



# Southwest Ranches Town Council

## REGULAR MEETING Agenda of April 23, 2020

Southwest Ranches Council Chambers  
7:00 PM Thursday

13400 Griffin Road  
Southwest Ranches, FL 33330

<u>Mayor</u>	<u>Town Council</u>	<u>Town Administrator</u>	<u>Town Attorney</u>
Doug McKay	Delsa Amundson	Andrew D. Berns	Keith M. Poliakoff, J.D.
<u>Vice Mayor</u>	Bob Hartmann	<u>Town Financial</u>	<u>Assistant Town</u>
Denise Schroeder	Gary Jablonski	<u>Administrator</u>	<u>Administrator/Town Clerk</u>
		Martin Sherwood, CPA CGFO	Russell C. Muniz, MMC

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Town Clerk at (954) 434-0008 for assistance no later than four days prior to the meeting.

**1. Call to Order/Roll Call**

**2. Pledge of Allegiance**

**3. Public Comment**

- All Speakers are limited to 3 minutes.
- Public Comment will last for 30 minutes.
- All comments must be on non-agenda items.
- All Speakers must fill out a request card prior to speaking.
- All Speakers must state first name, last name, and mailing address.
- Speakers will be called in the order the request cards were received.
- Request cards will only be received until the first five minutes of public comment have concluded.

**4. Board Reports**

**5. Council Member Comments**

**6. Legal Comments**

**7. Administration Comments**

**Resolutions**

- 8. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, SUPPORTING THE SUBMISSION OF THE TRANSPORTATION SURFACE DRAINAGE AND ONGOING REHABILITATION (TSDOR) PROJECT TO BROWARD COUNTY AS A MUNICIPAL REHABILITATION AND MAINTENANCE SURTAX PROJECT TO BE CONSIDERED FOR CYCLE ONE FUNDING; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS DEEMED NECESSARY TO HELP EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**
- 9. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE 2020**

**AMENDMENTS TO THE TWO (2) INTERLOCAL AGREEMENTS WITH BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE BROWARD COUNTY FIFTH-CENT LOCAL OPTION GAS TAX, AND THE ADDITIONAL THIRD-CENT LOCAL OPTION GAS TAX; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE SAID AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**10. Adjournment**

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.



**Town of Southwest Ranches**  
**13400 Griffin Road**  
**Southwest Ranches, FL 33330-2628**

**(954) 434-0008 Town Hall**  
**(954) 434-1490 Fax**

**Town Council**  
**Doug McKay, Mayor**  
**Denise Schroeder, Vice Mayor**  
**Delsa Amundson, Council Member**  
**Bob Hartmann, Council Member**  
**Gary Jablonski, Council Member**

**Andrew D. Berns, Town Administrator**  
**Keith M. Poliakoff, JD, Town Attorney**  
**Russell Muniz, Assistant Town Administrator/Town Clerk**  
**Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator**

## **COUNCIL MEMORANDUM**

**TO:** Honorable Mayor McKay and Town Council  
**VIA:** Andrew D. Berns, Town Administrator  
**FROM:** Emily Aceti, Community Services Manager  
**DATE:** 4/23/2020  
**SUBJECT:** Resolution Supporting the Submission of the Transportation Surface Drainage and Ongoing Rehabilitation Program project as a Municipal Rehabilitation and Maintenance Surtax Project

---

### **Recommendation**

To place this item on the agenda for Council support.

### **Unanimous Vote of the Town Council Required?**

No

### **Strategic Priorities**

- A. Sound Governance
- B. Enhanced Resource Management
- D. Improved Infrastructure

### **Background**

Broward County voters approved a 30-year, one percent surtax for transportation in November 2018. The sales surtax took effect on January 1, 2019.

Broward municipalities submitted more than seven hundred projects to be included in the plan. The Town submitted multiple resurfacing, drainage, striping, traffic calming, and guardrail projects to be included in the plan.

