

**FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN  
BROWARD COUNTY AND CITY OF MARGATE FOR  
COST SHARE SUPPORT OF A WATER CONSERVATION INCENTIVES PROGRAM**

This is a First Amendment ("First Amendment") to that certain agreement, made and entered into by and between Broward County, a political subdivision of the State of Florida ("County"), and City of Margate, a municipal corporation of the State of Florida ("Partner").

**Recitals**

- A. County and Partner entered into that certain agreement that was executed by County on December 13, 2016, providing for County to administer a Conservation Pays Program to encourage residents and businesses in Broward County to adopt an enduring water conservation ethic to support long-term water resource sustainability through a water conservation campaign and through incentives to retrofit existing plumbing fixtures with new, high efficiency plumbing fixtures through free fixtures and rebates.
- B. Partner desires to increase the Total Annual Year Maximum Cost to Partner by \$2,500 for Annual Years 3, 4, and 5 to provide additional incentives and rebates.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- 1. "Exhibit B- Cost Schedule" of the Agreement, is hereby amended to read as follows:

Total consideration for this Agreement is subject to multi-year funding allocations, and funding for each applicable fiscal year of this Agreement will be subject to County and Partner budgetary appropriation. In the event the County or Partner does not approve funding for any subsequent fiscal year, this Agreement shall terminate upon expenditure of the current funding, notwithstanding other provisions in this Agreement to the contrary.

<b>Service Performed by County</b>	<b>Partner's Base Cost</b>	<b>Payment Schedule</b>
Media Outreach/Administration	\$12,964.00	Payable upon invoice from County
Incentives/Rebates (to include high efficiency toilets, pre-rinse spray valves, faucets, aerators, and showerheads or other mutually agreed upon combination of water-saving fixtures of equal value)	\$14,976.00 <u>during years 1 and 2.</u> <u>\$17,476.00 during years 3, 4, and 5.</u>	Municipality will not front the cost of individual rebates and devices, but will be invoiced by the County for actual rebates and devices issued within their service areas within a given year.
Total Annual Year 1 Maximum Cost to Partner		\$27,940.00
Total Annual Year 2 Maximum Cost to Partner		\$28,329.00
Total Annual Year 3 Maximum Cost to Partner		<del>\$28,730.00</del> <u>\$31,230.00</u>
Total Annual Year 4 Maximum Cost to Partner		<del>\$29,142.00</del> <u>\$31,642.00</u>
Total Annual Year 5 Maximum Cost to Partner		<del>\$29,567.00</del> <u>\$32,067.00</u>

2. Except as amended herein, all other terms and conditions of the Agreement shall remain in full force and effect.

3. In the event of any conflict or ambiguity by and between the terms and provisions of this First Amendment and Agreement, the terms and provisions of this First Amendment shall control to the extent of any such conflict or ambiguity.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties have made and executed this First Amendment to Interlocal Agreement Between Broward County and City of Margate for Cost Share Support of a Water Conservation Incentives Program, on the respective dates under each signature: Broward County through its Board of County Commissioners, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and City of Margate, signing by and through its \_\_\_\_\_, duly authorized to execute same.

COUNTY

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  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-7641

By \_\_\_\_\_  
Benjamin D. Crego (Date)  
Assistant County Attorney

By \_\_\_\_\_  
Maite Azcoitia (Date)  
Deputy County Attorney

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**CITY OF MARGATE**

\_\_\_\_\_  
Arlene R. Schwartz, Mayor

\_\_\_\_ day of \_\_\_\_\_, 2018

ATTEST:

\_\_\_\_\_  
Joseph J. Kavanagh, City Clerk

\_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
Samuel A. May, City Manager

\_\_\_\_ day of \_\_\_\_\_, 2018

APPROVED AS TO FORM:

\_\_\_\_\_  
James A. Cherof, Interim City Attorney  
Firm of Goren, Cherof, Doody & Ezrol,  
P.A.

\_\_\_\_ day of \_\_\_\_\_, 2018