

**RESOLUTION NO. 04-211**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN MANAGER TO APPLY FOR A GRANT FROM THE SAFE NEIGHBORHOOD PARKS BOND PROGRAM FOR MIAMI LAKES PARK; PROVIDING COMMITMENT OF MATCHING FUNDS; COMMITTING TO MIAMI-DADE COUNTY'S REQUIREMENTS FOR THE GRANT PROGRAM; RECOGNIZING THE ACCESSABILITY TO THE PUBLIC OF PARKS UNDER THE PROGRAM; COMMITTING TO MATCH FUNDS NECESSARY TO COMPLETE PROJECTS; COMMITTING TO NOT USE SUBSTITUTE FUNDING; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO MOVE FORWARD WITH THE GRANT APPLICATION; AUTHORIZING EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the citizens of Miami-Dade County, Florida (the "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, creating the Safe Neighborhood Parks Bond Program (the "Bond Program"); and

**WHEREAS**, to implement and give effect to the Bond Program, the County 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 prevent juvenile crime by providing positive recreation opportunities, and to improve the recreation facilities for youth, adult and senior citizens in the Town of

Miami Lakes (the “Town”) through the improvement of Town 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 the a Bond Program grant; and

**WHEREAS**, the capital improvements to Miami Lakes Park is an important park and recreation project which will benefit all residents of the County; and

**WHEREAS**, operating, management and programming funds for Miami Lakes Park are included in the Town’s budget; and

**WHEREAS**, the Town wishes to make application for the Bond Program grant monies for capital improvements to Miami Lakes Park.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:**

**Section 1.**     **Recitals.**     The above recitals are true and correct and are incorporated herein by this reference.

**Section 2.**     **Authorizing Grant Application.**     The Town Council of the Town of Miami Lakes hereby authorizes the Town Manager to make application for a grant for capital improvements at Miami Lakes Park in the amount of \$46,100.00 (attached as Exhibit “A”) for project costs of \$92,200.00, and in connection with such application to execute such grant agreement and other contracts and documents, to expend Safe

Neighborhood Parks bond funds received for the purposes described in the funding request, to execute any necessary amendments to the grant application and contracts, and take such other acts as may be necessary to bind the Town and accomplish the intent of this resolution.

**Section 3. Authorization of Matching Funds.** If awarded the grant, the Town agrees to commit 50% matching funds in the amount of \$46,100.00.

**Section 4. Commitment to County Requirements.** The Town shall complete each of the Projects in accordance with the terms of the grant agreement, the Ordinance, and the administrative rules authorized by the Citizen's Oversight Committee (the "Committee") to implement the Ordinance. If the total cost of a Project exceeds the value allocated in the grant, then the Town will provide any supplemental funds required to complete the Project. In the event that supplemental funds are necessary for completion of a Project, as of the point in time that it is known that supplemental funds are needed, the Town will demonstrate that such supplemental funds have been committed to the Project prior to and as a condition of disbursement or further disbursement of grant funds. The requirement of the Town to provide any supplemental funds required to complete the Project may, at the sole discretion of the Committee, be modified in whole or in part by a reduction in scope of work consistent with the Ordinance.

**Section 5. Accessibility to the Public.** The Town recognizes and directs that any park or other public facility acquired, developed, rehabilitated or restored with bonds funds, including the Projects, shall be open and accessible to the public without discrimination as to race, color, gender, age, religion, belief, residence, national origin, marital status or disability.

**Section 6. Commitment of Funds.** To the extent allowed by law, the Town shall commit any and all funds which may be required to operate, maintain and provide programming at each park project upon its completion.

**Section 7. No Substitution in Funding.** No substitution in capital project funding by the Town shall occur as a result of the grant for which the Town is applying.

**Section 8. Authorization of Town Officials.** The Town Manager and Town Attorney are authorized to take all steps necessary to move forward with the grant application.

**Section 9. Authorization of Fund Expenditure.** The Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the grant application.

**Section 10. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 9<sup>th</sup> day of March, 2004.

Motion to adopt by Simon, second by Collins.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	<u>Yes</u>
Vice Mayor Roberto Alonso	<u>ABSENT</u>
Councilmember Mary Collins	<u>Yes</u>
Councilmember Robert Meador	<u>Yes</u>
Councilmember Michael Pizzi	<u>Yes</u>
Councilmember Nancy Simon	<u>Yes</u>
Councilmember Peter Thomson	<u>Yes</u>

Wayne Slaton  
Wayne Slaton  
MAYOR

ATTEST:

Beatris M. Arguelles  
Beatris M. Arguelles, CMC  
TOWN CLERK

Approved as to form and legality for the use  
and benefit of the Town of Miami Lakes only:

MM  
Weiss, Serota, Helfman, Pastoriza, Guedes,  
Cole & Boniske, P.A.  
TOWN ATTORNEY