

FIRST AMENDMENT TO AGREEMENT

This First Amendment to the Agreement dated May 1, 2018, between the Martin County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (“County”), and the Treasure Coast Wildlife Hospital Inc., a Florida not for profit corporation (“Treasure Coast Wildlife Hospital”) (“Agreement”) is made this 16 day of June, 2020.

WITNESSETH

WHEREAS, pursuant to Section 125.0104, Fla. Stat., the County, by Chapter 71, Article 6, General Ordinances, Martin County Code, has established the Martin County Tourist Development Council (“TDC”); has levied and imposed tourist development tax; and has established a Tourist Development Plan for the use of the funds derived from the tax; and

WHEREAS, at the time of the Agreement, the County’s Tourist Development Plan set forth in Section 71.243, General Ordinances, Martin County Code, had a category for the use of a portion of the Tourist Development Tax “to provide for the acquisition, construction, extension, enlargement, remodeling, repair and/or improvement of a museum, exposition center, nature center, and other tourist related attractions.”

WHEREAS, the Martin County Board of County Commissioners approved the Tourism Capital Grant Program and allocated the Cultural Capital Category of tourism development tax dollars in May 2017; and

WHEREAS, under the Cultural Capital Category of the Tourism Capital Grant Program, the Treasure Coast Wildlife Hospital was awarded a capital improvement grant for \$241,624.20 for building a new Wildlife Center that will be a 5,000 square foot multipurpose building with additional improvements to the exterior area and surrounding landscape; and

WHEREAS, on May 1, 2018, the Treasure Coast Wildlife Center Hospital entered in the Agreement with the County for the capital improvement grant with a term for competition of 26 months; and

WHEREAS, due to unforeseen circumstances, the Treasure Coast Wildlife Hospital was unable to begin the construction of the multipurpose building and requested an extension of Term of the Agreement; and

WHEREAS, after a presentation from the Treasure Coast Wildlife Hospital at the February 5, 2020 TDC meeting, the TDC recommends extending the Agreement with the Treasure Coast Wildlife Hospital for an additional two years.

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

1. Paragraph 14, Term; Renewal is re-written to read as follows:
 14. **Term; Renewal.** Unless earlier terminated as provided herein, the term of this Agreement shall be until July 31, 2022 or until the Agreement maximum of \$241,624.20 is met, whichever occurs first.
2. All other provisions of the Agreement shall remain unchanged.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Agreement on the date indicated above.

ATTEST:

TREASURE COAST WILDLIFE HOSPITAL, INC.

By: _____
JAMES HAUGK
BOARD CHAIR

By: _____
SUSAN NASH
EXECUTIVE DIRECTOR

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

CAROLYN TIMMANN, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

HAROLD E. JENKINS II, CHAIRMAN

APPROVED AS TO FORM & LEGAL
SUFFICIENCY:

SARAH W. WOODS, COUNTY ATTORNEY