

Sponsored by: Janke

**CITY OF MARATHON, FLORIDA
RESOLUTION 2004-042**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MARATHON, FLORIDA, ADOPTING AMENDMENT FOUR (4) TO THE
COMMUNITY DEVELOPMENT BLOCK GRANT REQUESTING A SIX
MONTH EXTENSION TO EXPEND SEWER CONNECTION WORK
ACTIVITY FUNDING**

WHEREAS, the City of Marathon (the "City") was awarded a Small Cities, Housing, Community Development Grant (the "Grant Agreement") in January 2001; and

WHEREAS, the Department of Community Affairs (the "DCA") initiated two administrative modifications to the existing Grant Agreement; and

WHEREAS, the City initiated, through Resolution 2003-116, a third modification to the Grant Agreement reallocating funding and extending the grant period for six-months with a new end date of July 14, 2004; and

WHEREAS, the Little Venice Wastewater Project is not scheduled for completion until October 2004, the City will require a second six-month extension to complete the project and expend the remaining Grant Agreement funding.

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

Section 1. Amendment No. 4 to the Grant Agreement to implement a six month extension to expend funding, a copy of which is attached as Exhibit "A," together with such non-material changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney, is approved.

Section 2. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Marathon, Florida, this 11th day of May, 2004.

THE CITY OF MARATHON, FLORIDA



Jeffrey M. Pinkus, Mayor

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

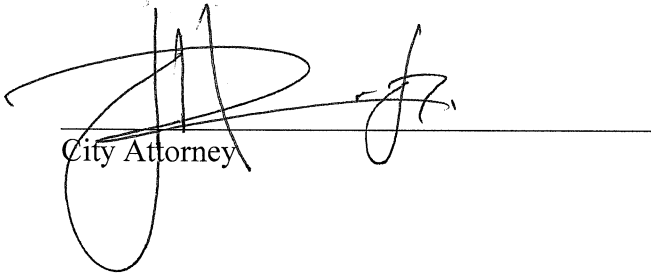
ATTEST:



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



STATE OF FLORIDA

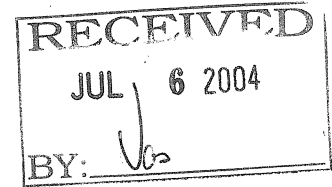
DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

JEB BUSH
Governor

THADDEUS L. COHEN, AIA
Secretary

June 30, 2004



The Honorable Jeff Pinkus
Mayor, City of Marathon
10045-55 Overseas Highway
Marathon, Florida 33050

Re: Contract Number 02DB-89-11-54-02-H08 – Modification Number 4

Dear Mayor Pinkus:

Your letter received May 21, 2004 requesting a six-month time extension and modification of Work Plans has been reviewed. Given the extenuating circumstances of this project, a six-month time extension through January 14, 2005 has been approved. As you are aware, this grant Agreement was originally executed in January 2002, and I must strongly emphasize that it is imperative that the City proceed expeditiously and complete this project within the next six months.

Enclosed is a copy of the formal signed amendment and revised Work Plans. Please maintain these documents with your copy of the approved Agreement.

If you have questions regarding this modification, please contact Mark Nixon at 850/922-1898.

Sincerely,

Janice Browning, Director
Division of Housing and
Community Development

JB/cm

cc: Mark Bell (w/enclosures)

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100
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Internet address: <http://www.dca.state.fl.us>

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(850) 488-7956

**MODIFICATION #4 TO GRANT AGREEMENT BETWEEN
THE DEPARTMENT OF COMMUNITY AFFAIRS AND
THE CITY OF MARATHON**

This Modification is made and entered into by and between the State of Florida, Department of Community Affairs ("the Department"), and The City of Marathon ("the Recipient"), to modify DCA Contract Number 02DB-89-11-54-02-H08 ("the Agreement").

WHEREAS, the Department and the Recipient have entered into the Agreement, pursuant to which the Department has provided a grant of \$750,000 to the Recipient: and

WHEREAS, the Agreement expires on July 14, 2004; and

WHEREAS, the Department and the Recipient desire to modify the Agreement by extending it and modifying the work plan (Attachment A) to coincide with the new end date;

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. **Paragraph 3 of the Agreement is hereby amended to read as follows:
This Agreement shall begin upon execution by both parties, and shall end January 14, 2005, unless terminated earlier in accordance with the provisions of paragraph (9) of this Agreement.**
2. **The revised Attachment B, Activity Work Plan, is attached hereto and incorporated herein by reference.**
3. All provisions of the Agreement being modified and any attachments thereto in conflict with the modification shall be and are hereby changed to conform with this Modification, effective as of the date of the last execution of this Modification by both parties.
4. All provisions not in conflict with this Modification remain in full force and effect, are to be performed at the level specified in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this document as of the dates set herein.

