

**CITY OF CORAL GABLES**

**RESOLUTION NO. \_\_\_\_**

**RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CORAL GABLES AND FAIRCHILD TROPICAL BOTANICAL GARDENS FOR FAIRCHILD TROPICAL BOTANICAL GARDENS TO JOIN THE CITY'S FIBER INSTITUTIONAL NETWORK OPERATIONS.**

**WHEREAS**, by Ordinance No. 3278, passed in October 1997, and by Ordinance 2004-50, passed December 2004, the City has established a cable television franchise agreement whereby all governmental authorities, schools, or persons designated by the City are interconnected by an Institutional Network (I-Net); and

**WHEREAS**, Fairchild Tropical Botanical Gardens (FTBG) is one of those locations identified to be connected to the I-Net; and

**WHEREAS**, FTBG is a not-for-profit organization providing many opportunities in education, conservation and research, and is known as a Coral Gables cultural landmark and tourist destination; and

**WHEREAS**, FTBG intends to use the I-Net connection for educational and institutional purposes and agrees that they will comply with the terms and conditions of the memorandum of understanding (MOU) for a three-year term; and

**WHEREAS**, The City will provide FTBG with an internet connection through the I-Net shared fiber network, and the fiber that provides the I-Net connectivity was installed and is operated and maintained at the sole expense of the cable television franchisee, and the electronics that will be used to provide the connectivity at the FTBG location will be purchased, installed, and maintained by the City; and

**WHEREAS**, FTBG will compensate the City for all equipment, connection, installation and maintenance with payments of \$532 per month for a three (3) year period at a sum of \$19,152, and this is for an enhanced service that includes network equipment to allow for routing and automatic failover through alternate links such as DSL lines;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**SECTION 1.** The forgoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption herein.

**SECTION 2.** That the City Commission does hereby authorize the City Manager to adopt the attached Memorandum of Understanding and that the City enables Fairchild Tropical Botanical Gardens to connect to the City's fiber Institutional Network Operations and use the connection for educational and institutional purposes, and will comply with the terms of the MOU for a three (3) year term.

**SECTION 3.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS FIFTEENTH DAY OF DECEMBER, A.D.  
2009

(Moved:      / Seconded:    )  
(Yea:    )  
(Nay:    )  
(Abstained:    )  
(Not present:    )  
(Agenda Item:    )

APPROVED:

DONALD D. SLESNICK II  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

ELIZABETH M. HERNANDEZ  
CITY ATTORNEY