

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: November 4, 2024

Agenda Item: 5	Prepared by: Chris Noury, City Attorney
Agenda Section: Consent: Resolution	Date: October 30, 2024
Subject: Amendment to a Resolution authorizing the Mayor and City Council to execute an American Rescue Plan Act Stormwater Infrastructure Program Agreement	Division: Legal

Background:

Attached is an Amendment to a Resolution authorizing the Mayor and City Council to execute an American Rescue Plan Act (ARPA) Stormwater Infrastructure Program Agreement between the City of North Myrtle Beach and the South Carolina Office of Resilience to fund a Stormwater Infrastructure Improvement Project that will mitigate the impact of future disasters.

Recommended Action:

Adoption of the Resolution

Reviewed by Department Head	Reviewed by Acting City Manager	Reviewed by City Attorney
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Council Action:
Motion By _____ 2nd By _____ To _____

A RESOLUTION

(AMENDMENT TO) A RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL TO EXECUTE AN AMERICAN RESCUE PLAN ACT (ARPA) STORMWATER INFRASTRUCTURE PROGRAM AGREEMENT BETWEEN THE CITY OF NORTH MYRTLE BEACH AND THE SOUTH CAROLINA OFFICE OF RESILIENCE TO FUND A STORMWATER INFRASTRUCTURE IMPROVEMENT PROJECT THAT WILL MITIGATE THE IMPACT OF FUTURE DISASTERS.

WHEREAS, all terms of the original Resolution (RES 23-05) signed May 1, 2023, are to be upheld unless modified by this amendment; and

WHEREAS, all references in RES 23-05 to the City of North Myrtle Beach ARPA-funded stormwater infrastructure project’s April 12, 2023, Award Determination Letter terms and conditions shall be for the modified Award Determination Letter as amended September 16, 2024; and

WHEREAS, the City of North Myrtle Beach recognizes in this Resolution and by signature of the amended Award Determination Letter by applicant and governing body, full responsibility for any and all cost overruns in excess of the total amount grant, not to exceed \$7,610,069.59 in ASIP grant funds from the South Carolina Office of Resilience to carry out mitigation activities in a timely manner.

THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Myrtle Beach, South Carolina this _____ day of _____ 2024, that the City of North Myrtle Beach respectfully accepts funding provided by the South Carolina Office of Resilience through the ARPA Stormwater Infrastructure Program to fund infrastructure improvements that will mitigate the impact of future flooding.

BE IT FURTHER RESOLVED that the City of North Myrtle Beach respectfully accepts responsibility for completion of the Project, any defects or failures, and the long-term maintenance after completion.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR, the Fourth Day of November, 2024.

Marilyn Hatley, Mayor

ATTEST:

Allison K. Galbreath, City Clerk

Resolution: 24-11