

RESOLUTION NO. 2003-26

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A SECOND AMENDMENT TO INTERLOCAL AGREEMENT FOR CREATION OF THE BROWARD COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO) REAPPORTIONMENT PLAN; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Federal Government requires that each metropolitan area create a Metropolitan Planning Organization, as a condition precedent to receiving federal capital and operating assistance funding; and

WHEREAS, on November 9, 2000, the Town Council approved Resolution 2001-9 authorizing the Town to enter into an Interlocal Agreement with Broward County MPO; and

WHEREAS, the Interlocal Agreement with MPO provided for the Town of Southwest Ranches to serve as the alternate member in District 6; and

WHEREAS, at the October 10, 2002 meeting of MPO, the board adopted a reapportionment plan, which increased the number of voting cities, to provide for increased input in transportation decision-making and to give small cities more opportunities to vote on transportation issues; and

WHEREAS, the Town Council desires to continue to be an active partner in the MPO.

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

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

Section 2: The Town Council shall approve the Second Amendment to Interlocal Agreement for the creation of the Broward County Metropolitan Planning Organization.

Section 3: The Town Council hereby authorizes the Mayor, Town Administrator and Town Attorney to execute the attached Interlocal Agreement in substantially the same form as that attached hereto as Exhibit "A" and to


make such modifications, additions and/or deletions which they deem necessary and proper to effectuate the intent of this Resolution.

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

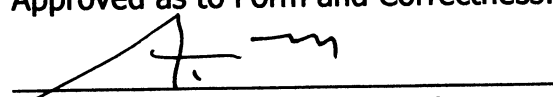
PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 16th day of January 2003.


Mecca Fink, Mayor

Attest:


Arielle Haze Tyner, Town Clerk

Approved as to Form and Correctness:


Gary A. Poliakoff, J.D., Town Attorney

**SECOND AMENDMENT TO
INTERLOCAL AGREEMENT FOR CREATION
of the BROWARD COUNTY METROPOLITAN
PLANNING ORGANIZATION**

Among

FLORIDA DEPARTMENT OF TRANSPORTATION [non-voting member]; the COUNTY OF BROWARD, the TRI-COUNTY COMMUTER RAIL AUTHORITY, the CITY(IES) OF CORAL SPRINGS, DAVIE, DEERFIELD BEACH, FORT LAUDERDALE, HOLLYWOOD, LAUDERHILL, MIRAMAR, PEMBROKE PINES, PLANTATION, POMPANO BEACH, SUNRISE, TAMARAC AND WESTON AND THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA [voting members] AND the CITY(IES) OF COCONUT CREEK, COOPER CITY, DANIA BEACH, HALLANDALE BEACH, HILLSBORO BEACH, LAUDERDALE-BY-THE-SEA, LAUDERDALE LAKES, LAZY LAKES, LIGHTHOUSE POINT, MARGATE, NORTH LAUDERDALE, OAKLAND PARK, PARKLAND, PEMBROKE PARK, SEA RANCH LAKES, SOUTHWEST RANCHES AND WILTON MANORS [alternate members].

This Second Amendment to the Interlocal Agreement, entered into by and among the Parties.

WITNESSETH

WHEREAS, the Broward County Metropolitan Planning Organization (MPO) has determined that it is in the best interests of the residents of Broward County that the membership of the MPO be reapportioned to reflect the changes in population distribution as set out in the 2000 Census; and

WHEREAS, the reapportionment plan initiated by the MPO is pursuant to Section 339.175(2)(c), Florida Statutes; and

WHEREAS, Broward County is a charter county with over one million population; and

WHEREAS, the MPO has approved the reapportionment plan by a three-fourths vote of its membership in compliance with Section 339.175(2)(c)1., Florida Statutes; and

WHEREAS, the MPO has determined that the reapportionment plan is needed to fulfill specific goals and policies applicable to the metropolitan area in compliance with Section 339.175(2)(c)2., Florida Statutes,

NOW, THEREFORE, the parties, in consideration of the mutual promises and covenants hereinafter set forth, agree as follows:

1. Article 4, Section 4.01, Composition; Membership; Terms of Office is hereby amended to read as follows:

ARTICLE 4
COMPOSITION; MEMBERSHIP; TERMS OF OFFICE

Section 4.01. Composition of membership of governing board.

