

**RESOLUTION NO. 2022 - 050**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE 2022 AMENDMENTS TO THE TWO (2) INTERLOCAL AGREEMENTS WITH BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX, AND THE ADDITIONAL THREE-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 additional 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 the additional three-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 that was renewed for thirty years; and

**WHEREAS**, this Agreement will provide funding for the 2022-2023 fiscal year through the distribution of the Town's share of the proceeds from the additional fifth-cent local option gas tax for transit in the amount of .102951% of the incorporated portion; and

**WHEREAS**, this Agreement will provide funding for the 2022-2023 fiscal year through the distribution of the Town's share of the proceeds from the additional three-cent local option gas tax in the amount of .203012% 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 Exhibits "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 Exhibits "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 28<sup>th</sup> day of April, 2022 on a motion by

Council Member Kuczenski and seconded by Vice Mayor Jablonski.

Breitkreuz	<u>Yes</u>	Ayes	<u>5</u>
Jablonski	<u>Yes</u>	Nays	<u>5</u>
Allbritton	<u>Yes</u>	Absent	<u>5</u>
Hartmann	<u>Yes</u>		
Kuczenski	<u>Yes</u>		

**[Signatures on Following Page]**



Steve Breitkreuz, Mayor

ATTEST:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:



Keith M. Poliakoff, J.D., Town Attorney  
1001.011.01

**2022 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 2022 Amendment to Interlocal Agreement (“2022 Amendment”) is entered into by and between Broward County, a political subdivision of the State of Florida (“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, (each a “Municipality” and, collectively “Municipalities”). 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 (“Interlocal Agreement”).

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 (“BEBR Figures”).

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 eligible municipalities within the County as follows:

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

<b>Recipient</b>	<b>FY23 Percent Share of Proceeds</b>
Coconut Creek	1.530750%
Cooper City	0.909837%
Coral Springs	3.559203%
Dania Beach	0.842123%
Davie	2.809077%
Deerfield Beach	2.304047%
Fort Lauderdale	4.921909%
Hallandale Beach	1.088647%
Hillsboro Beach	0.052532%
Hollywood	4.069603%
Lauderdale-by-the-Sea	0.164076%
Lauderdale Lakes	0.969352%
Lauderhill	1.971610%
Lazy Lake	0.000870%
Lighthouse Point	0.277710%
Margate	1.553048%
Miramar	3.597530%
North Lauderdale	1.186463%
Oakland Park	1.171677%
Parkland	0.937426%
Pembroke Park	0.164579%
Pembroke Pines	4.519350%
Plantation	2.450110%
Pompano Beach	2.992780%
Sea Ranch Lakes	0.014151%
Southwest Ranches	0.203012%
Sunrise	2.575250%
Tamarac	1.917941%
Weston	1.806740%
West Park	0.402823%
Wilton Manors	0.305774%
<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 4/1/21</b>
Coconut Creek	57,871
Cooper City	34,397
Coral Springs	134,558
Dania Beach	31,837
Davie	106,199
Deerfield Beach	87,106
Fort Lauderdale	186,076
Hallandale Beach	41,157
Hillsboro Beach	1,986
Hollywood	153,854
Lauderdale-by-the-Sea	6,203
Lauderdale Lakes	36,647
Lauderhill	74,538
Lazy Lake	33
Lighthouse Point	10,499
Margate	58,714
Miramar	136,007
North Lauderdale	44,855
Oakland Park	44,296
Parkland	35,440
Pembroke Park	6,222
Pembroke Pines	170,857
Plantation	92,628
Pompano Beach	113,144
Sea Ranch Lakes	535
Southwest Ranches	7,675
Sunrise	97,359

<b>Recipient</b>	<b>BEBR Population 4/1/21</b>
Tamarac	72,509
Weston	68,305
West Park	15,229
Wilton Manors	11,560
<b>Total Incorporated</b>	<b>1,938,296</b>
<b>Unincorporated Area</b>	<b>17,079</b>
<b>Total County</b>	<b>1,955,375</b>

3. This 2022 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 2022 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 2022 Amendment and the Interlocal Agreement, as previously amended, the Parties acknowledge that this 2022 Amendment shall control.

6. This 2022 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 2022 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 5th, 2022, 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 \_\_\_\_\_  
Monica Cepero  
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 \_\_\_\_\_  
Annika E. Ashton (Date)  
Deputy County Attorney



**2022 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 \_\_\_\_\_  
Steve Breitreuz, Mayor

\_\_\_\_\_

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

ATTEST:

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

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

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

(CORPORATE SEAL)

APPROVED AS TO FORM:

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

**2022 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 2022 Amendment to Interlocal Agreement (“2022 Amendment”) is entered into by and between Broward County, a political subdivision of the State of Florida (“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 (each a “Municipality” and, collectively “Municipalities”) 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 (“Interlocal Agreement”).

