

Meeting Date: July 28, 2015

Agenda Item

25

REQUESTED COMMISSION ACTION:

Consent                      Ordinance                      x Resolution                      Consideration/ Discussion                      Presentation

Short Title: A RESOLUTION OF THE CITY COMMISSION TO APPROVE A LETTER RELATING TO A GRANT APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION FOR THE PURPOSE OF OBTAINING FUNDS FOR CONSTRUCTION OF BRINY AVENUE AND CONFIRMING THE CITY'S CONTRIBUTION OF \$2,500,000; PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why:

The City has an opportunity to receive a \$2.5 million Federal Grant from the Economic Development Administration that would pay for 50% of the cost for the Briny Avenue Streetscape Revitalization Project. A letter from the City Manager is needed to complete the application requirement.

- (1) Origin of request for this action: EDA Matching Fund Requirements
- (2) Primary staff contact: Greg Harrison, Assistant City Manager *Greg Harrison* EXT 4606
- (3) Expiration of contract, if applicable: \_\_\_\_\_
- (4) Fiscal impact and source of funding: 50% match of \$5,000,000 project costs for Briny Avenue Streetscape Revitalization Project.

**Sources: Capital Project Fund for Briny Avenue \$782,510**

**Special Purpose Fund Local Option Gas Tax Account \$700,000**

**Special Purpose Fund Beach Area Master Parking Account \$315,000**

**Reimbursement from Broward County for FFE and Beach Library \$125,000**

**Capital Projects Fund Balance \$577,490**

**TOTAL OF ABOVE: \$2,500,000**

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
City Attorney	<u>7/22/15</u>	<u>Approval</u>	<i>[Signature]</i>
Finance	<u>7/21/15</u>	<u>Approval</u>	<i>[Signature]</i>
Budget	<u>7-22-15</u>	<u>Approval</u>	<i>[Signature]</i>

*[Signature]*  
X City Manager

*[Signature]*

ACTION TAKEN BY COMMISSION:

Ordinance Workshop	Resolution	Consideration
1st Reading	1st Reading	Results: _____
2nd Reading	_____	Results: _____



**City Attorney's Communication #2015-1134**  
June 19, 2015

**TO:** Dennis W. Beach, City Manager  
**FROM:** Gordon B. Linn, City Attorney  
**RE:** Resolution – Briny Avenue Streetscape Revitalization Project

As requested, attached please find the following Resolution addressing the above-referenced matter:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO APPROVE A LETTER RELATING TO A GRANT APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION FOR THE PURPOSE OF OBTAINING FUNDS FOR CONSTRUCTION OF BRINY AVENUE; AND CONFIRMING THE CITY'S CONTRIBUTION OF \$2,500,000; PROVIDING AN EFFECTIVE DATE.**

Please do not hesitate to contact me if I may be of further assistance.

  
\_\_\_\_\_  
GORDON B. LINN

/jrm  
l:cor/mgr/2015-1134

Attachment

RESOLUTION NO. 2015-\_\_\_\_\_

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO APPROVE A LETTER RELATING TO A GRANT APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION FOR THE PURPOSE OF OBTAINING FUNDS FOR CONSTRUCTION OF BRINY AVENUE; AND CONFIRMING THE CITY'S CONTRIBUTION OF \$2,500,000; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Pompano Beach, Florida, has prepared an application requesting grant funds from the Economic Development Administration for construction of Briny Avenue; and

WHEREAS, it is the desire of the City of Pompano Beach, Florida, to adopt a letter to approve the proposed application, the city's contribution and to establish its eligibility to participate in the program; now, therefore,

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That the City Manager is hereby authorized to submit the attached letter to the Economic Development Administration for the purpose of obtaining or acquiring funds to implement the construction of Briny Avenue.

**SECTION 2.** That the City of Pompano Beach is committed to the project and is in a fiscally and legally responsible position to provide the required funds in the amount of \$2,500,000; and confirming that these funds are available for expenditure in FY 2016 and FY 2017.

**SECTION 3.** This Resolution shall become effective upon passage.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
**LAMAR FISHER, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**ASCELETA HAMMOND, CITY CLERK**

GBL/jrm  
6/19/15  
L:/reso/2015-395



# CITY MANAGER'S OFFICE

Dennis W. Beach, City Manager

E: [dennis.beach@copbfl.com](mailto:dennis.beach@copbfl.com) | P: 954.786.4601 | F: 954.786.4504

July 28, 2015

Mr. Jonathan Corso  
Economic Development Administration  
Regional Office  
401 West Peachtree Street, NW, Suite 1820  
Atlanta, Georgia 30308-3510

RE: City of Pompano Beach, Florida – Briny Avenue Streetscape Revitalization Project

Dear Mr. Corso:

The City of Pompano Beach is fully committed to providing a dollar-for-dollar match for its proposed EDA project, and is prepared to comply fully with any and all EDA matching requirements as necessary for this award.

