



AGENDA ITEM REQUEST FORM

Finance

Doug Haag

Department Submitting Request

Dept Head's Signature

**REGULAR
COMMISSION MTG**
Meeting Dates - 7:00 PM

**DEADLINE TO
Town Clerk**

**ROUNDTABLE
MEETING**
Meeting Dates - 7:00 PM

**DEADLINE TO
Town Clerk**

- April 27, 2011
- May 24, 2011
- June 28, 2011
- July 26, 2011

- April 15 (5:00 pm)
- May 13 (5:00 pm)
- June 10 (5:00 pm)
- July 15 (5:00 pm)

- April 12, 2011
- May 10, 2011
- June 14, 2011
- July 12, 2011

- April 1 (5:00 pm)
- April 29 (5:00 pm)
- June 3 (5:00 pm)
- July 1 (5:00 pm)

*Subject to Change

- | | | | |
|---------------------------------------|---|---|---------------------------------------|
| <input type="checkbox"/> Presentation | <input type="checkbox"/> Reports | <input checked="" type="checkbox"/> Consent | <input type="checkbox"/> Ordinance |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Quasi Judicial | <input type="checkbox"/> Old Business | <input type="checkbox"/> New Business |

PRIORITY ITEM

SUBJECT TITLE: 2011 Amendments to the Interlocal Agreement Between Broward County and Lauderdale-By-The-Sea for Division and Distribution of Proceeds of:

- 1) Additional Local Option Gas Tax on Motor Fuel Ordinance
- 2) Fifth Cent Additional Local Option Gas Tax on Motor Fuel Transit
- 3) Local Option Gas Tax Imposed by the Broward County Local Option Gas Tax Ordinance

EXPLANATION: Annual amendments to the above agreement are required in order to continue receiving proceeds from the State of Florida Department of Revenue for a portion of the fuel taxes. The Town's projected share of these funds for FY 2010-11 is \$106,576. The amendments must be executed by June 1, 2011 per State Statute.

EXPECTED FISCAL IMPACT: The revised population figures resulted in a .6% decrease in the Town's pro rata share of the fuel tax revenues from last year. This will slightly impact next year's budget along with any overall decrease in fuel consumption/taxes due to higher prices.

Note: The Town's population was decreased from 5,9250 for the 2011 amendments to 5,891 for 2012 based on projections from the University of Florida. The U.S. Census figures were not available at the time these estimates were prepared in April, 2010 but will be used next year.

RECOMMENDATION: Approve the amendments as submitted.

EXHIBITS:

- Letter dated April 13, 2011 from Broward County Office of Management and Budget outlining amendments
- Exhibit 1- 2011 Amendment to Original Agreement adopted in 1983 (distribution of 6 cent gas tax)
- Exhibit 2 - 2011 Amendment to Additional Agreement adopted in 1993 (distribution of 3 cent gas tax)
- Exhibit 3 - 2011 Amendment to Transit Gas Tax Agreement adopted in 2000 (distribution of 1 cent tax)

Reviewed by Town Attorney
 Yes No

Town Manager Initials CH



Office of Management and Budget

115 S. Andrews Avenue, Room 404 • Fort Lauderdale, Florida 33301 • 954-357-6345 • FAX 954-357-6364

April 13, 2011

Dear Municipality:

Attached are amendments to three interlocal agreements requiring approval by your municipal governing board no later than June 1, 2011 per State Statute. The attached amendments are required in order to adjust each City's percentage share based on updated population figures.

Summary of Amendments

The three interlocal agreements and amendments are described below:

- The "original" local option gas tax agreement adopted in 1983 provides for Cities to receive 37.5% of the proceeds of six cents of gas tax. This amendment adjusts each City's percentage share of the 37.5% based on updated population figures.
- The "additional" local option gas tax agreement adopted in 1993 now 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 2010 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 adopted in 2000 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

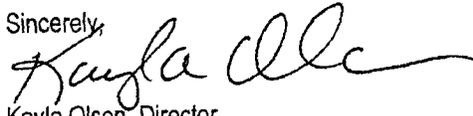
The three interlocal agreements provide for the distribution of gas taxes among the Cities based on population figures published annually by the University of Florida Bureau of Economics and Business Research. The interlocal agreements also provide for the population numbers to be revised annually using the most current published figures.

