

RESOLUTION NO. 4202

A RESOLUTION APPROVING A STATE-LOCAL MITIGATION GRANT AGREEMENT WITH THE STATE OF MONTANA MT DES AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE MILES CITY SLOUGH RESTORATION PROJECT.

WHEREAS, the City of Miles City has been awarded funding from the Federal Emergency Management Agency (FEMA) related to the Miles City Slough Restoration Project;

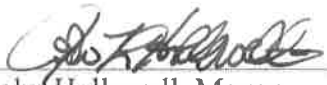
AND WHEREAS, FEMA has provided the City with a State-Local Mitigation Grant Agreement to receive said funding through the State of Montana MT DES for City approval;

NOW THEREFORE BE IT RESOLVED by the City Council of Miles City, Montana, as follows:

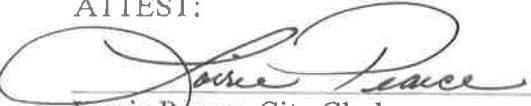
1. The "State-Local Mitigation Grant Agreement," attached hereto as Exhibit "A", and made a part hereof, is hereby approved and adopted by this Council.

2. The Mayor of the City of Miles City is hereby empowered and authorized to execute any documents necessary to complete the award of said grant on behalf of the City of Miles City and bind the City of Miles City thereto.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A DULY CALLED MEETING THIS 9th DAY OF OCTOBER, 2018.


John Hollowell, Mayor

ATTEST:


Lorrie Pearce, City Clerk

State-Local Mitigation Grant Agreement
Flood Mitigation Assistance Grant Program (FMA)

This agreement is between the State of Montana MT DES and Miles City and is effective on the date signed by the state and the applicant. It shall apply to all FMA funds provided by or through the state from FMA-PL-MT-08-2017-001, City of Miles City Slough Restoration Project.

The designated representative of the applicant certifies that:

1. He/she has legal authority to apply for assistance on behalf of the applicant.
2. The applicant will appoint by resolution or letter an Applicant's Representative to act on the County's behalf and will establish and maintain a proper accounting system to record expenditures of FMA funds in accordance with generally accepted accounting standards or as directed by the Governor's Authorized Representative. [Refer to the Grant Administrative Instructions]
3. The applicant will return within 30 days of formal award this state and local agreement, funding commitment letter, and applicant agent letter.
4. The applicant will provide all necessary financial, programmatic, and complete all environmental requirements to meet the terms and conditions of receiving The Flood Mitigation Assistance Grant funds.
5. The applicant agrees to provide necessary 25% local share of funding for completion of the project.
6. The local cost share funding will be available within the period of performance.
7. The applicant will use Flood Mitigation funds solely for the purposes for which these funds are provided IAW the FEMA approved scope of work, IAW approved environmental conditions, and IAW attached administrative instructions.
8. The applicant will give state and federal agencies designated by the Governor's Authorized Representative access to and the right to examine all records and documents related to use of Flood Mitigation funds.
9. The applicant will return to the state, within 15 days of such request by the Governor's Authorized Representative, any advanced funds which are not supported by audit or other federal or state review of documentation maintained by the applicant.
10. The applicant will comply with all applicable codes and standards as it pertains to this project and agrees to provide maintenance of the project for a minimum of five years.

11. The applicant will comply with all applicable provisions of 2 CFR 200 federal law and regulation in regard to procurement of goods and services, as well as provisions of MCA Title 18 state law and regulations.
12. The applicant will begin project work within 45 days of approval of the grant and complete all items of work within the period of performance specified by FEMA or the State unless an exception is granted by FEMA to extend the time frame.
13. The applicant will comply with state reimbursement procedures as written in the Administrative Instructions.
14. The applicant agrees that this sub-grant is their financial responsibility. The applicant will establish accounting codes specific to this project that are clearly defined. That the state will make reimbursements based off information provided by the applicant. If the applicant cannot show supporting documentation when requested or during a monitoring funds may be recouped.
15. The applicant will submit quarterly performance reports as outlined in the Grant Administrative Instructions.
16. The applicant will comply with accrual requirements as outlined in the Grant Administrative Instructions.
17. The applicant will comply with all federal and state statutes and regulations relating to non-discrimination.
18. The applicant will comply with the provisions of the Hatch Act limiting the political activities of public employees.
19. The applicant will comply and be in good standing with the National Flood Insurance Program.
20. The applicant will not enter into cost-plus-percentage-of-cost contracts for completion of the project.
21. The applicant will not enter into contracts for which payment is contingent upon receipt of state or local funds.
22. The applicant will not enter into any contract with any party that is disbarred or suspended from participating in federal assistance programs.
23. The applicant will comply with one of the following (as appropriate for the type of applicant) for all audit requirements: 2 CFR 200 subpart F section 501

24. The State reserves the right to withhold 10% of the total Federal Funds until the project is complete, and a final inspection has been conducted showing compliance with approved scope of work and environmental conditions.

SIGNED FOR THE APPLICANT:

John Hollowell
Miles City Mayor



Signature

Date 10/9/2018

SIGNED FOR MT DES:

Delila Bruno
Governor's Authorized Representative



Signature

Date 9/5/2018

DEPARTMENT OF MILITARY AFFAIRS STATE OF MONTANA



Disaster & Emergency Services Division
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FORT HARRISON, MONTANA 59636-4789
406.324.4777



THE HONORABLE STEVE BULLOCK
GOVERNOR

MAJOR GENERAL MATTHEW T. QUINN
ADJUTANT GENERAL

September 5, 2018

John Hollowell
17 S. 8th St.
PO Box 910
Miles City, MT. 59301-3214

Re: Project Approval *FMA-PL-08-MT-2017-001*, Miles City Slough Restoration Project Award

Mayor Hollowell:

Congratulations! The Federal Emergency Management Agency (FEMA) has approved the Flood Mitigation Assistance Grant (FMA) Miles City Slough Restoration Project. The amount approved for the entire project is \$100,000.00. The federal share is \$75,000.00 and the local match is \$25,000.00. This projects period of performance end date is March 22, 2021.

Along with this letter are specific mitigation grant administrative instructions for financial and programmatic management of this sub-grant. We request you thoroughly review these instructions before beginning project work.

All changes in your work schedule and/or scope of work must be submitted to MT DES as soon as possible. Additional changes, updates and/or modifications to your "match" plans must also be submitted to our office as soon as possible, all update information, and work start dates will need to be included in your first quarterly report to DES, due by the 10th of October.

Your points of contact at this office will be Nadene Wadsworth (324-4785, nwadsworth@mt.gov) and Kyle Sturgill-Simon (324-4782, kyle.sturgill-simon@mt.gov).

Sincerely,

Delila Bruno
Administrator, Disaster and Emergency Services Division
Governor's Authorized Representative (GAR)