



**THIRD AMENDMENT TO INTERLOCAL AGREEMENT
BETWEEN BROWARD COUNTY AND SHERIFF OF BROWARD COUNTY
PROVIDING FOR SEAPORT SECURITY AND LAW ENFORCEMENT SERVICES**

This Third Amendment ("Third Amendment") to the Agreement (hereinafter defined) between Broward County, a political subdivision of the State of Florida ("County"), and Sheriff of Broward County, a constitutional officer of Broward County, Florida ("Sheriff") (collectively referred to as the "Parties"), is entered into effective as of the date this Third Amendment is fully executed by the Parties ("Effective Date").

RECITALS

A. The Parties entered into the Interlocal Agreement between Broward County and Sheriff of Broward County Providing for Seaport Security and Law Enforcement Services, dated September 10, 2015, which was amended by a First Amendment, dated September 22, 2020, and a Second Amendment, dated June 1, 2021 (collectively, as amended, the "Agreement").

B. The Agreement expired on September 30, 2021, but the Parties have continued operating under the terms of the Agreement while negotiating a new agreement.

C. The Parties desire to retroactively extend the term of the Agreement on a month-to-month basis through March 31, 2022, while the Parties continue negotiating a new agreement.

Now, therefore, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties amend the Agreement as follows:

1. The foregoing Recitals are true and correct and are incorporated herein by reference.
2. Retroactive to September 30, 2021, the term of the Agreement shall be automatically extended on a month-to-month basis beginning October 1, 2021, for a period not to extend beyond March 31, 2022 ("Extension Period"), until the Chief Executive & Port Director provides written notice of his intent not to further extend, in which event the Extension Period shall terminate at the end of the next calendar month unless otherwise agreed in writing by the Parties, with County acting through its Chief Executive & Port Director.
3. In the event of any conflict or ambiguity between this Third Amendment and the Agreement, the Parties agree that this Third Amendment shall control.
4. The Agreement, as amended herein, incorporates and includes all prior negotiations, correspondence, conversations, agreements, and understandings applicable to the matters contained herein, and the Parties agree that there are no commitments, agreements, or understandings concerning the subject matter hereof that are not contained in the Agreement or this Third Amendment. Accordingly, the Parties agree that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written.

5. Preparation of this Third Amendment has been a joint effort of the Parties and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the Parties than any other.

6. Except as modified herein, all terms and conditions of the Agreement shall remain in full force and effect.

7. This Third Amendment may be executed in multiple originals, and may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

(The remainder of this page is intentionally blank.)

IN WITNESS WHEREOF, the Parties hereto have made and executed this Third Amendment: 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 _____, 2021, and Sheriff of Broward County, duly authorized to execute same.

COUNTY

ATTEST:

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

BROWARD COUNTY, by and through
its Board of County Commissioners

By _____
Mayor

____ day of _____, 2021

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

CARLOS A. RODRIGUEZ CABARROCAS
Digitally signed by CARLOS A. RODRIGUEZ-CABARROCAS
Date: 2021.10.05 14:23:05 -04'00'

By _____
Carlos A. Rodriguez-Cabarrocas (Date)
Sr. Assistant County Attorney

CRC
09/30/21
Third Amendment Port - BSO Interlocal

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BETWEEN BROWARD COUNTY AND SHERIFF OF BROWARD COUNTY
PROVIDING FOR SEAPORT SECURITY AND LAW ENFORCEMENT SERVICES**

SHERIFF

WITNESSES:

Kathleen P. Klits

Signature

Kathleen A. Wilson

Print Name of Witness above

Alynnia Holbert

Signature

Alynnia Holbert

Print Name of Witness above

SHERIFF OF BROWARD COUNTY

By: Gregory Tony

Gregory Tony, as Sheriff of
Broward County

1 day of October, 2021

Approved as to form and legal sufficiency:

By: [Signature] DS
#1F
Terrence O. Lynch, General Counsel