

**2019 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION
AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY
ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR
TRANSIT**

This 2019 Amendment to Interlocal Agreement (the "2019 Amendment") is entered into by and between Broward County, a political subdivision of the State of Florida (the "County"), and the municipalities executing a signature page bearing the above legend, each of which is a municipal corporation existing under the laws of the State of Florida (the "Municipalities") (the County and Municipalities are collectively referred to as the "Parties").

RECITALS

A. Section 336.025(1)(b), Florida Statutes, authorizes the counties to extend the levy of the additional fifth-cent local option gas tax upon every gallon of motor 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.

B. On June 13, 2000, the Broward County 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 additional fifth-cent local option gas tax for thirty (30) years and providing for a method of distribution of the proceeds of the tax.

C. The method for distribution of the proceeds is established by an Interlocal Agreement with Municipalities representing a majority of the population of the incorporated area within the County.

D. Paragraph 4 of the Interlocal Agreement requires annual adjustment of the division and distribution of the proceeds based upon the population of the individual Municipalities and unincorporated Broward County utilizing the population figures set forth in the most current edition of "Florida Estimates of Population," published by the Bureau of Economics and Business Research, Population Division, University of Florida.

NOW, THEREFORE, for good and valuable consideration, and pursuant to Section 336.025(1)(b), Florida Statutes, the County and Municipalities agree as follows:

1. Section 2.1 of the Interlocal Agreement, as previously amended, is hereby amended to read as follows:

2.1 Seventy-four percent (74%) of the total proceeds from the additional fifth-cent local option gas tax shall be distributed to the County, from which amount the County will retain forty-eight percent (48%) of the total proceeds and will distribute twenty-six percent (26%) of the total proceeds to the Municipalities

through Interlocal Agreements for Community Shuttle Services. The remaining twenty-six percent (26%) shall be distributed to the Municipalities as follows:

$$\frac{\text{Population of Individual Municipality}}{\text{Total Incorporated Area Population}} \times 26.0000\%$$

Recipient	BEBR Population 4/1/18	FY20 Percent Share of Proceeds
Coconut Creek	58,344	0.805661%
Cooper City	33,906	0.468201%
Coral Springs	128,757	1.777981%
Dania Beach	31,755	0.438499%
Davie	103,171	1.424669%
Deerfield Beach	78,573	1.085000%
Fort Lauderdale	182,827	2.524623%
Hallandale Beach	39,054	0.539289%
Hillsboro Beach	1,918	0.026485%
Hollywood	149,028	2.057899%
Lauderdale-by-the-Sea	6,199	0.085601%
Lauderdale Lakes	36,475	0.503676%
Lauderhill	71,751	0.990796%
Lazy Lake	26	0.000360%
Lighthouse Point	10,560	0.145821%
Margate	58,329	0.805454%
Miramar	137,107	1.893284%
North Lauderdale	44,841	0.619201%
Oakland Park	45,276	0.625208%
Parkland	32,742	0.452128%
Pembroke Park	6,384	0.088155%
Pembroke Pines	165,352	2.283314%
Plantation	89,595	1.237200%
Pompano Beach	110,371	1.524092%
Sea Ranch Lakes	695	0.009597%
Southwest Ranches	7,706	0.106411%
Sunrise	92,663	1.279566%
Tamarac	64,663	0.892919%
Weston	66,972	0.924804%
West Park	14,985	0.206925%
Wilton Manors	12,831	0.177181%
Total Incorporated	1,882,856	26.000000%

Recipient	BEBR Population 4/1/18	FY20 Percent Share of Proceeds
Unincorporated Area	15,120	
Total County	1,897,976	

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 additional fifth-cent local option gas tax shall be adjusted annually based on the current Florida Estimates of Population.

2. This 2019 Amendment shall be effective as of the date it is executed by the County after having previously been executed by the Municipalities cumulatively representing a majority of the incorporated area population of the County; the amended population figures and share of proceeds shall take effect as provided by applicable law.

3. In the event any provision within this 2019 Amendment is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless the County or any executing Municipality necessary to maintain the cumulative majority referenced in the preceding paragraph elects to terminate the Interlocal Agreement. The election to terminate pursuant to this provision must be made within seven (7) days after such court ruling; provided, however, that if a timely notice appealing the court ruling is filed, the election shall be held in abeyance until the appeal is determined or dismissed.

4. 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 2019 Amendment and the Interlocal Agreement, as previously amended, the Parties acknowledge that this 2019 Amendment shall control.

5. This 2019 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.

[THE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the Parties hereto have made and executed this 2019 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 County Administrator, authorized to execute same by Board action on April 9th, 2019, and each Municipality, signing by and through its _____, duly authorized to execute same.

COUNTY

WITNESSES:

Broward County, by and through
its County Administrator

Print Name: _____

By _____

Bertha Henry
County Administrator

Print Name: _____

_____ day of _____, 20____

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

By _____

Angela J. Wallace (Date)
Deputy County Attorney

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MUNICIPALITY

WITNESSES:

Municipality: CITY OF FORT LAUDERDALE

By _____
Dean J. Trantalis, Mayor

____ day of _____, 2019.

ATTEST:

By _____
Jeffrey A. Modarelli
City Clerk

Christopher J. Lagerbloom
City Manager

____ day of _____, 2019

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _____
Shari C. Wallen, Esq.
Assistant City Attorney