(a) The membership of the MPO shall consist of nineteen (19) voting representatives and one (1) non-voting representative. The names of the member local governmental entities and the voting apportionment of the governing board shall be as follows:

~~Three (3) voting members shall be Broward County Commissioners. One (1) voting member shall be a Broward County Commissioner who is a member of the Tri-County Commuter Rail Authority. Thirteen (13) voting members shall be municipal representatives. For the purpose of determining municipal representation on the MPO, Broward County has been divided into eight (8) municipal districts. In accordance with the plan, the two (2) most populous municipalities in Districts 1, 5 and 6, as designated on Table 1, shall each appoint one (1) of its generally elected officials to be the voting representative for the districts. In Districts 2, 3 and 7 municipality in each district, as designated on Table 1 shall appoint one (1) of its generally elected officials to be the voting representative for the district. In District 4 and 8 the municipalities of Fort Lauderdale and Hollywood shall designate two (2) voting representatives each to be district representatives. The next most populous municipality in each district as designated on Table 1 shall appoint a generally elected official to serve as an alternate voting representative for that district, to the MPO. The Broward County League of Cities shall designate one (1) voting member who shall be an elected official from a municipality which does not have a voting member on the MPO. The School Board of Broward County, Florida shall designate two (2) generally elected officials, one (1) as the voting representative and one (1) as the alternate representative to the MPO. The procedures for determining when the alternate may vote shall be provided for in the written rules adopted by the MPO pursuant to this Agreement. FDOT shall be a non-voting member. The MPO membership is set forth on Table 2:~~

Three (3) voting members shall be Broward County Commissioners. One (1) voting member shall be a Broward County Commissioner who is a member of the Tri-County Commuter Rail Authority. Fourteen (14) voting members shall be municipal representatives. For the purpose of determining municipal representation on the MPO, Broward County has been divided into five (5) municipal districts. In accordance with the reapportionment plan, the two (2) most populous municipalities in Districts 1 and 2, as designated on Table 1-A,

shall each appoint one (1) of its generally elected officials to be the voting representatives for the districts. In District 3, the City of Fort Lauderdale shall designate two (2) voting representatives and the next three (3) most populous municipalities, as designated on Table 1, shall each appoint one (1) of its generally elected officials to be the voting representative for the district. In District 4, the City of Hollywood shall appoint one (1) of its generally elected officials to be the voting representative for the district. In District 5, the four (4) most populous municipalities, as designated on Table 1, shall each appoint one (1) of its generally elected officials to be the voting representative for the district. The School Board of Broward County, Florida shall designate two (2) generally elected officials, one (1) as the voting representative and one (1) as the alternate representative to the MPO. FDOT shall be a non-voting member. The MPO membership is set forth on Table 2-A.

~~(b) — In July of each year, the MPO shall review the population figures for each municipal district based upon the annual figures population figures provided by the University of Florida. Based upon an increase in population as demonstrated by the population figures provided by the University of Florida, the MPO shall amend Table 1, effective the following October 1st, and request the two most populous municipalities within Districts 1, 5, and 6 and the most populous municipality within Districts 2, 3 and 7 to designate a district representative. The municipality with the next highest population within that municipal district shall appoint a generally elected official to serve as an alternate voting representative for that district.~~

(b) Alternate Voting Members. In each district, in order of population, alternate voting members are authorized to vote when the regular voting member(s) from the same district is not present. If no alternate from the district is present, ANY ALTERNATE municipal member may sit in place of the absent voting member including absent County Commissioners, Tri-Rail Commuter Rail Authority member or School Board member. Additionally, a voting member may relinquish his or her seat during a meeting to an alternate in the same district on matters pertaining to the alternate city.

