

RESOLUTION NO. 17-053

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED SECOND AMENDMENT TO AGREEMENT ID #1212 (THE INTERLOCAL GRANT AWARD AGREEMENT WITH THE MONROE COUNTY TOURIST DEVELOPMENT COUNCIL (TDC) FOR THE TRUMAN WATERFRONT PARK AMPHITHEATER AND PUBLIC PARKING PROJECT) TO EXTEND THE TERMINATION DATE TO MARCH 31, 2018; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution No. 16-121, the City of Key West approved Agreement ID #1212, including Amendment 1 which extended the termination date to September 30, 2017; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached Second Amendment to Agreement ID #1212, to extend the termination date to March 31, 2018, is hereby approved.

Section 2: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held
this 7th day of February, 2017.

Authenticated by the Presiding Officer and Clerk of the
Commission on 8th day of February, 2017.

Filed with the Clerk on February 8, 2017.

Mayor Craig Cates	<u>Yes</u>
Vice Mayor Clayton Lopez	<u>Yes</u>
Commissioner Sam Kaufman	<u>Yes</u>
Commissioner Richard Payne	<u>Yes</u>
Commissioner Margaret Romero	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>



CRAIG CATES, MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK



STATE OF FLORIDA
COUNTY OF MONROE
CITY OF KEY WEST

This copy is a true copy of the
original on file in this office.
Witness my hand and official seal
this 17th day of February, 2017

J.C. Deputy City Clerk

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By Jessan P. Harrison

AMENDMENT (2nd AMENDMENT) TO AGREEMENT

THIS AMENDMENT to agreement dated the 18th day of April 2017, 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 Key West** a Government agency organized and operating under the laws of the state of Florida (Grantee).

WHEREAS, there was an agreement entered into on October 16, 2013 between the parties, awarding \$2,000,000 to Grantee for the **Truman Waterfront Park Amphitheater and Public Parking Project**; and

WHEREAS, there was an amendment to agreement on May 18, 2016 to extend the termination date of the agreement to September 30, 2017 to allow completion of the project due to unforeseen delays, and

WHEREAS, it has become necessary to revise the termination date of the agreement to March 31, 2018 to allow completion of the project, and

NOW, THEREFORE, in consideration of the mutual covenants contained herein the parties agree to the amended agreement as follows:

1. Paragraph 1 of the agreement shall be revised to read as follows: This agreement is for the period of **October 16, 2013 through to March 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 October 16, 2013.
2. Any references to termination date and submission of invoices shall be revised to read **March 31, 2018**.
3. The remaining provisions of the agreement dated October 16, 2013 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

Kevin Madok, Clerk

Board of County Commissioners
of Monroe County

James Sturrock
Deputy Clerk

George R. Neuse
Mayor/Chairman

The City of Key West

Attest:



Craig Cates
By _____
Mayor

Craig Cates
Print Name

Date: 2-7-2017

Craig Cates
Print Name

Date: 2-7-2017

FILED FOR RECORD
2017 APR 18 AM 10:47
CLK, CLK, CL
MONROE COUNTY, FLA

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:
Christine M. Limbert-Sarrows
CHRISTINE M. LIMBERT-SARROWS
ASSISTANT COUNTY ATTORNEY
Date 4/13/17