

**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>

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 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

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**MUNICIPALITY**

WITNESSES:

CITY OF COCONUT CREEK

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_ day of \_\_\_\_\_, 2020

ATTEST:

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

\_\_\_\_\_  
Karen M. Brooks, City Manager  
\_\_\_\_ day of \_\_\_\_\_, 2020

(CORPORATE SEAL)

APPROVED AS TO FORM:

By \_\_\_\_\_  
Terrill Pyburn, City Attorney