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RESOLUTION NO. 03-29

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO FINANCE; REQUESTING ADDITIONAL FUNDING ASSISTANCE FROM MIAMI-DADE COUNTY IN THE AMOUNT OF \$300,000.00; AMENDMENT NO. 1 TO THE INTERLOCAL AGREEMENT RELATING TO FUNDING ASSISTANCE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Resolution no. 02-12, dated November 18, 2002, the Village Council approved a request to Miami-Dade County for interim funding assistance in the amount of \$300,000 and the county provided funds pursuant to an interlocal agreement; and,

WHEREAS, the Village needs an additional \$300,000 in funding assistance for the start-up of municipal government and the provision of initial municipal services until permanent funding sources are established; and,

WHEREAS, the Miami-Dade County Budget and Finance Committee is scheduled to consider this request at its meeting on April 17, 2003.

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

Section 1. The recitals of the Whereas clauses are incorporated into this resolution.

Section 2. The Village requests additional funding assistance in the amount of \$300,000.00 to be paid to the Village upon approval by the County Commission. The Village will use the funds for the start-up of municipal government and the provision of initial municipal services. The Village will maintain records of all expenditures of the funds.

Section 3. The amendment to the First Interlocal Agreement, a copy of which is annexed to this resolution, is approved. The Mayor is authorized to execute the First Interlocal Agreement Amendment No. 1.

1 Section 4. The Village Clerk is directed to deliver a certified copy of this
2 resolution and the executed amendment to the interlocal agreement to the clerk of the
3 Budget and Finance Committee prior to the agenda cut-off time on April 10, 2003. A
4 copy of these documents shall also be delivered to Commissioner Sorenson.
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6 Section 5. This resolution shall take effect immediately upon approval.

7 PASSED and ADOPTED this 7th day of April, 2003.

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9 Attest: Meighan Pler
10 Meighan Pler
11 Village Clerk

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

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15 APPROVED AS TO FORM:

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17 Earl G. Gallop
18 Earl G. Gallop,
19 Village Attorney



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23 FINAL VOTE AT ADOPTION:

24 Council Member Ed Feller	<u>AYE</u>
25 Council Member Paul Neidhart	<u>AYE</u>
26 Council Member John Breder	<u>AYE</u>
27 Vice-Mayor Linda Robinson	<u>AYE</u>
28 Mayor Eugene P. Flinn, Jr.	<u>AYE</u>

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37 \\Dell_6100\Documents\0293\EGG\17445.doc-VPB Reso-Funding assistance

FIRST INTERLOCAL AGREEMENT AMENDMENT No. 1

This First Interlocal Agreement Amendment No. 1 (the "Amendment") is entered into between Miami-Dade County, a political subdivision of the State of Florida ("the County") and the Village of Palmetto Bay (the "Village") a municipal corporation of the State of Florida this _____ day of _____, 2003.

Whereas, on the 10th day of September, 2002, a charter for the Village of Palmetto Bay was approved by the residents of Palmetto Bay and the Village Council was sworn into office on the 7th day of November, 2002; and

Whereas, in November, 2002, the Board of County Commissioners approved the First Interlocal Agreement between the County and the Village of Palmetto Bay pursuant to R-1299-02 (attached) (the "Agreement") which provided for an initial advance of funds; and

Whereas, the Village Council by resolution has requested assistance from the County for the advance of funds to be utilized by the Village for the initiation and start-up of its municipal government and the performance of initial municipal services; and

Whereas, the County will collect certain revenues on behalf of the Village and desires to provide the assistance requested.

Now, therefore, in consideration of the mutual covenants recorded herein, the parties agree to amend Section 1 of the Agreement as follows:

Section 1. Funding Assistance. Within seven (7) days after the date of execution of this Agreement, the County shall provide to the Village an additional advance of funds in the amount of three hundred thousand dollars (\$300,000) from utility taxes collected for the Village by the County, for a total of six hundred thousand dollars (600,000) advanced to the Village, to be utilized by the Village for the purposes set forth in Section 2 of this Agreement. Any repayment of the funds advanced shall be subject to negotiations, as set forth in Section 3 of this Agreement.

The provisions of the Agreement which are not modified hereby remain in effect. This Amendment shall be effective immediately upon execution by both parties hereto.

In witness whereof, the parties have caused this Agreement to be executed on their behalf and of the date first above written.

VILLAGE OF PALMETTO BAY,
a municipal corporation

By: _____
Eugene Flinn, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
Village Attorney

MIAMI-DADE COUNTY
a political subdivision of the State of
Florida

By its Board of County Commissioners:

By: _____
County Manager

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
County Attorney

Approved _____ Mayor

Agenda Item No.

Veto _____

Override _____

RESOLUTION NO. _____

RESOLUTION AUTHORIZING AN AMENDMENT TO THE FIRST INTERLOCAL AGREEMENT WITH THE VILLAGE OF PALMETTO BAY; AUTHORIZING THE COUNTY TO PROVIDE AN ADVANCE PAYMENT OF \$300,000 TO THE VILLAGE OF PALMETTO BAY FROM UTILITY TAXES COLLECTED ON BEHALF OF PALMETTO BAY

WHEREAS, the Village of Palmetto Bay is requesting an additional advance of \$300,000 of utility tax collections collected by the County on behalf of the Village of Palmetto Bay,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the First Interlocal Agreement No. 1 between the Village of Palmetto Bay and the County in substantially the form attached hereto.

The foregoing resolution was offered by Commissioner who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jimmy L. Morales
Dorrin D. Rolle
Katy Sorenson

Dr. Barbara Carey-Shuler
Betty T. Ferguson
Joe A. Martinez
Dennis C. Moss
Natacha Seijas
Rebeca Sosa

Sen. Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this . This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by the County Attorney as
to form and legal sufficiency. _____

By: _____
Deputy Clerk

RESO/