

RESOLUTION NO. 728

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, APPROVING THE STANDARD "FEDERALLY FUNDED SUBGRANT AGREEMENT" BETWEEN THE TOWN AND THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT FOR THE ADMINISTRATION OF GRANTS UNDER THE "FLOOD MITIGATION ASSISTANCE PROGRAM" AND UNDER THE "REPETITIVE FLOOD CLAIMS PROGRAM"; APPROVING THE STANDARD "FLOOD MITIGATION ASSISTANCE GRANT AGREEMENT" BETWEEN THE TOWN AND PARTICIPATING PROPERTY OWNERS; APPROVING THE STANDRAD "REPETITIVE FLOOD CLAIMS GRANT AGREEMENT" BETWEEN THE TOWN AND PARTICIPATING PROPERTY OWNERS; AUTHORIZING THE MAYOR TO EXECUTE "FEDERALLY FUNDED SUBGRANT AGREEMENTS", "FLOOD MITIGATION ASSISTANCE GRANT AGREEMENTS" AND "REPETITIVE LOSS CLAIMS GRANT AGREEMENTS" FOR EACH SUBGRANT AWARDED; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Sewall's Point, Florida, (the "Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town is authorized to accept and administer grants from state and federal authorities for the purpose of enhancing the quality of life for residents of the Town; and

WHEREAS, the Flood Mitigation Assistance Program ("FMAP") and the Repetitive Loss Claims Program ("RLCP") were created to reduce or eliminate claims under the National Flood Insurance Program; and

WHEREAS, the purpose of the programs is to reduce or eliminate the long-term risk of flood damage to buildings, manufactured homes, and other structures insured under the National Flood Insurance Program; and

WHEREAS, several individuals, who own real property within the Town, requested the Town to apply for Federal cost-reimbursement grant funds under the Federal Emergency Management Agency's (FEMA) FMAP and RLCP on his/her behalf; and

WHEREAS, to assist these owners and to provide for reduced flooding in the Town of Sewall's Point and related negative economic impacts, the Town applied for and obtained approval of several FMAP and RLCP grants for these owners; and

WHEREAS, the Town agrees to administer the FMAP and RLCP grants on each respective owner's behalf; and

WHEREAS, the Town's responsibilities in the administration of the FMAP and the RLCP grants are set forth in the standard "Federally Funded Subgrant Agreement" between the Town and FEMA which is attached hereto as **Exhibit "A"** and incorporated herein by this reference (the "FEMA Agreement"); and

WHEREAS, depending on which grant is applicable, each owner's responsibilities to fulfill and comply with all terms of the FEMA Agreement are set forth in either the standard "Flood Mitigation Assistance Grant Agreement" between the Town and the individual property owner, which is attached hereto as **Exhibit "B"** and incorporated herein by this reference (the "Owner FMAP Agreement") or the "Repetitive Flood Claims Grant Agreement" between the Town and the individual property owner, which is attached hereto as **Exhibit "C"** and incorporated herein by this reference (the "Owner RLCP Agreement").

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA:

Section 1. The whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Commission.

Section 2. The Town Commission hereby approves the standard "Federally Funded Subgrant Agreement" attached hereto as **Exhibit "A"** and directs the Mayor to execute the same for each subgrant awarded and forward those executed agreements to FEMA for its execution.

Section 3. The Town Commission hereby approves the standard "Flood Mitigation Assistance Grant Agreement" attached hereto as **Exhibit "B"** and directs the

Mayor to execute the same for each subgrant recipient after receiving the executed agreement from each property owner.

Section 4. The Town Commission hereby approves the standard "Repetitive Flood Claims Grant Agreement" attached hereto as **Exhibit "C"** and directs the Mayor to execute the same for each subgrant recipient after receiving the executed agreement from each property owner.

Section 5. The Town Commission hereby authorizes the Mayor or the Town Manager to execute any and all other documents required for the furtherance of 1) the Flood Mitigation Assistance Program, 2) any "Federally Funded Subgrant Agreement" with FEMA; 3) any "Flood Mitigation Assistance Program Grant Agreement" with any property owner; and 4) any "Repetitive Flood Claims Grant Agreement" with any property owner, unless such agreements require otherwise.

Section 6. Severability. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

Section 7. Conflicts. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Section 8. Effective Date. This Resolution shall take effect immediately upon adoption.

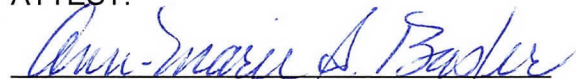
	<u>AYE</u>	<u>NAY</u>
VACANT, MAYOR	_____	_____
JACQUI THURLOW-LIPPISCH, <i>✓</i> VICE MAYOR	<i>✓</i> _____	_____
PAUL SCHOPPE, Commissioner	_____ <i>absent</i>	_____
TOM BAUSCH, <i>Commissioner Vice Mayor</i>	<i>✓</i> _____	_____
PAM BUSHA, Commissioner	<i>✓</i> _____	_____

The Town Manager thereupon declared this Resolution No. 728 approved and adopted by the Town Commission of the Town of Sewall's Point on this 56th day of July, 2011.


TOWN OF SEWALL'S POINT, FLORIDA


Robert Kellogg, Town Manager

ATTEST:


Ann-Marie S. Basler, Town Clerk

(TOWN SEAL)


Glen J. Torcivia, Town Attorney
Florida Bar No. 343374
Approved as to form and legal sufficiency