

RESOLUTION 2016-111

A RESOLUTION ACCEPTING AN ADVANCE OF GRANT FUNDS IN THE AMOUNT OF THREE MILLION DOLLARS FROM THE STATE OF COLORADO

WHEREAS, the Town of Lyons continues to recover from the devastating floods of September 2013; and

WHEREAS, the Town is currently responsible for completing flood recovery projects with an estimated cost of \$25 million before the end of 2019; and

WHEREAS, the majority of those projects are funded by the Federal Emergency Management Agency and are either under way or due to begin within the next two years; and

WHEREAS, the remaining projects are funded by other state and federal funding sources and are either under way or due to begin within the next two years; and

WHEREAS, the Town's operating budget and reserves are insufficient to fund all flood recovery projects that it must initiate and complete in order to use available grant funding without detracting from other obligations such as temporary flood recovery staff, private property acquisitions and previously scheduled capital improvement projects; and

WHEREAS, the State of Colorado, by and through the Colorado Department of Public Safety, Division of Homeland Security and Emergency Management ("DHSEM"), has approved the Town's request for a cash advance of grant funds in the amount of Three Million Dollars (\$3,000,000.00) to fund necessary projects, subject to receipt of a completed Cash Advance Request form and the following conditions:

- The Town will work cooperatively with DHSEM to complete a jointly approved final disaster recovery financial and cash-flow analysis by December 31, 2016 for review by the Board of Trustees not later than January 31, 2017;
- The Town will provide documentation regarding the implementation of the financial controls and management measures identified in a letter from the Mayor on behalf of the Lyons Board of Trustees to DHSEM dated November 15, 2016;
- The Town will work cooperatively with DHSEM and the Department of Local Affairs ("DOLA") to ensure sufficient staffing is in place, including State-funded positions, to ensure successful implementation of outstanding recovery projects;
- The Town will work cooperatively with DHSEM and DOLA to update the joint disaster recovery financial and cash-flow analysis on a monthly basis, which data shall also be compiled into a formal quarterly update that includes actual expenditures and project payments for each month beginning with the first calendar quarter of 2017;
- The Town will set of a goal of submitting requests-for-reimbursements to DHSEM for Public Assistance (PA) project worksheets within forty-five (45) days following the receipt of invoices;

- The Town will prepare closeout packages on all projects within sixty (60) days of project completion; and

WHEREAS, the Town submitted a completed Cash Advance Request Form to DHSEM on November 30, 2016; and

WHEREAS, the Town's Board of Trustees desires to direct Town staff to comply with DHSEM's conditions as set forth herein and to document the acceptance of the advance from the State of Colorado.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO THAT:

Section 1. The Board of Trustees hereby accepts the advance of grant funds in the amount of **Three Million Dollars and No Cents** (\$3,000,000.00) from the State of Colorado, directs Town staff to comply with DHSEM's conditions for such advance as set forth in this resolution, and directs Town staff to apply such funds to the costs of design, engineering, materials and construction for flood recovery projects.

Section 2. This resolution shall become effective immediately upon its adoption.

ADOPTED by a vote of ___ in favor and ___ against this ____ day of December, 2016.

By: _____
Connie Sullivan, Mayor

ATTEST:

Debra K. Anthony, Town Clerk