

RESOLUTION NO. 18-09-88

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING DEP AGREEMENT NO. LP44052 BETWEEN THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE VILLAGE RELATED TO FLORIDA KEYS STEWARDSHIP ACT FUNDING; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL STEPS NECESSARY TO FINALIZE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on April 14, 2016, General Bill CS/CS/HB 447: Local Government Environmental Financing (the “Florida Keys Stewardship Act”) was approved by the Governor of Florida, and the bill became effective July 1, 2016; and

WHEREAS, pursuant to Chapter 2016-225, Section 6, Laws of Florida, FY 16-17, which established the Florida Keys Stewardship Act, the Florida Department of Environmental Protection (“FDEP”) is administering a grant program for distribution of funds appropriated by the Florida Legislature in the State of Florida’s FY 2017-2018 and FY 2018-2019 budgets; and

WHEREAS, for FY 17-18, the Florida Legislature appropriated Thirteen Million Three Hundred Thousand Dollars (\$13,300,00.00) in non-recurring general revenue funds towards the Florida Keys Stewardship Act; and

WHEREAS, for FY18-19, the Florida Legislature appropriated Five Million Dollars (\$5,000,000.00) in non-recurring general revenue funds towards the Florida Keys Stewardship Act; and

WHEREAS, Islamorada, Village of Islands (the “Village”) has \$3,205,000.00 available for water quality project-related cost reimbursement on projects started or for expenses incurred effective July 1, 2018 through December 31, 2010; and

WHEREAS, FDEP and the Village desire to enter into DEP Agreement No. LP44052 for distribution of FY 16-18 Florida Keys Stewardship Acts funds; and

WHEREAS, the Village Council finds that it is in the best interest of the Village to approve DEP Agreement No. LP44052 through which the Village would receive reimbursement for the Marine Debris Clearing and Monitoring project included in the Grant Work Plan as set forth in the Agreement attached as Exhibit "1" hereto.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA AS FOLLOWS:

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

Section 2. **Approval of Agreement.** The Village Council hereby approves DEP Agreement No. LP44052 between the Village and FDEP for the reimbursement of project costs, together with such non-material changes as may be acceptable to the Village Manager and approved as to form and legality by the Village Attorney.

Section 3. **Authorization of Village Officials.** The Village Manager and Village Attorney are authorized to take all steps necessary to finalize and implement the terms and conditions of the Agreement.

Section 4. **Execution of Documents.** The Village Manager is hereby designated as the authorized representative to execute the Agreement, which will become a binding obligation in accordance with its terms when signed by both parties. The Village Manager is authorized to represent the Village in carrying out the Village's responsibilities under the Agreement. The Village Manager is authorized to delegate responsibility to appropriate Village staff to carry out technical, financial, and administrative activities associated with the Agreement.

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

Motion to adopt by Councilman Jim Mooney, second by Vice Mayor Deb Gillis.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Chris Sante	YES
Vice Mayor Deb Gillis	YES
Councilman Mike Forster	YES
Councilwoman Cheryl Meads	YES
Councilman Jim Mooney	YES

PASSED AND ADOPTED ON THIS 6TH DAY OF SEPTEMBER, 2018.



CHRIS SANTE, MAYOR

ATTEST:



KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF ISLAMORADA,
VILLAGE OF ISLANDS ONLY



ROGET V. BRYAN, VILLAGE ATTORNEY

EXHIBIT A Available Upon Request.

Please contact Village Clerk at
305-664-6413 or
deputyclerk@islamorada.fl.us