

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: May 1, 2023

Agenda Item: 5A	Prepared for: Mike Mahaney, City Manager
Agenda Section: Consent: Resolution	Date: April 24, 2023
Subject: A resolution to execute an American Rescue Plan Act Stormwater Infrastructure Program Agreement	Division: Administration

This Resolution will authorize the Mayor and City to execute an American Rescue Plan Act (ARPA) Stormwater Infrastructure Program Subrecipient 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.

The City of North Myrtle Beach recognizes the threat that flooding poses to the City and has a proposed flood mitigation project called 18th Avenue North Outfall Landward Drainage. The City anticipates receiving \$5,575,875.00 in ARPA grant funds from the South Carolina Office of Resilience to carry out mitigation activities. The City of North Myrtle Beach agrees to conform to the terms of the Award Determination Letter, the South Carolina Office of Resilience ARPA-Funded Stormwater Infrastructure Program (ASIP) Policy and Procedure Manual, and the terms of the resolution.

The City agrees to provide a Commitment of Funds Letter, signed by the applicant and the governing body, that identifies the funding source(s) for the \$1,166,153.50 needed to complete the 18th Avenue North Outfall Landward Drainage and acknowledges leveraged funds shall be paid to SCOR upon net 10 days of SCOR invoicing and failure to pay upon SCOR invoicing is grounds to void the award. The City recognizes in this resolution and by signature of the Award Determination Letter by applicant and governing body, full responsibility for any and all cost overruns in excess of the total amount granted, \$5,575,875.00. At SCOR’s discretion and subject to available remaining ARPA – State and Local Fiscal Recovery Funds (SLFRF) assigned to SCOR, up to 10 percent of the overage may be supplemented by SCOR. The City will continue to participate in updating the South Carolina Office of Resilience throughout the duration of the grant, acknowledges and accepts ownership and responsibility for the ongoing operation and maintenance for the life of the improvement. The City will uphold these infrastructure improvements in a manner that conforms to all health and safety requirements.

Recommended Action:
Adoption of the Resolution

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

RESOLUTION

A RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL TO EXECUTE AN AMERICAN RESCUE PLAN ACT (ARPA) STORMWATER INFRASTRUCTURE PROGRAM SUBRECIPIENT 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, the City of North Myrtle Beach recognizes the threat that flooding poses to the City; and

WHEREAS, the City of North Myrtle Beach has a proposed flood mitigation project called 18th Avenue North Outfall Landward Drainage; and

WHEREAS, the City of North Myrtle Beach anticipates receiving \$5,575,875.00 in ARPA grant funds from the South Carolina Office of Resilience to carry out mitigation activities in a timely manner; and

WHEREAS, the City of North Myrtle Beach agrees to conform to the terms of the Award Determination Letter, the South Carolina Office of Resilience ARPA-Funded Stormwater Infrastructure Program (ASIP) Policy and Procedure Manual, and the terms of this resolution; and

WHEREAS, the City of North Myrtle Beach agrees to provide a Commitment of Funds Letter, signed by the applicant and the governing body, that identifies the funding source(s) for the \$1,166,153.50 needed to complete the 18th Avenue North Outfall Landward Drainage; and

WHEREAS, the City Of North Myrtle Beach acknowledges leveraged funds shall be paid to SCOR upon net 10 days of SCOR invoicing and failure to pay upon SCOR invoicing is grounds to void the award; and

WHEREAS, the City of North Myrtle Beach recognizes in this resolution and by signature of the Award Determination Letter by applicant and governing body, full responsibility for any and all cost overruns in excess of the total amount granted, \$5,575,875.00. Furthermore, at SCOR's discretion and subject to available remaining ARPA – State and Local Fiscal Recovery Funds (SLFRF) assigned to SCOR, up to 10 percent of the overage may be supplemented by SCOR; and

WHEREAS, the City of North Myrtle Beach will continue to participate in updating the South Carolina Office of Resilience throughout the duration of the grant; and

WHEREAS, the City of North Myrtle Beach acknowledges and accepts ownership and responsibility for the ongoing operation and maintenance for the life of the improvement; and

WHEREAS, the City of North Myrtle Beach will uphold these infrastructure improvements in a manner that conforms to all health and safety requirements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Myrtle Beach, South Carolina this 1st day of May, 2023, 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 FUTHER RESOLVED that the City of North Myrtle Beach respectfully accepts responsibility for completion of the Project, defects or failure, and the long-term maintenance after completion.

Resolved this first day of May, 2023

ATTEST:

Allison K. Galbreath, City Clerk

Marilyn Hatley, Mayor

Resolution: RES 23-05