Please place the three amendments on the agenda for approval by the municipal governing board as soon as possible and return the signed agreements no later than May 26, 2011. **The Amendments must be executed by all parties by June 1, 2011 per State Statute.** If you have any questions about the amendments, please contact Jennifer Steelman from the County's Office of Management and Budget at 357-6226.

Attached are copies of the above discussed amendments. Please return **three** executed originals of each amendment (nine total) to:

Thomas Hutka, Director
Broward County Public Works Department
1 N University Drive, suite A305
Plantation, FL 33324
Ph. (954) 357-6410

Sincerely,

A handwritten signature in black ink, appearing to read "Kayla Olsen", with a long horizontal flourish extending to the right.

Kayla Olsen, Director
Office of Management and Budget

KO:js
Attachments

EXHIBIT 1

2011 AMENDMENT

to

INTERLOCAL AGREEMENT

between

BROWARD COUNTY

and

TOWN OF LAUDERDALE-BY-THE-SEA

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 2011 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

TOWN OF LAUDERDALE-BY-THE-SEA, a municipal corporation, existing under the laws of the State of Florida, hereinafter referred to as "MUNICIPALITY."

WHEREAS, Section 336.025(1)(a), Florida Statutes, authorizes the COUNTY 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 MUNICIPALITY agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as previously 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

Recipient	FY 2012 Percent Share of Proceeds
Coconut Creek	1.041709%
Cooper City	0.642385%
Coral Springs	2.754853%
Dania	0.612817%
Davie	1.967196%
Deerfield Beach	1.586216%
Fort Lauderdale	3.883193%
Hallandale	0.804897%
Hillsboro Beach	0.047912%
Hollywood	3.080135%
Lauderdale-by-the-Sea	0.127426%
Lauderdale Lakes	0.682900%
Lauderhill	1.396840%
Lazy Lake	0.000846%
Lighthouse Point	0.237136%
Margate	1.154404%
Miramar	2.444476%

Recipient	FY 2012 Percent Share of Proceeds
North Lauderdale	0.902840%
Oakland Park	0.906409%
Parkland	0.514700%
Pembroke Park	0.136770%
Pembroke Pines	3.257289%
Plantation	1.850737%
Pompano Beach	2.135180%
Sea Ranch Lakes	0.015639%
Southwest Ranches	0.186434%
Sunrise	1.929472%
Tamarac	1.282890%
Weston	1.337637%
West Park	0.295885%
Wilton Manors	0.282777%
Total Incorporated	37.500000%

2. Paragraph 3 of the Interlocal Agreement, as previously amended by the Addendum thereto and the prior amendments, is amended to read as follows:

3. 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. The population figures to be utilized in the formula described in Paragraph 2 of this Interlocal Agreement 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:

Recipient	FY 2012 Population
Coconut Creek	48,159
Cooper City	29,698
Coral Springs	127,359
Dania	28,331
Davie	90,945
Deerfield Beach	73,332
Fort Lauderdale	179,523
Hallandale	37,211

Recipient	FY 2012 Population
Hillsboro Beach	2,215
Hollywood	142,397
Lauderdale-by-the-Sea	5,891
Lauderdale Lakes	31,571
Lauderhill	64,577
Lazy Lake	39
Lighthouse Point	10,963
Margate	53,369
Miramar	113,010
North Lauderdale	41,739
Oakland Park	41,904
Parkland	23,795
Pembroke Park	6,323
Pembroke Pines	150,587
Plantation	85,561
Pompano Beach	98,711
Sea Ranch Lakes	723
Southwest Ranches	8,619
Sunrise	89,201
Tamarac	59,309
Weston	61,840
West Park	13,679
Wilton Manors	13,073
Total Incorporated	1,733,654
Unincorporated Area	17,752
Total County	1,751,406

3. This 2011 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 2011 Amendment prior to June 1, 2011.

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 2011 Amendment and the Interlocal Agreement, as previously amended, the parties hereby agree that this document shall control.

