

**FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT
REGARDING
OPERATION OF THE BARGE LOADING FACILITY ON
ANNA MARIA ISLAND IN THE CITY OF BRADENTON
BEACH ON LONGBOAT PASS**

**BY AND BETWEEN
MANATEE COUNTY, FLORIDA AND
CITY OF BRADENTON BEACH, FLORIDA**

This First Amendment to the Interlocal Agreement, hereinafter referred to as “First Amendment”, by and between the City of Bradenton Beach, a municipal corporation created and existing under the laws of the State of Florida “City”, and Manatee County, a political subdivision of the State of Florida, hereinafter referred to as “County.”

WHEREAS, Section 163.01, Florida Statutes, the “Florida Interlocal Cooperation Act” permits the City and the County to enter into this First Amendment to the Interlocal Agreement in order to exercise the powers, privileges, and authority which they share in common and which each might exercise separately, in order to make the most efficient use of their powers; and

WHEREAS, on May 21, 2019, the Board of County Commissioners executed an Interlocal Agreement (“Interlocal Agreement”) with the City to allow the City to stage construction materials and equipment for the pier renovation project at the Barge Loading Facility in Bradenton Beach, as identified in Exhibit A of the Interlocal Agreement; and

WHEREAS, the City is now requesting an extension of the initial term due to a channel dredging project and has requested an expansion of the use of the Barge Loading Facility beyond what the Interlocal Agreement provided for; and

WHEREAS, Section VI of the Interlocal Agreement provides that amendments shall be made by written document, properly authorized and executed by the parties; and

WHEREAS, the County and City now wish to enter into this First Amendment to the Interlocal Agreement; and

WHEREAS, it is in the best interest of County to enter this First Amendment with City to extend the initial term of the Interlocal Agreement and expand the use of the Barge Loading Facility as identified herein.

NOW, THEREFORE, in consideration of the mutual covenants, provisions, terms, promises, and conditions contained herein, the parties agree as follows:

A. Section II. of the Interlocal Agreement is hereby deleted and replaced in entirety with the following:

SECTION II. DURATION OF AGREEMENT

The initial term of this Interlocal Agreement shall be for the period of June 1, 2019 to January 1, 2025. This Interlocal Agreement may be renewed for an additional year by written agreement and execution of both parties no later than thirty (30) days prior to its expiration date.

B. Section III. of the Interlocal Agreement is hereby deleted and replaced in entirety with the following:

SECTION III. RIGHTS AND OBLIGATIONS OF THE CITY

The City shall be permitted use of the Barge Loading Facility for: construction and environmental mitigation activities associated with the dredging of a channel (commonly described as the Bradenton Beach Access Channel); construction and environmental activities associated with the Bradenton Beach Living Shoreline Project; and construction and environmental activities associated with the Bradenton Beach City Historic Pier, Floating Dock, Finger Docks and Dinghy Dock Project during the duration of this Interlocal Agreement. The City shall be permitted to use the Barge Loading Facility for the duration of construction, not exceeding the duration of this Interlocal Agreement. The City shall require that its contractor: a) observe hours of operation limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday, except for those days designated as national holidays; b) procure and maintain an insurance policy addendum naming "Manatee County, a political subdivision of the State of Florida" as additional insured for liability up to two (2) million dollars; c) does not moor vessels or barges utilized in construction activities during non-operating hours; d) observe the hours of operation during active loading or unloading by captain or crew; and e) does not moor to the Barge Loading Facility more than one barge and one support vessel at any given time during hours of operation.

C. All other terms and conditions set forth in the Interlocal Agreement which were not herein amended shall remain in full force and effect.

WHEREFORE, the County and the City have made and executed this First Amendment to the Interlocal Agreement with an Effective Date of _____, 2020.

**MANATEE COUNTY, a political
subdivision of the State of Florida**


By: Its Board of County Commissioners

By: _____
Chairperson


ATTEST: ANGELINA COLONNESO,
CLERK OF CIRCUIT COURT AND COMPTROLLER

By: _____
Deputy Clerk

**CITY OF BRADENTON BEACH,
FLORIDA, a municipal corporation of
the State of Florida**

By:  _____
Mayor

ATTEST: City Clerk

By:  _____
Clerk