

**RESOLUTION NO. 2020-158**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE CONCEPTUAL PLAN FOR DISTRIBUTION OF THE CARES ACT FUNDING AMONGST THE MUNICIPALITIES LOCATED IN BROWARD COUNTY AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE INTERLOCAL AGREEMENT (ILA) WITH BROWARD COUNTY TO EFFECTUATE SAME; PROVIDING FOR FUTURE AMENDMENTS TO THE ILA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Broward League of Cities (“BLOC”) and Broward County City Manager’s Association (“BCCMA”) have been working alongside Broward County staff to fine tune a plan to distribute the CARES Act funding (approximately \$102.3 million, thirty percent (30%) of the total funding received by Broward County) among the 31 cities in Broward County; and

**WHEREAS**, all parties recognize that time is of the essence as the CARES Act funding only applies to eligible expenses incurred starting on March 1, 2020, up to and including December 30, 2020, and not a day beyond that point; and

**WHEREAS**, the current proposal, recommended by BCCMA and approved by BLOC, allows expenditures in four (4) categories promulgated by the United States Treasury Department and establishes formulas for a cap for each municipality in each category, see Exhibit “1,” a memorandum dated August 11, 2020, from Bertha Henry, County Administrator, to the Broward County Commission, reference “CARES Act Funding Update,” attached hereto and made a part hereof; and

**WHEREAS**, generally, the four (4) categories include expenses attributable to public health, payroll, facilitation of compliance with teleworking and social distancing protocols, and economic support to the community, both public and private; and

**WHEREAS**, as directed by the Broward County Commission, the distribution formulas vary depending on the category of expenditure and are not directly tied to per

capita distribution in most instances; and

**WHEREAS**, as such, a draft template Interlocal Agreement (“ILA”) is proposed to effectuate the distribution proposal among all 31 municipalities and is essential to ensure the precise tailoring of each distribution formula to each individual municipality, with the overall framework remaining the same, see Exhibit “2,” draft template Agreement between Broward County and City of Coconut Creek for CARES Act Funding;” and

**WHEREAS**, several agenda items were scheduled for discussion on August 25, 2020, by the Broward County Commission, two (2) of which included the BLOC/BCCMA CARES Act funding distribution proposal and the approval of the associated draft template ILA to effectuate same; and

**WHEREAS**, discussion on these items are not final and the parties contemplate that the draft template ILA may be amended based on further negotiations among the parties; and

**WHEREAS**, since time is of the essence to distribute and use such federally allocated funding for the safety, stability, and vitality of our community and economy, the City Manager, or designee, is hereby accorded authority to negotiate and amend the subject ILA in order to keep this process moving as quickly and effectively as possible; and

**WHEREAS**, the City Commission finds and determines that the conceptual plan for distribution and template ILA, as may be amended after further negotiations with Broward County, are in the best interest of the residents of Coconut Creek, and the more swiftly such funding can be used to effectuate its purpose, the better.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1:** That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution.

All exhibits attached hereto are incorporated herein and made a specific part of this resolution.

**Section 2:** That the City Commission has reviewed and conceptually approves the CARES Act funding distribution plan propounded by the BLOC and BCCMA as summarized in Exhibit "1," attached hereto, and the draft template Agreement between Broward County and the City of Coconut Creek, as depicted in Exhibit "2," attached hereto.

**Section 3:** That the City Manager, or designee, is hereby authorized to insert the City's information within the template ILA and execute same, and/or amend the draft template ILA inclusive of any subsequent changes or amendments and thereafter execute same.

**Section 4:** That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

**Section 5:** That this resolution shall be in full force and effect immediately upon its adoption.

**Adopted this 27<sup>th</sup> day of August \_\_\_\_\_, 2020.**

\_\_\_\_\_  
Louis Sarbone, Mayor

Attest:

\_\_\_\_\_  
Leslie Wallace May, City Clerk

Sarbone Aye

Rydell Aye

Tooley Aye

Belvedere Aye

Welch Aye