

RESOLUTION NO 2025 - 056

CITY OF LAKE CITY, FLORIDA

A RESOLUTION OF THE CITY OF LAKE CITY, FLORIDA AMENDING THAT CERTAIN AGREEMENT RELATING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT BETWEEN THE CITY AND FLORIDA DEPARTMENT OF COMMERCE; MAKING CERTAIN FINDINGS OF FACT IN SUPPORT OF THE CITY AMENDING SAID AGREEMENT; RECOGNIZING THE AUTHORITY OF THE MAYOR TO EXECUTE AND BIND THE CITY TO SAID AGREEMENT; DIRECTING THE MAYOR TO EXECUTE AND BIND THE CITY TO SAID AGREEMENT; REPEALING ALL PRIOR RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lake City ("City") was awarded by the Florida Department of Commerce ("Agency") a Community Development Block Grant ("CDBG") on November 11, 2021 in the amount of \$750,000.00 ("Grant Funds"); and

WHEREAS, the City was granted an extension of the CDBG by the Agency until January 31, 2025 due to the incomplete environmental review process ("First Amendment"); and

WHEREAS, the City desires to extend the grant until January 31, 2026 to allow for the bidding and construction of the project ("Second Amendment"); and

WHEREAS, the Agency and the City desire to extend the contract between the Agency and the City by adopting the terms of the Agreement in the form of the Exhibit attached hereto (the "Agreement"); and

WHEREAS, adopting the terms of the Agreement in the form of the Exhibit attached hereto is in the public interest and in the interests of the City; now therefore

BE IT RESOLVED by the City Council of the City of Lake City, Florida:

1. Adopting the terms of the Agreement is in the public or community interest and for public welfare; and
2. In furtherance thereof, the Agreement in the form of the Exhibit attached hereto should be and is approved by the City Council of the City of Lake City; and
3. The Mayor of the City of Lake City is the officer of the City duly designated by the City's Code of Ordinances to enforce such rules and regulations as are adopted by the City Council of the City of Lake City; and
4. The Mayor of the City of Lake City is authorized to execute on behalf of and bind the City to the terms of the Agreement; and

5. The Mayor of the City of Lake City is directed to execute on behalf of and bind the City to the terms of the Agreement; and
6. All prior resolutions of the City Council of the City of Lake City in conflict with this resolution are hereby repealed to the extent of such conflict; and
7. This resolution shall become effective and enforceable upon final passage by the City Council of the City of Lake City.

APPROVED AND ADOPTED, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lake City, Florida, at a regular meeting, this ____ day of April, 2025

BY THE MAYOR OF THE CITY OF LAKE CITY,
FLORIDA

Noah E. Walker, Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL
OF THE CITY OF LAKE CITY, FLORIDA:

Audrey E. Sikes, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Clay Martin, City Attorney



December 11, 2024

Ms. Arnezia Howard, Gov't Operations Consultant III
Florida Commerce
107 East Madison St., MSC 400
Tallahassee, Florida 32399-6408

Re: City of Lake City CDBG HR Grant #22DB-OP-03-22-02-C04
Amendment Number Two (#2)

Dear Ms. Howard:

Please consider this a request for Amendment number two (#2) for the above referenced project. With this amendment, the City is requesting a twelve (12) month time extension to allow for the bidding and construction of the project.

To obtain the Suwannee River Water Management District permit to construct the project, the project engineer had to add additional stormwater drainage and paving improvements within Wilson Park, adjacent to the site of the proposed amphitheater. These additional improvements were not included in the initial scope of work for the project and thus were not included in the HUD Environmental Review.

When Florida Commerce Environmental Review Team reviewed the final plans and specifications for the project, they required the initial Environmental Review for the project be updated to include the new improvements required by the Suwannee River Water Management District. These revisions to the Environmental Review expanded the footprint of the project within the floodplain. Based upon this expansion, additional initial notices had to be resent and additional floodplain notices had to be developed and published. These additional notifications significantly extended the time to be able to bid and award construction of the project. Additionally, the scope of the project did not meet the threshold requirement of the US Fish and Wildlife Service's standard clearance letter due to the project being new construction. US Fish and Wildlife requested additional information be developed and submitted to them for review prior to issuing a clearance letter for the proposed project.

The City completed the additional environmental review elements and submitted them to the Florida Commerce Environmental Review Team for review and approval. The City has received the Request for Additional Information (RAI) from the Florida Commerce Environmental Review Team and has resolved all but one of the issues in the RAI. The City anticipates resolving the final issue in the RAI in the next few days. Upon resolution of the remaining item in the RAI, the City anticipates receiving the release of funds from Florida Commerce in January 2025. The City anticipates advertising for construction bids in late January/early February 2025.

MAYOR - COUNCIL MEMBER
NOAH WALKER

COUNCIL MEMBERS
JAMES CARTER
TAMMY HARRIS
RICKY JERNIGAN
CHEVELLA YOUNG

CITY
DON ROSE

AUDRE

CITY
CLAY A

**EXHIBIT TO
RESOLUTION**

**NOT FOR
EXECUTION**

Ms. Arnezia Howard
December 11, 2024
Page 2

With this request, the City feels confident the project can be completed by the new grant ending deadline. The City appreciates the Department's consideration of this amendment. If you have any questions regarding this Amendment, please contact Mr. Fred Fox, our Grants Administrator, at (904) 810-5183.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Rosenthal", written over the printed name.

