

**CITY OF MARATHON, FLORIDA
RESOLUTION 2006-053**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MARATHON, FLORIDA, APPROVING AN AMENDMENT TO AN
INTERLOCAL AGREEMENT WITH MONROE COUNTY, FLORIDA, FOR
VESSEL WASTEWATER HAUL-OUT SERVICES BY EXTENDING THE
AMOUNT AND THE TERM OF THE AGREEMENT**

WHEREAS, the City of Marathon (the “City”) and Monroe County (the “County”) entered into a joint participation agreement to provide vessel wastewater haul-out services (the “Interlocal Agreement”); and

WHEREAS, the City has been removing vessel generated wastewater utilizing the City’s pump-out vessel, at the City’s Marina facility or at private vessel pump-out facilities located within the City’s limits and adjacent areas (the “Services”); and

WHEREAS, the City and County desire to amend their joint participation agreement to provide vessel wastewater haul-out services within the City by extending the amount not-to-exceed to \$100,000 and by extending the term of the Interlocal Agreement.

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

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

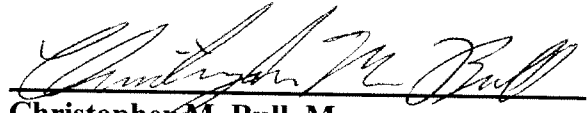
Section 2. The Amendment to the Interlocal Agreement between the City and the County, for the Services in an amount not to exceed \$100,000, a copy of which is attached as Exhibit “A,” together with such non-material changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney, is hereby approved.

Section 3. The City Manager or his designee is authorized to execute the Amendment to the Interlocal Agreement on behalf of the City.

Section 4. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the city of Marathon, Florida, this 25th day of April, 2006.


THE CITY OF MARATHON, FLORIDA



Christopher M. Bull, Mayor

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

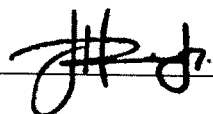
ATTEST:



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

AMENDMENT TO INTERLOCAL AGREEMENT

THIS AMENDMENT TO THE INTERLOCAL AGREEMENT is entered into this 15th day of March, 2006 between Monroe County, a political subdivision of the State of Florida (hereinafter COUNTY) and the City of Marathon, a municipal corporation organized and existing under the laws of the State of Florida (hereinafter CITY).

WITNESSETH:

WHEREAS, COUNTY and CITY desire to amend their joint participation agreement to provide vessel wastewater haul-out services in Marathon, Monroe County, Florida extending the amount not-to-exceed \$100,000 and the time frame of the agreement.

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained, it is agreed between COUNTY and CITY as follows:

Section 1. Amend Section 2.4 to read:

2.4 The maximum amount the County is obligated to reimburse the City under this Interlocal Agreement is \$100,000.

Section 2. Amend Section 3.1 to read:

3.1 This Amendment to the Agreement shall become effective upon execution by both parties and shall remain in effect through December 31, 2007 (the "Expiration Date"), unless earlier terminated in accordance with Section 6 herein (the "Term").

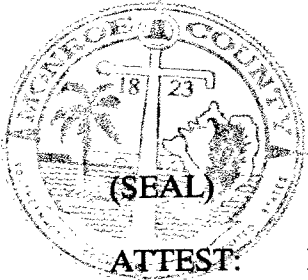
Section 3. All other terms and conditions of Contract


All other terms and conditions of the Contract for Services under the County's Interlocal Agreement with the City of Marathon remain in full force and effect.

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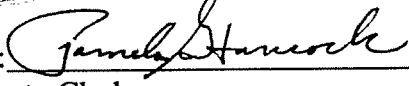
IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first written above.

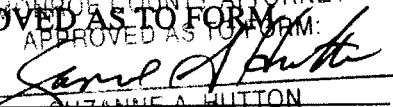
BOARD OF COUNTY COMMISSIONERS
MONROE COUNTY, FLORIDA



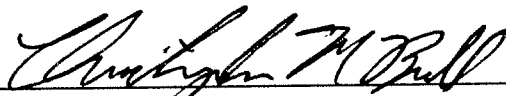
BY: 
Mayor/Chairperson

ATTEST: DANNY L. KOLHAGE, CLERK

BY: 
Deputy Clerk

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:
BY: 
SUZANNE A. HUTTON
ATTORNEY'S OFFICE ATTORNEY
ASSISTANT
Date: 2/13/06

THE CITY OF MARATHON, FLORIDA

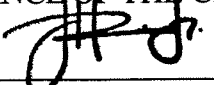

, Mayor

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:

BY: 
City Attorney