

RESOLUTION No. 2007-130-637

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 SECOND 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, 2007, to September 30, 2008,

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 Second 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 SEPTEMBER 12, 2007.

  
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: Councilwoman Pritchett  
SECONDED BY: Councilman Braynon

**VOTE: 7-0**

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 Oscar Braynon, II	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilman Aaron Campbell	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilwoman Sharon Pritchett	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilman André Williams	<u>  x  </u> (Yes)	<u>    </u> (No)

# City of Miami Gardens

1515-200 NW 167<sup>th</sup> Street  
Miami Gardens, Florida 33169



Mayor Shirley Gibson  
Vice Mayor Barbara Watson  
Councilman Melvin L. Bratton  
Councilman Oscar Braynon II  
Councilman Aaron Campbell Jr.  
Councilwoman Sharon Pritchett  
Councilman André Williams

## Agenda Cover Page

Date: September 12, 2007

Fiscal Impact: No X Yes

(If yes, explain in Staff Summary)

Funding Source: Capital Projects Fund

Contract/P.O. Requirement: Yes X No

Sponsor Name/Department:

Antranette Pierre, Capital Improvements

Public hearing

Ordinance

1st Reading

Advertising requirement:

RFP/RFQ/Bid #           N/A          

Quasi-Judicial

Resolution X

2nd Reading

Yes  No X

## Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN SECOND 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.

## Summary

The County authorized conveyance of the property located on the corner of NW 32<sup>nd</sup> Avenue and 199<sup>th</sup> Street in July 2004. Upon the transfer of park property to the City of Miami Gardens by the County, an allocation of \$6M was included via interlocal agreement to be used for the construction of the Carol City Community Center. The agreement authorized two payments of \$3,000,000 to the City for the construction: \$3M upon execution of construction contract and \$3M at 50% construction completion.

Due to several obstacles including the presence of owls (a protected species) at the site and setbacks in the dry run permitting, the City has been forced to extend the construction start date. The attached resolution authorizes the Mayor to execute an extension in the agreement, Exhibit A, in order to receive programmed dollars from the County towards this project.

The tentative construction schedule is as follows:

**J-4) CONSENT AGENDA  
CAROL CITY COMMUNITY  
CENTER**

**September 17, 2007**

Invitation to bid is issued.

**October 3, 2007**

Pre-bid meeting is held. Attendees include Judson Architecture, Keith & Schnars, Building Official, Special Projects Director, Procurement Manager, and City Clerk.

**November 15, 2007**

Deadline to submit bid packages. All packages must be received in the Office of Clerk in City Hall no later than 2:00pm.

**November 19-30, 2007**

Selection committee reviews all responsive bid packages and ranks selection.

**December 12, 2007**

Resolution authorizing selection of bidder and authority to execute contract comes for Council approval.

**December 27, 2007**

Construction contract is executed; payment bond, liability insurance certificate submitted to City.

**January 1, 2008**

Notice to proceed is issued to general contractor. Mobilization; Construction begins

**Recommendation:**

It is recommended the City Council adopt the attached resolution authorizing the execution of second addendum to the interlocal agreement towards the construction at the Carol City Community Center.

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

This ADDENDUM, made this \_\_\_\_ day of \_\_\_\_\_, 2007, by and between Miami-Dade County, a political subdivision of the State of Florida (hereinafter referred to as "County") located at 111 NW 1<sup>st</sup> Street, Miami, FL 33128-1912, and the City of Miami Gardens having offices at 1515 NW 167<sup>th</sup> 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, 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 June 28, 2006 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 \_\_\_\_\_ 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, 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:

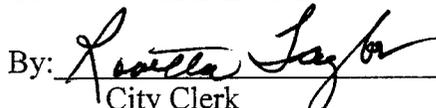
I. **EFFECTIVE TERM.** The effective term of the Agreement shall be extended from September 30, 2007 to September 30, 2008.

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

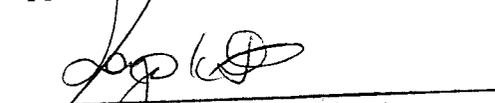
By:   
City Clerk

Approved as to form and legal sufficiency

MIAMI DADE COUNTY

A political subdivision of the State of Florida

By: \_\_\_\_\_

  
Sonja K. Dickens, City Attorney

County Manager

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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By: County Attorney