

RESOLUTION No. 2008-151-838

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN THIRD ADDENDUM TO THE INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI GARDENS RELATING TO FUNDING FOR THE CAROL CITY COMMUNITY CENTER, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Miami Gardens and Miami-Dade County previously entered into an Agreement for funding whereby Miami-Dade County agreed to contribute \$6M to the City for the construction of the Carol City Community Center, and

WHEREAS, due to several obstacles with construction including the presence of owls on the property and setbacks in permitting, the City has been required to extend the construction date, and

WHEREAS, Miami-Dade County has agreed to extend the effective term of the Agreement between the City and the County from September 30, 2008, to September 30, 2009,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, as follows:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

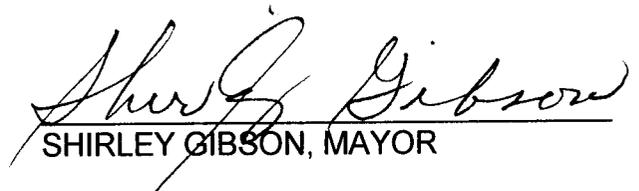
Section 2. AUTHORITY: The City Manager and City Clerk are hereby authorized and directed to execute and attest, respectively, that certain Third

Addendum to the Interlocal Agreement Between Miami-Dade County and the City of Miami Gardens relating to funding for the Carol City Community Center, a copy of which is attached hereto as **Exhibit A**.

Section 3. INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby authorized to obtain three (3) fully executed copies of the subject Agreement, with one to be maintained by the City; with one to be delivered to Miami-Dade County, and with one to be directed to the Office of City Attorney.

Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON JULY 23, 2008.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Vice Mayor Watson
SECOND BY: Councilman Gilbert

VOTE: 6-0

Mayor Shirley Gibson	<u> X </u> (Yes)	<u> </u> (No)
Vice Mayor Barbara Watson	<u> X </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> X </u> (Yes)	<u> </u> (No)
Councilman Oliver Gilbert, III	<u> X </u> (Yes)	<u> </u> (No)
Councilman Aaron Campbell	<u> X </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> </u> (Yes)	<u> </u> (No) (not present)
Councilman André Williams	<u> X </u> (Yes)	<u> </u> (No)

THIRD ADDENDUM TO INTERLOCAL AGREEMENT
BETWEEN MIAMI-DADE COUNTY AND CITY OF MIAMI GARDENS

This ADDENDUM, made this ____ day of _____, 2008, by and between Miami-Dade County, a political subdivision of the State of Florida (hereinafter referred to as "County") located at 111 NW 1st Street, Miami, FL 33128-1912, and the City of Miami Gardens having offices at 1515 NW 167th Street, Miami Gardens, FL 33169 (hereinafter referred to as "City").

WHEREAS, pursuant to Miami-Dade County Resolution No. R547-05, the County and the City entered into an interlocal agreement (Agreement) for the allocation of Six Million Dollars (\$6,000,000) to assist in the construction of an approximately 54,054 square foot community center at approximately NW 199 Street and NW 29 Avenue, whose address is 3000 NW 199 Street in the City of Miami Gardens, and

WHEREAS, Section IV of the Agreement provided the effective term of October 1, 2004 to September 30, 2006.

WHEREAS, on July 1, 2007 the County received a letter from the City with City Resolution 2006-22-368 adopted by the City Council formally requesting an extension on the Agreement due to delays caused by the active 2005 hurricane season.

WHEREAS, on August 15, 2007 the County received a letter from the City with Resolution 2007-130-637 adopted by the City Council formally requesting an extension on the Agreement due to delays caused by the presence of owls and their respective nesting season.

WHEREAS, on July 1, 2008, the County received a letter from the City requesting an extension on the Agreement due to permitting delays.

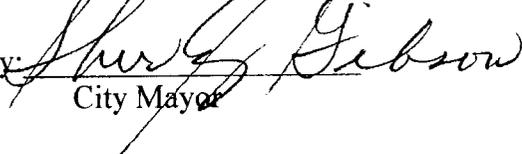
WHEREAS, Section XIII(C) provides that the County Manager is authorized to make modifications to the Agreement on behalf of the County,

NOW THEREFORE, in consideration of mutual covenants recorded in the Agreement, the parties hereto agree as follows:

I. **EFFECTIVE TERM.** The effective term of the Agreement shall be extended from September 30, 2008 to September 30, 2009.

This ADDENDUM relates only to the extension of the term of the Agreement. No other Agreement, oral or otherwise, regarding the subject matter of the Agreement shall be deemed to exist or bind any of the parties hereto.

CITY OF MIAMI GARDENS

By: 
City Mayor

CITY OF MIAMI GARDENS

By: 
City Clerk

MIAMI DADE COUNTY

Approved as to form and legal sufficiency



Sonja K. Dickens, City Attorney

A political subdivision of the State of Florida

By: _____
County Manager

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: County Attorney