

**CITY OF MARATHON, FLORIDA
RESOLUTION 2007-115**

APPROVING AMENDMENT NO. 2 TO DEPARTMENT OF ENVIRONMENTAL PROTECTION COASTAL ZONE MANAGEMENT AGREEMENT NO. CZ719 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AMENDMENT NO. 2 TO CHANGE THE SCOPE OF WORK, PROJECT OBJECTIVES AND RELATED TASKS AND DELIVERABLES, PROJECT BUDGET SCHEDULE AND PROJECT BUDGET NARRATIVE.

WHEREAS, The City of Marathon (the “City”) was awarded a Department of Environmental Protection (“DEP”) Coastal Zone Management Program grant in the amount of \$50,000; and

WHEREAS, the City and DEP entered into a contract governing the terms and conditions of the Grant (the “Contract”) including the project scope of work; and

WHEREAS, the City requested a revision of the project scope of work because it was denied permission to build a boardwalk which would withstand the typical adverse weather of the Florida Keys; and

WHEREAS, the DEP Coastal Zone Management Program granted a revision of the project scope of work to replace the intended boardwalk with increased native plantings and an enhanced kiosk area; and

WHEREAS, Amendment No. 2 to the Contract changes the project scope of work as agreed between the City and DEP.

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 incorporated herein.

Section 2. The City Council supports and fully endorses approval of Amendment No. 2 to Department of Environmental Protection Coastal Zone Management Contract CZ719, and authorizes the City Manager to enter into Amendment No. 2 to change the project scope of work.

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 28th day of August 2007.

THE CITY OF MARATHON, FLORIDA



Christopher M. Bull, Mayor

AYES: Cinque, Tempest, Vasil, Worthington, Bull
NOES: None
ABSENT: None
ABSTAIN: None

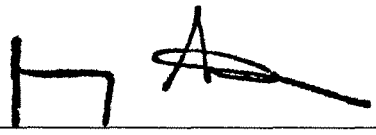
ATTEST:



Diane Clavier
City Clerk

(City Seal)

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



City Attorney

DEP AGREEMENT NO. CZ719
AMENDMENT NO. 2

THE DEP AGREEMENT No. CZ719 entered into on the 20th day of July, 2006, between the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "Department") and the CITY OF MARATHON (hereinafter referred to as "Grantee") is hereby amended.

WHEREAS, the Grantee has determined that it is necessary to amend the Project Scope of Work, Project Objectives and Related Tasks and Deliverables, Project Budget Schedule and Project Budget Narrative as shown in Attachment A to the original Agreement; and

WHEREAS, the Department, acting as the Florida Coastal Management Program, agrees with the Grantee that the amendment is needed.

NOW, THEREFORE, DEP Agreement No. CZ719 is hereby amended as follows:

1. Project Scope of Work, Project Objectives and Related Tasks and Deliverables, Project Budget Schedule and Project Budget Narrative in original Attachment A is hereby deleted in its entirety and replaced with the Revised Project Scope of Work, Project Objectives and Related Tasks and Deliverables, Project Budget Schedule and Project Budget Narrative attached hereto as Attachment A-1 and made part hereof. Any reference to sections of Attachment A shall be replaced by reference to the corresponding sections of Attachment A-1.

In all other respects, DEP Agreement No. CZ719 and attachments relative thereto, shall remain in full force and effect.

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

CITY OF MARATHON

By: Michael H. Puto
Michael H. Puto, City Manager

Date: 8/30/07

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

By: Sally B. Mann
Sally B. Mann, Director
Intergovernmental Programs

Date: 9/4/07

Donna Allen
DEP Grants Manager

APPROVED as to form and legality:

Sally B. Mann
DEP Attorney

ATTACHMENT A-1
PROJECT WORK PLAN
FY06-07

DEP Agreement # CZ719

Project Title: Cocoplum Beach Park Enhancement Project

Recipient

Organization Name: City of Marathon
Chief Elected Official or Agency Head: Michael H. Puto
Title: City Manager
Address: 10045-55 Overseas Highway, Marathon, FL
Zip Code: 33050
Area Code and Telephone Number: (305) 289-4102
Area Code and Facsimile Machine Telephone Number: (305) 289-4123
E-Mail Address: putom@ci.marathon.fl.us

Project Manager

Organization Name: City of Marathon
Name: Susie Thomas
Address: 10045-55 Overseas Highway, Marathon, FL
Zip Code: 33050
Area Code and Telephone Number: (305) 289-4103
Area Code and Facsimile Machine Telephone Number: (305) 289-4123
E-Mail Address: thomass@ci.marathon.fl.us

Mailing Address for Warrant (if other than the Recipient address):

County in which project is located: Monroe

Project is Statewide:

Scope of Work Information

Abstract Description: Briefly but completely describe the problem to be addressed and the project solution to the problem. Please limit to one page.

