



Town Council Agenda Report

SUBJECT: Resolution

CONTACT PERSON/NUMBER Bob Rawls 797-1030

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AND EXECUTING THE SEVENTEENTH AMENDMENT TO 1988 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.

REPORT IN BRIEF:

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. The funding distribution formula for Year 2000 reflects a population increase of 4,791 and an increased distribution percentage from 1.814120 to 1.881140. With regard to population, the agreement specifically utilized University of Florida data for all cities.

PREVIOUS ACTIONS:

R-99-162

CONCURRENCES:

N/A

FISCAL IMPACT:

Additional Comments:

Gas tax funds support roadway construction and maintenance operations within the Town.

RECOMMENDATION(S):

Motion to Approve Resolution

Attachment(s):

Resolution

Seventeenth Amendment to Interlocal Agreement

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AND EXECUTING THE SEVENTEENTH AMENDMENT TO 1988 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, 1988, the Broward County Board of County Commissioners approved a 30 year extension of the six cent Local Option Gas Tax; and

WHEREAS, the distribution of these funds is adjusted annually to reflect population changes; and

WHEREAS, it is necessary that the Town of Davie approve the execution of the Seventeenth 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 Seventeenth 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 _____, 2000.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2000.

SEVENTEENTH 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

SEVENTEENTH AMENDMENT

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TAX IMPOSED BY THE BROWARD COUNTY
LOCAL OPTION GAS TAX ORDINANCE

This is the Seventeenth 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 sixteenth amendment, 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:

Population of Individual Municipality x 38.42% =
Total Incorporated Area Population

<u>Recipients</u>	<u>Share of Proceeds</u>
	2000
Coconut Creek	1.101847%
Cooper City	0.800325%
Coral Springs	3.112270%
Dania Beach	0.514793%
Davie	1.881140%
Deerfield Beach	1.670403%
Fort Lauderdale	4.149851%
Hallandale	0.877600%
Hillsboro Beach	0.048916%
Hollywood	3.556195%
Lauderdale-by-the-Sea	0.105800%
Lauderdale Lakes	0.776368%
Lauderhill	1.409441%
Lazy Lake	0.000975%

Lighthouse Point	0.296535%
Margate	1.413090%
Miramar	1.520506%
North Lauderdale	0.833001%
Oakland Park	0.786564%
Parkland	0.368239%
Pembroke Park	0.133267%
Pembroke Pines	3.345347%
Plantation	2.240631%
Pompano Beach	2.072627%
Sea Ranch Lakes	0.017160%
Southwest Ranches	0.229623%
Sunrise	2.184333%
Tamarac	1.460057%
Weston	1.184526%
Wilton Manors	0.328571%
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 sixteenth amendment, is amended to read as follows:

<u>Recipient</u>	<u>Population</u>
Coconut Creek	39,554
Cooper City	28,730
Coral Springs	111,724
Dania Beach	18,480
Davie	67,529
Deerfield Beach	59,964
Fort Lauderdale	148,971
Hallandale	31,504
Hillsboro Beach	1,756
Hollywood	127,660
Lauderdale-by-the-Sea	3,798
Lauderdale Lakes	27,870
Lauderhill	50,596
Lazy Lake	35
Lighthouse Point	10,645

Margate	50,727
Miramar	54,583
North Lauderdale	29,903
Oakland Park	28,236
Parkland	13,219
Pembroke Park	4,784
Pembroke Pines	120,091
Plantation	80,434
Pompano Beach	74,403
Sea Ranch Lakes	616
Southwest Ranches	8,243
Sunrise	78,413
Tamarac	52,413
Weston	42,522
Wilton Manors	<u>11,795</u>
Incorporated area	1,379,198
Unincorporated Area	111,091
Total County	1,490,289

3. All provisions of the Interlocal Agreement and the Addendum thereto, as amended, not in conflict with this Seventeenth Amendment shall remain in full force and effect.
4. This Seventeenth 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 Seventeenth Amendment prior to June 1, 2000.
5. This Seventeenth 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 Seventeenth Amendment is found by a court of competent jurisdiction to be invalid, the remaining portions shall continue to be effective.

IN WITNESS WHEREOF, the parties have made and executed this Seventeenth 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 _____, 20____, 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 _____, 20____.

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

By _____
CAROL S. WOLFF
Assistant County Attorney

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

TOWN

WITNESSES:

TOWN OF DAVIE

By _____

Mayor / Councilmember

____ day of _____, 20____.

ATTEST:

By _____
Town Clerk

Town Administrator

____ day of _____, 20____.

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _____
Town Attorney

CSW:cb
3/30/00
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