

**THIRD AMENDMENT TO EXISTING INTERLOCAL AGREEMENT
FOR STORMWATER EDUCATION AND OUTREACH**

THIS AMENDMENT is made and entered into on the date of the last signature below by and between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA (hereinafter referred as "County"), the CITY OF CAPE CANAVERAL ("Cape Canaveral"), the CITY OF COCOA ("Cocoa"), the CITY OF COCOA BEACH ("Cocoa Beach"), the TOWN of GRANT-VALKARIA ("Grant-Valkaria"), the CITY OF INDIAN HARBOUR BEACH ("Indian Harbour Beach"), the TOWN OF MALABAR ("Malabar"), the CITY OF MELBOURNE ("Melbourne"), and the CITY OF WEST MELBOURNE ("West Melbourne") (Collectively the "Municipalities").

WITNESSETH:

WHEREAS, the parties hereto previously entered into an Interlocal Agreement on November 1st, 2011 ("Agreement") for stormwater education and public outreach and the Agreement was subsequently amended on December 11, 2012 and October 10, 2017; and

WHEREAS, the parties hereto desire to amend the terms of said Agreement as to Section 5. Allocation of Costs and Exhibit A.

NOW THEREFORE, in consideration of the premises and covenants herein contained, it is mutually agreed between the parties as follows:

1. Section 5. ALLOCATION OF COST. a. Program Costs is deleted and replaced with:

The cost for the Education Program will be paid by the County. The Municipalities agree to reimburse the County in accordance with the funding requirement set forth in the Education Program (the "Contribution") and subject to paragraph 7 below. See Amended Exhibit A. Section V. Funding. The annual Contribution for each Municipality is calculated using a minimum base fee of \$173.00 per Deliverable Point. The base fee will be reviewed in June every year and adjusted, if necessary, using the Consumer Price Index (CPI); however, the base fee shall not be less than \$173.00 per Deliverable Point. The net cost contributed by the County, after reimbursement by the

municipalities, is estimated to be \$50,170.00 per contract year. Failure of any Municipality to pay its respective Contribution shall not require the remaining Municipalities to be responsible for paying any portion of the payment that was due from the non-paying Municipality.

2. Section 6. TIMETABLE OF PAYMENTS. is deleted and replaced with:

Full payment will be made on an annual basis and due on September 30 of each year.

3. Exhibit A. Section V. Funding is deleted and replaced with Amended Exhibit A. Section V. Funding, which is attached and incorporated herein.
4. All terms and conditions of the previous Agreement and Amendments, which are incorporated herein by this reference, not inconsistent with the provisions of this Third Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereunto have set their hands and seals on the date of the last signature below.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA

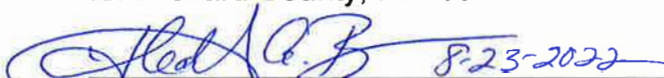
Rachel M. Sadoff, Clerk

By: _____
Kristine Zonka, Chair

Date: _____

(As approved by Board on: _____,
2022)

Reviewed for legal form and content
for Brevard County, Florida:


Heather A. Balser, Assistant County Attorney

ATTEST:

CITY OF CAPE CANAVERAL

Todd Morley, City Manager

As approved by the City Council on _____

ATTEST:

CITY OF COCOA BEACH

Robin R. Hayes, City Manager

As approved by the City Council on _____

ATTEST:

CITY OF COCOA

Stockton Whitten, City Manager

As approved by the City Council on _____

ATTEST:

CITY OF INDIAN HABOUR BEACH

Mark Ryan, Mayor

As approved by the City Council on _____

ATTEST:

TOWN OF MALABAR

Matt Stinnett, Town Manager

As approved by the Town Council on _____

ATTEST:

CITY OF MELBOURNE

Shannon Lewis, Mayor

As approved by the City Council on _____

ATTEST:

TOWN OF GRANT-VALKARIA

Jason Mahaney, Town Administrator

As approved by the Town Council on _____

ATTEST:

CITY OF WEST MELBOURNE

Tim Rhode, City Manager

As approved by the City Council on _____

EXHIBIT A. FUNDING

	FUNDING REQUIREMENTS	DELIVERABLE POINTS
CONSORTIUM PARTNERS	\$173/Point	Deliverable Points
Cape Canaveral	\$4,152	24
Cocoa	\$7,612	44
Cocoa Beach	\$5,190	30
Grant-Valkaria	\$1,730	10
Indian Harbour Beach	\$3,460	20
Malabar	\$1,384	8
Melbourne	\$32,524	188
West Melbourne	\$8,304	48
TOTAL FOR PARTICIPATING AGENCIES	\$64,356	
Brevard County (Consortium Lead)	\$50,170	

DELIVERABLE
A. Adult Education Program
B. School Age Education Program
C. General Public Programs
D. Special Event Representation
E. Storm Drain Marking
F. Alternative Programs, as requested