

**RESOLUTION 2023 - 45**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, APPROVING TOM KRIPS CONSTRUCTION, INC. FOR EMERGENCY REPAIR SERVICES PERTAINING TO MARINA DOCKS D, E AND F PURSUANT TO A CERTAIN CONSENT ORDER AND TEMPORARY USE AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA AND THE CITY OF PAHOKEE, FLORIDA; ACCEPTING THE REPAIR QUOTE ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY ACTION TO ENTER INTO AN AGREEMENT IN A CONTRACT FORM ACCEPTABLE TO THE CITY ATTORNEY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Pahokee ("City") is the owner of a docketing facility located on sovereign submerged lands within the landward extent of Lake Okeechobee, adjacent to City's riparian upland real property; and

**WHEREAS**, the City has entered into a sovereign submerged lands lease with the Board of Trustees of the Internal Improvements Trust Fund of the State of Florida; and

**WHEREAS**, certain inspections performed by the State of Florida Department of Environmental Protection (Department) have revealed that the subject leased premises have not been properly maintained in good condition, specifically docks D, E and F; and

**WHEREAS**, the City has entered into a Consent Order and Temporary Use Agreement to resolve the violations and continue to use the sovereign lands and water column adjacent to the City's riparian upland real property beyond the current lease which expired on May 13, 2023; and

**WHEREAS**, the City is in need of a contractor to perform emergency repair work associated with the marina docks D, E, and F and has solicited quotes for dock work to be performed without delay in order for the City to meet deadlines that could be consequential to the continued use of the leased marina and to the health and safety standards; and

**WHEREAS**, pursuant to Section 2-272(6)(b) of the City of Pahokee's Code of Ordinances, the City may make emergency purchases "to meet a pressing need for the protection of the public health, safety, or welfare, other than for regular or recurring requirements upon signature of the city clerk, and approval of a

majority of the city commission in session”; and

**WHEREAS**, the city will be using the funds that have been set aside from American Rescue Plan Act of 2021 (ARPA) funding. Upon recommendation of the City Manager and due diligence measures taken, the City Commission desires to select the quote from Tom Krips Construction Inc., which has been found to be the most responsive and responsible quote and company for completion of the needed emergency services; and

**WHEREAS**, the City Commission finds that authorizing the City Manager to take necessary action to enter into a contract for repair of marina docks D, E, and F in a contract form acceptable to the City Attorney is in the best interests of the City of Pahokee; and

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA AS FOLLOWS:**

**Section 1.** Adoption of Representations. The foregoing “Whereas” clauses are hereby approved and confirmed as being true and the same are hereby made a specific part of this Resolution.

**Section 2.** Authorization of City Manager. The City Commission of the City of Pahokee hereby authorizes and approves Tom Krips Construction, Inc. for emergency repair services pertaining to marina docks D, E, and F pursuant to a certain Consent Order and Temporary Use Agreement between the State of Florida Department of Environmental Protection, the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and the City of Pahokee, Florida. The City Manager is further authorized to take the necessary action to enter into a contract with Tom Krips Construction, Inc. in a contract form acceptable to the City Attorney.

**Section 3.** Accepting the Repair Quote  
The City Commission hereby accepts the repair quote attached hereto as Exhibit “A” from Tom Krips Construction Inc. for the emergency services to be performed.

**Section 4.** Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

**PASSED and ADOPTED this 25 day of July, 2023.**

\_\_\_\_\_  
Keith W. Babb, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
Tijauna Warner, CMC, City Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

\_\_\_\_\_  
Burnadette Norris-Weeks, P.A.  
City Attorney

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**VOTE:**

Commissioner Boldin	_____ (Yes)	_____ (No)
Commissioner Gonzalez	_____ (Yes)	_____ (No)
Commissioner Perez	_____ (Yes)	_____ (No)
Vice-Mayor Murvin	_____ (Yes)	_____ (No)
Mayor Babb	_____ (Yes)	_____ (No)

**EXHIBIT "A"**

**Vendor Quote for Repair**

**(attached)**