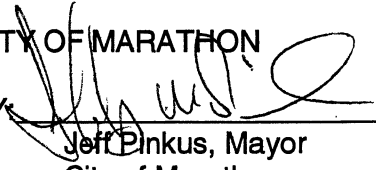
DEPARTMENT OF COMMUNITY AFFAIRS

BY: 

Janice Browning, Director
Housing and Community Development

DATE: 6/18/04

CITY OF MARATHON

BY: 

Jeff Pinkus, Mayor
City of Marathon

DATE: 5/11/04

Attachment B

Activity Work Plans

June, 2004

ACTIVITY WORK PLAN

RECIPIENT City of Marathon

DATE PREPARED May 11, 2004

CONTRACT NO. 02DB-89-11-54-02-H08

ACTIVITY BUDGET \$112,500
(for this activity only)

Activity		Number of Proposed Beneficiaries for this activity only			Proposed Activity Units	
Name <u>Administration</u> Number <u>013</u> Service Area # <u>N/A</u>		LMI	VLI	Total	No. of Units	Type of Units
Date Start (month & year)	Date End (month & year)	Describe Proposed Action to be Undertaken or Contract Special Condition Clearance Documentation to be Submitted by "Date End"			# Units to be Completed by "Date End"	Proposed \$\$ to be Requested by "Date End"
		Submit Request for Release of Funds & Environmental Conditions				
		Submit documentation to clear Special Condition Numbers _____				
01/02	03/02	Administrative Quarterly Reimbursements				\$10,722
04/02	06/02	Administrative Quarterly Reimbursements				\$10,722
07/02	09/02	Administrative Quarterly Reimbursements				\$10,722
10/02	12/02	Administrative Quarterly Reimbursements				\$10,722
01/03	03/03	Administrative Quarterly Reimbursements				\$10,722
04/03	06/03	Administrative Quarterly Reimbursements				\$10,722
07/03	09/03	Administrative Quarterly Reimbursements				\$10,722
10/03	12/03	Administrative Quarterly Reimbursements				\$10,722
01/04	03/04	Administrative Quarterly Reimbursements				\$10,722
04/04	06/04	Administrative Quarterly Reimbursements				\$10,722
07/04	09/04	Administrative Quarterly Reimbursements				\$5,280
		Submit Administrative Closeout				

ACTIVITY BUDGET TOTAL \$ 112,500
(must equal Activity Budget in the heading of this form)

ACTIVITY WORK PLAN

RECIPIENT City of Marathon

DATE PREPARED May 11, 2004

CONTRACT NO. 02DB-89-11-54-02-H08

ACTIVITY BUDGET \$549,924.01
(for this activity only)

Activity		Number of Proposed Beneficiaries for this activity only			Proposed Activity Units	
Name <u>Sewer Connections</u> Number <u>09(a)</u> Service Area # <u>N/A</u>		<u>40</u> LMI	<u>20</u> VLI	<u>60</u> Total	<u>60</u> No. of Units	<u>Housing Units</u> Type of Units
Date Start (month & year)	Date End (month & year)	Describe Proposed Action to be Undertaken or Contract Special Condition Clearance Documentation to be Submitted by "Date End"			# Units to be Completed by "Date End"	Proposed \$\$ to be Requested by "Date End"
		Submit Request for Release of Funds & Environmental Conditions				
		Submit documentation to clear Special Condition Numbers <u>ALL</u>				
01/04	03/04	Sewer Connections (10%)			6	\$100,000.00
04/04	06/04	Sewer Connections (50%)			30	\$200,000.00
07/04	09/04	Sewer Connections (80%)			48	\$200,000.00
10/04	12/04	Sewer Connections (100%)			60	\$49,924.01
		Submit Administrative Closeout				

ACTIVITY BUDGET TOTAL \$ 549,924.01
(must equal Activity Budget in the heading of this form)

ACTIVITY WORK PLAN

RECIPIENT City of Marathon

DATE PREPARED May 11, 2004

CONTRACT NO. 02DB-89-11-54-02-H08

ACTIVITY BUDGET \$ 87,575.99

(for this activity only)

