

CITY OF PAHOKEE



AGENDA

City Commission Special Meeting

Wednesday, December 27, 2023, at 3:00PM

Pahokee Commission Chambers
360 East Main Street
Pahokee, Florida 33476

CITY COMMISSION:

Keith W. Babb, Jr., Mayor
Clara Murvin, Vice Mayor
Derrick Boldin, Commissioner
Juan Gonzalez, Commissioner
Sara Perez, Commissioner

CITY STAFF:

Rodney D. Lucas, City Manager
Tijauna Warner, City Clerk
Burnadette Norris-Weeks, Esq., City Attorney
Joseph R. Martin, Interim Director of Finance

[TENTATIVE: SUBJECT TO REVISION]

AGENDA

A. INVOCATION AND PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. TOPIC

1. RESOLUTION 2023 - 76 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AMENDING THE STATE-FUNDED GRANT AGREEMENT BETWEEN THE CITY OF PAHOKEE, FLORIDA AND THE FLORIDA DEPARTMENT OF TRANSPORTATION EXECUTED ON FEBRUARY 21, 2019, ATTACHED HERETO AS EXHIBIT “A”; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

D. DISCUSSION, COMMENTS, CONCERNS

E. ADJOURN

Any citizen of the audience wishing to appear before the City Commission to speak with reference to any agenda or non-agenda item must complete the “Request for Appearance and Comment” form and present completed form to the City Clerk prior to commencement of the meeting.

Should any person seek to appeal any decision made by the City Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Reference: Florida Statutes 286.0105)

In accordance with the provisions of the Americans with Disabilities Act (ADA), this document can be made available in an alternate format upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting City Clerk Tijauna Warner at Pahokee City Hall, 207 Begonia Dr. Pahokee, FL 33476 Phone: (561) 924-5534. If hearing impaired, telephone the Florida Relay Service Number, 800-955-8771 (TDD) or 800-955-8770 (Voice), for assistance. (Reference: Florida Statutes 286.26).



AGENDA

MEMORANDUM

TO: HONORABLE MAYOR & CITY COMMISSIONERS

VIA: RODNEY LUCAS, CITY MANAGER

FROM: Jongelene Adams

SUBJECT: Community & Economic Development Department

DATE: 26 December 2023

GENERAL SUMMARY/BACKGROUND:

The City of Pahokee is the receipt of the Florida Department of Transportation (FDOT) Economic Development Transportation Fund (EDTF) for PHASE IV- Resurfacing of the City of Pahokee Streets – Contract G1605 – FM #443363-2-54-0 Supplemental Agreement No. 8.

This supplemental agreement allows the City of Pahokee time to complete the Resurfacing of PHASE IV Streets. Supplemental Agreement No. 8 is a legislative allocation of \$210,000. The terms of this agreement are from December 30, 2023 to December 31, 2024.

This agreement allows the City an extension of time to complete the resurfacing of the Streets:

- West 3rd Street from Carissa Drive to South Lake Avenue
- West 2nd Street
- West 5th Terrace
- Dr. Martin Luther King Jr. Blvd.

BUDGET IMPACT: \$210,000.00 is reimbursable by FDOT

LEGAL NOTE: N/A

STAFF RECOMMENDATION:

The Department of Community & Economic Development recommends approval of this FDOT PHASE IV – Supplemental Agreement No. 8

ATTACHMENTS:

Resolution 2023 - 76

Exhibit “A” Supplemental Agreement #8

RESOLUTON 2023 – 76

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AMENDING THE STATE-FUNDED GRANT AGREEMENT BETWEEN THE CITY OF PAHOKEE, FLORIDA AND THE FLORIDA DEPARTMENT OF TRANSPORTATION EXECUTED ON FEBRUARY 21, 2019, ATTACHED HERETO AS EXHIBIT “A”; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Pahokee, Florida (the “City”) and the Florida Department of Transportation (“FDOT”) entered into a State-Funded Grant Agreement dated February 21, 2019 (the “Agreement”) to provide certain improvements for Glades Area Street Resurfacing and Reconstruction (the “Project”); and

WHEREAS, the City and FDOT desire to supplement Agreement No 8 to extend the term of the Agreement from December 31, 2023 to December 31, 2024; and

