

**FIRST AMENDMENT TO INTERLOCAL AGREEMENT  
FOR OCEANSIDE PARKING GARAGE**

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**THIS FIRST AMENDMENT TO INTERLOCAL AGREEMENT FOR OCEANSIDE PARKING GARAGE** is made and entered into this \_\_\_\_ day of October 2021, by and between the CITY OF POMPANO BEACH, a municipal corporation organized under the laws of the State of Florida (“CITY”) and the POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY, a public body corporate and politic (“CRA”) as follows:

**WHEREAS**, by Resolution No. 2021-47, CITY approved and authorized execution of the Interlocal Agreement for Oceanside Parking Garage (the “Interlocal Agreement”); and

**WHEREAS**, by Resolution No. 2021-07, CRA approved and authorized execution of the Interlocal Agreement; and

**WHEREAS**, on January 28, 2021, the parties executed the Interlocal Agreement; and

**WHEREAS**, the Interlocal Agreement provides generally for the issuance by the City of Certificates of Participation (“COPs”); and

**WHEREAS**, Article 5 of the Interlocal Agreement entitled “TERM” provides that the term of the Interlocal Agreement “shall automatically terminate in the event the COPs are not issued by December 31, 2021”; and

**WHEREAS**, the parties have determined that the COPs will not be issued by December 31, 2021, and desire to amend the Interlocal Agreement to extend the date for automatic termination.

**NOW, THEREFORE**, in consideration of the mutual terms and conditions, promises, covenants and payments set forth below, the Parties agree as follows:

1. Each “WHEREAS” clause set forth above is true and correct and herein incorporated by this reference.
2. The terms and conditions contained within the Interlocal Agreement shall remain in full force and effect except as specifically amended herein below.
3. The last paragraph of ARTICLE 5, TERM, is amended to read as follows:

...

Notwithstanding the foregoing or anything to the contrary herein, the Term of this Agreement shall automatically terminate in the event the COPs are not issued by ~~December 31, 2021~~ December 31, 2022.

IN WITNESS WHEREOF, the parties to this First Amendment to Interlocal Agreement for Oceanside Parking Garage have set their hands and seals on the day and year first above written.

“CITY”:

**CITY OF POMPANO BEACH**

By: \_\_\_\_\_  
REX HARDIN, MAYOR

By: \_\_\_\_\_  
GREGORY P. HARRISON, CITY MANAGER

Attest:

(SEAL)

\_\_\_\_\_  
ASCELETA HAMMOND, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
MARK E. BERMAN, CITY ATTORNEY

DATED: \_\_\_\_\_

:jrm  
9/27/21  
L:agr/cra/2021-1169

**"CRA":**

Signed, Sealed and Witnessed  
In the Presence of:

**POMPANO BEACH COMMUNITY  
REDEVELOPMENT AGENCY**

\_\_\_\_\_

By: \_\_\_\_\_  
Rex Hardin, Chairman

Print Name: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
Marsha Carmichael, Secretary

Print Name: \_\_\_\_\_

**EXECUTIVE DIRECTOR:**

\_\_\_\_\_

By: \_\_\_\_\_  
Gregory P. Harrison

Print Name: \_\_\_\_\_

\_\_\_\_\_

Print Name: \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Claudia M. McKenna, CRA Attorney

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by REX HARDIN as Chair, GREGORY P. HARRISON, as Executive Director and MARSHA CARMICHAEL, as Secretary of the Pompano Beach Community Redevelopment Agency, who are personally known to me.

NOTARY'S SEAL:

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA

\_\_\_\_\_  
(Name of Acknowledger Typed, Printed or Stamped)

\_\_\_\_\_  
Commission Number