Don Rosenthal
City Manager

**EXHIBIT TO
RESOLUTION**

**NOT FOR
EXECUTION**



Modification to Subgrant Agreement

July 6, 2023

Modification Number 2 to Subgrant Agreement Between

the Department of Commerce and

City of Lake City, Florida

This Modification Number 2 is entered into by and between the State of Florida, Department of Commerce, ("Commerce"), and the City of Lake City, ("the Subrecipient"), (each individually a "Party" and collectively the "Parties").

WHEREAS, Commerce and the Subrecipient entered into **Contract Number** 22DB-OP-03-22-02-C04, **FLAIR Contract Number** H2456, on November 15, 2021 ("the Subrecipient"), pursuant to which Commerce provided a subgrant in the amount of \$750,000.00 to the Subrecipient under the Small Cities Community Development Block Grant ("CDBG") Program as set forth in the Agreement;

WHEREAS, Paragraph (4) of the Agreement provides that modifications to the Agreement shall be valid when executed in writing by both Parties;

WHEREAS, Commerce and the Subrecipient desire to modify the Agreement;

NOW, THEREFORE, in consideration of the mutual promises of the Parties contained herein, the Parties agree as follows:

☐ **Revise the Activity Work Plan**

1. Attachment __, Activity Work Plan, of the Subgrant Agreement is hereby deleted and is replaced by the revised Attachment __, which is attached hereto and incorporated herein by reference.

☐ **Revise the Project Narrative**

2. Attachment __, ____, of the Subgrant Agreement is hereby deleted and is replaced by the revised Attachment __, which is attached hereto and incorporated herein by reference.

☐ **Revise the Project Budget**

3. Attachment __, ____, of the Subgrant Agreement is hereby deleted and is replaced by the revised Attachment __, which is attached hereto and incorporated herein by reference.

☐ **Change the Number of Accomplishments and/or Beneficiaries**

4. Attachments ____ of the Subgrant Agreement are hereby deleted and are replaced by the revised Attachments ____, which are attached hereto and incorporated herein by reference.

**EXHIBIT TO
RESOLUTION**

**NOT FOR
EXECUTION**



Modification to Subgrant Agreement

July 6, 2023

Subrecipient: City of Lake City, Florida.

Modification Number: 2

Contract Number: 22DB-OP-03-22-02-C04

FLAIR Contract Number: H2456

☐ **Include an Unaddressed Need from the Application for Funding as Addressed Need**

5. Attachments _____ of the Subgrant Agreement are hereby deleted and are replaced by the revised Attachments _____, which are attached hereto and incorporated herein by reference.

☐ **Change the Participating Parties**

6. (Type in the name of firm), is removed as a Participating Party to the Subgrant Agreement.
7. (Type in the name of new firm) is added as a Participating Party to the Subgrant Agreement. A copy of the new Participating Party Agreement, containing provisions and caveats that meet or exceed the conditions agreed to in the original Participating Party Agreement, is attached.

☒ **Extend the Agreement**

8. Paragraph (3) titled Period of Agreement on page 1 of the Subgrant Agreement is hereby deleted and replaced by the following Paragraph (3):

(3) Period of Agreement

This Agreement begins on August 1, 2021, (the “Effective Date”) and ends on January 31, 2026, unless otherwise terminated as provided in this Agreement. Commerce shall not grant any extension of this Agreement unless the Recipient provides justification satisfactory to Commerce in its sole discretion, and Commerce’s Director of the Division of Community Development approves such extension. The justification must document that project delays are due to events beyond the Recipient’s control and include a performance plan that demonstrates the Recipient’s capacity to perform and complete the remaining project tasks within the extension period. Commerce will also take into consideration the Recipient’s progress and verifiable achievements at Commerce’s sole and absolute discretion. Upon expiration or termination of this Agreement, the Recipient shall follow the agreement closeout procedures set forth in Attachment H.

☒ **Other:**

9. This Agreement is hereby reinstated as though it had not expired if not approved by the expiration date.

**EXHIBIT TO
RESOLUTION**

**NOT FOR
EXECUTION**



Modification to Subgrant Agreement

July 6, 2023

Subrecipient: City of Lake City, Florida.

Modification Number: 2

Contract Number: 22DB-OP-03-22-02-C04

FLAIR Contract Number: H2456

All provisions of the Subgrant Agreement and any attachments thereto in conflict with this Modification shall be and are hereby changed to conform to this Modification, effective as of the date of the execution of this Modification by both parties.

All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this document as of the dates set herein.

State of Florida
Department of Commerce

Subrecipient: City of Lake City, Florida.

By: EXHIBIT-NOT FOR EXECUTION _____

By: EXHIBIT-NOT FOR EXECUTION _____

Name: J. Alex Kelly

Name: Noah Walker

Title: Secretary
Department of Commerce

Title: Mayor

Date: _____

Date: _____

Approved as to form and legal sufficiency,
subject only to the full and proper execution
by the Parties
Office of the General Counsel
Florida Department of Commerce

By: EXHIBIT-NOT FOR EXECUTION _____

Approved Date: _____

**EXHIBIT TO
RESOLUTION**

**NOT FOR
EXECUTION**