

TOWN OF DAVIE
OFFICE OF THE TOWN ADMINISTRATOR

MEMORANDUM

TO: Mayor and Town Council

FROM: Robert Rawls, Interim Town Administrator

DATE: April 22, 1999

SUBJECT: Resolution Adopting Local Option Gas Tax

Broward County collects local option gasoline taxes and distributes these funds between Broward County and eligible municipalities at a ratio of 61.58% County and 38.42% Municipal. The Municipal distribution is calculated on the basis of incorporated area population and is updated annually which is the subject of this annual amendment.

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AND EXECUTING THE SIXTEENTH AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF DAVIE, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE.

WHEREAS, on June 14, 1998, the Broward County Board of County Commissions approved a 30 year extension of the six cent Local Option Gas Tax; and

WHEREAS, it is necessary that the Town of Davie approve the execution of the Sixteenth Amendment to the Interlocal Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The appropriate Town officials are hereby authorized to execute the Sixteenth Amendment of the Interlocal Agreement with Broward County, attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 1999.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 1999.

SIXTEENTH AMENDMENT
to
INTERLOCAL AGREEMENT

Between

BROWARD COUNTY

and

TOWN OF DAVIE

Providing for

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

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This is the Sixteenth 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

TOWN OF DAVIE, a municipal corporation, existing under the laws of the state of Florida, hereinafter referred to as "CITY."

WHEREAS, Section 336.025(1)(a), Florida Statutes, authorizes the counties to extend the levy of the six (6) cent 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)(b), 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 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, as set forth in Section 336.025(3)(a)1., Florida Statutes; and

WHEREAS, paragraph 4 of the Interlocal Agreement, as amended by the Addendum to the Interlocal Agreement, requires annual adjustment of the population of the individual municipalities and unincorporated Broward County in accordance with 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,

IN CONSIDERATION of the mutual terms, conditions, promises, covenants and payments hereinafter set forth, COUNTY and CITY agree as follows:

5. Paragraph 2 of the Interlocal Agreement, as amended by the Addendum thereto and the prior fifteenth amendments, is amended to read as follows:
 2. Sixty-one and fifty-eight hundredths percent (61.58%) of said Local Option Gas Tax proceeds shall be distributed to the COUNTY, and the remaining thirty-eight and forty-two hundredths percent (38.42%) shall be divided among and distributed to the eligible municipalities within the COUNTY as follows:

$$\frac{\text{Population of Individual Municipality}}{\text{Total Incorporated Area Population}} \times 38.42\% =$$

<u>Recipients</u>	<u>Share of Proceeds</u>
	1999
Coconut Creek	1.094897%
Cooper City	0.814211%
Coral Springs	3.098502%
Dania	0.511954%
Davie	1.814120%
Deerfield Beach	1.451949%
Fort Lauderdale	4.331530%
Hallandale	0.908332%
Hillsboro Beach	0.050979%
Hollywood	3.669908%
Lauderdale-by-the-Sea	0.109764%
Lauderdale Lakes	0.805739%
Lauderhill	1.449578%

Lazy Lake	0.001012%
Lighthouse Point	0.302402%
Margate	1.454899%
Miramar	1.529126%
North Lauderdale	0.840207%
Oakland Park	0.812158%
Parkland	0.349072%
Pembroke Park	0.138478%
Pembroke Pines	3.258580%
Plantation	2.282961%
Pompano Beach	2.146941%
Sea Ranch Lakes	0.017812%
Sunrise	2.227240%
Tamarac	1.488817%
Weston	1.116439%
WiltonManors	0.342392%

Total Incorporated **38.420000%**

2. 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. In accordance with the population figures, paragraph 3 of the Interlocal Agreement, as amended by the Addendum thereto and the prior fifteenth amendments, is amended to read as follows:

<u>Recipient</u>	<u>Population</u>
Coconut Creek	37,865
Cooper City	28,158
Coral Springs	107,156
Dania	17,705
Davie	62,738
Deerfield Beach	50,213
Fort Lauderdale	149,798
Hallandale	31,413
Hillsboro Beach	1,763
Hollywood	126,917
Lauderdale-by-the-Sea	3,796

Lauderdale Lakes	27,865
Lauderhill	50,131
Lazy Lake	35
Lighthouse Point	10,458
Margate	50,315
Miramar	52,882
North Lauderdale	29,057
Oakland Park	28,087
Parkland	12,072
Pembroke Park	4,789
Pembroke Pines	112,692
Plantation	78,952
Pompano Beach	74,248
Sea Ranch Lakes	616
Sunrise	77,025
Tamarac	51,488
Weston	38,610
Wilton Manors	11,841

Total County 1,328,685

3. All provisions of the Interlocal Agreement and the Addendum thereto, as amended, not in conflict with this Sixteenth Amendment shall remain in full force and effect.
4. This Sixteenth Amendment 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 have executed this Sixteenth Amendment prior to June 1, 1999.
5. This Sixteenth Amendment may be simultaneously 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 a portion of this Sixteenth Amendment is found by a court of competent jurisdiction to be invalid, the remaining portions shall continue to be effective.

- REMAINDER OF PAGE INTENTIONALLY LEFT BLANK -

IN WITNESS WHEREOF, the parties have made and executed this Sixteenth Amendment to Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Chair or Vice Chair, authorized to execute same by Board action on the ____ day of _____, 19____, and CITY, signing by and through its Mayor-Commissioner, duly authorized to execute same.

COUNTY

ATTEST:

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

BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

By _____
Chair

____ day of _____, 19____.

Approved as to form by
Office of County Attorney
Broward County, Florida
NOEL M. PFEFFER, Interim County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By _____
REBECCA L KAY
Assistant County Attorney

SIXTEENTH AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND TOWN OF DAVIE PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE

CITY

WITNESSES:

TOWN OF DAVIE

By _____
Mayor-Commissioner

____ day of _____, 19__

ATTEST:

City Clerk

City Manager

APPROVED AS TO FORM:

By _____

City Attorney

RLK:sc
3/31/99
gastax 16 frm
#99-087