

**RESOLUTION NO. 2008 - 066**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE 2008 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 #2000-25 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 2008-09 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 0.181127% of the incorporated portion; and

**WHEREAS**, this Agreement will provide funding for the 2008-09 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 0.125581% of the incorporated portion; and

**WHEREAS**, this Agreement will provide funding for the 2008-09 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 0.247636% 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 Agreements attached as Exhibit "A," "B" and "C," providing for the division and distribution of the proceeds of the local option gas tax.

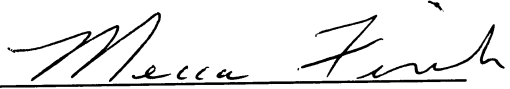
**Section 3:** Authorization. The Mayor, Town Administrator and Town Attorney are hereby authorized to enter into the Interlocal Agreement with Broward County, substantially in the form of the Agreements attached as Exhibit "A," "B" and "C," providing for the division and distribution of the proceeds 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.

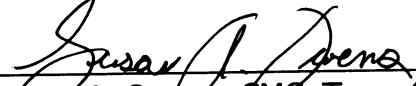
**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this 1<sup>st</sup> day of May 2008, on a motion by Council Member Aster Knight and seconded by Council Member Don Maines.

Fink	<u>Y</u>	Ayes	<u>5</u>
Nelson	<u>Y</u>	Nays	<u>0</u>
Breitkreuz	<u>Y</u>	Absent	<u>0</u>
Knight	<u>Y</u>	Abstaining	<u>0</u>
Maines	<u>Y</u>		

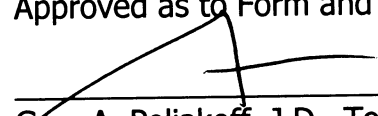
**[SIGNATURES ON FOLLOWING PAGE]**

  
Mecca Fink, Mayor

ATTEST:

  
Susan A. Owens, CMC, Town Clerk

Approved as to Form and Correctness:

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

FTL\_DB: 1111403\_1

2008 AMENDMENT

**EXHIBIT A**

to

INTERLOCAL AGREEMENT

between

BROWARD COUNTY

and

THE TOWN OF 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 2008 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

The Town of Southwest Ranches, a municipal corporation, existing under the laws of the state of Florida, hereinafter referred to as "TOWN."

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 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 TOWN 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:

Population of Individual Municipality x 37.5% =  
Total Incorporated Area Population

<b>Recipient</b>	<b>FY 2009 Percent Share of Proceeds</b>
Coconut Creek	1.031979%
Cooper City	0.640482%
Coral Springs	2.777932%
Dania	0.632027%
Davie	2.000035%
Deerfield Beach	1.623289%
Fort Lauderdale	3.852682%
Hallandale	0.817607%
Hillsboro Beach	0.047588%
Hollywood	3.060015%
Lauderdale-by-the-Sea	0.132639%
Lauderdale Lakes	0.691753%
Lauderhill	1.375650%
Lazy Lake	0.000878%
Lighthouse Point	0.234709%
Margate	1.191548%
Miramar	2.391295%
North Lauderdale	0.904863%

<b>Recipient</b>	<b>FY 2009 Percent Share of Proceeds</b>
Oakland Park	0.900838%
Parkland	0.495856%
Pembroke Park	0.124547%
Pembroke Pines	3.272910%
Plantation	1.827086%
Pompano Beach	2.164871%
Sea Ranch Lakes	0.015670%
Southwest Ranches	0.181127%
Sunrise	1.918795%
Tamarac	1.285847%
Weston	1.332237%
West Park	0.298203%
Wilton Manors	0.275042%
<b>Total Incorporated</b>	<b>37.500000%</b>

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:

<b>Recipient</b>	<b>FY 2009 Population</b>
Coconut Creek	48,207
Cooper City	29,919
Coral Springs	129,766
Dania	29,524
Davie	93,428
Deerfield Beach	75,829
Fort Lauderdale	179,971
Hallandale	38,193
Hillsboro Beach	2,223
Hollywood	142,943
Lauderdale-by-the-Sea	6,196
Lauderdale Lakes	32,314
Lauderhill	64,261
Lazy Lake	41
Lighthouse Point	10,964

<b>Recipient</b>	<b>FY 2009 Population</b>
Margate	55,661
Miramar	111,705
North Lauderdale	42,269
Oakland Park	42,081
Parkland	23,163
Pembroke Park	5,818
Pembroke Pines	152,888
Plantation	85,349
Pompano Beach	101,128
Sea Ranch Lakes	732
Southwest Ranches	8,461
Sunrise	89,633
Tamarac	60,066
Weston	62,233
West Park	13,930
Wilton Manors	12,848
<b>Total Incorporated</b>	<b>1,751,744</b>
<b>Unincorporated Area</b>	<b>13,963</b>
<b>Total County</b>	<b>1,765,707</b>

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 2008 Amendment and the prior amendments, the parties hereby agree that this document shall control.

