RESOLUTION NO. R-2023-402

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AMENDMENT NO. 1 TO AGREEMENT NO. 22FRP13 WITH THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION RESILIENT FLORIDA PROGRAM GRANT IN THE AMOUNT OF $14,112,000.00 FOR THE DESIGN AND CONSTRUCTION OF TIDAL FLOODING MITIGATION AND SHORELINE PROTECTION PHASES I, II, & III PROJECTS; AUTHORIZING THE REQUIRED MATCHING FUNDS IN THE AMOUNT OF $13,888,000.00 TO BE PAID FROM GENERAL OBLIGATION BOND PROJECT FUNDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE ALL GRANT DOCUMENTS, AGREEMENTS AND AMENDMENTS FOR THE TIDAL FLOODING MITIGATION AND SHORELINE PROTECTION PROJECT, A GENERAL OBLIGATION BOND PROJECT.

WHEREAS, on March 12, 2019, the City held a Special Election where a majority of voters approved funding, through a General Obligation Bond ("GO Bond"), for the Tidal Flooding Mitigation and Shoreline Protection Project ("Project"); and

WHEREAS, this GO Bond Project was divided into 22 smaller projects and classified as "Phases I, II and III" projects; and

WHEREAS, Phase I projects were funded to include survey, planning, permitting, final design and construction engineering services; and

WHEREAS, Phases II and III projects were only funded to include conceptual design, which included the Tidal Flooding Mitigation and Shoreline Protection projects including the Polk Street Marina, Key Holes at North and South Lake, street ends at North and South Lake, and Intracoastal City owned properties; and

WHEREAS, the Department of Design and Construction Management ("DCM"), on behalf of the City, submitted a grant application to the State of Florida Department of Environmental Protection ("FDEP") for funding through its Resilient Florida Grant Program in the amount of $13,908,935.00; and

WHEREAS, the City was awarded FDEP Resilient Florida Grant ("Grant") funding in the amount of $14,112,000.00 for both the development of construction documents, and construction of the improvements for the Tidal Flooding Mitigation Phases I, II and III projects; and

WHEREAS, on September 21, 2022, the City Commission passed and adopted Resolution No. R-2022-281, approving the appropriate City officials to accept and execute FDEP Resilient Florida Grant ("Agreement No. 22FRP13") and authorizing the required matching funds to be paid from the GO Bond; and

WHEREAS, on January 18, 2023, the City Commission passed and adopted Resolution No. R-2023-032, approving and authorizing the appropriate City officials to execute the amended and restated Consulting Agreement with Cummins Cederberg, Inc. for Engineering, Surveying and General Consulting for Phases II and III of the Project, with 50% project funding of design by FDEP Resilient Florida grant; and

WHEREAS, FDEP has requested updates to Agreement No. 22FRP13's exhibits and attachments ("Amendment 1"); and

WHEREAS, the revised Grant Work Plan provides for the City to fund all design and construction administration costs that will count as grant match, the City will fund construction costs not less than $12,204,935.00, and FDEP will fund construction costs up to $14,112,000.00; and

WHEREAS, FDEP has requested the project be titled "Hollywood Tidal flooding Mitigation and Shoreline Protection"; and

WHEREAS, DCM recommends that the City Commission authorize the appropriate City officials to approve Amendment 1 to Agreement No. 22FRP13 with FDEP; and

WHEREAS, DCM recommends the City Commission authorize the appropriate City officials to execute possible future Amendments, which may be required due to FDEP contract revisions requests; and

WHEREAS, funding for this project was included in the amended FY 2024 Capital Improvement Plan, and is available in account numbers 333.149901.54100.563010.001187.000.000 and 337.179901.54100.563010.001187.000.000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and incorporated in this Resolution.

Section 2: That it approves and authorizes the appropriate City officials to execute Amendment No.1 to Agreement No. 33FRP13 with FDEP for Tidal Flooding and Shoreline Mitigation Project.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AMENDMENT NO. 1 TO AGREEMENT NO. 22FRP13 WITH THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION RESILIENT FLORIDA PROGRAM GRANT IN THE AMOUNT OF $14,112,000.00 FOR THE DESIGN AND CONSTRUCTION OF TIDAL FLOODING MITIGATION AND SHORELINE PROTECTION PHASES I, II, & III PROJECTS; AUTHORIZING THE REQUIRED MATCHING FUNDS IN THE AMOUNT OF $13,888,000.00 TO BE PAID FROM GENERAL OBLIGATION BOND PROJECT FUNDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE ALL GRANT DOCUMENTS, AGREEMENTS AND AMENDMENTS FOR THE TIDAL FLOODING MITIGATION AND SHORELINE PROTECTION PROJECT, A GENERAL OBLIGATION BOND PROJECT.

Section 3: That it approves and authorizes the expenditure of GO Bond project funding for 100% of design and construction administration from account number 333.149901.54100.563010.001187.000.000 as required matching funds for the Grant.

Section 4: That the appropriate City officials are authorized to execute all applicable Grant documents, agreements and amendments as may be subsequently agreed to by the City Manager and approved as to form by the City Attorney.

Section 5: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 6 day of December, 2023.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY