

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2018-58**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA APPROVING TOURIST DEVELOPMENT COUNCIL INTER-LOCAL GRANT AGREEMENT NO. 2021 1st AMENDMENT (AMPHITHEATRE IMPROVEMENTS PROJECT), AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT, AND PROVIDING FOR CONFLICTS; SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Marathon and the Monroe County Board of Commissioners, on behalf of the Tourist Development Council, entered into an agreement for a project known as the Amphitheatre Improvements Project; and

**WHEREAS**, the City requested a time extension on the project deadline date due to delays relating to Hurricane Irma; and

**WHEREAS**, District III of the Monroe County Tourist Development Council approved the request for the time extension to December 31, 2018;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:**

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** The City Council hereby approves the 1<sup>st</sup> Amendment to TDC Agreement #2021 for the Amphitheatre Improvements Project and authorizes the City Manager to execute the agreement, and provides for conflicts; severability, and an effective date.

**Section 3.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 12TH DAY OF JUNE, 2018.**

**THE CITY OF MARATHON, FLORIDA**



**Michelle Coldiron, Mayor**

AYES: Bartus, Cook, Senmartin, Zieg, Coldiron  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ATTEST:**



Diane Clavier  
City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**



David Migut, City Attorney

**AMENDMENT (1st AMENDMENT) TO AGREEMENT**

**THIS AMENDMENT** to Agreement dated this 18<sup>th</sup> day of July 2018, is entered into by and between the Board of County Commissioners for Monroe County, on behalf of the Tourist Development Council, and **The City of Marathon** a Government agency organized and operating under the laws of the state of Florida (Grantee).

**WHEREAS**, there was an Agreement entered into on January 17, 2017 between the parties, awarding \$15,000 to Grantee for the **Amphitheatre Improvements Project ("Agreement")**; and

**WHEREAS**, it has become necessary to revise the termination date of the Agreement to December 31, 2018 due to delays relating to hurricane Irma, and

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein the parties agree to the amend Agreement as follows:

1. Paragraph 1 of the agreement shall be revised to read as follows: This Agreement is for the period of **December 13, 2017 to December 31, 2018**. This Agreement shall remain in effect for the stated period unless one party gives to the other written notification of termination pursuant to and in compliance with paragraphs 7, 12 or 13 of the original Agreement dated January 17, 2017.

2. Any references to termination date and submission of invoices shall be revised to read December 31, 2018.

3. The remaining provisions of the agreement dated January 17, 2017 shall remain in full force and effect.

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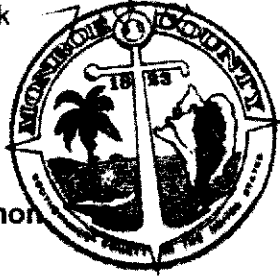
IN WITNESS WHEREOF, the parties have set their hands and seal on the day and year first above written.

(SEAL)  
Attest: Kevin Madok, Clerk

Board of County Commissioners  
of Monroe County

Sally M. Adams  
Deputy Clerk

[Signature]  
Mayor/Chairman



The City of Marathon

Attest:

By Diane Clauer  
City Clerk

By Michelle Coldiron  
Mayor

Diane Clauer  
Print Name

Michelle Coldiron  
Print Name

Date: 6-21-18

Date: 6-21-18

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM  
[Signature]  
CHRISTINE LIMBERT-BARROWS  
ASSISTANT COUNTY ATTORNEY  
DATE: 7/11/18

CLK. CIR. CL.  
MONROE COUNTY, FLA

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FILED FOR RECORD