

1 PASSED AND ADOPTED this 7th day of May, 2013.

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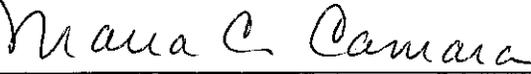
The foregoing resolution upon being put to a vote, the vote was as follows:



Noah Jacobs, Mayor

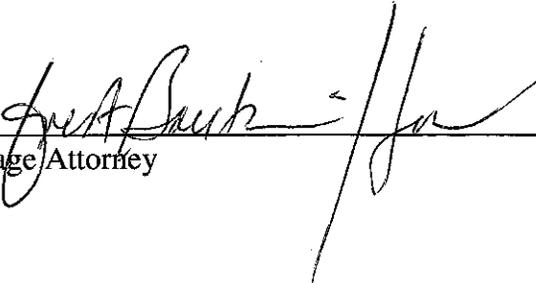
Mayor Jacobs: Yes
Vice Mayor Cooper: Yes
Commissioner Anderson: Yes
Commission Ross: Yes
Commissioner Watts: Yes

Attest:



Maria C. Camara, Village Clerk

Approved as to form:



Village Attorney

THIRD ADDENDUM TO MEMORANDUM OF UNDERSTANDING

Between
MIAMI SHORES VILLAGE
And
VILLAGE OF BISCAYNE PARK
For
HOUSEHOLD RECYCLING PICKUP

THIS THIRD ADDENDUM to the Memorandum of Understanding between MIAMI SHORES VILLAGE and the VILLAGE OF BISCAYNE PARK is entered into as of June 4, 2013;

WHEREAS, on or about April 26, 2006 the VILLAGE OF BISCAYNE PARK and MIAMI SHORES VILLAGE entered into a Memorandum of Understanding for Household Recycling Pickup (hereinafter the "MOU"); and

WHEREAS, that MOU was for an initial term of three (3) years and was subsequently extended for an additional three (3) year term by way of an Addendum executed on or about April 7, 2009; and further extended for an additional one (1) year term with a second Addendum executed on or about July 20, 2012; and

WHEREAS, the parties hereto wish to further extend the term of the MOU for an additional one (1) year in accordance with the terms of this Addendum;

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, Ten Dollars (\$10.00) and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged the parties hereto agree as follows:

1. The provisions of the MOU are hereby amended so as to extend the term thereof for an additional one (1) year commencing June 4, 2013.
2. The provisions of paragraph 4(B) of the original MOU are hereby amended such that the payment provisions referenced therein shall apply for each year during the period of the extended term provided for by this Addendum.
3. The provisions of Paragraph 4(A) of the original MOU are hereby amended to include a new section 4(A)(3) which shall read as follows:
 - (3) The start time for picking up recycling bins shall commence no earlier than 7:00 a.m.
4. The parties acknowledge full compliance has occurred with respect to the obligations enumerated in Section 4(A)(1) of the original MOU and that, with the exception of that provision, all of remaining terms of the MOU not otherwise specifically amended herein shall remain in full force and effect.
5. In the event of any conflict between the provisions of the original MOU and this Addendum, provisions of this Addendum will supersede all other terms. In the event of any ambiguity, the most conservative interpretation consistent with the public interest of both parties is intended.

MIAMI SHORES VILLAGE, FLORIDA
a municipal corporation, organized and existing
under the laws of the State of Florida.

ATTEST:

Barbara A. Estep, MMC
Barbara A. Estep, MMC
Village Clerk

By: Tom Benton
Tom Benton, Village Manager

Approved as to Form:

Richard Sarafan
Richard Sarafan, Village Attorney

State of Florida
County of Miami-Dade

The foregoing instrument was acknowledged before me, the undersigned Notary Public in and for the State of Florida, on this, 5th day of June, 2013, by Tom Benton and Barbara Estep, Village Manager and Village Clerk, respectively.

Karen Banda
Notary Public, State of Florida

