

THIRD AMENDMENT TO LARGE USER WASTEWATER AGREEMENT

This Third Amendment to Large User Wastewater Agreement, made and entered into this _____ day of _____, 2021, is by and between:

CITY OF FORT LAUDERDALE, a municipal corporation of the State of Florida (hereinafter referred to as "FORT LAUDERDALE"),

and

BROWARD COUNTY, a political subdivision of the State of Florida, by and through its Board of County Commissioners (hereinafter referred to as "BROWARD COUNTY") (collectively, FORT LAUDERDALE AND BROWARD COUNTY shall hereinafter be referred to as the "Parties").

FORT LAUDERDALE and the Port Everglades Authority entered into a Large User Wastewater Agreement on February 21, 1979 (the "Original Agreement"), and an amendment to the Original Agreement on April 23, 1987 (the "First Amendment").

Pursuant to Chapter 91-346, Laws of Florida, the Port Everglades Authority's control of Port Everglades was transferred to BROWARD COUNTY on November 22, 1994.

On November 6, 2001, FORT LAUDERDALE and BROWARD COUNTY entered into another amendment to the Original Agreement, which extended the term until December 31, 2021 (the "Second Amendment") (collectively, the Original Agreement, as amended by the First Amendment and the Second Amendment shall hereinafter be referred to as the "Agreement").

FORT LAUDERDALE and BROWARD COUNTY desire to enter into this Third Amendment to extend the term of the Agreement an additional ninety (90) days until March 31, 2022, to allow the Parties to finalize a new Large User Wastewater Agreement and allow sufficient time for both Parties' respective governing bodies to approve said agreement.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each Party, the Parties agree as follows:

1. The term of the Agreement is extended through March 31, 2022.
2. All other terms and conditions of the Agreement remain unchanged and in full force and effect.

3. This Third Amendment represents the final and complete understanding of the Parties regarding the subject matter of this Third Amendment and supersedes all prior and contemporaneous negotiations and discussions regarding same. All commitments, agreements, and understandings of the Parties concerning the subject matter of this Third Amendment are contained herein.

[THIS SPACE WAS INTENTIONALLY LEFT BLANK]

IN WITNESS OF THE FOREGOING, the Parties have set their hands and seals the day and year first written.

ATTEST:

CITY OF FORT LAUDERDALE

Jeffrey A. Modarelli, City Clerk

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

Approved as to form:

By: _____
Rhonda Montoya Hasan
Assistant City Attorney

ATTEST:

BROWARD COUNTY, by and through
its Board of County Commissioners

Broward County Administrator,
as ex officio Clerk of the
Broward County Board of
County Commissioners

By _____
Mayor

____ day of _____, 20__

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Port Everglades Department
1850 Eller Drive, Suite 502
Fort Lauderdale, Florida 33316
Telephone: (954) 523-3404
Telecopier: (954) 468-3690

By _____
Antonio Lozada (Date)
Assistant County Attorney

By _____
Carlos Rodriguez-Cabarrocas (Date)
Senior Assistant County Attorney