

**CITY OF MARATHON, FLORIDA
RESOLUTION 2015-57**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF MARATHON AND MONROE COUNTY FOR THE REIMBURSEMENT OF RECREATIONAL BOATING RELATED PROJECTS WITHIN THE CITY OF MARATHON FROM THE BOATING IMPROVEMENT FUND; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the parties entered into an Interlocal Agreement (Agreement) on July 16, 2014;
and

WHEREAS, the Agreement provides for reimbursement funding, in the amount of \$24,000, to be provided to the City from County Boating Improvement Funds (BIF) for costs incurred by the City during Fiscal Year 2015 for construction of a kayak launching facility (Project); and

WHEREAS, the Project will not be completed during Fiscal Year 2015 as anticipated due to permitting delays; and

WHEREAS, the County and City desire to amend the Agreement to extend the Project completion deadline through June 30, 2016, by which time the City anticipates completing said Project;

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 First Amendment to the Interlocal Agreement attached hereto as Exhibit "A", between the City and County to extend the project completion date through June 30, 2016 is hereby approved. The City Manager is authorized to sign the Interlocal 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 9th DAY OF JUNE, 2015.

THE CITY OF MARATHON, FLORIDA



Mayor Chris Bull

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

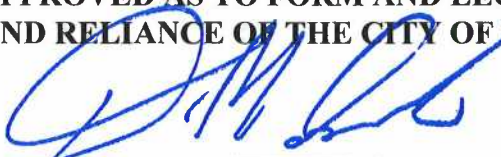
ATTEST:



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

**AMENDMENT NO.1 TO INTERLOCAL AGREEMENT
BETWEEN THE CITY OF MARATHON, FLORIDA
AND MONROE COUNTY, FLORIDA**

THIS AMENDMENT TO INTERLOCAL AGREEMENT (“Amendment”) is made and entered into this 15th day of July, 2015 between Monroe County Board of County Commissioners (hereinafter “COUNTY” or “BOCC”) and the City of Marathon (hereinafter “City”).

WHEREAS, the parties entered into an Interlocal Agreement (Agreement) on July 16, 2014; and

WHEREAS, the Agreement provides for reimbursement funding, in the amount of \$24,000, to be provided to the City from County Boating Improvement Funds (BIF) for costs incurred by the City during Fiscal Year 2015 for construction of a kayak launching facility (Project); and

WHEREAS, the City has represented that the Project will not be completed during Fiscal Year 2015 as anticipated due to the City not having yet obtained all necessary permits; and

WHEREAS, the County and City desire to amend the Agreement to extend the Project completion deadline through June 30, 2016, by which time the City anticipates completing said Project;

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants and obligations contained herein, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the undersigned parties agree to as follows:

1. The following recitals are true and correct and are hereby incorporated as if fully stated herein.
2. With respect to the second prefatory paragraph of the July 16, 2014 Agreement, the County and City mutually desire to amend to extend the time limitation during which the aforesaid reimbursement funding in an amount not to exceed \$24,000 may be provided to the City from County Boating Improvement Funds (BIF) for costs to be incurred by the City for construction of a kayak launching facility (“Project”) from “during Fiscal Year 2015” to “up to and including June 30, 2016.”
3. Section 1. (entitled “Payment.”) of the July 16, 2014 Agreement is hereby amended as follows:

The COUNTY agrees to reimburse the CITY for costs incurred up to and including June 30, 2016, as follows:
4. All of the other conditions, covenants, provisions, and terms of the Agreement dated July 16, 2014, except those expressly modified and rendered inconsistent by this Amendment, remain in full force and effect and binding upon the parties.

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



ATTEST: JIMMY HEAVILIN, CLERK

W. Robertson
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

D. P. Kohage
Danny L. Kohage, Mayor

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM

P. Morris
PETER MORRIS
ASSISTANT COUNTY ATTORNEY

Date: 6/11/2015

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: *P. Morris*
Assistant County Attorney

THE CITY OF MARATHON, FLORIDA

Michael Puto
Michael Puto, City Manager

Date: 6/10/2015

ATTEST:

Diane Clavier

Diane Clavier
City Clerk

(City Seal)

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

BY: *D. Smits*
Dirk Smits, Esq.
City Attorney