

CITY COUNCIL RESOLUTION NO. 2022-071

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AUTHORIZING THE EXECUTION OF THE SECOND AMENDMENT TO THE MEMORANDUM OF AGREEMENT WITH SUWANNEE RIVER WATER MANAGEMENT DISTRICT; PROVIDING FOR AN EXTENSION OF THE CONTRACT'S DEADLINE FOR DELIVERABLES TO AUGUST 15, 2022; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 5, 2020, the City of Lake City, Florida (hereinafter the "City") and the Suwannee River Water Management District (hereinafter "SRWMD"), entered into a *Memorandum of Agreement for Cost-Share Planning Assistance* (hereinafter the "Agreement") pursuant to City Council Resolution No. 2020-114; and

WHEREAS, the City and SRWMD previously agreed to an extension of the Agreement's completion date to February 4, 2022; and

WHEREAS, the City and SRWMD have determined that a second amendment to the Agreement that affords an extension of the completion date to August 15, 2022, is necessary; and

WHEREAS, the City Council finds it to be in the best interests of the City to amend the Agreement by executing the *Second Amendment to Memorandum of Agreement Between Suwannee River Water Management District and City of Lake City* (hereinafter the "Second Amendment"), a copy of which is attached hereto.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are adopted and hereby incorporated by reference.

Section 2. The City is hereby authorized to execute the Second Amendment to the Agreement.

Section 3. The City Manager and City Attorney are authorized to make such reasonable changes and modifications to the Second Amendment as may be deemed necessary to be in the best interest of the City and its citizens. The Mayor is authorized and directed to execute and deliver the Amendment in the name and on behalf of the City, with such changes, amendments, modifications, omissions, and additions made by the City Manager and City Attorney. Execution by the Mayor and SRWMD shall be deemed to be conclusive evidence of approval of such changes, amendments, modifications, omissions, and additions.

Section 4. This resolution shall take effect immediately.

PASSED AND ADOPTED by the City Council on this _____ day of July 2022.

CITY OF LAKE CITY, FLORIDA

By: _____
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

By: _____
Audrey E. Sikes, City Clerk

By: _____
Frederick L. Koberlein, Jr.,
City Attorney

**SECOND AMENDMENT
TO
MEMORANDUM OF AGREEMENT #20/21-044
BETWEEN
SUWANNEE RIVER WATER MANAGEMENT DISTRICT
AND
CITY OF LAKE CITY**

THIS AMENDMENT is entered into upon final execution by and between the Suwannee River Water Management District, a special taxing district organized under Chapter 373, Florida Statutes, whose address is 9225 CR 49, Live Oak, Florida 32060, (hereinafter the "DISTRICT"), and the **City of Lake City**, a political subdivision of the State of Florida, whose address is **205 N. Marion Street, Lake City**, Florida, 32055 (hereinafter the "COOPERATOR"), is entered into and effective upon final execution.

WITNESSETH:

WHEREAS, on November 5, 2020, DISTRICT and COOPERATOR entered into Memorandum of Agreement SRWMD Contract #20/21-044 for the City of Lake City Conservation and Alternative Water Supply 20-Year Plan, (hereinafter the "MOA"); and

WHEREAS on November 4, 2021, the COOPERATOR has indicated that the engineering consultant requires an additional 90 calendar days to complete the assigned tasks and has requested to extend the end date, and

WHEREAS on December 16, 2021, Amendment 1 extended the completion date to February 4, 2022 and

WHEREAS DISTRICT and COOPERATOR now desire to extend the contract end date to no later than August 15, 2022.

NOW THEREFORE in consideration of the terms and conditions set forth herein DISTRICT and COOPERATOR do covenant and hereby agree as follows:

The AGREEMENT is hereby amended, altered, and changed as follows:

1. EXHIBIT C paragraph 3. Shall be replaced by:

3. All deliverables must be completed by August 15, 2022.

Except as expressly set out herein, all other terms and conditions of the MOA shall remain unchanged and is hereby ratified by the parties.

(The remainder of this page was intentionally left blank.)

IN WITNESS WHEREOF, the parties hereto have executed this Amendment, as of the day and year first specified above.

EXECUTED by the COOPERATOR on _____, 2022.

CITY OF LAKE CITY

Approved as to Form and Legality

By: _____

By: _____

Printed Name Stephen M. Witt

FREDERICK L. KOBERLEIN, JR.
City Attorney

As its Mayor

EXECUTED by the DISTRICT on _____, 2022.

**SUWANNEE RIVER WATER
MANAGEMENT DISTRICT**

By: _____

Hugh Thomas

As its Executive Director