5. This 2011 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.

6. In the event this 2011 Amendment to Interlocal Agreement or a portion of this 2011 Amendment is found by a court of competent jurisdiction to be invalid, the remaining portions shall continue to be effective unless COUNTY or MUNICIPALITY 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.

[THE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the parties have made and executed this 2011 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 MUNICIPALITY, signing by and through its Mayor-Commissioner, 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 _____, 2011.

Approved as to form by
Office of County Attorney
Broward County, Florida
JONI ARMSTRONG COFFEY, County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By _____
Al A. DiCalvo
Assistant County Attorney

AAD:hb
3/24/11
GASTAX6_2011.doc«Municipality»

2011 AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND TOWN OF LAUDERDALE-BY-THE-SEA PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

TOWN OF LAUDERDALE-BY-THE-SEA

By _____
Roseann Minnet Mayor-Commissioner

____ day of _____, 2011.

ATTEST:

By _____
Town Clerk June White, CMC

Constance Hoffmann Town Manager
____ day of _____, 2011.

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _____
Susan L. Trevarthen Town Attorney

EXHIBIT 2

2011 AMENDMENT

to

INTERLOCAL AGREEMENT

between

BROWARD COUNTY

and

TOWN OF LAUDERDALE-BY-THE-SEA

providing for

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

This 2011 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

TOWN OF LAUDERDALE-BY-THE-SEA, a municipal corporation, existing under the laws of the State of Florida, hereinafter referred to as "MUNICIPALITY."

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 MUNICIPALITY 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:

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

Recipient	FY 2012 Percent Share of Proceeds
Coconut Creek	1.424224%
Cooper City	0.878270%
Coral Springs	3.766435%
Dania	0.837843%
Davie	2.689551%
Deerfield Beach	2.168675%
Fort Lauderdale	5.309101%
Hallandale	1.100455%
Hillsboro Beach	0.065505%
Hollywood	4.211160%
Lauderdale-by-the-Sea	0.174217%
Lauderdale Lakes	0.933661%
Lauderhill	1.909760%
Lazy Lake	0.001152%
Lighthouse Point	0.324213%
Margate	1.578301%
Miramar	3.342087%
North Lauderdale	1.234363%
Oakland Park	1.239243%
Parkland	0.703699%
Pembroke Park	0.186992%
Pembroke Pines	4.453366%
Plantation	2.530328%
Pompano Beach	2.919217%
Sea Ranch Lakes	0.021382%
Southwest Ranches	0.254893%
Sunrise	2.637975%
Tamarac	1.753967%
Weston	1.828818%
West Park	0.404534%
Wilton Manors	0.386613%
Total Incorporated	51.270000%

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:

Recipient	FY 2012 Population
Coconut Creek	48,159
Cooper City	29,698
Coral Springs	127,359
Dania	28,331
Davie	90,945
Deerfield Beach	73,332
Fort Lauderdale	179,523
Hallandale	37,211
Hillsboro Beach	2,215
Hollywood	142,397
Lauderdale-by-the-Sea	5,891
Lauderdale Lakes	31,571
Lauderhill	64,577
Lazy Lake	39
Lighthouse Point	10,963
Margate	53,369
Miramar	113,010
North Lauderdale	41,739
Oakland Park	41,904
Parkland	23,795
Pembroke Park	6,323
Pembroke Pines	150,587
Plantation	85,561
Pompano Beach	98,711
Sea Ranch Lakes	723

Recipient	FY 2012 Population
Southwest Ranches	8,619
Sunrise	89,201
Tamarac	59,309
Weston	61,840
West Park	13,679
Wilton Manors	13,073
Total Incorporated	1,733,654
Unincorporated Area	17,752
Total County	1,751,406

3. This 2011 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, 2011.

4. In the event this 2011 Amendment to Interlocal Agreement or a portion of this 2011 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 MUNICIPALITY 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 Interlocal Agreement shall remain in full force and effect. In the event of any conflict between the terms of this 2011 Amendment and the Interlocal Agreement, as previously amended, the parties hereby agree that this document shall control.