(c) The voting and non-voting members of any district may revise their voting membership within the district when approved by resolution of all the municipalities within the district. The revised voting membership plan shall become incorporated into the Interlocal Agreement without further action of the MPO upon forwarding the revised membership plan to the MPO and the Governor's Office.

(e)(d) In the event that a governmental entity that is a member of the MPO fails to fill an assigned appointment to the MPO within sixty (60) days after notification by the Governor of its duty to appoint a representative, that appointment shall be made by the Governor from the eligible individuals of that governmental entity.

2. Section 7.02, Amendment of Agreement is hereby amended as follows:

Section 7.02. Amendment of Agreement. Amendments or modifications of this Agreement may only be made by written agreement signed by all parties here to with the same formalities as the original Agreement except as otherwise provided in Section 4.01(c) above. No amendment may alter the apportionment or jurisdictional boundaries of the MPO without approval by the Governor.

3. Section 7.04, Notices is hereby amended as follows:

Section 7.04. Notices. All notices, demands and correspondence required or provided for under this Agreement shall be in writing and delivered in person or dispatched by certified mail, postage prepaid, return receipt requested. Notice required to be given shall be addressed as follows: set forth within Table 3. A party may unilaterally change its address or addressee by giving notice in writing to the other parties as provided in this section. Thereafter, notices, demands and other pertinent correspondence shall be addressed and transmitted to the new address.

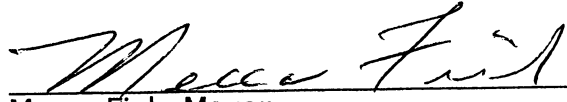
4. Except as amended herein all other terms and conditions of the Interlocal Agreement recorded in OR Book 30444, Page 1278 shall remain in full force and effect.

5. This Second Amendment shall become effective upon its filing in the public records of Broward County. (Pursuant to Section 4.02 of the Charter of Broward County all duties prescribed by the Constitution and the Laws of Florida for the Office of Clerk of the Circuit Court relating to the duties as custodian of public documents have been transferred to the Department of Finance and Administrative Services.)

6. Broward County hereby agrees to record this Second Amendment in the public records of Broward County.

**SECOND AMENDMENT TO INTERLOCAL AGREEMENT FOR CREATION OF
THE BROWARD COUNTY METROPOLITAN PLANNING ORGANIZATION**

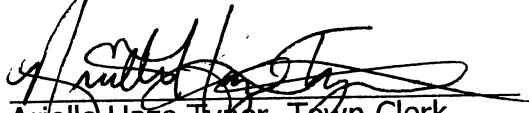
TOWN OF SOUTHWEST RANCHES




Mecca Fink, Mayor

16th day of January 16, 2003

ATTEST:

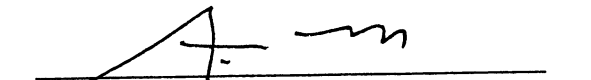


Arielle Haze Tyler, Town Clerk



John Canada, Town Administrator

Approved as to Form and Correctness,



Gary A. Poliakoff, P. A., Town Attorney

TABLE 1A

2002 MUNICIPAL REPRESENTATION
BROWARD COUNTY METROPOLITAN PLANNING ORGANIZATION

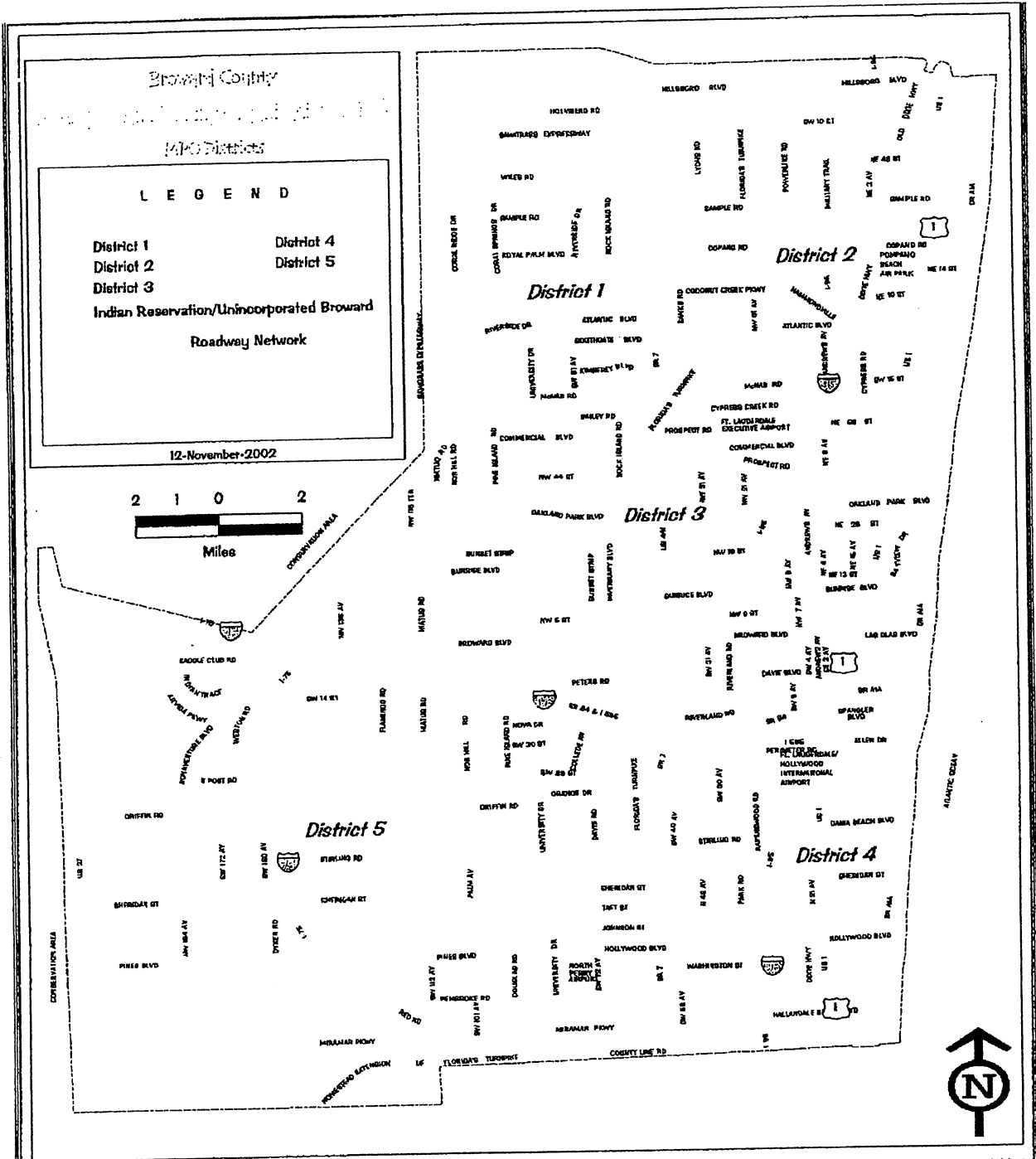
District	Municipal District Cities	Representative(s)	Alternate(s) (in order of population)
1	Coral Springs Tamarac Margate North Lauderdale Parkland	Coral Springs Tamarac	Margate North Lauderdale Parkland
2	Pompano Beach Deerfield Beach Coconut Creek Lighthouse Point Lauderdale-By-The-Sea Hillsboro Beach	Pompano Beach Deerfield Beach	Coconut Creek Lighthouse Point Lauderdale-By-The-Sea Hillsboro Beach
3	Fort Lauderdale Lauderhill Plantation Sunrise Lauderdale Lakes Oakland Park Wilton Manors Sea Ranch Lakes Lazy Lakes	Fort Lauderdale Lauderhill Plantation Sunrise	Lauderdale Lakes Oakland Park Wilton Manors Sea Ranch Lakes Lazy Lakes
4	Hollywood Hallandale Beach Dania Beach	Hollywood	Hallandale Beach Dania Beach
5	Davie Miramar Pembroke Pines Weston Cooper City Southwest Ranches Pembroke Park	Davie Miramar Pembroke Pines Weston	Cooper City Southwest Ranches Pembroke Park

