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3 **RESOLUTION NO. 2011-33**
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5 **A RESOLUTION OF THE VILLAGE COMMISSION**
6 **OF THE VILLAGE OF BISCAYNE PARK, FLORIDA,**
7 **AUTHORIZING THE MAYOR TO EXECUTE AN**
8 **INTER-LOCAL AGREEMENT WITH MIAMI-DADE**
9 **COUNTY TO PARTICIPATE IN THE FISCAL YEAR**
10 **10-11 PARKING FINES REIMBURSEMENT**
11 **PROGRAM; PROVIDING FOR AN EFFECTIVE DATE.**
12

13 WHEREAS, there exists five (5) handicapped parking spaces within the Village of
14 Biscayne Park; and,
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16 WHEREAS, Miami Dade County's Parking Fines Reimbursement Program allows
17 municipalities to obtain reimbursements on a percentage of revenue collected from disabled
18 permit parking fines; and,
19

20 WHEREAS, funds reimbursed shall be used to improve accessibility and equal
21 opportunity to qualified persons who have disabilities in the municipality and to conduct
22 disability public awareness programs.
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24
25 NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMISSION OF THE
26 VILLAGE OF BISCAYNE PARK, FLORIDA:
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28 **Section 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as
29 being true and correct and hereby made a specific part of this Resolution upon adoption hereof.
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31 **Section 2.** The Mayor and Village Commission of the Village of Biscayne Park,
32 Florida, approve the Inter-local Agreement between the Village of Biscayne Park and Miami-
33 Dade County for Fiscal Year 10-11 Parking Fines Reimbursement Program, and authorize the
34 Village Manager to execute the Agreement and to exercise the provisions contained therein,
35 copies of which are attached hereto and incorporated herein by reference.
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37 **Section 3.** This Resolution shall become effective upon adoption.
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39 PASSED AND ADOPTED this 12th day of July, 2011.
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41
42 
43
44 _____
45 Roxanna Ross, Mayor
46

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

Mayor Ross : Yes
Vice Mayor Anderson: Yes
Commissioner Bernard: Yes

INTERLOCAL AGREEMENT

This agreement is entered into this 12th day of July ²⁰¹¹ year, by and between Miami-Dade County, Florida, a political subdivision of the State of Florida (the "County") and the Village of Biscayne Park (the "municipality"), a municipal corporation organized and existing under the laws of the State of Florida.

WITNESSETH

WHEREAS, Section 316.008 Florida Statutes, and Section 30-447. Code of Miami-Dade County, authorizes the charging of fines for misuse of specially marked parking spaces for people with disabilities, and

WHEREAS, Miami-Dade County proposes to distribute said fines under the provisions of Section 30-447 of the Code of Miami-Dade County, Florida.

NOW THEREFORE in consideration of the covenants contain herein, the parties agree as follows

1. This agreement shall become effective upon its execution by the authorized officers of the parties and will continue annually upon agreement by both parties.
2. The allocation of the disabled parking fine monies shall be used to provide funds to improve accessibility and equal opportunity to qualified physically disabled persons and to provide funds to conduct public awareness programs concerning physically disabled persons.

3. The parties shall annually submit an affidavit sworn by the chief administrative official of the municipality to the Miami-Dade County Office of Americans with Disabilities Act Coordination, hereinafter known as the "ADA Office".

4. The affiant will affirm that expenditures meet the following criteria:
 - a. The funds reimbursed shall be used to improve accessibility and equal opportunity to qualified persons who have disabilities in the municipality and to conduct public awareness programs in the municipality concerning persons who have disabilities.

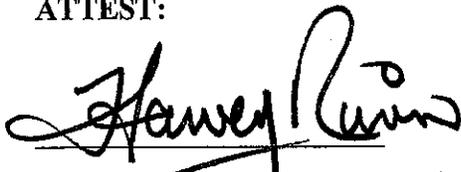
 - b. If only a portion of the project or program is being promoted to benefit people with disabilities, then only that portion of the project or program may be funded with these monies.

5. The parties agree to follow the terms and conclusions regarding payment as follows:
 - a. The percentage for distribution shall be calculated by the County annually. Each year the County shall notify all municipalities of the percentages of distribution of the disabled permit parking fine money for the upcoming annual period. The percentage for distribution to the County and to the municipalities is based on a percentage of total revenue which is determined by calculating the total number of fines paid county-wide. Funding estimates include a percentage of the monies which were not distributed to any municipalities in the previous year.

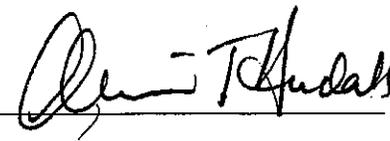
- b. The County agrees to pay the municipality under this agreement based on a payment schedule agreed upon by the Office of ADA Coordination, accompanied by such documentation as requested.
- c. In no event shall County funds be advanced to any subcontractor hereunder.
- d. The parties shall return funds to the Clerk of the Board if the project is not successfully completed and shall allow the Office of ADA Coordination to audit projects and conduct site visits. Any such audits or inspections shall be conducted in such manner and at such times so as not to unreasonably interfere with the day-to-day operation of the parties.
- e. The County may amend the terms of this agreement from time to time, as it may deem necessary.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by their respective and duly authorized officers on the date hereinabove first mentioned.

ATTEST:


Harvey Ruwin, Clerk

MIAMI-DADE COUNTY, FLORIDA

By: 
Carlos A. Gimenez, Mayor

Village of Biscayne Park

ATTEST:

~~CITY OF~~ _____, FLORIDA

Maria C. Camara By: _____
Maria C. Camara

Ana M. Garcia

Ana M. Garcia

City Clerk

City Manager

(Date) 7/12/2011

(Official Seal)



miamidade.gov

Office of ADA Coordination
111 NW 1st Street, 10th floor • Suite 1035
Miami, Florida 33128-1983
T 305-375-3566 F 305-375-5753
adaoffice@miamidade.gov

September 22, 2011

Ana M. Garcia, Village Manager
Village of Biscayne Park
Office of the Village Manager
640 NE 114th St.
Biscayne Park, FL 33161

Re: Parking Fines Reimbursement Program

Dear Ms. Garcia:

Thank you for participating in Miami-Dade County's Parking Fines Reimbursement Program for Fiscal Year 10-11. Enclosed please find a signed copy of the interlocal agreement between your municipality and the County for your records.

We look forward to your participation again next year. You will receive an invitation to apply letter when the County commences its next distribution of funds.

Should you have any questions regarding the Parking Fines Reimbursement Program, don't hesitate to contact the Office of ADA Coordination at (305) 375-3566.

Sincerely,

A handwritten signature in black ink that reads "Heidi Johnson-Wright". The signature is written in a cursive, flowing style.

Heidi Johnson-Wright, Director
Office of ADA Coordination

Enclosure

C: Wendi J. Norris, Director, General Services Administration
Jennifer Glazer-Moon, Director, Office of Strategic Business Management

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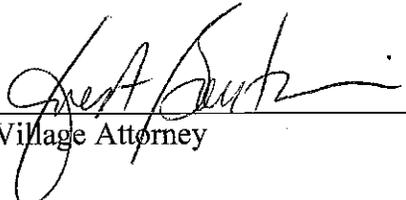
Attest:

Commission Childress : Yes
Commissioner Cooper: Absent



Maria C. Camara, Village Clerk

Approved as to form:



Village Attorney