Activity		Number of Proposed Beneficiaries for this activity only			Proposed Activity Units	
Name <u>Housing Rehabilitation</u> Number <u>09(a)</u> Service Area # <u>N/A</u>		<u>20</u> LMI	<u>80</u> VLI	<u>100</u> Total	<u>100</u> No. of Units	<u>Housing Units</u> Type of Units
Date Start (month & year)	Date End (month & year)	Describe Proposed Action to be Undertaken or Contract Special Condition Clearance Documentation to be Submitted by "Date End"			# Units to be Completed by "Date End"	Proposed \$\$ to be Requested by "Date End"
		Submit Request for Release of Funds & Environmental Conditions				
		Submit documentation to clear Special Condition Numbers <u>ALL</u>				
04/02	06/02	Housing Rehabilitation (20%)			20	\$26,068.50
07/02	09/02	Housing Rehabilitation (30%)			30	\$00.00
10/02	12/02	Housing Rehabilitation (40%)			40	\$2,942.82
01/03	03/03	Housing Rehabilitation (50%)			50	\$51,098.00
04/03	06/03	Housing Rehabilitation (75%)			75	\$7,156.56
07/03	09/03	Housing Rehabilitation (100%)			100	\$310.11
		Submit Administrative Closeout				

ACTIVITY BUDGET TOTAL \$ 87,575.99
(must equal Activity Budget in the heading of this form)



RECEIVED
MAR 04 2004
BY: *CB*

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

JEB BUSH
Governor

COLLEEN CASTILLE
Secretary

March 1, 2004

The Honorable Randy Mearns
Mayor, City of Marathon
Post Office Box 162
Zolfo Springs, Florida 33890-0162

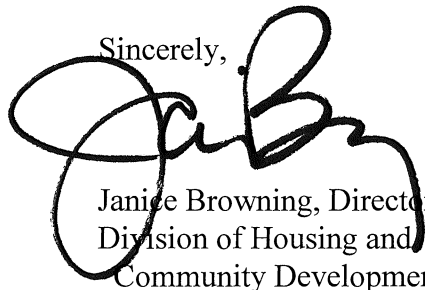
**Re: Grant Agreement: 02DB-89-11-54-02-H08
Contract Modification # 3 - Approval**

Dear Mayor Mearns:

Your letter received September 23, 2003 requesting a six-month time extension and budget modification has been reviewed by staff. Given the extenuating circumstances of this project, a six-month time extension has been approved. As you are aware, this grant was originally executed on January 15, 2002, and I must strongly emphasize that it is imperative that the City proceed expeditiously and complete this project within the next six months.

The enclosed modification reflects a reinstatement and a new grant termination date of July 14, 2004. This modification along with your request and revised Budget (Attachment A) have been made part of the approved Agreement. Should you have questions, please call Mr. Mark Nixon at (850) 922-1895.

Sincerely,



Janice Browning, Director
Division of Housing and
Community Development

JB/man
Enclosure

cc: Mark Bell, (copy of enclosure)
Tammy Anderson

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100
Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781
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MODIFICATION # 3 TO GRANT AGREEMENT BETWEEN
THE DEPARTMENT OF COMMUNITY AFFAIRS AND
THE CITY OF MARATHON

This Modification is made and entered into by and between the State of Florida, Department of Community Affairs, ("the Department"), and the City of Marathon ("Recipient") to reinstate and modify DCA Contract Number 02DB-89-11-54-02-H08 ("the Agreement").

WHEREAS, the Department and the Recipient have entered into the Agreement, pursuant to which the Department has provided a grant of \$750,000 to Recipient; and

WHEREAS, the Agreement expired on January 14, 2004; and

WHEREAS, the Department and the Recipient desire to reinstate the Agreement and to modify the Agreement by extending it.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. The Agreement is hereby reinstated and the term of the Agreement extended so that its termination date is now July 14, 2004 for all intents and purposes.
2. Attachment A, the Budget and Scope of Work (Activity Work Plan) is hereby deleted and replaced, as set forth in Attachment A to this Modification, which is attached hereto and incorporated herein by reference.
3. All provisions of the Agreement being modified and any attachments thereto in conflict with this Modification shall be and are hereby changed to conform with this Modification, effective as of the date of the last execution of this Modification by both parties.

All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this document as of the dates set out herein.

DEPARTMENT OF COMMUNITY AFFAIRS

BY: 
Janice Browning, Division Director
Housing and Community Development

DATE: 2/24/04

CITY OF MARATHON

BY: 
Randy Mearns, Mayor
City of Marathon

DATE: 1/30/2004

RECIPIENT: Marathon

CONTRACT NUMBER: 02DB-89-11-54-02-H08

ATTACHMENT A

PROGRAM BUDGET AND SCOPE OF WORK - JANUARY 6, 2004

1	2		3	4	5	6	7	8	9	10	11
ACTIVITY		ACCOMPLISHMENTS		BENEFICIARIES			BUDGET				
NUMBER	DESCRIPTION	UNIT	NUMBER	LMI	VLI	TOTAL	CDBG AMOUNT	*OTHER FUNDS	*SOURCE #	PROG.INC.	
13	ADMINISTRATION						\$112,500.00				
09(a)	Housing Rehabilitation	H.U.	100	20	80	100	\$87,575.99	\$100,000.00	1		
09(a)	Sewer Connection	H.U.	20	40	20	60	\$549,924.01	\$105,288.00	1,2		
TOTALS							\$750,000.00	\$205,288.00		\$0.00	