TABLE 2A

NEW MPO VOTING MEMBERSHIP SUMMARY
BROWARD COUNTY METROPOLITAN PLANNING ORGANIZATION

Voting Members	Number
Elected Officials	14
County Commission	3
Tri-Rail	1
School Board of Broward County	1
Total Voting Members	19

Non-Voting Members	Number
Florida Department of Transportation	1



District	Population	Notes
District 1	278,340	
District 2	458,611	
District 3	202,840	
District 4	392,912	
District 5	213,782	
Unincorporated Broward County	101,195	

**Indicates Ft. Lauderdale to have 2 representatives on MPO Board*

Cities denoted in (●) are represented with a seat on the MPO Board.
 Cities denoted in (○) are alternates (in order of population) for that district.

Prepared by
 Department of Planning & Environmental Protection
 Transportation Planning Division
 (www.mpo-district_analysis.mxd)

BROWARD COUNTY
MPO
 METROPOLITAN PLANNING ORGANIZATION

in partnership with Broward County Board of County Commissioners

500 11/4/02



In partnership with the BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS
Department of Planning and Environmental Protection - Transportation Planning Division
115 S. Andrews Avenue, Room 329-H • Fort Lauderdale, Florida 33301
954-357-6608 • FAX 954-357-6228

October 30, 2002

*Follow up to
MPO item*

As you know, a primary function of the MPO is to enhance and maintain the transportation infrastructure within the County. With the rapid growth in development and population in South Florida, the movement of freight and goods as well as that of residents and visitors has risen to the forefront of the challenges we face in retaining the economic vitality of Broward County.

At the October 10, 2002 meeting of the MPO, the board adopted the enclosed reapportionment plan by a vote of 16 to 2. The proposed reapportionment increases the number of voting municipalities for greater voice in transportation decision-making, provides for more municipal participation in areas of rapid growth, and makes provisions for small municipalities to have more opportunities to vote on transportation matters. As best possible, the plan divides the County into areas with similar transportation challenges, interests, and corridors. This is intended to better deal with land use decisions, traffic concurrency, transit needs, and economic development.

I would like to take this opportunity to thank you, your commission and staff for the extensive input and support provided in developing this new plan. Without it, the MPO would continue to struggle to develop a plan adequately attending to the County's transportation needs.

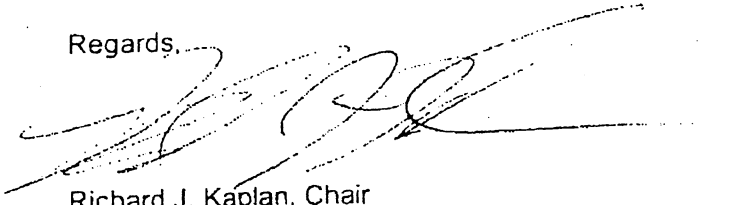
The final phase of completing this change requires each municipality to approve and execute the enclosed Second Amendment of the Interlocal Agreement by November 30, 2002. As Chair of the MPO, I would be pleased to appear at your city's commission meeting when this item is considered.

After the Second Amendment has been approved and executed, please forward the signed original to Sharon Cruz, Deputy County Attorney, 115 South Andrews Avenue, Room 423, Fort Lauderdale, Florida, 33301. Once all parties have approved and signed the Second Amendment, Ms. Cruz will ensure that it is recorded in the public records of Broward County and that you receive a certified copy of the recorded agreement.

To keep the process moving forward, I have asked MPO staff to follow this letter up with a telephone call to your office to ascertain the meeting date when your commission will be considering this matter.

In the meantime, should you have any questions or concerns about the reapportionment plan, the interlocal agreement, or wish to have me present at your board meeting, please feel free to call on MPO staff, Jennifer Schaufele at 954/357-6609.

Regards,

A handwritten signature in black ink, appearing to read 'R. Kaplan', written over a horizontal line.

Richard J. Kaplan, Chair
Broward County MPO

Encl.