightning Detection System, which proposal is attached to this Resolution as Exhibit "A" and incorporated herein by reference.

**Section 3. Bid Waiver.** The competitive bidding requirements of Section 3.10 of the Town Charter are hereby waived to the extent they would require a competitive process for the purchase of the WeatherBug Lightning Detection System.

**Section 4. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this \_\_\_\_\_ day of February, 2016.

Attest:

\_\_\_\_\_  
PEGGY R. BELL  
Mayor

\_\_\_\_\_  
JACQUELINE N. WILSON  
Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE SOLE  
USE OF THE TOWN OF CUTLER BAY:

\_\_\_\_\_  
WEISS SEROTA HELFMAN  
COLE & BIERMAN, P.L.  
Town Attorney

Moved By: \_\_\_\_\_  
Seconded By: \_\_\_\_\_

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell \_\_\_\_\_

Vice Mayor Ernest N. Sochin \_\_\_\_\_

Council Member Roger Coriat \_\_\_\_\_

Council Member Sue Ellen Loyzelle \_\_\_\_\_

Council Member Mary Ann Mixon \_\_\_\_\_