4. This 2008 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 2008 Amendment prior to June 1, 2008.

5. This 2008 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 2008 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 2008 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 TOWN, signing by and through its Mayor and Town Administrator, 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 \_\_\_\_\_, 2008.

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) 357-6968

By \_\_\_\_\_  
Al A. DiCalvo  
Assistant County Attorney

2008 AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF SOUTHWEST RANCHES 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 Southwest Ranches

\_\_\_\_\_

By \_\_\_\_\_  
Mecca Fink, Mayor

\_\_\_\_\_

\_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

By \_\_\_\_\_  
Susan A. Owens, CMC, Town Clerk

\_\_\_\_\_  
Christopher J. Russo, Town Administrator  
\_\_\_\_ day of \_\_\_\_\_, 2008.

(CORPORATE SEAL)

APPROVED AS TO FORM:

By \_\_\_\_\_  
Gary A. Poliakoff, J.D., Town Attorney

AAD:dmv  
4/08/2008  
GASTAX6\_2008.docSouthwestRanches

2008 AMENDMENT



to

INTERLOCAL AGREEMENT

between

BROWARD COUNTY

and

THE TOWN OF 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 2008 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

The Town of Southwest Ranches, a municipal corporation, existing under the laws of the state of Florida, hereinafter referred to as "TOWN."

WHEREAS, Section 336.025(1)(b), Florida Statutes, authorizes the counties to extend the levy of the five (5) 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 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 TOWN 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 TOWN

Total incorporated area Population X 26.0000%

<b>Recipient</b>	<b>FY 2009 Population</b>	<b>FY 2009 Percent Share of Proceeds</b>
Coconut Creek	48,207	0.715505%
Cooper City	29,919	0.444068%
Coral Springs	129,766	1.926033%
Dania	29,524	0.438206%
Davie	93,428	1.386691%
Deerfield Beach	75,829	1.125481%
Fort Lauderdale	179,971	2.671193%
Hallandale	38,193	0.566874%
Hillsboro Beach	2,223	0.032995%
Hollywood	142,943	2.121610%
Lauderdale-by-the-Sea	6,196	0.091963%
Lauderdale Lakes	32,314	0.479616%
Lauderhill	64,261	0.953784%
Lazy Lake	41	0.000609%
Lighthouse Point	10,964	0.162732%
Margate	55,661	0.826140%
Miramar	111,705	1.657965%
North Lauderdale	42,269	0.627371%

<b>Recipient</b>	<b>FY 2009 Population</b>	<b>FY 2009 Percent Share of Proceeds</b>
Oakland Park	42,081	0.624581%
Parkland	23,163	0.343793%
Pembroke Park	5,818	0.086352%
Pembroke Pines	152,888	2.269217%
Plantation	85,349	1.266780%
Pompano Beach	101,128	1.500977%
Sea Ranch Lakes	732	0.010865%
Southwest Ranches	8,461	0.125581%
Sunrise	89,633	1.330364%
Tamarac	60,066	0.891521%
Weston	62,233	0.923684%
West Park	13,930	0.206754%
Wilton Manors	12,848	0.190695%
<b>Total Incorporated</b>	<b>1,751,744</b>	<b>26.000000%</b>

<b>Unincorporated Area</b>	<b>13,963</b>
----------------------------	---------------

<b>Total County</b>	<b>1,765,707</b>
---------------------	------------------

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 2008 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, 2008.

3. In the event this 2008 Amendment to Interlocal Agreement or a portion of this 2007 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 TOWN 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 2008 Amendment to Interlocal Agreement, shall remain in full force and effect.

5. This 2008 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.

[THE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the parties have made and executed this 2008 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 TOWN, signing by and through its Mayor and Town Administrator, 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 \_\_\_\_\_, 2008.

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) 357-6968

By \_\_\_\_\_  
Al A. DiCalvo  
Assistant County Attorney

2008 AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF 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

**TOWN**

WITNESSES:

Town of Southwest Ranches

\_\_\_\_\_

By \_\_\_\_\_  
Mecca Fink, Mayor

\_\_\_\_\_

\_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

By \_\_\_\_\_  
Susan A. Owens, CMC, Town Clerk

\_\_\_\_\_  
Christopher J. Russo, Town Administrator  
\_\_\_\_ day of \_\_\_\_\_, 2008.

