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Alan L. Gabriel, Esq. Weiss Serota Helfman Cole & Bierman, P.L. 200 East Broward Blvd., Suite 1900 Fort Lauderdale, Florida 33301

THIRD AMENDMENT TO

INTERLOCAL AGREEMENT FOR CREATION

OF THE BROWARD METROPOLITAN

PLANNING ORGANIZATION

Among

FLORIDA DEPARTMENT OF TRANPORTATION [non-voting member]; the COUNTY OF BROWARD, the SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY, the MUNICIPALITIES OF CORAL SPRINGS, DAVIE, DEERFIELD BEACH, FORT LAUDERDALE, HOLLYWOOD, LAUDERHILL, MIRAMAR, PEMBROKE PINES, PLANTATION, POMPANO BEACH, SUNRISE, TAMARAC AND WESTON AND THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA [Voting Members]

AND THE MUNICIPALITIES OF COCONUT CREEK, COOPER CITY, DANIA BEACH, HALLANDALE BEACH, HILLSBORO BEACH, LAUDERDALE-BY-THE-SEA, LAUDERDALE LAKES, LAZY LAKE, LIGHTHOUSE POINT, MARGATE, NORTH LAUDERDALE, OAKLAND PARK, PARKLAND, PEMBROKE PARK, SEA RANCH LAKES, SOUTHWEST RANCHES, WEST PARK AND WILTON MANORS [Alternate Members], collectively known as "the Parties".

This Third Amendment to the Interlocal Agreement For Creation Of the Broward Metropolitan Planning Organization ("Third Amendment"), entered into by and among the Parties.

RECITALS

WHEREAS, the current applicable Interlocal Agreement for the Creation of the Broward Metropolitan Planning Organization ("Interlocal Agreement") was originally entered into March 7, 2000, and recorded on April 24, 2000, in Official Records Book 30444, Page 1278, in and for Broward County, Florida; and

WHEREAS, the Addendum to the Interlocal Agreement was recorded on September 13, 2005, in Official Records Book 40489, Page 711, in and for Broward County, Florida; and

WHEREAS, the Second Amendment to the Interlocal Agreement was recorded on September 18, 2006, in Official Records Book 42777, Page 1902, in and for Broward County, Florida; and

WHEREAS, Section 339.175, Florida Statutes was amended to permit the voting membership of an Metropolitan Planning Organization to consist of at least five but not more than 25 apportioned members, with the exact number determined on an equitable geographic population ration basis, based on an agreement among the affected units of general purposed local government and the Governor; and

WHEREAS, the Parties desire to increase the voting membership of the Broward Metropolitan Planning Organization from 19 voting members (with 18 alternate members) to 25 voting members (with 13 alternate members); and

WHEREAS, the membership of the Broward Metropolitan Planning Organization has been reapportioned in accordance with Section 339.175(4), Florida Statutes and the Governor of the State of Florida has been duly notified of such reapportionment; and

WHEREAS, the municipal membership of the Broward Metropolitan Planning Organization as reapportioned in accordance with Section 339.175 (4), Florida Statutes is set forth on Table 1, attached hereto and incorporated by reference; and

WHEREAS, the undersigned Parties have determined that this Third Amendment to the Interlocal Agreement is consistent with Section 339.175(10), Florida Statutes; and

WHEREAS, the Parties have determined that this Third Amendment to the Interlocal Agreement is consistent with statutory requirements set forth in Section 163.01, Florida Statues, relating to Interlocal Agreements;

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representation herein, the Parties desiring to be legally bound, do agree as follows:

- 1. <u>Recitals</u>. Each and all of the foregoing recitals are incorporated herein and acknowledged to be true and correct to the best of the Parties knowledge. Failure of any of the foregoing recitals to be true and correct shall not operate to invalidate this Third Amendment or the original Interlocal Agreement, as amended.
- 2. <u>Additional Municipal Voting Members</u>. Upon the Effective Date of this Third Amendment, the Municipalities of **Coconut Creek, Hallandale Beach, Margate, North Lauderdale** and **Oakland Park** all of which are currently Alternate Municipal Representatives shall be Voting Members of the Broward Metropolitan Planning Organization in their respective Districts as evidenced in Table 1, attached hereto.
- 3. Additional Broward County Voting Members. Pursuant to the Interlocal Agreement, the South Florida Regional Transportation Authority ("SFRTA") formally known as the Tri-County Commuter Rail Authority, is a Voting Member represented at the Broward Metropolitan Organization by a Broward County Commissioner who is a member of the SFRTA. In addition, the Broward County Board of County Commissioners currently has three (3) non-municipal representative Voting Members. Upon the Effective Date of this Third Amendment, Broward County shall have one (1) additional County Commissioner as a Voting Member. Thus, a total of

- five (5) Broward County Commissioners shall be Voting Members on the Broward Metropolitan Organization as evidenced in Table 1.
- 4. Article 3, Section 3.01, "Establishment of MPO", is hereby amended to designate the legal name of this Metropolitan Planning Organization to be the "Broward Metropolitan Planning Organization".
- 5. Except as amended herein all other terms and conditions of the Interlocal Agreement recorded in OR Book 30444, Page 1278; the Addendum to the Interlocal Agreement in OR Book 40489, Page 711; and the Second Amendment to the Interlocal Agreement recorded in OR Book 42777, Page 1902 shall remain in full force and effect.
- 6. <u>Enforcement by Parties Hereto</u>. In the event of any judicial or administrative action to enforce or interpret this Third Amendment, or the Interlocal Agreement, as amended, each Party shall bear its own costs and attorney's fees in connection with such proceeding.
- 7. Execution of Third Amendment; Use of Counterpart Signature Pages. This Third Amendment, or the Interlocal Agreement, as amended, may be simultaneously executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.
- 8. <u>Effective Date.</u> This Third Amendment shall become effective upon its filing in the public records of Broward County.
- 9. <u>Cost of Recordation</u>. The Broward Metropolitan Planning Organization agrees to pay for any costs of recordation or filing of this Third Amendment in the public record of Broward County. The recorded or filed original, or any amendment, shall be returned to the Broward Metropolitan Planning Organization for filing in its records.

IN WITNESS WHEREOF, the undersigned parties have executed this Third Amendment To Interlocal Agreement For Creation of the Broward Metropolitan Planning Organization on the respective dates under each signature.

Signed, Sealed and Delivered in the presence of:

[Every member of the BMPO shall sign this Third Amendment with the appropriate witnesses]

[REMAINING PORTION OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

SIGNATURE PAGES FOLLOW.]

Signature Pages

	MENT OF TRANSPORTATION through its, action on the day of, 2015.	authorized to
	DEPARTMENT	
ATTEST:	FLORIDA DEPARTMNET OF	
	TRANSPORTATION	
	By:	
	This day of	, 2015.
	APPROVED AS TO FORM:	
	Ву:	

	by Board action on the day of, 2015.	
ATTEST:		
	SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY	
	By:	
	This day of ,	2015.
	APPROVED AS TO FORM:	
	By:	
	Attorney for Auth	ority

	BROWARD COUNTY, by and through its
ATTEST:	BOARD OF COUNTY COMMISSIONERS
	D
Broward County Administrator, as	By:Barbara Sharif, Mayor
Ex-officio Clerk of the Broward	
County Board of County Commissioners	
	Day of, 2015.
	Approved as to form by
	Office of County Attorney
	Broward County, Florida
	Joni Armstrong Coffey, County Attorney
	Governmental Center, Suite 423
	115 South Andrews Avenue
	Fort Lauderdale, Florida 33301
	Telephone: (954) 357-7600
	Telecopier: (954) 357-7641
	By:
	Assistant County Attorney

