

RESOLUTION NO. 2006 - 066

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE 2006 AMENDMENTS TO THE THREE (3) INTERLOCAL AGREEMENTS WITH BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE LOCAL OPTION GAS TAX, THE BROWARD COUNTY FIFTH-CENT LOCAL OPTION GAS TAX, AND THE ADDITIONAL LOCAL OPTION GAS TAX; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE SAID AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, the Broward County Commission enacted Ordinance #88-27 on June 14, 1988 to extend the levy of the six cent local option gas tax upon every gallon of motor fuel and special fuel sold in Broward County; and

WHEREAS, the Broward County Commission enacted Ordinance #200-25 on June 13, 2000 to extend the levy of the fifth cent local option gas tax upon every gallon of motor fuel and special fuel sold in Broward County; and

WHEREAS, upon the creation of the municipality, the Town entered into an agreement with Broward County establishing its local option gas tax; and

WHEREAS, all three (3) Agreements provide that the population figures, which are the basis for the revenue, be adjusted annually based on the current "Florida Estimates of Population" as published by the Bureau of Economics and Business Research, Population Division, University of Florida; and

WHEREAS, this Agreement will provide funding for the 2006-07 fiscal year through the distribution of the Town's share of the proceeds from the six cent local option gas tax in the amount of .162549% of the incorporated portion; and

WHEREAS, this Agreement will provide funding for the 2006-07 fiscal year through the distribution of the Town's share of the proceeds from the fifth cent local option gas tax in the amount of .218856% of the incorporated portion; and

WHEREAS, this Agreement will provide funding for the 2006-06 fiscal year through the distribution of the Town's share of the proceeds from the local option gas tax for transit in the amount of .112701% of the incorporated portion; and

WHEREAS, Section 336.025 (1)(a), Florida Statutes, requires the majority of the population of the incorporated areas within the County to approve an Interlocal Agreement in support of the distribution and methodology for the distribution to continue in its present form.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Southwest Ranches, Florida:

Section 1: Recitals. The above referenced recitals are true and correct and are incorporated herein by reference.

Section 2: The Town Council hereby approves the Interlocal Agreement with Broward County, substantially in the form of the Agreement attached as Exhibit "A," "B" and "C," providing for the division and distribution of the proceeds of the local option gas tax.

Section 3: Authorization. The Mayor, Town Administrator and Town Attorney are hereby authorized to enter into the Interlocal Agreement with Broward County, substantially in the form of the Agreement attached as Exhibit "A," "B" and "C," providing for the division and distribution of the proceeds of the local option gas tax and to make such modifications, additions and/or deletions which they deem necessary and proper to effectuate the intent of this Resolution.

Section 4: Effective Date. This Resolution shall become effective immediately upon its adoption.

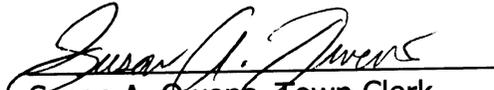
PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 11th day of May, 2006, on a motion by Vice Mayor Don Maines and seconded by Council Member Jeff Nelson.

Fink	<u>Y</u>	Ayes	<u>4</u>
Maines	<u>Y</u>	Nays	<u>0</u>
Blanton	<u>A</u>	Absent	<u>1</u>
Knight	<u>Y</u>	Abstaining	<u>0</u>
Nelson	<u>Y</u>		

[Signatures on Following Page]


Mecca Fink, Mayor

ATTEST:


Susan A. Owens, Town Clerk

Approved as to Form and Correctness:


Gary A. Poliakoff, J.D., Town Attorney
FTL_DB: 983146_1

Exhibit "A"

2006 AMENDMENT

to

INTERLOCAL AGREEMENT

between

BROWARD COUNTY

and

SOUTHWEST RANCHES

providing for

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

This is the 2006 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

SOUTHWEST RANCHES, a municipal corporation, existing under the laws of the state of Florida, hereinafter referred to as "MUNICIPALITY."

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)(a), 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 the 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 and the prior twenty amendments, 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 MUNICIPALITY agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as amended by the Addendum thereto and the prior amendments, is amended to read as follows:

2. Sixty-two and Five tenths percent (62.5%) of said Local Option Gas Tax proceeds shall be distributed to the COUNTY, and the remaining Thirty-seven and five tenths percent (37.5%) shall be divided among and distributed to the eligible municipalities within the COUNTY as follows:

$$\frac{\text{Population of Individual Municipality}}{\text{Total Incorporated Area Population}} \times 37.5\% =$$

<u>Recipients</u>	<u>FY 2007 Percent Share of Proceeds</u>
Coconut Creek	1.055138%
Cooper City	0.641049%
Coral Springs	2.799304%
Dania	0.625291%
Davie	1.827524%
Deerfield Beach	1.640550%
Fort Lauderdale	3.827354%
Hallandale	0.779589%
Hillsboro Beach	0.050247%
Hollywood	3.121870%
Lauderdale-by-the-Sea	0.137033%
Lauderdale Lakes	0.702101%
Lauderhill	1.407848%
Lazy Lake	0.000742%
Lighthouse Point	0.236457%
Margate	1.200116%

<u>Recipients</u>	<u>FY 2007 Percent Share of Proceeds</u>
Miramar	2.365811%
North Lauderdale	0.893288%
Oakland Park	0.926531%
Parkland	0.438142%
Pembroke Park	0.126119%
Pembroke Pines	3.296926%
Plantation	1.858759%
Pompano Beach	2.220113%
Sea Ranch Lakes	0.015934%
Southwest Ranches	0.162549%
Sunrise	1.958707%
Tamarac	1.281511%
Weston	1.332391%
West Park	0.299494%
Wilton Manors	0.271512%
Total Incorporated	37.500000%

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 amendments, is amended to read as follows:

<u>Recipients</u>	<u>FY 2007 Population</u>
Coconut Creek	48,340
Cooper City	29,369
Coral Springs	128,247
Dania	28,647
Davie	83,726
Deerfield Beach	75,160
Fort Lauderdale	175,346
Hallandale	35,716
Hillsboro Beach	2,302
Hollywood	143,025

<u>Recipients</u>	<u>FY 2007 Population</u>
Lauderdale-by-the-Sea	6,278
Lauderdale Lakes	32,166
Lauderhill	64,499
Lazy Lake	34
Lighthouse Point	10,833
Margate	54,982
Miramar	108,387
North Lauderdale	40,925
Oakland Park	42,448
Parkland	20,073
Pembroke Park	5,778
Pembroke Pines	151,045
Plantation	85,157
Pompano Beach	101,712
Sea Ranch Lakes	730
Southwest Ranches	7,447
Sunrise	89,736
Tamarac	58,711
Weston	61,042
West Park	13,721
Wilton Manors	12,439
Total Incorporated	1,718,021
Unincorporated Area	22,966
Total County	1,740,987

3. Except to the extent amended, the Agreement shall remain in full force and effect. In the event of any conflict between the terms of this 2006 Amendment and the prior amendments, the parties hereby agree that this document shall control.

4. This 2006 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 and Broward County have executed this 2006 Amendment prior to June 1, 2006.

5. This 2006 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 2006 Amendment is found by a court of competent jurisdiction to be invalid, the remaining portions shall continue to be effective.

[INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have made and executed this 2006 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 Mayor or Vice Mayor, authorized to execute same by Board action, and MUNICIPALITY, 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 _____
Mayor

____ day of _____, 2006.

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

By _____
Maite Azcoitia
Deputy County Attorney

2006 AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND SOUTHWEST RANCHES PROVIDING FOR DIVISION AND DISTRIBUTION OF THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE

MUNICIPALITY

WITNESSES:

TOWN OF SOUTHWEST RANCHES

By _____
Mayor

____ day of _____, 2006.

ATTEST:

By _____
Town Clerk

Town Administration

____ day of _____, 2006.

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _____
Town Attorney

Exhibit "B"

2006 AMENDMENT

to

INTERLOCAL AGREEMENT

between

BROWARD COUNTY

and

SOUTHWEST RANCHES

providing for

DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM
THE BROWARD COUNTY FIFTH CENT ADDITIONAL
LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

This 2006 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

SOUTHWEST RANCHES, a municipal corporation, existing under the laws of the state of Florida, hereinafter referred to as "MUNICIPALITY."

