

PROPOSED RESOLUTION NO. 2025-R-29

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF THE THIRD AMENDMENT AND RESTATEMENT OF THE TRANSPORTATION SYSTEM SURTAX INTERLOCAL AGREEMENT IN SUBSTANTIALLY THE FORM OF EXHIBIT 1 WITH THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Broward County Board of County Commissioners (“Board”) approved the Transportation System Surtax Interlocal Agreement on August 29, 2018; and

WHEREAS, the Board approved the First Amendment to the Transportation System Surtax Interlocal Agreement (“First Amendment”) on June 11, 2019; and

WHEREAS, the Board authorized the County Administrator, in consultation with the County Attorney, to execute the Second Amendment and Restatement of the Transportation System Surtax Interlocal Agreement (“Second Amendment”) on September 10, 2020; and

WHEREAS, the Second Amendment clarified the definitions of eligible municipal projects; and

WHEREAS, the Second Amendment stipulated that the initial ranking of projects from Cycle 1 (2020) was performed equitably under the provisions of contractual obligations and preserves the Cycle 1 project rankings for all phases and will retain their rankings until all are funded; and

WHEREAS, the Second Amendment also required the Broward Metropolitan

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Planning Organization (“MPO”) to modify its ranking criteria beginning in 2021, required the MPO to amend the date when potential project applications be submitted to April 1st of each year, and requires the MPO to amend the date when the MPO will complete the prioritization of municipal projects to June 1st of each year; and

WHEREAS, the Second Amendment provided for the County annually budgeting for ranked, approved projects and provides for developing subsequent 5-year rolling, capital plans; and

WHEREAS, the Second Amendment provided that it is the County’s responsibility to rank the Rehabilitation and Maintenance projects and that any approved Rehabilitation and Maintenance project that was not funded in Cycle 1 will be funded until all have been funded.

WHEREAS, the Third Amendment provides that among other modifications, the proposed Transportation Surtax ILA is intended to streamline, simplify, and broaden annual municipal access to transportation surtax revenues using a formula allocation to each participating municipality to supplement (and not supplant) existing city funding for rehabilitation and maintenance of city-owned roads, bridges, sidewalks, bicycle facilities, on-demand transportation (also known as micro-transit) and other eligible uses as defined by Florida Statute.

WHEREAS, the Third Amendment creates a new Grant Match Program, which will allow participating municipalities to seek transportation surtax funding as

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part of the local match requirements for competitive state and federal programs, grants, and appropriations.

WHEREAS, the Third Amendment provides for the portion of the transportation surtax allocated to participating municipalities have also been modified to be allocated based on a formula-based funding using 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 the 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.

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

SECTION 1. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Resolution.

SECTION 2. The City approves and authorizes the execution of the Third Amendment to and Restatement of the Transportation System Surtax Interlocal Agreement in substantially the form of Exhibit 1.

SECTION 3. All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

SECTION 4. If any section, sentence, clause, or phrase of this resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said

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holding shall in no way affect the validity of the remaining portions of this resolution.

SECTION 5. This resolution shall become effective upon its passage and adoption by the City Commission.

SECTION 6. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, THIS ____ DAY OF _____, 2025.

CITY OF PEMBROKE PINES, FLORIDA

By: _____
MAYOR ANGELO CASTILLO

ATTEST:

DEBRA ROGERS
CITY CLERK

CASTILLO _____

HERNANDEZ _____

SCHWARTZ _____

APPROVED AS TO FORM:

GOOD _____

CITY ATTORNEY

RODRIGUEZ _____