CITY OF COCONUT CREEK through its I action on the _day of, 2015.	Mayor, authorized to execute same by Commission
	CITY OF COCONUT CREEK
(CITY SEAL)	a Florida municipal corporation
	By: Mary C. Blasi, City Manager
ATTEST:	
Ву:	
Leslie Wallace May, CMC	
City Clerk	
APPROVED AS TO LEGAL FORM:	
Ву:	
CITY ATTORNIEV	

on the _day of, 2015.	Mayor, authorized to execute same by Commission action
	CITY OF COOPER CITY, FLORIDA
	By:
	Greg Ross, Mayor
	Day of, 2015.
ATTEST:	
By:	
Susan Poling, City Clerk	
	APPROVED AS TO FORM:
	By:
	City Attorney

CITY OF CORAL SPRINGS through its action on the _day of, 2015.	Mayor, authorized to execute same by Commission
	CITY OF CORAL SPRINGS, a
	Municipal Corporation organized
	and existing under the laws of
	the State of Florida
	By:
	Walter "Skip" Campbell, Mayor
	Day of, 2015
ATTEST:	APPROVED AS TO FORM:
Ву:	Ву:
Josephine Chavez, City Clerk	John J. Hearn, City Attorney

action on the day of, 2015.	layor, authorized to execute same by Commission
	CITY OF DANIA BEACH,
ATTEST:	a Florida municipal corporation
	BY:
Louise Stilson	Walter B. Duke, III
CITY CLERK	MAYOR-COMMISSIONER
	BY:
	Robert Baldwin
	CITY MANAGER
APPROVED FOR FORM	
AND CORRECTNESS:	
BY:	
Thomas J. Ansbro, Esquire	
CITY ATTORNEY	

TOWN OF DAVIE through its Mayo	or, authorized to execute same by Council action on the
	TOWN OF DAVIE, FLORIDA
WITNESSES:	
	By:
	Mayor/Councilmember
ATTEST:	Ву:
	Town Administrator
Ву:	
Town Clerk	
	APPROVED AS TO FORM:
	By:
	Town Attorney

Mayor, authorized to exec	ute same by Commissior
, 2015.	
Attest City Clerk	(Seal)
	, 2015. Attest

Commission action on the	0	•	authorized	to execute same	Бу
		CITY O	F FORT LAU	DERDALE	
WITNESSES:					
		By:			
		,		Mayor	
		By:			
		Бу. <u>-</u>		City Manager	
(CORPORATE SEAL)					
		ATTEST	Γ:		
		By:			
				City Clerk	
		Approv	ed as to form	::	
		By:			
				City Attorney	
STATE OF FLORIDA:					
COUNTY OF BROWARD					
The foregoing instrument was P. Seiler, Mayor of the CITY of is personally known to me and	OF FORT LAUDERD				
(SEAL)	Ву:				
		Notary	Public, State	of Florida	

STATE OF FLORIDA:			
COUNTY OF BROWA	ARD		
R. Feldman, City Mar	_	ORT LAUDERDALE, a	, 2015, by Lee municipal corporation of
(SEAL)	Ву:		
		Notary Public, Sta	te of Florida

Commission action on theday of	through its Mayor, authorized to execute same by, 2015.
ATTEST:	CITY OF HALLANDALE BEACH, FLORIDA
By: SHEENA D. JAMES, CITY CLERK	By: MAYOR JOY COOPER
APPROVED AS TO FORM:	
V. LYNN WHITFIELD, CITY ATTORN	EY

