

CITY OF MARGATE, FLORIDA

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA,  
APPROVING THE FIRST AMENDMENT TO THE  
TRANSPORTATION SYSTEM SURTAX INTERLOCAL  
AGREEMENT WITH BROWARD COUNTY, THE  
METROPOLITAN PLANNING ORGANIZATION, AND  
PARTICIPATING MUNICIPALITIES; PROVIDING FOR  
SCOPE AND PRIORITIZATION OF MUNICIPAL  
PROJECTS; PROVIDING FOR EFFECTIVE DATE.

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WHEREAS, on June 5, 2018 the Broward County Board of County Commissioners voted to place on the November 6, 2018 ballot, for consideration by the countywide electorate, a proposed transportation surtax levy of one percent (1%); and

WHEREAS, on June 5, 2018 the Broward County Board of County Commissioners enacted Broward County Ordinance No. 2018-29, the Broward County Surtax Ordinance, which, among other things, provides a process by which any municipality within Broward County may apply for project funding from surtax proceeds, which process includes a request that the Broward Metropolitan Planning Organization (MPO) review and rank all municipal projects based on each project's ability to alleviate traffic congestion and enhance connectivity; and

WHEREAS, funding of submitted municipal projects shall be accomplished through interlocal agreements between the County and the applicable Municipalities; and

WHEREAS, on August 21, 2018, the Broward County Board of Commissioners approved the Transportation System Surtax Interlocal Agreement (the "Agreement") that requests municipalities in the County to approve the Agreement; and

WHEREAS, pursuant to the Agreement, the County has committed for each applicable year during which Transportation Surtax Proceeds are received by the County, an amount equal to a minimum of ten percent (10%) of the Transportation Surtax Proceeds received by the County that year, less the amount directly paid from Transportation Surtax Proceeds for Community Bus Service, shall be used to fund Submitted Municipal Projects in the order of ranking by the MPO, with the highest-ranked project receiving the first funding; and

WHEREAS, the City Commission approved the Agreement on September 26, 2018; and

WHEREAS, the City Commission approved Resolution 19-017 on February 20, 2019 urging the Broward County Board of County Commissioners to amend the Agreement to provide for census based pro rata distribution of the proceeds of the Surtax; and

WHEREAS, this First Amendment to the Agreement clarifies the definition of eligible projects to include Current Municipal Projects and future municipal projects submitted to the MPO, collectively, "Submitted Municipal Projects", and

WHEREAS, this First Amendment removes responsibility for prioritizing rehabilitation and maintenance projects from the surtax-funded MPO staff (allowing those projects to be funded earlier in the 30-year program), and creates other necessary alignment with MPO/County ILA contract terms (establishing funding to develop municipal prioritization process); and

WHEREAS, this First Amendment amends the date municipal project prioritization must be submitted by surtax-funded MPO staff to County staff for inclusion in FY2020 budget (from February to March 2020); and

WHEREAS this First Amendment recognizes the Parties' intent to create a Five-Year Plan (no later than July 2020) that will include all projects funded in part or wholly using surtax proceeds for approval by the Oversight Board; and

WHEREAS, on June 11, 2019, the Broward County Board of Commissioners approved this First Amendment to the Agreement; and

WHEREAS, the First Amendment to the Agreement shall become effective only if, the MPO and municipalities representing a majority of the population of Broward County formally approve, execute, and return the executed First Amendment to the Agreement to the County; and

WHEREAS, the City Commission finds it in the best interest of the City to approve the Agreement.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

**SECTION 1:** The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

**SECTION 2:** That the Mayor and City Manager are authorized and directed to execute this First Amendment on behalf of the City of Margate, a copy of which is attached and made a part of this Resolution.

**SECTION 3:** That this Resolution shall become effective immediately upon its passage.

PASSED, ADOPTED AND APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2019.

ATTEST:

\_\_\_\_\_  
JOSEPH J. KAVANAGH  
CITY CLERK

\_\_\_\_\_  
MAYOR ANTHONY N. CAGGIANO

RECORD OF VOTE

Simone	_____
Arserio	_____
Schwartz	_____
Ruzzano	_____
Caggiano	_____