

RESOLUTION NO. 06- ~~3~~3

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE GRANT AGREEMENT BETWEEN THE TOWN AND THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (“FDEP”) IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS FOR CONSTRUCTION OF RECREATION FACILITIES AND IMPROVEMENTS TO MIAMI LAKES PARK; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT, TO EXECUTE IN THE FUTURE ANY AGREEMENTS AND/OR DOCUMENTS WITH FDEP RELATED TO OUTDOOR RECREATION FACILITIES AND IMPROVEMENTS IN THE TOWN’S PARKS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Miami Lakes (the “Town”) was awarded a grant from the Florida Department of Environmental Protection (the “FDEP”), from the Land and Water Conservation Fund Program of the 2005-2006 Fiscal Year, for construction of public outdoor recreation facilities and improvements to Miami Lakes Park; and

**WHEREAS**, the grant in the amount of \$200,000 will be administered through the FDEP pursuant to its Land and Water Conservation Fund Project Agreement (the “Agreement”) with the Town; and

**WHEREAS**, the Agreement requires that the grant funds be used for the construction and improvement to the sailboat launch, picnic facilities, fishing pier, lighting, and the landscaping and renovation of the canoe launch, hiking trail, picnic facilities, parking, restrooms and other related support facilities; and

**WHEREAS**, the Town will be required to provide matching funds in the estimated amount of \$200,000 under the Agreement; and

**WHEREAS**, the Town Council finds that approval of the Agreement is in the best interests of the Town..

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

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

**Section 2. Approval of Agreement.** The Agreement for grant funding construction of public outdoor recreation facilities and improvements to Miami Lakes Park between the Town of Miami Lakes and the Florida Department of Environmental Protection, a copy of which is attached as Exhibit “A,” together with such non-material changes as may be acceptable to the Town Manager and approved as to form and legality by the Town Attorney, is approved.

**Section 3. Authorization of Town Officials.** The Town Manager and/or his designee and the Town Attorney are authorized to take all actions necessary to implement the terms and conditions of the Agreement, to submit to the FDEP any documents necessary to effectuate the grant and to request any necessary extensions to the Agreement.

**Section 4. Authorization of Fund Expenditure.** Notwithstanding the limitations imposed upon the Town Manager pursuant to the Town’s Purchasing Procedures Ordinance, the Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Agreement.

**Section 5. Execution of Agreement.** The Manager is authorized to execute the Agreement on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Agreement, to execute any extensions to the

Agreement, and to execute in the future any agreements and/or documents with FDEP related to public outdoor recreation facilities and improvements in the Town's parks.

**Section 6. Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 16 day of March, 2006.

Motion to adopt by Robert Meador, second by Mary Collins.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Robert Meador	<u>yes</u>
Councilmember Roberto Alonso	<u>absent</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Dorothy Cook	<u>yes</u>
Councilmember Michael Pizzi	<u>absent</u>
Councilmember Nancy Simon	<u>yes</u>

Wayne Slaton  
Wayne Slaton  
MAYOR

ATTEST:

Debra Eastman  
Debra Eastman, MMC  
TOWN CLERK

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

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