Attest: BY:		day of	_	ayor, authorized to execute same by Commission action
Attest:				
Attest:				CITY OF HOLLYWOOD, FLORIDA
BY: BY: BY: BY: Peter Bober, Mayor City Clerk Approved as to form and legality For the use and reliance of the City of Hollywood, Florida, only. BY: BY:				CITT OF TIOLET WOOD, TEGRADIT
BY: BY: BY: BY: Peter Bober, Mayor City Clerk Approved as to form and legality For the use and reliance of the City of Hollywood, Florida, only. BY: BY:				
Patricia A. Cerny, MMC City Clerk Approved as to form and legality For the use and reliance of the City of Hollywood, Florida, only. BY:	Attest	:	(Seal)	
Patricia A. Cerny, MMC City Clerk Approved as to form and legality For the use and reliance of the City of Hollywood, Florida, only. BY:				
Patricia A. Cerny, MMC City Clerk Approved as to form and legality For the use and reliance of the City of Hollywood, Florida, only. BY:				
City Clerk Approved as to form and legality For the use and reliance of the City of Hollywood, Florida, only. BY:	BY:			BY:
Approved as to form and legality For the use and reliance of the City of Hollywood, Florida, only. BY:		Patricia A. Cerny	, MMC	Peter Bober, Mayor
For the use and reliance of the City of Hollywood, Florida, only. BY:		City Clerk		
For the use and reliance of the City of Hollywood, Florida, only. BY:				
City of Hollywood, Florida, only. BY:	Appro	oved as to form and	d legality	
BY:	For the	e use and reliance	of the	
	City of	f Hollywood, Flori	ida, only.	
	DV/			
	υ1			

TOWN OF LAUDERDALE-BY-THE Commission action on the day of	E -SEA through its Mayor, authorized to execute same by of, 2015.
,	TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA
Attest:(Seal)	
BY:	BY:
Tedra Smith, Town Clerk	Scot Sasser, Mayor
Approved as to form and legality	
For the use and reliance of the	
Town of Lauderdale-By-The-Sea, Flor	rida, only.
BY:	
Susan L. Trevarthen, Town At	ttorney

CITY OF LAUDERDALE LAKES			authorized	to execute	same by
Commission action on the day o	f	_, 2015.			
	CITY C	OF LAUD	ERDALE LA	KES	
	By:				
	Dy.			l, Sr., MAYO	
ATTEST:					
By:					
Sharon Houslin, CITY CLERK					
Signed, sealed and delivered in					
-					
The presence of:					
	-				
Witness Signature					
	-				
Printed Name					
	-				
Witness Signature					
	-				
Printed Name					

CITY OF LAUDERHILL through its Mayor,	authorized to execute same by Commission actio
on the day of, 2015.	
CITY OF LAUDERHILL, FLORIDA	
By:	ATTEST
5 ————————	-
Mayor Richard J. Kaplan	City Clerk Andrea Anderson
	(Seal)
	(SCAL)

theday of, 2015.	thorized to execute same by Commission action of
ATTEST:	CITY OF MARGATE, FLORIDA
Ву:	<u>By:</u>
CITY CLERK, JOSEPH J. KAVANAGH	MAYOR, JOANNE SIMONE
	By:
	DOUGLAS E. SMITH
	CITY MANAGER
APPROVED AS TO FORM:	
Ву:	
EUGENE M. STEINFELD	
CITY ATTORNEY	

CITY OF MIRAMAR through its Matheday of, 2015.	yor, authorized to execute same by Commission action on
WITNESSES:	CITY OF MIRAMAR
ATTEST:	
	BY:
City Clerk	City Manager
	Day of, 2015
(CORPORATE SEAL)	
	APPROVED AS TO FORM:
	BY:
	City Attorney

CITY OF NORTH LAUDERDALE Commission action on theday of	through its Mayor, authorized to execute same by, 2015.
	CITY OF NORTH LAUDERDALE, a
	Florida municipal corporation
	By:
	Ambreen Bhatty, City Manager
ATTEST:	APPROVED AS TO FORM:
Ву:	By:
Patricia Vancheri, City Clerk	Samuel S. Goren, City Attorney

