

RESOLUTION NUMBER 04-31

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH,
FLORIDA AUTHORIZING THE TOWN TO ENTER AN
AGREEMENT WITH THE STATE OF FLORIDA FOR DISASTER
RELIEF FUNDING

WHEREAS, Tropical Storm Bonnie and Hurricane Charley beginning August 11, 2004, and thereafter, had a devastating impact upon the State of Florida. The severity of the damage and losses resulted in a proclamation of emergency by the Governor in Executive Order 04-182. In consequence of the Event, the President of the United States on August 13, 2004, declared Major Disaster No. FEMA-DR-1539-FL in all counties in the State of Florida. As a result, the Public Assistance Program was made available to eligible applicants in these Declared counties; and,

WHEREAS, a FEMA-State Agreement between the State of Florida and the Federal Emergency Management Agency governing the use of such funds requires the State to share the costs eligible for federal financial assistance, and the State has undertaken to share those costs, as appropriated, with its Sub-grantees; and,

WHEREAS, The Grantee represents that it is fully qualified and eligible to receive these grant funds to provide the services identified herein and agrees to comply with all the requirements of this Agreement; and,

WHEREAS, the Grantee receives these grant funds from the State of Florida and the federal government, and has the authority, under Section 252.373, Fla. Stat. To disburse these funds to the Sub-grantees; and,

WHEREAS, The State of Florida has prepared a Disaster Relief Funding Agreement to assist the Town to participate in receipt of funds.

NOW, THEREFORE, BE IT RESOLVED BY THE FORT MYERS BEACH TOWN COUNCIL, the following:

SECTION 1. The Mayor is hereby authorized to sign the attached agreement on behalf of the Town.

SECTION 2. The Town Manager is authorized and directed to distribute this resolution as appropriate and to implement the intent of the attached agreement.

SECTION 3. Severability. If any one of the provisions of this resolution or the attached agreement should be held contrary to any express provision of law or contrary to the policy of express law, although not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provision shall be null and void and shall be deemed separate from the remaining provisions of this resolution, and in no way affect the validity of all other provisions of this resolution.

SECTION 4. Effective Date. This resolution shall become effective immediately upon its adoption.

The foregoing resolution was adopted by the Fort Myers Beach Town Council upon being put to a vote, the result was as follows:


Howard Rynearson	<u>Aye</u>
Don Massucco	<u>Aye</u>
Bill Thomas	<u>Aye</u>
W. H. "Bill" Van Duzer	<u>Aye</u>
Garr Reynolds	<u>Aye</u>

Adopted this 27th day of September, 2004.

ATTEST:

By: 
Marsha Segal-George, Town Clerk

TOWN OF FORT MYERS BEACH

By: 
Bill Thomas, Mayor

Approved as to form by:


Richard V.S. Roosa, Town Attorney