

**CITY OF MARATHON, FLORIDA
RESOLUTION 2007-82**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AMENDMENT NO. 3 TO AGREEMENT NO. H5M01 WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF BEACHES AND COASTAL SYSTEMS TO EXTEND THE GRANT AGREEMENT IN THE AMOUNT OF \$295,782.00 FROM JULY 1, 2007 UNTIL JULY 1, 2008; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO FINALIZE THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDE AN EFFECTIVE DATE

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 provide \$295,782.00 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 Florida Department of Environmental Protection, Bureau of Beaches desires to extend the end date of the agreement until July 1, 2008.

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 Manager is hereby authorized to enter into Amendment No. 3 to Agreement No. H5M01 between the Florida Department of Environmental Protection, Bureau of Beaches and Costal 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 12th day of June, 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

AMENDMENT No: 3
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, amended on the 25th day of May, 2006, and on the 10th day of January, 2007, 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, 2008. 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

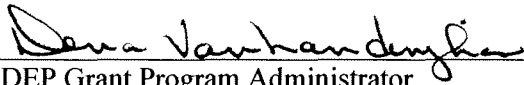
By: 
Title: *City Manager

By: 
Secretary or designee


Date: 6/14/07

Date: 5/04/07

FEID No. 65-0984873


DEP Grant Program Administrator

APPROVED as to form and legality:


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.