Approved _____ Mayor
Veto _____
Override _____

Amended
Agenda Item No. 3(D)(1)(A)
03-20-07

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-361-07

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO APPLY FOR UP TO $2 MILLION IN GRANT FUNDS FROM THE FLORIDA INLAND NAVIGATION DISTRICT TO FUND THE CONSTRUCTION OF A PUBLIC SHORELINE STABILIZATION PROJECT – STAGE 2, AND FURTHER AUTHORIZING THE COUNTY MANAGER TO RECEIVE AND EXPEND FUNDS AND EXECUTE SUCH CONTRACTS AND AMENDMENTS AS REQUIRED IF AWARDED

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, Miami Dade County is interested in carrying out the following described project for the enjoyment of the citizenry of Miami-Dade County and the State of Florida:

Project Title:	Parcel B Public Shoreline Stabilization Project - Stage 2
Total Estimated Cost:	$4,200,000
Brief Description of Project:	Construction of a public shoreline stabilization project along Biscayne Bay by replacing 611 linear feet of deteriorating and failing seawall on Miami-Dade County property east of the American Airlines Arena

AND, Florida Inland Navigation District Waterways Assistance Program financial assistance is required for the program mentioned above,

MEMORANDUM
(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: March 20, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Amended
Agenda Item No. 3(D)(1)(A)

Please note any items checked.

_____ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

✓ **No committee review**

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the County Manager to apply for Florida Inland Navigation District Waterways Assistance Program grant funds in the approximate amount of $2 million; and authorizes the County Manager to receive and expend grant funds; and for the County Mayor or his designee to execute such contracts and agreements as required by grant guidelines or to further the purposes described in the funding request; following approval by the County Attorney's Office; to expend any and all monies received for the purposes described in the funding request; to apply for, receive, and expend subsequent funds that might become available during the term of the grant; to file and execute any necessary amendments to the application for and on behalf of Miami-Dade County, Florida; and, to exercise amendments, modifications, renewal, cancellation, and termination clauses of any contracts and agreements on behalf of Miami-Dade County, Florida.

AND, be it further resolved that Miami-Dade County shall make an application to the Florida Inland Navigation District in the approximate amount of $2 million (47%) of the estimated cost of the project in behalf of said Miami-Dade County;

AND, be it further resolved by Miami-Dade County that it certifies to the following:

1. That it will accept the terms and conditions set forth in FIND Rule 66B-2 F.A.C. and which will be a part of the Project Agreement for any assistance awarded under the attached proposal.

2. That it is in complete accord with the proposed funding proposal and that it will carry out the Program in the manner described in the proposal and any plans and

specifications attached thereto unless prior approval for any change has been received from the District.

3. That it has the ability and intention to finance its share of the cost of the project and that the project will be operated and maintained at the expense of said Miami-Dade County for public use.

4. That it will not discriminate against any person on the basis of race, color or national origin in the use of any property or facility acquired or developed pursuant to this proposal, and shall comply with the terms and intent of the Title VI of the Civil Rights Act of 1964, P. L. 88-352 (1964) and design and construct all facilities to comply fully with statutes relating to accessibility by handicapped persons as well as other federal, state and local laws, rules and requirements.

5. That it will maintain adequate financial records on the proposed project to substantiate claims for reimbursement.

6. That it will make available to FIND if requested, a post-audit of expenses incurred on the project prior to, or in conjunction with, request for the final 10% of the funding agreed to by FIND.

The foregoing resolution was offered by Commissioner Joe A. Martinez, who moved its adoption. The motion was seconded by Commissioner Sally A. Heyman and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman aye
Barbara J. Jordan, Vice-Chairwoman aye

Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of March, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. HB

Hugo Benitez

Memorandum

MIAMI-DADE COUNTY

Date: March 20, 2007

Amended
Agenda Item No. 3(D)(1)(A)

To: Honorable Chairperson Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Parcel B Public Shoreline Stabilization Project: Stage 2 – Florida Inland Navigation District Waterways Assistance Program Grant Application FY 2007-08

R#361-07

RECOMMENDATION

It is recommended that the Board approve the attached resolution authorizing the County Manager to apply for, receive and expend Florida Inland Navigation District (FIND) 2007-08 Waterways Assistance Program (WAP) grant funds in the approximate amount of $2 million and execute such contracts and amendments as required subject to the approval of the County Attorney's Office. Funds in the amount of $2.4 million were previously allocated by the Board as matching funds in the FY2006-07 request to FIND. The funds were allocated from the County Capital Outlay Reserve Funds ($1.4 million) and Building Better Communities Baywalk Project ($1.0 million). A total of $2.2 million of the funds are still available and are pledged as required match funds in the FY 2007-08 WAP request to FIND.

BACKGROUND

The County is seeking grant funding to assist with the financing of stage two construction of a public shoreline stabilization project along Biscayne Bay, replacing 611 linear feet of deteriorating and failing seawall on Miami-Dade County property east of the American Airlines Arena, listed as Parcel B in the Book of Public Records. The project site is along the Intracoastal Waterway, and is part of the proposed Baywalk area. The goal of project is to replace the seawall, which serves as protection from storm surges, and keeps navigable waters free from debris. Over time, the existing seawall has deteriorated as a result of tidal action, storm surges and other environmental effects. Extensive corrosion allows for possible contaminated outflows, and the seawall is vulnerable to collapse, creating a potential risk to navigation.

The total project (all stages) is currently estimated to cost $6.2 million to replace a total of 611 linear feet. Due to limited resources and the desire to seek grant funding, the project will be completed in stages as follows:

- Stage 1: Programmatic and Schematic Design Phase and Development/Permitting has commenced. Funding for stage 1 is comprised of a $178,596 FIND WAP (FY 2006-07) award and the required minimum 50 percent match of $178,596 of County funding.

  Stage 2: Construction and project management associated with the replacement of the bulkhead structural portion only. The total cost of stage 2 is estimated to be $4.2 million and would be comprised of $2 million of FIND WAP (FY 2007-08) funds, if awarded, and approximately $2.2 million of local match dollars.

Stage 3: Construction and project management associated with the replacement of the concrete portion only. Additional resources in the approximate amount of $1.6 million need to be secured through possible grant opportunities or other sources to complete the project.

A special provision in the FIND WAP application rules requires that Miami-Dade County stipulate by resolution, and certify to the following: 1) that it will accept the terms and conditions set forth in FIND Rule 66B-2 F.A.C., and which will be a part of the Project Agreement for any assistance awarded under the attached proposal; 2) that it is in complete accord with the proposed funding proposal and that it will carry out the Program in the manner described in the proposal and any plans and specifications attached thereto unless prior approval for any change has been received from the District; 3) that it has the ability and intention to finance its share of the cost of the project and that the project will be operated and maintained at the expense of said Miami-Dade County for public use; 4) that it will not discriminate against any person on the basis of race, color or national origin in the use of any property or facility acquired or developed pursuant to this proposal, and shall comply with the terms and intent of the Title VI of the Civil Rights Act of 1964, P. L. 88-352 (1964) and design and construct all facilities to comply fully with statutes relating to accessibility by handicapped persons as well as other federal, state and local laws, rules and requirements; 5) that it will maintain adequate financial records on the proposed project to substantiate claims for reimbursement; and 6) that it will make available to FIND if requested, a post-audit of expenses incurred on the project prior to, or in conjunction with, request for the final 10% of the funding agreed to by FIND.

Assistant County Manager