WHEREAS, Section 336.025(1)(b), Florida Statutes, authorizes the counties to extend the levy of five (5) cents 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 13, 2000, the 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 fifth-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; and

WHEREAS, paragraph 4 of 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 and pursuant to Section 336.025(1)(b), Florida Statutes, for transportation expenditures set forth in Section 336.025(7)(a), Florida Statutes, the COUNTY and MUNICIPALITY agree as follows:

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

2.1 Forty-eight percent (48%) of said proceeds shall be distributed to the COUNTY. The remaining fifty-two percent (52%) shall be distributed to the eligible municipalities in the following manner:

2.1.1 Twenty-six percent (26%) shall be distributed to the eligible municipalities based on population as follows:

Population of Individual CITY

Total incorporated area Population X 26.0000%

<u>Recipient</u>	<u>FY 2007 Population</u>	<u>FY 2007 Percent Share of Proceeds</u>
Coconut Creek	48,340	0.731563%
Cooper City	29,369	0.444461%
Coral Springs	128,247	1.940851%
Dania	28,647	0.433535%
Davie	83,726	1.267083%
Deerfield Beach	75,160	1.137448%
Fort Lauderdale	175,346	2.653632%
Hallandale	35,716	0.540515%
Hillsboro Beach	2,302	0.034838%
Hollywood	143,025	2.164496%
Lauderdale-by-the-Sea	6,278	0.095009%
Lauderdale Lakes	32,166	0.486791%
Lauderhill	64,499	0.976108%
Lazy Lake	34	0.000515%
Lighthouse Point	10,833	0.163943%
Margate	54,982	0.832081%

<u>Recipient</u>	<u>FY 2007 Population</u>	<u>FY 2007 Percent Share of Proceeds</u>
Miramar	108,387	1.640295%
North Lauderdale	40,925	0.619346%
Oakland Park	42,448	0.642395%
Parkland	20,073	0.303779%
Pembroke Park	5,778	0.087442%
Pembroke Pines	151,045	2.285868%
Plantation	85,157	1.288740%
Pompano Beach	101,712	1.539278%
Sea Ranch Lakes	730	0.011048%
Southwest Ranches	7,447	0.112701%
Sunrise	89,736	1.358037%
Tamarac	58,711	0.888514%
Weston	61,042	0.923791%
West Park	13,721	0.207649%
Wilton Manors	12,439	0.188248%
Total Incorporated	1,718,021	26.000000%
Unincorporated Area	22,966	
Total County	1,740,987	

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 Fifth Cent, shall be adjusted annually based on the current Florida Estimates of Population.

2.1.2 Twenty-six percent (26%) shall be distributed by COUNTY to the Municipalities by grant agreement for Community Shuttle Services.

2. This 2006 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 and Broward County have executed this Interlocal Agreement prior to June 1, 2006.

3. In the event this 2006 Amendment to Interlocal Agreement or a portion of this 2006 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

MUNICIPALITY 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.

4. All provisions of the Interlocal Agreement and any prior Amendment, not in conflict with this 2006 Amendment to Interlocal Agreement, shall remain in full force and effect.

5. This 2006 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.

IN WITNESS WHEREOF, the parties have made and executed this 2006 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 Mayor or Vice Mayor, authorized to execute same by Board action, and MUNICIPALITY, 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 _____
_____, Mayor
____ day of _____, 2006.