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 (“BEBR Figures”).

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 eligible municipalities in the County as follows:

Population of Each Eligible Municipality

Total County Incorporated Area X 26.0000%  
Population

Recipient	BEBR Population 4/1/21	FY23 Percent Share of Proceeds
Coconut Creek	57,871	0.776273%
Cooper City	34,397	0.461396%
Coral Springs	134,558	1.804940%
Dania Beach	31,837	0.427057%
Davie	106,199	1.424537%
Deerfield Beach	87,106	1.168426%
Fort Lauderdale	186,076	2.495994%
Hallandale Beach	41,157	0.552074%
Hillsboro Beach	1,986	0.026640%
Hollywood	153,854	2.063774%
Lauderdale-by-the-Sea	6,203	0.083206%
Lauderdale Lakes	36,647	0.491577%
Lauderhill	74,538	0.999841%
Lazy Lake	33	0.000442%
Lighthouse Point	10,499	0.140832%
Margate	58,714	0.787580%
Miramar	136,007	1.824377%
North Lauderdale	44,855	0.601678%
Oakland Park	44,296	0.594180%
Parkland	35,440	0.475387%
Pembroke Park	6,222	0.083461%
Pembroke Pines	170,857	2.291849%
Plantation	92,628	1.242498%
Pompano Beach	113,144	1.517696%
Sea Ranch Lakes	535	0.007176%
Southwest Ranches	7,675	0.102951%
Sunrise	97,359	1.305958%
Tamarac	72,509	0.972624%
Weston	68,305	0.916233%
West Park	15,229	0.204279%
Wilton Manors	11,560	0.155064%
<b>Total Incorporated</b>	<b>1,938,296</b>	<b>26.000000%</b>

<b>Recipient</b>	<b>BEBR Population 4/1/21</b>	<b>FY23 Percent Share of Proceeds</b>
<b>Unincorporated Area</b>	<b>17,079</b>	
<b>Total County</b>	<b>1,955,375</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 2022 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 2022 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 2022 Amendment and the Interlocal Agreement, as previously amended, the Parties acknowledge that this 2022 Amendment shall control.

5. This 2022 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 2022 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 5th, 2022, 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 \_\_\_\_\_

Monica Cepero  
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 \_\_\_\_\_

Annika E. Ashton (Date)  
Deputy County Attorney

**2022 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 \_\_\_\_\_  
Steve Breitkreuz, Mayor

\_\_\_\_\_

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

ATTEST:

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

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

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

(CORPORATE SEAL)

APPROVED AS TO FORM:

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

**2022 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 2022 Amendment to Interlocal Agreement (“2022 Amendment”) is entered into by and between Broward County, a political subdivision of the State of Florida (“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, (each a “Municipality” and, collectively “Municipalities”). 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 (“Interlocal Agreement”).

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 (“BEBR Figures”).

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 eligible municipalities within the County as follows:

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

<b>Recipient</b>	<b>FY23 Percent Share of Proceeds</b>
Coconut Creek	1.530750%
Cooper City	0.909837%
Coral Springs	3.559203%
Dania Beach	0.842123%
Davie	2.809077%
Deerfield Beach	2.304047%
Fort Lauderdale	4.921909%
Hallandale Beach	1.088647%
Hillsboro Beach	0.052532%
Hollywood	4.069603%
Lauderdale-by-the-Sea	0.164076%
Lauderdale Lakes	0.969352%
Lauderhill	1.971610%
Lazy Lake	0.000870%
Lighthouse Point	0.277710%
Margate	1.553048%
Miramar	3.597530%
North Lauderdale	1.186463%
Oakland Park	1.171677%
Parkland	0.937426%
Pembroke Park	0.164579%
Pembroke Pines	4.519350%
Plantation	2.450110%
Pompano Beach	2.992780%
Sea Ranch Lakes	0.014151%
Southwest Ranches	0.203012%
Sunrise	2.575250%
Tamarac	1.917941%
Weston	1.806740%
West Park	0.402823%
Wilton Manors	0.305774%
<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 4/1/21</b>
Coconut Creek	57,871
Cooper City	34,397
Coral Springs	134,558
Dania Beach	31,837
Davie	106,199
Deerfield Beach	87,106
Fort Lauderdale	186,076
Hallandale Beach	41,157
Hillsboro Beach	1,986
Hollywood	153,854
Lauderdale-by-the-Sea	6,203
Lauderdale Lakes	36,647
Lauderhill	74,538
Lazy Lake	33
Lighthouse Point	10,499
Margate	58,714
Miramar	136,007
North Lauderdale	44,855
Oakland Park	44,296
Parkland	35,440
Pembroke Park	6,222
Pembroke Pines	170,857
Plantation	92,628
Pompano Beach	113,144
Sea Ranch Lakes	535
Southwest Ranches	7,675
Sunrise	97,359

