

Sponsored by: Lindsey

**CITY OF MARATHON, FLORIDA
RESOLUTION 2018-59**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA APPROVING TOURIST DEVELOPMENT COUNCIL INTER-LOCAL GRANT AGREEMENT NO. 1867 1st AMENDMENT (SOMBRERO BEACH FACILITIES UPGRADE 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 Sombrero Beach Facilities Upgrade 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 1st Amendment to TDC Agreement #1867 for the Sombrero Beach Facilities Upgrade Project and authorizes the City Manager to execute the amendment, 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 18th 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 March 15, 2017 between the parties, awarding \$40,000 to Grantee for the **Sombrero Beach Facilities Upgrade 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 **March 15, 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 March 15, 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 March 15, 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 Abrams

Deputy Clerk 7.18.18

[Signature]

Mayor/Chairman



CLERK OF COURT
MONROE COUNTY, FLA

2018 JUL 23 PM 2:12

FILED FOR RECORD

The City of Marathon

Attest:

By: Diane Clavier
City Clerk

Diane Clavier
Print Name

Date: 6-21-18

By: Michelle Coldiron
Mayor

Michelle Coldiron
Print Name

Date: 6-21-18

MONROE COUNTY ATTORNEY

APPROVED AS TO FORM:

Christine Limbert-Barrows

CHRISTINE LIMBERT-BARROWS
ASSISTANT COUNTY ATTORNEY

DATE: 7/11/18

Amendment #1

City of Marathon - Sombrero Beach Facilities Upgrade Project

ID# 1867