CITY OF OAKLAND PARK through its action on the day of, 2015	-	authorized to execute same by Commissior
	CITY (OF OAKLAND PARK
	a Flori	da municipal corporation
	Ву:	
		SHARI L. McCARTNEY, MAYOR
ATTEST:		
Ву:		
RENEE M. SHROUT, CMC, CITY CLE	ERK	
APPROVED AS TO FORM:		
Ву:		
DONALD J. DOODY, CITY ATTORNE	ΣΥ	

on the _ day of, 2015.	Aayor, authorized to execute same by Commission
	CITY OF PARKLAND
VITNESSES:	
y:	By:
	Mayor Michael Udine
	Day of, 2015.
y:	
TTEST:	
y:	Ву:
City Clerk	City Manager Caryn Gardner-Young
	Day of, 2015.
CORPORATE SEAL)	
	APPROVED AS TO FORM:
	By:
	City Attorney

TOWN OF PEMBROKE PARK t	nrough its Mayor, authorized to execute same by Commission
action on the day of	, 2015.
	TOWN OF PEMBROKE PARK
ATTEST:	
Ву:	Ву:
Annette Wexler	Ashira Mohammed
Clerk Commissioner	Mayor-Commissioner

CITY OF PEMBROKE PINES through its action on the day of, 2015.	Mayor, authorized to execute same by Commission
ATTEST:	CITY OF PEMBROKE PINES, FLORIDA
By:	By:
MARLENE GRAHAM, CITY CLERK	MAYOR FRANK C. ORTIS
APPROVED AS TO FORM:	_

OFFICE OF THE CITY ATTORNEY

on

	its Mayor, autl	norized to execute same by Council action
theday of, 2015.		
Signed, sealed and delivered in the	e presence of:	
		CITY OF PLANTATION
Attest		
Susan Slattey, City Clerk		
	By:	
Witness:		Diane Veltri Bendekovic, Mayor
Typed Name of Witness		
71		
		As to legal form:
Witness:		
		By:
		
		City Attorney
	<u>—</u>	
Typed Name of Witness		

CITY OF POMPANO BEACH throu	ugh its Mayor, authorized to execute same by Commission
action on the day of	, 2015.
Witness:	CITY OF POMPANO BEACH
By:	By:
Signature	LAMAR FISHER, MAYOR
By:	By:
Signature	DENNIS BEACH, CITY MANAGER CITY MANAGER
Attest:	
By:	(SEAL)
MARY L. CHAMBERS, CITY	CLERK
Approved As to Form:	
By:	
GORDON B. LINN, CITY AT	TORNEY
STATE OF FLORIDA	
COUNTY OF BROWARD	
	s acknowledged before me this day of, 2015, yor of the City of Pompano Beach, Florida, a municipal
corporation, on behalf of the municip	oal corporation, who is personally known to me.
NOTARY'S SEAL:	NOTARY PUBLIC, STATE OF FLORIDA

TOWN OF SOUTHWEST RANGE Council action on the _ day of	CHES through its Mayor, authorized to execute same by, 2015.
	TOWN OF SOUTHWEST RANCHES, FLORIDA
	By:
	JEFF NELSON, MAYOR
ATTEST:	
Ву:	
RUSSELL MUNIZ, TOWN CL	ERK
APPROVED AS TO FORM AND C	CORRECTNESS
By:	
KEITH POLIAKOFF, TOWN A	TTORNEY

CITY OF SUNRISE through its Mayor, author theday of, 2015.	rized to execute same by Commission acti	
	CITY OF SUNRISE, FLORIDA	
	BY:	
	Michael J. Ryan, Mayor	
	This day of, 2015.	
AUTHENTICATION:		
Felicia M. Bravo, City Clerk		
(SEAL)		
Approved as to Form and Legal Sufficiency		
Office of the City Attorney, Sunrise, Florida.		
Kimberly A. Kisslan, City Attorney		
10770 West Oakland Park Boulevard		
Sunrise, FL 33351		
Telephone: (954) 746-3300		
BY:		
Kimberly A. Kisslan		

