FIRST AMENDMENT TO

INTERLOCAL AGREEMENT FOR CREATION

OF THE MARTIN COUNTY

METROPOLITAN PLANNING ORGANIZATION

This is a First Amendment to the Interlocal Agreement for Creation of the Martin County Metropolitan Planning Organization entered into by and among the **Florida Department of Transportation** [a non-voting member]; **Martin County**; the **City of Stuart**; the **Town of Sewall's Point**; and the **Village of Indiantown** [as Voting Members]; collectively known as the "Parties."

RECITALS

WHEREAS, the current applicable Interlocal Agreement for the Creation of the Martin County Metropolitan Planning Organization was recorded on May 6, 2015, at Official Records Book 2781, page 2738, of the public records of Martin County (the "Interlocal Agreement"); and

WHEREAS, the Interlocal Agreement provided for seven (7) voting members on the Metropolitan Planning Organization (MPO), consisting of four (4) County Commissioners; two (2) City of Stuart Commissioners; one (1) Town of Sewall's Point Commissioner and two (2) non-voting members consisting of a representative from Florida Department of Transportation and Indiantown; and

WHEREAS, The Village of Indiantown was created by Chap. 195-2017, Laws of Florida, and duly approved by public referendum on November 8, 2017, for incorporation beginning December 31, 2017; and

WHEREAS, the Parties want to amend the composition of the MPO to provide the Village of Indiantown with voting membership and remove the non-voting Indiantown membership.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representations herein, the Parties agree as follows:

1. Section 4.01, Composition and membership of governing board subsection (a) of the Interlocal Agreement is hereby amended in its entirety and shall be replaced with the following:

**ARTICLE 4**
**COMPOSITION; MEMBERSHIP; TERMS OF OFFICE**

Section 4.01. Composition and membership of governing board.

(a) The membership of the MPO shall consist of eight (8) voting members and one (1) non-voting advisor(s). The names of the member local governmental entities and the voting apportionment of the governing board as approved by the Governor shall be as follows:

| Voting | | Non-Voting | |
|---|---|---|---|
| Village of Indiantown | 1 | Florida Department of Transportation | 1 |
| Town of Sewall's Point | 1 | | |
| City of Stuart | 2 | | |
| Martin County | 4 | | |

2. Except as amended above, all other terms and conditions of the Interlocal Agreement shall remain in full force and effect. In the event of any conflict or ambiguity by and between the terms and provisions of this First Amendment and the Interlocal Agreement the terms and provisions of this First Amendment shall control.

3. Execution; Effective Date. This First Amendment may be simultaneously executed in counterparts, each of which so executed shall be deemed to be an original, as such counterparts together shall constitute one and the same instrument and shall become effective upon execution by the Parties hereto on or before _____, 2019.

6. Recording. This First Amendment shall be recorded in the public records of Martin County, Florida, in accordance with the Florida Interlocal Cooperation Act of 1969, at the expense of the MPO. The recorded original shall be returned to the MPO for filing in its records.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the undersigned parties, duly authorized to execute same, have executed this First Amendment to Interlocal Agreement for Creation of the Martin County Metropolitan Planning Organization on the respective dates under each signature.

ATTEST:

_____
Mary Kindel, City Clerk

CITY OF STUART, FLORIDA

_____
Kelli Glass Leighton, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

_____
Michael J. Mortell, City Attorney

ATTEST:

_____
Lakisha Q. Burch, Town Clerk

TOWN OF SEWALL'S POINT

_____
Paul Luger, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

_____
Glen J. Torcivia, Town Attorney

ATTEST:

FLORIDA DEPARTMENT OF TRANSPORTATION

_____
Witness

_____
Secretary, District 4

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

_____
District 4 General Counsel

ATTEST:

BOARD OF COUNTY COMMISSIONERS MARTIN COUNTY, FLORIDA

_____
Carolyn Timmann, Clerk of the Circuit Court and Comptroller

_____
Edward V. Ciampi. Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

_____
Sarah W. Woods, County Attorney

ATTEST:

VILLAGE OF INDIANTOWN

_____
Cheryl White, Clerk

_____
Susan Gibbs Thomas, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

_____
Wade Vose, Village Attorney