

RESOLUTION NO. 18-__

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL
OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING
A FEDERALLY-FUNDED SUBAWARD AND GRANT
AGREEMENT FOR THE REIMBURSEMENT OF
HURRICANE IRMA EXPENSES; PROVIDING FOR
AUTHORIZATION; AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, the Town of Cutler Bay (the “Town”) sustained wide-spread damages as a result of Hurricane Irma which made landfall on September 10, 2017; and

WHEREAS, in preparation for the Hurricane, US President Donald Trump signed an Emergency Declaration for 67 Counties in Florida, including Miami-Dade County, effective on Monday, September 4, 2017; and

WHEREAS, this Emergency Declaration authorized the Federal Emergency Management Agency (“FEMA”) to provide appropriate assistance for required emergency measures, authorized under Title V of the Stafford Act, to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in the designated areas; and

WHEREAS, FEMA is authorized to provide debris removal and emergency protective measures (Categories A and B), including to direct Federal assistance, under the Public Assistance program at 75 percent Federal funding; and

WHEREAS, the Town is in the process of applying for funding through FEMA for eligible costs incurred by the Town associated with debris removal, emergency protective measures, first responders, repairs to public facilities, and other eligible expenses related to Hurricane Irma that are not covered by the Town’s Florida League of Cities insurance policy; and

WHEREAS, the Town’s initial damage inventory is estimated at \$1,877,127; and

WHEREAS, FEMA has approved two projects totaling \$23,516.80 for minor clean-up and/or repairs to Lakes by the Bay Park, Cutler Ridge Pool, and Franjo Park as reflected in the Federally-Funded Subaward and Grant Agreement (the “Agreement”) attached hereto as Exhibit “A”; and

WHEREAS, FEMA will issue amendments to the Agreement as additional projects are approved; and

WHEREAS, the Town Council wishes to accept FEMA’s assistance and approve the Agreement; and

WHEREAS, the Town Council finds that this Resolution is in the best interest 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. **Approval.** The Town Council hereby approves the Agreement in substantially the form attached hereto as Exhibit "A."

Section 3. **Authorization.** The Town Council hereby authorizes the Town Manager to execute the Agreement in substantially the same form attached hereto as Exhibit "A," subject to the approval of the Town Attorney as to form, content and legal sufficiency, and any subsequent amendments or related documents to implement the Agreement.

Section 4. **Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this ____ day of May, 2018.

Attest:

PEGGY R. BELL
Mayor

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 _____