<b>Recipient</b>	<b>BEBR Population 4/1/21</b>
Tamarac	72,509
Weston	68,305
West Park	15,229
Wilton Manors	11,560
<b>Total Incorporated</b>	<b>1,938,296</b>
<b>Unincorporated Area</b>	<b>17,079</b>
<b>Total County</b>	<b>1,955,375</b>

3. This 2022 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 2022 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 2022 Amendment and the Interlocal Agreement, as previously amended, the Parties acknowledge that this 2022 Amendment shall control.

6. This 2022 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 2022 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 5th, 2022, 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 \_\_\_\_\_  
Monica Cepero  
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 \_\_\_\_\_  
Annika E. Ashton (Date)  
Deputy County Attorney

2022 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:

Januelle Caban

Municipality: SOUTHWEST RANCHES

By Steve Breitkreuz, Mayor

Whorey P... ..

28<sup>th</sup> day of April, 2022

ATTEST:

By Russell Muñiz,  
Assistant Town Administrator/Town Clerk

Andy Berns,  
Town Administrator

28<sup>th</sup> day of April, 2022

(CORPORATE SEAL)

APPROVED AS TO FORM:

By Keith Poliakoff, Town Attorney

**2022 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 2022 Amendment to Interlocal Agreement ("2022 Amendment") is entered into by and between Broward County, a political subdivision of the State of Florida ("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 (each a "Municipality" and, collectively "Municipalities") 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 ("Interlocal Agreement").

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 ("BEBR Figures").

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 eligible municipalities in the County as follows:

Population of Each Eligible Municipality

Total County Incorporated Area X 26.0000%  
Population

Recipient	BEBR Population 4/1/21	FY23 Percent Share of Proceeds
Coconut Creek	57,871	0.776273%
Cooper City	34,397	0.461396%
Coral Springs	134,558	1.804940%
Dania Beach	31,837	0.427057%
Davie	106,199	1.424537%
Deerfield Beach	87,106	1.168426%
Fort Lauderdale	186,076	2.495994%
Hallandale Beach	41,157	0.552074%
Hillsboro Beach	1,986	0.026640%
Hollywood	153,854	2.063774%
Lauderdale-by-the-Sea	6,203	0.083206%
Lauderdale Lakes	36,647	0.491577%
Lauderhill	74,538	0.999841%
Lazy Lake	33	0.000442%
Lighthouse Point	10,499	0.140832%
Margate	58,714	0.787580%
Miramar	136,007	1.824377%
North Lauderdale	44,855	0.601678%
Oakland Park	44,296	0.594180%
Parkland	35,440	0.475387%
Pembroke Park	6,222	0.083461%
Pembroke Pines	170,857	2.291849%
Plantation	92,628	1.242498%
Pompano Beach	113,144	1.517696%
Sea Ranch Lakes	535	0.007176%
Southwest Ranches	7,675	0.102951%
Sunrise	97,359	1.305958%
Tamarac	72,509	0.972624%
Weston	68,305	0.916233%
West Park	15,229	0.204279%
Wilton Manors	11,560	0.155064%
<b>Total Incorporated</b>	<b>1,938,296</b>	<b>26.000000%</b>

<b>Recipient</b>	<b>BEBR Population 4/1/21</b>	<b>FY23 Percent Share of Proceeds</b>
<b>Unincorporated Area</b>	<b>17,079</b>	
<b>Total County</b>	<b>1,955,375</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 2022 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 2022 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 2022 Amendment and the Interlocal Agreement, as previously amended, the Parties acknowledge that this 2022 Amendment shall control.

5. This 2022 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 2022 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 5th, 2022, 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 \_\_\_\_\_

Monica Cepero  
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 \_\_\_\_\_

Annika E. Ashton (Date)  
Deputy County Attorney



2022 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:

Danielle Caban

Debra Ruess

ATTEST:

Russell Mufiz  
Russell Mufiz,  
Assistant Town Administrator / Town Clerk

(CORPORATE SEAL)

Municipality: SOUTHWEST RANCHES

By Steve Breitkreuz  
Steve Breitkreuz, Mayor

28<sup>th</sup> day of April, 2022

By Andy Berns  
Andy Berns, Town Administrator

28<sup>th</sup> day of April, 2022

APPROVED AS TO FORM:

By Keith Poliakoff  
Keith Poliakoff, Town Attorney