6. This 2011 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.

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IN WITNESS WHEREOF, the parties have made and executed this 2011 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 MUNICIPALITY, signing by and through its Mayor-Commissioner, 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 _____, 2011.

Approved as to form by
Office of County Attorney
Broward County, Florida
JONI ARMSTRONG COFFEY, County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By _____
Al A. DiCalvo
Assistant County Attorney

AAD:hb
3/24/11
GASTAX3_2011.doc«Municipality»

2011 AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND TOWN OF LAUDERDALE-BY-THE-SEA PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

TOWN OF LAUDERDALE-BY-THE-SEA

By _____
Roseann Minnet Mayor-Commissioner

____ day of _____, 2011.

ATTEST:

By _____
Town Clerk June White, CMC

Constance Hoffmann Town Manager

____ day of _____, 2011.

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _____
Susan L. Trevarthen Town Attorney

EXHIBIT 3

2011 AMENDMENT

to

INTERLOCAL AGREEMENT

between

BROWARD COUNTY

and

TOWN OF LAUDERDALE-BY-THE-SEA

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 2011 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 LAUDERDALE-BY-THE-SEA, a municipal corporation, existing under the laws of the State of Florida, hereinafter referred to as "MUNICIPALITY."

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 MUNICIPALITY agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as previously amended, 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 CITY
Total incorporated area Population X 26.0000%

Recipient	FY 2012 Population	FY 2012 Percent Share of Proceeds
Coconut Creek	48,159	0.722251%
Cooper City	29,698	0.445388%
Coral Springs	127,359	1.910032%
Dania	28,331	0.424886%
Davie	90,945	1.363923%
Deerfield Beach	73,332	1.099777%
Fort Lauderdale	179,523	2.692347%
Hallandale	37,211	0.558062%
Hillsboro Beach	2,215	0.033219%
Hollywood	142,397	2.135560%
Lauderdale-by-the-Sea	5,891	0.088349%
Lauderdale Lakes	31,571	0.473477%
Lauderhill	64,577	0.968476%
Lazy Lake	39	0.000583%
Lighthouse Point	10,963	0.164415%
Margate	53,369	0.800387%
Miramar	113,010	1.694836%
North Lauderdale	41,739	0.625969%

Recipient	FY 2012 Population	FY 2012 Percent Share of Proceeds
Oakland Park	41,904	0.628444%
Parkland	23,795	0.356859%
Pembroke Park	6,323	0.094827%
Pembroke Pines	150,587	2.258387%
Plantation	85,561	1.283178%
Pompano Beach	98,711	1.480391%
Sea Ranch Lakes	723	0.010843%
Southwest Ranches	8,619	0.129261%
Sunrise	89,201	1.337768%
Tamarac	59,309	0.889470%
Weston	61,840	0.927429%
West Park	13,679	0.205147%
Wilton Manors	13,073	0.196059%
Total Incorporated	1,733,654	26.000000%

Unincorporated Area	17,752
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Total County	1,751,406
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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 2011 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, 2011.

3. In the event this 2011 Amendment to Interlocal Agreement or a portion of this 2011 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 MUNICIPALITY 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. 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 2011 Amendment and the Interlocal Agreement, as previously amended, the parties hereby agree that this document shall control.

5. This 2011 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 2011 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 MUNICIPALITY, signing by and through its Mayor-Commissioner, 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 _____, 2011.

Approved as to form by
Office of County Attorney
Broward County, Florida
JONI ARMSTRONG COFFEY, County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By _____
Al A. DiCalvo
Assistant County Attorney

AAD;hb
3/24/11
GASTAX5_2011.doc«Municipality»

2011 AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND TOWN OF LAUDERDALE-BY-THE-SEA PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

TOWN OF LAUDERDALE-BY-THE-SEA

By _____
Roseann Minnet Mayor-Commissioner

____ day of _____, 2011.

ATTEST:

By _____
Town Clerk June White, CMC

Constance Hoffmann Town Manager

____ day of _____, 2011.

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _____
Susan L. Trevarthen Town Attorney