

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AMENDMENT TO THE GRANT CONTRACT WITH THE STATE OF TENNESSEE, DEPARTMENT OF HEALTH, FOR THE HEALTHY BUILT ENVIRONMENT GRANT; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

WHEREAS, on July 18, 2023, the board approved Resolution No.: 2024-008 authorizing the mayor to sign the grant contract with State of Tennessee, Department of Health, for the Healthy Built Environment grant to replace playground equipment in Riverview Park; and

WHEREAS, the grant budget allocated funds for two consecutive fiscal years, FY year one budget (\$58,000) provided funds for purchasing the playground equipment and FY year two budget (\$22,000) provided funds for installation of the equipment; and

WHEREAS, due to supply chain issues and order delays the playground equipment was not delivered during fiscal year one, and the purchase and installation of the new equipment was completed in August 2024 of FY year two; and

WHEREAS, the State of Tennessee, Department of Health, has authorized an amendment to the grant contract to allow all the funds to be utilized during FY year two of the grant.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That an amendment to the grant contract with the State of Tennessee, Department of Health, for the Healthy Built Environment Grant to replace playground equipment in Riverview Park is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an amendment to the agreement State of Tennessee for the Healthy Built Environment Grant to replace playground equipment in Riverview Park, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution, said amendment being generally as follows:

**AMENDMENT 1
OF GRANT CONTRACT Z-24-284377**

This Grant Contract Amendment is made and entered by and between the State of Tennessee, Department of Health, hereinafter referred to as the "State" and City of Kingsport, hereinafter referred to as the "Grantee." It is mutually understood and agreed by and between said, undersigned contracting parties that the subject Grant Contract is hereby amended as follows:

1. Grant Contract Attachment 2 is deleted in its entirety and replaced with the new Attachment 2 attached hereto.

Required Approvals. The State is not bound by this Amendment until it is signed by the contract parties and approved by appropriate officials in accordance with applicable Tennessee laws and regulations (depending upon the specifics of this contract, said officials may include, but are not limited to, the Commissioner of Finance and Administration, the Commissioner of Human Resources, and the Comptroller of the Treasury).

Amendment Effective Date. The revisions set forth herein shall be effective once all required approvals are obtained. All other terms and conditions of this Grant Contract not expressly amended herein shall remain in full force and effect.

[Acknowledgements Deleted for Inclusion in this Resolution]

SECTION II. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the amendment/agreement set out herein that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION III. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION IV. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 3rd day of December, 2024.

PAUL W. MONTGOMERY, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY