RESOLUTION NO. 15-04-23

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA
APPROVING AN AMENDMENT TO THE INTERLOCAL GRANT AWARD AGREEMENT BETWEEN THE VILLAGE AND MONROE COUNTY FOR BEACH MAINTENANCE SERVICES; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, In October 2010, Islamorada, Village of Islands, (the “Village”) and Monroe County Tourist Development Council/Monroe County Board of County Commissioners (the “County”) entered into a Interlocal Grant Award Agreement (the “Grant Agreement”) for grant funding to reimburse the Village for Beach and Beach Park Recreational Facilities Cleaning and Maintenance Services; and

WHEREAS, during the initial agreement period being October 1, 2010 through September 30, 2015, the grant provides reimbursement funding to the Village for up to $45,000.00 per fiscal year for five (5) years, the; and

WHEREAS, the Grant Agreement offered the County the option for a five (5) year extension beyond the initial award period; and

WHEREAS, the County has opted to exercise the single five (5) year extension to the Grant Agreement, therefore extending the grant period through September 30, 2020; and

WHEREAS, the Village Council of Islamorada, Village of Islands (the Village Council”) wishes to approve the Amendment to Grant Agreement in substantially in the form set forth in Exhibit “A” attached hereto (the “Amendment’’); and
WHEREAS, the Village Council finds that the Amendment to the Grant Agreement is in the best interest of the Village and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Approval of Amendment. The Village Council hereby approves the Amendment to the Interlocal Grant Award Agreement between Monroe County and the Village providing reimbursement for Beach Maintenance Services, a copy of which is attached as Exhibit “A,” together with such non-material changes as may be acceptable to the Village Manager and approved as to form and legality by the Village Attorney.

Section 3. Authorization of Village Officials. The Village Manager and/or her designee and the Village Attorney are authorized to take all actions necessary to implement the terms and conditions of the Amendment.

Section 4. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Village Manager pursuant to the Village’s Purchasing Procedures Ordinance, the Village Manager is authorized to expend budgeted funds to implement the terms and conditions of the Amendment to the Interlocal Agreement.

Section 5. Execution of Amendment. The Village Manager is authorized to execute the Amendment to the Interlocal Agreement on behalf of the Village, to execute any required agreements and/or documents to implement the terms and conditions of the Amendment and to execute any extensions and/or amendments to the Interlocal Agreement, subject to the approval as to form and legality by the Village Attorney.
Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

Motion to adopt by Vice Mayor Deb Gillis, second by Councilman Jim Mooney.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Mike Forster YES
Vice Mayor Deb Gillis YES
Councilman Jim Mooney YES
Councilman Dennis Ward YES
Councilman Chris Sante YES

PASSED AND ADOPTED ON THIS 9TH DAY OF APRIL, 2015.

MIKE FORSTER, MAYOR

ATTEST:

KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF ISLAMORADA,
VILLAGE OF ISLANDS ONLY

ROGET V. BRYAN, VILLAGE ATTORNEY
AMENDMENT (1st AMENDMENT) TO AGREEMENT

THIS AMENDMENT to agreement dated the 20th day of May 2015, is entered into by and between the Board of County Commissioners for Monroe County, a political subdivision of the state of Florida (County or Grantor) and Islamorada, Village of Islands a Government agency organized and operating under the laws of the state of Florida (Grantee).

WHEREAS, there was an agreement entered into on October 20, 2010 between the parties, for the beach and beach park facilities cleaning and trash removal services in Islamorada; and

WHEREAS, the original agreement with Grantee provides an option to extend the agreement for an additional five (5) year period beyond the initial award period, upon giving at least sixty (60) days prior written notice of agreement extension to Grantee; and

WHEREAS, the parties desire to exercise option to extend agreement for an additional five (5) year period; and

WHEREAS, it has become necessary to delete paragraph 2.c. of the original agreement, and

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

1. Paragraph 1 of the agreement shall read: GRANT AGREEMENT PERIOD: This Agreement is for the period of October 1, 2010 through to September 30, 2020. 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.

2. Paragraph 2.c. shall be deleted from the original agreement.

3. The remaining provisions of the agreement dated October 20, 2010 shall remain in full force and effect.

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Amendment #1
Islamorada Village of Islands Beach Cleaning and Maintenance
Contract #: 789
IN WITNESS WHEREOF, the parties have set their hands and seal on the day and year above written.

[Seal]

Maria T. Aguilar
Village Manager

Date: 4/10/15

AND TWO WITNESSES

(1) Ana Hernandez
Print Name
Date: 4/10/15

(1) Ana Hernandez
Print Name
Date: 4/10/15

Amendment #1
Islamorada Village of Islands Beach Cleaning and Maintenance Contract #: 729

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

Date: 3/18/15

CHRISTINE M. REED-WARRAW
ASSISTANT COUNTY ATTORNEY