

RESOLUTION NO. 17-__

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL
OF THE TOWN OF CUTLER BAY, FLORIDA,
ACCEPTING A GRANT FROM THE FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION;
APPROVING A GRANT AGREEMENT (CONTRACT NO.
NS023) FOR STORMWATER RETROFIT; PROVIDING
FOR AUTHORIZATION; AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, the Town of Cutler Bay (the “Town”) has submitted a request for funding to the Florida Department of Environmental Protection (“FDEP”) Total Maximum Daily Load Water Quality Restoration Grant (the “Grant”); and

WHEREAS, FDEP notified the Town that it has been awarded a grant of \$374,000.00; and

WHEREAS, the Grant funding supports the SW 100 Avenue Stormwater Retrofit Project (the “Stormwater Project”), which is located within the Point Royale Section 5 Sub-Basin from Broad Channel Drive to SW 186th Street; and

WHEREAS, the Town Council desires to accept the Grant and authorize the Town Manager to execute FDEP Agreement No. NS023 for award of the stormwater improvement funds to the Town (“Agreement”), which is attached hereto as Exhibit “A” and made part hereof; and

WHEREAS, the Town Council finds that the adoption of this Resolution is in the best interest and welfare of the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Accepting Grant. The Town Council hereby accepts the FDEP Grant.

Section 3. Approving Agreement. The Town Council hereby approves the Agreement relating to the award of a state stormwater improvement grant (FDEP Contract No. NS023) to the Town in substantially the form attached hereto as Exhibit “A.”

Section 4. Authorization. The Town Manager is authorized to execute the Agreement in substantially the form attached hereto as Exhibit “A,” on behalf of the Town, subject to the approval of the Town Attorney as to form, content and legal sufficiency.

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

PASSED and ADOPTED this ____ day of September 2017.

PEGGY R. BELL
Mayor

Attest:

DEBRA E. EASTMAN, MMC
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

Moved By: _____
Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell _____

Vice Mayor Sue Ellen Loyzelle _____

Council Member Mary Ann Mixon _____

Council Member Michael P. Callahan _____

Council Member Roger Coriat _____