

RESOLUTION NO. 17-____

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE TOWN FOR THE LAKES BY THE BAY PARK CANOE/KAYAK LAUNCH PROJECT; AUTHORIZING THE TOWN MANAGER TO EXECUTE AND IMPLEMENT THE SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Environmental Protection (the “Department”) receives federal financial assistance through the Land and Water Conservation Fund (LWCF) from the United States Department of Interior, National Park Services for the purposes of administering LWCF funds for public outdoor recreation projects; and

WHEREAS, on March 10, 2016, the Town of Cutler Bay (the “Town”) submitted a LWCF Grant Application Package requesting \$200,000 to fund the Lakes by the Bay Park Canoe/Kayak Launch Project (the “Project”); and

WHEREAS, on June 23, 2016, the Town was notified that the Department awarded the Town’s grant request in the amount of \$200,000 (the “Grant”); and

WHEREAS, the Town will be required to provide a cash match from the Park Impact Fee Fund in the amount of \$200,000 to support the Project; and

WHEREAS, the Department staff and the Town’s staff have worked together on the details of the work plan and budget for the Project; and

WHEREAS, the Town desires to enter into a State of Florida Department of Environmental Protection Land and Water Conservation Fund Program Development of Land for Public Recreation Purposes Agreement for Fiscal Year 2016-2017 in substantially the form attached hereto as Exhibit “A” (the “Agreement”); and

WHEREAS, the Town Council finds that this Resolution is in the best interest and welfare of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

Section 2. **Approval.** The Town Council approves the Agreement relating to the disbursement of Florida Department of Environmental Protection funds to the Town in substantially the form attached hereto as Exhibit "A".

Section 3. **Authorization.** The Town Manager is hereby authorized to execute the Agreement, and any subsequent annual renewals, in substantially the form attached hereto as Exhibit "A," on behalf of the Town, subject to the approval of the Town Attorney as to form, content and legal sufficiency, and to take all actions necessary to implement the Grant.

Section 4. **Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED and ADOPTED this ____ day of May, 2017.

PEGGY R. BELL
Mayor

Attest:

DEBRA E. EASTMAN, MMC
Interim Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

Moved By: _____
Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell _____

Vice Mayor Sue Ellen Loyzelle _____

Council Member Mary Ann Mixon _____

Council Member Michael P. Callahan _____

Council Member Roger Coriat _____