

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39

RESOLUTION NO. 07-124

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA RELATED TO GRANTS; APPROVING THE AMENDMENT TO THE GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE RECREATIONAL TRAILS PROGRAM, EXTENDING THE GRANT PERIOD THROUGH JANUARY 5, 2009; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AMENDMENT ON BEHALF OF THE VILLAGE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village submitted a grant application to the Florida Department of Environmental Protection for funding assistance under the Recreational Trails;

WHEREAS, the Village was awarded the grant in the amount of \$94,296.45 to construct a trail at the Ludovici Park property; and

WHEREAS, said grant was scheduled to expire at the end of January and the Village therefore requested an twelve-month extension of the completion date; and,

WHEREAS, upon state review of the Village's request, an extension was granted through the end of January, 2009.

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

Section 1. The Amendment to the Grant Agreement between the Florida Department of Environmental Protection and the Village of Palmetto Bay, included as Exhibit 1, is hereby approved.

Section 2. The Village Manager is authorized to execute the amendment and all other applicable documents on behalf of the Village.

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

40

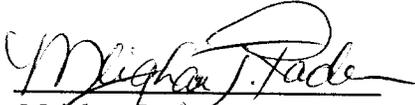
41

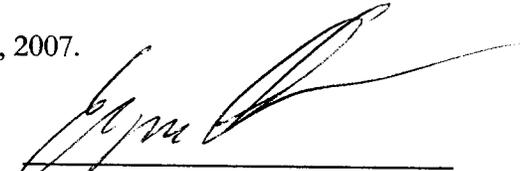
PASSED and ADOPTED this 3rd day of December, 2007.

42

43

Attest:


Meghan Rader
Village Clerk


Eugene P. Flinn, Jr.
Mayor

44

45

46

47

48

APPROVED AS TO FORM:

49

50

51

52

53

54


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

55

56

57

58

59

60

61

FINAL VOTE AT ADOPTION:

62

63

Councilmember Ed Feller YES

64

65

Councilmember Paul Neidhart YES

66

67

Councilmember Shelley Stanczyk YES

68

69

Vice Mayor Linda Robinson YES

70

71

Mayor Eugene P. Flinn, Jr. YES

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Amendment Two to Agreement

This Amendment entered into on _____, 20____, serves to amend portions of the Agreement dated January 5, 2005, as amended December 18, 2006, by and between the Department of Environmental Protection whose address is 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, hereinafter referred to as "Department", and the Village of Palmetto Bay, Florida, whose address is 8950 S.W. 152 Street, Palmetto Bay, Florida 33157 hereinafter referred to as "Grantee", pursuant to the Intermodal Surface Transportation Efficiency Act of 1991, (as amended), and the National Highway System Designation Act of 1995, for the project known as Bayfront Park Trail, Project T2426 ("Project").

In and for the mutual covenants between them, the Department and the Grantee agree that the following amendment shall apply to the above referenced Agreement:

Paragraph 7 is hereby replaced, revised and superseded by the following:

The Grantee shall complete all Project construction by the construction completion date, January 5, 2009.

In each and every respect the terms of the original Agreement, except as amended hereby, shall remain unchanged and the same are hereby ratified, approved and confirmed by the parties hereto as of the amendment date.

The parties hereto have caused these presents to be duly executed the day and year first written above.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

VILLAGE OF PALMETTO BAY,
FLORIDA

By: _____

By: _____

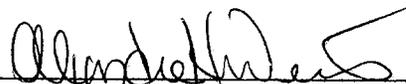
Name: _____

Director or Designee
Office of Greenways and Trails

Name: _____

Title: _____

Address:
8950 S.W. 152 Street
Palmetto Bay, Florida 33157



DEP Contract Manager

Approved as to Form and Sufficiency:



Department Attorney

Grantee Attorney (if required)