Broward County divided the municipal projects into two funding categories within the plan:

Municipal Capital Projects and Municipal Rehabilitation and Maintenance Projects. \$122.7 million is available for FY 20 for both programs. However, Municipal Rehabilitation and Maintenance Project funding will depend on the amount awarded to Municipal Capital Projects, and that dollar amount is currently unknown.

Broward County created a grant portal for municipalities to apply for the Municipal Rehabilitation and Maintenance Projects based on project points that will be prioritized by need and equity. Examples of Municipal Rehabilitation and Maintenance projects include milling, paving and resurfacing of public roads, roadway drainage system repairs, and guardrail. The more elements put into a project, the more points the project will receive. Therefore, it is recommended to submit combined resurfacing, drainage, striping, traffic calming, and guardrail projects. The application requires municipalities to submit a support Resolution with their application. Applications are capped at \$3 Million.

The Town of Southwest Ranches supports submitting two construction ready TSDOR projects as one project that includes resurfacing, drainage swales, traffic calming, striping, and guardrail installation along the appropriate adjacent canal banks on the following public local roadways:

- SW 202<sup>nd</sup> Avenue and its side-streets; SW 201<sup>st</sup> Terrace; SW 199<sup>th</sup> Avenue and its side-street; SW 196<sup>th</sup> Lane
- SW 128<sup>th</sup> Avenue; SW 130<sup>th</sup> Avenue; SW 133<sup>rd</sup> Avenue; Lupo Lane; SW 134<sup>th</sup> Avenue; as well as a portion of Holatee Trail (from Stirling Road to Old Sheridan Street).

If awarded, construction must be completed within one year of the award date.

### **Fiscal Impact/Analysis**

None.

### **Staff Contact:**

Emily Aceti, Community Services Manager

Rod Ley, PE, LEED AP, CPESC, Public Works Director

### **ATTACHMENTS:**

Description	Upload Date	Type
Resolution - TA Approved	4/17/2020	Resolution

## **RESOLUTION 2020-**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, SUPPORTING THE SUBMISSION OF THE TRANSPORTATION SURFACE DRAINAGE AND ONGOING REHABILITATION (TSDOR) PROJECT TO BROWARD COUNTY AS A MUNICIPAL REHABILITATION AND MAINTENANCE SURTAX PROJECT TO BE CONSIDERED FOR CYCLE ONE FUNDING; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS DEEMED NECESSARY TO HELP EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** Broward County voters approved a 30-year, one percent surtax for transportation in November 2018, and the sales surtax took effect on January 1, 2019; and

**WHEREAS,** Broward municipalities submitted more than seven hundred projects to be included in the plan; and

**WHEREAS,** the Town submitted multiple resurfacing, drainage, striping, traffic calming, and guardrail projects to be included in the plan; and

**WHEREAS,** Broward County divided the municipal projects into two funding categories within the plan: Municipal Capital Projects and Municipal Rehabilitation / Maintenance Projects; and

**WHEREAS,** Broward County created a grant portal for municipalities to apply for the Municipal Rehabilitation / Maintenance Projects based on project points; and

**WHEREAS,** the Town of Southwest Ranches supports submitting the combined two-year construction ready TSDOR project that includes resurfacing, drainage, traffic calming, striping, and guardrail installation along the appropriate adjacent canal banks on the following public local roadways: SW 202<sup>nd</sup> Avenue and its side-streets; SW 201<sup>st</sup> Terrace; SW 199<sup>th</sup> Avenue and its side-street; SW 196<sup>th</sup> Lane; SW 128<sup>th</sup> Avenue; SW 130<sup>th</sup> Avenue; SW 133<sup>rd</sup> Avenue; Lupo Lane; SW 134<sup>th</sup> Avenue; as well as a portion of Holatee Trail (from Stirling Road to Old Sheridan Street); and

**WHEREAS,** construction must be completed within one year of the award date; and

**WHEREAS,** these TSDOR projects are in the best interest of the health, safety, and welfare of the Town's residents;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:**

**Section 1.** The above-referenced recitals are true and correct and are incorporated herein by reference.

**Section 2.** The Town Council hereby supports submitting the TSDOR project specified herein for Municipal Rehabilitation and Maintenance Surtax funding.

**Section 3.** The Town Council hereby authorizes the Mayor, Town Administrator, and Town Attorney to execute any and all documents necessary to effectuate the intent of this Resolution.

**Section 4.** That this Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** by the Town Council of the Town of Southwest  
Ranches, Florida, this 23rd day of April 2020 on a motion by \_\_\_\_\_  
and seconded by \_\_\_\_\_.

McKay \_\_\_\_\_  
Schroeder \_\_\_\_\_  
Amundson \_\_\_\_\_  
Hartmann \_\_\_\_\_  
Jablonski \_\_\_\_\_

Ayes \_\_\_\_\_  
Nays \_\_\_\_\_  
Absent \_\_\_\_\_  
Abstaining \_\_\_\_\_

\_\_\_\_\_  
Doug McKay, Mayor

Attest:

\_\_\_\_\_  
Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

\_\_\_\_\_  
Keith Poliakoff, Town Attorney  
36858871.1

This page  
intentionally left blank





**Town of Southwest Ranches**  
**13400 Griffin Road**  
**Southwest Ranches, FL 33330-2628**

**(954) 434-0008 Town Hall**  
**(954) 434-1490 Fax**

**Town Council**  
**Doug McKay, Mayor**  
**Denise Schroeder, Vice Mayor**  
**Delsa Amundson, Council Member**  
**Bob Hartmann, Council Member**  
**Gary Jablonski, Council Member**

**Andrew D. Berns, Town Administrator**  
**Keith M. Poliakoff, JD, Town Attorney**  
**Russell Muniz, Assistant Town Administrator/Town Clerk**  
**Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator**

## **COUNCIL MEMORANDUM**

**TO:** Honorable Mayor McKay and Town Council  
**VIA:** Andrew D. Berns, Town Administrator  
**FROM:** Russell Muñiz, Assistant Town Administrator/Town Clerk  
**DATE:** 4/23/2020  
**SUBJECT:** Gas Tax Agreements

---

### **Recommendation**

Town Council consideration of a motion to approve the resolution incorporating two 2020 amendments to Broward County Interlocal Agreements (Exhibit 1, and 2) for the distribution of Fiscal Year 2021 gas tax revenue.

### **Unanimous Vote of the Town Council Required?**

No

### **Strategic Priorities**

- A. Sound Governance
- D. Improved Infrastructure

### **Background**

Currently, the Town of Southwest Ranches receives gas tax revenue via three Interlocal Agreements with Broward County, which collects gas tax, on behalf of the municipalities, from the sale of every gallon of motor fuel and special fuel sold in Broward County. These proceeds are then redistributed to all participating municipalities within the County based upon individual municipal populations. Each of these agreements provides that the rates for redistribution of proceeds shall be adjusted annually based upon the population figures listed in the current "Florida Estimates of Population" as published by the Bureau of Economics and Business Research, Population Division, University of Florida. Due to the renewal of the six cent local option gas tax in 2018 for a 30 year renewal period no execution of that agreement

is necessary. The Town must now execute two interlocal agreements annually for the distribution of the "additional" and "transit gas tax" agreements.

The two interlocal Agreements and amendments described below pertain to the second local option gas tax representing five cents in total gas tax revenues:

1. The "additional" local option gas tax agreement adopted in 1994 now provides for Cities to receive 51.27% of three cents of five cents in total gas tax revenue. 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 2013 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.

2. The "transit gas tax" agreement adopted in 2001 provides for Cities to receive 26% of the proceeds of one cent of five cents in total gas tax revenue. This amendment includes adjustments to each City's percentage share based on updated population figures.

This resolution and the attached Interlocal Agreements serve to continue this important revenue stream to the Town.