As of the date of submission, the City can commit \$2.5 million in unencumbered funding toward the project in FY 2016 and FY 2017.

The City proposes to provide matching funds as the construction phase of Briny Avenue progresses.

Please do not hesitate to contact me should you have questions or concerns.

Sincerely,

Dennis W. Beach  
City Manager



FINANCE DEPARTMENT  
MEMO 15-112

Date: July 17, 2015

To: Dennis Beach, City Manager

From: Suzette Sibble, Finance Director

Re: Sources of Matching Funds for EDA Grant

The City has applied for a grant from the United States Economic Development Administration (EDA), under the EDA's Public Works and Economic Adjustment Assistance Program in order to fund the Briny Avenue Project. The grant requires that the City commit in writing the availability of funds to provide for a 50% match in the amount of approximately \$2.5 million. The Briny Avenue project (the "Project") consists of undergrounding approximately 2,300 LF of overhead utility lines from Atlantic Boulevard South to NE 8th Street and to include the side streets connecting to the west to A1A. Streetscape improvements will be done in conjunction with the undergrounding efforts. The project entails implementation of complete streets concepts to integrate pedestrian, bikers and automobile features. Anticipated streetscape improvements such as new sidewalks, pavers, new sea turtle-friendly lighting, street accents (trash containers, bicycle racks, benches, etc.), lush landscape (palms, trees, groundcovers) are some of the numerous elements that will be combined to make the complete streets experience a success. The project will also address severe drainage issues and tackle speeding concerns by strategically installing speed tables to slow down vehicular traffic. The project will also entail replacing and relocating of parking spaces, wherever possible.

The EDA requires a letter from the City ascertaining that the matching funds are indeed available to be committed for the Project. City staff has identified the following source of funds available for this purpose as follows:

**Sources:**

Funds Committed in the Capital Proj. Fund for Briny Ave.	\$ 782,510 (A)
Special Purpose Fund Local Option Gas Tax Account	700,000 (B)
Special Purpose Fund Beach Area Master Parking Account	315,000 (C)
Reimb. from Broward County for FFE - Beach Library	125,000 (D)
Capital Projects Fund Balance	577,490 (E)

<b>Total</b>	<b>\$2,500,000</b>
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**Detail of Sources**

**A. Committed Project Funds**

The City currently has funds committed to the Briny Avenue project within its capital program (the General Capital Projects Fund) in the amount of \$782,510.

### **B. 1 to 5 Cent Local Option Fuel Tax**

Florida Statutes, Section 206.41(1)(e) authorizes County governments to levy this tax upon every net gallon of motor fuel sold within a county. The County by interlocal agreement can authorize the State to distribute a portion of the tax to local governments based on a population based formula. As there currently exists such an inter-local agreement with Broward County, the City receives such a distribution annually from the State, which is deposited into the "Local Option Gas Tax" Special Purpose Fund account. The tax proceeds may be used for transportation expenditures needed to meet the requirements of the capital improvements element of an adopted local government comprehensive plan or for expenditures needed to meet the immediate local transportation problems and for other transportation-related expenditures that are critical for building comprehensive roadway networks by local governments. An authorized use of these funds includes expenditures for the construction of new roads, the reconstruction or resurfacing of existing paved roads, or the paving of existing graded roads. The City has historically utilized these funds to subsidize the community bus service program, along with reimbursements received from Broward County. The City has accumulated of approximately \$800,000 in the special purpose fund account. Community bus service expenditures have historically been covered by the annual local option gas tax receipts, coupled with the reimbursement received from Broward County, on average, over the past five years. I am therefore recommending that the City utilize \$700,000 for road improvement projects by transferring the funds to the General Capital Projects Fund to be appropriated for the Briny Avenue project. The remaining \$100,000 will remain within the special purpose fund account to offset any costs for the free community bus service offered by the City to its residents, in any year whereby that fiscal year's local option gas tax receipts, coupled with the reimbursement from Broward County does not cover the annual amount paid by the City to the vendor providing the service.

### **C. Beach Area Parking**

Section 36.033 of City Ordinance established a Beach Area Master Parking Area Account within the Special Purpose Fund. The source of monies for this account is derived from the parking facility fee as set forth in § 155.5102.J.7. Monies from this account shall be designated for the provision of parking spaces in the Beach Area Master Parking Program.

As a condition of the receipt of a parking space reduction from the Planning and Zoning Board/Local Planning Agency, an applicant is required to pay into the Beach Area Master Program account, a non-refundable sum of \$6,000 per parking space. All fees deposited into the fund may be utilized for the cost of labor and materials, the cost of land, leases, rights, easements and franchises, financing charges, interest prior to and during construction etc., and all other expenses necessary or incidental to determining the feasibility or practicability of such construction, reconstruction or use, administrative expenses and such other expense as may be necessary or incidental to the provision of public parking spaces. The special purpose account established to accumulate these resources currently has a balance of approximately \$315,000. As the Briny Avenue project has a parking element, it is being proposed that these funds be transferred to the Capital Projects Fund to be utilized for the Briny Avenue project.

