

**CITY OF MARATHON, FLORIDA
RESOLUTION 2019-42**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AMENDMENT 1 TO EXTEND GRANT AGREEMENT NO. 2140 BETWEEN THE CITY AND THE MONROE COUNTY TOURIST DEVELOPMENT COUNCIL FOR THE OCEANFRONT PARK IMPROVEMENTS, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Marathon (the "City") applied for grant assistance for improvements and upgrades for facilities at Oceanfront Park under the Monroe County Tourist Development Council (the "TDC") Grants Program and was the grant was awarded in the amount of \$76,400; and

WHEREAS, it has become necessary to revise the termination date of the project to December 31, 2019 due to delays in the construction process, and

WHEREAS, the City has determined that it is in the best interest of the City to enter into Amendment 1 to Agreement 2140 with the TDC Grants Program.

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 1 to Agreement No. 2140 between the City and the TDC Grants Program that is attached as Exhibit "A" hereto. The Mayor is authorized to execute said Amendment 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 14TH DAY OF MAY, 2019.

THE CITY OF MARATHON, FLORIDA



John Bartus, Mayor

AYES: Cook, Gonzalez, Senmartin, Zieg, Bartus
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:**



David Migut, City Attorney

AMENDMENT (1st AMENDMENT) TO AGREEMENT

THIS AMENDMENT to Agreement dated this 10th day of JUNE 2019, is entered into by and between the Board of County Commissioners for Monroe County, on behalf of the Tourist Development Council, and **The City of Marathon** a Government agency organized and operating under the laws of the state of Florida (Grantee).

WHEREAS, there was an Agreement entered into on October 17, 2018 between the parties, awarding \$76,400 to Grantee for the **Oceanfront Park Renovation Project ("Agreement")**; and

WHEREAS, it has become necessary to revise the termination date of the project to December 31, 2019 due to delays in the construction process, and

NOW, THEREFORE, in consideration of the mutual covenants contained herein the parties agree to the amend Agreement as follows:

1. Paragraph 1 of the agreement shall be revised to read as follows: This Agreement is for the period of **October 17, 2018 to December 31, 2019**. This Agreement shall remain in effect for the stated period unless one party gives to the other written notification of termination pursuant to and in compliance with paragraphs 7, 12 or 13 of the original Agreement dated October 17, 2018.

2. Any references to termination date and submission of invoices shall be revised to read December 31, 2019.

3. The remaining provisions of the agreement dated October 17, 2018 shall remain in full force and effect.

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

Kevin Madok, Clerk

Board of County Commissioners
of Monroe County

Carmel Starnock
Deputy Clerk

Sylvia J. Murphy
Mayor/Chairman

The City of Marathon

Attest:

By: Diane Clavier
City Clerk

Diane Clavier
Print Name

Date: May 15, 2019

By: [Signature]
Mayor

John Bartus
Print Name

Date: May 15, 2019

FILED FOR RECORD
2019 JUL 19 AM 10:50
CLERK, CIR. CL.
MONROE COUNTY, LA.

MONROE COUNTY ATTORNEY

APPROVED AS TO FORM:

[Signature]

CHRISTINE LIMBERT-BARROWS
ASSISTANT COUNTY ATTORNEY

DATE: 6/4/19