

Sponsored by: Puto

**CITY OF MARATHON, FLORIDA
RESOLUTION 2006-075**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AMENDMENT NO. 1 TO AGREEMENT NO. H5M01 WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF BEACHES AND COASTAL SYSTEMS AND AUTHORIZING THE CITY MANAGER TO EXTEND GRANT AGREEMENT IN THE AMOUNT OF \$150,000 UNTIL JULY 1, 2007

WHEREAS, the City of Marathon (the "City") wishes to apply for Category G funding from the Federal Emergency Management Agency ("FEMA") for beach repairs; and

WHEREAS, the Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems has offered to provide \$150,000 in grant funding to the City for sand replacement and to prepare a beach management plan for submission to FEMA; and

WHEREAS, the City has entered into Agreement No. H5M01 with the Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems to set forth the terms and conditions of the grant funding; and

WHEREAS, the City and the Florida Department of Environmental Protection, Bureau of Beaches desire to extend the end date of the agreement until July 1, 2007.

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

Section 2. The Council hereby approves Amendment NO. 1 to Agreement No. H5M01 between the City and the Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems that is attached as Exhibit "A" hereto. The City Manager and City Attorney are authorized to finalize the terms and conditions of the Agreement and the City Manager is authorized to execute said Agreement on behalf of the City.

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 23rd day of May, 2006.

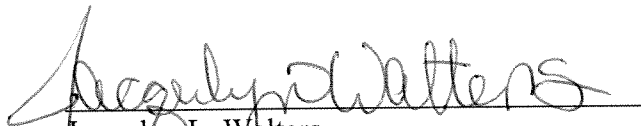
THE CITY OF MARATHON, FLORIDA



Christopher M. Bull, Mayor

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


ATTEST:



Jacquelyn L. Walters
Acting 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 No: 1
DEP AGREEMENT No: H5MO1
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF BEACHES AND COASTAL SYSTEMS
2004 HURRICANE RECOVERY PLAN
STATE OF FLORIDA
AMENDMENT TO GRANT AGREEMENT FOR
MARATHON BEACHES RESTORATION

THIS AGREEMENT as entered into on the 11th day of October, 2005, between the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "DEPARTMENT") and the CITY OF MARATHON, a local government, (hereinafter referred to as the "LOCAL SPONSOR") is hereby amended as follows:

- Paragraph 2 is hereby revised to read as follows:
- 2. This Agreement shall begin on the last date executed and end on July 1, 2007. Pursuant to Section 161.101 (18), Florida Statutes, work conducted on this PROJECT by the LOCAL SPONSOR or its subcontractor beginning on or after September 19, 2005, shall be eligible for cost sharing by the DEPARTMENT.

IN WITNESS WHEREOF, the parties have caused these presents to be duly executed, the day and year last written below.

CITY OF MARATHON

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

By: Michael H. Ruto
Title: *City Manager

By: Mich R. Sant
Secretary or designee

Date: 5-25-06

Date: 4-26-06

FEID No. 65-0984873

Dena Vanhanden
DEP Grant Program Administrator

APPROVED as to form and legality:

[Signature]
DEP Attorney

*If someone other than the City Manager signs this Agreement, a resolution, statement or other documentation authorizing that person to sign the Agreement on behalf of the County/City must accompany the agreement.

ATTACHMENT
PROJECT

MARATHON BEACH

Need

Sketch A

2006-075

ent of approximately 2,000 cubic
conducted in accordance with the
the eligible project task items
verables, shall comply with the

The PROJECT consists of the development of a beach m
yards of beach sand at both Sombrero and Coco Plum be
terms and conditions set forth under this Agreement, a
established below. All data collection and processing,
standard technical specifications contained in the Department's Regional Data Collection and Processing Plan and
Geographic Information System Plan, unless otherwise specified in the approved Scope of Work for an eligible PROJECT
item. These plans may be found at <http://www.dep.state.fl.us/beaches/>. Three (3) originals on all written reports
developed under this Agreement shall be forwarded to the Department, unless otherwise specified.

Task No: Eligible Project Item:

1.0 Feasibility Study

Conduct studies necessary to determine the feasibility and extent of improvements necessary to accomplish the goals of the PROJECT. Investigations shall include, but may not be limited to, the following: physical and environmental surveying; reconnaissance-level geotechnical services; coastal engineering analysis; economic studies; environmental analysis; real estate studies; and plan formulation.

2.0 Construction

Work performed and costs incurred associated with the placement of fill material and/or the construction of erosion control structures within the project area. Eligible costs may include mobilization, demobilization, construction observation or inspection services, beach fill, tilling and scarp removal, erosion control structures, dune stabilization measures and native beach-dune vegetation. Construction shall be conducted in accordance with any and all permits issued by the Department

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