

RESOLUTION NO. 732

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, APPROVING THE "AGENCY COST/SHARE AGREEMENT" WITH THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT AS PART OF THE DISTRICT'S INDIAN RIVER LAGOON NATIONAL ESTUARY PROGRAM FOR THE CONSTRUCTION OF A GREENWAY/PEDWAY AND EXFILTRATION SYSTEM ALONG SOUTH SEWALL'S POINT ROAD; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE "AGENCY COST/SHARE AGREEMENT" AND ALL OTHER NECESSARY AND RELATED DOCUMENTS; 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 St. Johns River Water Management District (the "District"), through its Indian River Lagoon National Estuary Program, wishes to provide the Town with grant funds in the amount of fifteen thousand dollars (\$15,000) towards the construction of a greenway/pedway and exfiltration system along the Town's main thoroughfare, South Sewall's Point Road (the "Project"); and

WHEREAS, currently, basin stormwater sheet flows untreated from the crown of South Sewall's Point Road to the Indian River Lagoon (the "IRL") and the St. Lucie Rivier; and

WHEREAS, the Project will aesthetically upgrade South Sewall's Point Road and provide stormwater treatment by constructing a 1,220 linear foot greenway and pedway with a 1,130 linear foot exfiltration system installed under the pedway and between existing driveways and cross streets; and

WHEREAS, the pedway will be paved with a porous, brick paver material that will allow stormwater to infiltrate to the underground exfiltration system; and

WHEREAS, the primary purpose of the Project is to improve the water quality of the IRL by reducing the amount of pollutants discharged from the basin, including total suspended solids, total nitrogen and total phosphorous; and

WHEREAS, the Project is estimated to cost approximately \$200,000 of which the District will provide \$15,000 in grant funds to the Town;

WHEREAS, the Town will provide \$80,000 in funds to the project along with \$105,000 in FDEP grant funds; and

WHEREAS, the Town's responsibilities are set forth in the "Agency Cost/Share Agreement" which is attached hereto as **Exhibit "A"** and incorporated herein by this reference; and

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 "Agency Cost/Share Agreement" attached hereto as **Exhibit "A"** and directs the Town Manager to execute the same; and

Section 3. The Town Commission hereby authorizes the Town Manager to execute any and all other documents required for the furtherance of the "Agency Cost/Share Agreement".

Section 4. 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 5. Conflicts. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

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

JACQUI THURLOW-LIPPISCH, MAYOR
TOM BAUSCH, VICE MAYOR
PAUL SCHOPPE, Commissioner
PAM BUSHA, Commissioner
Commissioner

<u>AYE</u>	<u>NAY</u>
<u>✓</u>	—
<u>✓</u>	—
<u>✓</u>	—
<u>✓</u>	—
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The Town Manager thereupon declared this Resolution No. 732 approved and adopted by the Town Commission of the Town of Sewall's Point on this 12 day of September, 2011.

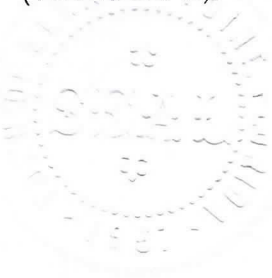
TOWN OF SEWALL'S POINT, FLORIDA



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