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**CITY OF MARATHON, FLORIDA
RESOLUTION 2004-018**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MARATHON, FLORIDA, APPROVING PAYMENT FOR THE
SETTLEMENT OF PREVIOUS INVOICES WITH CALVIN, GIORDANO
& ASSOCIATES RELATED TO THE COMPREHENSIVE PLAN AND
OTHER SERVICES**

WHEREAS, the City of Marathon ("the City") entered into several agreements with Calvin, Giordano & Associates, Inc. ("CGA") for various services, including preparation of the City's Comprehensive Plan; and

WHEREAS, the City and CGA have been in dispute over payment of certain invoices that the City believes are for services included in previously agreed fixed contract prices or for work not requested by the City; and

WHEREAS, the total of all outstanding invoices is \$86,052.37 (\$71,400.29 for the Comprehensive Plan and \$14,652.08 in other invoices); and

WHEREAS, CGA has agreed to settle all outstanding invoices for \$40,859.58 (\$30,073.04 for the Comprehensive Plan and \$10,786.54 for other invoices); and

WHEREAS, the staff of the finance department has performed a detailed review of all of the invoices in question and believes that payment to CGA of \$40,859.58 is appropriate, subject to CGA's formal agreement to accept that amount as payment in full for all currently outstanding invoices and to deliver the Comprehensive Plan and all other work in progress in a manner satisfactory to the City.

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

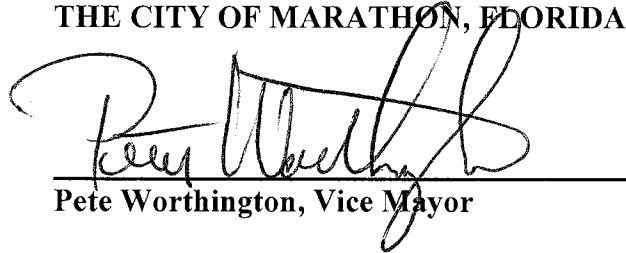
Section 1. The council authorize payment to CGA in the amount of \$40,859.58 to settle all outstanding invoices.

Section 2. The council appropriates \$6,630.29 from the Capital Infrastructure Fund – Parks Improvements and \$4,156.25 from the General Fund – Planning Department – Professional Services.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the city of Marathon, Florida, this 24th day of February, 2004.

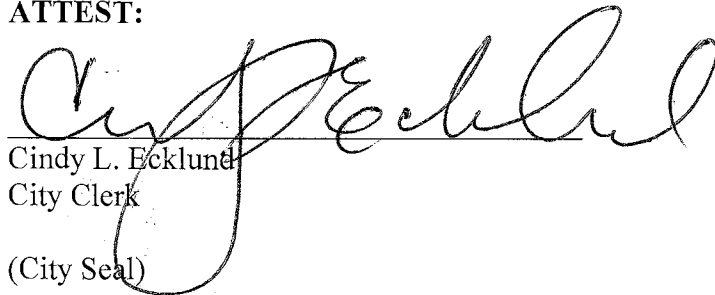
THE CITY OF MARATHON, FLORIDA



Pete Worthington, Vice Mayor

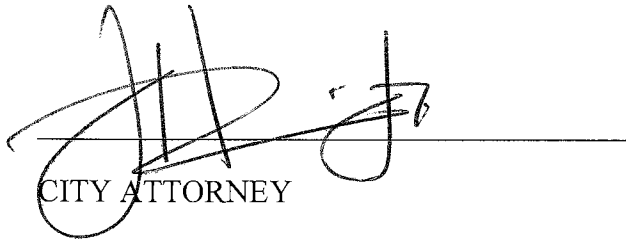
AYES: Bartus, Bull, Pinkus, Worthington
NOES: None
ABSENT: Mearns
ABSTAIN: None

ATTEST:



Cindy L. Ecklund
City Clerk
(City Seal)

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



CITY ATTORNEY