

**CITY OF MARATHON, FLORIDA
RESOLUTION 2015-30**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AUTHORIZING THE CITY TO ENTER INTO ADDENDUM #1 TO CONTRACT DATED FEBRUARY 24, 2015, WITH VERNIS & BOWLING OF THE FLORIDA KEYS, P.A. AND DIRK M. SMITS, ESQ., FOR LEGAL SERVICES FOR THE CITY; PROVIDING FOR FLAT FEE RETAINER TIME; AUTHORIZING THE MAYOR TO EXECUTE THE ADDENDUM; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Marathon, Florida (the "City") entered into contract with Vernis & Bowling of the Florida Keys, P.A. ("the Firm") and Dirk M. Smits, Esq. (Managing Member of the Firm), on February 24, 2015 to provide legal services to the City; and

WHEREAS, the City and the Firm wish to amend the contract for services to include a fixed monthly amount for legal services up to 15 hours per week and attendance at Council meetings;

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 reference.

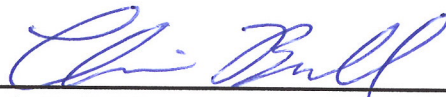
Section 2. The City Council hereby approves entering into Addendum #1 of the Contract with Vernis & Bowling of the Florida Keys, P.A., and Dirk M. Smits, Esq., a copy of which is attached hereto as Exhibit A, for fixed amount monthly services to be provided to the City by the Firm.

Section 3. The Mayor is authorized to sign the agreement on behalf of the City and expend budgeted funds.

Section 4. This resolution shall be effective upon adoption.

PASSED AND APPROVED by the City Council of the City of Marathon, Florida, this 10th day of March, 2015.

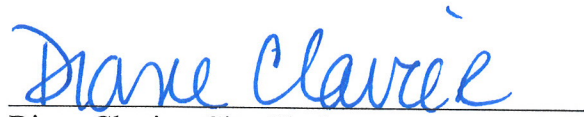
THE CITY OF MARATHON, FLORIDA



Chris Bull, Mayor

AYES: Keating, Kelly, Senmartin, Zieg, Bull
NOES: None
ABSENT: None
ABSTAIN: None

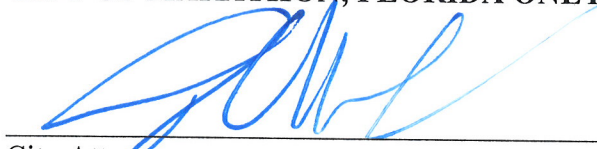
ATTEST:



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

CONTRACT ADDENDUM

THIS CONTRACT ADDENDUM is made and entered into the date last written below, by and between The City of Marathon, Florida ("the City"), Vernis & Bowling of the Florida Keys, P.A. "Firm") and Dirk M. Smits, Esq., (Managing Attorney of the Firm), in order to modify a term or terms of the agreement ("Original Contract") between both parties dated February, 24, 2015 (original contract date).

1. The following terms of the Original Contract are hereby agreeably modified:

Paragraph 3 of Original Contract, titled "RETAINER SERVICES", is hereby amended and shall now read as follows:

In addition to the retainer services set forth in the original contract, the City shall pay the Firm an \$8,500 monthly retainer fee, which shall include attendance at two monthly board meetings, phone calls with board members and for non-specialized litigation and legal matters to be handled by in-house representation two days (15 hours) a week.

2. All other terms and conditions of the Original Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Contract Addendum on this 12 day of March, 2015.

Chris Bull

SIGNATURE OF MAYOR CHRIS BULL

3/12/15

DATE

Dirk Smits

SIGNATURE OF MANAGING MEMBER – DIRK SMITS, ESQ.

3/12/15

DATE