CITY OF TAMARAC through its Mayor, aut theday of, 2015.	horized to execute same by Commission action on
	CITY OF TAMARAC
	By:
	Harry Dressler, Mayor
	Date:
ATTEST:	
By:	Ву:
Pam Teufel, CMC	Michael C. Cernech, City Manager
Date:	Date:
	Approved as to form and legal
	Sufficiency:
	D.
	Ву:
	Samuel S. Goren, City Attorney

theday of, 2015.	uthorized to execute same by Commission action or
	CITY OF WESTON, through its
	City Commission
ATTEST:	
	Ву:
	Daniel J. Stermer, Mayor
Patricia A. Bates, City Clerk	day of, 2015.
	BY:
	John R. Flint, City Manager
	day of, 2015.
Approved as to form and legality	
for the use of and reliance by the	
City of Weston only:	
BY:	
City Attorney	(CITY SEAL)
day of, 2015.	

on the _day of, 2015.	thorized to execute same by Commission actio	
	CITY OF WEST PARK, through its	
	City Commission	
ATTEST:		
	Ву:	
	Eric H. Jones, Jr., Mayor	
Alexandra Grant, City Clerk	day of, 2015.	
	BY:	
	W. Ajibola Balogun, City Manager	
	day of, 2015.	
Approved as to form and legality		
for the use of and reliance by the		
City of West Park only:		
BY:		
Burnadette Norris-Weeks, City Attorney	(CITY SEAL)	
day of, 2015.		

action on the day of, 2015	its Mayor, authorized to execute same by Council
CITY OF WILTON MANORS, FLORIDA	
By:Gary Resnick, MAYOR	
ATTEST:	APPROVED AS TO FORM:
Ву:	By:
Kathryn Sims, CMC/AAE	KERRY EZROL
CITY CLERK	CITY ATTORNEY

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Ву		
Donna P. Korn, School Board Chair	Witnes	s as to all Signatories
	Print N	Jame
ATTEST:		
Robert W. Runcie, Superintendent	Witnes	s as to all Signatories
Of Schools	Print N	lame
(CORPORATE SEAL)		
State of Florida, Broward County		
WITNESS my hand and official seal this	day of	A.D. 2015
Print Name	(AFFIX	NOTARY SEAL)
My Commission Expires:		
Approved as to form:		-

C. Paul Carland, School Board Attorney

TABLE 1

Munio	ipal Representatives	Non-Municipal Representatives		rnates
Representativ Coral Springs Tamarac	e(s) Alternates (in order by population District 1 (4 Votes) Parkland	School Board of Broward County Broward County Board of County Commissioners (1)	(in order by Lauderdale Lakes Dania Beach Cooper City Parkland West Park	/ population)*
□ Margate□ North Laudero□ Pompano Bea	District 2 (3 Votes)	□ Broward County Board of County Commissioners (2) □ Broward County Board of	 □ Wilton Manors □ Lighthouse Point □ Southwest Ranches □ Pembroke Park □ Lauderdale-By-The-S 	
☐ Deerfield Bead☐ Coconut Creel			☐ Hillsboro Beach ☐ Sea Ranch Lakes ☐ Village of Lazy Lake	Jea
 □ Fort Lauderda □ Fort Lauderda □ Lauderhill □ Sunrise □ Plantation □ Oakland Park 	e (1) 🗆 Lauderdale Lakes	☐ South Florida Regional Transportation Authority		
☐ Hollywood☐ Hallandale Bea	District 4 (2 Vote) Dania Beach	TOTAL		
	District 5 (4 Votes)	Voting Mer	mbers	Number
□ Davie□ Pembroke Pine	☐ Cooper City ☐ Southwest Ranche	Elected City Officials County Commissioners		19 4

Voting Members	Number	
Elected City Officials	19	
County Commissioners	4	
South Florida Regional Transportation Authority	1	
County School Board Member	1	
Total Voting Members	25	

Pembroke Park

☐ West Park

☐ Miramar

☐ Weston