

RESOLUTION NO. 22- 08-76

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ACCEPTING THE GRANT AWARD FROM THE MONROE COUNTY TOURIST DEVELOPMENT COUNCIL ("TDC") FOR FOUNDERS PARK RESTROOM WASTEWATER CONNECTION IMPROVEMENT PROJECT; APPROVING THE TDC CAPITAL PROJECT SUMMARY SHEET TO PROVIDE REIMBURSEMENT FUNDING FOR THE PROJECT FROM THE TDC DURING FISCAL YEAR 2022-2023; AUTHORIZING THE VILLAGE MAYOR TO EXECUTE THE CAPITAL PROJECT SUMMARY SHEET; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Islamorada, Village of Islands (the "Village") is dedicated the maintenance and upkeep of Founders Park; and

WHEREAS, Founders Park is utilized by several not-for-profit organizations for their large annual fundraising and entertainment events; and

WHEREAS, the restroom at the Founders Park beach must be closed during large events because the wastewater collection system is not able to accommodate the level of use required by the guests of the large events; and

WHEREAS, the installation of a new duplex grinder pump, larger basin and duplex control panel would achieve the goal of providing the restroom facility at the Founders Park beach for visitors during large events; and

WHEREAS, the Village applied to the Monroe County Tourist Development Council (the "TDC") for FY 2023 Capital Project funding for the Founders Park Restroom Wastewater Connection Improvement (the "Project"); and

WHEREAS, on June 28, 2022, the TDC approved the Village's application of funding for the Project costs of \$19,500.00, the full amount that was requested by the Village; and

WHEREAS, the TDC transmitted a Capital Project Summary Sheet requiring execution by the Mayor to acknowledge that the Village agrees to the TDC's terms and conditions for procurement, construction and reimbursement; and

WHEREAS, the Village Council wishes to approve the TDC Capital Project Summary Sheet attached hereto as Exhibit "1"; and

WHEREAS, the Village Council finds that acceptance of the grant and approval of the TDC Capital Project Summary Sheet 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. Acceptance of Grant and Approval of Documents. The Village Council hereby accepts the grant award from the TDC and approves the TDC Capital Project Summary Sheet for reimbursement of costs for the Project, attached hereto as Exhibit "1", 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. Execution of Agreement. The Village Mayor is authorized to execute the TDC Capital Project Summary Sheet on behalf of the Village, to execute any required agreements and/or documents to implement the terms and conditions of the grant award and to execute any extensions and/or amendments to the grant award, subject to the approval as to form and legality by the Village Attorney.

Section 4. 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 grant award.

Section 5. Effective Date. This Resolution shall become effective immediately upon its adoption.

Motion to adopt by David Webb, seconded by Mark Gregg.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS


| | |
|---------------------------------|------------|
| Mayor Pete Bacheler | <u>Yes</u> |
| Vice Mayor Henry Rosenthal | <u>Yes</u> |
| Councilman Mark Gregg | <u>Yes</u> |
| Councilman Joseph B. Pinder III | <u>Yes</u> |
| Councilman David Webb | <u>Yes</u> |

PASSED AND ADOPTED THIS 4 DAY OF August, 2022.



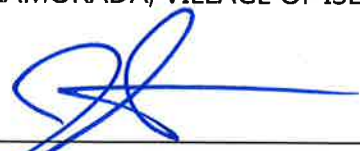
PETE BACHELER, MAYOR

ATTEST:



MARNE MCGRATH, ACTING VILLAGE CLERK

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



JOHN J. QUICK, INTERIM VILLAGE ATTORNEY

TDC Capital Project Summary Sheet

This page to be completed and signed by the President of the Entity Receiving Funding

- The project work described in Scope of Services on page 1 must commence within the fiscal year funded which is October 1, 2022 to September 30, 2023. Proof that the project commenced within the fiscal year funded may be requested by the Tourist Development Council (TDC) administrative office.
- I will complete the project and submit for reimbursement prior to completion date listed on page 1.
- I understand that I must pay 100% of the project cost up front to the entity completing work and show proof of same before receiving a 100% reimbursement from the (TDC). Reimbursement request must show that **Islamorada, Village of Islands** has paid in full for materials and services relating to the segment prior to seeking the 100% (one hundred percent) reimbursement from TDC/Board of County Commissioners (BOCC). The BOCC and the TDC assume no liability to fund this grant for an amount in excess of this award. Monroe County's performance and obligation to pay under this grant is contingent upon an annual appropriation by the BOCC.
- If my total project TDC reimbursement cost is between \$3,500 and \$19,999.99 I will submit three (3) quotes for the work completed or a notarized statement as to why three quotes were not available and the entity completing the work was the only one able to do so.
- I will submit before and after pictures of the completed project with my reimbursement submission.
- I will permanently display and maintain at Grantee's expense, public acknowledgement of the support of the Monroe County Tourist Development Council in a publicly prominent area of the facility in the following form: "This project was made possible with the financial support of the Monroe County Tourist Development Council." A photograph of said acknowledgment shall be provided with the final request for reimbursement.
- Islamorada, Village of Islands** agrees to operate this facility for tourist-related purposes and understands that if at any time **Islamorada, Village of Islands**: (a) elects to stop the project or otherwise decide not to place into service for tourist-related purposes the facility acquired, constructed, or renovated with tourist development tax funding, (b) demolishes the project facility or divests itself of ownership or possession of the real property, or (c) ceases the use of the property with a primary purpose of promoting tourism, **Islamorada, Village of Islands** shall, pursuant to the formula set forth hereafter, refund to the County the Tourist Development funding. This provision shall survive the completion date of all other provisions of this project for a period of ten years. Should the demolition, transfer of ownership, or change to a non-tourist related purpose occur after the facility has been used for tourist-related purposes for at least three (3) years, the amount of refund shall be prorated based on a useful life of ten (10) years.

Peter D. Bacheleer

Mayor's Name Printed


Mayors' Signature

Subscribed and sworn to (or affirmed) before me, by means of physical presence or online notarization, on August 5, 2022 (date) by Peter D. Bacheleer (name of affiant). He/She is personally known to me or has produced _____ (type of identification) as identification.

Stephanie Conde - Stephanie Conde

NOTARY PUBLIC

State of: Florida

My Commission Expires: 11/27/25



Stephanie Conde

Comm.: HH 189981

Expires: Nov. 27, 2025

Notary Public - State of Florida