

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE SECOND AMENDMENT TO AND RESTATEMENT OF THE TRANSPORTATION SYSTEM SURTAX INTERLOCAL AGREEMENT AMONG BROWARD COUNTY, THE BROWARD METROPOLITAN PLANNING ORGANIZATION AND VARIOUS MUNICIPALITIES.

WHEREAS, pursuant to Section 31½-71, et seq., of the Broward County Code of Ordinances (“Transportation Surtax Ordinance”), a 30-year 1% transportation surtax was levied after approval by referendum of the general electorate at the General Election on November 6, 2018, to be expended for authorized transportation and transit projects in accordance with applicable law including, specifically, Section 212.055(1), Florida Statutes (“Transportation Surtax”); and

WHEREAS, the County and its municipalities recognized the importance of a collaborative and strategic transportation plan for Broward County and the need for a careful analysis of proposed projects to ensure the efficient expenditure of Transportation Surtax proceeds exclusively on eligible projects; and

WHEREAS, as a result, the parties entered into the Transportation System Surtax Interlocal Agreement, which provided for a cooperative and organized process for the municipalities to submit projects for evaluation and funding with Transportation Surtax proceeds; and

WHEREAS, on September 12, 2019, the Transportation System Surtax Interlocal Agreement was amended to provide for the Broward Metropolitan Planning Organization’s (“MPO”) evaluation and ranking of municipal capital projects and the County’s evaluation and ranking of municipal rehabilitation and maintenance projects (the “First Amendment”); and

WHEREAS, the Transportation System Surtax Interlocal Agreement, as amended by the First Amendment, is referred to as the “Interlocal Agreement”; and

WHEREAS, on September 22, 2020, the County Commission approved more than \$43 million in Transportation Surtax funding for community shuttle service and municipal capital projects for FY2021 and approved the FY2021 five-year capital plan; and

WHEREAS, the parties to the Interlocal Agreement believe it to be beneficial to fully restate the Interlocal Agreement, as set forth in the attached second amendment, including:

- (i) Document the completion of the MPO's first cycle of evaluating and ranking municipal capital projects to be funded with Transportation Surtax proceeds;
- (ii) Document the allocation of FY2019, FY2020, and FY2021 Transportation Surtax proceeds for approved municipal capital projects;
- (iii) Set forth the MPO's criteria going forward for evaluating, ranking, and recommending funding for municipal capital projects in future County annual five-year capital improvement plans;
- (iv) Outline the County's general process for evaluation and ranking of municipal rehabilitation and maintenance projects, and document completion of that process for FY2020;
- (v) Document the allocation of FY2019 and FY2020 Transportation Surtax proceeds for approved municipal rehabilitation and maintenance projects; and
- (vi) Document an agreed upon process for funding municipal capital projects, including the timing of funding and the process for adjusting County annual five-year capital improvement plans.

; and

WHEREAS, City staff recommends that the City Commission approve and authorize the appropriate City officials to execute the attached Second Amendment to and Reinstatement of the Transportation System Surtax Interlocal Agreement with Broward County and the MPO.

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

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution, by the appropriate City officials, of the attached Second Amendment to and Reinstatement of the Transportation System Surtax Interlocal Agreement among Broward County, the MPO and various municipalities, together with such non-material changes as may subsequently be agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

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PASSED AND ADOPTED this _____ day of _____, 2021.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES
CITY ATTORNEY