

April 29 2013

Mr. Keith L Williams, Public Works Director  
CITY OF SANIBEL  
800 Dunlop Road  
Sanibel, Florida 33957-4096

Dear Keith,

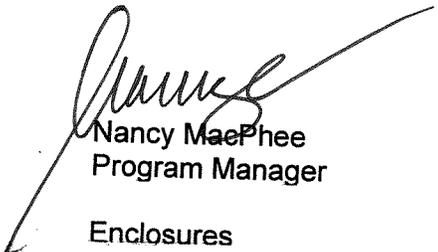
Enclosed please find the revised "First Amendment to Agreement for Tourist Development Tax Funding" document for the Lighthouse Restroom project as discussed.

<u>Project No.</u>	<u>Project Name</u>	<u>Amount</u>
401816	Lighthouse Beach Restroom Completion	\$602,807

Three (3) original agreements have been provided for execution by the City of Sanibel. Please return these along with the Beach Erosion Monitoring amended interlocal for approval by the Lee County Board of County Commissioners. A fully executed original agreement for each project will be returned for your files.

Should you have any questions, do not hesitate to contact this office.

Sincerely,



Nancy MacPhee  
Program Manager

Enclosures

cc: T. Pigott, Executive Director

**First Amendment to  
AGREEMENT FOR TOURIST DEVELOPMENT TAX FUNDING**

THIS AMENDMENT to the Tourist Development Tax Funding Agreement, dated November 30, 2010 is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2013 , by and between **LEE COUNTY**, a political subdivision and charter county of the State of Florida, hereinafter referred to as the "**COUNTY**" and the **CITY OF SANIBEL**, a municipality incorporated in the State of Florida, hereinafter referred to as "**RECIPIENT**", for additional funding provided by Lee County pursuant to its Tourist Development Plan.

**WITNESSETH:**

**WHEREAS**, the **COUNTY** and the **RECIPIENT** entered into an Agreement regarding their respective duties and responsibilities for the distribution and use of Tourist Development Tax; and

**WHEREAS**, the **COUNTY** and **RECIPIENT** acknowledge that the Tourist Development Tax may only be spent in accordance with the Tourist Development Plan adopted by Lee County; and

**WHEREAS**, it is in the public interest of both the **COUNTY** and **RECIPIENT** to amend the Agreement, dated November 30, 2010, to provide additional funding for this project; and

**WHEREAS**, the **COUNTY** has approved the **RECIPIENT'S** request for funding under its Tourist Development Tax Plan for implementation of the following project:

**NAME:        Lighthouse Beach Restroom Completion**

**NUMBER:    401816**

**NOW, THEREFORE, THE PARTIES HEREBY AGREE TO AMEND THE AGREEMENT AS FOLLOWS:**

1. The Recitals as set forth above are incorporated into the terms of this Agreement as if set out herein at length.
2. ITEM 1, of the Agreement is hereby amended as follows, with underlined language being the amendment to previously adopted text and deleted language being shown by struck-through type.

The **RECIPIENT** will perform the work as outlined in the project description and submit a detailed invoice to the **COUNTY**.

The **COUNTY** will then reimburse the **RECIPIENT** for an amount not to exceed ~~\$343,600.00~~ \$602,807 during the **COUNTY'S** fiscal year ~~2011~~2013.

3. This amendment transfers the remaining balance of \$74,320 from Contract #1644 of the original project agreement dated December, 2000 and terminates that agreement
4. All of the remaining terms in the Agreement, dated November 30, 2010 attached hereto, remain the same.

(Balance of page left intentionally blank)

**IN WITNESS WHEREOF**, the parties hereto have caused this agreement to be executed by the undersigned officials, as duly authorized on the date set forth above.

ATTEST:  
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS  
LEE COUNTY, FLORIDA

BY: \_\_\_\_\_  
DEPUTY CLERK

BY: \_\_\_\_\_  
CHAIRMAN

APPROVED AS TO FORM

BY: \_\_\_\_\_  
COUNTY ATTORNEY'S OFFICE

ATTEST:  
CITY CLERK

CITY OF SANIBEL, FLORIDA

BY: \_\_\_\_\_

BY: \_\_\_\_\_

APPROVED AS TO FORM

BY: *Kenneth B. Byrd*  
CITY ATTORNEY'S OFFICE