

**FIRST AMENDMENT TO CITY OF FORT LAUDERDALE
FY 2017- 2020 GRANT PARTICIPATION AGREEMENT**

This First Amendment ("First Amendment") to the CITY OF FORT LAUDERDALE FY 2017-2020 Grant Participation Agreement ("Agreement"), is made and entered into this ____ of _____ 20__ by and between:

The City of Fort Lauderdale, a Florida municipality existing under the laws of the State of Florida, whose address is 100 North Andrews Avenue, Fort Lauderdale, FL, 33301, ("City")

and

TMF Holdco, LLC, a Florida limited liability company, whose address is 9348 Civic Center Drive, Beverly Hills, California, 90210 ("Participant").

WHEREAS, the Participant has received funding for two out of three-year agreement; and

WHEREAS, the Participant is the coordinator and promoter of the Tortuga Music Festival ("Event") for the benefit of the community and both parties entered into the Agreement on March 28, 2018 to partially fund support services for the Event; and

WHEREAS, the Event was delayed due to the COVID-19 pandemic and Participant did not receive funding in year three; and

WHEREAS, the City and Participant wish to amend the Agreement by extending the expiration date of the Agreement to allow payment for the third year; and

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants, agreements, terms, and conditions contained herein, do agree to amend this Agreement as follow:

1. **Section II. TERM AND TIME OF PERFORMANCE** is deleted and replaced with the following:

The Participant shall expend the funds between the March 28, 2018 of this Agreement and September 30, 2022.

2. **Section IV. Payment** is deleted and replaced with the following:

It is expressly agreed and understood that the total amount to be paid by the

City under this Agreement as amended shall not exceed \$150,000.

3. Both parties ratify and confirm the terms of the Agreement. All other terms and provisions of the Agreement shall remain in full force and effect, except as specifically amended by this First Amendment.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the City and the Participant execute this First Amendment to the City of Fort Lauderdale FY 2017-2020 Grant Participation Agreement as of the dates set forth below.

CITY:

WITNESSES:

CITY OF FORT LAUDERDALE, a Florida
municipal corporation

[Witness print or type name]

By: _____
Dean J. Trantalis, Mayor

By: _____
Christopher J. Lagerbloom, ICMA-CM
City Manager

(CORPORATE SEAL)

ATTEST:

By: _____
Jeffrey A. Modarelli, City Clerk

Approved as to form:
Alain Boileau, City Attorney

By: _____
Lynn Solomon, Assistant City Attorney

PARTICIPANT:

WITNESSES:

TMF HOLDCO, LLC, a Florida limited liability company

By: _____
Ben O'Connell, President

[Witness print or type name]

[Witness print or type name]

STATE OF FLORIDA:
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2021, by **Ben O'Connell** as **PRESIDENT** of **TMF HOLDCO, LLC**, a Florida limited liability company, on behalf of the company. He is personally known to me or has produced _____ as identification.

(SEAL)

Notary Public, State of Florida (Signature of
Notary taking Acknowledgment)

My Commission Expires:

Commission Number