WHEREAS, Paragraph 3 of the Agreement is amended as follows: *This SA shall commence upon full execution by the parties and the Recipient shall complete the Project on or before December 31, 2024. If the Recipient does not complete the Project within this period, the Agreement will expire on December 31, 2023, unless a time extension is requested by the Recipient and granted by the Department prior to the expiration of the Agreement. Expiration of the Agreement will be considered termination of the Project. The Recipient acknowledges that no funding for the Project will be provided by the State under the Agreement for Project work that is not timely completed and invoiced in accordance with the terms of the Agreement; or for Project work performed prior to full execution of the Agreement; and*

WHEREAS, all other provisions of the Agreement and other supplements, if any, shall remain in effect except as expressly modified; and

WHEREAS, the City Commission of the City of Pahokee, Florida finds that entering into the State-Funded Grant Supplemental Agreement Number 8 between the City and FDOT, attached hereto as Exhibit “A”, is in the best interests of the City and its residents.

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 ratified and confirmed as being true and the same are hereby made a specific part of this Resolution.

Section 2. Approval of Agreement. The State-Funded Grant Supplemental Agreement Number 8, attached as Exhibit “A”, hereto is hereby approved.

Section 3. Authorization of Mayor. The City Commission of the City of Pahokee, Florida. hereby authorizes the Mayor to execute the State-Funded Grant Supplemental Agreement Number 8 between the City and the FDOT attached hereto as Exhibit “A”.

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

PASSED and **ADOPTED** this 27th day of December 2023.

Keith W. Babb, Jr., Mayor

ATTEST:

By: _____
Tijauna Warner, CMC, City Clerk

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

Burnadette Norris-Week, 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"

State-Funded Grant Supplemental Agreement Number 8

**STATE-FUNDED GRANT
SUPPLEMENTAL AGREEMENT**

SUPPLEMENTAL NO.

8

CONTRACT NO.

G-1605

FPN

443363-2-54-01Recipient: CITY OF PAHOKEE

This Supplemental Agreement ("Supplemental"), dated _____ arises from the desire to supplement the State-Funded Grant Agreement ("Agreement") entered into and executed on February 21, 2019 as identified above. All provisions in the Agreement and supplements, if any, remain in effect except as expressly modified by this Supplemental.

The parties agree that the Agreement is to be amended and supplemented as follows:

This Supplemental Agreement ("SA") extends the term of the Agreement from December 31, 2023 to December 31, 2024.

Paragraph 3 of the Agreement is amended as follows:

This SA shall commence upon full execution by the parties and the Recipient shall complete the Project on or before December 31, 2024. If the Recipient does not complete the Project within this period, the Agreement will expire on December 31, 2023, unless a time extension is requested by the Recipient and granted by the Department prior to the expiration of the Agreement. Expiration of the Agreement will be considered termination of the Project. The Recipient acknowledges that no funding for the Project will be provided by the State under the Agreement for Project work that is not timely completed and invoiced in accordance with the terms of the Agreement; or for Project work performed prior to full execution of the Agreement.

Notwithstanding the expiration of the Project completion date, and as a result the potential unavailability of any unexpended State funding, the Recipient shall remain obligated to complete all aspects of the Project identified in Exhibit "A" in accordance with the remaining terms of the Agreement, unless the parties agree otherwise in writing.

Reason for this Supplemental and supporting engineering and/or cost analysis:

This SA extends the term of the executed Stated Funded Grant Agreement (SFGA) to align with the anticipated construction schedule and avoid the expiration of the Agreement prior to Project completion. The City of Pahokee has experienced many challenges over the past two (2) years, which has impacted their ability to perform the Project work and availability of resources. In addition to the above financial challenges, and three solititations, the City has not received interest from any contractors for the Project referenced above. The City is currently strategizing ways to move the project forward.

**STATE-FUNDED GRANT
SUPPLEMENTAL AMENDMENT**

PROGR

Section C, Item 1.

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IN WITNESS WHEREOF, the Parties have executed this Amendment on the date(s) below.

FDOT
State of Florida, Department of Transportation

City of Pahokee

By:_____

By:_____

Print Name: JOHN P. KRANE, P.E.

Print Name:_____

Title: Director of Transportation Development

Title:_____

Date:_____

Date:_____

Legal Review:

As approved by the Board on:

See attached Encumbrance Form for date of
funding approval by Comptroller

Attest: _____

Legal Review:

City Attorney