

**RESOLUTION No. 09 – 102**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY FOR PARTICIPATION IN THE PARKING FINES REIMBURSEMENT PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Miami-Dade County is commencing the process for the Parking Fines Reimbursement Program for FY 08-09; and

**WHEREAS**, this program reimburses municipalities with a portion of fines collected from misused parking spaces for people with disabilities so that said funds be used to fund programs that help people with disabilities; and

**WHEREAS**, there is approximately \$8,480.00 for which the City of Doral may apply; and

**WHEREAS**, in order to be eligible to participate in the Parking Fines Reimbursement Program, there is a one-time requirement to complete an Interlocal Agreement with Miami-Dade County.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:**

**Section 1.** The City Council of the City of Doral hereby authorizes the City Manager to enter into an Interlocal Agreement with Miami-Dade County, substantially in the form attached hereto as Exhibit "A," for participation in the Parking Fines Reimbursement Program.

**Section 2.** This Resolution shall take effect immediately upon adoption.

The foregoing resolution was offered by Councilman Cabrera who moved its adoption. The motion was seconded by Councilman Van Name and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Michael DiPietro	Yes
Councilman Pete Cabrera	Yes
Councilwoman Sandra Ruiz	Yes
Councilman Robert Van Name	Yes

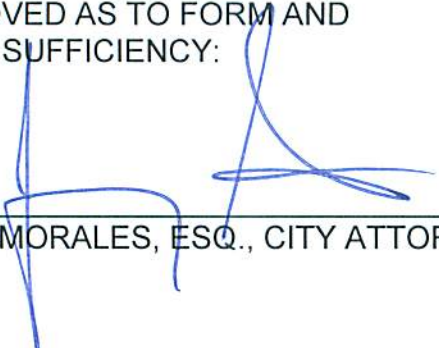
PASSED and ADOPTED this 11<sup>th</sup> day of August, 2009.

  
\_\_\_\_\_  
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

  
\_\_\_\_\_  
BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
JIMMY MORALES, ESQ., CITY ATTORNEY

# EXHIBIT “A”

## **INTERLOCAL AGREEMENT**

This agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_ year, by and between Miami-Dade County, Florida, a political subdivision of the State of Florida (the "County") and City of Doral (the "municipality"), a municipal corporation organized and existing under the laws of the State of Florida.

### **WITNESSETH**

**WHEREAS**, Section 316.008 Florida Statutes, and Section 30-447. Code of Miami-Dade County, authorizes the charging of fines for misuse of specially marked parking spaces for people with disabilities, and

**WHEREAS**, Miami-Dade County proposes to distribute said fines under the provisions of Section 30-447 of the Code of Miami-Dade County, Florida.

**NOW THEREFORE** in consideration of the covenants contain herein, the parties agree as follows

1. This agreement shall become effective upon its execution by the authorized officers of the parties and will continue annually upon agreement by both parties.
  
2. The allocation of the disabled parking fine monies shall be used to provide funds to improve accessibility and equal opportunity to qualified physically disabled persons and to provide funds to conduct public awareness programs concerning physically disabled persons.

3. The parties shall annually submit an affidavit sworn by the chief administrative official of the municipality to the Miami-Dade County Office of Americans with Disabilities Act Coordination, hereinafter known as the “ADA Office”.
4. The affiant will affirm that expenditures meet the following criteria:
  - a. The funds reimbursed shall be used to improve accessibility and equal opportunity to qualified persons who have disabilities in the municipality and to conduct public awareness programs in the municipality concerning persons who have disabilities.
  - b. If only a portion of the project or program is being promoted to benefit people with disabilities, then only that portion of the project or program may be funded with these monies.
5. The parties agree to follow the terms and conclusions regarding payment as follows:
  - a. The percentage for distribution shall be calculated by the County annually. Each year the County shall notify all municipalities of the percentages of distribution of the disabled permit parking fine money for the upcoming annual period. The percentage for distribution to the County and to the municipalities is based on a percentage of total revenue which is determined by calculating the total number of fines paid county-wide. Funding estimates include a percentage of the monies which were not distributed to any municipalities in the previous year.

- b. The County agrees to pay the municipality under this agreement based on a payment schedule agreed upon by the Office of ADA Coordination, accompanied by such documentation as requested.
- c. In no event shall County funds be advanced to any subcontractor hereunder.
- d. The parties shall return funds to the Clerk of the Board if the project is not successfully completed and shall allow the Office of ADA Coordination to audit projects and conduct site visits. Any such audits or inspections shall be conducted in such manner and at such times so as not to unreasonably interfere with the day-to-day operation of the parties.
- e. The County may amend the terms of this agreement from time to time, as it may deem necessary.

**IN WITNESS WHEREOF**, the parties have caused this agreement to be executed by their respective and duly authorized officers on the date hereinabove first mentioned.

**ATTEST:**

**MIAMI-DADE COUNTY, FLORIDA**

\_\_\_\_\_

Harvey Ruvin, Clerk

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

Carlos Alvarez, Mayor

ATTEST:

CITY OF Doral, FLORIDA

Barbara Herrera

Barbara Herrera

City Clerk

By: Yvonne Soler-McKinley

Yvonne Soler-McKinley

City Manager

(Date)

(Official Seal)



## GENERAL AFFIDAVIT

State of Florida

County of \_\_\_\_\_

BEFORE ME, the undersigned Notary,  
\_\_\_\_\_  
[name of Notary  
before whom affidavit is sworn], on this \_\_\_\_\_ [day of month] day of  
\_\_\_\_\_  
[month], 20\_\_\_\_, personally appeared  
\_\_\_\_\_  
[name of affiant],  
known to me to be a credible person and of lawful age, who being by me first duly  
sworn, on \_\_\_\_\_ [his or her] oath, deposes and says:

The municipal parking fines funds reimbursed shall be used to improve accessibility and equal opportunity to qualified persons who have disabilities in the municipality and to conduct public awareness programs in the municipality concerning persons who have disabilities.

If only a portion of the project or program is being promoted to benefit people with disabilities, then only that portion of the project or program will be funded with these monies.

The municipality shall return funds to the Clerk of the Board if the project is not successfully completed and shall allow the Miami-Dade County Office of ADA Coordination to audit projects and conduct site visits. Any such audits or inspections shall be conducted in such manner and at such times so as not to unreasonably interfere with the day-to-day operation of the parties.

*[set forth affiant's statement of facts]*

\_\_\_\_\_  
*[signature of affiant]*

\_\_\_\_\_  
*[typed name of affiant]*

\_\_\_\_\_  
*[address of affiant, line 1]*

\_\_\_\_\_  
*[address of affiant, line 2]*

**State of Florida**

**County of** \_\_\_\_\_

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_ (year), by \_\_\_\_\_ (name of person making  
statement).

\_\_\_\_\_  
(Signature of Notary Public - State of Florida)

\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

(Refer to electronic copy)