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

By _____
Maite Azcoitia
Deputy County Attorney

2006 AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND SOUTHWEST RANCHES PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

TOWN OF SOUTHWEST RANCHES

By _____
Mayor

____ day of _____, 2006.

ATTEST:

Town Clerk

By _____
Town Administrator

____ day of _____, 2006.

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _____
Town Attorney

MA
4/06/2006
GASTAX5.doc«Municipality»

Exhibit " C "

2006 AMENDMENT

to

INTERLOCAL AGREEMENT

between

BROWARD COUNTY

and

SOUTHWEST RANCHES

providing for

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

This 2006 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

SOUTHWEST RANCHES, a municipal corporation, existing under the laws of the state of Florida, hereinafter referred to as "MUNICIPALITY."

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 MUNICIPALITY agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as previously amended, is hereby amended to read as follows:
2. Forty-nine and Fifty-one One-hundredths percent (49.51%) 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 Fifty and Forty-nine One-hundredths percent (50.49%) of the total proceeds shall be divided among and distributed to the eligible municipalities within the COUNTY as follows:

$$\frac{\text{Population of Individual Municipality} \times 50.49\%}{\text{Total Incorporated Area Population}} =$$

<u>Recipient</u>	<u>FY 2007 Percent Share of Proceeds</u>
Coconut Creek	1.420638%
Cooper City	0.863110%
Coral Springs	3.768982%
Dania	0.841891%
Davie	2.460579%
Deerfield Beach	2.208837%
Fort Lauderdale	5.153150%
Hallandale	1.049638%
Hillsboro Beach	0.067652%
Hollywood	4.203285%
Lauderdale-by-the-Sea	0.184501%
Lauderdale Lakes	0.945309%
Lauderhill	1.895527%
Lazy Lake	0.000999%
Lighthouse Point	0.318365%
Margate	1.615837%
Miramar	3.185328%
North Lauderdale	1.202723%
Oakland Park	1.247482%
Parkland	0.589915%
Pembroke Park	0.169807%
Pembroke Pines	4.438981%
Plantation	2.502634%
Pompano Beach	2.989160%
Sea Ranch Lakes	0.021454%
Southwest Ranches	0.218856%
Sunrise	2.637203%
Tamarac	1.725426%
Weston	1.793931%
West Park	0.403239%
Wilton Manors	0.365563%
Total Incorporated	50.490000%

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 Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance, shall be adjusted annually based on the current "Florida Estimates of Population."

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

<u>Recipient</u>	<u>FY 2007 Population</u>
Coconut Creek	48,340
Cooper City	29,369
Coral Springs	128,247
Dania	28,647
Davie	83,726
Deerfield Beach	75,160
Fort Lauderdale	175,346
Hallandale	35,716
Hillsboro Beach	2,302
Hollywood	143,025
Lauderdale-by-the-Sea	6,278
Lauderdale Lakes	32,166
Lauderhill	64,499
Lazy Lake	34
Lighthouse Point	10,833
Margate	54,982
Miramar	108,387
North Lauderdale	40,925
Oakland Park	42,448
Parkland	20,073
Pembroke Park	5,778
Pembroke Pines	151,045
Plantation	85,157
Pompano Beach	101,712
Sea Ranch Lakes	730

<u>Recipient</u>	<u>FY 2007 Population</u>
Southwest Ranches	7,447
Sunrise	89,736
Tamarac	58,711
Weston	61,042
West Park	13,721
Wilton Manors	12,439
Total Incorporated	1,718,021
Unincorporated Area	22,966
Total County	1,740,987

3. This 2006 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 and Broward County have executed this Interlocal Agreement prior to June 1, 2006.

4. In the event this 2006 Amendment to Interlocal Agreement or a portion of this 2006 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 MUNICIPALITY 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.

5. Except to the extent amended, the Agreement shall remain in full force and effect. In the event of any conflict between the terms of this 2006 Amendment and the Agreement and/or any prior Amendment to the Agreement, the parties hereby agree that this document shall control.

