

RESOLUTION NO. 2019-_____

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS TO AMEND THE TRANSPORTATION SYSTEM SURTAX INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND MUNICIPALITIES IN BROWARD COUNTY, TO PROVIDE THAT THE MUNICIPALITIES' ALLOCATED SHARE OF NO LESS THAN TEN PERCENT OF THE PROCEEDS OF THE TRANSPORTATION SURTAX WILL BE DISTRIBUTED TO THE MUNICIPALITIES PRO RATA BASED UPON POPULATION; PROVIDING AN EFFECTIVE DATE.

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 August 21, 2018, the Broward County Board of Commissioners approved the Transportation System Surtax Interlocal Agreement (the "Agreement") and requested that municipalities in the County 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 no less than 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 Agreement became effective when, prior to September 30, 2018, the municipalities representing a majority of the population of Broward County formally approved, executed, and returned the executed Agreement to the County; and

WHEREAS, on September 25, 2018, the City Commission adopted Resolution No. 2018-275, approving the Agreement; and

WHEREAS, on November 6, 2018, the voters of Broward County approved the Transportation Surtax; and

WHEREAS, the City Commission strongly desires the Broward County Board of County Commissioners to amend the Agreement to provide that the municipalities' allocated share of no less than ten percent (10%) of the proceeds of the transportation surtax will be distributed to the municipalities pro rata based upon population; and

WHEREAS, changing the methodology is the only way to ensure that municipalities will each have a guaranteed revenue stream that can be used to issue bonds and undertake major projects; and

WHEREAS, changing the methodology ensures equity among all of the municipalities, because residents of every municipality are paying higher sales tax, and therefore, should be guaranteed some projects in their respective municipality; and

WHEREAS, the proposed amendment to the Agreement respects the home rule authority of each municipalities' elected officials as they should have the right to decide which projects should be funded in their municipality.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. The foregoing WHEREAS clauses contained in the preamble to this Resolution are incorporated by reference herein.

SECTION 2. The City Commission urges the Broward County Board of County Commissioners to amend the Transportation System Surtax Interlocal Agreement to provide that the municipalities' allocated share of no less than ten percent of the proceeds of the transportation surtax will be distributed to the municipalities pro rata based upon population.

SECTION 3. The City Clerk is directed to transmit a copy of this Resolution to Broward County and all the municipalities in Broward County.

SECTION 4. The appropriate City officials are authorized to execute all necessary documents and to take any necessary action to effectuate the intent of this Resolution.

SECTION 5. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2019.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

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