



Office of Management and Budget

115 S. Andrews Avenue, Room 404 • Fort Lauderdale, Florida 33301 • 954-357-6345 • FAX 954-357-6364

April 8, 2020

Dear Municipality:

Attached are the amendments to two interlocal gas tax agreements requiring approval by your municipal governing board no later than June 1, 2020. The two attached amendments for those gas tax agreements are required to adjust each City's percentage share based on updated population figures until they expire in 2024 and 2031. As a reminder, the "Original" Six Cents Local Option Gas Tax was renewed in 2018 for a period of 30 years from FY19-FY48. The updated BEBR population figures and the share of proceeds for FY21 are attached for your information.

Summary of Amendments

The two interlocal agreements and amendments are described below:

- The "additional" local option gas tax agreement levied in 1994 provides for Cities to receive 51.27% of three cents of gas tax. The Cities' share of this gas tax has increased over the years due to annexations, however, there were no annexations of populated areas effective September 2019 so the Cities' share of the three cents of gas tax will remain the same as last year. As a result, this amendment adjusts each City's percentage share of the 51.27% based on updated population figures.
- The "transit gas tax" agreement levied in 2001 provides for Cities to receive 26% of the proceeds of one cent of gas tax. This amendment includes adjustments to each City's percentage share based on updated population figures.

Revisions to Population Figures

The two interlocal agreements provide for the distribution of gas taxes among the Cities based on population figures published annually by the University of Florida Bureau of Economics and Business Research. The interlocal agreements also provide for the population numbers to be revised annually using the most current published figures.

Please place the two amendments on the agenda for approval by the municipal governing board as soon as possible and **return the signed agreement and a copy of your municipal resolution** to the County no later than June 1, 2020. This year we are accepting verifiable digital signatures, available through programs like DocuSign and Adobe. **Once we receive a majority of signed agreements from the cities, our County Attorney's office will execute the agreements and return an executed complete document which includes the agreement, county signature page and city signature pages for your records.** If you have any questions about the amendments, please contact Elise Cooper from the County's Office of Management and Budget at 954-357-6360.

Attached are copies of the above discussed amendments. **Please return three executed originals of each amendment which includes the agreement, city signature page, and a copy of your municipal resolution** to:

Steve Hammond, Acting Director
Broward County Public Works Department
Attention: Highway and Bridge Maintenance Division
1600 N.W. 30th Ave. (Blount Road)
Pompano Beach, FL 33069
Ph. (954) 357-6040

Sincerely,

Norman Foster, Director
Office of Management and Budget

**"Original" Six Cents Local Option Gas Tax
Annual Administrative Update of BEBR Population
Year 3 of FY19 - FY48 per the Interlocal Agreement**

| Recipient | FY21 Percent Share of Proceeds |
|---------------------------|---------------------------------------|
| Coconut Creek | 1.156739% |
| Cooper City | 0.669346% |
| Coral Springs | 2.541570% |
| Dania Beach | 0.625571% |
| Davie | 2.052857% |
| Deerfield Beach | 1.565444% |
| Fort Lauderdale | 3.667018% |
| Hallandale Beach | 0.784406% |
| Hillsboro Beach | 0.038183% |
| Hollywood | 2.971069% |
| Lauderdale-by-the-S | 0.122798% |
| Lauderdale Lakes | 0.722967% |
| Lauderhill | 1.425888% |
| Lazy Lake | 0.000511% |
| Lighthouse Point | 0.208478% |
| Margate | 1.164104% |
| Miramar | 2.733959% |
| North Lauderdale | 0.890210% |
| Oakland Park | 0.897476% |
| Parkland | 0.671670% |
| Pembroke Park | 0.126185% |
| Pembroke Pines | 3.308686% |
| Plantation | 1.779238% |
| Pompano Beach | 2.206631% |
| Sea Ranch Lakes | 0.013548% |
| Southwest Ranches | 0.151706% |
| Sunrise | 1.838531% |
| Tamarac | 1.287395% |
| Weston | 1.325538% |
| West Park | 0.299257% |
| Wilton Manors | 0.253021% |
| Total Incorporated | 37.500000% |

| Recipient | BEBR Population 4/1/19 |
|---------------------------|-------------------------------|
| Coconut Creek | 58,742 |
| Cooper City | 33,991 |
| Coral Springs | 129,067 |
| Dania Beach | 31,768 |
| Davie | 104,249 |
| Deerfield Beach | 79,497 |
| Fort Lauderdale | 186,220 |
| Hallandale Beach | 39,834 |
| Hillsboro Beach | 1,939 |
| Hollywood | 150,878 |
| Lauderdale-by-the-S | 6,236 |
| Lauderdale Lakes | 36,714 |
| Lauderhill | 72,410 |
| Lazy Lake | 26 |
| Lighthouse Point | 10,587 |
| Margate | 59,116 |
| Miramar | 138,837 |
| North Lauderdale | 45,207 |
| Oakland Park | 45,576 |
| Parkland | 34,109 |
| Pembroke Park | 6,408 |
| Pembroke Pines | 168,023 |
| Plantation | 90,354 |
| Pompano Beach | 112,058 |
| Sea Ranch Lakes | 688 |
| Southwest Ranches | 7,704 |
| Sunrise | 93,365 |
| Tamarac | 65,377 |
| Weston | 67,314 |
| West Park | 15,197 |
| Wilton Manors | 12,849 |
| Total Incorporated | 1,904,340 |
| Unincorporated Are | 15,304 |
| Total County | 1,919,644 |

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

This 2020 Amendment to Interlocal Agreement (the "2020 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 (collectively the "Municipalities") (the County and Municipalities are collectively referred to as the "Parties").