6. This 2006 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.

[INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have made and executed this 2006 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 Mayor or Vice Mayor, authorized to execute same by Board action, and MUNICIPALITY, 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 _____
Mayor

____ day of _____, 2006.

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

By _____
Maite Azcoitia
Deputy County Attorney

2006 AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF SOUTHWEST RANCHES PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE

MUNICIPALITY

WITNESSES:

ATTEST:

By _____
Town Clerk

(CORPORATE SEAL)

TOWN OF _____

By _____
Mayor

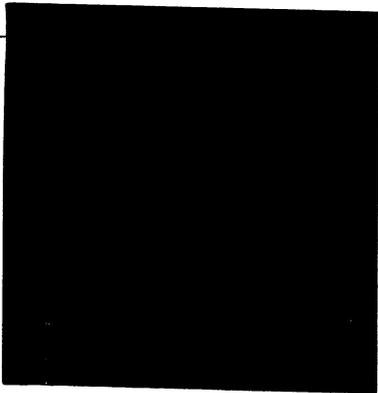
____ day of _____, 2006.

Town Administrator

____ day of _____, 2006.

APPROVED AS TO FORM:

By _____
Town Attorney



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ORDINANCE NO. 2006 -13

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING SECTION 31½-42 OF THE BROWARD COUNTY CODE OF ORDINANCES, RELATED TO THE DISTRIBUTION OF TAX PROCEEDS BETWEEN THE COUNTY AND THE MUNICIPALITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY CODE; PROVIDING FOR A CERTIFIED COPY TO BE SENT TO THE DEPARTMENT OF REVENUE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

WHEREAS, pursuant to section 18.85 of the Broward County Administrative Code, Part IV, Board Policies, the Board of County Commissioners of Broward County, Florida ("Board") must reallocate the distribution of proceeds of the additional local option gas tax between the County and eligible municipalities in the event that an unincorporated area with population of at least five thousand (5,000) is annexed into a municipality.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 31½-42 of the Broward County Code of Ordinances is hereby amended as follows:

Sec. 31½-42. Distribution of tax.

(a) Distribution of the three-cent tax. The proceeds of the additional local option gas tax on motor fuel hereby imposed shall be divided and distributed by the State of Florida Department of Revenue, ~~Fifty one and Thirty one hundredths (51.31%)~~

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

1 Forty-nine and Fifty-one One-hundredths percent (49.51%) to the County and ~~Forty-~~
2 ~~eight and Sixty-nine hundredths (48.69%)~~ Fifty and Forty-nine One-hundredths percent
3 (50.49%) to the eligible municipalities in accordance with the distribution formula set
4 forth in the interlocal agreements which shall be amended each year prior to June 1,
5 between Broward County and eligible municipalities located in Broward County
6 representing a majority of the incorporated area population within Broward County.

7 ...

8 Section 2. SEVERABILITY.

9 If any section, sentence, clause, or phrase of this Ordinance or the application
10 thereof to any person or circumstance is held to be invalid or unconstitutional by any
11 court of competent jurisdiction, then the holding shall in no way affect the validity of the
12 remaining portions of this Ordinance.

13 Section 3. INCLUSION IN CODE.

14 It is the intention of the Board of County Commissioners that the provisions of
15 this Ordinance shall become and be made a part of the Broward County Code; and that
16 the sections of this Ordinance may be renumbered or relettered and the word
17 "ordinance" may be changed to "section," "article," or such other appropriate word or
18 phrase in order to accomplish such intentions.

19 Section 4. CERTIFIED COPY OF THE ORDINANCE.

20 A certified copy of this Ordinance shall be furnished to the Department of
21 Revenue within ten (10) days of approval of this Ordinance.
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Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in
underscoring type are additions.

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Section 5. EFFECTIVE DATE.

This Ordinance shall become effective as provided by law.

ENACTED May 9, 2006

FILED WITH DEPARTMENT OF STATE May 22, 2006

EFFECTIVE May 22, 2006

MA/bjl
4/26/06
gastax06ord.doc
File No. 06-409

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