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**CITY OF MARATHON, FLORIDA
RESOLUTION 2021-10**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, ADOPTING THE 2020 UPDATE OF THE LOCAL MITIGATION STRATEGY AS REQUIRED BY STATE AND FEDERAL REGULATIONS TO QUALIFY FOR CERTAIN MITIGATION GRANT FUNDING; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Marathon Council adopted a Local Mitigation Strategy (LMS) update in 2005, an update in 2011, and an update in 2015; and

WHEREAS, Monroe County and the cities of Key West, Key Colony Beach, Layton, Islamorada, and Marathon have experienced hurricanes and other natural hazard events that pose risks to public health and safety and which may cause serious property damage; and

WHEREAS, the Robert T. Stafford Disaster Relief and Emergency Management Act, as amended by the Disaster Mitigation Act of 2000, requires local jurisdictions to adopt mitigation plans in order to be eligible for post-disaster and pre-disaster grants to implement certain mitigation projects; and

WHEREAS, pursuant to Florida Administrative Code Section 27P-22, the County and municipalities must have a formal LMS Working Group and the LMS Working Group must review and update the LMS every five years in order to maintain eligibility for mitigation grant programs; and

WHEREAS, the National Flood Insurance Reform Act of 1994, the Flood Insurance Reform Act of 2004, as amended, require local jurisdictions to adopt a mitigation to be eligible for grants to implement certain flood mitigation projects; and

WHEREAS, the planning process required by the State of Florida and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks and to identify mitigation actions to reduce future impacts of such hazards; and

WHEREAS, the State of Florida has provided federal mitigation funds to support the development of the Local Mitigation Strategy; and

WHEREAS, the 2020 Update of the Monroe County Local Mitigation Strategy was revised by the LMS Working Group composed of representatives of Monroe County, the cities of Key West, Key Colony Beach, Layton, Islamorada, and Marathon, and a number of nonprofit organizations have reviewed and updated the LMS; and

WHEREAS, the 2020 LMS Update identifies mitigation initiatives that will improve the process used to identify and manage mitigation initiatives intended to minimize and reduce safety threats and damage to private and public property; and

WHEREAS, the 2020 LMS Update was made available to the public and working group meetings were held on June 18th 2020, September 2nd 2020, November 10th 2020, and November 25th 2020, to solicit questions and comments and to present the LMS; and

WHEREAS, the 2020 LMS Update was submitted to the Florida Division of Emergency Management and FEMA for review; final approval by the State and FEMA will be issued after the LMS is adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARATHON, FLORIDA, that:

Section 1: The 2020 LMS Update is adopted as shown in “Exhibit A” as an official plan of The City of Marathon, Florida, contingent upon approval by the State and FEMA.

Section 2: Any initiative identified in the 2020 LMS Update shall be subject to, and contingent upon, budget approval, if required, which shall be at the discretion of the City Council of the City of Marathon, and this resolution shall not be interpreted so as to mandate any such appropriations.

Section 3: The Monroe County Emergency Management Department is directed to coordinate with appropriate County departments and to perform the annual report requirements set forth in the Florida Administrative Code Chapter 27P-22.004.

Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and Clerk of the Council.

Section 5: The Clerk is directed to mail copies of this resolution to the Florida Division of Emergency Management and the Federal Emergency Management Agency’s Region IV Office.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 9TH DAY OF FEBRUARY 2021.

THE CITY OF MARATHON, FLORIDA

Luis Gonzalez, Mayor

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Diane Clavier, City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE
CITY OF MARATHON, FLORIDA ONLY:**

Steven T. Williams, City Attorney

Exhibit A
Local Mitigation Strategy



STATE OF FLORIDA

DIVISION OF EMERGENCY MANAGEMENT

Ron DeSantis
Governor

Jared Moskowitz
Director

MEMORANDUM

TO: Local Mitigation Strategy Working Group Chair
FROM: Miles E. Anderson, Mitigation Bureau Chief, FDEM *ME*
DATE: January 28, 2019
SUBJECT: Local Mitigation Strategy Plan Review Process

Florida operates under Federal Emergency Management Agency's (FEMA) Program Administration by States (PAS) with regard to the review and approval of Local Mitigation Strategy (LMS) plans. Under this designation, the Florida Division of Emergency Management (FDEM) manages the approval of LMS plans with minimal FEMA oversight. FEMA sends final approval letters to the state for dissemination their county jurisdictions.

Updated LMS plans must be submitted to the FDEM six (6) months prior to the plan expiration date. Plans submitted later than this timeframe will be reviewed in the order they are received after timely submissions have been attended to. FDEM will attempt to complete reviews within 30 days whenever possible. The official submission shall consist of:

- Electronic copy (Excel version) of the Florida LMS Review Tool, completed as described in the Review Tool's instructions
- Electronic copy (uploaded to SharePoint or CD) of all the plan document(s) to be reviewed

The LMS working group must notify their state LMS liaison (via email or phone call) that their plan has been submitted. The assigned state mitigation planner will provide a confirmation of receipt. Upon completion of the review the state mitigation planner will inform the LMS chairperson that the plan is:

- a. Approved Pending Adoption (APA)
OR
- b. In need of revision. In this case, the plan must be revised and resubmitted to FDEM within 30 days of notification.

Once the county receives FDEM's APA letter, you may then take it to your jurisdictions to begin the adoption process. There is no specific order requirement for jurisdiction adoption. A copy of all adoption Resolutions must be submitted to FDEM for transmittal to FEMA.

Upon FDEM's receipt of each of your jurisdiction's resolutions, the FDEM Mitigation Planning Unit will send them to FEMA and await their approval letter. Once FDEM receives it, we will send it to the county for their records and further disbursement to your jurisdiction.

If you have any questions about this process, please speak with your state LMS liaison.

MEA/ms



STATE OF FLORIDA

DIVISION OF EMERGENCY MANAGEMENT

Ron DeSantis
Governor

Jared Moskowitz
Director

December 28, 2020

Shannon Weiner, Director
Monroe County Emergency Management
490 63rd Street, Suite 150 (Ocean)
Marathon, FL 33050

Re: Monroe County Local Hazard Mitigation Plan Approved Pending Adoption

Dear Director Weiner,

This is to confirm that we have completed a State review of the Monroe County Local Mitigation Strategy (LMS) update for compliance with the federal hazard mitigation planning standards contained in 44 CFR 201.6(b)-(d). Based on our review and comments, Monroe County developed and submitted all the necessary plan revisions and our staff has reviewed and approved these revisions. We have determined that the Monroe County LMS plan is compliant with federal standards, subject to formal community adoption, for the jurisdictions below:

Monroe County, Unincorporated
City of Key Colony Beach
City of Marathon
City of Key West
City of Layton

City of Islamorada Village of Islands
Florida Keys Aqueduct Authority
Florida Keys Electric Cooperative
KEYS Energy Services

Upon submittal of a copy of all participating jurisdictions' documentation of their adoption resolutions to our office, we will send all necessary documentation to the Federal Emergency Management Agency (FEMA) who will issue formal approval of the Monroe County LMS.

If you have any questions regarding this matter, please contact your LMS Liaison Ian Ohlin at lan.Ohlin@em.myflorida.com or 850-815-4316.

Respectfully,

Miles E. Anderson,
Bureau Chief, Mitigation
State Hazard Mitigation Officer

MEA/io

Attachments: MEMORADUM: State approval of LMS plans under Program Administration by States (PAS)

cc: FEMA Region IV, Mitigation Division – Risk Analysis Branch