

RESOLUTION NO. 2004-27-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, PROVIDING CERTAIN ASSURANCES TO THE NATIONAL FLOOD INSURANCE PROGRAM; DIRECTING THE CITY MANAGER TO MAINTAIN RECORDS; AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTIONS TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, certain areas of the City of Miami Gardens are subject to periodic flooding, or flood-related erosion, causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of the Mayor and City Council to require the recognition and evaluation of flood, or flood-related erosion hazards in all official actions relating to the land use in areas having these hazards; and

WHEREAS, under its police powers, the City Council has the authority to adopt land use and control measures to reduce future flood losses and to protect the health and safety of its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

Section 1. Assurances. The City of Miami Gardens assures the Federal Insurance Administration that it will enact as necessary, and maintain in force in those areas having flood, or flood-related erosion hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Part 60 of the National Flood Insurance Program Regulations (CFR44); and vests its City Manager with the responsibility, authority and means to:

(a) Assist the Administrator, at his request, in his delineation of the limits of the area having special flood, or flood-related erosion hazards.

(b) Provide such information as the Administrator may request concerning present uses and occupancy of the flood plain, or flood-related erosion areas.

(c) Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map, and identify flood plain, or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining flood plain, and/or flood-related erosion areas in order to prevent aggravation of existing hazards.

(d) Upon occurrence, notify the Administrator in writing whenever the boundaries of the Community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all Flood hazard Boundary Maps and Flood Insurance Rate Maps accurately represent the Community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished flood plain management regulatory authority.

Section 2. City Manager to Maintain Records. The City Manager of the City Miami Gardens will maintain for public inspection and to furnish upon request for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map or Flood Insurance Rate Map, any certificates of flood-proofing, and information on the elevation (in relation to mean sea level) of the level of the lowest flood (including basement) of all new or substantially improved structures, and include whether or not such structures include a basement, and if the structure has been flood proofed; and

Section 3: Authority of City Manager. The City Manager of Miami Gardens is hereby designated to take such other official action as may be reasonably necessary to carry out the objectives of the program.

Section 4: Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED and ADOPTED this 11th day of February, 2004.



Shirley Gibson, Mayor

ATTEST:



Ronetta Taylor, CMC
City Clerk

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

Hans Ottinot, Interim City Attorney

Moved by: Councilman Braynon

Seconded by: Vice Mayor Campbell

VOTE: 7-0

Mayor Gibson	<u> x </u> (Yes)	____(No)
Vice Mayor Aaron Campbell	<u> x </u> (Yes)	____(No)
Councilman Melvin L. Bratton	<u> x </u> (Yes)	____(No)
Councilman Oscar Braynon, II	<u> x </u> (Yes)	____(No)
Councilwoman Audrey J. King	<u> x </u> (Yes)	____(No)
Councilwoman Sharon Pritchett	<u> x </u> (Yes)	____(No)
Councilwoman Barbara Watson	<u> x </u> (Yes)	____(No)

Resolution – Flood Damage