



MONICA CEPERO, County Administrator

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May 30, 2025

Adam Reichbach, President
Broward County City Managers Association, Inc. (BCCMA)
c/o P.O. Box 229045
Hollywood, FL 33020

Via email: areichbach@hollywoodfl.org

Re: Response to April 15, 2025, BCCMA Correspondence and 3rd Amendment to Transportation Surtax Interlocal Agreement

Dear Mr. Reichbach,

I would like to extend my thanks to the BCCMA for the comprehensive comments outlined in your letter dated April 15, 2025. I am pleased to present the enclosed proposed *Amended and Restated Transportation System Surtax Interlocal Agreement* (3rd Amendment ILA), which is the culmination of extensive and diligent efforts. Every aspect of the 3rd Amendment has been carefully developed through a thorough and collaborative process, reflecting the valuable input and specific requests of the BCCMA membership. In addition to the 3rd Amendment ILA, I have prepared responses to questions raised in your April 15, 2025, letter.

Outstanding BCCMA Term Sheet Questions transmitted on April 15, 2025, Letter

- **Page 3 of 15 - Re: Oversight Board extension of County termination of Cycle 1 Projects.**

BCCMA Question: *Is the Oversight Board the Final Arbitrator or is this technically the Board of Broward County Commissioners?*

County Response: Pursuant to the 3rd Amendment ILA, the County Administrator will make final determinations regarding whether to extend Cycle 1 projects that are not under a Surtax Funding Agreement. The intention remains to bring an amendment to the Code of Ordinances to the Board of County Commissioners after the 3rd Amendment ILA has been approved by the required parties that would change this provision, so the Oversight Board is delegated the authority for a final extension. If the modification to the

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Code of Ordinances is approved by the Board, then yes, the Oversight Board's final extension determination will be final.

- **Page 6 of 15 - Re: Municipal deferred R&M funding will be considered “spent” for purposes of Minimum Annual Guarantee.**

BCCMA Question: *Is the Minimum Annual Guarantee not always 10% of Surtax Proceeds?*

County Response: Yes, the Minimum Annual Guarantee is 10% of the annual Transportation Surtax proceeds, as provided in Section 1.2.15, and aligns with the term sheet previously provided.

- **Page 9 of 15 - Re: Grant Match Port funding being generally based on a first come/first served basis, subject to County review and consideration being given to projects that are likely to result in maximum leverage, County Commission strategic transportation planning, and amounts of surtax previously received by the requesting.**

BCCMA Question: *This would infer that the leverage number of applications would be compared to each other which alters the concept of first come/first served basis which would mention above.*

County Response: Yes, the Grant Match applications will be reviewed as they come in generally on a first come/first served basis, subject to some modifiers if there are multiple applications received at or about the same time or certain requests conflict with existing projects, etc. The full list of qualifiers is described in greater detail, as provided in Section 4.5, and aligns with the term sheet previously provided.

- **Page 13 of 15 - Re: Oversight Board extension of County termination of projects when a Municipality is not timely under a Surtax Funding Agreement.**

BCCMA Question: *Aren't Oversight Board actions only recommendations to County Commission?*

County Response: Please see earlier response regarding Cycle 1 Projects not under a Surtax Funding Agreement. The same process will be followed and if the Board of County Commissioners approve modifications to the applicable ordinance, the Oversight Board's final extension determination will be final.

Additionally, as the BCCMA requested, the formula-based funding will be solely based on the percentage of centerline miles (as it relates to the total local centerline miles in the County) of municipally owned public roadways, without additional modifiers. Each time Florida Department

of Transportation releases updates to the centerline miles within Broward County and municipalities within the County, the formula-based funding will be adjusted accordingly.

As a next step, the attached proposed 3rd Amendment ILA will be submitted to our Broward County Board of County Commissioners on June 10th, 2025, for approval in substantially the same form. The agenda item also authorizes the County Administrator to make minor, non-substantive modifications as may be necessary to finalize the 3rd Amendment ILA. Once the requisite number of Municipalities approve the 3rd Amendment ILA, it will then be executed by the Broward County Mayor and the County Administrator.

We encourage all municipalities act as soon as possible to place a similar item on an agenda in June 2025. Having the municipalities approve the 3rd Amendment ILA "in substantial form" will allow the same flexibility to make minor modifications and enable our respective legal teams and counsel to conduct final review and incorporate any necessary minor edits, ensuring the agreement is ready for execution in a timely and efficient manner. County staff and attorneys are currently preparing the new relevant documents for the formula-based and grant match programs described in the 3rd Amendment ILA to ensure it can be utilized as soon as the 3rd Amendment ILA is approved and effective.

Thank you once again for your partnership and thoughtful engagement. We look forward to bringing this agreement to final execution and continue working together for the overall success of the Transportation Surtax program for the communities that we collectively serve.

Respectfully Submitted,



Monica Cepero
County Administrator

Enclosure

cc: Board of County Commissioners
Kevin Kelleher, Assistant County Administrator
Laurette Jean, Assistant to the County Administrator
Gretchen Cassini, Mobility Advancement Program Administrator
Andrew Meyers, County Attorney
Nathaniel Klitsberg, Transportation Surtax General Counsel
Neysa Herrera, Vice President, BCCMA
Catherine Givens, Secretary, BCCMA
BCCMA Surtax Subcommittee Representatives