

**AMENDMENT NO. 4 TO THE AGREEMENT BETWEEN THE CITY AND PLAYERS  
INTERNATIONAL MANAGEMENT, INC. DATED MARCH 6, 2007**

THIS AMENDMENT NO. 4 to the Agreement with PLAYERS INTERNATIONAL MANAGEMENT, INC. is made this 16<sup>th</sup> day of December, 2019, by and between the CITY OF DELRAY BEACH, a Florida municipal corporation (the "City"), and PLAYERS INTERNATIONAL MANAGEMENT, INC., ("PIM").

**W I T N E S S E T H :**

WHEREAS, the CITY and PIM entered into an Agreement on March 6, 2007 (the "Agreement"), which was amended three times prior to this Amendment; and

WHEREAS, the parties wish to amend the Agreement as follows.

NOW, THEREFORE, for good and valuable consideration, herein provided, the City and PIM agree as follows:

1. The recitations set forth above are incorporated as if fully set forth herein.
2. The term of the Agreement shall be extended through September 30, 2025. All other terms of the Agreement as amended, including all other terms regarding payment, shall remain in effect.
3. All terms and conditions contained in the Agreement as amended shall remain in full force and effect except as modified herein. The Agreement, the three prior Amendments, and this Amendment No. 4 constitute the entire agreement between the parties with respect to the subject matter hereof and supersede all prior verbal or written agreement between the parties with respect thereto.
4. This Amendment No. 4 to the Agreement shall be effective upon execution by the City and PIM.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 4 to be executed this 16<sup>th</sup> day of December, 2019.

ATTEST:

Katana Johnson  
City Clerk

CITY OF DELRAY BEACH, FLORIDA  
By: Shelly Petrolia  
Shelly Petrolia, Mayor

Approved as to form:  
[Signature]  
City Attorney

WITNESSES:

Catherine Ingles  
Catherine Ingles  
(Name printed or typed)

PLAYERS INTERNATIONAL MANAGEMENT, INC.  
By: Mark S. Baron  
Mark S. Baron  
(Name printed or typed)

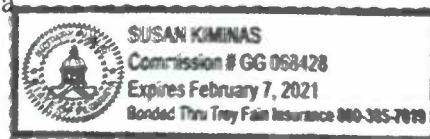
Kelly Brandon  
(Name printed or typed)

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of December, 2019 by Mark S. Baron (name of officer or agent, title of officer or agent) of Players International Mgmt (name of corporation acknowledging), a Florida (state or place of incorporation) corporation, on behalf of the corporation. He She is personally known to me or has produced [Signature] (type of identification) as identification.

Susan Kiminas  
Signature of Notary Public - State of Florida



RESOLUTION NO. 216-19

A RESOLUTION OF THE CITY OF DELRAY BEACH, FLORIDA APPROVING AMENDMENT NUMBER 4 TO THE AGREEMENT WITH PLAYERS INTERNATIONAL MANAGEMENT, INC.; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS AMENDMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, on March 6, 2007, the City entered into an Agreement with Players International Management, Inc. ("PIM") for its non-exclusive right to use the City of Delray Beach's tennis facilities for tennis events ("Agreement"); and

WHEREAS, the original Agreement between the City and PIM has been previously amended three times; and

WHEREAS, the services provided by PIM are unique and have generated millions of dollars to the local economy over the years; and

WHEREAS, the City Commission of the City of Delray Beach finds that a bid waiver is (and was) appropriate, that full and open competition of the services offered by PIM is not in the City's best interest and that waiver of the competitive process is appropriate under the circumstances; and

WHEREAS, the City Commission of the City of Delray Beach ratifies the Agreement between the City of Delray Beach and Players International Management, Inc., including the amendments thereto, in authorizing this Amendment Number 4; and

WHEREAS, the City Commission deems approval of this Resolution to be in the best interest of the health, safety, and welfare of the residents and citizens of the City of Delray Beach and the public at large.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are hereby affirmed and ratified.

Section 2. The City Commission of the City of Delray Beach has reviewed and hereby approves Amendment No. 4 to the Agreement between the City and Players International Management, Inc., which is attached to this resolution as Exhibit "A".

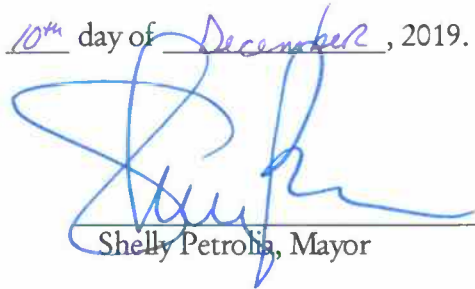
Section 3. The City Commission authorizes the City Manager to take any and all actions necessary to effectuate this Amendment.

Section 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the 10<sup>th</sup> day of December, 2019.

ATTEST:

  
Katerri Johnson, City Clerk

  
Shelly Petrolia, Mayor

Approved as to form and legal sufficiency:

  
Lynn Gehl, City Attorney