

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2012-01**

RESOLUTION APPROVING AN ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING (MOU) 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 and adopted October 14, 1997, and by Ordinance No. 2004-50, passed and adopted in December 14, 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**, by the Letter of Understanding (LOU) between the City of Coral Gables and Comcast, executed in 2006, 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 for many opportunities in education, conservation and research, and is known as a Coral Gables cultural landmark and tourist destination; and

**WHEREAS**, by Resolution No. 2009-345, passed and adopted December 15, 2009 the City approved a Memorandum of Understanding (MOU) for Fairchild Tropical Botanical Gardens (FTBG) to join the City's fiber I-Net; and

**WHEREAS**, by Resolution No. 2010-258, passed and adopted December 14, 2010 the City approved an Addendum to the MOU with FTBG for enhanced I-Net services to FTBG with the City's Institutional Network; and

**WHEREAS**, both parties now desire to amend and modify the MOU agreement dated January 20th, 2010 through an addendum to the MOU; and

**WHEREAS**, the addendum provides that Article I is amended wherein Section 1.01 is changed as per Amendment 1 of the Addendum; and, Section 2.05 is added to Article II as per Amendment 2 of the Addendum; and, all other terms and conditions are to remain the same;

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

**SECTION 1.** That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That the City Commission does hereby authorize the City Manager to adopt the attached Addendum to Memorandum of Understanding and that the MOU between the City and FTBG is so amended.

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

PASSED AND ADOPTED THIS TENTH DAY OF JANUARY, A.D., 2012.

(Moved: Kerdyk / Seconded: Anderson)

(Yeas: Cabrera, Kerdyk, Quesada, Anderson, Cason)

(Unanimous: 5-0 Vote)

(Agenda Item: C-1)


APPROVED:

  
JIM CASON  
MAYOR

ATTEST:

  
WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
CRAIG E. LEEN  
CITY ATTORNEY