

**RESOLUTION #2007-12**

**A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO MAKE APPLICATION FOR A GRANT FROM THE SAFE NEIGHBORHOOD PARKS BOND PROGRAM; PROVIDING FOR 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 Biscayne Park wishes to make application for the grant monies for the projects listed below subject to all terms and conditions of the Ordinance;

**NOW THEREFORE IT IS HEREBY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AS FOLLOWS:**

**Section 1.** The foregoing "WHEREAS" clauses are hereby ratified as true and correct and incorporated herein by this reference.

**Section 2.** The Village Commission of the Village of Biscayne Park hereby authorizes the appropriate City officials to make application for a grant for the projects and in the amount listed below, 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 Village of Biscayne Park and accomplish the intent of this Resolution. Application shall be made with respect to each of the following projects (the "Projects") in the amounts set forth below:

<b><u>Grant Title</u></b>	<b><u>Total Grant</u></b>
Recreation Pavilion	\$ 50,000

**Section 3.** The Village of Biscayne Park shall complete each of the Projects in accordance with the terms of the grant agreement, the Ordinance, and the administrative rules authorized by the Citizens' Oversight Committee (the "Committee") to implement the Ordinance. If the total cost of a Project exceeds the value allocated in the grant, then the Village of Biscayne Park will provide any supplemental funds required to complete the Project. In the event that supplemental funds are necessary for the completion of the Project, as of the point in time that it is known that supplemental funds are needed, the Village of Biscayne Park 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 for the Village of

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

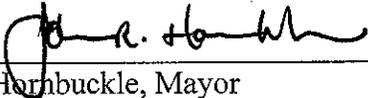
**Section 5.** To the extent allowed by law, the Village of Biscayne Park shall commit any and all funds which may be required to operate, maintain and provide programming at each park project upon its completion.

**Section 6.** No substitution in capital project funding by the Village of Biscayne Park shall occur as a result of the grant for which the Village is applying.

**Section 7.** This Resolution shall take effect immediately upon its adoption.

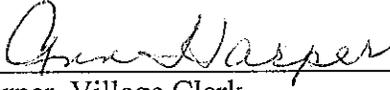
PASSED AND ADOPTED this 5th day of June, 2007.

**The foregoing resolution upon being Put to a vote, the vote was as follows:**

  
\_\_\_\_\_  
John Hornbuckle, Mayor

Mayor Hornbuckle yes  
Vice Mayor Walker yes  
Commissioner Andersen yes  
Commission Mallette yes  
Commissioner Morris yes

**Attest:**

  
\_\_\_\_\_  
Ann Harper, Village Clerk

Approved as to form:

  
\_\_\_\_\_  
John J. Hearn, Village Attorney