

RESOLUTION NO. 2014-R-45

**A RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER AND CITY ATTORNEY TO SUBMIT AN APPLICATION IN ORDER TO OBTAIN PROJECT FINANCING UNDER THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND PROGRAM (SRF) FOR THREE (3) PROPOSED FORCE MAIN PROJECTS WITHIN THE CITY; FURTHER AUTHORIZING THE INTERIM CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) IN ORDER TO OBTAIN SRF FINANCING; ESTABLISHING PLEDGED REVENUES, DESIGNATING AUTHORIZED REPRESENTATIVES, AND PROVIDING ASSURANCES OF COMPLIANCE WITH PROGRAM REQUIREMENTS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**WHEREAS**, the Florida Safe Drinking Water Act under Chapter 403, Florida Statutes, provides for financial assistance to local government agencies to finance construction of pump stations and force main improvements; and

**WHEREAS**, Florida Administrative Code rules require authorization for the City of North Miami ("City") to apply for financial assistance, to enter into an agreement with the Florida Department of Environmental Protection ("FDEP"), to establish pledged revenues, to designate an authorized representative and to provide assurances of compliance with program requirements; and

**WHEREAS**, the Florida Department of Environmental Protection State Revolving Fund ("SRF") has designated construction of pump stations and force main improvements, under Project Number WW13181, as eligible for available financing; and

**WHEREAS**, SRF funds will be used toward sewer improvements for the following three (3) projects: 1) *Force Main Rehabilitation Project/Northwest 2<sup>nd</sup> Avenue*, between Northwest 135<sup>th</sup> Street and Northwest 131<sup>st</sup> Street; 2) *Force Main Rehabilitation Project/Northeast 131<sup>st</sup> Street*, between Northeast 8<sup>th</sup> Avenue and Northeast 12<sup>th</sup> Avenue; and 3) *Biscayne Boulevard Force Main Improvements Project* (collectively referred to as "Projects"), for an approximate

cost of Three Million Four Hundred Eighty-Five Thousand Four Hundred Ninety-Nine Dollars (\$3,485,499.00); and

**WHEREAS**, the Vice Mayor as Acting Mayor and City Council have determined that the approval of the attached SRF Loan Application to obtain funds for the construction and rehabilitation of the Projects, is in the best interest of the City.

**NOW THEREFORE, BE IT DULY RESOLVED BY THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**

**Section 1. Submission of Application.** The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, hereby authorize the Interim City Manager and City Attorney to submit the attached application in order to obtain project financing under the Florida Department of Environmental Protection State Revolving Fund Program (SRF) for three (3) proposed force main projects within the City.

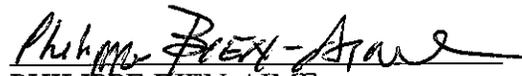
**Section 2. Authority of City Manager and City Attorney.** The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, hereby authorize the Interim City Manager and City Attorney to negotiate and execute an agreement between the City of North Miami and the Florida Department of Environmental Protection (FDEP) in order to obtain SRF financing.

**Section 3. Establishment of Pledged Revenues.** The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, hereby authorize the revenues pledged for the repayment of the loan, from the net water and sewer utility system revenues.

**Section 4. Designation of Interim City Manager as Authorized Representative.** The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, hereby designate the Interim City Manager as the authorized representative to provide the assurances and commitments required by the SRF Application and to carry out the obligations of the agreement.

**Section 5. Effective Date.** This Resolution shall become effective immediately upon adoption.

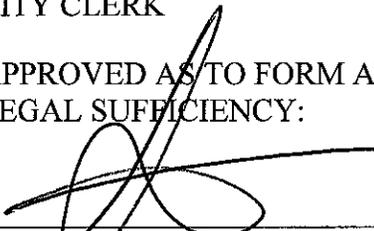
**PASSED AND ADOPTED** by a 4-0 vote of the Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, this 27th day of May, 2014.

  
PHILIPPE BIEN-AIME  
VICE MAYOR AS ACTING MAYOR

ATTEST: 

\_\_\_\_\_  
MICHAEL A. ETIENNE, ESQ.  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



\_\_\_\_\_  
REGIME M. MONESTIME  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Bien-Aime

**Vote:**

- Vice Mayor as Acting Mayor Philippe Bien-Aime
- Councilperson Scott Galvin
- Councilperson Carol Keys, Esq.
- Councilperson Marie Erlande Steril

<u>  x  </u>	(Yes)	<u>      </u>	(No)
<u>  x  </u>	(Yes)	<u>      </u>	(No)
<u>  x  </u>	(Yes)	<u>      </u>	(No)
<u>  x  </u>	(Yes)	<u>      </u>	(No)