### **Fiscal Impact/Analysis**

Below are the projected and historical percentage rates calculated by the County based upon the Town's population:

	<b><u>Fiscal Year 2019-2020</u></b>	<b><u>Fiscal Year 2020-2021</u></b>
Estimated Town Population	7,706	7,704
Broward County Population	1,897,976	1,919,644
Additional Local Option Gas Tax	0.209834%	0.207413%
Transit Local Option Gas Tax	0.106411%	0.105183%

The Town's estimated population **decreased** to 7,704 from 7,706. Accordingly, the Town's estimated population percentage **decrease** of **0.0003%** was less than the overall Broward County municipal population percentage **increase** of **1.14%**. Therefore, the Town's shared percentage decreased on a year to year basis in accordance with the above table.

Additionally, annual proceeds vary based on actual gasoline consumption within Broward County. However, assuming no change in consumption, it is estimated that gas taxes will decrease approximately **\$10** and **\$7** in Fiscal Year 2020-2021 for the additional, and transit local option gas taxes, respectively.

### **Staff Contact:**

Russell Muñiz, Assistant Town Administrator/Town Clerk  
Martin Sherwood, Town Financial Administrator

**ATTACHMENTS:**

Description	Upload Date	Type
RESO_Gas_Tax_Agreements_2020 -TA Approved	4/17/2020	Resolution
3rd Cent Gas Tax Agreement - Exhibit 1	4/14/2020	Exhibit
5th Cent Gas Tax Agreement - Exhibit 2	4/14/2020	Exhibit
Gas Tax Memo to Cities	4/14/2020	Backup Material
Local 6 Cents Tax Administrative Update Chart	4/14/2020	Backup Material

This page  
intentionally left blank

## **RESOLUTION NO. 2020 -**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE 2020 AMENDMENTS TO THE TWO (2) INTERLOCAL AGREEMENTS WITH BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE BROWARD COUNTY FIFTH-CENT LOCAL OPTION GAS TAX, AND THE ADDITIONAL THIRD-CENT LOCAL OPTION GAS TAX; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE SAID AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**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 third-cent 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**, on March 22, 2018 pursuant to Resolution 2018-045 the Town approved the interlocal agreement with Broward County for 2018-19 distribution of the Town's share of the proceeds from the sixth-cent local option gas tax was renewed for thirty years; and

**WHEREAS**, this Agreement will provide funding for the 2020-2021 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 .105183% of the incorporated portion; and

**WHEREAS**, this Agreement will provide funding for the 2020-21 fiscal year through the distribution of the Town's share of the proceeds from the third-cent local option gas tax for transit in the amount of .207413% 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 "1," and "2," 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 "1," and "2," 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 23<sup>rd</sup> day of April, 2020 on a motion by

\_\_\_\_\_ and seconded by \_\_\_\_\_.

McKay \_\_\_\_\_  
Schroeder \_\_\_\_\_  
Amundson \_\_\_\_\_  
Hartmann \_\_\_\_\_  
Jablonski \_\_\_\_\_

Ayes \_\_\_\_\_  
Nays \_\_\_\_\_  
Absent \_\_\_\_\_

**[Signatures on Following Page]**

---

Doug McKay, Mayor

ATTEST:

---

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

---

Keith M. Poliakoff, J.D., Town Attorney  
36859054.1

This page  
intentionally left blank



**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:

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

<b>Recipient</b>	<b>FY21 Percent Share of Proceeds</b>
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%
<b>Total Incorporated</b>	<b>51.270000%</b>

- 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:

<b>Recipient</b>	<b>BEBR Population 4/1/19</b>
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

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

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: SOUTHWEST RANCHES

\_\_\_\_\_

By \_\_\_\_\_  
Doug McKay, Mayor

\_\_\_\_\_

\_\_\_\_ day of \_\_\_\_\_, 20\_\_

ATTEST:

By \_\_\_\_\_  
Russell Muniz  
Assistant Town Administrator/Town Clerk

\_\_\_\_\_  
Andy Berns, Town Administrator

\_\_\_\_ day of \_\_\_\_\_, 20\_\_

(CORPORATE SEAL)

APPROVED AS TO FORM:

By \_\_\_\_\_  
Keith Poliakoff, Town Attorney

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

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 (the "Municipalities") (the County and Municipalities are collectively referred to as the "Parties").