RECITALS

A. Section 336.025(1)(b), Florida Statutes, authorizes the County to extend the levy of the additional three-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. The Broward County Board of County Commissioners enacted Section 31½-38, Broward County Code of Ordinances, effective January 1, 1994, through December 31, 2024, pursuant to Section 336.025(1)(b), Florida Statutes, imposing the levy of the three-cent (\$.03) local option fuel 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 3 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 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, for good and valuable consideration, and pursuant to the authorization of Section 336.025(1)(b)2., Florida Statutes, the County and Municipalities agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as previously amended, is hereby amended to read:

2. Forty-eight and Seventy-three One-hundredths percent (48.73%) of the total proceeds from the additional three-cent local option fuel tax shall be divided and distributed to the County, and the remaining Fifty-one and Twenty-seven One-hundredths percent (51.27%) of the total proceeds from the additional three-cent local option fuel tax shall be divided among and distributed to the

Municipalities within the County as follows:

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

| Recipient | FY21 Percent Share of Proceeds |
|---------------------------|---------------------------------------|
| Coconut Creek | 1.581494% |
| Cooper City | 0.915130% |
| Coral Springs | 3.474834% |
| Dania Beach | 0.855281% |
| Davie | 2.806666% |
| Deerfield Beach | 2.140275% |
| Fort Lauderdale | 5.013548% |
| Hallandale Beach | 1.072439% |
| Hillsboro Beach | 0.052203% |
| Hollywood | 4.062045% |
| Lauderdale-by-the-Sea | 0.167890% |
| Lauderdale Lakes | 0.988440% |
| Lauderhill | 1.949474% |
| Lazy Lake | 0.000699% |
| Lighthouse Point | 0.285031% |
| Margate | 1.591563% |
| Miramar | 3.737869% |
| North Lauderdale | 1.217095% |
| Oakland Park | 1.227030% |
| Parkland | 0.918307% |
| Pembroke Park | 0.172521% |
| Pembroke Pines | 4.523635% |
| Plantation | 2.432575% |
| Pompano Beach | 3.016905% |
| Sea Ranch Lakes | 0.018523% |
| Southwest Ranches | 0.207413% |
| Sunrise | 2.513639% |
| Tamarac | 1.760126% |
| Weston | 1.812276% |
| West Park | 0.409144% |
| Wilton Manors | 0.345930% |
| Total Incorporated | 51.270000% |

2. Paragraph 3 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 additional three-cent local option fuel tax shall be adjusted annually based on the then-current "Florida Estimates of Population."

For the purpose of this Agreement, the population figures are as follows:

| Recipient | BEBR Population 4/1/19 |
|-----------------------|-----------------------------------|
| Coconut Creek | 58,742 |
| Cooper City | 33,991 |
| Coral Springs | 129,067 |
| Dania Beach | 31,768 |
| Davie | 104,249 |
| Deerfield Beach | 79,497 |
| Fort Lauderdale | 186,220 |
| Hallandale Beach | 39,834 |
| Hillsboro Beach | 1,939 |
| Hollywood | 150,878 |
| Lauderdale-by-the-Sea | 6,236 |
| Lauderdale Lakes | 36,714 |
| Lauderhill | 72,410 |
| Lazy Lake | 26 |
| Lighthouse Point | 10,587 |
| Margate | 59,116 |
| Miramar | 138,837 |
| North Lauderdale | 45,207 |
| Oakland Park | 45,576 |
| Parkland | 34,109 |
| Pembroke Park | 6,408 |
| Pembroke Pines | 168,023 |
| Plantation | 90,354 |
| Pompano Beach | 112,058 |
| Sea Ranch Lakes | 688 |
| Southwest Ranches | 7,704 |
| Sunrise | 93,365 |

| Recipient | BEBR Population 4/1/19 |
|----------------------------|-----------------------------------|
| Tamarac | 65,377 |
| Weston | 67,314 |
| West Park | 15,197 |
| Wilton Manors | 12,849 |
| Total Incorporated | 1,904,340 |
| | |
| Unincorporated Area | 15,304 |
| | |
| Total County | 1,919,644 |

3. This 2020 Amendment shall be effective as of the date it is executed by the County after having previously been executed by 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.

4. In the event any provision within this 2020 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.

5. 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 2020 Amendment and the Interlocal Agreement, as previously amended, the Parties acknowledge that this 2020 Amendment shall control.

6. This 2020 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 have made and executed this 2020 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 7th, 2020, and each Municipality, signing by and through the official indicated on each signature page, 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 _____

Scott Andron (Date)
Assistant County Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL.

MUNICIPALITY

WITNESSES:

Municipality: SEA RANCH LAKES

By _____
Mayor-Commissioner

___ day of _____, 20__

ATTEST:

By _____
Municipal Clerk

_____ Municipal Manager

___ day of _____, 20__

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _____
Municipal Attorney