### **D. Reimbursement from Broward County**

On October 17, 2014, the City of Pompano Beach and Broward County entered into a lease agreement for a new 5,400 Sq. Ft. library located at 3250 NE 2 Street (Beach Library) to replace the old facility located at 201 N Pompano Beach Boulevard. The lease agreement included stipulations for the City to facilitate the acquisition of certain furniture, fixtures and equipment (FFE) and for the County to reimburse the City for those costs. County Staff provided a comprehensive list and City Staff coordinated

purchase of the requested FFE. Staff has submitted a reimbursement package to the County for these items.

### **E. Capital Projects Fund Balance**

The City currently has funds committed to the following projects in the FY 2016 Recommended Capital Improvement Plan, to be funded with General Capital Project fund balance reserves:

• Dog Park Restroom	\$258,080
• Tot Basketball Courts in Comm. Park	66,640
• Sand Spur Park Improvs.	<u>373,320</u>
<b>Total</b>	<b>\$698,040</b>

Upon further analysis, it has been determined that these projects qualify to be funded from the City's Park Acquisition Fund. In accordance with the City's Code of Ordinances, the City has established a Park Acquisition Improvement Fund. Section 154.74 (E) of the City's Code of Ordinances requires certain fees be collected upon the issuance of building permits for development projects in accordance with the level of service standards which have been adopted in the city's Comprehensive Plan (used as the basis for determining the availability of service or facility capacities and the demand generated by a development). The objective of these impact fees is to ensure that new development shall not be approved unless there is sufficient available capacity to sustain certain levels of service for the recreational facilities as established in the Recreation and Open Space Element of the City Comprehensive Plan. The fee schedule is based on the dwelling types and number of bedrooms for each new development project. The Park Acquisition Fund currently has the following funds on deposit, separated into three neighborhood zones and one general citywide zone:

Citywide	\$1.9 million
Ocean to Federal	137k
Federal to Dixie	448k
Dixie to Turnpike	<u>18k</u>
<b>Total</b>	<b>\$2.5 million</b>

Available funds must be utilized within the designated zones. The three projects described above (currently proposed to be funded from General Capital Project Fund balance reserves) would be funded from the Citywide zone proceeds, which will allow the City to free up the remaining funds needed from its proposed 2016 Capital Improvement Plan commitments, to meet the \$2.5 million match requirement (\$577,490).

cc: Greg Harrison, Assistant City Manager  
Ernesto Reyes, Assistant to the City Manager  
Horacio Danovich, City Engineer

#25



CITY OF POMPANO BEACH  
BUDGET ADJUSTMENT

ORIGINATING DEPT.

Finance

DATE

7/16/15

ACCOUNT DESCRIPTION	FND	DP	DV	SUB	EL	OB	AVAILABLE FUNDS	CURRENT BUDGET	* INCREASE	* DECREASE	REVISED BUDGET	
Special Purpose Fd Budgetary F/B - Beach Area	112	00	00	392	10	00			315,000			
Special Purpose Fd Budgetary F/B - Local option GAS TRX	112	00	00	392	10	00			700,000			
Transfer out (302)	112	00	00	599	91	05	0	131,473	1,015,000		1,146,473	
Fund Balance	302	00	00	392	10	00			577,490 <sup>(1)</sup>			
Transfer In (112)	302	00	00	381	11	12	0	131,473	1,015,000 <sup>(1)</sup>		1,146,473	
Brow. Cnty Contract Reimbo (Beach Lib-FFE)	302	00	00	338	30	00	0	0	125,000 <sup>(1)</sup>		125,000	
Briny Ave Project CSP # 12208 / Construction	302	74	86	530	65	12	782,510 <sup>(1)</sup>	955,416	1,717,490		1,532,906	
* USE WHOLE DOLLARS ONLY									TOTAL	5,464,980		

REASON

To appropriate funding to meet the required match for the EDA Grant for the Briny Ave. Project.  
 $\leq 0 = \$2.5$  million

*S. Sibble*  
Department Head

7/16/15  
Date

Adjustment is within total budget of department

- Yes  No

Adjustment requires only City Manager approval

- Yes  No

Adjustment requires City Commission approval

- Yes  No

Adjustment approved at City Commission Meeting of \_\_\_\_\_

*S. Sibble* 7/16/15  
Finance Director Date

Budget Office

Date

City Manager

Date

AUDITED BY *[Signature]* 7/16/15

INPUT BY

CONTROL NO.