**RECITALS**

A. Section 336.025(1)(b), Florida Statutes, authorizes the counties to extend the levy of the additional fifth-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. On June 13, 2000, the Broward County 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 additional fifth-cent local option gas 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 4 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 utilizing 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 Section 336.025(1)(b), Florida Statutes, the County and Municipalities agree as follows:

1. Section 2.1 of the Interlocal Agreement, as previously amended, is hereby amended to read as follows:

2.1 Seventy-four percent (74%) of the total proceeds from the additional fifth-cent local option gas tax shall be distributed to the County. The remaining twenty-six percent (26%) shall be distributed to the Municipalities as follows:

<u>Population of Individual Municipality</u>	X	26.0000%
--	---	----------

Total Incorporated Area Population

<b>Recipient</b>	<b>BEBR Population 4/1/19</b>	<b>FY21 Percent Share of Proceeds</b>
Coconut Creek	58,742	0.802006%
Cooper City	33,991	0.464080%
Coral Springs	129,067	1.762155%
Dania Beach	31,768	0.433729%
Davie	104,249	1.423314%
Deerfield Beach	79,497	1.085374%
Fort Lauderdale	186,220	2.542466%
Hallandale Beach	39,834	0.543855%
Hillsboro Beach	1,939	0.026473%
Hollywood	150,878	2.059941%
Lauderdale-by-the-Sea	6,236	0.085140%
Lauderdale Lakes	36,714	0.501257%
Lauderhill	72,410	0.988615%
Lazy Lake	26	0.000355%
Lighthouse Point	10,587	0.144545%
Margate	59,116	0.807112%
Miramar	138,837	1.895545%
North Lauderdale	45,207	0.617212%
Oakland Park	45,576	0.622250%
Parkland	34,109	0.465691%
Pembroke Park	6,408	0.087489%
Pembroke Pines	168,023	2.294022%
Plantation	90,354	1.233605%
Pompano Beach	112,058	1.529931%
Sea Ranch Lakes	688	0.009393%
Southwest Ranches	7,704	0.105183%
Sunrise	93,365	1.274715%
Tamarac	65,377	0.892594%
Weston	67,314	0.919040%
West Park	15,197	0.207485%
Wilton Manors	12,849	0.175428%
<b>Total Incorporated</b>	<b>1,904,340</b>	<b>26.000000%</b>
<b>Unincorporated Area</b>	<b>15,304</b>	
<b>Total County</b>	<b>1,919,644</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 additional fifth-cent local option gas tax shall be adjusted annually based on the current Florida Estimates of Population.

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

3. 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.

4. 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.

5. 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 hereto 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 FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR  
TRANSIT**

**MUNICIPALITY**

WITNESSES:

Municipality: SOUTHWEST RANCHES

\_\_\_\_\_

By \_\_\_\_\_  
Doug McKay, Mayor

\_\_\_\_\_

\_\_\_\_ day of \_\_\_\_\_, 20\_\_

ATTEST:

\_\_\_\_\_  
Russell Muniz  
Assistant Town Administrator/Town Clerk

By \_\_\_\_\_  
Andy Berns, Town Administrator

\_\_\_\_ day of \_\_\_\_\_, 20\_\_

(CORPORATE SEAL)

APPROVED AS TO FORM:

By \_\_\_\_\_  
Keith Poliakoff, Town Attorney

This page  
intentionally left blank



**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**

<b>Recipient</b>	<b>FY21 Percent Share of Proceeds</b>
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%
<b>Total Incorporated</b>	<b>37.500000%</b>

<b>Recipient</b>	<b>BEBR Population 4/1/19</b>
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
<b>Total Incorporated</b>	<b>1,904,340</b>
<b>Unincorporated Are</b>	<b>15,304</b>
<b>Total County</b>	<b>1,919,644</b>