

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 Distribution

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 AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF DAVIE, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE.

WHEREAS, the Board of County Commissioners has determined it is in the best interest of Broward County to impose an additional local option gas tax on motor fuel; and

WHEREAS, it is necessary that the Town of Davie approve the execution of the attached Amended Interlocal Agreement; and

WHEREAS, the Interlocal Agreement shall be effective September 1, 1993, to December 31, 2024.

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 Amendment to Interlocal Agreement, 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.

1999 AMENDMENT

to

INTERLOCAL AGREEMENT

Between

BROWARD COUNTY

and

TOWN OF DAVIE

Providing for

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

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ADDITIONAL LOCAL OPTION GAS
TAX ON MOTOR FUEL ORDINANCE

THIS 1999 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."

WITNESSETH:

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 CITY agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as previously amended, is hereby amended to read as follows:
2. Sixty-one and fifty-eight hundredths percent (61.58%) 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 thirty-eight and forty-two hundredths percent (38.42%) of

the total proceeds shall be divided among and distributed to the eligible municipalities within the COUNTY as follows:

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

Recipient	Share of Proceeds
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%
Wilton Manors	0.342392%
Total Incorporated	38.420000%

2. Paragraph 2 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." Such annual adjustment shall be determined as of September 1 of each year during which this Interlocal Agreement is in effect.

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

<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	<u>11,841</u>
Total	1,328, 685

3. Section 7 of the Interlocal Agreement is hereby amended as follows:
 7. References herein to Section 336.025, Florida Statutes, are referenced to that section as created by Section 40 of Chapter 93-206, Laws of Florida, as amended from time to time.
4. This 1999 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 have executed this Interlocal Agreement prior to June 1, 1999.
5. In the event this 1999 Amendment to Interlocal Agreement or a portion of this 1999 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 CITY 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.
6. All provisions of the Interlocal Agreement as previously amended, not in conflict with this 1999 Amendment to Interlocal Agreement, shall remain in full force and effect.
7. This 1999 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.

- REMAINDER OF PAGE INTENTIONALLY LEFT BLANK -

IN WITNESS WHEREOF, the parties have made and executed this 1999 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 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:

BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

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

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

By _____
REBECCA L. KAY
Assistant County Attorney

1999 AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY
AND TOWN OF DAVIE PROVIDING FOR DIVISION AND DISTRIBUTION OF THE
PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION GAS TAX
ON MOTOR FUEL ORDINANCE

WITNESSES:

ATTEST:

By _____
City Clerk

(CORPORATE SEAL)

CITY

TOWN OF DAVIE

By _____
Mayor-Commissioner

____ day of _____, 19__.

____ day of _____, 19__.

APPROVED AS TO FORM:

By _____
City Attorney

RLK:sc
3/31/99
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