

RESOLUTION NO. 2019-226

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE MAYOR AND CITY MANAGER, OR DESIGNEE, TO EXECUTE AMENDMENT NO. 4 TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND THE CITY OF MARGATE DATED OCTOBER 1, 2016, PROVIDING FOR DELIVERY OF EMERGENCY MEDICAL AND FIRE PROTECTION SERVICES IN ORDER TO PROVIDE FOR AN INCREASE IN FEES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article 11, "Consideration and Term," Section 11.2 of the Interlocal Agreement with the City of Margate dated October 1, 2016, (Exhibit "A"), for the delivery of emergency medical and fire protection services provides for an annual financial re-opener, and the Agreement was amended on September 13, 2017, ("Amendment No. 1") (Exhibit "B"), September 27, 2018, ("Amendment No. 2") (Exhibit "C"), and on April 14, 2019 ("Amendment No. 3") (Exhibit "D"); and

WHEREAS, both parties have agreed that a 5.3 percent increase in the existing annual fee, from \$9,543,380 to \$10,050,000, effective October 1, 2019, is appropriate due to increases in costs to provide emergency medical and fire protection services to the City of Coconut Creek.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution. All Exhibits attached hereto are incorporated herein and made a specific part of this resolution.

Section 2: That the City Commission has reviewed and hereby approves the attached Amendment No. 4 to the Agreement between the City of Coconut Creek and the City of Margate for Delivery of Emergency Medical and Fire Protection Services.

Section 3: That the Mayor and the City Manager, or designee, are hereby authorized to execute the attached Amendment No. 4 to the Agreement between the City

of Coconut Creek and the City of Margate for Delivery of Emergency Medical and Fire Protection Services.

Section 4: That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 5: That this resolution shall be in full force and effect immediately upon its adoption.

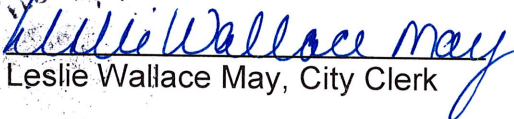
Adopted this 26th day of September, 2019.



Sandra L. Welch, Mayor

Attest:




Leslie Wallace May, City Clerk

Welch	<u>Aye</u>
Sarbone	<u>Aye</u>
Tooley	<u>Aye</u>
Belvedere	<u>Aye</u>
Rydell	<u>Aye</u>

ADMENDMENT NO. 4
TO THE
INTERLOCAL AGREEMENT
Between
THE CITY OF COCONUT CREEK
And
THE CITY OF MARGATE
Providing for
DELIVERY OF EMERGENCY MEDICAL AND FIRE PROTECTION SERVICES
BY THE CITY OF MARGATE

AMENDMENT NO. 4 TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND THE CITY OF MARGATE PROVIDING FOR DELIVERY OF EMERGENCY MEDICAL AND FIRE PROTECTION SERVICES

THIS AMENDMENT NO. 4 to the Interlocal Agreement is made by and between the CITY OF MARGATE, a municipal corporation of the State of Florida (hereinafter referred to as "MARGATE") and the CITY OF COCONUT CREEK, a municipal corporation of the State of Florida (hereinafter referred to as "COCONUT CREEK").

W I T N E S S E T H:

WHEREAS, COCONUT CREEK and MARGATE are desirous of amending the Interlocal Agreement between the City of Coconut Creek and Margate, providing for the delivery of emergency medical and fire protection services, dated October 1, 2016, (hereinafter referred to as the "Agreement") to provide for a 5.3% increase in accordance with the annual financial opener pursuant to Article 11, "Consideration and Term", Section 11.2.

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants, promises, terms and conditions set forth herein, and other good and valuable consideration, MARGATE and COCONUT CREEK do hereby agree as follows:

1. Incorporation of Recitals. The parties hereby represent that the above recitals are hereby incorporated as fully set forth herein.

2. Revisions.

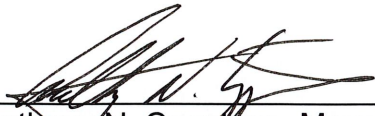
a) Article 11, "Consideration and Term", Section 11.2.1 of Agreement is amended as follows:

11.2.1 COCONUT CREEK shall pay MARGATE ~~the following amount~~ \$10,050,000 for Fiscal Year, ~~2018/2019, \$9,543,380~~ 2019/2020 in equal monthly payments. For subsequent contract years, COCONUT CREEK and MARGATE will negotiate financial terms annually prior to August 1st.

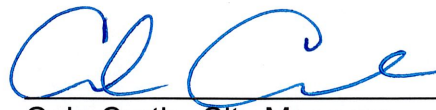
3. Full Force and Effect. All other terms and conditions of the Interlocal Agreement between COCONUT CREEK and MARGATE providing for delivery of Emergency Medical and Fire Protection Services, dated October 1, 2016, Amendment No. 1 to the Agreement dated September 13, 2017 ("Amendment No. 1"), and Amendment No. 2 to the Agreement dated September 27, 2018 ("Amendment No. 2"), Amendment No. 3 to the Agreement dated February 14, 2019 ("Amendment No. 3") not expressly modified by this Amendment, No. 4 thereto shall remain in full force and effect.

4. Effective Date of Amendment No. 4. This Amendment shall not be effective until it is approved and signed by both parties.

CITY OF MARGATE




Anthony N. Caggiano, Mayor
18th day of September, 2019



Cale Curtis, City Manager
18th day of September, 2019

ATTEST:



Joseph J. Kavanagh, City Clerk
24th day of September, 2019


APPROVED AS TO FORM:


Janette M. Smith, City Attorney
03 day of Sept, 2019


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CITY OF COCONUT CREEK

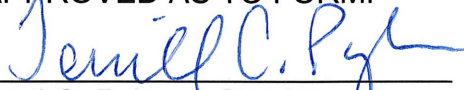

Sandra L. Welch, Mayor
20th day of September, 2019


Mary C. Blasi, City Manager
20th day of September, 2019

ATTEST:


Leslie Wallace May, City Clerk
20th day of September, 2019

APPROVED AS TO FORM:


Terril C. Pyburn, City Attorney
20th day of September, 2019