

RESOLUTION NO. 16-1364

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN OF MIAMI LAKES PROVIDING FOR QUALITY NEIGHBORHOOD IMPROVEMENTS PROGRAM PAYMENTS AND TRANSFERRING LOCAL PARKS TO THE TOWN; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 27, 2011, the Town Council of the Town of Miami Lakes (the “Town”) passed Resolution No. 11-892, which approved an Interlocal Agreement with Miami-Dade County (the “County”) for the County to convey parks within the Town to the Town; and

WHEREAS, on May 31, 2011, the Interlocal Agreement between the County and the Town was executed (the “Interlocal Agreement”) and on June 7, 2011, the Interlocal Agreement was recorded in Miami-Dade County Official Records Book 27713 at Page 2231; and

WHEREAS, the Interlocal Agreement was entered into for the purpose of having the County convey to the Town local parks within the former Miami Lakes Special Tax District and in order to have the Town pay its pro-rata share of the Quality Neighborhood Improvement Program (“QNIP”) bonds; and

WHEREAS, prior to the Town’s incorporation, the County issued a QNIP Bond which funds were used to complete many projects within the Town; and

WHEREAS, the existing Interlocal Agreement requires the Town to pay \$153,423 per year through fiscal year 2023/24; and

WHEREAS, in 2013, the County refinanced its debt service to take advantage of lower interest rates; and

WHEREAS, the Town and the County have agreed to execute a First Amendment to the Interlocal Agreement as set forth in Exhibit A, attached hereto and incorporated herein, for the purpose of the Town accruing its pro-rata share of savings in the amount of \$162,446 due to the County’s 2013 refinance; and

WHEREAS, the Town Council finds that it is in the best interest of the Town for the Town to execute a First Amendment to the Interlocal Agreement.

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

Section 1. Recitals. The foregoing Recitals are true and correct and incorporated herein by this reference.

Section 2. Approval of First Amendment to Interlocal Agreement. The First Amendment to the Interlocal Agreement between Miami-Dade County and the Town of Miami Lakes (“First Amendment to Interlocal Agreement”) attached hereto as Exhibit A is approved. Subject to approval by the Town Attorney as to form and legality, the Town Manager is authorized to approve non-material changes to the Agreement.

Section 3. Authorization of Fund Expenditure. The Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the First Amendment to Interlocal Agreement.

Section 4. Authorization of Town Officials. The Town Manager and the Town Attorney are authorized to take all action necessary to implement the terms and conditions of the First Amendment to Interlocal Agreement.

Section 5. Execution of First Amendment to Interlocal Agreement. The Town’s Mayor is authorized to execute the First Amendment to Interlocal Agreement on behalf of the Town.

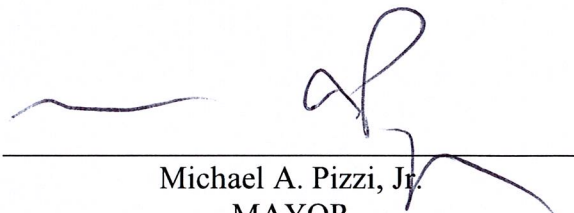
Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

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Passed and adopted this 5th day of April, 2016.

The foregoing resolution was moved by Councilman Cid. The motion was seconded by Councilman Mestre and upon being put to a vote, the vote was as follows:

Mayor Michael A. Pizzi, Jr.	<u>yes</u>
Vice Mayor Tim Daubert	<u>absent</u>
Councilmember Manny Cid	<u>yes</u>
Councilmember Tony Lama	<u>yes</u>
Councilmember Ceasar Mestre	<u>yes</u>
Councilmember Frank Mingo	<u>yes</u>
Councilmember Nelson Rodriguez	<u>yes</u>



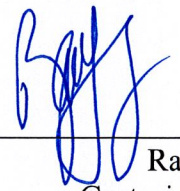
Michael A. Pizzi, Jr.
MAYOR

Attest:



Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT “A”

**FIRST AMENDMENT TO INTERLOCAL AGREEMENT
BETWEEN MIAMI-DADE COUNTY AND TOWN OF MIAMI LAKES**

This First Amendment to the Interlocal Agreement ("Agreement") between Miami-Dade County, a political subdivision of the State of Florida ("COUNTY") and the Town of Miami Lakes, a municipal corporation of the State of Florida ("TOWN") dated _____, 2009 ("First Amendment") is entered into this _____ day of _____, 2016 between the COUNTY and the TOWN, each of which may also be referred to as a "Party," and which may be referred to jointly as the "Parties."

RECITALS

WHEREAS, the Parties entered into that certain Agreement for the purposes of having the COUNTY convey to the TOWN local parks within the former Miami Lakes Special Tax District and in order to have the TOWN pay its pro-rata share of the Quality Neighborhood Improvement Program ("QNIP") bonds; and

WHEREAS, pursuant to the Agreement, the TOWN agreed to the payment of its Debt Service Share (as that term is defined in the Agreement) to the County on an annual basis in accordance with a debt services schedule attached as Exhibit "B" to the Agreement; and

WHEREAS, the COUNTY has since refinanced the QNIP bonds and the TOWN's Debt Service Share has therefore been reduced and the Parties desire to amend the Agreement to replace the Exhibit "B" with a new debt service schedule,

NOW, THEREFORE, for and in consideration of the mutual promises set forth herein, the adequacy of which is hereby accepted and acknowledged by the Parties, the Parties agree that the foregoing recitals are correct, and further as follows:

Section 1. Exhibit "B" of the Agreement is deleted and shall be replaced with the Exhibit "B" attached hereto and made a part hereof.

Section 2. All other provisions of the Agreement not expressly modified as set forth herein, remain in full force and effect.

IN WITNESS WHEREOF, each of the parties to this First Amendment has caused this First Amendment to be executed by its duly authorized officers and its corporate seal to be heretounder affixed and attested as of the date first above written.

ATTEST: Harvey Ruvin
Clerk of the Board

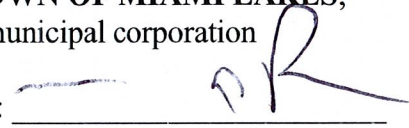
MIAMI-DADE COUNTY,
FLORIDA BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Deputy Clerk
Date: _____

By: _____
Carlos A. Gimenez, County Mayor
Date: _____

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

TOWN OF MIAMI LAKES,
a municipal corporation

By: 
Town Mayor

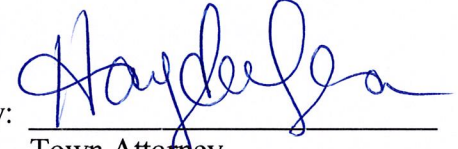
By: 
Town Attorney
Gasteri + Associates, P.A.
April 12, 2016

EXHIBIT B

Fiscal Year	QNIP Payment	TML Payment	TML Percent	QNIP Savings	TML Yearly Savings	Refund for Refinancing	NEW TML Pmt.
2012	5,331,975	153,423	2.877%	281,984	8,114		153,423
2013		153,423		523,112	15,052		153,423
2014		153,423		505,559	14,547		153,423
2015		153,423		494,270	14,222		153,423
2016		153,423		476,663	13,716		153,423
2017		153,423		462,583	13,310		153,423
2018		153,423		451,973	13,005		153,423
2019		153,423		437,947	12,602	104,568	48,855
2020		153,423		424,994	12,229		141,194
2021		153,423		413,059	11,885		141,538
2022		153,423		401,835	11,562		141,861
2023		153,423		391,066	11,253		142,170
2024		153,423		380,506	10,949		142,474
		1,994,499		TOTAL	162,446	104,568	1,832,053