

RESOLUTION NO. 04-07

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA ASSURING ENACTMENT OF FLOOD RELATED LAND USE AND CONTROL MEASURES; VESTING THE CITY MANAGER WITH RESPONSIBILITY FOR COORDINATING ACTION WITH THE FEDERAL INSURANCE ADMINISTRATOR; APPOINTING THE CITY MANAGER RESPONSIBLE FOR MAINTENANCE OF FLOOD RELATED RECORDS; PROVIDING FOR FURTHER ACTION; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, certain areas of the City of Doral (the “City”) 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 as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of the this 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, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Section 2(b), Article VIII of the Florida Constitution, and Section 166.021, Florida Statutes.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Assurance of Future Enactment. The City hereby assures the Federal Insurance Administrator (the “Administrator”) 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).

Section 3. **Vesting of Responsibility.** The City Manager is hereby vested 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 Doral 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 Doral'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 4. **Appointment.** The City Manager is hereby appointed to 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.

Section 5. Further Action. The City hereby agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

Section 6. Transmittal. The City Manager is hereby authorized to transmit any applications necessary to ensure the City's participation in the National Flood Insurance Program (the "NFIP") as certified copies of this Resolution and any other legislation adopted by the City Council related to the City's participation in the NFIP.

Section 7. Effective Date. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered by Councilmember Van Name, who moved its adoption. The motion was seconded by Councilmember DiPietro and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	<u>yes</u>
Vice Mayor Peter Cabrera	<u>yes</u>
Councilmember Michael DiPietro	<u>yes</u>
Councilmember Sandra Ruiz	<u>yes</u>
Councilmember Robert Van Name	<u>yes</u>

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

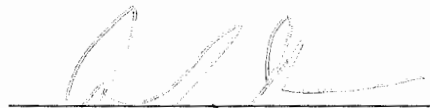
JCB
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE CITY OF DORAL:



CITY ATTORNEY

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