* SOURCES AND AMOUNTS OF "OTHER FUNDS" (COLUMN 9 & 10 ABOVE)

- | | | | |
|---------------|------------|----------|----------|
| 1. SHIP _____ | \$ 150,000 | 5. _____ | \$ _____ |
| 2. DCA _____ | \$ 55,822 | 6. _____ | \$ _____ |
| 3. _____ | \$ _____ | 7. _____ | \$ _____ |
| 4. _____ | \$ _____ | 8. _____ | \$ _____ |

Attachment B

Activity Work Plans

ACTIVITY WORK PLAN

RECIPIENT City of Marathon DATE PREPARED **September 23, 2003**

CONTRACT NO. 02DB-89-11-54-02-H08 ACTIVITY BUDGET **\$112,500**
 (for this activity only)

Activity		Number of Proposed Beneficiaries for this activity only			Proposed Activity Units	
Name Administration Number 013 Service Area # N/A		LMI	VLI	Total	No. of Units	Type of Units
Date Start (month & year)	Date End (month & year)	Describe Proposed Action to be Undertaken or Contract Special Condition Clearance Documentation to be Submitted by "Date End"			# Units to be Completed by "Date End"	Proposed \$\$ to be Requested by "Date End"
		Submit Request for Release of Funds & Environmental Conditions				
		Submit documentation to clear Special Condition Numbers _____				
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07/02	09/02	Administrative Quarterly Reimbursements				\$10,722
01/02	12/02	Administrative Quarterly Reimbursements				\$10,722
01/03	03/03	Administrative Quarterly Reimbursements				\$10,722
04/03	06/03	Administrative Quarterly Reimbursements				\$10,722
07/03	09/03	Administrative Quarterly Reimbursements				\$10,722
10/03	12/03	Administrative Quarterly Reimbursements				\$10,722
01/04	03/04	Administrative Quarterly Reimbursements				\$10,722
04/04	06/04	Administrative Quarterly Reimbursements				\$10,722
07/04	09/04	Administrative Quarterly Reimbursements				\$5,280
		Submit Administrative Closeout				

ACTIVITY BUDGET TOTAL **\$ 112,500**
 (must equal Activity Budget in the heading of this form)

ACTIVITY WORK PLAN

RECIPIENT City of Marathon

DATE PREPARED **September 23, 2003**

CONTRACT NO. 02DB-89-11-54-02-H08

ACTIVITY BUDGET **\$549,924.01**
(for this activity only)

Activity		Number of Proposed Beneficiaries for this activity only			Proposed Activity Units	
Name <u>Sewer Connections</u> Number <u>09(a)</u> Service Area # <u>N/A</u>		<u>40</u> LMI	<u>20</u> VLI	<u>60</u> Total	<u>60</u> No. of Units	<u>Housing Units</u> Type of Units
Date Start (month & year)	Date End (month & year)	Describe Proposed Action to be Undertaken or Contract Special Condition Clearance Documentation to be Submitted by "Date End"			# Units to be Completed by "Date End"	Proposed \$\$ to be Requested by "Date End"
		Submit Request for Release of Funds & Environmental Conditions				
		Submit documentation to clear Special Condition Numbers <u>ALL</u>				
10/03	12/03	Sewer Connections (33%)			20	\$200,000
01/04	03/04	Sewer Connections (66%)			40	\$200,000
04/04	06/04	Sewer Connections (100%)			60	149,924.01
		Submit Administrative Closeout				

ACTIVITY BUDGET TOTAL **\$ 549,924.01**
(must equal Activity Budget in the heading of this form)

RECIPIENT City of Marathon

DATE PREPARED **September 23, 2003**

CONTRACT NO. 02DB-89-11-54-02-H08

ACTIVITY BUDGET **\$ 87,575.99**
(for this activity only)

Activity		Number of Proposed Beneficiaries for this activity only			Proposed Activity Units	
Name <u>Housing Rehabilitation</u> Number <u>09(a)</u> Service Area # <u>N/A</u>		<u>20</u> LMI	<u>80</u> VLI	<u>100</u> Total	<u>100</u> No. of Units	<u>Housing Units</u> Type of Units
Date Start (month & year)	Date End (month & year)	Describe Proposed Action to be Undertaken or Contract Special Condition Clearance Documentation to be Submitted by "Date End"			# Units to be Completed by "Date End"	Proposed \$\$ to be Requested by "Date End"
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04/02	06/02	Housing Rehabilitation (20%)			20	\$26,068.50
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		Submit Administrative Closeout				

ACTIVITY BUDGET TOTAL **\$ 87,575.99** ✓
(must equal Activity Budget in the heading of this form)