

GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1074.98

Revised 1/20/98
Amended 1/20/98

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; AUTHORIZING APPLICATION FOR GRANT FROM THE SAFE NEIGHBORHOOD PARKS BOND PROGRAM. PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the citizens of Metropolitan 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, Metropolitan Dade County, Florida enacted Ordinance 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 Town of Golden Beach wishes to make application for the grant monies for the projects listed below subject to all terms and conditions of the Ordinance; and

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the Town of Golden Beach hereby authorizes the Town Manager to make application for a grant for the projects and in the amounts 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 grant application and contract, and take such other acts as may be necessary to bind the Town of Golden Beach 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.

<u>Grant Title</u>	<u>Year One Funding</u>	<u>Total Grant</u>
<u>Town Hall Entrance/ Recreation Area</u>	<u>\$10,000</u>	<u>\$10,000</u>

Section 2. That the Town of Golden Beach 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 Town of Golden Beach 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 of

Golden Beach 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 Town of Golden Beach 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 3. That the Town of Golden Beach recognizes and directs that any beach, 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, national origin, marital status or disability.

Section 4. To the extent allowed by law, the Town of Golden Beach shall commit any and all funds which may be required to operate, maintain and provide programming at each park project upon its completion.

Section 5. No substitution in capital project funding by the Town of Golden Beach shall occur as a result of the grant for which the Town of Golden Beach is applying.

Section 6. Severability. That the provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences and phrases of this Resolution but they shall remain in effect, notwithstanding the invalidity of any part.

Section 7. Conflict. That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 8. Effective Date. That this Resolution shall become effective immediately upon approval of the Town Council.

The Motion to adopt the foregoing Resolution was offered by Vice Mayor Chikovsky, seconded by Councilman Fistel and on roll call the following vote ensued:

Mayor Cuenca	<u>Aye</u>
Vice Mayor Chikovsky	<u>Aye</u>
Councilwoman Addicott	<u>Nay</u>
Councilman Fistel	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach this 20th day of January, 1998.

ATTEST:



ROBERT JOHNSTON
INTERIM TOWN CLERK



MAYOR JUDY CUENCA

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



JON M. HENNING
TOWN ATTORNEY