(CORPORATE SEAL)

APPROVED AS TO FORM:

By \_\_\_\_\_  
Gary A. Poliakoff, J.D., Town Attorney

AAD  
4/08/2008  
GASTAX5\_2008.docSouthwestRanches

2008 AMENDMENT



to

INTERLOCAL AGREEMENT

between

BROWARD COUNTY

and

THE TOWN OF SOUTHWEST RANCHES

providing for

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

This 2008 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

The Town of Southwest Ranches, a municipal corporation, existing under the laws of the state of Florida, hereinafter referred to as "TOWN."

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 TOWN agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as previously amended, is hereby amended to read as follows:
2. Forty-eight and Seventy-three One-hundredths percent (48.73%) 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-one and Twenty-seven One-hundredths percent (51.27%) of the total proceeds shall be divided among and distributed to the eligible municipalities within the COUNTY as follows:

Population of Individual Town x 51.27% =  
Total Incorporated Area Population

<b>Recipient</b>	<b>FY 2009 Percent Share of Proceeds</b>
Coconut Creek	1.410921%
Cooper City	0.875669%
Coral Springs	3.797988%
Dania	0.864108%
Davie	2.734448%
Deerfield Beach	2.219361%
Fort Lauderdale	5.267387%
Hallandale	1.117832%
Hillsboro Beach	0.065063%
Hollywood	4.183652%
Lauderdale-by-the-Sea	0.181344%
Lauderdale Lakes	0.945765%
Lauderhill	1.880789%
Lazy Lake	0.001200%
Lighthouse Point	0.320894%
Margate	1.629085%
Miramar	3.269379%
North Lauderdale	1.237128%
Oakland Park	1.231626%
Parkland	0.677935%
Pembroke Park	0.170281%
Pembroke Pines	4.474722%
Plantation	2.497992%
Pompano Beach	2.959812%
Sea Ranch Lakes	0.021424%
Southwest Ranches	0.247636%
Sunrise	2.623376%
Tamarac	1.758010%
Weston	1.821434%
West Park	0.407703%
Wilton Manors	0.376036%
<b>Total Incorporated</b>	<b>51.270000%</b>

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:

<b>Recipient</b>	<b>FY 2009 Population</b>
Coconut Creek	48,207
Cooper City	29,919
Coral Springs	129,766
Dania	29,524
Davie	93,428
Deerfield Beach	75,829
Fort Lauderdale	179,971
Hallandale	38,193
Hillsboro Beach	2,223
Hollywood	142,943
Lauderdale-by-the-Sea	6,196
Lauderdale Lakes	32,314
Lauderhill	64,261
Lazy Lake	41
Lighthouse Point	10,964
Margate	55,661
Miramar	111,705
North Lauderdale	42,269
Oakland Park	42,081
Parkland	23,163
Pembroke Park	5,818
Pembroke Pines	152,888
Plantation	85,349
Pompano Beach	101,128
Sea Ranch Lakes	732

<b>Recipient</b>	<b>FY 2009 Population</b>
Southwest Ranches	8,461
Sunrise	89,633
Tamarac	60,066
Weston	62,233
West Park	13,930
Wilton Manors	12,848
<b>Total Incorporated</b>	<b>1,751,744</b>
<b>Unincorporated Area</b>	<b>13,963</b>
<b>Total County</b>	<b>1,765,707</b>

3. This 2008 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, 2008.

4. In the event this 2008 Amendment to Interlocal Agreement or a portion of this 2008 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 TOWN 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 2008 Amendment and the Agreement and/or any prior Amendment to the Agreement, the parties hereby agree that this document shall control.

6. This 2008 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.

[THE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the parties have made and executed this 2008 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 TOWN, signing by and through its Mayor and Town Administrator, 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 \_\_\_\_\_, 2008.

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) 357-6968

By \_\_\_\_\_  
Al A. DiCalvo  
Assistant County Attorney

2008 AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF SOUTHWEST RANCHES PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE

**TOWN**

WITNESSES:

Town of Southwest Ranches

\_\_\_\_\_

By \_\_\_\_\_  
Mecca Fink, Mayor

\_\_\_\_\_

\_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

By \_\_\_\_\_  
Susan A. Owens, CMC, Town Clerk

\_\_\_\_\_  
Christopher J. Russo, Town Administrator  
\_\_\_\_ day of \_\_\_\_\_, 2008.

(CORPORATE SEAL)

APPROVED AS TO FORM:

By \_\_\_\_\_  
Gary A. Poliakoff, J.D., Town Attorney

AAD:dmv  
4/08/2008  
GASTAX3\_2008.docSouthwestRanches