The City of Marathon is one of the most developed areas of the Florida Keys. While private commercial and residential water access is common, there are few natural waterfront areas for the public to enjoy. To provide more public access, Cocoplum Beach was purchased in the early 1990s with local and state funds -- however, the beach is in need of several improvements. Specifically, the City of Marathon has requested FCMP funds to:

- 1) Stabilize and enhance the beach dune with native plantings to reduce beach erosion, improve turtle nesting habitat and improve aesthetics;
- 2) Install an enhanced kiosk and educational signage to raise awareness and educate the public about sea turtles, the importance of the beach and wetland ecosystems, and birds, including migratory birds and raptors.

FCMP funds in the amount of \$50,000 and in kind matching funds in the amount of \$50,000 will be used to plant native species and to construct the enhanced kiosk and educational signage.

Project Objectives and Related Tasks and Deliverables: List project objective(s) and tasks that will accomplish each objective. Indicate the quarter in which these tasks will occur and will be delivered. **Deliverables or work products must be provided.**

Objective 1: Enhance beach habitat through planting of native vegetation in order to reduce beach erosion, improve turtle nesting habitat and improve aesthetics.

Task 1: Create a layout and plant list for dune planting.

Task 2: Bid and complete planting.

Objective 2: Provide enhanced kiosk and educational signage to inform park visitors about the natural features they see and about the importance of coastal resources.

Task 1: Finalize sign content, design and placement.

Task 2: Bid and complete sign construction and installation.

Deliverable 1: Final sign layouts and print-ready design; Photographs of installed signs.

Task 3: Finalize enhanced kiosk layout and plans.

Task 4: Obtain permits.

Deliverable 2: Copy of permits.

Task 5: Bid and complete enhanced kiosk construction.

Deliverable 3: Photographs of enhanced kiosk during and after construction.

Project Budget Schedule: Type dollar amounts only in applicable categories (round to the nearest dollar; no cents) and leave other categories blank. If your grant Agreement requires match, it must equal the FCMP funds requested, or one hundred percent (100%). A budget transfer of funds (within approved budget categories), in an amount not to exceed 10 percent of the FCMP total budget, is allowed without requesting an official amendment.

<u>Budget Category</u>	<u>FCMP Funds</u>	<u>MATCH Funds</u>
1. Salaries	_____	_____
2. Fringe Benefits	_____	_____
3. Travel	_____	_____
4. Equipment Purchases	_____	_____
5. Supplies	_____	_____
6. Contractual Services	<u>50,000</u>	<u>50,000</u>
7. Construction	_____	_____
8. Other Expenses	_____	_____
9. Indirect Charges	_____	_____
FCMP Total	<u>50,000</u>	
Match Total		<u>50,000</u>
Total Project Cost:	<u>\$100,000</u>	

Project Budget Narrative: Describe line items for each applicable budget category shown on the budget schedule. Provide sufficient detail to show cost relationship to project activities. Complete for both FCMP and match items, if applicable. If in-kind match is being provided by a third party, a letter from that party confirming the amount and type of that match must be included with this project work plan. **Note: Indirect costs are not allowed as match.**

FCMP Funds

Contractual Services:

Dune planting: \$30,000

The City at this time anticipates the installation of plants across approximately 2,500 linear feet of dune system. The plantings will be situated in a manner that best stabilizes the dune. The main plantings will likely be along the top and upper front of the dune. Some plantings may extend in groupings to the front of the dune, but those will be sparse or grouped in order to accommodate nesting turtles and public use of the beach. A maximum of approximately 2,800 plants can be accommodated. The City will select mainly herbaceous native plants approved by the Florida Department of Environmental Protection as appropriate for dune planting. The City anticipates the cost of the dune planting to be approximately \$50,000 which will be paid directly to a contractor for the purchase, installation, guarantee and maintenance of the plants. If the lowest qualified bid is lower than the budgeted amount, the excess funds will be moved to Objective 2, Task 5, described below.

Enhanced kiosk construction and sign construction and installation: \$20,000

The City will install approximately 30 signs to educate the public and discourage disturbance of turtle nests and dune plantings. The estimated cost for the signs is \$5,000. An enhanced kiosk area will be installed at the park entrance. It will have some permanent signage and also a place for posting events and information, especially regarding Cocoplum Beach and nearby Curry Hammock State Park. All signage will need to be park-grade quality and designed for resistance to the elements and vandalism. The anticipated cost of the enhanced kiosk is approximately \$45,000 which will be paid directly to a contractor for the design and construction of the enhanced kiosk and the final design, manufacture (or purchase) and installation of the signs. If the lowest qualified bid is lower than the budgeted amount, the excess funds will be moved to Objective 1, described above.

Match Funds

Contractual Services:

Dune planting: \$20,000

Enhanced kiosk construction, and sign installation: \$30,000