

RESOLUTION NO. 2020-045

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED CONSENT TO ASSIGNMENT IN ORDER TO PROVIDE CONSENT FOR THE ASSIGNMENT OF THE AGREEMENT BETWEEN THE CITY AND POTTER'S PROFESSIONAL LAWN CARE, INC. FOR LANDSCAPE MAINTENANCE SERVICES PURSUANT TO RFP NO. 09-04-19-09, DATED OCTOBER 24, 2019, FROM POTTER'S PROFESSIONAL LAWN CARE, INC. TO POTTER'S PROFESSIONAL LAWN CARE, LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 24, 2019, the City and Potter's Professional Lawn Care, Inc. entered into an agreement to provide landscape maintenance services; and

WHEREAS, the term of the contract commenced on November 1, 2019, and expires on October 31, 2023, with two (2) one year renewals thereafter unless terminated by either party in accordance with the agreement; and

WHEREAS, the City received notification from Potter's Professional Lawn Care, Inc. that they were changing their name to Potter's Professional Lawn Care, LLC and were seeking a Consent to Assignment in accordance with the aforementioned agreement; and

WHEREAS, the terms and conditions of the agreement will remain unchanged; and

WHEREAS, to ensure continued and uninterrupted landscape maintenance services, staff recommends approval of the attached Consent to Assignment with Potter's Professional Lawn Care, LLC.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

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. All exhibits attached hereto are incorporated herein and made a specific part of this resolution.

Section 2: That the City Commission has reviewed and hereby approves the attached Consent to Assignment between the City and Potter's Professional Lawn Care, LLC for landscape maintenance services.

Section 3: That the City Manager, or designee, is hereby authorized to execute said Consent to Assignment between the City and Potter's Professional Lawn Care, LLC for landscape maintenance services.


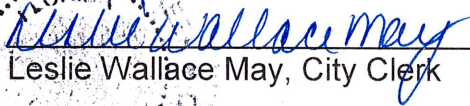
Section 4: That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 5: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 27th day of February, 2020.


Sandra L. Welch, Mayor

Attest:



Leslie Wallace May, City Clerk

Welch Aye
Sarbone Aye
Tooley Aye
Belvedere Aye
Rydell Aye

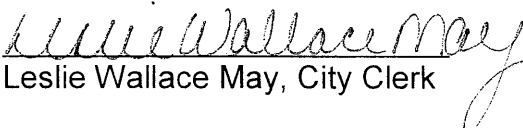
CONSENT TO ASSIGNMENT

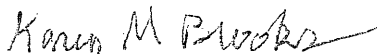
The undersigned, the **CITY OF COCONUT CREEK**, a Florida municipal corporation, being a party to the Agreement dated October 24, 2019, originally between the **CITY** and **POTTER'S PROFESSIONAL LAWN CARE, INC.**, a Florida corporation to provide Landscape Maintenance Services pursuant to RFP No. 09-04-19-09 (hereinafter referred to as "Agreement") does hereby give consent to the assignment of the Agreement from **POTTER'S PROFESSIONAL LAWN CARE, INC.**, a Florida corporation to **POTTER'S PROFESSIONAL LAWN CARE, LLC**, a Foreign Limited Liability Company that is registered in Florida, with its registered agent located at 1201 Hays Street, Tallahassee, FL 32301 which shall assume and agree to all terms and conditions of the Agreement due to a name change of said Company.

IN WITNESS WHEREOF, the undersigned has signed this instrument on the dates appearing next to the parties' signatures.


CITY OF COCONUT CREEK, FLORIDA

ATTEST:


Leslie Wallace May, City Clerk

By: 
Karen M. Brooks, City Manager

Approved as to Form:

By: 
Terrill C. Pyburn, City Attorney

POTTER'S PROFESSIONAL LAWN CARE, LLC, a Florida Limited Liability Company

WITNESSES:

[Signature]
Addy Olivier
(Print or Type Name)

[Signature]
MacKenzie Hamilton
(Print or Type Name)

By: *[Signature]*

Print Name: NINA SPOTTEL FERNANDEZ

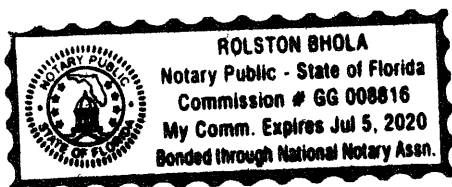
Title: PRESIDENT

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of

physical presence or online notarization, this 6th day of FEBRUARY, 2020, by NINA S POTTEL FERNANDEZ, as PRESIDENT (name of officer, title of officer), of POTTER'S PROFESSIONAL LAWN CARE LLC (name of corporation acknowledging), a DELAWARE (state or place of incorporation) corporation, on behalf of the corporation. He/She is personally known to me or has produced _____ (type of identification) as identification.



[Signature] 02-6-20
Signature of Notary Public