

2013 AMENDMENT

to

INTERLOCAL AGREEMENT

between

BROWARD COUNTY

and

CITY OF FORT LAUDERDALE

providing for

DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE

This 2013 Amendment to Interlocal Agreement made and entered into by and between: BROWARD COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY,"

AND

City of Fort Lauderdale, a municipal corporation, existing under the laws of the State of Florida, hereinafter referred to as "MUNICIPALITY."

IN CONSIDERATION of the mutual terms, conditions, promises, covenants, and payments hereinafter set forth and pursuant to the authorization of paragraph (1)(b)2 of Section 336.025, Florida Statutes, the COUNTY and MUNICIPALITY agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as previously amended, is hereby amended to read as follows:

2. Forty-eight and Seventy-three One-hundredths percent (48.73%) of the total proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance shall be distributed to the COUNTY and the remaining Fifty-one and Twenty-seven One-hundredths percent (51.27%) of the total proceeds shall be divided among and distributed to the eligible municipalities within the COUNTY as follows:

$$\frac{\text{Population of Individual Municipality}}{\text{Total Incorporated Area Population}} \times 51.27\% =$$

Recipient	FY14 Percent Share of Proceeds
Coconut Creek	1.557920%
Cooper City	0.889814%
Coral Springs	3.585001%
Dania	0.872953%
Davie	2.713217%
Deerfield Beach	2.206446%
Fort Lauderdale	4.927290%
Hallandale	1.102610%
Hillsboro Beach	0.055230%
Hollywood	4.160472%
Lauderdale-by-the-Sea	0.178401%
Lauderdale Lakes	0.969240%
Lauderhill	1.958964%
Lazy Lake	0.000728%
Lighthouse Point	0.304465%
Margate	1.610607%
Miramar	3.608291%
North Lauderdale	1.235190%
Oakland Park	1.227914%
Parkland	0.726814%
Pembroke Park	0.178343%
Pembroke Pines	4.515053%
Plantation	2.485313%
Pompano Beach	2.987642%
Sea Ranch Lakes	0.019579%
Southwest Ranches	0.215805%
Sunrise	2.517604%
Tamarac	1.785531%
Weston	1.912530%
West Park	0.413932%
Wilton Manors	0.347101%
Total Incorporated	51.270000%

2. Paragraph 3 of the Interlocal Agreement, as previously amended, is hereby amended to read:

3. The population figures set out herein are based on the figures contained in the document referred to as the "Florida Estimates of Population," published on an annual basis by the Bureau of Economics and Business Research, Population

Division, University of Florida. The population figures to be utilized in the formula described in Paragraph 2 of this Interlocal Agreement, for the division and distribution of the proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance, shall be adjusted annually based on the current "Florida Estimates of Population."

For the purpose of this Agreement, the following population figures are hereby agreed upon:

Recipient	FY14 Population
Coconut Creek	53,313
Cooper City	30,450
Coral Springs	122,681
Dania	29,873
Davie	92,848
Deerfield Beach	75,506
Fort Lauderdale	168,615
Hallandale	37,732
Hillsboro Beach	1,890
Hollywood	142,374
Lauderdale-by-the-Sea	6,105
Lauderdale Lakes	33,168
Lauderhill	67,037
Lazy Lake	25
Lighthouse Point	10,419
Margate	55,116
Miramar	123,478
North Lauderdale	42,269
Oakland Park	42,020
Parkland	24,872
Pembroke Park	6,103
Pembroke Pines	154,508
Plantation	85,049
Pompano Beach	102,239
Sea Ranch Lakes	670

Recipient	FY14 Population
Southwest Ranches	7,385
Sunrise	86,154
Tamarac	61,102
Weston	65,448
West Park	14,165
Wilton Manors	11,878
Total Incorporated	1,754,492
Unincorporated Area	16,607
Total County	1,771,099

3. This 2013 Amendment to Interlocal Agreement shall become effective on the date last executed by the parties hereto provided that those eligible municipalities representing a majority of the incorporated area population and Broward County have executed this Interlocal Agreement.

4. In the event this 2013 Amendment to Interlocal Agreement or a portion of this 2013 Amendment to Interlocal Agreement is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless COUNTY or MUNICIPALITY elects to terminate this Agreement. The election to terminate this Agreement based upon this provision shall be made within seven (7) days after the finding by the court becomes final.

5. Except to the extent amended, the Interlocal Agreement shall remain in full force and effect. In the event of any conflict between the terms of this 2013 Amendment and the Interlocal Agreement, as previously amended, the parties hereby agree that this document shall control.

6. This 2013 Amendment to Interlocal Agreement may be executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

[THE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the parties have made and executed this 2013 Amendment to the Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action, and MUNICIPALITY, signing by and through its Mayor-Commissioner, duly authorized to execute same.

COUNTY

ATTEST:

BROWARD COUNTY, by and through
its Board of County Commissioners

Broward County Administrator, as
Ex-Officio Clerk of the Broward County
Board of County Commissioners

By _____
Mayor
____ day of _____, 20__

Approved as to form by
Joni Armstrong Coffey
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By _____
Al A. DiCalvo (Date)
Assistant County Attorney

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City of Fort Lauderdale

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MUNICIPALITY

WITNESSES:

CITY OF FORT LAUDERDALE

By _____
Mayor-Commissioner

____ day of _____, 2013.

ATTEST:

By _____
Municipal Clerk

Municipal Manager

____ day of _____, 2013.

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _____
Municipal Attorney