

**RESOLUTION NO. 01-01-2020**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE FINAL AMENDMENT TO THE TOWN'S AGREEMENT WITH THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT FOR GRANT FUNDS ASSOCIATED WITH HURRICANE IRMA; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Lake Park, Florida ("Town") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town is empowered to enter into contractual arrangements with public agencies, private corporations or other persons; and

**WHEREAS**, as a result of Hurricane Irma in 2017, the Town suffered damages which are eligible for federal and state grant funding; and

**WHEREAS**, the State of Florida, Division of Emergency Management (the "Division") has the authority to sub-grant these funds to the Town; and

**WHEREAS**, the Division required the Town to execute a grant Agreement prior to the disbursement of federally funded Hurricane Irma grant funds; and

**WHEREAS**, such agreement was executed by the Town on January 2, 2019; and

**WHEREAS**, the agreement has been amended to reflect the inclusion of additional grant funds; and

**WHEREAS**, in order to receive the federally-funded grant funds associated with the amendment, the Town Manager has recommended to the Town Commission of Lake Park that it is in the best interest of the Town to execute the grant agreement amendment.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE  
TOWN OF LAKE PARK, FLORIDA, AS FOLLOWS:**

**Section 1.** The foregoing recitals are incorporated herein by reference.

**Section 2.** The Mayor is hereby authorized and directed to execute a fourth amendment to the Town's grant agreement with the Division. A copy of the proposed amendment is attached hereto and incorporated herein as Exhibit A.


**Section 3.** This Resolution shall take effect upon execution.

The foregoing Resolution was offered by Commissioner Michaud, who moved its adoption. The motion was seconded by Commissioner Flaherty and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	—
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	—
COMMISSIONER ERIN FLAHERTY	<u>/</u>	—
COMMISSIONER JOHN LINDEN	<u>/</u>	—
COMMISSIONER ROGER MICHAUD	<u>/</u>	—

The Town Commission thereupon declared the foregoing Resolution No. 01-01-20 duly passed and adopted this 8 day of January, 2020.

TOWN OF LAKE PARK, FLORIDA

BY:   
MICHAEL O'ROURKE  
MAYOR

ATTEST:

  
VIVIAN MENDEZ  
TOWN CLERK

Approved as to form and legal sufficiency:

BY:   
THOMAS J. BAIRD  
TOWN ATTORNEY



**MODIFICATION # Z0630-5 TO SUBGRANT AGREEMENT  
BETWEEN THE DIVISION OF EMERGENCY MANAGEMENT AND  
LAKE PARK, TOWN OF**

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This Modification is made and entered into by and between the State of Florida, Division of Emergency Management ("the Division") and Lake Park, Town Of

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("Sub-Recipient"), to modify Contract Number Z0630, which began on 2017/09/04 ("the Original Agreement").

WHEREAS, the Division and the Sub-Recipient have entered into the Original Agreement, pursuant to which the Division has provided a Subgrant to Sub-Recipient under the Public Assistance Program, including the payment of the original amount of the first obligated project worksheet; and,

WHEREAS, when the Sub-Recipient desires to request funds from subsequently obligated project worksheets, the Sub-Recipient must modify the Original Agreement to include the additional funding; and,

WHEREAS, these Subgrant Agreement Modifications are performed through a fully executed Amendment to the Original Agreement; and,

WHEREAS, these Modifications unnecessarily delay the reimbursement process; and,


WHEREAS, the Subgrant Agreements executed for Hurricane Irma (DR4337), are the only Subgrant Agreements that require these Subgrant Agreement Modifications.

NOW THEREFORE, in order to improve efficiency while keeping in compliance with State and Federal regulations the parties, in consideration of the mutual promises contained herein, agree as follows:

1. This Modification shall be the final amendment to the Original Agreement executed by the Sub-Recipient and the Division.
2. All subsequent project worksheets and project worksheet versions shall be incorporated into the Original Agreement upon obligation.
3. The Scope of Work, Attachment A to the Original Agreement, will continue to be updated to reflect Federal funding obligated and will continue to be incorporated herein by reference.
4. All previous provisions of the Original Agreement being modified and any attachments thereto in conflict with this Modification shall be and are hereby amended to conform with this Modification, effective as of the date of the last execution of this Modification by both parties.
5. Section (C)(6), *Modifications*, of the Original Agreement, shall be amended to only read as,  
"Either party may request modification of the provisions of this Agreement. Changes which are agreed upon shall be valid only when in writing, signed by each of the parties, and attached to the original of this Agreement."
6. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.

In WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below,

**SUB-RECIPIENT:** Lake Park, Town Of

By: 

Name and Title: Michael O'Rourke / Mayor

Date: 1/17/20

**DIVISION OF EMERGENCY MANAGEMENT**

By: 

Name and Title: Jared Moskowitz, Director

Date: 1/27/20



**Attachment A  
Budget and Project List**

**Budget:**

The Budget of this Agreement is initially determined by the amount of any Project Worksheet(s) (PW) that the Federal Emergency Management Administration (FEMA) has obligated for a Sub-Recipient at the time of execution. Subsequent PWs or revisions thereof will increase or decrease the Budget of this Agreement. The PW(s) that have been obligated are:

DR-4337 Sub-Recipient: Lake Park, Town Of											
PW #	Ca	Project Title	Federal Share	Fed %	State Share	State %	Local Share	Local %	Total Eligible Amount	POP Start Date	POP End Date
1197	G	Bostrom Park	\$10,049.72	90.00%	\$558.32	5.00%	\$558.32	5.00%	\$11,166.36	9/04/2017	3/10/2019
1566	E	Lake Park Town Hall	\$66,858.08	90.00%	\$3,714.34	5.00%	\$3,714.34	5.00%	\$74,286.76	9/04/2017	10/30/2020
1579	A	PAAP Debris Removal 9-18 to Oct 9 (90%)	\$52,690.14	90.00%	\$2,927.23	5.00%	\$2,927.23	5.00%	\$58,544.60	9/04/2017	3/10/2018
1617	A	Emergency Debris Removal (Sep 4-Sep 17)	\$31,048.69	90.00%	\$1,724.93	5.00%	\$1,724.93	5.00%	\$34,498.54	9/04/2017	3/10/2018
1639	E	Lake Park Buildings/Park Areas	\$6,677.42	90.00%	\$370.97	5.00%	\$370.97	5.00%	\$7,419.36	9/04/2017	3/10/2019
2228	C	Lake Park Street Signage and Lighting	\$25,456.95	90.00%	\$1,414.28	5.00%	\$1,414.27	5.00%	\$28,285.50	9/04/2017	3/10/2019
3602	G	Lake Park Marina	\$40,364.32	90.00%	\$2,242.46	5.00%	\$2,242.46	5.00%	\$44,849.24	9/04/2017	3/10/2019
3911	B	Trash Pumps and EOC and Emergency Debris	\$41,308.55	100.00%	\$0.00	0.00%	\$0.00	0.00%	\$41,308.55	9/04/2017	3/10/2018
6787	Z	Lake Park DAC PAAP Pilot	\$13,516.16	90.00%	\$750.89	5.00%	\$750.89	5.00%	\$15,017.95	9/04/2017	3/10/2019
<b>Total:</b>			<b>\$287,970.03</b>		<b>\$13,703.43</b>		<b>\$13,703.40</b>		<b>\$315,376.86</b>		