

NAME OF DOCUMENT:

Agreements - Interlocal Gas Tax *P/B on agreement 5/30/13*

Approved Comm. Mtg. on

5/21/13 M-3

2012

CAR#

13-0732

ITEM:

M -

PH -

O -

CR -

R

Routing Origin:  CAO

ENG.

COMM. DEV.

OTHER

Also attached:

copy of CAR

copy of document

ACM Form

# 2

originals

By: ck

Initials

forwarded to:

1.) Approved as to Content:

[Signature]  
Department Director

Capital Improvements defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, fixtures) that add value and/or extend useful life, inc. major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, real.

Please Check the proper box:

CIP FUNDED  YES  NO

Capital Improvement Projects

2.) Approved as to Funds Available: by

[Signature]  
Finance Director

(See attached CAM) Date:

Amount Required by Contract/Agreement \$

Dept./Div.

FUNDING SOURCE: Index/Sub-object

Project #

3.) City Attorney's Office: Approved as to Form # 2

Originals to City Mgr. By: RUSH

Harry A. Stewart

Cole Copertino

Robert B. Dunckel

Ginger Wald

D'Wayne Spence

Paul G. Bangel

Carrie Sarver

DJ Williams-Persad

**COUNTY MUST HAVE BY JUNE 1ST**

4.) Approved as to content: Assistant City Manager:

By:

Stanley Hawthorne, Assistant City Manager

By:

Susanne Torriente, Assistant City Manager

5.) City Manager: Please sign as indicated and forward # 2 originals to Mayor.

6.) Mayor: Please sign as indicated and forward # 2 originals to Clerk.

7.) To City Clerk for attestation and City seal.

**INSTRUCTIONS TO CLERK'S OFFICE**

8.) City Clerk: ~~retains one original document and~~ forwards 9 original documents to PAMELA W (5274)

Copy of document to

Original Route form to

Attach certified copies of Reso. #

Fill-in date

**RUSH**

5/30



**PUBLIC WORKS DEPARTMENT**

115 S. Andrews Avenue • Suite A-550 • Fort Lauderdale, Florida 33301 • 954-357-6410 • FAX 954-357-6340

CITY CLERK

2013 JUL 22 AM 9:07

June 28, 2013

To Whom It May Concern:

Please find enclosed your executed originals of the 2013 Amendments to the three Local Option Gas Tax Interlocal Agreements.

The Amendments have been duly executed by our Mayor, as authorized by ordinance on behalf of the Board of County Commissioners.

If you require additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Rita W. Durocher".

Rita W. Durocher, Assistant to the Director  
Public Works Department

c: Susan Smith, Administrative Manager II, Highway and Bridge Maintenance Division

2013 AMENDMENT

to

INTERLOCAL AGREEMENT

between

BROWARD COUNTY

and

CITY OF FORT LAUDERDALE

providing for

DIVISION AND DISTRIBUTION OF THE  
PROCEEDS OF THE LOCAL OPTION GAS  
TAX IMPOSED BY THE BROWARD COUNTY  
LOCAL OPTION GAS TAX ORDINANCE

This is the 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."

WHEREAS, Section 336.025(1)(a), Florida Statutes, authorizes the COUNTY to extend the levy of the six (6) cents local option gas tax upon every gallon of motor fuel and special fuel sold in Broward County for a period not to exceed thirty (30) years on a majority vote of the governing body of the COUNTY; and

WHEREAS, on June 14, 1988, the Board of County Commissioners enacted Ordinance No. 88-27, effective September 1, 1988, through August 31, 2018, pursuant to Section 336.025(1)(a), Florida Statutes, extending the levy of the six cent local option gas tax for thirty years and providing for a method of distribution of the proceeds of the tax; and

WHEREAS, pursuant to the ordinance, the method for distribution of the proceeds is the execution of an interlocal agreement with one or more of the municipalities representing a majority of the population of the incorporated area within the county which establishes the distribution formulas for dividing the proceeds of the

<b>Recipient</b>	<b>FY14 Percent Share of Proceeds</b>
North Lauderdale	0.903445%
Oakland Park	0.898123%
Parkland	0.531607%
Pembroke Park	0.130444%
Pembroke Pines	3.302409%
Plantation	1.817813%
Pompano Beach	2.185227%
Sea Ranch Lakes	0.014320%
Southwest Ranches	0.157845%
Sunrise	1.841430%
Tamarac	1.305976%
Weston	1.398866%
West Park	0.302759%
Wilton Manors	0.253877%
<b>Total Incorporated</b>	<b>37.500000%</b>

2. Paragraph 3 of the Interlocal Agreement, as previously amended by the Addendum thereto and the prior amendments, is amended to read as follows:

3. The population figures set forth herein are based on the most current edition of "Florida Estimates of Population," published 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 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:

<b>Recipient</b>	<b>FY14 Population</b>
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

5. This 2013 Amendment 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.

6. In the event this 2013 Amendment to Interlocal Agreement or a portion of this 2013 Amendment is found by a court of competent jurisdiction to be invalid, the remaining portions 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.

[THE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

2013 AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF FORT LAUDERDALE PROVIDING FOR DIVISION AND DISTRIBUTION OF THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE

MUNICIPALITY

WITNESSES:

[Signature]  
[Signature]

ATTEST:

By [Signature]  
Municipal Clerk

(CORPORATE SEAL)

CITY OF FORT LAUDERDALE

By [Signature]  
Mayor-Commissioner

30 day of May, 2013.

[Signature] FOR LEE FELDMAN  
Municipal Manager

\_\_\_\_ day of \_\_\_\_\_, 2013.

APPROVED AS TO FORM:

By [Signature]  
Municipal Attorney

[Signature]  
Sr. Assistant City Attorney

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:

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

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:

<b>Recipient</b>	<b>FY14 Population</b>
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



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.

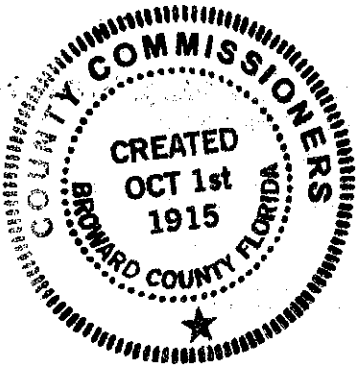
COUNTY

ATTEST:

*[Signature]*  
for \_\_\_\_\_  
Broward County Administrator, as  
Ex-Officio Clerk of the Broward County  
Board of County Commissioners

BROWARD COUNTY, by and through  
its Board of County Commissioners

By *[Signature]* \_\_\_\_\_  
For Mayor  
28 day of *[Signature]*, 2013



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 *[Signature]* \_\_\_\_\_ *[Signature]*  
Al A. DiCalvo (Date)  
Assistant County Attorney

AAD  
3/20/13  
GASTAX3\_2013.doc  
City of Fort Lauderdale

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 FIFTH CENT ADDITIONAL  
LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

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."

WHEREAS, Section 336.025(1)(b), Florida Statutes, authorizes the counties to extend the levy of the additional local option gas tax upon every gallon of motor fuel and special fuel sold in Broward County for a period not to exceed thirty (30) years on a majority vote of the governing body of the COUNTY; and

WHEREAS, on June 13, 2000, the Board of County Commissioners enacted Ordinance No. 2000-25, effective January 1, 2001, through December 31, 2031, pursuant to Section 336.025(1)(b), Florida Statutes, extending the levy of the fifth-cent local option gas tax for thirty years and providing for a method of distribution of the proceeds of the tax; and

WHEREAS, pursuant to said Ordinance, the method for distribution of the proceeds is the execution of an Interlocal Agreement with one or more of the municipalities representing a majority of the population of the incorporated area within the County which establishes the distribution formulas for dividing the proceeds of the tax among the County and all eligible municipalities within the County; and

<b>Recipient</b>	<b>FY14 Population</b>	<b>FY14 Percent Share of Proceeds</b>
Oakland Park	42,020	0.622699%
Parkland	24,872	0.368581%
Pembroke Park	6,103	0.090440%
Pembroke Pines	154,508	2.289670%
Plantation	85,049	1.260350%
Pompano Beach	102,239	1.515090%
Sea Ranch Lakes	670	0.009929%
Southwest Ranches	7,385	0.109439%
Sunrise	86,154	1.276725%
Tamarac	61,102	0.905477%
Weston	65,448	0.969881%
West Park	14,165	0.209913%
Wilton Manors	11,878	0.176021%
<b>Total Incorporated</b>	<b>1,754,492</b>	<b>26.000000%</b>

<b>Unincorporated Area</b>	<b>16,607</b>
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<b>Total County</b>	<b>1,771,099</b>
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The population figures set forth above 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 Economic and Business Research, Population Division, of the University of Florida. The population figures to be utilized in the formula described in this section, for the distribution of the Fifth Cent, shall be adjusted annually based on the current Florida Estimates of Population.

2.1.2 Twenty-six percent (26%) shall be distributed by COUNTY to the Municipalities by grant agreement for Community Shuttle Services.


2. 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.

3. 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.

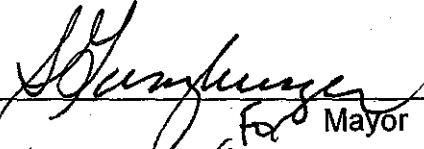
IN WITNESS WHEREOF, the parties have made and executed this 2013 Amendment to the Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action, and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

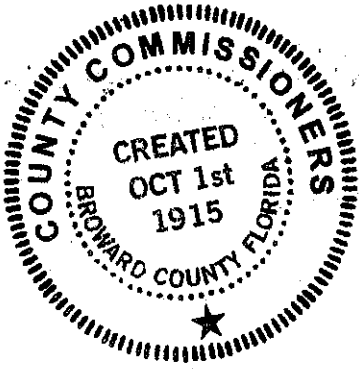
COUNTY

ATTEST:


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

BROWARD COUNTY, by and through  
its Board of County Commissioners

By   
\_\_\_\_\_  
For Mayor  
The day of June, 2013



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

AAD  
3/20/13  
GASTAX5\_2013.doc  
City of Fort Lauderdale