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RESOLUTION NO. 09-75

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; APPROVING THE TWO 2009 FUNDING GRANT APPLICATION TO THE OFFICE OF SAFE NEIGHBORHOOD PARKS FOR CORAL REEF PARK AND THALATTA PARK RESPECTIVELY; PROVIDING A MATCHING COMMITMENT FOR EACH PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the citizens of Miami-Dade County have authorized the issuance of general obligation bonds (the "Bonds") for the purpose of financing capital improvement programs for certain parks, beaches, natural areas and recreation facilities; and,

WHEREAS, to implement and give effect to the bond program, Miami-Dade County, Florida enacted Ordinance No. 96-115, the Safe Neighborhood Parks Ordinance (the "Ordinance"); and,

WHEREAS, it is necessary and desirable to improve the quality of life, to benefit property values, to promote prevention of juvenile crime by providing positive recreation opportunities, and to improve the recreation facilities for youth, adult, and senior citizens in this community through the improvement of our parks and natural areas; and,

WHEREAS, in order to foster those important values, the projects more specifically listed below have been identified for reimbursement pursuant to the terms of the Ordinance; and,

WHEREAS, pursuant to the terms of the Ordinance, the passage of this resolution and the acts contemplated by this resolution are conditions to obtaining a grant; and,

WHEREAS, the Village of Palmetto Bay, has applied for grant monies for the projects listed below subject to all terms and conditions of the Ordinance; and,

WHEREAS, a match commitment equal to the requested grant amount is required under the rules of the Ordinance.

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 grant applications submitted by the Village Manager for the projects and amounts listed below. Furthermore, the Village Council, in connection with such application, authorizes the Village Manager to execute such grant agreement and other contracts and documents, to expend Safe Neighborhood Parks bond funds

43 received for the purposes described in the funding request, to execute any necessary amendments
44 to the grant application and contracts, and take such other acts as may be necessary to bind the
45 Village of Palmetto Bay and accomplish the intent of this resolution. Applications correspond to
46 each of the following projects (the "Projects") in the amounts set forth below:

<u>Grant Title</u>	<u>Total Grant</u>
48 Thalatta Park	\$119,561
49 Coral Reef Park	\$200,000

51
52 Section 2. The Village of Palmetto Bay hereby commits the total of \$319,561. Such total
53 represents the sum of \$119,561 for Thalatta Park and \$200,000 for Coral Reef Park.

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55 Section 3. The Village of Palmetto Bay shall complete each of the Projects in
56 accordance with the terms of the grant agreement, the Ordinance, and the administrative rules
57 authorized by the Citizen's Oversight Committee (the "Committee") to implement the
58 Ordinance. If the total cost of a Project exceeds the value allocated in the grant, then the Village
59 of Palmetto Bay will provide any supplemental funds required to complete the Project. In the
60 event that supplemental funds are necessary for the completion of the Project, as of the point in
61 time that it is known that supplemental funds are needed. The Village of Palmetto Bay will
62 demonstrate that such supplemental funds have been committed to the Project prior to and as a
63 condition of disbursement or further disbursement of grant funds. The requirement for the
64 Village of Palmetto Bay to provide any supplemental funds required to complete the Project,
65 may, at the sole discretion of the Committee, be modified in whole or in part by a reduction in
66 scope of work consistent with the Ordinance.

67
68 Section 4. The Village of Palmetto Bay recognizes and directs that any beach, park, or
69 other public facility acquired, developed, rehabilitated or restored with bond funds, including the
70 Projects, shall be open and accessible to the public without discrimination as to race, color,
71 gender, age, religion, belief, residence, natural origin, marital status or disability.

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73 Section 5. To the extent allowed by law, the Village of Palmetto Bay shall commit any
74 and all funds which may be required to operate, maintain and provide programming at each park
75 project upon its completion.

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77 Section 6. No substitution in capital project funding by the Village of Palmetto Bay shall
78 occur as a result of the grant for which the Village of Palmetto Bay is applying.

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80 Section 7. This resolution shall take effect immediately upon approval.

81 PASSED and ADOPTED this 14TH day of September, 2009.

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Attest: Meighan Rader
Meighan Rader
Village Clerk

Eugene P. Flinn, Jr.
Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:

Eve A. Boutsis
Eve A. Boutsis, Office of Village Attorney

FINAL VOTE AT ADOPTION:

- Council Member Ed Feller YES
- Council Member Howard J. Tendrich YES
- Council Member Shelley Stanczyk YES
- Vice-Mayor Brian W. Pariser YES
- Mayor Eugene P. Flinn, Jr. YES