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RESOLUTION NO. 07-123

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; APPROVING AN AMENDMENT TO THE SAFE NEIGHBORHOOD PARKS SERIES 04 DISCRETIONARY FUNDS GRANT AGREEMENT FOR AN EXTENSION; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AMENDMENT ON BEHALF OF THE VILLAGE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village applied for and was awarded a grant by the county's Office of Safe Neighborhood Parks (SNP) in the amount of \$250,000 for the acquisition and development of the Ludovici Park (formerly known as the Celestia Delamour site.); and,

WHEREAS, the SNP grant is scheduled to expire on October 1st; and,

WHEREAS, an extension request through December 31, 2008 was earlier submitted to the SNP Board for approval and a presentation was made before the panel requesting the extension; and,

WHEREAS, the extension was granted through January 31, 2008, and staff was asked to return to the SNP Board in October or November to request an additional extension, which the Board will consider provided that there is progress made on the project; and,

WHEREAS, the additional extension was granted through November 30, 2008.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. The Village Council hereby approves the amendment to the grant agreement for an extension through November 30, 2008.

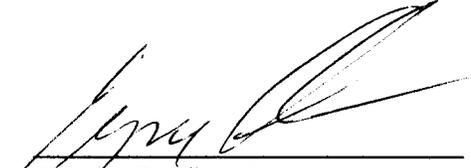
Section 2. The Village Manager is authorized to execute the amendment, included herein as Attachment 1.

Section 3. This resolution shall take effect immediately upon approval.

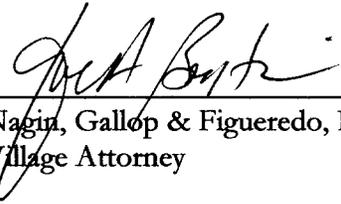
PASSED and ADOPTED this 3rd day of December, 2007.

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Attest: 
Meighan Rader
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


Nagin, Gallop & Figueredo, P.A.
Village Attorney

FINAL VOTE AT ADOPTION:

- Councilmember Ed Feller YES
- Councilmember Paul Neidhart YES
- Councilmember Shelley Stanczyk YES
- Vice Mayor Linda Robinson YES
- Mayor Eugene P. Flinn, Jr. YES

**FIFTH AMENDMENT TO
2004 DISCRETIONARY FUNDS CONTRACT
CONTRACT EXTENSION**

THIS AMENDMENT TO CONTRACT, entered into this _____ day of _____, 200__, by and between Miami-Dade County, a political subdivision of the State of Florida (County) through its Office of Capital Improvements (Safe Neighborhood Parks Bond Program) (Office), located at 111 N.W. 1 Street, Suite 2130, Miami, FL 33128, and Village of Palmetto Bay having offices at 8950 S.W. 152nd Street, Palmetto Bay, FL 33157 (Grantee),

WITNESSETH:

WHEREAS, by Resolution No. R-1166-04, passed and adopted on September 21, 2004 the Board of County Commissioners authorized a Contract between the above named parties for the rendering of Safe Neighborhood Parks Bond Project(s); and

WHEREAS, both the Office of Capital Improvements (Safe Neighborhood Parks Bond Program) and Village of Palmetto Bay are desirous of amending said Contract to accomplish the purposes set forth below,

NOW, THEREFORE, in consideration of the mutual covenants herein contained and other good and valuable consideration, the parties hereto agree as follows:

Both parties agree that the effective term of this Agreement shall be from October 1, 2004 to November 30, 2008. Failure by the Grantee to complete the project by the aforementioned date shall be cause for the County to terminate this Agreement.

In all other respects the Contract shall remain in full force and effect in accordance with the terms and conditions specified therein.

IN WITNESS WHEREOF the parties have caused this Amendment to Contract to be executed on their behalf as of the date first above written.

Village of Palmetto Bay Executive Officer

Title

Name (typed)

ATTEST:

By: _____
Name/Title

By: _____
(Corporate Seal)

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

MIAMI-DADE COUNTY, FL

By: Det
County Attorney

By: _____
George M. Burgess
County Manager

ATTEST:

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk