

**RESOLUTION NO. 20- \_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO ACCEPT THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLORIDA DIVISION OF EMERGENCY MANAGEMENT (FDEM), FLOOD MITIGATION ASSISTANCE (FMA) PROGRAM AWARD; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE FLOOD MITIGATION ASSISTANCE PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (PIDERMANN)**

**WHEREAS**, in 2015, the Town of Miami Lakes (the “Town”) Council passed Resolution Number 15-1333 adopting the 2015-2025 Strategic Plan, which authorized the Town Manager to take all actions necessary to implement the plan’s policies and goals; and

**WHEREAS**, among the goals in the Strategic Plan is Environmental Sustainability; and

**WHEREAS**, a vital objective of this priority is to improve drainage performance, efficiency and ecology of stormwater infrastructure in the Town’s West Lakes Community; and

**WHEREAS**, in 2016, the Town Council unanimously passed Resolution 16-1362, adopting the Miami-Dade County Local Mitigation Strategy, and authorized the Town Manager to identify, prioritize, and apply for hazard mitigation grant projects; and

**WHEREAS**, the Town identified, applied for, was granted and accepted, the Federal Emergency Management Agency, Florida Division of Emergency Management, Flood Mitigation Assistance Program Grant (the “Grant”), in the amount of One Million Four Hundred Sixty Two Thousand Five Hundred Dollars and 00/100 (\$1,462,500.00), and subsequently obtained Five Hundred Thousand Dollars and 00/100 (\$500,000.00) from Florida Legislative Appropriation Funding in order to comply with the Grant’s local participation requirement; and

**WHEREAS**, in December 2019, the Town advertised the construction solicitation for the Grant project, and bids were received during the month of January 2020; and

**WHEREAS**, subsequently the Town made a request to FEMA, through FDEM for a modification and increase in the Grant amount; and

**WHEREAS**, the Grant modification and increase was accepted, for a total of One Million Five Hundred Fifty Five Eight Hundred Seventy Two Dollars and 00/100 (\$1,555,872.00), with a construction contingency not to exceed Two Hundred and Twenty Thousand Dollars and 00/100 (\$220,000.00) to be funded by revenues collected through the Stormwater Utility Fees for 2020/21; and

**WHEREAS**, the Manager urges the Council to accept the Grant project, and grant authority to the Manager, Staff and Attorney to finalize the Grant, its modification, accept and fund the Grant Project; and

**WHEREAS**, the Town Council finds that it is in the best interest of the Town to accept the Grant and its modification, and to fund the Grant project.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:**

**Section1. Recitals.** The foregoing Recitals are true and correct and incorporated herein by this reference.

**Section2. Accept Grant and Grant Modification.** The Town Council hereby authorizes the Town Manager to accept the Federal Emergency Management Agency, Florida Division of Emergency Management, Flood Mitigation Assistance grant, attached hereto as Exhibit “A”, and modification, provided said modification is in substantially the same form as the grant, and execute such grant agreements and other contracts and documents as necessary, and take such other acts as may be necessary to bind the Town and accomplish the intent of this Resolution.

**Section 3. Authorization of Town Officials.** The Town Manager and/ or his designee and the Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the Federal Emergency Management Agency, Florida Division of Emergency Management, Flood Mitigation Assistance grant. The Town Clerk is hereby directed to send copies of this Resolution to any person or agency as directed by the Council of the Town of Miami Lakes.

**Section 4. Authorization to pledge Storm Water Utility Fees .** The Town agrees to pledge up to Two Hundred and Twenty Thousand Dollars from Storm Utility Fees for construction related to the grant.

**Section 5. Execution of the Agreement.** The Town Manager is authorized to execute the Agreement with Florida Division of Emergency Management on behalf of the Town.

**Section 6. Effective Date.** This Resolution shall take effect immediately upon adoption.

\*\*\*\*\* THIS PORTION HAS BEEN LEFT PURPOSEFULLY LEFT BLANK \*\*\*\*\*

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2020

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

|                                 |       |
|---------------------------------|-------|
| Mayor Manny Cid                 | _____ |
| Vice Mayor Nelson Rodriguez     | _____ |
| Councilmember Carlos O. Alvarez | _____ |
| Councilmember Luis Collazo      | _____ |
| Councilmember Josh Dieguez      | _____ |
| Councilmember Jeffrey Rodriguez | _____ |
| Councilmember Marilyn Ruano     | _____ |

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MANNY CID  
MAYOR

Attest:

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Gina Inguanzo  
TOWN CLERK

Approved as to form and legal sufficiency:

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Raul Gastesi, Jr.  
Gastesi, Lopez and Mestre, PLLC  
TOWN ATTORNEY

**EXHIBIT “A”**

**FDEM GRANT APPLICATION**