



**SECOND AMENDMENT TO AGREEMENT BETWEEN BROWARD COUNTY AND
THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, FOR A
NATURESCAPE PROGRAM IN SUPPORT OF ENVIRONMENTAL STEWARDSHIP
WITHIN THE SCHOOL BOARD OF BROWARD COUNTY**

This is the Second Amendment to the Agreement ("Second Amendment"), made and entered into by and between Broward County, a political subdivision of the State of Florida ("County") and The School Board of Broward County, Florida, a political subdivision of the State of Florida ("SBBC") (collectively referred to as "Parties").

RECITALS

- A. County and SBBC entered into an Agreement dated January 9, 2017, ("Agreement"), providing for the implementation of a partnership in support of water conservation, including the NatureScape Broward principles for an Initial Term of one (1) year with SBBC able to renew this Agreement for up to four (4) additional one (1) year terms by written notice to County.
- B. The parties amended the Agreement on December 4, 2018, through a First Amendment to Agreement ("First Amendment") in order to align renewals with the SBBC fiscal year.
- C. SBBC has provided written notice to County that it is exercising the second renewal term option in the Agreement and proposed this Second Amendment to require renewal by written amendments during the remaining term of the Agreement and confirm the Parties' agreement to the second renewal, extending of the expiration date through June 30, 2020.

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

ARTICLE 1: AMENDMENTS

- 1.1 Article 3.1 of the Agreement, as amended by the First Amendment, is further amended by interlineation as follows:

3.1 The term of this Agreement shall begin on December 12, 2017, ("effective date") and shall end on December 11, 2018, ("Initial Term"). SBBC may elect to renew this Agreement for one (1) renewal term from December 12, 2018, through June 30, 2019, and ~~up to three (3) additional one (1) year renewal terms under the terms and conditions set forth herein by providing written notice to County at least thirty (30) days prior to the end of the current term,~~ unless terminated earlier

pursuant to Article 7 of this Agreement, may be extended for three (3) additional one (1) year renewal terms upon the execution of a written amendment to this Agreement. The continuation of this Agreement beyond the end of any fiscal year of the Parties is subject to both the appropriation and the availability of funds in accordance with Chapter 129, Florida Statutes.

1.2 The Parties agree to exercise the second renewal term and extend the Agreement, as amended, through June 30, 2020.

ARTICLE 2: ORDER OF PRECEDENCE

2.1 In the event of conflict between the provisions of the Agreement and the provisions contained herein or in the First Amendment, the provisions of the following documents shall take precedence in this order:

- a) This Second Amendment; then
- b) The First Amendment; then
- c) the Agreement.

ARTICLE 3: OTHER PROVISIONS REMAIN IN FORCE

3.1 Except as expressly provided herein, all other portions of the Agreement remain in full force and effect.

(Remainder of page intentionally blank.)

IN WITNESS WHEREOF, the Parties hereto have made and executed this First Amendment to Agreement: BROWARD COUNTY, through its BOARD OF COUNTY COMMISSIONERS, signing by and through its County Administrator, authorized to execute same by Board action on the ____ day of _____, 2019, and SBBC, signing by and through its Chair, duly authorized to execute same.

COUNTY

WITNESSES:

BROWARD COUNTY, through
its County Administrator

Signature

By: _____
Bertha W. Henry
County Administrator

Print Name

____ day of _____, 20____.

Signature

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

Print Name

By: /s/ _____ 00/00/19
Michael C. Owens (Date)
Assistant County Attorney

By: /s/ _____ 00/00/19
Maite Azcoitia (Date)
Deputy County Attorney

MCO/gb
Second Amendment to NatureScape Agreement SBBC
5/20/2019
#31008

SECOND AMENDMENT TO AGREEMENT BETWEEN BROWARD COUNTY AND
THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, FOR A
NATURESCAPE PROGRAM IN SUPPORT OF ENVIRONMENTAL STEWARDSHIP
WITHIN THE SCHOOL BOARD OF BROWARD COUNTY

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

(Seal)

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST:

By _____
Heather P. Brinkworth, Chair

Robert W. Runcie
Superintendent of Schools

Approved as to Form and Legal Content:

Office of the General Counsel