

**FIRST AMENDMENT TO THIRD AMENDED AND
RESTATED INTERLOCAL RECREATION AGREEMENT**

THIS AGREEMENT made and entered into this 28th day of September, 2020, amends that certain agreement made the 11th day of December, 2018, between HENDRY COUNTY, a political subdivision of the State of Florida, hereinafter called "County", and the CITY OF LABELLE, a municipal corporation existing under the laws of Florida, hereinafter called "City", providing for recreational programs to residents of the City and unincorporated areas in the western part of the County.

WHEREAS, County and City entered into the Third Amended and Restated Interlocal Recreation Agreement on December 11, 2018, hereinafter called "Agreement", to cooperate on the provision of recreational facilities and programs within the City and within the unincorporated areas in the western part of the County; and

WHEREAS, the parties desire to amend the Agreement to add lower assessment amounts for recreational vehicle park rental lots, recreational park fee simple lots and hotel/motel rooms.

NOW, THEREFORE, COUNTY AND CITY AGREE TO AMEND THE THIRD AMENDED AND RESTATED INTERLOCAL RECREATION AGREEMENT AS FOLLOWS:

1. Section Two of the Agreement is hereby modified as follows (deletions shown by ~~striketrough~~, additions shown by underline):

Section Two: Special Assessments

- 2.1 The City shall assess and collect a special assessment of \$100.00 from each residence and \$50.00 from each recreational vehicle park rental lot, recreational vehicle park fee simple lot and hotel/motel room within the City of LaBelle. Similarly, the County shall assess and collect a special assessment of \$100.00 from each residence and \$50.00 from each recreational vehicle park rental lot, recreational vehicle park fee simple lot and hotel/motel room within the West Hendry County Recreational Municipal Service Benefit Unit. The proceeds from such special assessments shall be jointly appropriated each year, along with such other moneys as determined by City and County, for recreational expenditures consistent with this Agreement except as provided in Section 2.3.
- 2.2 These special assessments may be amended from year to year by subsequent agreement of the City and County, provided, however, that the special assessments adopted by the City and County shall be of an equal amount and shall be adequate to fund the operations of the Board. Operations of the Board shall include scheduled payment of debt, liabilities or other obligations incurred for those purposes set forth in Section 1.4 above. Nothing in this agreement shall preclude either the City or the County from appropriating funds (in

addition to the special assessment) to the Board for any recreational facility included in this Agreement.

- 2.3 Each party retains the right to increase its special assessment relative to and independent of the other for their own purposes provided, however, that the other party does not match the increase. Specifically, "own purposes" means that each party may utilize the incremental increase not mirrored by the other for recreational purposes outside of this Agreement. However, any subsequent increase or match by the other party shall require the first increasing party to appropriate funds for use by the Board consistent with this Agreement in equal proportion to the matching increase.


In all other ways the Third Amended and Restated Interlocal Recreation Agreement is unmodified.

HENDRY COUNTY

ATTEST:



Kimberley Barrineau, Ad Interim Clerk



Mitchell Wills, Chairman

CITY OF LABELLE

ATTEST:



Thomas A. Smith, Clerk



David Lyons, Mayor